

DETENTION REVIEW

Name:	D1527	HO Ref:	A1848650
Partner/spouse:			
Dependent Minors:			
Nationality:	Egyptian	Port Ref:	
D.O.B.	DPA	DC Ref:	
Removal Centre:	Brook House IRC	Date of last RED0001&0003	9 March 2017
Date of initial detention:	9 March 2017	Next review due/type	4 May 2017- 2 nd month – SEO
Legal basis of detention: Paragraph 16(2) of sch. 2 to 1971 Act			

Detention Review Period and Authorisation

24HR Det/Review	Carried out by	Grade	Authorised by	Grade
28 day	Shane Byrne	EO	Stephen Murray	SEO

1. Brief summary of case.

D1527 claims to have entered the UK on 16 January 2014, aged 17 years old. He attended ASU in Croydon on 23 January 2014 and claimed asylum. In his initial screening interview he claimed to be 15 but this was disputed. His case was referred to social services and he was granted temporary admission.

On 11 February 2014, **D1527** had a screening interview completed. He lodged a statement of additional grounds on 28 February 2014. On 21 March 2014 he was assessed as a minor by social services and given the date of birth of **DPA**.

His full substantive asylum interview was completed on 10 April 2014. His asylum was refused on 28 November 2014. He lodged an appeal on 18 December 2014. This appeal was dismissed on 8 October 2015 and appeal rights were exhausted on 27 October 2015.

On 5 October 2015 **D1527** was arrested **Sensitive/Irrelevant**. He failed to report to immigration on 7 October 2015 and was listed as an absconder on 28 January 2016.

On 18 May 2016 **D1527** was convicted **Sensitive/Irrelevant**. He was placed on conditional bail until 8 June 2016.

On 8 June 2016, **D1527** was convicted **Sensitive/Irrelevant**

Sensitive/Irrelevant

On 13 November 2016, **D1527** was arrested under suspicion of **Sensitive/Irrelevant**. He was remanded into custody. On 9 March 2017 **D1527** was found not guilty of this offence. A decision was taken to detain him and serve him with fresh removal paperwork.

On 10 March 2017, an Emergency Travel Document (ETD) was requested, and the interview took place on 22 March 2017. **D1527** refused to comply with the ETD process, stating he wished for his solicitors to be present.

An ACDT Plan was opened by HMP Belmarsh on 21 March 2017 due to a statement of intent made by [D1527] and he was placed on constant watch. A review was completed on 22 March and [D1527] remains on the ACDT Plan, however he has been removed from constant watch.

[D1527] was transferred from HMP Belmarsh to IRC Brook House on 5 April 2017. [D1527] representatives Duncan Lewis Solicitors have written on 31 March 2017, 3 April 2017 and 5 April 2017 requesting that he be seen by a GP at the prison/detention centre about his continued detention. Response drafted stating that the onus is upon [D1527] to raise any issues regarding his continued detention.

- 2. Travel documentation status.** An ETD needs to be obtained. A interview request was submitted to CC PORT on 10 March 2017.

The ETD interview was completed on 22 March 2017. [D1527] refused to comply with the interview, but stated that if his solicitors attended he would complete the ETD pack. A further ETD request will now be forwarded to CC PORT for interview at IRC Brook House.

- 3. Current barriers to removal (excluding documentation).**

No Casework Barriers.

- 4. Actions taken to progress case since preceding review/progress against action plan from previous review.**

- Forwarded request for [D1527] to be moved to IRC
- Request made for further ETD interview

- 5. Assessment of removability.** Medium. [D1527] will require an ETD before we can look to remove him. He has no other case work barriers and has been referred to Op Nexus High Harm due to the serious nature of his criminality in the United Kingdom. We are confident that an ETD will be secured within a reasonable timescale however at present we conclude his detention remains appropriate in order to facilitate the ETD.

- 6. Previous immigration compliance and non compliance.**

Highly non-compliant as subject has a history of absconding previously.

- 7. Assessment of risk of harm to the public.**

High. Convicted [Sensitive/Irrelevant] [Sensitive/Irrelevant] He has since been arrested for [Sensitive/Irrelevant] and although he was found not guilty, there are mitigating circumstances in the case which leads us to conclude [D1527] poses a high risk of harm to the public, specifically females.

- 8. Known or claimed medical conditions (including mental health and/or self-harm issues and any reference to a Rule 35 report)**

An ACDT Plan was opened on 21 March 2017 and [D1527] was placed on constant watch due to a statement of intent. I have confirmed that although the ACDT Plan remains open [D1527] constant watch has been cancelled. The ACDT plan was still open when arrived at IRC Brook House.

[D1527] is fit and well.

- 9. Risk indicators and risk level, according to the Adults at Risk policy (where relevant)**

An ACDT Plan was opened on 21 March 2017 and [D1527] was placed on constant watch due to a statement of intent. I have confirmed that although the ACDT Plan remains open [D1527] constant watch has been cancelled.

All safeguards have been taken to mitigate the risk of harm, therefore [D1527] is not deemed to be an adult at risk.

- 10. Any other compassionate circumstances (including children issues and ties to the UK)**

Subject is a single male in the UK.

11. Any other information relevant to the detention decision (for example, change in detainee's circumstances, whether this is a pregnant woman or a family for which Ministerial authority has been requested or granted to extend detention beyond 72 hours). None

12. Previous applications for bail or temporary release.

None

For the attention of the section 4 team, in the event of a s4 bail application accommodation level 2 input as appropriate considered appropriate. For proposed level 2 and 3 cases, further details to follow upon receipt of pro forma from section 4 team.

13. Action plan for next review period (including any outstanding actions from preceding detention review)

- To continue to attempt to get an ETD interview completed for **D1527**
- To review case and deal with any claims for TA or bail.

14. Recommendation (whether to maintain detention or release, supported by reasons).

The presumption in favour of liberty has been considered however in this instance it is outweighed by the need to protect the public from the risk of harm and to maintain effective immigration control.

D1527 is a failed asylum seeker who has been served with removal paperwork. His appeal has been dismissed. There are no case work barriers to his removal. The only barrier is an ETD which has been requested. He has previously failed to comply with conditions of release.

D1527 has been convicted of **Sensitive/Irrelevant**
Sensitive/Irrelevant He has since been arrested for **Sensitive/Irrelevant** and although found not guilty, the mitigating circumstances of this offence lead us to conclude that he poses a significant risk of harm to the public, **Sensitive/Irrelevant**

As such his detention at present remains appropriate and justified in order to facilitate the ETD process so that he may be removed from the United Kingdom.

Reviewing officer's signature: Signature	Date: 6/4/2017
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Authorising officer's comments, including response to recommendation

Continued detention authorised. D1527 clearly has no regard for the law or immigration control as evidenced by his actions. He presents a high risk of absconding and a risk to the public. I am satisfied that proportionately, removal can be effected within a reasonable timeframe. Consequently detention authorised.
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Authorising officer's signature: Signature SEO	Date: 06.04.17
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