

Detainees under escort:
Inspection of escort and removals to

Albania

by HM Chief Inspector of Prisons

15 September 2016

Glossary of terms

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This publication is available for download at: <http://www.justiceinspectorates.gov.uk/hmiprisons/>

Printed and published by:
Her Majesty's Inspectorate of Prisons
Victory House
6th floor
30–34 Kingsway
London
WC2B 6EX
England

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Fact page

Departure airport

Stansted

Destination country

Albania

Destination airport

Tirana

Escort contractor

Tascor

Number of detainees escorted

45

Number of escort staff

85

Health care staff

Five (two on flight)

Length of journey

10 hours maximum

Introduction

Operation Aardvark is a regular removal flight to Albania that we previously inspected in June and July 2014. There have been some improvements since 2014 in the treatment of detainees. No reserves were identified: all those who received removal directions flew unless their removal was forestalled by legal proceedings. Escorting staff were polite, patient and positive in their interactions with detainees and carried out their duties confidently. The 45 men who were removed were all compliant and the great majority were sanguine about their return to Albania.

Departures from the immigration removal centres had improved, especially from Colnbrook and Harmondsworth: larger and more suitable areas were used for handover processes and all detainees were brought directly from their residential units rather than moved first to segregated accommodation. At Brook House, detainees were held in cramped conditions and given insufficient information.

The physical conditions in the coaches and aircraft were sufficiently comfortable and the food and drink provision was adequate. Tascor staff proactively tracked down the property of some detainees who had been brought from prisons without it, and this was good practice. No force was used on this operation, although a recent one had involved the use of restraints and pain compliance.

A number of escorting staff fell asleep on the aircraft, having been working for eight hours by take-off time. This was potentially unsafe and is a concern that we have raised on several previous occasions. There were no adverse consequences, but one detainee was able to climb over his sleeping escort and walk down the aisle.

When staff tried to communicate with those who spoke little or no English they relied entirely on other detainees or on gestures to make themselves understood. Health care arrangements were appropriate, and paramedics were diligent in the care they provided. Detainees had limited opportunities to make a complaint.

The usual opportunity for detainees to have a one-to-one interview with an immigration officer was not available on this flight. Even though detainees were given an opportunity to talk about any urgent matters late in the flight, this left a number unaided who had said they would have liked such an interview. Disembarkation at Tirana was swift and straightforward.

This removal operation involved a relatively short flight; no women, children or elderly people were on the flight and none of the young men on board resisted removal. Escorting staff were not severely tested and they carried out their duties maturely and considerately. We have, for the first time in these inspections, identified a point of good practice. Even in this relatively straightforward scenario, there were still some issues that were raised before and we raise them here again.

Peter Clarke CVO OBE QPM
HM Chief Inspector of Prisons

October 2016

Section 1. Summary

- 1.1** The flight carried 45 detainees, picking up 20 others at Lille in France. All the detainees were men, and many of them had been transferred the previous day from prison to an immigration removal centre (IRC); coaches travelled from Colnbrook, Harmondsworth and Brook House. There were no reserves (detainees who were told they would be on the flight, but kept on a reserve list with the expectation that they would only board the aircraft if there was a cancellation). The longest journey time was 10 hours. Custody officers were properly accredited and all dealt with detainees confidently.
- 1.2** In most cases, detainees had not been segregated or located in a discrete area before removal; they were collected from their rooms in various residential units in the IRC, which meant they had a normal detention experience up to the routine time of lock-up at night, which was better than at the previous inspection. At Brook House, however, detainees were held for a long time in an unsuitable holding room, where they received insufficient information.
- 1.3** Searching was carried out appropriately. One detainee had previous fractures to his leg, which restricted his movement: he was appropriately transported in a separate van and seated in a separate part of the aircraft, where he could stretch out his leg. Staff held the toilet door slightly open for all detainees, not on the basis of individual risk assessment; this was demeaning and in most cases an unnecessary intrusion on privacy, although staff tried to mitigate this effect.
- 1.4** There was a considerable wait on the ground at Lille airport, during which detainees became more unsettled. A number of escorts were asleep early on in the flight; some were relieved by other officers, but many were not, and we saw one detainee climb over his sleeping escort and go over to talk to another detainee some rows away, until he was spotted by another officer.
- 1.5** No force or waist restraint belts were used. On a recent flight, force had been used, including the use of pain compliance through rigid handcuffs. No detainee was being monitored for a risk of self-harm.
- 1.6** The coaches were in good condition and staff provided detainees with food and water, and in some cases hot drinks.
- 1.7** Staff made repeated, and in one case successful, efforts to track down items of property that detainees complained had not been brought from the prisons from which they had come. They continued with these efforts during the flight. These were the chief issues worrying detainees, who otherwise showed almost no reluctance to cooperate with the removal process. Staff were courteous and positive when they spoke to detainees and established a good rapport with them.
- 1.8** All detainees received written information about whom to contact should they have wanted to make a complaint about Tascor at the outset of the coach journey. However, Albanian was not one of the 16 languages used on this sheet. No other provision was made for detainees to make a complaint and they received no further explanation about the complaints procedure.
- 1.9** Information about health was handled properly and we had no concerns about health care arrangements.

I.10 Few of the detainees expressed any anxiety about what would happen or how they would reach their home. However, one said he only had £3.50 and did not know how he could make the journey of an hour and a half to his home. Disembarkation at Tirana was very quick and smooth: the men boarded buses and were taken to a reception centre.

Section 2. Background

- 2.1** 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.
- 2.2** The aircraft was chartered by the Home Office directorate of immigration enforcement, and Tascor was the escort contractor. At Lille airport 20 detainees boarded, escorted by French police. This group was seated separately from those who had come from the UK, and no issues affecting the UK operation arose as a result of their presence. There was a clear understanding that it was a British operation, and that the British officials held responsibility for managing any incidents involving the aircraft or operation as a whole, in consultation with the leader of the French contingent. Working relationships between the leaders of the French and British contingents were good and no further mention is made of the detainees or their police escorts from France in the remainder of this report.
- 2.3** The longest journey time was 10 hours: delays occurred both before take-off from Stansted and while at Lille airport, owing to industrial action by air traffic control staff in France. Custody officers were properly accredited; they were all familiar with their duties and carried them out confidently.
- 2.4** The operation was inspected from the point at which detainees were collected from the immigration removal centres (IRCs). Two inspectors travelled on the flight, which took off from Stansted at 8.12am. It landed in Lille at approximately 8.55am, leaving an hour later, and at Tirana at 12.15pm (all times GMT). The records of the two previous flights to Albania in 2016 were also examined for this report. The number of detainees on those flights was respectively 44 and 52.

Section 3. 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.

Preparation and departure from removal centres

- 3.1** Many of the detainees had arrived from a variety of prisons the day before the removal. Others had been at the immigration removal centre (IRC) for some time. None of them complained about insufficient access to family, friends or legal advisers in the period leading up to the flight. All detainees said they had been served with the correct documentation for removal at least 72 hours before the event and some said they had known for a week.
- 3.2** In all but one of the IRCs, they had been held in rooms in the normal residential units, and were brought individually from there to the reception area for departure. This was better than the previous situation at Harmondsworth, for example, where detainees had been located on the top landing of F wing before their departure, where they could not mix with other detainees the day before the flight. At Colnbrook, each detainee had been offered a shower prior to going to reception and they were happy with the way they had been treated. We saw IRC officers knock on the door, enter the room and politely ask the detainee if he was ready to go. A 19-year-old detainee said he had been given satisfactory answers to all his questions about his deportation and was happy with the way staff treated him.
- 3.3** At Brook House, all 14 men were held in an inadequately ventilated holding room with no television or anything to do; staff provided cups and water. The coach was due at 12.40am, but did not arrive until 1.15am. The men were not advised of the coach's delay. The first man left the holding room at 1.40am and boarded the coach at 1.50am; the last man left the room at 3.05am. Men were not called in the order they had arrived in the holding room. The minimum waiting time was two hours and some were there for longer.
- 3.4** The process of handing over responsibility for the detainees to Tascor escort staff and embarkation on coaches was managed efficiently. At Harmondsworth, the main reception area was used instead of the small lobby area, which had been used at all previously inspected removals. This was a great improvement and there was now enough room to carry out tasks, such as checking property and medical information and searching, properly and respectfully. Detainees were allowed sufficient time to take items out of their property, including telephone numbers, if needed. At Brook House, however, the area was quite small, and with up to eight Tascor staff and an IRC officer in the room, the effect could have been intimidating in spite of staff's positive manner. Those travelling from Brook House were not given sufficient information about the journey.

Recommendation

- 3.5 Detainees should not be kept in holding rooms for long periods before their removal, and they should be fully informed about what is going to happen in the coming hours.**

Security, order and rules

- 3.6** Searching was carried out respectfully. It took place in a separate room in almost every case; at Harmondsworth one detainee was searched in a separate room while another search took place at the same time in the open area to speed up the process. A detainee who had previously had multiple fractures to his leg was transported in a separate vehicle, because he needed room to keep his leg stretched out. Similarly, in the aircraft he was seated in a separate area where more legroom was available.
- 3.7** On the coach, the escorting officer held the toilet door very slightly open by putting their hand or a book in the gap so it could not be locked from the inside. The same precaution applied on the aircraft. Staff tried to ensure maximum privacy.
- 3.8** Key stages in the removal operation, such as boarding the aircraft, were filmed, the purpose of which had not been explained in advance to all detainees, which meant a few were disconcerted by the filming.

Good order and behaviour management

- 3.9** There was no disruptive behaviour at any stage in the removal. Two men from Colnbrook were transported in separate vans because there was evidence they might have resisted removal; however, they were compliant.
- 3.10** During an hour's delay on the ground at Lille airport, many detainees became restless, but staff continued to interact well with them and the atmosphere remained positive. Some staff said they had had insufficient rest between removal operations, even though the respite periods required by contract had been observed. During the flight, especially after take-off from Stansted when staff had been active for many hours, a number on escort duty slept for a period of time. Some were relieved by colleagues, but this was not possible in all cases. One detainee, who was seated separately from others travelling from the UK, climbed over his sleeping escort and went to speak to another detainee. Another member of staff observed this a few minutes later, escorted the detainee back to his seat and woke the escort up.

Recommendation

- 3.11** **Senior managers should ensure that staff are able to undertake their duties effectively and safely at all times while they are responsible for the care of detainees.** (Repeated recommendation 4.11)

Use of force

- 3.12** All staff had received Home Office training on escorting detainees safely, and those asked said they had been on a six-monthly refresher course. Officers leading detainees to the coaches within the secure area of the IRC did not touch detainees. While boarding the aircraft, an officer held each arm of the detainee. The reasons for this were explained carefully to detainees as they left the airport bus, and the process was filmed.
- 3.13** No force was used during the removal, nor were handcuffs or the waist restraint belt used. At Brook House, detainees were searched a little heavy-handedly: in addition to search staff,

two officers stood at the door of the room where the search took place, and the lead searcher unnecessarily put his hand on the detainee to guide him into the room.

- 3.14** One of the previous two Operation Aardvark flights had not involved the use of any restraints or control and restraint techniques. On the flight on 13 July 2016, one detainee at Colnbrook had refused to cooperate and had been put into a waist restraint belt in the restricted position. He had not resisted further. On the same flight a married couple was removed from Yarl's Wood IRC. Rigid handcuffs were placed on the man, and pain compliance was used first to bring him to his knees when he was refusing to cooperate while the waist restraint belt was being fitted, and again at the coach steps when he had been carried to the coach and refused to stand and walk on to the coach. The rigid cuffs were in place for 48 minutes. The woman had harmed herself before she was picked up at the IRC; she had been non-compliant and was placed in a waist restraint belt for five hours and 15 minutes. Paperwork we examined did not suggest that the initial use of force was disproportionate in these cases, but it was not clear whether the restraints were required for such long periods.

Recommendation

- 3.15** **Escorts should not lay hands on detainees without a specific cause, which should be justified in writing in each individual case.** (Repeated recommendation 3.32)

Bullying and intimidation

- 3.16** Escorting staff were dressed informally, and in contrast with some previous inspections, the security team was similarly dressed in normal clothing and was not distinguishable from escorting staff. All staff wore handcuffs conspicuously on their belt. No abusive or intimidating behaviour by staff or detainees was observed during the whole inspection.

Emotional distress and self-harm

- 3.17** None of the detainees was being monitored for self-harm. Staff could describe the correct assessment, care in detention and teamwork process for supporting and monitoring those at risk of self-harm. At Brook House, one detainee was in bed when staff went to collect him; he said he was not going. He said he was scared because his father would kill him if he went back to Albania. He was just 18 and had a previous history of self-harm. The officers asked his cell mate to speak to him and then explained that it was their job to look after him and to remove him. They told him he could speak to the immigration officer on the plane, but this opportunity was not in fact provided (see paragraph 5.3).

Legal rights

- 3.18** All detainees were told during reception they would be given access to a mobile phone on the coach so they could call legal advisers or family or friends, and all detainees could make calls both on the coach and at the airport until shortly before take-off.

Child care and protection

- 3.19** There were no children on the flight. Escorting officers had received basic child protection training during their initial and annual refresher training.

Section 4. Respect

Expected outcomes:

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

Physical conditions

- 4.1** The coaches were all clean and in good order; they had air conditioning and access to a toilet. Sandwiches, fruit, snacks and bottles of water were offered to detainees shortly after they set off from the immigration removal centre (IRC): the range of items available was appropriate. All detainees were served before staff received food. On one coach detainees could have hot drinks and a film was shown on another; it was not clear why hot drinks were not made available on all coaches. Detainees were transferred directly from the coach to the aircraft, but there were long waits on the coaches at Stansted. On the aircraft all detainees were offered bottled water, hot drinks and breakfast, which included a hot meal, fruit and yoghurt.

Property and clothing

- 4.2** Detainees' property was accounted for carefully. The main issue arising was that some property had been left behind at the prison from which they had originally been transferred the day before the removal. Tascor staff made a number of phone calls to the prisons.
- 4.3** One detainee worried about his property failing to arrive with him from HMP Thameside. Escort staff listened to him and tried to reassure him in a caring and helpful manner that the matter was being followed up. The coach commander informed the detainee that he had contacted the prison but nobody was able to identify where his property was and he would ring back later when day staff would be on duty, which he did. The matter was followed up on arrival in Lille and a further telephone call was made. He was reassured that his property would be forwarded to him. In another case, the officer made repeated calls to a different prison; at first staff at the prison said there was no evidence of two small valuable items claimed by the detainee to have been among his possessions. Tascor staff persevered, and eventually the prison reported that the items had been found in a valuables safe. Arrangements were made to send them to the detainee's home address in Albania. In both cases Tascor staff checked that the detainees had signed for their property at the prison on the person escort record.
- 4.4** Detainees who had only a polythene bag for their possessions received a proper travelling bag at the IRC. At Brook House, those without bags were given sealed laundry bags and their property was packed, secured and labelled. The men did not have a chance to go through stored property to see what they wanted to keep. Two men said they had something in their property they did not want or which was not theirs. They were told the property could not be unsealed and they could dispose of it in Albania.

Good practice

- 4.5** *Tascor staff made efforts, both before and during the flight, to trace property left behind in prison and to arrange for its return to the owner.*

Positive relationships

- 4.6** Staff were courteous and positive when speaking with detainees, establishing a good rapport at the beginning of the coach journey where the detainee was able or willing to talk. Tascor security team members receiving and searching detainees in the IRC were polite and respectful throughout, and escorting staff's interactions were similarly appropriate.

Diversity

- 4.7** No women or children were among those removed. One detainee was 18 years old: staff gave extra care and support to him.
- 4.8** Some detainees did not speak English at all, and a number did not speak it fluently. Tascor staff receiving detainees at the IRC said they would use telephone interpretation if necessary; the facility was available but was not used at any IRC during the operation. Coach commanders and custody officers said they used telephone interpretation several times each month. No interpreter was available; since all the detainees spoke the same language, which none of the staff understood, the presence of an interpreter would have added value.

Recommendation

- 4.9 Professional interpretation should be used throughout the removal process to enhance communication.** (Repeated recommendation 4.17)

Complaints

- 4.10** Complaint forms were not available on several coaches. At the beginning of their coach journey, all detainees received the Speak Freely information sheet, which provided details of whom to contact if they had any complaints about Tascor. However, although information was given in 16 languages, Albanian was not one of them. Detainees did not receive any other information about how to make a complaint, nor were they given any opportunity to make a complaint about Home Office staff.

Recommendation

- 4.11 Detainees should be informed about how to make a complaint during or after the removal about Home Office or contracted staff. Written information should be in their own language.**

Health

- 4.12** Liaison between IRC staff and registered paramedics supplied by IPRS Aeromed, which provides travel-related medical services, was good. The paramedics said that clinical lead staff at IPRS Aeromed had received the list of passengers with information about their health issues a week before the flight and were able to follow up any issues. Handover of information from IRC health care staff to Tascor paramedics was adequate. The paramedic (one travelled on each of the four coaches) received a summary of the detainee's medical record in a sealed brown envelope, which maintained confidentiality, and he kept any medication with him until he handed the information and medication to the paramedic who

was on the flight to Albania. At Colnbrook, the paramedic opened one envelope because a detainee had an issue with some medication and was asking about access to it during the flight. The matter was resolved following an examination of the paperwork and once the medication had been located.

- 4.13** At Brook House, two people were on medication that they might have required during the journey. Each was told he could have the medication on the plane if he requested it. However, their English was not good and it was not clear if either man understood that this was the case.
- 4.14** The paramedics observed all detainees during the flight, and issued medication at intervals to those for whom it had been prescribed. A detainee who suffered abdominal pains during the flight received what appeared to be attentive, appropriate care, although the paramedic relied on peers to interpret and on communication by gesture (see recommendation 4.9).

Section 5. 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.**

- 5.1** Information about returning to Albania was handed out on the coaches at the beginning of the journey. Almost all of the detainees said they had no specific anxieties about their return to Albania. One man said he had a journey of an hour and a half from Tirana to his home, but had only £3.50 and did not know how he would travel there. About a third of the detainees were on the facilitated return scheme, which allows for the deportation of foreign national prisoners to their country of origin up to 270 days before their release date. The scheme provides the detainee with financial support to assist with their resettlement on condition that they cooperate with their removal and waive the right to appeal against deportation. Both Home Office and Tascor staff explained how these detainees should use the cards issued to them; the cards gave them access to limited amounts of money after their return.
- 5.2** A number of detainees wanted to speak to the chief immigration officer (CIO) on the flight, after they had been offered the opportunity after take-off. However, they were not given the opportunity to do so; the reason given was that a period of turbulence had made it difficult to provide the opportunity in the usual way. Staff said that they did ask detainees again very late in the journey to see if anyone wished to raise any pressing issues, but that no detainee came forward at that point; by that time disembarkation was imminent.
- 5.3** One detainee had expressed concern at Colnbrook about what would happen to him once he was back in Albania; at that point he was advised to discuss his concerns further with immigration officers on the aircraft, but the opportunity did not come up and it was unclear whether his concerns had been resolved. Another, at Brook House, had told the coach commander that he was not happy to go as he was getting married in October; he had also been advised to speak to the immigration officer on the plane (see also paragraph 3.17).
- 5.4** Disembarkation at Tirana was smooth and straightforward. Detainees left the plane in an orderly manner and boarded a series of minibuses at the foot of the aircraft steps to be taken to a reception centre. At the previous inspection we were able to visit a new holding centre; we were not confident about the level of support there for detainees needing assistance. We were unable to visit the holding centre or gain information about it at this inspection.

Recommendation

- 5.5 Detainees should always have the opportunity to speak to an immigration officer before they arrive at their destination.**

Section 6. Summary of recommendations and good practice

Recommendation

To the Home Office

- 6.1** Detainees should always have the opportunity to speak to an immigration officer before they arrive at their destination. (5.5)

Recommendations

To the Home Office and Tascor

- 6.2** Detainees should not be kept in holding rooms for long periods before their removal, and they should be fully informed about what is going to happen in the coming hours. (3.5)
- 6.3** Professional interpretation should be used throughout the removal process to enhance communication. (4.9, repeated recommendation 4.17)
- 6.4** Detainees should be informed about how to make a complaint during or after the removal about Home Office or contracted staff. Written information should be in their own language (4.11).

Recommendations

To Tascor

- 6.5** Senior managers should ensure that staff are able to undertake their duties effectively and safely at all times while they are responsible for the care of detainees. (3.11, repeated recommendation 4.11)
- 6.6** Escorts should **not** lay hands on detainees without a specific cause, which should be justified in writing in each individual case. (3.15, repeated recommendation 3.32)

Example of good practice

- 6.7** Tascor staff made efforts, both before and during the flight, to trace property left behind in prison and to arrange for its return to the owner. (4.5)

Section 7. Appendices

Appendix I: Inspection team

Francesca Cooney	Inspector
Maureen Jamieson	Inspector
Martin Kettle	Inspector
Paul Roberts	Inspector

Appendix II: Progress on recommendations from the last report

The following is a summary of the main findings from the last report (27 June and 25 July 2014) 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.

Recommendations

- 7.1 The reserves system should be abandoned to alleviate the unnecessary stress caused to detainees by the uncertainty of whether they will travel. Adequate advance notice should be given of cancellations. (3.19)
Achieved
- 7.2 Protocols should be agreed for joint operations on the response to operational issues affecting staff of participating countries. (3.23)
Achieved
- 7.3 Escort staff should tell detainees early in the removal process that they are going to be filmed, and explain the reasons why and how the footage will be managed. (3.27)
Partially achieved
- 7.4 Escorts should not lay hands on detainees without a specific cause, justified in writing in each individual case. (3.32)
Partially achieved (recommendation repeated, 3.15)
- 7.5 All escorting staff should receive full accredited training in the use of force, particularly on board an aircraft. (3.33)
Achieved
- 7.6 All staff, including non-TASCOR staff brought in on a contingency basis, should have been trained and fully briefed on appropriate appearance and escorting procedures. (3.36)
Achieved
- 7.7 All staff should be familiar with ACDT processes for management of self-harm risk, and these processes should be followed at every stage to provide effective support for those at risk of self-harm. (3.42)
Achieved

Respect

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

Recommendations

- 7.8** Unless individual risk assessment indicates otherwise, detainees should be able to use the toilet in privacy, and women should have access to toilets which are appropriate for their use. (4.4)
Not achieved
- 7.9** Senior managers should ensure that staff are able to undertake their duties effectively and safely at all times while they are responsible for the care of detainees. (4.11)
Not achieved (recommendation repeated, 3.11)
- 7.10** Professional interpretation should be used throughout the removal process to enhance communication. (4.17)
Not achieved (recommendation repeated, 4.9)

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.

Recommendation

- 7.11** The UK Government should use its influence to ensure that the holding centre in Tirana provides appropriate support for detainees who need it. (5.7)
No information available