

Detainees under escort:
Inspection of escort and removals to

Nigeria and Ghana

by HM Chief Inspector of Prisons

6 – 7 November 2013

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Fact page

Departure airport

Stansted

Destination countries

Nigeria and Ghana

Destination airports

Lagos and Accra

Escort contractor

Tascor

Number of detainees escorted

42

Number of escort staff

82

Health care staff

3

Length of journey

18.5 hours (maximum for first detainees to be collected from an IRC)

Introduction

This is the first time that we have carried out a follow-up inspection of a charter flight removal to a specific destination: this inspection came two and a half years after the first inspection of a flight to Lagos and provided an opportunity to follow up specific recommendations. While there were some noticeable improvements, especially in the attitudes and language of escort staff, several of our recommendations have had to be repeated verbatim this time. The distress of detainees undergoing removal is evident from the behaviours and accounts outlined in this report. The cases we describe illustrate this, as well as the strain that can be placed on the professionalism of staff.

Many of the escorting staff, especially those in leading roles, had been doing this job for many years. They were, on the whole, calm and confident in carrying out their duties, and this went a considerable way towards defusing tensions and allaying some of the immediate fears of detainees. However, some ways of working had become entrenched, for which there was little justification. These included keeping handcuffs on for much longer than necessary; holding detainees by the arm in secure areas; searching in locations without any privacy; denying privacy to detainees using the toilet; and withholding facilities such as pillows, blankets and hot drinks during an overnight flight without regard to evidence of risk in the individual case. There were deficiencies in the recording and communication of information about risk, which is essential when detainees are being passed from the care of one contractor to another during a very stressful series of events.

One detainee physically resisted staff throughout the journey. While staff generally showed the same calm confidence in managing this situation, they were left to improvise their methods because of the longstanding lack of accredited techniques or training for use of physical restraint in the confined space of a coach or aircraft. Some of them also fell short of a professional standard of behaviour by discussing the situation in the hearing of this and other detainees, and in some cases making inappropriate remarks.

Many detainees were understandably low in mood, and a number of escort officers showed some skill in talking to them with sufficient sensitivity and appropriate humour to help them cope with their situation. Detainees were given some information and assistance to prepare for their arrival in Nigeria.

The health and welfare needs of detainees were reasonably well met, but there was one serious lapse after handover to local officials in Lagos, who behaved aggressively towards the resistant detainee. A lack of coordination and of clear systems for decision-making led to a chaotic and potentially dangerous situation when there was sustained disagreement over what should happen to the physically recalcitrant detainee, before, during and after her forcible removal from the aircraft.

Nick Hardwick
HM Chief Inspector of Prisons

April 2014

Summary

- S1 Inspectors accompanied a charter flight carrying 42 detainees, 82 overseas escort staff, a security team and supervising officers, a chief immigration officer and three health care staff. Records of three previous flights to Lagos were also requested but no incident reports were received for any of these flights. The aircraft went first to Lagos, Nigeria, and then to Accra, Ghana; one detainee was bound for Sierra Leone. Up to 80 detainees were originally due on this flight, but legal challenges reduced the number. The number of escorts was reasonably proportionate, in view of the evidence of a risk of non-compliance by some detainees. A Home Office monitor was present in one immigration removal centre (IRC); his role was restricted to passive observation of the process.
- S2 Overall, the removal was managed reasonably well and professionally. Staff at the IRCs worked with detainees who said they would not go, de-escalating tensions and explaining processes clearly. Most detainees were calm throughout the flight and staff were appropriately low key. The atmosphere was mainly quiet. Many staff put effort into talking with their allocated detainee on the coach, helping to reduce stress. However, we had concerns about some staff behaviour on the aircraft, and one coach team was relatively brusque and inflexible with detainees. Staff were not aware of some risk issues relating to self-harm.
- S3 Handcuffs and leg restraints were used during the removal. Leg restraints were removed when no longer needed. Handcuffs were applied for too long, and on the basis of general non-compliance as well as actual physical resistance. The earliest time they were removed was after take-off. Some men were handcuffed for six hours and a woman was in handcuffs for over 14 hours. The inappropriate practice of holding detainees' arms, even within a secure IRC compound, and in the terminal and on the aircraft steps, continued regardless of individual risk. Some aspects of security were not varied in response to individual risk assessment.
- S4 A female detainee was at the extreme of non-compliance, resisting at every point and spitting at anyone who spoke to her. Escort staff had little prior information on her risks, even though this information existed. Person escort records lacked detail and some included mention of ACDT (assessment, care in detention and teamwork) documentation opened as a result of self-harm potential, mental health issues or violence, with no explanation of specific associated risks. The physical management of the non-compliant woman was generally reasonable and staff showed considerable professionalism under provocation; however, some aspects of her management were weak, including insufficient testing of her compliance when force was being used and inappropriate remarks made by some staff.
- S5 There remains, still, no accredited training for use of force in the confined space of an aircraft, and there were clearly no procedures for the contingency of a detainee continually spitting. Women were suitably kept separate from unrelated men.
- S6 Detainees were provided with adequate food and drink, but could only use the toilet with the door wedged slightly open with handcuffs. Several paramedics accompanied the flight and were proactive, issuing medication during the journey. Handover of health information from the IRCs was generally good, although the paramedics said that Colnbrook did not always provide a comprehensive handover.

- S7 All detainees were aware of organisations that could offer help to them on arrival and that the International Organisation for Migration could help them during their first three weeks in Nigeria. The Home Office chief immigration officer (CIO) on board was notably helpful and straightforward with detainees.
- S8 The Nigerian immigration officials came on to the plane and interviewed each detainee. They raised their voices with a few who expressed anxieties or problems. Their approach to the recalcitrant female detainee was inflammatory and did not assist a measured and controlled resolution of the situation. The Tascor staff eventually removed her from the plane and to a waiting bus, in as professional a manner as possible.

Section 1. Background

- 1.1 All inspections carried out by HM Inspectorate of Prisons contribute to the UK's response to its international obligations under the Optional Protocol to the UN Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT). OPCAT requires that all places of detention are visited regularly by independent bodies – known as the National Preventive Mechanism (NPM) – which monitors the treatment of and conditions for detainees. Escorts are included in this remit. HM Inspectorate of Prisons is one of several bodies making up the NPM in the UK.
- 1.2 This was the 34th in a series of charter flights to Lagos, referred to as Operation Majestic. Aircraft were chartered by the Home Office Directorate of Immigration Enforcement and Tascor was the escort contractor. Detainees were collected in two coaches from each of Colnbrook immigration removal centre (IRC) and Brook House IRC, and in one coach each from Harmondsworth and Yarl's Wood IRCs. Several were taken to Stansted separately in small vans because of risk of disruption. We were told by the Home Office that the escorting staff were all detention custody officers certified under Part 8 of the Immigration and Asylum Act 1999.
- 1.3 The entire process was inspected from the point at which detainees were collected from the three male IRCs, and all detainees were then included in the inspection from their arrival at Stansted airport to arrival at Lagos, the final destination for all but one of them. Two inspectors travelled on the flight, which took off from Stansted at 11.30pm and landed in Lagos at 6.10am and Accra at 10.20am GMT.

Section 2. Safety

Expected outcomes:

Detainees are escorted in safety and due regard is given to individual needs and risks. Removals are conducted in accordance with law. Security and good order are maintained through proportional operational arrangements and force is only used as a last resort.

2.1 Staff worked hard to avoid the use of force at the beginning of the removal process. Some security arrangements such as searching and the use of handcuffs were excessive, intrusive or inflexible. The lack of accredited techniques or training for use of force on aircraft was exposed in the case of one very recalcitrant detainee, although staff tried hard to use only such force as was essential. Care of those at risk of self harm was reasonable, but with some lapses in risk management.

Preparation and departure from removal centres

- 2.2 The flight was originally scheduled for 70 detainees, but 42 made the journey after cancellations. The distress of many detainees at the prospect of removal was evident from the situations that arose at IRCs before departure.
- 2.3 Most detainees had been moved the previous night to discrete locations in the IRCs, to avoid having to fetch them from among the general population on the day of departure. Unlike at the previous inspection of this removal, only those who needed separation for legitimate reasons under Detention Centre Rule 40¹ were taken to separation units. At Harmondsworth, two detainees who said they would refuse to leave – one of whom had removed all his clothes – were managed on the residential units. IRC staff, especially custody managers, showed considerable persistence, patience and courtesy in talking to detainees, reducing the number of occasions when force needed to be used to effect removal.
- 2.4 A detainee at Colnbrook had self-harmed and barricaded himself in his room before removal. A planned intervention was efficiently carried out: the man was restrained, but the situation was quickly de-escalated and he handed over a razor blade. He was moved to the separation unit pending departure, but then staff were told that he was no longer to fly because there were no travel documents for him. This stressful and risky situation for detainee and staff alike could therefore have been completely avoided if the pertinent information had been available beforehand.
- 2.5 There was good practice in the case of a detainee identified as at risk of violent behaviour, following a previously unsuccessful attempt at removal. He had been placed in separation before removal. The IRC engaged well with him and judged that there was no need for a strip search or handcuffs after an appropriate and proportionate risk assessment. Another detainee at Harmondsworth had been banging his head against a wall repeatedly the evening before departure; he had been put on constant supervision and cared for appropriately as someone at risk of self-harm.

¹ Rule 40 of Detention Centre rules – removal from association in the interests of security or safety

- 2.6 One detainee had been held at Morton Hall IRC, where he had started a dirty protest. He had been brought to Brook House, where he had ceased the protest and taken a shower, complying with instructions from that time. He was taken to Stansted in a people carrier wearing a paper suit, with the interior prepared in case he should resume the protest. There was no apparent reason for him not to be transported in ordinary clothes, in view of his compliant behaviour at the time and the fact that he was under constant supervision. Staff said that he had been offered the opportunity to put on ordinary clothes, but he denied this. He was able to change into his clothes at Stansted before boarding the flight and presented no difficulties thereafter.
- 2.7 One detainee at Brook House said that he had received his removal directions only the day before departure. He said that he had been told by a member of staff at HMP Woodhill on 4 November that he was on a list of names to be removed, but that was the only notification he had received until 5 November.
- 2.8 Another detainee disclosed to escort staff at Colnbrook that he wished to make an asylum claim. Staff referred his request very promptly to Immigration Enforcement, who confirmed his status and withdrew the removal direction.
- 2.9 In most cases, the coach commander at each IRC greeted each detainee by name, shook their hand and explained what would happen, having made themselves aware of risk factors documented for each individual. One coach commander was more formal in manner, and was not aware of individual risks, including those documented on ACDT forms or those with recorded mental health issues. This team was also less flexible than others in moving detainees on to the coach; the commander followed the order on the manifest and a man showing passive resistance was restrained, cuffed and put on a people carrier because he was the first man on the list. There was a good chance that by dealing with others first and giving extra time for staff to talk to the man, he might have complied.

Recommendations

- 2.10 **A removal should not be started unless all necessary documentation is available.**
- 2.11 **Detainees should not be placed in demeaning paper clothing when they have demonstrated compliance and when under constant supervision.**
- 2.12 **Handcuffs should only be applied as a last resort when all other attempts at de-escalation have failed.**

Security, order and rules

- 2.13 The ratio of escort staff to detainees was 1.93 to one. This did not include the 10 in the security team or the three supervising officers. The number of staff was not disproportionate, in view of the number of detainees who did not comply during preparation for departure at the IRCs.
- 2.14 Staff held all detainees by the arm when escorting them to the coach, within the completely secure perimeter of the IRC. This was unnecessary and escalated tensions. It was defended by managers as preventing people shaking off the escorts and running around the area, but there was no evidence that this scenario had happened.

- 2.15 At Stansted, where the environment is not secure, four officers closely escorted each detainee. The security arrangements for the CIO interviews with detainees on the aircraft were inflexible and in some cases overbearing (see paragraph 2.21).

Recommendation

- 2.16 **Escorts should not hold detainees' elbows when escorting them through secure areas, and should do so in less secure areas only on the basis of risk assessment.** (repeated recommendation 3.26)

Good order and behaviour management

- 2.17 No detainees were given a strip search before the flight. Rub-down searches were carried out sensitively and with continuous communication with the detainee. However, in Harmondsworth, searching was carried out in a foyer of the reception area, close to an open external door and adjacent to the desk at which a female escort officer was issuing property to other detainees and in full sight of several other staff.
- 2.18 In the early stages of collection from the IRCs, most Tascor and IRC staff talked patiently to detainees and de-escalated conflict rather than resorting too quickly to force.
- 2.19 Staff improvised as well as they could in the face of sustained spitting by one detainee, Ms D. The lack of standard guidance on use of force and control of behaviour was illustrated in this case. Staff did not feel well equipped to deal with it and said there was a need for physical barrier equipment such as masks. Some lapses in professionalism were shown by some staff who made unnecessary comments (see positive relationships section), but the staff response to this protracted challenge was on the whole impressive, especially as some of them experienced Ms D spitting in their mouth or eyes. The staff retained full control of Ms D at all times
- 2.20 The detainee who was taken on to Accra had been non-compliant at the outset and had a history of previous disruption of removal attempts. However, he cooperated at Accra with the four escorts who were due to accompany him for an onward flight to Sierra Leone.
- 2.21 There was unnecessary crowding around detainees at the CIO's surgery (see preparation for reintegration section). This was especially the case in their application to the women (of whom all but Ms D were fully compliant at every stage) and to a man who was returning voluntarily and had checked in at Stansted of his own volition. These interviews took place with the CIO kneeling on a seat facing the seat behind; the detainee sat in the centre seat of the middle row, with the seat belt fastened, and an officer on each side of him with one knee on the seat beside the detainee's, two other officers flanking the CIO, and three other staff behind. This was risk averse and intimidating, especially as staff intervened instantly to restrain any hand gestures by the detainee. There was no variation in these arrangements to reflect the risk assessment of the individual concerned.

Recommendations

- 2.22 **Searching in the IRC should take place away from the reception desk and, if possible, in a separate room.** (repeated recommendation 3.9)
- 2.23 **Only the minimum number of staff for security and safety should be positioned around a detainee.**

Use of force

- 2.24 Staff all said that they were trained in control and restraint techniques, and had received refresher training within the last 12 months. All were aware of the risks of positional asphyxia and they were able to describe methods of restraining a detainee on an aircraft without forcing the head forwards and down, which they demonstrated during the flight. Nevertheless, there was still no accredited training for the use of force within the confined space on board an aircraft.
- 2.25 A male detainee was placed in handcuffs and leg restraints at the IRC because he was offering resistance. The leg restraints were removed before leaving the coach, since the detainee was complying at that time. He remained handcuffed until after take-off. All those who were handcuffed at any stage of the journey, including those who resisted only at the IRC, remained cuffed until the seatbelt lights were turned off in the aircraft. A detainee who refused to walk to a van at the centre, but was compliant from then on, was consequently in handcuffs for six hours 58 minutes. Another detainee had taken his clothes off at Tinsley House and refused to leave, saying that he would hurt himself and would rather die. He was placed on constant supervision. He was handcuffed by Tascor staff even though there was no record of any physical resistance: the officer's notes said 'passive hand restraints'. Handcuffs were applied to the front, in all cases observed.
- 2.26 Leg restraints were used on three detainees, including Ms D, and in each case staff loosened or removed the restraints whenever it appeared that there was no imminent risk of the detainee kicking out or using their legs to prevent movement necessary for the removal. Ms D was in leg restraints for 10 hours 5 minutes and in handcuffs for 14 hours 30 minutes, continuously in each case. On the whole, staff showed commendable calmness and confidence in keeping Ms D under control. However, her head was restrained continuously for more than 45 minutes without sufficient testing of her compliance; her arms were restrained by some staff (but not others) throughout the flight, which was unnecessary; and at one point pain compliance was used when restraint would have sufficed.
- 2.27 All detainees were filmed while boarding the aircraft, but the predictable event of using force to remove Ms D from the aircraft was not filmed. An officer held the arm of each detainee as they boarded. All those on whom any force was used were seen afterwards by a paramedic, and the paramedics recorded any injuries appropriately.

Recommendations

- 2.28 **Handcuffs and other forms of physical restraint should only be applied for as long as they are needed for safety or to effect removal.**
- 2.29 **All escorting staff should receive full accredited training for the use of force in any situation which may arise, especially on board an aircraft.** (repeated recommendation 3.30)
- 2.30 **All planned uses of force and all boarding of aircraft by detainees should be filmed by a dedicated and trained DCO.** (repeated recommendation 3.28)

Bullying and intimidation

- 2.31 There was no indication of difficult interactions between detainees, who were with DCOs at all times from the point of collection from IRCs. Tascor staff continued to wear obtrusive armbands to hold their ID cards, on which the name was too small for a person to read

from a metre away. Otherwise, their appearance was reasonably informal and not intimidating.

Emotional distress and self-harm

- 2.32 One coach commander was not aware of individual risks documented in assessment, care in detention and teamwork (ACDT) self-harm monitoring forms, and thought that one detainee was on an ACDT when this was not the case.
- 2.33 ACDT forms were completed appropriately, with entries at the intervals specified in the support plan. Person escort records (PERs) lacked detail. In most cases they made generic reference to risks of self-harm or violence or mental health issues, but with no explanation of the types of risk in a particular case.
- 2.34 Ms D's person escort record showed 'mental health issues' as well as a history of violence. An ACDT was opened on Ms D after she had been notified of her removal and said she had nothing in Nigeria and would kill herself if returned there.
- 2.35 Staff were generally caring in manner, although one escort officer fell asleep a number of times during the flight for about 10 minutes at a time while sitting next to and supervising a detainee on an ACDT.

Recommendations

- 2.36 **DCOs should be alert at all times when supervising detainees who are distressed, especially if they have an identified risk of self-harm.**
- 2.37 **Escort documentation should clearly indicate to staff the specific risk factors that need to be managed.**

Legal rights

- 2.38 Access to telephones had improved since the previous inspection: detainees' phones were only taken away at the point of departure, and escort staff proactively offered the loan of their own mobile phones.

Child care and protection

- 2.39 No specific issues of child care or protection arose during the inspection.

Section 3. Respect

Expected outcomes:

**Detainees are escorted in decent physical conditions and individual needs are addressed.
Detainees are treated with humanity and respect.**

3.1 *Physical conditions were reasonable, although some facilities were withheld without good cause. Staff maintained professional behaviour towards detainees on the whole, but not all were able to do so under the prolonged pressure of managing one particular detainee, and there were a few inappropriate remarks. A number of staff went out of their way to build rapport with the detainee assigned to them. Medical care was sufficient, apart from a serious lapse not attributable to UK staff.*

Physical conditions

- 3.2 Vehicles used to transport detainees were clean and well equipped.
- 3.3 When detainees used the toilet on the coach and aircraft, they were not allowed to shut the door, and an escort officer of the same gender held their rigid handcuffs between door and frame. On occasions, the officer spoke to the detainee, sometimes pointing out how to work fittings in the toilet, which was unnecessarily intrusive.
- 3.4 Seating arrangements in the aircraft were appropriate; the six women were held separately in the front cabin. Food and cold drinks were given regularly on the coaches and on the aircraft. No hot drinks were given on the aircraft to detainees regardless of individual risk, although some staff went to the serving points to get hot drinks for themselves.
- 3.5 On arrival at Stansted, there was a long wait while an unconnected group of passengers arriving from other aircraft used the private terminal. Airport staff would not permit any of the staff or detainees to be visible in the terminal during that period. The time spent in coaches, already long, was thus further extended.

Recommendations

- 3.6 **The time spent by detainees on a coach should be monitored, and alternatives found to holding them for long periods on a vehicle.** (repeated recommendation 4.7)
- 3.7 **Unless individual risk assessment indicates otherwise, detainees should be able to use the toilet with full privacy, consume hot drinks and obtain pillows and blankets during flights.** (repeated recommendation 4.6)

Property and clothing

- 3.8 Escort staff held sanitary products for women, but a detainee had to ask for them. Detainees did not have any concerns about their property, which was properly accounted for. They were allowed to keep paper money with them but not coins. Easily detachable metal jewellery was also removed from them during the flight. Staff said that they only removed watches according to risk, but in practice all watches were removed regardless of individual

risk factors. Detainees were not allowed to have their phones or laptops with them. Staff explained that this was to prevent communication en route which might facilitate escape attempts or demonstrations. However, detainees were offered the use of Tascor mobile phones if they wished to make a call, for example to a legal representative.

- 3.9 Pillows and blankets were available, but they were not offered to any detainees (or staff) on the journey out - as usual, they were kept for the use of staff on the return journey (see recommendation 3.7).

Positive relationships

- 3.10 The escort staff used first names and were generally polite and friendly in their manner. Levels of engagement with detainees varied: some officers put considerable effort in the early stages into making conversation with the detainee in their charge, gauging the person's willingness to talk, in a socially skilled way. A number of detainees became less tense and coped better with the stresses of the removal through the efforts of these staff to put them at their ease. For example, one detainee who was very low in mood at the beginning of the coach journey was exchanging anecdotes with his escorting officer by the end. Other officers were less forthcoming.
- 3.11 Staff supervising the female detainee who remained aggressive throughout the journey engaged with her professionally on the whole, but with significant exceptions. To say 'We should wear burqas - not being funny' in the hearing of detainees was out of place; escort staff also discussed the woman and her situation in front of her in a way which could have increased distress, and after reading a reference to mental health issues in her PER, an officer pointed to her head and said 'she's a bit...' apparently referring to Ms D's mental health.

Recommendation

- 3.12 **Staff should not discuss a detainee or their behaviour in their hearing, or that of other detainees, unless it is necessary for immediate control of a dangerous situation.**

Diversity

- 3.13 On the whole, staff paid reasonable attention to the diverse needs of detainees. In the circumstances of such a journey, normal provision for faith needs is difficult. Nevertheless, some inflexibility on facilitating prayer was evident when an officer said 'if you let one do it, they would all want to'.
- 3.14 One detainee at Colnbrook was very short of stature. A tall Tascor officer beginning to search him said 'How tall are you?' The intent was not malicious and the response was good humoured, but there was a risk of giving offence.
- 3.15 A small but significant proportion of escort officers were from minority ethnic backgrounds, and they were helpfully deployed in direct escort. Detainees spoke English and there was no obvious need for interpretation.
- 3.16 Wheelchairs were available, and were offered, when any detainee had mobility difficulties.

Complaints

- 3.17 Escort staff had complaint forms, and one officer offered to give a complaint form to a detainee who raised an issue with him. They did not otherwise tell detainees that complaint forms were available. However, staff each had fliers to give to detainees with a free telephone number to call in case of any complaints. These were given out routinely and meant that detainees had an easy way to complain after the removal.

Health

- 3.18 A paramedic employed by Taylormade was present at each IRC as detainees were prepared for departure. At Harmondsworth and Brook House the handover of information and medications from centre health care staff was good, while at Colnbrook the paramedics said that they usually only received information about current needs and were not aware of the medical history of those in their care. A sealed letter was given in relevant cases, to be handed to the detainee's clinician on arrival.
- 3.19 Three months' supply of medications was given to a detainee who, a paramedic told us, was HIV positive. He was aware of the need for medical confidentiality in general. The health of Ms D was unnecessarily jeopardised when Nigerian officials, to whom a Taylormade paramedic had given all her medication (including a considerable supply of antipsychotic medication), handed to Ms. D all her property including the medications, which she began to swallow in bulk.
- 3.20 The paramedics administered medical care when needed. A detainee suffered an asthma attack on the aircraft; although his clinical record contained no reference to a history of asthma, he was treated appropriately and given an inhaler to take with him on landing.

Section 4. Preparation for reintegration

Expected outcomes:

**Detainees are prepared for their arrival and early days in the destination country.
Any unacceptable behaviour in destination countries is appropriately challenged.**

- 4.1 *Detainees had some information about sources of short-term help on arrival, and advice and assistance from the CIO on the flight. The handling of the disembarkation of the recalcitrant detainee led to stress and confusion over a long period, and local officials were in general very assertive in manner.*
- 4.2 All detainees had access to the chief immigration officer (CIO) on the flight; an escort officer spoke to each of them asking if they wished to talk to the CIO. Despite the air of tension which hung over these interviews, the CIO was courteous and thorough in his attention and responses to the questions which detainees raised. He checked his phone for any last minute decisions preventing the completion of the removal on arrival in Lagos.
- 4.3 Detainees were aware of the services provided by the International Organisation for Migration (IOM), which could offer help with accommodation and finance for up to three weeks after arrival. However, some detainees did not have confidence that the IOM could give them enough help to meet their needs. One detainee expressed a concern during the flight about lack of money. Staff referred him to the CIO on board, who arranged a 'destitute payment' and referral to the IOM on arrival.
- 4.4 On landing, local immigration officials boarded the aircraft and called each detainee in turn to be identified and to sign a declaration. This took a considerable time. A few detainees expressed concerns and reluctance to sign, and the response was in some cases very assertive. In two cases the officials became aggressive with the detainee, standing over him and saying loudly 'just sign'. The disembarkation process for Ms D was very prolonged and unduly stressful for her and others.
- 4.5 Ms D was in handcuffs when the plane landed and had been crying. She spat at a Nigerian official who approached her and was carried off the plane, still offering considerable resistance. Half an hour later, she was sitting on the tarmac in front of the plane with nobody communicating with her. She took all the medication, including anti-psychotic drugs that the paramedics had handed to the local officials who had then passed it to Ms D. Nigerian officials subsequently said that Ms D was unfit to remain in Nigeria and wanted her to return to the UK. They brought her to the foot of the aircraft front steps unclothed except for a towel around her shoulders as she had ripped her clothes off. Up to 30 local officials surrounded the foot of the stairs, one of whom pushed Ms D forward. She fell on to the stairs, grabbed the handrail and began to struggle. The aircraft commander, additional Tascor staff, pilot and paramedic all said that Ms D was unfit to fly and needed hospital attention, and approximately half hour later, an ambulance arrived. It took too long to provide this medical care for her. We were subsequently told by Home Office staff that Ms D calmed down completely on arrival at hospital and was discharged on the same day. We do not know what happened thereafter, or whether any dialogue has taken place between the Nigerian and British governments about the way that the incident was handled.

- 4.6 There was no agreed protocol between the UK Home Office and the Nigerian authorities for action in case of refusal by a detainee to leave the aircraft at the destination airport. Such an agreement might have prevented the prolonged and tense stand-off on the tarmac at Lagos, when much time was taken by informal negotiations about how to resolve the situation.

Recommendation

- 4.5 **The Home Office should agree with the Nigerian authorities protocols for action in case of refusal by a detainee to leave the aircraft at the destination airport.**
(Repeated recommendation 5.11)

Section 5. Recommendations and housekeeping points

Recommendation

To the Home Office

Preparation for reintegration

- 5.1 The Home Office should agree with the Nigerian authorities protocols for action in case of refusal by a detainee to leave the aircraft at the destination airport. (4.5)

Recommendations

To Tascor

Safety

- 5.2 A removal should not be started unless all necessary documentation is available. (2.10)
- 5.3 Detainees should not be placed in demeaning paper clothing when they have demonstrated compliance and when under constant supervision. (2.11)
- 5.4 Handcuffs should only be applied as a last resort when all other attempts at de-escalation have failed. (2.12)
- 5.5 Escorts should not hold detainees' elbows when escorting them through secure areas, and should do so in less secure areas only on the basis of risk assessment. (2.16)
- 5.6 Searching in the IRC should take place away from the reception desk and, if possible, in a separate room. (2.22)
- 5.7 Only the minimum number of staff for security and safety should be positioned around a detainee. (2.23)
- 5.8 Handcuffs and other forms of physical restraint should only be applied for as long as they are needed for safety or to effect removal. (2.28)
- 5.9 All escorting staff should receive full accredited training for the use of force in any situation which may arise, especially on board an aircraft. (2.29)
- 5.10 All planned uses of force and all boarding of aircraft by detainees should be filmed by a dedicated and trained DCO. (2.30)
- 5.11 DCOs should be alert at all times when supervising detainees who are distressed, especially if they have an identified risk of self-harm. (2.36)
- 5.12 Escort documentation should clearly indicate to staff the specific risk factors that need to be managed. (2.37)

Respect

- 5.13 The time spent by detainees on a coach should be monitored, and alternatives found to holding them for long periods on a vehicle. (3.6)
- 5.14 Unless individual risk assessment indicates otherwise, detainees should be able to use the toilet with full privacy, consume hot drinks and obtain pillows and blankets during flights. (3.7)
- 5.15 Staff should not discuss a detainee or their behaviour in their hearing, or that of other detainees, unless it is necessary for immediate control of a dangerous situation. (3.12)

Section 6. Appendices

Appendix I: Inspection team

| | |
|------------------|-----------|
| Rosemary Bugdale | Inspector |
| Martin Kettle | Inspector |
| Kellie Reeve | Inspector |

Appendix II: Progress on recommendations from the last report

The following is a summary of the main findings from the last report (20-21 April 2011) and a list of all the recommendations made, organised under the three broad tests of healthy detention practice. The reference numbers at the end of each recommendation refer to the paragraph location in the previous report. If a recommendation has been repeated in the main report, its new paragraph number is also provided.

Safety

Detainees are escorted in safety and due regard is given to individual needs and risks.

- 6.1 Searching in the IRC should take place away from the reception desk and, if possible, in a separate room. (3.9)
Not achieved (Recommendation repeated, 3.22)
- 6.2 The holding in separation conditions, pending removal, of any detainee in an IRC should be subject to the same requirements for approval and monitoring under Rule 40 or 42 as any other instance of separation. (3.38)
Achieved
- 6.3 There should be an aircraft seating plan in line with assessed risk. (3.14)
Partially achieved
- 6.4 Staff should approach tense and potentially volatile situations in a calm fashion that allows for effective communication with detainees, and senior staff should take immediate control of such situations. (3.17)
Achieved
- 6.5 Escorts should not hold detainees' elbows when escorting them through secure areas, and should do so in less secure areas only on the basis of risk assessment. (3.26)
Not achieved (Recommendation repeated, 3.16)
- 6.6 Male staff should not lay hands on female detainees, other than in cases of urgent need. (3.27)
Achieved
- 6.7 All planned uses of force and all boarding of aircraft by detainees should be filmed by a dedicated and trained DCO. (3.28)
Not achieved (Recommendation repeated, 3.30)
- 6.8 Planning and briefing in preparation for planned interventions should include all staff who are likely to be involved. (3.29)
Achieved
- 6.9 All escorting staff should receive full accredited training for the use of force in any situation which may arise, especially on board an aircraft. (3.30)
Not achieved (Recommendation repeated, 3.29)

- 6.10 Escort staff should receive clear guidance on when to remove handcuffs placed on a detainee before or during the boarding process. (3.31)
Partially achieved
- 6.11 Recorded observations of those at risk of self-harm should be in line with the frequency judged necessary during assessment. (3.37)
Achieved
- 6.12 All detainees should be told, in a language they understand, that when their own mobile phone is taken they can borrow one from escort staff to call a legal adviser or other key contacts. (3.42)
Achieved

Respect

Detainees are escorted in decent physical conditions and individual needs are addressed. Detainees are treated with humanity and respect.

Recommendations

- 6.13 Unless individual risk assessment indicates otherwise, detainees should be able to use the toilet with full privacy, consume hot drinks and obtain pillows and blankets during flights. (4.6)
Not achieved (Recommendation repeated 4.7)
- 6.14 The time spent by detainees on a coach should be monitored, and alternatives found to holding them for long periods on a vehicle. (4.7)
Not achieved (Recommendation repeated, 4.6)
- 6.15 Graphic and/or violent films should not be shown on coaches or other settings where detainees cannot opt out of seeing them. (4.8)
Achieved
- 6.16 When detainees are being discharged from removal centres, staff should clearly communicate property checking procedures to them. Detainees should not be required or allowed to sign for their property unless they have checked it to their satisfaction. (4.13)
Achieved
- 6.17 Detainees should be allowed to retain paper cash on departure from the removal centre. (4.14)
Achieved
- 6.18 Where female detainees are escorted from different removal centres, they should be located together as soon as is practicable. (4.24)
Not applicable on this inspection
- 6.19 Staff should never use racist or offensive language, in or out of the hearing of detainees. (4.25)
Partially achieved
- 6.20 Appropriate aids should be made available for any detainee with mobility difficulties unless specific documented risk assessment shows good reasons for not doing so. (4.26)
Achieved

- 6.21 Detainees should be provided with information on how to make a confidential written complaint or submit comments on their experiences of removal. Reasonable efforts should be made to enable submission of such information following arrival in home countries. (4.29)
Partially achieved
- 6.22 Medical information should be shared initially only with the coach commander, who should then decide which other staff need to be made aware. (4.34)
Achieved

Preparation for reintegration

Detainees are prepared for their arrival and early days in the destination country and their arrival is managed as smoothly and constructively as possible.

Recommendations

- 6.23 Detainees without money or contacts should be provided with assistance in sourcing accommodation and support in Nigeria. This assistance should be given before the removal process begins. (5.9)
Partially achieved
- 6.24 Escort staff should treat detainees with decency and respect throughout the process of removal without using inflammatory and derisive language. (5.10)
Partially achieved
- 6.25 UKBA should agree with the Nigerian authorities' protocols for action in case of refusal by a detainee to leave the aircraft at the destination airport. (5.11)
Not achieved (recommendation repeated, 5.6)