



Detainees under escort:
Inspection of escort and removals to

Lithuania

by HM Chief Inspector of Prisons

11 May 2021

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Introduction

This is the fourth overseas removal we have inspected since the start of the COVID-19 pandemic and the first since the United Kingdom's withdrawal from the European Union and therefore the Dublin Convention (see Glossary of terms). Twenty-two Lithuanian detainees were removed to Vilnius after being collected from three immigration removal centres (IRCs). The operation was straightforward and went ahead as scheduled.

The ratio of escorting staff to detainees was approximately 3:1, which is similar to previous removals. Social distancing was practised inconsistently, but staff and most detainees wore face coverings. All detainees and escorting staff had been required to provide negative COVID-19 tests before the flight.

Some documentation did not convey the information that was needed to assess detainees' current risks and vulnerabilities and instead relied heavily on detainees' previous criminal convictions. We observed detainees generally being treated courteously, but individuals were too often identified only by their number on the flight manifest (a list of those due to travel). An interpreter was present to support good communication, but not available for most detainees until they boarded the aircraft.

No force was required, but guiding holds were still used when detainees were boarding. The need for escorting staff to be close to detainees during embarkation was understandable, but we could not see a justification for the decision to physically hold onto them. We noted that other standard operating practices had not been reconsidered in the light of the low risk levels. For example, detainees were still not permitted to lock toilet doors at removal centres, on coaches or on the plane. It was difficult to justify this intrusion on privacy and individual dignity, in the absence of any presenting risks.

Alighting from the aircraft at Vilnius passed without incident and, overall, the escort operation was smooth.

Charlie Taylor

HM Chief Inspector of Prisons

May 2021

About this escort and removal

Departure airport

Stansted

Destination country

Lithuania

Destination airport

Vilnius

Escort contractor

Mitie Care and Custody

Number of detainees escorted

22

Number of escort staff

Eighty-two travelled from the immigration removal centres, 61 of whom joined the flight.

Health care staff

Six travelled from the immigration removal centres, three of whom joined the flight.

Length of journey

Eight hours, 40 minutes (maximum)

Section 1 Summary of key findings

- 1.1 Twenty-two detainees boarded the aircraft with 61 escorting staff and three paramedics. Only one detainee was removed at short notice from the operation because he refused to complete a COVID-19 test. Detainees were compliant and staff generally managed the removal process well.
- 1.2 Two briefings were held at Spectrum House. Escorting staff were reminded about several critical areas, including detainees' potential vulnerability, the use of force and the need to focus on detainees under their supervision. However, there were few instructions about infection control measures, such as the requirement to use personal protective equipment (PPE) (see Glossary of terms).
- 1.3 During our interviews with detainees, many were frustrated about the lack of specific information on collection and flight times, as they wished to inform family and friends.
- 1.4 Documentation we saw, such as person escort records (PERs) and the flight manifest, predominantly focused on risk factors related to detainees' previous criminal history. Some key individual risks and vulnerabilities were not identified in the risk summaries on the PERs or flight manifest.
- 1.5 We observed the removal of detainees at Brook House and Colnbrook immigration removal centres (IRCs). One detainee was also removed from Harmondsworth IRC. Coach commanders provided detainees with a comprehensive explanation of what was to happen next, which was better than we have often seen. Escort staff wore face coverings throughout the operation and offered them to detainees at regular intervals. A minority of detainees chose not to wear them. Social distancing was virtually impossible during certain parts of the operation and was not consistently observed even in situations where it was possible.
- 1.6 None of the detainees had self-harmed before the flight or had been subject to assessment, care in detention and teamwork (ACDT) case management for detainees at risk of suicide or self-harm. One detainee had a vulnerable adult care plan, owing to a medical condition.
- 1.7 Except for using guiding holds on detainees while escorting them onto the aircraft, staff did not use restraints or force during the operation. Given the compliant nature of detainees during the removal and close proximity of staff, it was unclear why even this low-level use of force technique was absolutely necessary.
- 1.8 Detainees were treated respectfully throughout the operation and staff behaved calmly. Several escorting staff attempted to establish a rapport with their detainees, although in most cases, they continued to refer to detainees by their manifest number only.

- 1.9 Although the presence of an interpreter was helpful for some, there were still cases where other detainees were used to interpret for staff, or where no interpretation was provided despite an obvious need.
- 1.10 Disembarkation at Vilnius was prompt and efficient.

Progress on recommendations

- 1.11 At our last inspection we made six recommendations about areas of concern. At this inspection we found that one of the recommendations had been achieved, four had not been achieved and one was no longer relevant.

Notable positive practice

- 1.12 We define notable positive practice as innovative work or practice that leads to particularly good outcomes from which others may be able to learn. Inspectors look for evidence of good outcomes for detainees; original, creative or particularly effective approaches to problem-solving or achieving the desired goal; and how others could learn from or replicate the practice.
- 1.13 Inspectors found one example of notable positive practice during this inspection.
- 1.14 **At Brook House IRC, a new coat was offered to all detainees who did not have one with them because of the temperature anticipated on arrival in Lithuania. (See paragraph 3.2.)**

Section 2 Safety

Preparation and departure from removal centres

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 Most detainees we interviewed had arrived at the relevant immigration removal centre (IRC) in the previous few days, having been transferred in most cases from prisons or other IRCs. While most had received adequate notification of the date of their removal, many were frustrated about the lack of other details, such as flight times, which would have enabled them to inform family and friends who were collecting them from the airport on arrival in Lithuania.
- 2.2 There were two staff briefings at Spectrum House, near Gatwick Airport, before the start of the operation. Before the briefings, a manager instructed all staff to wear face coverings. However, not all staff adhered to this, and some wore their face coverings around their necks or on their heads.
- 2.3 The senior detainee custody officer (SDCO) conducting the briefings reminded staff about several critical areas, including detainees' potential vulnerability, the use of force and the need to focus on detainees under their supervision. However, there were few instructions about infection control measures, such as the use of personal protective equipment.
- 2.4 Staff were told that coach commanders had individual risk assessments and that they would brief staff on the coaches or at the IRC of any issues. However, to the best of our knowledge, no such subsequent briefings took place.
- 2.5 The ratio of escorting staff to detainees was approximately 3:1, which is similar to previous removals.
- 2.6 Staff were reminded that an interpreter was available during the removal operation and that telephone interpretation could be used if required. The SDCO confirmed that all staff and detainees had had a COVID-19 test; one detainee who had refused to take one had been removed from the flight.
- 2.7 We observed the removal of detainees at Brook House and Colnbrook IRCs. Health care staff took all detainees' temperatures and shared the results with the escorting paramedics.
- 2.8 At both IRCs, the process for collecting detainees and handing them over to escorts was reasonably well organised. At Colnbrook IRC,

detainees were brought to two separate areas, but both discharge areas were cramped and staff made little attempt to socially distance. Several escort staff seemed to surround detainees throughout the discharge process. In the absence of any volatile behaviour from detainees and occurring within a secure area, this practice seemed to us to serve no purpose other than to potentially heighten risk at a very sensitive time. We could see no reason for it.

- 2.9 As detainees were handed over to escort staff, we observed coach commanders providing a comprehensive explanation of what was to happen next, which was better than we have often seen. At Colnbrook IRC, one coach commander made a point of introducing himself to detainees using their first names and clearly outlined various processes, including how elements of the operation were recorded, the availability of food and a phone on the coach and the provision of blankets and pillows on the aircraft. Detainees were given time to record any numbers from their own phones before they were stored in their property and the coach commander encouraged them to use the toilet at the IRC before their departure.
- 2.10 However, at Colnbrook detainees were still not permitted to close and lock the toilet door, which was an unnecessary intrusion on their privacy and not one informed by an individual risk assessment (see paragraph 3.4 and recommendation 3.6). Despite the briefing at Spectrum House on the use of interpretation, one detainee at Colnbrook IRC was not offered professional interpretation, even though he clearly did not understand the information being given to him (see also paragraph 3.14).
- 2.11 Detainees were handed a general information leaflet about removal flights, but it did not provide any specific details about their removal, such as collection, departure or arrival times. The leaflet was not translated for those who did not speak English. Detainees were moved onto coaches without the use of guiding holds and seated to meet social distancing requirements.
- 2.12 Documentation suggested that the collection and transfer of the detainee escorted from Harmondsworth IRC took place without incident.
- 2.13 Members of the Home Office's detainee engagement and compliance teams were present at Colnbrook and Brook House IRCs throughout the discharge process. Staff from the detainee engagement team were meant to assist escort staff and detainees by answering questions. However, most remained seated at desks and none that we saw spoke to detainees at any time. One Home Office staff member, who had observed the discharge process at Brook House, travelled on the flight.

Recommendations

- 2.14 **Detainees should receive advance information on their removal, including details about collection, departure and arrival times.** (Repeated recommendation 3.8)

- 2.15 **Supervision of detainees in secure areas should be proportionate to the risk.**

Safeguarding adults and personal safety

Expected outcomes: Detainees are escorted in safety with due regard for their vulnerability. Security and good order are maintained through proportionate operational arrangements and force is only used as a last resort.

- 2.16 Staff were generally confident and experienced, and understood the escort process for removals. They had received training in the Home Office Manual for Escorting Safely, and the Home Office confirmed that all staff were certified as detainee custody officers under part 8 of the Immigration and Asylum Act 1999.
- 2.17 Many of the 22 Lithuanian detainees we interviewed had recently completed a prison sentence or had entered the country having been previously deported after such a sentence. While all were willing to comply with their removal, many were unhappy at leaving behind their lives and family. Some had no support in Lithuania (see paragraph 4.1).
- 2.18 Two detainees from Brook House had initially informed staff that they did not wish to return to Lithuania. As a consequence, one stated that he had been placed in rule 40 accommodation (see Glossary of terms) for a short period, although this was not confirmed by records. He said that he had later realised that he would have to go, barring an injunction, and that there was no point trying to resist. Otherwise, there was no use of separation.
- 2.19 Escorting staff had a flight manifest and individual person escort records (PERs). Both documents predominantly focused on risk factors related to detainees' previous criminal history rather than potential current areas of concern. Some key individual risks and vulnerabilities were not identified in the risk summaries on the PER or flight manifest. For example, one detainee had disclosed feelings of anxiety and depression, which were recorded on the flight manifest, but not on the PER.
- 2.20 At Colnbrook IRC one detainee was subject to a vulnerable adult care plan (VACP) owing to a medical condition. The coach commander made sure that escorting staff were aware of this and that somebody was responsible for the care of the detainee. The VACP contained a continuous sequence of entries from the prison from which the detainee had come, to his time at Brook House and up to disembarkation, giving staff a comprehensive picture of the detainee.
- 2.21 None of the detainees had self-harmed before the flight or had been subject to assessment, care in detention and teamwork (ACDT) case management for detainees at risk of suicide or self-harm. Health care staff at all IRCs confirmed that none of the detainees being removed

had been referred for a rule 35 assessment (see Glossary of terms) at any point.

- 2.22 We observed detainees being led up aircraft boarding stairs subject to 'guiding holds' (which involve escort staff holding a detainee's hands and elbows). While we acknowledge this is a high-risk area and a high-risk moment during removal operations, we question the absolute requirement for this in the context of a situation where detainees had been compliant, no use of force had been required up to that point and a secure perimeter existed which was enhanced by escort staff and the availability, if required, of airport police.
- 2.23 Social distancing was virtually impossible during certain parts of the operation, partly because of the number of escorting staff present, and it was not consistently observed where it was possible. However, escort staff wore face coverings throughout the operation. Face coverings were offered to detainees at regular intervals, although some chose not to wear them. We did not see detainees being offered hand sanitiser.
- 2.24 Following the removal operation, we reviewed all PER documents, which included factual entries, such as 'boarding coach' and 'arrived at airport', but little about detainees' demeanour or interactions with escort staff.

Recommendations

- 2.25 **Escort paperwork detailing detainees' risks and vulnerabilities should consider current areas of concern and include a description of detainees' demeanour and mood.**
- 2.26 **Escorting staff should observe social distancing whenever circumstances allow.**

Legal rights

Expected outcomes: Detainees can exercise their legal rights. Removals are conducted in accordance with law.

- 2.27 Most detainees had not asked for legal assistance relating to their deportation, but some stated that removal centre staff had provided them with guidance on request. Several detainees were intending to appeal their deportation once they were in Lithuania.
- 2.28 Detainees were told during their discharge that they would be given access to a mobile phone on the coach, so that they could call their legal advisers if they wished (see paragraph 2.9).
- 2.29 A Home Office chief immigration officer (CIO) was on the aircraft but did not hold a surgery to answer detainees' questions. We were told that this was because no detainee had asked to speak to the CIO. However, there was some evidence from PER documents that

detainees had asked to see immigration and it was not clear whether their queries had been answered by someone else (see paragraph 4.2).

Recommendation

- 2.30 **It should be explained clearly to each detainee that they have the opportunity to speak with a CIO during the flight.**

Section 3 Respect

Physical conditions and property

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

- 3.1 Property was managed well. Detainees could check and confirm that all their items were present before they were asked to sign for it. At both Brook House and Colnbrook immigration removal centres (IRCs), escort staff reassured detainees about the location of any key items, such as mobile phones and SIM cards. Detainees were permitted to keep bank notes in their possession and coins were held with their secured property.
- 3.2 At Brook House IRC, all detainees who did not have a coat were offered a new one, because the temperature on arrival in Lithuania was not expected to be warm. (See paragraph 1.14.)
- 3.3 Crisps, sandwiches and bottles of water were offered to detainees soon after they boarded coaches. A drink and hot meal were served on the flight.
- 3.4 Detainees could use the toilet on coaches and on the flight. However, they were not allowed to close or lock toilet doors, which were wedged slightly ajar (see also paragraph 2.10). Pillows and blankets were available and we saw more instances of escort staff making detainees aware of this provision than on previous flights. The large twin-aisle aircraft made social distancing possible.
- 3.5 As coaches arrived at different times at the airport, some detainees had to wait for nearly two hours on the vehicle before being able to board the flight. Better coordination of the operation could have reduced this time, particularly as the first and last coaches to arrive had both come from the same removal centre.

Recommendations

- 3.6 **Unless an individual risk assessment indicates otherwise, escort staff should allow detainees to use the toilet in complete privacy at IRCs, on coaches and on the aircraft.**
- 3.7 **The time detainees spend on a coach should be monitored and escorts coordinated, to minimise unnecessary waits.**

Respectful treatment

Expected outcomes: Detainees are treated with respect by all staff. Effective complaints procedures are in place for detainees. There is understanding of detainees' diverse cultural backgrounds. Detainees' health care needs are met.

- 3.8 Few detainees said they knew what time they were due to be collected or that this would involve them being woken up in the early hours of the morning (see also paragraph 2.1 and recommendation 2.14).
- 3.9 Escort staff at the IRCs acted calmly and treated detainees respectfully. At Colnbrook IRC, several escort staff always surrounded detainees throughout the discharge process which was unnecessary (see paragraph 2.8).
- 3.10 Detainees had their temperatures taken and recorded before leaving their IRC. Each was seen by a removal centre nurse to be certified as fit to travel, and nurses liaised with the escorting paramedics so they could make sure that all medication and medical notes were handed over and signed for. We saw one paramedic at Colnbrook IRC take their time to reassure a diabetic detainee about the whereabouts of their insulin medication.
- 3.11 We observed a coach commander at Colnbrook IRC introduce himself in a friendly manner and use detainees' first names. Some staff also attempted to ask detainees their preferred name. However, when detainees were video recorded getting on the plane, they were identified for the camera by manifest number only. Similarly, when they disembarked at Vilnius, they were again referred to by their manifest number. It would have been more respectful to use detainees' names in addition to their manifest number.
- 3.12 At the start of the coach journey, most detainees were in reasonable spirits and interacted well with staff and other detainees. We observed staff being sensitive to the fact that some detainees were upset about their removal and might not want to speak to them. Only one or two detainees asked to use a phone to call their families from the coach and calls were facilitated.
- 3.13 The atmosphere remained calm throughout the flight, and conversation among detainees became a little louder and more good-humoured just before landing. Staff were constructive in their approach to detainees – they were not inappropriately loud and did not make jokes between themselves, while ignoring detainees, which we have sometimes seen. All staff were dressed informally, which was appropriate.
- 3.14 An interpreter, who could speak Lithuanian and Russian, was present throughout and helped during the removal process. He knew when he might be useful – for example, on the plane, he visited each area where the detainees were seated, in case they needed help. Coach

commanders at Brook House IRC made good use of him while interviewing the detainees. (However, see also paragraph 2.10.)

Recommendation

- 3.15 **Detainees should not solely be referred to by their manifest number.**

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 Few of the detainees we interviewed said they had been told in advance what time they would arrive at the destination so they could make arrangements to be met (see also paragraph 2.1 and recommendation 2.14). Some had no support in Lithuania, having not lived there for some considerable time and were uncertain where they would live; some told us they would be 'on the streets'.
- 4.2 The chief immigration officer assessed applications for payments to help with in-country travel together with a Mitie staff member, who spoke to detainees, and several grants were provided.
- 4.3 Disembarkation was swift and smooth. Lithuanian immigration staff were not involved at the aircraft and detainees were transported promptly in a bus to the airport terminal. The flight times, including arrival, were as scheduled.

Recommendations in this report

The following is a list of recommendations in this report.

Recommendations to the Home Office

Preparation and departure from removal centres

Detainees should receive advance information on their removal, including details about collection, departure and arrival times. (2.14, recommendation repeated 3.8)

Legal rights

It should be explained clearly to each detainee that they have the opportunity to speak with a CIO during the flight. (2.30)

Recommendations to the Home Office, Serco and Mitie

Safeguarding adults and personal safety

Escort paperwork detailing detainees' risks and vulnerabilities should consider current areas of concern and include a description of detainees' demeanour and mood. (2.25)

Physical conditions and property

Unless an individual risk assessment indicates otherwise, escort staff should allow detainees to use the toilet in complete privacy at IRCs, on coaches and on the aircraft. (3.6)

Recommendations to the Home Office and Mitie

Physical conditions and property

The time detainees spend on a coach should be monitored and escorts coordinated, to minimise unnecessary waits. (3.7)

Recommendations to Mitie

Preparation and departure from removal centres

Supervision of detainees in secure areas should be proportionate to the risk. (2.15)

Safeguarding adults and personal safety

Escorting staff should observe social distancing whenever circumstances allow. (2.26)

Respectful treatment

Detainees should not solely be referred to by their manifest number. (3.15)

Progress on recommendations from the last inspection

Recommendations from the last inspection

The following is a list of all the recommendations made in the report of our last inspection of an overseas escort (France and Lithuania, 29 October 2020). If a recommendation has been repeated in the main report, its new paragraph number is also provided.

Safety

Recommendations

Detainees should receive advance information on their removal, including details about collection, departure and arrival times. (3.8)

Not achieved (recommendation repeated, 2.14)

The Home Office should ensure that detainees' vulnerabilities are identified at the earliest opportunity to inform their treatment and help minimise the impact of the late cancellation of removal. (3.20)

Achieved

Rule 35 reports should be prepared and responded to promptly. Priority consideration should be given to detainees with removal directions. (3.21)

No longer relevant

Risk information and vulnerabilities, including for detainees with disabilities, should be effectively communicated to escort staff. (3.22)

Not achieved

Respect

Recommendations

Escorts should be informed of all detainees who require interpretation. Interpreters should be used promptly. (4.11)

Not achieved

Detainees should be referred to in their hearing by name and not by a number alone. (4.12)

Not achieved

Appendix I About our inspections and reports

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.

All Inspectorate of Prisons reports carry a summary of the conditions and treatment of detainees, based on the tests of a healthy establishment that were first introduced in this Inspectorate's thematic review *Suicide is everyone's concern*, published in 1999. For inspections of escorts and removals the tests are:

- Safety
- Respect
- Preparation for reintegration

Our assessments might result in:

- **Recommendations:** will require significant change and/or new or redirected resources, so are not immediately achievable, and will be reviewed for implementation at future inspections.
- **Examples of notable positive practice:** innovative work or practice that leads to particularly good outcomes from which others may be able to learn. Inspectors look for evidence of good outcomes for detainees; original, creative or particularly effective approaches to problem-solving or achieving the desired goal; and how others could learn from or replicate the practice.

This report

This report provides a summary of our inspection findings against the healthy establishment tests. There then follow three sections each containing a detailed account of our findings against our *Expectations for immigration detention. Criteria for assessing the conditions for and treatment of immigration detainees* (Version 4, 2018) (available on our website at <https://www.justiceinspectorates.gov.uk/hmiprisons/our-expectations/immigration-detention-expectations/>). Section 5 lists all recommendations made in the report. Section 6 lists the recommendations from the previous inspection and our assessment of whether they have been achieved.

Inspection team

This inspection was carried out by:

| | |
|------------------|-------------|
| Kam Sarai | Team leader |
| Martin Kettle | Inspector |
| Darren Wilkinson | Inspector |

Appendix II Glossary of terms

We try to make our reports as clear as possible, and this short glossary should help to explain some of the specialist terms you may find. If you need an explanation of any other terms, please see the longer glossary, available on our website at: <http://www.justiceinspectors.gov.uk/hmiprison/about-our-inspections/>

Dublin Convention

Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the member state responsible for examining an application for international protection lodged in one of the member states by a third country national or a stateless person.

Personal protective equipment (PPE)

Safety equipment including masks, aprons and gloves, worn by frontline workers during the COVID-19 pandemic.

Rule 35

Rule 35 of the Detention Centre Rules 2001 requires a medical practitioner to report to the Home Office on the case of any detainee whose health is likely to be injuriously affected by continued detention, may have suicidal intentions or may have been the victim of torture.

Rule 40 accommodation

The accommodation that is used to hold detainees when they have been removed from association under rule 40 of the Detention Centre Rules 2001.

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