Minute/Case Notes:
- Mobile Number:
Caseowner EEA Command Criminal Casework Team Immigration Enforcement 8th Floor, Apollo House Croydon CR9 3RR Email add: Tel: Fax: Hotline:
Unit:- CCDCWK04 Date:- 28-Mar-2017 Dear Gatekeeper Please confirm detention with the caseowner Please see email below as the subject will report today at 6pm when the stage 1 will hopefully be served.
Kind regards,
Case Progression Manager Immigration Enforcement Criminal Casework Home Office Team 4, 8th floor, Apollo House, 36 Wellesley Road, Croydon, CR9 3RR Tel -
Unit:- CCDCWK04 Date:- 28-Mar-2017
ICD.3079 recieved from Croydon CC as follows:
MINUTE OF A DECISION TO DETAIN A PERSON WHO THE SECRETARY OF STATE IS CONSIDERING WHETHER THERE ARE REASONABLE GROUNDS FOR SUSPECTING THAT THEY MAY BE REMOVED FROM THE UK UNDER REGULATION 23(2)(b) OF THE EEA REGULATIONS. REGULATIONS 32(1) OF THE IMMIGRATION (EUROPEAN ECONOMIC AREA) REGULATIONS 2016 APPLIES
Name: D1914 HO Ref: C1346228

Minute/Case Notes:
Nationality: Romania NOMS Ref: D.O.B. DPA DC: NA Location: Date of last (IS. 151F) NA Date of initial detention: 28 March 2017 Next review due 25 April 2017 Legal basis of detention: Regulation 32(1) of The Immigration (European Economic Area) Regulations 2016
All Deportation Papers Served: 0 Yes 1 No
Please list the papers served here: ICD.4932 EEA (Stage 1) issued on 28 March 2017
Risks: Absconding 1 High 0 Medium 0 Low Re-offending 1 High 0 Medium 0 Low Harm 1 High 0 Medium 0 Low Assessment by CO
Outstanding barrier to deportation including estimated timescales for resolution: 1. Potential representations 2. Travel document
Immigration History. It is not known when D1914 first arrived in the UK. As an EEA national, he would not have been subject to immigration control at the point of entry into the UK. Brief description of the offences committed which have led to depirtation being pursued and any relevant judge's sentencing remarks. D1914 was convicted of Sensitive/Irrelevant in Romania for which he received Sensitive/Irrelevant on 22 May 2000.
Offending history Between 20 March 1997 and 8 December 2008, D1914 has incurred 7 convictions for 8 offences in Romania, Germany, and Italy. His crimes include; a number of Sensitive/Irrelevant and sensitive/Irrelevant likely to cause Sensitive/Irrelevant Sensitive/Irrelevant Sensitive/Irrelevant He has received Sensitive/Irrelevant for his convictions. Deportation casework status. A notice of liability to deportation was issued against D1914 on 28 March 2017.
Known or claimed medical conditions (including mental health and or self-harm issues, PTSD, Risks of suicide). Have any rule 35 reports been received: Actions:
Date of representations Source Claim raised Impact on Immigration detention Y/N NA
Current barriers to removal (including documentation and compliance). D1914 removal can be effected with a valid ID card, Passport, or EU letter.
Compliance ¿NA

Minute/Case Notes:
If no, is s35 criteria met/not met? NA When do we expect a travel document/EU letter to be issued? NA
1-3 month
3-6 months
6+ months
Assessment of risk of absconding It is not known if D1914 has family life in the UK. It is considered that even if he has family life in the UK, it would not be unfounded to conclude that his family would not be in a position to prevent him from absconding, should he choose to do so.
Assessment of re-offending. D1914 has received Sensitive/Irrelevant in Romania and he has other convictions for Sensitive/Irrelevant in Romania. He has clearly shown by his own actions and convictions that he presents a current risk of re-offending.
Assessment of risk of harm to the public. D1914 is a persistent offender and with lack of any evidence to suggest he has sought to address and correct his offending behaviour, it is considered that Sensitive/Irrelevant Risk indicators and risk leve accordin to the Adults at Risk policy (where relevant). D1914 has engaged the adult at sk policy either on level 2. He states that he has heart condition and this is being managed by medication.
Conditions rendering person suitable for detention only in very exceptional circumstances (see section 55.10 of Enforcement Instructions and Guidance). There is no evidence of any exceptional circumstances in D1914 case.
Action plan for initial 28 days by the team maintaining detention if removal direction has not been set (in bullet point format only) ¿ Any representations to consider? ¿ Make a decision ¿ Actively progress case to conclusion
Recommendation (whether to detain or release, supported by reasons). Including any other compassionate circumstances (including children issues and ties to the UK)
There is no evidence to suggest that D1914 has family life in the UK. It is considered that even if he has family life here, they could not exert a sufficient influence to prevent him from committing criminal offences in the UK. It is considered that his family would not be in a position to prevent him, should he risk to abscond and should he risk to re-offend.
D1914 poses a Sensitive/Irrelevant as he has received a number of convictions in the UK. In the absence of evidence that there has been any improvement in D1914 personal circumstances since his last conviction, or that he has successfully addressed the issues that prompts him to commit criminal offences, it is reasonable to conclude that there is a risk of D1914 re-offending and Sensitive/Irrelevant

Minute/Case Notes:
D1914 is a RomanianCzech Republic national and he can be removed to Romaniathe Czech Republic with EU letter in the absence of a valid Passport or ID card. D1914 has the right of appeal against any adverse decision. If case falls for certification, removal would be arranged after 14 days of service of the decision. If he takes the voluntary option, he could leave the UK within 30 days of service of the decision. Detention will be reviewed if his case does not fall for certification.
The presumption to liberty as outlined in Chapter 55 of the Enforcement Instructions and Guidance has been considered but in this case, the presumption is on balance outweighed by the Sensitive/Irrelevant and risk of absconding. D1914 Idetention under powers contained in Regulation 32(1) of The Immigration (European Economic Area) Regulations 2016 is hereby proposed.
Authorising officer's comments, including response to recommendation
Authorising officer's signature: Authorising officer's grade: Date:
1 IS91 prepared 0 1 IS.91R 1 IS.91RA prepared 0 IS.94 prepared (if required)
Authority to detain given/ Comments Between 20 March 1997 and 8 December 2008, D1914 has incurred 7 convictions for 8 offences in Romania, Germany, and Italy. He committed serious offences: a number of Sensitive/Irrelevant and Sensitive/Irrelevant using Sensitive/Irrelevant Sensitive/Irrelevant or Sensitive/Irrelevant He received Sensitive/Irrelevant for his convictions.
A stage 1 was sent for service today (28 March 2017). There are no factors to suggest that deportation cannot be achieved within a realistic timeframe. D1914 falls under the adult at risk policy at level 2 and his heart condition is being managed by medication.
There is currently no evidence that he has family ties in the UK and therefore he poses a risk to abscond.
Based on the presumption to release, I have considered whether the detention of D1914 is justified under Regulation 32 (1) of the Immigration (European Economic Area) Regulation 2016. In the light of the risk of further absconding and harm he poses, I consider these factors outweigh the presumption to release
Name:

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Position: Acting SEO Date: 28 March 2017

CASE RETURNED AS PER THE FOLLWING RESPONDING E MAIL TO THE REFERRING OFFICER:

Hi ,

I am returning this case for the following reasons:

The subject is not due to report until 6pm. I have spoken to the DGK Duty HEO who has advised that he has taken a call today regarding this case and was advised that the subject has a heart condition that he has recently been hospitalised for.

Therefore please re refer this case with an updated ICD.3079/IS.91RA once the subject has been detained and assessed by the FME. We will need to know what his condition is, whether he is taking any medication, dosages, if he has the meds with him etc.

Regards,

I Detention Gatekeeper

Detention, Progression and Returns Command (DPRC) I Immigration Enforcement I 13th Floor (Short Corridor), Lunar House, 40 Wellesley Road, Croydon, CR9 2BY I Landline ¿

If your query is regarding a case/referral, please redirect your e mail to The Detention Gatekeeper Criminal Casework Referrals Inbox.

Unit:- DGATEPVT Date:- 28-Mar-2017

Wed 29 Mar 17

Case refered back to the Gatekeeper to bring offender into IS Detention.

Good morning,

Please this case is being referred back to yourselves as the PC confirmed that the offender was served with Stage 1. IS.91R and IS.91 at 21:12 hrs yesterday (Tuesday 28 March 2017). Custody at High Wycombe - Queen Victoria Road Police Station have requested that he be transferred into our IS detention as soon as possible.

Please let our AD know if you do not wish to bring him into IS detention due to his medical condition.

<u>He is on medication for a heart condition and he has these medications on him.</u>

Sensitive/Irrelevant

Minute/Case Notes:
Sensitive/Irrelevant Many thanks
EEA Command Criminal Casework Team Immigration Enforcement 8th Floor, Apollo House Croydon CR9 3RR Email add Tel: Fax: Hotline:
Unit:- CCDCWK04 Date:- 29-Mar-2017
CASE REFERRED TO SMT AS A LEVEL 2
Dear Duty SEO
Referring case as a Level 2 as subject has a heart condition and has numerous medications in his possession.
Immigration History
Sub is a ROM national therefore we are unsure of his immigration history due to free movement.
Criminal History
Between 20 March 1997 and 8 December 2008, D1914 has incurred 7 convictions for 8 offences in Romania, Germany, and Italy. His crimes include; a number of Sensitive/Irrelevant and using Sensitive/Irrelevant or Sensitive/Irrelevant Sensitive/Irrelevant has received Sensitive/Irrelevant for his convictions.
Medical History
He is on medication for a heart condition and he has these medications on him.
INCOMMICRARIUM

Minu	ite/C	ase I	OV	tes:
	1000	400 1		

for his convictions.

Deportation casework status.

Subject is a Harm A : ACRO case. He has been served a stage 1 decision. Subject can be removed on an EUL and therefore removal will be within a reasonable timeframe. Subject also feigned illness when detained by claiming that he was having pains in his chest, he later changed his mind, which leads us to believe that he is using his illness to evade removal. He has his medications in his possession so this can

be controlled in the IRC. I therefore recommend detention to effect removal. MINUTE OF A DECISION TO DETAIN A PERSON WHO THE SECRETARY OF STATE IS CONSIDERING WHETHER THERE ARE REASONABLE GROUNDS FOR SUSPECTING THAT THEY MAY BE REMOVED. FROM THE UK UNDER REGULATION 23(2)(b) OF THE EEA REGULATIONS. REGULATIONS 32(1) OF THE IMMIGRATION (EUROPEAN ECONOMIC AREA) REGULATIONS 2016 APPLIES D1914 HO Ref: C1346228 Name: L.... Nationality: Romania NOMS Ref: D.O.B. DPA DC: NA Location: Date of last (IS. 151F) NA Date of initial detention: 28 March 2017 Next review due 25 April 2017 Legal basis of detention: Regulation 32(1) of The Immigration (European Economic Area) Regulations 2016 All Deportation Papers Served: 0 Yes 1 No Please list the papers served here: ICD.4932 EEA (Stage 1) iss ed on 28 March 2017 Risks: Absconding 1 High 0 Medium 0 Low Re-offending 1 High 0 Medium 0 Low Harm 1 High 0 Medium 0 Low Assessment by CO Outstanding barrier to deportation including estimated timescales for resolution: 1. Potential representations 2. Travel document Immigration History. It is not known when D1914 I first arrived in the UK. As an EEA national, he would not have been subject to immigration control at the point of entry into the UK. Brief description of the offences committed which have led to deportation being pursued and any relevant judge's sentencing remarks. was convicted of Sensitive/Irrelevant in Romania for which he received sensitive/Irrelevant Sensitive/Irrelevant on 22 May 2000. Offending history Between 20 March 1997 and 8 December 2008, D1914 has incurred 7 convictions for 8 offences in Romania, Germany, and many, and many or and using Sensitive/Irrelevant or Sensitive/Irrelevant Romania, Germany, and Italy. His crimes include; a number of Sensitive/Irrelevant and Sensitive/Irreleva Sensitive/Irrelevant

A notice of liability to deportation was issued against ______ on 28 March 2017.

75

34

He has received Sensitive/Irrelevant

Minute/Case Notes:
Known or claimed medical conditions (including mental health and or self-harm issues, PTSD, Risks of suicide). Have any rule 35 reports been received: Actions: D1914 "¿details of his medication. Sensitive/Irrelevant
Date of representations Source Claim raised Impact on Immigration detention Y/N NA
Current barriers to removal (including documentation and compliance). D1914 removal can be effected with a valid ID card, Passport, or EU letter.
Compliance ¿NA If no, is s35 criteria met/not met? NA When do we expect a travel document/EU letter to be issued? NA
1-3 month
3-6 months
6+ months
Assessment of risk of absconding It is not known if D1914 has family life in the UK. It is considered that even if he has family life in the UK, it would not be unfounded to concluse that his family would not be in a possion to prevent him from absconding, should he choose to do so
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Assessment of risk of harm to the public. D1914 is a persistent offender and with lack of any evidence to suggest he has sought to address and correct his offending behaviour, it is considered that Sensitive/Irrelevant
Risk indicators and risk level, according to the Adults at Risk policy (where relevant). D1914 has engaged the adult at risk policy either on level 2. He states that he has heart condition and this is being managed by medication.
Conditions rendering person suitable for detention only in very exceptional circumstances (see section 55.10 of Enforcement Instructions and Guidance). There is no evidence of any exceptional circumstances in D1914 case.
Action plan for initial 28 days by the team maintaining detention if removal direction has not been set (in bullet point format only) ¿ Any representations to consider? ¿ Make a decision ¿ Actively progress case to conclusion
Recommendation (whether to detain or release, supported by reasons). Including any other compassionate

Minute/Case Notes:
circumstances (including children issues and ties to the UK)
There is no evidence to suggest that has family life in the UK. It is considered that even if he has family life here, they could not exert a sufficient influence to prevent him from committing criminal offences in the UK. It is considered that his family would not be in a position to prevent him, should he risk to abscond and should he risk to re-offend.
D1914 poses a risk of harm to the public as he has received a number of convictions in the UK. In the absence of evidence that there has been any improvement in D1914 personal circumstances since his last conviction, or that he has successfully addressed the issues that prompts him to commit criminal offences, it is reasonable to conclude that there is a risk of D1914 re-offending and Sensitive/Irrelevant
D1914 is a Romanian national and he can be removed to Romania with EU letter in the absence of a valid Passport or ID card. D1914 has the right of appeal against any adverse decision. If case falls for certification, removal would be arranged after 14 days of service of the decision. If he takes the voluntary option, he could leave the UK within 30 days of service of the decision. Detention will be reviewed if his case does not fall for certification.
The presumption to liberty as outlined in Chapter 55 of the Enforcement Instructions and Guidance has been considered but in this case, the presumption is on balance outweighed by Sensitive/Irrelevant and risk of absconding. D1914 detention under powers contained in Regulation 32(1) of The Immigration (European Economic Area) Regulations 2016 is hereby proposed. Authorising officer's comments, including response to recommendation
Authorising officer's signature: Authorising officer's grade: Date: 1 IS91 prepared 0 1 IS.91R 1 IS.91RA prepared 0 IS.94 prepared (if required)
Unit:- DGATEPVT Date:- 29-Mar-2017 Case accepted by DGk - Level 2 authorised.
From: Detention Gatekeeper Criminal Casework Referrals Sent: 29 March 2017 13:33

Minute/Case Notes:
To: ; Detention Gatekeeper Criminal Casework Referrals; ; DEPMU Detention Requests Cc: DR's Team 04; Subject: RE: Imminent Cases CC Case HO REF: C1346228 Name: D1914
Case accepted for detention ¿ Level 2 detention has been authorised by DGK SMT
DEPMU ¿ Please can you move the subject into the detention estate
New case or pre-booking line number/s: NEW ¿ CC ICE/ROM referring officer & contact number: CID or Home Office Reference: C1346228 Name: D1914 Nationality: ROM Gender: Male Place of detention: High Wycombe ¿ Queen Victoria Road PS Time IS91 was served: 28.03.2017 ¿ 21.:12 Special Needs (If yes, provide the following details): He is on medication for a heart condition and he his
medications on him. i i i i i i i i i i i i i i i i i i
o Medication, dosage etc: o Medication held on person (Y/N): o Adult at risk (Y/N, if yes please specify level): PNC trace (Y/N, if yes please provide details): ACRO ¿ deportation Between Sensitive/Irrelevant , D1914 has incurred 7 convictions for 8 offences in Romania, Germany, and Italy. His crimes include; a number of Sensitive/Irrelevant Sensitive/Irrelevant He has received custodial sentences for his convictions. Type of offence: o Additional details (sentence/caution/NFA): Tasking (Tascor/ICE move): TASCOR RFO: CC SUB RFO: DCO: CC RD's set (If yes, provide details): Details of interview scheme (or medical appts, if known):
o Date: o Time: o Location:

M	in	ute	Case	Notes:	
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FILE COPY

Authorised by -

Sub has medication for his condition and removal is reasonable and proportionate to facilitate removal.

Unit:- DGATEPVT Date:- 29-Mar-2017

Case reviewed.

Caseowner to ensure the following is on file:

1. Confirmation of service of Stage 1.

Minute/Case Notes:
2. Confirmation of service of the IS91 and 91R/1913.
Detention Gatekeeper Team
Unit:- DGATEPVT Date:- 29-Mar-2017
Thurs 30 Mar 17
To IRC Brook House
Although paperwork were verbally confirmed served at the Police station - there is no confirmation of conveyance. As such, paperwork re-sent to Brook House to be served.
Good morning,
As per detention and as time is ticking to maker a decision, please assist us to serve the attached paperwork on D1914 and return the attached confirmation of conveyance, signed or unsigned by D1914
Many thanks for your assistance. Much appreciated. EEA Command Criminal Casework Team Immigration Enforcement 8th Floor, Apollo House Croydon CR9 3RR Email add: Tel: Fax: Hotline:
Unit:- CCDCWK04 Date:- 30-Mar-2017 ***********************************
Interpreter used ¿ No Emergency contact details - Name Irrelevant - DPA Detainee mobile number ¿

Minute/Case Notes:

Documentation will be retained by Scheduled Returns: Heathrow for 10 days after the removal date if the removal fails.

(IO) RL Scheduled Returns, Heathrow

Unit:- CSRT Date:- 25-May-2017

Concerns raised by G4S in regards to medical condition of D1914 with regard to his removal tomorrow. He has on going heart complaint and was due to be admitted to hospital on the 17th of August after an appointment on 5th of August. The concerns were listed as TASCOR being aware of his condition and the potential of restraint being used as D1914 has indicated that he does not want to leave the country due to family and medical treatment.

I contacted DEPMU who confirmed TASCOR do have a medic booked for this removal. CID notes show that he was deemed as fit to be detained and fit to travel as of April 19, shortly after being taken to hospitial complaining of chest pains and returning to Brook House.

G4S to have DR to see D1914 today 27/05/17 to confirm he is fit to fly and fit to be restrained if required. I will update after he has seen DR.

Brook House

FILE COPY

T: M:

Unit:- BROOKIRC Date:- 27-May-2017

In relation to previous note, subject has been by DR who has confirmed in writing that he is fit to fly and be detained. However he must have a medical escort due to the medical condition. The Dr has stated that he is happy for reasonable force to be used in order to facilitate the removal.

DEPMU have already confirmed a medical escort has been allocated. G4S are keen to ensure TASCOR are fully aware of their concerns before they start the process of presenting the AM for escort. I have asked DEPMU to confirm that TASCOR are fully aware?

Brook House

T: M:

Unit:- BROOKIRC Date:- 27-May-2017

Minute/Case Notes:

Part C Rec from Officer Use of force used to relocate D1914 to E Wing for his escorted removal during the use of force he stated that he would kill himself rather than return to Romania, Because of this threat he has now been placed onto ACDT Constant supervision and is now on Rule 40

Unit:- DEPMU Date:- 27-May-2017

part C rec'd from Brook House

D1914 left Brook House on open ACDT Constant Supervision for escorted RDs to Romania

Unit:- DEPMU Date:- 28-May-2017

Part C received from

The removal was aborted due to the following reasons:

Escorts and subject arrived at LHR, as per procedure S/O spoke with captain who refused to carry subject and escorts stating that the subject claimed he would make enough noise to disrupt his aircraft and that he would induce a heart attack as he was awaiting further treatment here in the UK.

Hence the S/O has had to abort this removal due to captains refusal

Unit:- DEPMU Date:- 28-May-2017

REMOVAL UNSUCCESSFUL. E-LOG UPDATED.

Unit: CSRT Date:- 28 May-2017

Scheduled Returns: Heathrow acknowledges that the current removal has failed/been deferred The EUL & ID CARD for this case will be retained at Scheduled Returns: Heathrow in the document bank for 10 days from the date of the removal.

If Scheduled Returns: Heathrow is not notified by the case owner during this time that removal directions have been reset, then the document(s) noted above will be returned to the office that set the removal directions or returned to RDDT.

CID notes will be updated by Scheduled Returns: Heathrow when further actions are taken.

(IO)
RL Scheduled Returns, Heathrow

Unit:- CSRT Date:- 29-May-2017