



**Annual Report**  
of the  
**Independent Monitoring Boards**  
**Charter Flight Monitoring Team**

for the calendar year 2016

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*Monitoring fairness and respect for people in custody*

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## **SECTION A**

### **1 THE ROLE of THE INDEPENDENT MONITORING BOARDS CHARTER FLIGHT MONITORING TEAM (“the CFMT”)**

1.1 Members of Independent Monitoring Boards (“IMBs”) have monitored charter operations periodically since March 2011, initially on a pilot basis. The Immigration Minister agreed to the formalisation of this work in August 2015. A Memorandum of Understanding and Service Level Agreement between the Home Office Directorate of Immigration Enforcement (“HOIE”) and The National Council of Independent Monitoring Boards was signed in November 2016.

1.2 This Agreement records that

- the CFMT is appointed on an administrative, non-statutory by agreement basis with the Secretary of State for the Home Department;
- it is responsible for monitoring and reporting on the conditions and treatment of returnees during charter flights;
- it should be afforded the same assistance as Boards appointed on a statutory basis as far as monitoring rights go;
- the remit of the CFMT begins when the returnee is collected from the immigration removal centre and ends at the point of hand-over to local officials at the overseas destination;
- best practice for the CFMT is for members monitoring a particular flight to join at the escorting staff muster point.

### **2 EXECUTIVE SUMMARY**

This is the first Annual Report of the CFMT and presents the findings for the calendar year 2016. During this period the CFMT monitored enforced removals by charter six times, to the following destinations:

- Lagos and Accra twice, in March and July,
- Tirana via Lille twice, in May and November,
- Jamaica once, in September,

- and Islamabad, once, in November.

2.1 The CFMT's data on the numbers removed on each of these flights and the number of escorting staff involved is set out in the Appendix to this Report.

2.2 The CFMT's evidence comes from observations made when monitoring removal operations, scrutiny of records and other data, and contact with some returnees and staff.

### 3 MAIN JUDGEMENTS

3.1 **Fairness.** The CFMT is satisfied that returnees are generally treated fairly but is concerned about some aspects of their treatment including the following:

- that use of force or restraint on some returnees appears to be a hasty reaction to a mild statement to the escorts of unwillingness to leave and that restraint is typically retained until after the aircraft takes off without intermediate re-appraisal of risk: paragraphs 6.4.4 and 6.4.5.
- that all returnees who want access to the Chief Immigration Officer ("CIO") for information or advice during the flight may not have it and that the sift of potential applicants is made by the escort contractor's staff: paragraph 7.1.5.
- that as a result of the timing of flights to Tirana, and the flight to Kingston, these returnees were discharged from the Immigration Removal Centre ("IRC") and taken to Stansted in the night: paragraph 6.5.

3.1.2 There are other examples of unfairness recorded in paragraphs 6.6, 6.13 and 7.2.1.

3.2 **Humane treatment.** The CFMT is not satisfied that all returnees are treated humanely in every aspect of their removal on the day including in the following respects:

- that removees leaving the Harmondsworth section of Heathrow IRC are usually transferred to the escorts' custody in a stairwell, an area which affords them no privacy when they are searched or want to change their clothes for the journey: paragraphs 6.1 – 6.1.4.

- that some are penned in coaches for hours: paragraphs 6.11 and 6.11.1.
- that none may use the WC on the coach or the lavatory on the aircraft in conditions of privacy: paragraphs 6.7.2 and 6.8.
- that returnees are not routinely told their arms will be held as they walk up the steps into the aircraft: paragraphs 6.12 and 6.12.2.
- that returnees are not warned they will be filmed boarding the aircraft and whilst being guided to their seats in it: paragraphs 6.12 and 6.12.3.

**3.3 Preparation for removal.** Returnees to Nigeria and Albania do not have information about support and re-integration services in the format potentially available to returnees to Ghana, Pakistan and Jamaica: paragraph 9.1. This omission is also an example of lack of fairness.

3.3.1 All a returnee's property is not invariably available when the discharge process for that individual starts at the IRC, nor sometimes all the returnee's cash, nor sometimes medication held by Healthcare at the IRC: paragraphs 6.9.1, 6.9.1.1 and 8.2.

3.3.2 A few returnees want to change their clothes during the discharge process. They are helpfully allowed to do so and luggage unpacked. Returnees appear not to know that they will not have access to personal mobiles during the journey. Each of these matters is an aspect of preparation for removal which could be discussed in advance: paragraphs 6.9.1 and 6.9.1.1 again.

## **4 RECOMMENDATIONS**

### **TO THE MINISTER**

4.1 The times at which flights to each of Tirana and Kingston should be reviewed with the authorities at these destinations so that returnees are not subjected to night moves in the UK: paragraph 6.5.

4.2 Urgent priority should be given to providing returnees to Nigeria and Albania with literature about re-integration support of at least the same quality as provided for returnees to Ghana, Pakistan and Jamaica: paragraphs 3.3 and 9.1.

4.3 Returnees should be expressly informed of their continuing right to use the Home Office Complaints procedure during removal, and how to do it, in their own language: paragraph 7.2 and 7.2.1.

#### **TO THE HOME OFFICE AND THE ESCORT CONTRACTOR**

4.4 The Escort Contractor should receive better training on dynamic risk assessment prior to the decision to apply a Waist Restraint belt (“WRB”) with emphasis on taking time to test what risk is actually presented by a mild statement by a returnee of reluctance to leave: paragraph 6.4.4.

4.5 The Escort Contractor should make intermediate risk reviews once a restraint has been applied and be able to demonstrate that continuance (if that is the decision) is reasonable, necessary and proportionate: paragraph 6.4.5.

4.6 Escorts should not hold returnees’ arms or wrists as they board the aircraft without having first explained the reason: paragraphs 6.12 and 6.12.2.

4.7 All returnees should be told in advance that they are going to be filmed boarding the aircraft and as they are taken to their seats: paragraph 6.12.3.

4.8 The stair well at Harmondsworth IRC should no longer be used for discharging charter returnees whether during the day or the night: paragraphs 6.1 – 6.1.4.

4.9 All returnees who wish to speak to the CIO during the flight for information or advice should have the opportunity as of right: paragraphs 7.1 – 7.1.5.

4.10. The following standard practices which demean the returnee should be discontinued.

- Penning returnees in coaches for hours: paragraphs 6.11 and 6.11.1.
- The undignified propulsion of returnees up the aircraft steps: paragraph 6.12 and 6.12.1.
- no blanket or pillow offered on the aircraft paragraph 6.13.
- the offer of a hot drink to some but not others: paragraph 6.6.

4.11 All returnees should be able to use the WC on a coach and the lavatory on the aircraft in privacy: paragraphs 6.7.2, 6.7.3.and 6.8.

4.12 Escorts should not sift and select which returnees wanting to speak to the Chief Immigration officer during the flight are allowed to: paragraph 7.1.5.

### **TO THE ESCORT CONTRACTOR**

4.13 The Escort Contractor's staff should stay awake and alert when they have direct responsibility for a returnee and managers should ensure that other escorts are deployed to provide respite periods during the flight: paragraph 6.15.1, first bullet point.

4.14 The Escort Contractor should review inconsistent practices between staff and give clear instructions. Examples of inconsistencies:

- The opportunity of a comfort break just before the returnee leaves the IRC to board the coach is not invariably offered: paragraph 6.9
- DVDs are sometimes shown or music played on coaches leaving the IRCs for Stansted but not invariably: paragraph 6.10.

4.15 The Escort Contractor should ensure that its transport supplier provides coaches with WCs and washing facilities that are fit for purpose: paragraph 6.7.

## **5 THE ORGANISATIONS INVOLVED IN THE REMOVALS**

5. Tascor was the escorting contractor. Tascor hired the coaches which took returnees from their IRCs to Stansted. The aircraft was chartered by the HOIE. It left from a facility at Stansted away from the main airport, not open to the general public. Healthcare services were provided during removal by IPRS Aeromed.



## SECTION B

### 6 SAFETY

6.1 **The discharge area at Harmondsworth IRC.** An unsuitable, cold and potentially dangerous location was used three times, for the Albania charter in May, the West Africa charter in July and the Islamabad charter in November.

6.1.2 The area used was a small lobby at the foot of a flight of stairs by the door leading into the yard where the coach was parked. The space within which the discharge processes were conducted was cramped and cold, as the door to the yard was held ajar or fully open. Materials were stored in the space below the stairs which, when the CFMT was present in July, had been topped off with long blue metal bars with protruding rough edges. This was dangerous. The photocopier was removed sometime between July and November. This released a little more space but did not convert the lobby into a suitable discharge location.

6.1.3 All the returnees were denied privacy and dignity as they were being searched. Searches had to be conducted in this location in full sight of staff and others, male and female, not directly involved. On one occasion a man wearing shorts under his trousers was asked to pull his trousers down during the search. This happened quickly and the two women present did not have an opportunity to withdraw. On another occasion a man wanted to change his clothes and had to do so in full view of everyone present, although a female IRC officer was able to withdraw but the female escort, dealing with his property, could not.

6.1.4 Returnees for the Albania charter at the beginning of November were discharged in another larger location, suitable for this purpose with a separate search room. The stairwell was back in use at the end of November for returnees' discharge to the Islamabad charter.

6.2 **Care of returnees on ACDT watch.** Some returnees being monitored under the ACDT self-harm reduction strategy ("ACDT") were removed by charter. The observation notes in an ACDT file are an indicator of the attention being paid to the vulnerable individual whilst under escort. The file is handed

over to Tascor when the returnee is discharged from the IRC. Observation must be maintained and recorded until the individual is handed to local officials at the destination port. The CFMT sampled ACDT files. Notes made by some escorts indicated their understanding of the ACDT approach: an example of the reverse:

- 15 entries had been made, during the first 8.5 hours the man spent under escort, when he fell asleep. All but one recorded an event, such as using a telephone, going to the lavatory, arriving at Stansted. Only one indicated awareness of the man's mood or vulnerability.

6.2.1 The care of this man was also of concern to the CFMT for another reason. The last ACDT case review carried out by staff at the IRC he left was recorded, but timed as having taken place at the precise moment the man was transferred to Tascor. It did not take place at that moment. The anticipatory timing cast doubt on the reality of the final case review at the IRC.

6.3 There was one incident of self-harm by a returnee whilst under escort. A man on an ACDT, waiting to hear the outcome of his application for Judicial Review of the latest decision, managed to get a blade with him onto the coach where he cut an arm. He received prompt medical attention on the coach. He was brought back into the IRC where a fresh dressing was applied. The man was shaking and sobbing. Tascor staff gave him time to settle. He was put into a WRB, his injured arm in the restricted position and his other arm secured.

6.4 **Use of force and/or restraints.** Some returnees left the UK under restraint:

- 3 of a cohort of 38 to West Africa in March;
- 2 of the 55 UK cohort to Albania in May;
- 7 (or 18.9%) of the cohort of 37 to West Africa in July;
- 26 (or nearly 62%) of the cohort of 42 to Jamaica in September;
- 1 (loose fitting cuffs only) of the UK cohort of 47 to Albania in November;
- 9 (or 17.3%) of the cohort of 52 to Islamabad in November.

6.4.1 The WRB was the form of restraint most commonly used, applied during the discharge process at the IRC. Some returnees co-operated in its

application. Compliance of those who did not was achieved by prior application of a rigid bar cuff or cuffs, usually, but not invariably, released once the WRB was on. A few were also subjected to the application of leg restraints, occasionally applied at the IRC but otherwise at Stansted. Men in leg restraints were carried on board the aircraft.

6.4.2 The WRB was sometimes fitted in the restricted position, which allows the returnee some arm and hand movement, and sometimes in the secure position which prevents arm and hand movement. In some cases the WRB was adjusted sometime after it had been applied from the secure to the restricted position, or to the restricted position on one side.

6.4.3 Detention Service Order 07/2016 contains guidance and instructions on use of restraint(s) for escorted moves. An individual risk assessment is required. Continued use must be kept under review. Only Home Office approved techniques may be used and only by appropriately trained escorts. The WRB, the leg restraint and rigid bar cuffs are approved equipment. Any use of force must be reasonable, necessary and proportionate. HOIE has formally confirmed to the CFMT it considers the use of force and restraint on the July West Africa operation and on the Jamaica operation was reasonable, necessary and proportionate, but see paragraph 6.4.6. The CFMT raised the same question in respect of the Islamabad operation: no answer has been given yet.

6.4.4 The Escorts were provided with risk assessments on every returnee on all the flights. Each was categorised as posing a high risk to successful transfer, or medium risk or minor/no risk. Dynamic risk assessments on the day were down to the senior escorts. The CFMT is concerned that a returnee who presented for discharge, and made a mild statement that he was not happy to go, was put into a WRB with usually

- no time spent first trying to talk this through with the returnee
- no attempt made first to understand what impact this statement might have on the returnee's future behaviour.

6.4.5 Returnees placed in a WRB typically remained in it until the aircraft had taken off: a standard approach. The CFMT did not know whether continued use had been kept under review. The CFMT has one example of a returnee

being released from the WRB "early": a man discharged to the July West Africa charter who expressed concerns about the outcome of an application for a Judicial Review and did not give any assurance about his future behaviour during the discharge process. He co-operated as the WRB was fitted, then became distressed, claiming he simply had a migraine. The paramedic gave him paracetamol, he calmed and Tascor's Coach Commander authorised the WRB to be removed eight minutes after it had been fitted.

6.4.6 The CFMT remains concerned about the extent of use of force and restraint in the Jamaica operation despite HOIE's view: paragraph 6.4.3. 25 of the men discharged from IRCs, or nearly 66% of this male cohort, left the UK in WRBs. The operation was described to the CFMT in advance as potentially problematic. This message was under-scored during the first muster which 2 members of the CFMT attended and later during a briefing at Stansted attended by the third team member. The CFMT was not privy to the detail of the intelligence which informed the planning, either in advance or as a dynamic reaction on the day, nor would the CFMT expect to be. Nonetheless, the CFMT wondered whether the operation may have been talked up to Tascor staff to such an extent that approved restraint techniques were deployed almost as a default reaction, erring on the side of caution, rather than individually assessed and each judged to be necessary, reasonable and proportionate.

6.4.7 All 18 men from Brook House IRC who boarded the flight to Jamaica were in WRBs. This suggested problems, or an expectation of them, at Brook House, of which the CFMT had no knowledge. If the latter, the CFMT does not know whether it was soundly based. Despite the high utilisation of the WRB the flight passed off peacefully, although one returnee, discharged directly from prison, remained in his WRB until the flight landed.

6.4.8 The man referred to in paragraph 6.3 was put in a WRB in the circumstances described. He complained that the straps were chafing his left hand. The WRB was changed on the aircraft and both arms then placed in the secure position. In its report, the CFMT asked HOIE two questions about this. First, what was the justification for placing him in a worse position than he had been in? Secondly, what evidence did the members of Tascor's security team

who changed the belt have that the risk he then posed had increased. These questions have not been answered yet.

**6.5 Night time moves.** The removal process for Albanians began in the night with first collections from an IRC starting at 02:00 or soon after, followed by the road journey to Stansted. The CFMT understands that night time moves are standard for these flights. The aircraft took off at about 8:30 on the first operation the CFMT observed and at about 08:00 on the second and, in each case, landed around noon. The Jamaica operation also involved night time moves with the first collections from IRCs starting between 21:30 and 01:20. One man on this flight was collected from a prison at about 02:30. The aircraft took off at about 07:00 (BST) and landed at about 10:20 (local time).

**6.6 Provision of food and drink during the journey.** Tascor provided water and a selection of filled rolls, fruit and chocolate on the coaches, offered to all returnees and staff. Tea or coffee was sometimes offered to returnees during the coach journey to Stansted, but not invariably. Two hot meals were offered during the flight to each of West Africa, Pakistan and Jamaica, and breakfast only on the Albania flights. Water and soft drinks were offered during all flights. Tea or coffee was sometimes offered to returnees during the flight but not invariably: examples:

- Hot drinks were offered on the March flight to West Africa but not on the July flight;
- Hot drinks were not offered on either the Jamaica or the Islamabad flight.

**6.6.1** A full set of plastic cutlery was provided for all the aircraft meals except on the Jamaica flight when the only eating implement was a plastic spoon. HOIE has since told the CFMT that this was an error and that an old catering brief has since been withdrawn.

**6.7 Lavatory access during the journey.** There is a WC on each coach, for use by returnees and staff. It is difficult for a large person to access as the cubicle is very small and down some steps. The standard of this tiny facility was variable. The CFMT noted a dirty WC before it had been used, poor ventilation, no lavatory paper, an empty soap dispenser, a defective hot tap and a faulty lock. The limitations of this facility underscore the need for all

returnees to be offered the opportunity of a comfort break just before leaving the IRC: paragraph 6.9.

6.7.1 Two of the four lavatories on the aircraft were designated for returnees' use of the type available to standard class passengers on scheduled flights.

6.7.2 Returnees did not have privacy to use the WC on the coach or the aircraft lavatories. The door was held ajar. This is demeaning. A few complained: examples:

- a man went up to the WC on the coach and then refused to use it under supervision;
- a man complained loudly about lack of privacy on the aircraft and had to be calmed.

6.7.3 The CFMT did not hear a returnee given any explanation for this approach.

6.8 **Arrangements for female returnees.** There were female returnees on each of the 6 flights the CFMT observed during the reporting period, representing roughly 6.25% of all returnees. Each was always accompanied by a female escort. Female returnees' use of the WC on the coach or the lavatory on the aircraft was supervised by a female escort. The lack of privacy of use is particularly demeaning for women.

6.8.1 The women boarded the aircraft separately from the men, via the front steps. They were always seated in the front cabin away from the main male cohort. However, on the flight to Jamaica some of the women were seated close to a very disruptive male who was extensively restrained. His behaviour caused distress to 2 of the women one of whom was later moved to another seat. The CFMT was concerned about this and was told in the official response to the CFMT Report that the man had been seated towards the front of the aircraft in order to minimise the disruptive effect on the operation as a whole. Given there were spare seats in the front cabin the CFMT considered the women should have been seated further away from him from the start.

6.9 **The discharge process at the IRCs.** The escorts treated returnees with dignity and respect during this process except in one respect:

- The offer of a comfort break just before leaving the IRC was not routinely made despite the fact that a returnee may then spend hours on the coach.

6.9.1 The escorts greeted the returnees courteously, took pains to try and resolve issues, such as missing property or cash, and generally to lighten returnees' mood. A few returnees wanted to change their clothes during the discharge process; this was facilitated. Returnees were not allowed to keep personal mobiles with them during the journey. The escorts encouraged them to note telephone numbers they might want to call. Tascor mobiles were available for returnee's use on the coach and on the aircraft pre-take-off.

6.9.1.1 As indicated above, the CFMT observed escorts trying to resolve last minute issues about property and money. Examples:

- Luggage for a returnee delivered to the IRC the previous day was not with his general property. The IRC staff found it once it had been drawn to their attention;
- A CD had been delivered to the IRC that day and the returnee was expecting it. It was later discovered, shown to the returnee, then on the coach, and packed in his luggage;
- A returnee claimed he had £400 more than the IRC staff handed to the escorts. He was right and the balance was discovered.

There were also issues about medication: paragraph 8.2.

6.9.2 All returnees were searched during the discharge process out of sight of escorts or IRC staff not directly involved except those discharged from the stairwell area at Harmondsworth IRC, where there was no privacy: paragraph 6.1.3.

6.9.2.1 THE CFMT was not satisfied that women were searched at Yarl's Wood IRC completely out of sight of men on the 2 occasions the CFMT observed the discharge process there.

6.9.3 The discharge process for the entire cohort of returnees leaving an IRC was sometimes lengthy and sometimes not continuous. This had a direct

impact on the length of time returnees discharged early in the process then spent sitting in the coach before it left the IRC.

**6.10 Passing the time on the coaches.** Watching a DVD or listening to music was a helpful diversion for some returnees. Tascor's Coach Commanders had an inconsistent approach. Examples:

- In March, a DVD was available on the first coach from Brook House but could not be shown as the disc was faulty. There was neither a DVD nor music on the Yarl's Wood coach.
- In November (Islamabad) there was neither a DVD nor music on the first coach from Harmondsworth. DVDs were shown on the first coach from Brook House, after the CFMT asked the Coach Commander whether any were available. The coach made a short detour to Tascor's offices to pick up a selection. The 2 shown during the road journey clearly engaged the returnees' interest.

**6.11 Time spent in coaches.** Returnees were routinely penned in coaches for hours. This was the standard approach. The first returnee to be discharged from the IRC boarded the waiting coach and sat there until everyone else had joined the coach. The coach then travelled to Stansted. On arrival the coach parked land side until permitted to drive airside to the foot of the aircraft steps, where returnees left the coach, one by one, to board the aircraft.

**6.11.1** Examples of the length of time spent in coaches, taken from the CFMT's calculation of the time between that at which the first returnee boarded the coach and then left it:

- The Jamaica operation: 7 hours 20 minutes in the case of a man on the first collection from Brook House IRC (of which about 2 hours 50 was spent land side at Stansted) and 7 hours 10 minutes in the case of a man collected from the Harmondsworth IRC (of which about 2 hours 50 was spent land side at Stansted);
- The March flight to West Africa: 6 hours 23 minutes in the case of a man collected from Brook House IRC;



- The July flight to West Africa: 7 hours 25 in the case of a man on the first collection from Brook House IRC, (of which about 2 hours 15 minutes was spent land side at Stansted);
- The Islamabad operation: 6 hours 14 minutes in the case of a man on the first collection from Brook House IRC, (of which about 2 hours 10 minutes was spent land side at Stansted).

6.11.2 Returnees to Albania spent less time in coaches than returnees bound for other destinations: for example, the CFMT calculated that the range in November was between 2 hours 35 minutes and 4 hours 20 minutes.

6.11.3 When there were two staggered collections from an IRC, those returnees on the second collection spent less time in the coaches than those on the first: for example, the CFMT calculated that the range for the Islamabad flight was between 2 hours 45 minutes and 3 hours 38 minutes.

**6.12 Boarding the aircraft.** Returnees were not treated with dignity during this process. They left their coach one by one, were greeted at the door by two escorts, members of Tascor's security team for the flight, who each held one of the returnee's arms, and then rushed the individual up the steps into the aircraft, sometimes with indecent haste. The returnee was walked through to his or her seat in the cabin, again with each arm or wrist held. Their dash up the steps and the move through the aircraft cabin to the allocated seat was filmed. These are standard practices, not informed by individual risk assessments.

6.12.1 Examples of the speed of boarding:

- The Jamaica flight: 6 men in 7 minutes; another 7 in 7 minutes;
- Albania in November: 7 in 5 minutes; 13 in 8 minutes;
- Islamabad: 8 in 5 minutes; 10 in 7 minutes.

The CFMT's calculations include the time the escorts spent handing each returnee to other escorts waiting inside the cabin door and then coming back down the steps to the coach to collect the next returnee.

6.12.2 The CFMT has rarely heard a returnee warned that his/her arms would be held. The one exception was in March when the CFMT heard escorts tell

everyone on the first coach from Brook House. The CFMT has heard a returnee complain about this contact: for example, "I am not a criminal".

6.12.3 The CFMT has never heard a returnee warned about the filming inside and outside the aircraft.

6.13 **Pillows and blankets.** The aircraft cabins were often cold. Returnees were not offered a pillow or a blanket.

6.14 **Access to interpreting services during removal.** A number of escorts could speak to a returnee in his or her own language. This was helpful. Escorts could also contact an interpreting service via a mobile phone. This access is impossible once the aircraft has taken off. An elderly Ghanaian woman, who had opted to leave voluntarily, joined the charter party at Stansted. An escort spoke to her land side in her own language, to explain what was happening, but did not fly. The woman spent the flight, of 8 hours 30 minutes, (including the 95 minute stop in Lagos, about which she may or may not have been told) seated by a female officer who could not speak her own language.

6.15 **Interaction between escorts and returnees.** The CFMT had positive observations. Examples:

- the escorts acting professionally,
- those involved in the discharge process at an IRC took pains to try and resolve issues over missing property or cash: paragraph 6.9.1.
- there were sometimes good levels of engagement with returnees during the coach journeys and sometimes again during the flight;
- some escorts acted as interpreters: paragraph 6.14;
- a few escorts directed the CFMT's attention to returnees about whose welfare they had concerns.

6.15.1 The CFMT also had less positive observations.

- Escorts sleeping when the returnee they were looking after was awake. The CFMT does not have confidence in the respite opportunities which spare staff on a flight are intended to provide.
- Members of Tascor's security team on a flight always attended the CIO's surgery. The returnee applicant was seated. These escorts stood,

sometimes towering over the applicant. The CFMT considers this stance is potentially intimidating. The behaviour of a couple of these escorts was disrespectful during the surgery on the July West Africa flight – talking across to each other as the CIO was speaking with one of his applicants.

- The Person Escort Record as an indication of levels of interaction: paragraph 16.5.2

6.15.2 A Person Escort Record (“PER”) was opened for each returnee on discharge from the IRC and this file passed to the returnee’s escort. The PER is a running record, to be maintained until the returnee disembarks at the receiving port. The CFMT sampled PERs. The entries were almost invariably activity-based. For example:

- went to the WC on the coach
- phoned his mother

It was impossible to gauge, from this source, first whether escorts were consistently alert to the needs of the returnee at a difficult time and secondly, the extent to which their care and monitoring was informed by the individual returnee’s risk assessment.

6.15.3 The CFMT noted a few PER entries demonstrating alertness to need of the sort mentioned above. An example: entries by an escort on the first coach from Brook House to the Islamabad flight recorded his returnee’s physical discomfort towards the end of the time spent on the coach and his upbeat mood despite this.

**6.16 Disembarkation at the receiving port.** Local immigration officials and/or the Police boarded the aircraft soon after landing and liaised with the CIO. Returnees were then usually called forward one by one, identified by their number on the flight manifest, left the aircraft and walked to a waiting coach or shuttle bus parked nearby on the tarmac. Their luggage was taken in a separate vehicle. The returnee cohort from the UK disembarked as a group from the charter to Albania in November.

6.16.1 The process was chaotic in Lagos in March and took about 40 minutes. Local immigration officials interviewed their nationals one by one on

board before permitting them to leave the aircraft for the waiting coach. A new Reception Facility was opened in May and used for the second time for the Nigerians on the July flight the CFMT monitored. The Nigerian returnees left the aircraft as a group and joined shuttle buses which took them to the nearby facility.

6.16.2 Most returnees left the aircraft voluntarily and peacefully. There were a few exceptions, who left after local officials had spoken with them.

## 7 EQUALITY AND FAIRNESS

7.1 **Legal Rights.** The CFMT believes the CIO leading a charter flight has discretion whether or not to hold an on-board surgery. It is not a requirement even though a surgery gives a returnee the chance of raising issues for the last time with the only person on the flight with the professional competence to address them.

7.1.2 A surgery was not held on 3 of the flights the CFMT monitored, to Albania in May and November and to Jamaica in September. The CFMT was told in the first two instances that the flight was too short. However, the second leg in each case, from Lille to Tirana, lasted just over two hours. The decision not to hold a surgery during the Jamaica flight was taken before any of the returnees boarded the aircraft. That flight lasted for over nine hours and passed uneventfully. The one returnee assessed as continuing to be potentially disruptive was seated well forward of the part of the aircraft in which the surgery would have been held.

7.1.3 The CIO leading the May flight to Albania saw one returnee in his seat. The CIO leading the November flight to Albania indicated to the CFMT that he expected the escorts to alert him to any returnee who wished to speak to him. The CFMT has no evidence that any, who wished it, were drawn to his attention.

7.1.4 Responsibility for advising returnees on their legal rights and related likely concerns was devolved to the escorts on the Jamaica flight. This was wholly inappropriate. The escorts were given the Immigration Enforcement briefing document "Guidance for escorts on charter flights". It was dated with the date on which the removal operation started and badged "V2". A couple of the escorts told the CFMT they were unhappy with the responsibility thrust on them. The CFMT does not know the status of the "Guidance" document, whether

- written specifically for the Jamaica flight (in which case the decision against holding a surgery may have been taken even earlier than the CFMT thought) or

- a document intended for general use, updated for the Jamaica flight.

7.1.5 Applicants for a surgery, when it was held, were sifted by the escorts. The CFMT was not confident that all who wanted access were given it. Rebuttal letters are distributed during the removal process and some returnees may decide, or perhaps be encouraged during the sift, not to pursue their concerns. For example, the CFMT was told during the November flight to Islamabad that 31 potential applicants for the Surgery had been identified. In the event four returnees attended it.

7.2 **Complaints procedures.** Returnees on the coaches the CFMT travelled on were offered Tascor's Speak Freely information sheet. It tells returnees how they may complain about Tascor. A returnee's continuing right use the official Home Office Complaints procedure was not drawn to returnees' attention during any of the discharges the CFMT observed at IRCs nor on any of the returnees' coaches on which the CFMT travelled. To the best of the CFMT's knowledge these forms were not carried on the coaches. In one instance a Coach Commander told the CFMT that if anyone wanted to complain he would supply paper and a pen. In another instance the Coach Commander seemed not to know that the Home Office complaint route was available during removal.

7.2.1 The CFMT understands the official complaints forms are not available in Albanian.

7.2.2 The CIO leading the flight carried official complaint forms on the flights to West Africa, Pakistan and Jamaica.

## **8 HEALTHCARE**

8.1 A Paramedic, contracted by IPRS Aeromed, attended the discharge process at each IRC and travelled with the returnees on the coach to Stansted. Two paramedics also flew.

8.2 The returnee's medical notes and any prescribed medication should be handed to the paramedic as the returnee arrives in the discharge area. The CFMT observed the paramedic read the notes, check the medication, and assure the returnee that the next dose due would be given at the appropriate time. On at least one occasion, the paramedic had to prompt the IRC's Healthcare department when not all the medication had arrived. Sometimes medication was discovered in the returnee's luggage and handed to the paramedic, with the returnee watching.

8.3 The CFMT is not professionally equipped to assess the quality of the medical handover. No member of the IRC's Healthcare department attended any of the discharge processes the CFMT observed with one exception – at Yarl's Wood IRC at the discharge for the Jamaica flight.

8.4 The paramedics responded to any immediate needs (such as for paracetamol) communicated as returnees were being discharged or during the coach journey. The CFMT also observed them assess the reason for pain a returnee was experiencing. The CFMT was aware of escorts alerting one of them to any medical needs a returnee expressed during the flight. Shortly before the aircraft landed the paramedics handed the medical pack of notes and medication to returnees to whom they belonged.

8.5 A returnee, registered as disabled, was brought to Stansted for the West Africa flight in March in an ambulance, accompanied by a dedicated paramedic, 2 members of the ambulance service and 2 escorts. He was in a wheelchair and boarded the aircraft via an ambu-lift. He knocked his knee and was quickly given an ice pack. He had been placed in a WRB during the road journey. The CFMT had access to the medical report later. It recorded that whilst a full medical examination had not taken place once the man had boarded there was no evidence of physical injury. The WRB was released 10

minutes after the man boarded. His PER recorded a number of visits a paramedic made to check him during the flight.

## **9 PREPARATION FOR REMOVAL**

9.1 A booklet entitled "Coming Home" is potentially available for Ghanaians, Jamaicans and Pakistanis giving information about support services available back home, and other useful information such as about transport links. These booklets are compiled by local charities or NGOs supported by the British High Commission. The edition for Pakistan is in English and Urdu. It needs to be revised. It refers to a support organisation which no longer functions. The CFMT was told these publications are available in IRC libraries and welfare offices.

9.2 Tascor attempted to close any gaps by distributing the booklets on the coach. This is too late for a returnee who has not previously seen the booklet to make use of the early sections in it which contain advice on what to do before leaving the UK. On one occasion the CFMT noted that the booklet had not been distributed although the coach was then land side at Stansted. The CFMT's observation prompted immediate distribution.

9.3 Issues of missing property or cash or medication are recorded in paragraphs 6.9.1, 6.9.1.1 and 8.2.

9.4 Returnees seeming lack of knowledge that they will not have access to their personal mobiles, and so to the numbers logged there, during the journey is recorded in paragraph 6.9.1.



## **SECTION C**

### **THE WORK OF THE CHARTER FLIGHT MONITORING TEAM**

**10.** The CFMT is composed of IMB members from Prisons, Immigration Removal Centres and non-residential Short-Term Holding Facilities. Early in 2016 some of those who had originally volunteered for this work during the pilot phase withdrew. Four members were recruited later in the year.

10.1 All members must have completed a training course on the Home Office Manual for Escorting Safely before they can monitor charter operations. Courses were run in August and September for team members who had not had it. Other team members attended as a refresher. Allocating IMB training dates on these courses does not appear to be a priority for the national trainers. The CFMT first asked for a course to be set up in February; the August and September dates were eventually offered in July.

10.2 Meanwhile there were only four team members eligible to do the work until mid-September. The CFMT had nonetheless monitored four operations by then.

10.3 Two members were rostered to the West Africa and Pakistan flights, one to the first flight to Albania and two to the second which was a training exercise for one who had not previously flown. Three members were rostered to the Jamaica operation, given its length.

10.4 The rostered CFMT members attend the Tascor staff muster, then split up and go to different IRCs to observe returnees being discharged and travel with them to Stansted and forward to the aircraft. The first team member to arrive airside monitors boardings to the aircraft and the other, on arrival, starts monitoring inside the cabins. Both team members fly.

10.5 The CFMT presents a report on each operation it observes to HOIE which circulates it to Tascor and Detention Operations. There was a formal response to the first 4 reports, followed by a meeting with officials to discuss it. There has been no response to the last 2 CFMT reports in 2016 on the operations observed in November.

10.6 The CFMT did not received applications in the conventional IMB sense. CFMT members spoke to returnees some of whom raised issues usually about their immigration status, such as nationality or outstanding legal process. A few were drawn to the CFMT's attention by their escorts. The CFMT received 2 complaints about treatment during the removal process: being filmed and being seated for hours on a coach. The latter complaint was made during a long wait landside at Stansted. The returnee had noticed staff had been able to leave the vehicle and move around but that she had not.

## APPENDIX

Destination	Date (2016)	Actual returnees	Escorting staff who flew
Lagos/Accra	March	38	99
Tirana	May	55 from the UK	88
Lagos/Accra	July	37	98
Jamaica	September	42	126
Tirana	November	47 from the UK	100
Islamabad	November	52	101