

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:	2 D4934	HO Ref:	C1346228
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: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Please list the papers served here: ICD.4932 EEA (Stage 1) issued on 28 March 2017			
Risks: Absconding Re-offending Harm Assessment by CO		<h1>Sensitive/Irrelevant</h1>	
Outstanding barrier to deportation including estimated timescales for resolution: 1. Potential representations 2. Travel document			

Immigration History.

It is not known when **D4934** 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.

Sensitive/Irrelevant

D4934	was	Sensitive/Irrelevant
Sensitive/Irrelevant		

Offending history

Sensitive/Irrelevant	D4934	Sensitive/Irrelevant
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Sensitive/Irrelevant

Sensitive/Irrelevant

Deportation casework status.

A notice of liability to deportation was issued against **D4934** 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: **D4934** ... details

Sensitive/Irrelevant

Sensitive/Irrelevant

Date of representations	Source	Claim raised	Impact on Immigration detention Y/N
NA			

Current barriers to removal (including documentation and compliance).

D4934 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

Anticipated

3-6 months

6+ months

Assessment of risk of absconding

It is not known if **D4934** 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.

D4934

Sensitive/Irrelevant

Sensitive/Irrelevant

Assessment of risk of harm to the public.

D4934

is

Sensitive/Irrelevant

Sensitive/Irrelevant

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

D4934 has engaged the adult at risk policy either on level 2.

Sensitive/Irrelevant

Sensitive/Irrelevant

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 **D4934** 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 **D4934** has family life in the UK. It is considered that even if he has family life here, they could not exert a

Sensitive/Irrelevant

Sensitive/Irrelevant

D4934

Sensitive/Irrelevant

In the absence of evidence that there has been any improvement in **D4934**

Sensitive/Irrelevant

Sensitive/Irrelevant

Sensitive/Irrelevant

D4934

D4934

is a Romanian national and he can be removed to Romania with EU letter in the absence of a valid Passport or ID card. **D4934** 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 risk of harm to the public and risk of absconding. **D4934** 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:

☒ IS91 prepared

☐

☒ IS.91R

☒ IS.91RA prepared

☐

IS.94 prepared (if required)

Authority to detain given

Comments

Between 20 March 1997 and 8 December 2008,

D4934

Sensitive/Irrelevant

Sensitive/Irrelevant

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. D4934 falls under the adult at risk policy at level 2 and

Sensitive/Irrelevant

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 D4934 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: N Koria

Position: Acting SEO

Date : 28 March 2017