



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

**For reporting year
1 January 2023 to 31 December 2023**

Published July 2024



Contents

Introductory sections 1 – 3		Page
1.	The role of the Independent Monitoring Boards' Charter Flight Monitoring team	3
2.	Background to the report	4
3.	Key points	5
Evidence sections 4 – 7		
4.	Safety	9
5.	Fair and humane treatment	14
6.	Health and wellbeing	21
7.	Preparation for return and re-integration support	23
8.	The work of the CFMT	24
	Appendix: case study	25

All IMB annual reports are published on www.imb.org.uk

Introductory sections 1 – 3

1. The role of the Independent Monitoring Boards' Charter Flight Monitoring Team

The Charter Flight Monitoring Team (CFMT) was created on an administrative, non-statutory basis by agreement between Home Office Immigration Enforcement (HOIE) and the Independent Monitoring Board (IMB) Management Board. The role of the CFMT is to monitor and report on the conditions for and treatment of people detained under immigration powers who are removed from the UK on charter flights. Its remit begins when the individual is transferred to the custody of overseas escorts and ends at the point of handover to local officials at the receiving destination. It is best practice that the CFMT also attends the briefing to overseas escorts when they muster for an operation.

To enable the CFMT to carry out our role effectively we should be afforded the same assistance as far as monitoring rights go as IMBs appointed on a statutory basis.

The Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) is an international human rights treaty designed to strengthen protection for people deprived of their liberty. The protocol recognises that such people are particularly vulnerable and aims to prevent their ill-treatment through establishing a system of visits or inspections to all places of detention. OPCAT requires that States designate a National Preventive Mechanism to carry out visits to places of detention, to monitor the treatment of and conditions for detainees and to make recommendations for the prevention of ill-treatment. The IMB is part of the United Kingdom's National Preventive Mechanism.

2. Background to the report

The CFMT monitored nine charter operations over the year to Albania. Those subject to removal were, principally, individuals transferred from a prison to the immigration detention estate prior to removal. We calculate that around 50% chose to leave voluntarily. Removal of the others was enforced.

HOIE achieved contemporaneous oversight of stages of the removal process on the day. An escorting contract monitor attended a staff briefing, a collection from an Immigration Removal Centre (IRC), sometimes from two, and flew on all the flights we observed.

The aircraft were chartered by HOIE. Mitie Care and Custody Limited (C&C) remained HOIE's escort contractor. Healthcare services were again provided by IPRS Aeromed (Aeromed), contracted by C&C. C&C also contracted the coach company, whose vehicles were used to take returnees from IRCs to the airport.

3. Key points

3.1 Main findings

Safety

- HOIE continued to remove people with known vulnerabilities, whether around their mental health or their risk of harming themselves. Examples are given in both the body of this report and in the Appendix.
- There was an increase in the use of restraint on returnees as compared with 2022: paragraph 4.5.4.
- Not all the coaches in which returnees travelled to the airport were driven safely: section 4.3.

Fair and humane treatment

- On each operation, C&C had to respond logistically to HOIE's requirements. Returnees were to be collected from detention sites around the country and delivered to the departure airport in good time. Push-back was typically due around 8am. Arrival in Tirana had to be around noon, local time, by agreement between HOIE and the receiving authorities. All the escorting operations started in the night. HOIE determined in which detention sites returnees would be held. Some were located far from departure airports, which were also selected by HOIE. The impact on returnees of night operations and road journeys to airports, during which they were held in vehicles for hours, needs continued scrutiny: section 5.4.
- Provision of professional interpreters for the returnees was better this year than last. Use of the telephone translating service, The Big Word, in the absence of a professional interpreter, was occasional, despite the need for it. Escorts continued to ask English-speaking returnees to interpret for non-English speaking Albanian returnees, although HOIE and C&C told the CFMT this should not happen. We noticed an improvement in this respect towards the end of the year: section 5.9.
- We observed escorts' friendly approach towards returnees when transferred to their custody. Our own data was supplemented by analysis of other records which gave positive examples of conversations between a returnee and the personal escort during the journey. There were exceptions, however: section 5.7.

Health and wellbeing

- We had concerns around the removal of a man in the summer directly from a psychiatric unit: the Appendix to this report.
- Respect for returnees' medical confidentiality was achieved until the change of approach recorded in paragraph 6.7.1.

Preparation for return

- We did not know the extent to which returnees had been prepared for removal in advance in either their prisons or in the immigration detention estate.

- We were not able to discover the extent to which the returnee referred to in the Appendix to this report had been properly prepared for removal.
- The Home Office Reintegration Programme, IRARA, was introduced in August 2023 to assist the return and reintegration of Albanians who have no legal right to remain in the UK. An explanatory leaflet, in English or Albanian, was offered when returnees were transferred to the custody of the overseas escorts. We were told this information should have been offered earlier, in the immigration detention estate. We do not know whether it was in practice.

3.2 Main areas for development

TO THE MINISTER

It is neither fair nor humane to subject people being removed from the country:

- to a process for their delivery to the airport, which always takes place through the night, in order to meet an arrival timetable HOIE has agreed with the Albanian authorities and
- (as part of this process) to hours of confinement in vehicles in order to reach departure airports selected by HOIE.

A fairer and more humane approach should be adopted. This long-standing concern of ours is recorded in paragraphs 5.2, 5.4.1 and 5.4.5.

TO HOIE

The processes used to identify interpretation needs are unreliable and should be improved: section 5.9.6.

Senior escorts' lack of familiarity with the current version of the ACDT should be urgently addressed: paragraph 4.4.5.

TO HOIE AND TO THE ESCORTING CONTRACTOR

The length of time returnees are held in coaches, before the road journey to the selected airport even begins, is another long-standing concern of ours. These long periods of confinement have continued and should be reduced: paragraphs 5.4.2, 5.4.2.1 and 5.4.4.

TO THE ESCORTING CONTRACTOR

The plan given in response to our 2022 annual report, detailing the various steps escorts would take to achieve interpreting support for returnees when a professional interpreter was not present, has been achieved to only a limited extent. The plan was impressive. It needs to be fully delivered.

3.3 Response to the last report

In this section, the CFMT provides an update on progress made on the principal recommendations and concerns raised since the last annual report, published in June 2023.

Issue raised	Response given	Progress
HOIE Use of Force/Restraint The extent of use of restraint and/or force on returnees to European destinations on the one hand and on returnees to non-European destinations on the other hand was noticeable. It must be kept under constant review.	The recommendation was rejected on the basis that the difference in extent was not evidenced in the report.	It was. The Minister did not acknowledge the CFMT's letter on 19 July 2023, referring him to the specific evidence paragraphs in the report. The need for constant review will remain.
HOIE and C&C Time spent in vehicles The practice of confining returnees for hours in parked vehicles is unacceptable. The practice should cease.	C&C acknowledged that this concern had been raised in previous CFMT Annual Reports. Steps had already been taken to improve wait times. Reviews were promised and various forms of internal audit.	There has been no significant improvement. The problem has been exacerbated by HOIE's addition of two new airports to its portfolio.
Interpretation support The need assessments on which interpreters were booked for returnees to Europe were often unreliable. The quality of these assessments must be improved. Additionally, the escort contractor must ensure that its staff consistently use The Big Word, a telephone interpreting service available to them.	The Home Office is reviewing the processes that are used to initially identify interpretation needs for individuals being returned by charter flight, so that in-person interpreters can be arranged and deployed to the centres where they are required. Care & Custody acknowledge that, on some occasions, officers have not followed correct procedure with regard to language support for residents in our care. The C&C	The need assessments are still unreliable. In-person interpreters have been used more but not at every location where needed. Use of The Big Word, option 2 in the road map, was occasional despite the need. Other options in the road map were the IOS translation device, failing which, an official translation tablet. The CFMT saw no use of either.

<p>The practice of using an English-speaking returnee to interpret for another returnee must cease.</p>	<p>Compliance and Overseas Performance Management Teams have agreed that more needs to be done to remind and manage this process more effectively. The following will now be put in place across all charter returns. A road map, to be followed when in-person interpreters were not present, was set out. Various forms of internal audit were promised.</p>	<p>Use of English-speaking returnees as interpreters was not the option of last resort, although this practice may have ceased by the end of this year.</p>
---	--	---

Evidence sections 4 – 6

4. Safety

4.1 Escorts' briefings

4.1.1 Escorts are briefed when they muster for an operation by the Senior Security Officer in charge of the operation. A checklist was used. The topics relating to returnees' safety were, principally:

- availability of risk assessments for each returnee
- release of a restraint could only be authorised by the escorts' security team leader and
- that all returnees must be told about the use of body worn cameras at various stages during the operation.

4.1.2 These principal points were consistently covered in the muster briefings we observed. The escorts listened quietly. Escorts new to charters were identified during the muster and given further briefings. We observed that returnees' individual risk assessments were circulated later to some escorts, but not all. We were not confident that returnees' current vulnerabilities were always recorded on these assessments.

4.2 Induction by the escorts at the collection sites

4.2.1 Induction took place immediately after the returnee had been transferred to the escorts' custody inside the IRC. The area used for this purpose was generally suitable. Inductions were by the lead escort. Each returnee was individually presented. The lead escort went through a checklist. The time spent on induction tended to be short. The inductions we observed were mostly carried out competently. One lead escort acted inappropriately by delegating induction of at least two returnees to the in-person interpreter and then leaving the room.

4.2.2 The lead escorts introduced themselves by first name and addressed the returnee by first name, sometimes checking in advance on its pronunciation and then checked that the returnee knew they were being removed to Albania that day. All did, but not all accepted this with equanimity:

- a few were acutely distressed: for example, a man who had been found with a ligature a few hours before he met the escorts. He wept during most of his induction
- some were reluctant to co-operate with the process because lawyers were still trying to challenge their removal and
- some had issues about missing property: paragraph 5.12.2.

4.2.3 The lead escort then asked whether the returnee understood English or needed interpretation support before passing on the basic checklist information. We doubted whether an affirmative statement from returnees that they spoke English or did not need an interpreter was always a reliable indicator of their ability to understand the information they were about to be given, as it was novel and some of it about process: paragraphs 5.9.6 to 5.9.6.2.

4.2.4 Returnees were told:

- they would be filmed at various times and most lead escorts drew attention to their body worn cameras;
- they could not keep their own mobile phones but would have access to one later. Lead escorts mostly encouraged returnees to write down any numbers they might want to call during the journey as their SIM cards would not be available until after they reached Tirana;
- they would be searched. This was a pat-down search, most of the time conducted in conditions of privacy;
- they could use a toilet before leaving the building. Most lead escorts, but not all, alerted returnees to this possibility;
- there was an Information pack for each of them.

The returnees then checked and signed for their property and left the building to join the vehicle in which they would travel to the airport.

4.2.5 Each returnee had a Person Escort Record (PER) in which escorts were required to make regular entries. The escorts' first entry recorded the Induction. If that first entry is to be objectively credible, it must be written at the time, not in advance. We were not entirely confident that all entries were contemporaneous. The first entries simply recorded the check list items and omitted anything out of the ordinary, even if it was positive. For example, on one occasion the lead escort told all the returnees during induction that the Information pack included a leaflet about a charity in Albania. Our example of checks relevant to fasting during Ramadan were also not recorded: paragraph 5.11.2.

4.2.6 C&C intend the basic information given on induction to be reinforced and supplemented once returnees are in the vehicle in which they will travel to the airport. We concluded from our analysis of PERs over the year that this mostly happened, but not always. However, we had concerns around returnees' comprehension of information given to them in the vehicle in English, when there was already evidence that they did not understand English: paragraph 5.9.6.2.

4.3 Coaches driven unsafely

4.3.1 One third of the coaches in which we travelled with returnees to the airport were not driven safely. We reported this to HOIE each time.

- In June the coach driver drove erratically from time to time, braked very late and struggled to control the windscreen wipers and the heating system. He also appeared to be unsure of his route and asked the escorts for directions.
- At the end of August, there was nearly a collision on a roundabout when the coach driver entered it without seemingly checking whether any other vehicle was on it. Additionally, he appeared to be using a Sat Nav with Google Maps on it, suitable only for cars. This meant that when road closures on motorways necessitated a diversion, roads were used that were not suitable for a coach. Diversion signs seemed to be ignored in favour of the Sat Nav.
- In September the CFMT had evidence of escorts' concern that the coach driver was very tired. He had to be persuaded to pull onto the hard shoulder to allow the replacement driver to take over.

4.3.2 C&C initially told us that a Travel Satisfaction Survey was completed on every coach driver. At the end of the year they told us that, additionally, issues are discussed with their coach provider, there are meetings and the approach is robust.

4.3.3 In April, an “electrical burning smell” was detected in a van on the motorway, in the night. It pulled over and the returnee was moved from it to another van. We were concerned about the road worthiness of the first van and the safety of moving someone from one vehicle to another on a motorway. C&C’s response dealt with their general approach rather than the specific case. We were told all their vehicles are checked before leaving the escorting base and that the overriding consideration in contingency planning is preservation of life.

4.4 Returnees with specific vulnerabilities

4.4.1 A few returnees expressed fear for their personal safety on return to Albania.

4.4.2 Returnees’ actual or threatened self-harm in face of return to Albania is not considered by HOIE to be a barrier to removal. As far as we know, three people subject to removal to Albania in 2023 tried to hang or strangle themselves prior to removal. One of them was found to have created a ligature a few hours before the escorts arrived. Another was found in a ligature “within minutes” before the escorts arrived. This returnee was presented by the IRC staff under force. The third, who was to travel to the airport in a C&C van, managed to wrap the seat belt round his neck. The escorts used force to free it.

4.4.3 A care plan should be opened in an IRC for an individual whose risk of self-harm is known. The objective is to manage risk. Twelve returnees with care plans were transferred to the escorts’ custody for charter removal in over seven of the nine operations we observed. The care plans of two stipulated that each man be watched constantly.

4.4.4 We observed five charters to Europe in 2022. We reported last year that, to the best of our knowledge, none of those returnees left with a current care plan. We note the significant increase this year. We do not know what has driven it. We are concerned about any future increase in returnees leaving on current care plans.

4.4.5 Current care plans must travel with the subject returnee and be maintained by the escorts until the returnee leaves the plane. They should be handed to the escorts in the IRC. We observed one was handed over late. The sheets of paper in another were in a muddle, making it difficult for the escorts easily to retrieve up to date observations and assess the well-being of the returnee. We twice observed lead escorts who were unfamiliar with the layout of the document. We considered this a patent-training need and alerted HOIE to our view.

4.4.6 Indicators of vulnerability of other sorts were also not a barrier to removal:

- A returnee who was an in-patient in a secure psychiatric unit was taken directly from it to the charter: see the Appendix to this report.
- Seven returnees transferred to the custody of the escorts were on the IRC’s Adult at Risk Register and two others on Vulnerable Adult Care Plans.

4.4.7 We observed that escorts with good inter-personal skills were given the role of sitting with returnees on care plans during the road journey.

4.5. Use of restraint and of force

4.5.1 Detention Service Order 07/2016 (the DSO) regulates the use of restraint and force on escorted moves for charters. Practitioners must comply with the requirements of the Home Office Manual on escorting safely. Permissible criteria for use of restraint or of force include to prevent self-harm and to prevent individuals obstructing their removal.

4.5.2 We were present during some uses of restraint and were later given the official reports on all recorded uses over the operations we had observed. We were also given official reports on individual cases we tracked remotely. We were told HOIE reviews each use of restraint or of force, including camera footage, and feeds back its observations to C&C.

4.5.3 The waist restraint belt (WRB) was the most commonly used form of restraint. It can be applied in one of three positions: free, which allows unrestricted arm and hand movement; restricted, which allows some arm and hand movement; and secure, which totally restricts such movement. Netting can also be applied over a WRB in the secure position. The WRB can be adjusted from one position to another. If the returnee does not physically resist application of the WRB, its use is categorised as a passive use of force.

4.5.4 In 2022 we reported use of a WRB on four Albanians. This year it was applied to 16 over the operations we observed, each time during the Induction process. We note the increase. We are concerned about future increase, if returnee cohorts include people more opposed to enforced removal than we observed this year.

4.5.5 None of the 16 returnees in a WRB physically resisted the application of this restraint. The secure position was used initially five times (once with netting also applied) and the restricted position, 10 times. We are unclear about the position in the remaining case.

4.5.6 Additional levels of force were applied twice:

- on a returnee already in a WRB in the secure position who was to travel to the airport in a van. He tried to strangle himself with his seat belt before the van left the IRC. His arms were placed in an approved use of force hold to free him from the seat belt and he was then cuffed; his compliance was achieved by use of pain through the cuff and his legs then put in restraints, which were retained for just under two hours.
- on a returnee who became agitated on the plane and tried to get out of his seat twice. In each case his arms were placed in an approved use of force hold to induce him to sit down.

4.5.7 The DSO expectations are that:

- use of restraint or force should be for the minimum time possible

Returnees were not usually released from a WRB until a few minutes after the plane had taken off. This appears to be C&C's standard approach. One returnee in a WRB in the restricted position was released from the belt at the airport before he boarded the plane.

- Duration should be continuously reviewed.

Retention of a WRB in the secure position was reviewed and adjusted to the restricted position (typically at the airport) or adjusted earlier to this position on one side, to enable the man to make a phone call or take off his jersey. The WRB on the returnee first cited in paragraph 4.5.6 was retained in the secure position for more than eight hours and adjusted to the free position after take-off. Soon after take-off, we asked why the WRB had not been removed then. The answer was that the escorts had concerns around the returnee's mental health. The WRB was released five minutes after the plane landed. We saw the returnee calmly leave the plane.

- Use of restraint or of force should be filmed.

From our observations, filming did occur when a WRB was applied inside an IRC. None of the uses of force referred to in paragraph 4.5.6 were filmed.

- Use of restraint or of force should be fully documented.

We, again, noted discrepancies between relevant reports on timings and WRB positions, casting doubt on the reliability of these records. These instances were not occasional. HOIE accepted our observations.

4.5.8 The blanket policy of holding returnees' arms by guiding holds as they each walked up the steps into the plane was abandoned in January 2022, although this hands-off approach was still subject to individual risk assessment. Use of guiding holds in the operations observed this year was exceptional. Close escorting remained the norm, with three, four or, occasionally, five escorts walking up the steps with a returnee, but not touching him or her.

5. Fair and humane treatment

5.1. The timing of transfers into the detention estate

Some returnees were transferred from prisons into the immigration detention estate just before their removal. These transfers were usually completed during the daytime. A woman was transferred within the detention estate during the night, seemingly for the convenience of C&C's in-country escorts, denying her the chance of a decent night's sleep for two consecutive nights.

5.2 Night operations

Transfer of custody to the escorts and all journeys to the airport happened in the night. The receiving authorities in Albania required returnees to arrive before noon, local time. If HOIE's chosen airport was in the north-west or in the south-west, the escorts typically started taking custody of returnees from detention sites in the south-east before midnight. If the airport was in the Midlands or the south-east, they typically started around 02:00.

5.3 Transfer of custody to the overseas escorts

5.3.1 A small team of escorts, known as an advance party, arrived at the IRC earlier than the main escorting cohort. Their role was to deal with returnees' property. They were not deployed at every site.

5.3.2 Escorts' approach on Induction is recorded in section 4.2. We additionally noted returnees were not told how long the road journey might be. A clear indication could be given during induction, when the returnee is asked whether he wishes to use the toilet before leaving the building. There is a WC on the coach, but see paragraph 5.5.2. Returnees were not told from which airport the plane would leave. This is the standard approach on the grounds of security.

5.4 The length of in-vehicle confinement to which some returnees were subjected

5.4.1 The length of in-vehicle confinement has been an issue of serious concern to us for four years. It has been expressed in annual reports, as well as routinely in our reports on individual operations. The experience for those subject to removal has not improved. Our assessment of HOIE decisions or requirements that impact directly on C&C's operational timetabling is recorded in this section. Holding returnees in coaches for hours demeans them. A worst-case example: one man was held in a coach for nine-and-a-half hours between the time he got onto it and when he boarded the plane.

5.4.2 After induction, the returnee gets into the vehicle in which he or she will travel to the airport, usually a coach. They then sit in it until all the other returnees who are to travel in it have got on. The wait before the vehicle pulls out to start the road journey can be long. Our worst-case examples this year are of one person held in a parked vehicle inside the IRC for just under four hours, and others for lesser periods but in excess of three hours. These periods exceed those we reported last year in the same context.

5.4.2.1 Long periods of in-vehicle confinement before the road journey started were not occasional. Whilst many were shorter than our worst cases, they were long: examples: one hour 50 minutes, one hour 30 minutes.

5.4.3 We suggested that once returnees had been inducted, they and their escorts be accommodated in an area within the IRC until they actually needed to get onto the coach. We were told C&C had discussed this with staff in a couple of IRCs. The suggestion was rejected.

We suggested that once returnees had been inducted, they and their escorts be accommodated in an area within the IRC until they actually needed to get onto the coach. We were told C&C had discussed this with staff in a couple of IRCs. The suggestion was rejected on health and safety grounds.

5.4.4 Two coaches were used when the returnee cohort to be collected from the same place was large. It appears that the secure parking area inside two of the IRCs in the south-east is restricted. Two coaches cannot manoeuvre in it at the same time and full coaches did not always leave until the other coach was also ready to depart. An example: Coach 1 pulled out of the IRC so that coach 2 could drive in and then waited until both coaches could leave together for the airport. This added about two hours to the time the returnees in coach 1 were held in it outside the IRC before their road journey started.

5.4.5 In some previous annual reports we recommended against continued use of airports far from some IRCs. The recommendation was always rejected. HOIE's continued choice of airports far from some IRCs contributed significantly to the length of time returnees spent held in a vehicle this year. We have evidence of road journeys accounting for over five hours. Returnees' tiredness and frustration about a long road journey is evident from some records.

5.4.6 The final period of in-vehicle confinement was the time spent on a coach between arrival at the airport and boarding the plane. Worst case examples:

- returnees held on a coach at the airport for more than three hours. Our data show the coach arrived before the airport opened, which raises questions about C&C's timetable;
- another cohort of returnees, on a different operation, held in their coach at the airport for two hours 40 minutes.

5.4.7 Distance of travel had other impacts. A couple of flights took off late: one from an airport in the south-west, because of the late arrival of a coach from a detention site in Lincolnshire; and the other from an airport in the north-west, because of the late arrival of coaches from a detention site in the south-east. Motorway traffic during the night can be expected to be less busy than in the day but motorway roadworks contributed to the length of some journeys. On one occasion a coach was stuck in a motorway traffic jam for a good hour, as there was only one open northbound lane. That coach reached the airport very late.

5.5 Forms of transport and amenities

5.5.1 Most returnees travelled to the airport in a coach, provided by C&C's contractor. Some travelled in C&C vans, typically a returnee in a WRB. Our data indicated that vans were used around 17 times.

5.5.2 There is a small WC on a coach. For most of the year, returnees did not have complete privacy of use: the door was kept slightly ajar. Not all the WCs were fit for purpose. On one occasion, we reported the unsanitary conditions including lack of

hot water. The coach driver asked escorts whether they could provide hand sanitiser. On another coach, the cubicle light was not working.

5.5.3 In the absence of WCs, disposable urine bags were carried in the vans. Their use is, necessarily, public and demeaning. We have some evidence of escorts encouraging a man to wait until they could offer access to a WC on a coach at the airport.

5.5.4 Recreational packs were available on coaches but returnees were not usually interested, perhaps preferring to try and sleep for some of the night en route to an airport they knew not where.

5.5.5. A single-aisle plane was used on six of the operations observed and a twin-aisle for the other three. Each returnee was seated by his personal escort and sometimes, in the larger planes, between two.

5.5.6 Seating in the planes was of the sort typical in economy class. The lavatories were also typical. Pillows and blankets were theoretically available, but there were never enough for all the returnees. We found the feedback we received from HOIE confusing - availability was subject to risk assessment. Over the year we found no recorded evidence that the refusal of a pillow or blanket was based on a risk-assessment. We believe HOIE's carrier does not provide enough.

5.6 Clothing and food

5.6.1 Most of the returnees were suitably dressed for travel, a consideration to which most escorts were alert. We have evidence that sweaters were given to a few returnees who were only wearing t-shirts and a dry sweater given to one whose own was soaking. A few returnees asked to change their clothes before leaving their IRC and were allowed to.

5.6.1.1 We once saw inconsistencies in approach. The lead escort required all the men to remove their belts, which were then placed in their hold luggage. We have not seen this approach since. Additionally, some returnees were allowed to wear their jewellery and others not. The rationale was not apparent.

5.6.2 Returnees were offered snacks and water on the coaches. The bottled water ran out on one occasion and the returnees on that coach had to wait until they were on the plane. A cooked Halal breakfast was offered on all the planes. In one case the vegetarian option ran out.

5.6.3 Care was taken to ensure that a returnee with a nut allergy was not offered snacks or food containing nuts.

5.6.4 Returnees were consistently offered nicotine substitutes and almost always refused.

5.7 Relationships between staff and returnees

5.7.1 The escorts we saw deployed on inductions and searches had a respectful and mostly friendly approach to people subject to removal, trying to put them at ease during this stressful part of the removal process. Our analysis of PERs showed many examples of positive engagement between a returnee and the personal escort during the journey. There were exceptions: Examples:

- “welfare check” is a meaningless entry unless the extent and quality of the check is recorded
- no recorded engagement between a returnee and the personal escort for the 50 minutes after the man had been told the attempt to contest removal had failed.

5.7.2 A returnee had made a delicate matchstick house whilst in prison. The escorts took great care to protect it. It reached Tirana undamaged.

5.7.3 A returnee was caught smoking during a flight and was brought forward to the front galley to be searched. The returnee immediately claimed intimidation and racism. The escorts defused the situation well, no force was used, the returnee was searched and then sat down happily in the front of the plane with the escorts who had carried out the search, chatting away.

5.7.4 All the returnees on the inductions we observed were told about an Information pack and either given it then or when on their coach. Its contents included an official Home Office Complaints form, a Charter Information leaflet and latterly also a leaflet about reintegration support available on arrival in Tirana. These documents were in Albanian. We have evidence that some escorts later tried to explain the contents of the pack.

5.7.5 Escorts listened to issues returnees raised with them during induction or later during the removal process, although could not usually resolve them, particularly if around immigration status and removal. Examples of property-related concerns are given in paragraph 5.12.

5.8 Relationships on the plane between HOIE and returnees

5.8.1 Each flight was led by a Chief Immigration Officer (CIO). Access to the CIO during the flight was potentially available to all returnees. It was an opportunity to raise immigration issues with the only person who had the professional competence to address them during this last stage of the removal journey. Many returnees declined the opportunity. We were not satisfied that everyone had been told about it before getting on the plane. However, C&C admin officers walked through the plane compiling a list of returnees who wanted to see the CIO. We were also not satisfied that everyone who wanted to, did have the chance to access the CIO in the end.

5.8.2 On some flights, the conversation with the CIO was at the returnee’s plane seat and on others in a designated area of the plane. A professional interpreter was always present. Members of C&C’s flight security team were always close by. The conversations were not private and could not be, given aircraft layout.

5.8.3 The basis of our attendance was changed in November with our agreement. The CIO asked each returnee whether they were content for our representative to listen before the conversation started. All consented.

5.8.4 The CIO always gave the returnee a courteous hearing and was firm when giving bad news. Some CIOs told the returnee that he or she would be taking notes.

5.8.5 Each returnee who saw the CIO on the July flight was shown a warning notice before the conversation started. It read:

“Any physical or verbal abuse towards staff members will not be tolerated and will result in the immediate termination of this meeting with the Home Office official. There will be no further opportunity to discuss your case after this point.”

We thought this approach heavy-handed and did not observe its use subsequently.

5.8.6 CIOs used to wear civilian clothing on charters and in our view were no less authoritative as a result. This changed in the summer. CIOs wore uniform. On one occasion the CIO had two colleagues in training so there were three immigration officers present during the conversations, all standing very close to the returnee, all dressed in very dark blue from head to toe – possibly an intimidating experience for the returnee.

5.9 Equality and diversity

5.9.1 Returnees’ access to interpreting support

The interpreters HOIE used were self-employed. We were told it was not possible to provide professional cover at each detention site, whether for this or some other reason. Nonetheless provision this year was better than observed last year, although it was patchy at a detention site in Lincolnshire and another in the north-west.

5.9.2 Interpreters attended the staff muster, then inductions at one detention site, and then travelled with returnees to the airport in their coach. One always flew. Their services were well-used during all aspects of induction including during a search or to assist communication with the paramedic. Their services were sometimes called on again during a coach journey. The flying interpreter was always kept busy, assisting escorts’ contacts with returnees as well as the CIO.

5.9.3 Non-flying interpreters remained landside at the airport. In July, we realised that 19 returnees were on the plane without an interpreter and raised this with the senior escort leading the operation. A non-flying interpreter was brought airside and onto the plane, quickly. HOIE later told us that the issue had been dealt with. We did not observe the same gap in provision subsequently.

5.9.4 In our observation, interpreters’ approach to returnees was friendly and professional, with one exception. The interpreter referred to in paragraph 4.2.1 exceeded the role in carrying out inductions. We had other concerns about this interpreter which we flagged to HOIE quickly, arising from complaints about the interpreter by a couple of returnees one of which was expressed directly to us during the flight.

5.9.5 If an interpreter does not attend at an IRC, escorts should use a telephone translation service known as The Big Word for returnees needing interpreting support, as the first alternative. We noticed a significant gap between theory and practice. Additionally English-speaking returnees were used at some inductions as well as to interpret on coaches or on the plane. HOIE and C&C acknowledged this was poor practice, but it persisted for months.

5.9.6 Returnees are given important information during induction and later, which is new to nearly all of them. Comprehension is vital. A returnee’s ability to speak English is assessed in advance by staff in the IRC. As last year, we routinely found some of these assessments unreliable. An example: 15 returnees were inducted at

an IRC. An interpreter attended. 10 were assessed in advance as needing the interpreter; in fact, all 15 did.

5.9.6.1 Time and again, we noted some lead escorts appeared to accept a returnee's assurance about English, implying that the returnee was sufficiently familiar with the language to understand the information then given, usually at speed. We have no evidence that the reality of comprehension was tested; paragraph 4.2.3.

5.9.6.2 We had too many examples of an escort sitting with a returnee in a coach noting the returnee's English was limited but persisting with explanations, seemingly giving no thought to the merits of using The Big Word or testing comprehension.

5.10 The treatment of women returnees

Two women were removed over the nine operations observed. They were accompanied by female escorts throughout. The husband of one of the women was on the same flight as she. They had been detained in different IRCs. They were seated together at the front of the plane away from the main returnee cohort – a sensitive approach by the escorts.

5.11 Faith and pastoral support

5.11.1 Pastoral support was not offered during the removal process on the day.

5.11.2 Two of the operations observed took place during Ramadan. This was not mentioned at the staff muster, but at one IRC site, the lead escort checked whether any of the returnees were fasting.

5.12 Property

5.12.1 Returnees' property travelled in the hold of the plane. Returnees each had an individual bag. Escorts in an advance party bagged property before induction started. This made for a smoother process although advance parties did not attend at all sites. Returnees were given the opportunity of checking their property and were told how to identify their bag on arrival in Tirana. Returnees' valuables were put in a clear plastic bag. In January we observed the staff at an IRC giving escorts valuables bags issued by the Prison Service and clearly so marked. Their use was demeaning. We flagged it to HOIE immediately. We have not since seen these bags in use at the same IRC.

5.12.2 Some returnees had issues around missing property which they raised with the escorts:

- the most frequent complaint was about mobiles, ID documents and Driving Licences last seen when the individual had been detained in a Police Station. The lead escorts understandably could not resolve these issues and some encouraged returnees to make a formal written complaint. Complaint forms were included in the Information packs and also on the plane. In a few cases, missing documents had reached the CIO and this was confirmed to the returnee owner on the plane
- there were also complaints about missing money: for example by a returnee who knew they had much more than was produced to them during their property check. This returnee was right and the substantial balance standing to their credit was produced by IRC staff.

- when checking their property one returnee asserted that some recently delivered toiletries, which had not been in their possession, were missing. The returnee's approach to the IRC staff attending induction was calm, but the implication that someone had helped themselves was clear.

5.13 Complaints

5.13.1 Returnees had access to guidance on making an official complaint to the Home Office and complaint forms throughout the journey to removal on the day. Completed forms were handed to the CIO on the plane. We were notified of 83 complaints over the year.

5.13.2 Two related to alleged mistreatment during a charter operation. We have yet to hear the outcome. About 45 related to missing property or documents, principally property last seen when in police custody; about 21 related to the Facilitated Returns Scheme (FRS), others raised case working issues around human rights or failure to provide information, and others related to alleged mistreatment in prison.

5.13.3 Whilst we are entitled to be notified of complaints made during charter operations, we are not privy to the outcome unless the complaint fell to be investigated by C&C. One such complaint was upheld, and the complainant offered compensation for property lost during an escorted transfer from one detention site to another. Another was rejected and we do not yet know the outcome of a third. We cannot gauge the effectiveness of investigation from so small a sample.

6. Healthcare

6.1 Fitness to fly

Returnees are deemed fit to fly unless assessed to the contrary by a healthcare professional. This assumption was not challenged by Aeromed during any of the operations we observed.

6.2 Physical or mental health care risk indicators

At the staff muster escorts were routinely informed that risk assessments were available for them to read later, although not all healthcare indicators were recorded on the risk indicator document they saw.

6.3 The role of the Aeromed paramedics

6.3.1 One, sometimes two, paramedics attended at each detention site from which returnees were collected. The paramedics assumed responsibility for the physical and mental healthcare of every person subject to removal, taking charge of any confidential medical documents and prescribed medication for the whole of the journey. The paramedic travelled on to the airport in the coach with those being removed. Two paramedics travelled on each of the flights we observed.

6.3.2 The returnee referred to in the Appendix travelled with a dedicated Aeromed paramedic, whose role was to look after him throughout his journey from the hospital to Tirana.

6.4 Medical interventions

6.4.1 The paramedics attended to people who complained of minor ailments during the removal process and dispensed over the counter and prescribed medication as necessary.

6.4.2 The most common minor ailments of which the returnees complained were headache, muscular pain and motion sickness.

6.4.3 The paramedics conducted healthcare checks of returnees with documented health issues and made interventions. For example, a diabetic requested their medication and a blood sugar level check during the flight. Both were provided and the paramedic checked again an hour later.

6.5 The approach of the paramedics

6.5.1 None of us is a healthcare professional. Subject to that caveat, it seemed to us that continuity of care during the removal process on the day was appropriate. For example, the paramedic told the escorts that the returnee first cited in paragraph 4.5.6 had mental health problems and advised them to watch that they did not try to hit their head in the vehicle.

6.5.2 We have some evidence of forward planning around availability of prescribed medication. For example, a paramedic ensured that prescribed medication accompanied a returnee in the van in which they were to travel to the airport.

6.5.3 We noticed the paramedic at one IRC take a blood pressure reading of all the returnees and then offer general advice. We considered this good practice but did not observe this approach again.

6.6 Examination after use of restraint or force

A paramedic should examine a returnee on whom force or restraint has been used for signs of injury, if the individual consents. We have evidence these examinations were carried out although typically not immediately after the restraint had been released. We have an example of escorts loosening a restraint at the paramedic's request. The returnee told the paramedic the WRB cuff was too tight on one side. Both cuffs were slackened.

6.7 Respect for medical confidentiality

6.7.1 For most of the year the paramedics returned medication and medical notes to their owners towards the end of the flight. There was a change in approach of which we became aware in September. Returnees' prescribed medication was handed over, en masse, to the Albanian receiving authorities, seemingly at their request. Earlier in the year the flying paramedics did not distribute people's medication packs to them in time and instead passed them to the receiving authorities. We considered these handovers of medical documents and medication to be a potential, if not actual, breach of medical confidentiality, and there was no guarantee, as far as we were aware, that they would be restored to their rightful owners. Returnees continued to be offered their medical notes, in a sealed envelope, before the end of the flight.

6.7.2 Not all returnees wanted to take their medical notes with them. They were not obliged to.

7. Preparation for return and re-integration support

7.1 Timely preparation for removal

We cannot gauge to what extent people subject to removal were properly prepared in advance in either their IRC or, in some cases, in their prisons.

7.2 Financial support

Financial support was available in different ways:

- a destitution payment, in cash, made on the plane at the CIO's discretion, to a typical maximum of £40. It was intended to enable the recipient to travel home from Tirana. These payments were stopped in August on the introduction of the IRARA support package referred to below.
- a resettlement grant under the FRS available to eligible foreign national offenders who had agreed to leave voluntarily. Payment is downloaded to a card which the successful applicant was given on the plane with an explanatory letter in English. The flying interpreter explained the procedure.

7.3 The Home Office programme, known as IRARA, was introduced in August. It is intended to assist the return and reintegration of Albanians who have no legal right to remain in the UK. The programme offers a wide range of services, providing assistance on arrival and longer-term support for persons returning to Albania.

7.3.1 An explanatory leaflet, in Albanian, was included in the general information pack returnees were offered.

7.3.2 We understood that IRARA representatives would be on hand in the processing centre to which returnees were taken after leaving the plane. The timing and location of the first contact with them was under review at the end of the year.

7.4 Continuing access to independent legal advice

Returnees who wanted to contact their lawyers after collection could use a C&C mobile phone up to the point when the flight took off. We reported the lack of such a phone on a coach once.

7.5 Continuing access to immigration advice: section 5.8.

7.6 Contact with family or friends during the removal process

We had evidence that returnees regularly used C&C phones to contact family generally as well as to notify family of impending arrival and arrange to be picked up.

8. The work of the CFMT

8.1 The CFMT is composed of IMB members from Boards across the prisons or immigration detention estates. Our duties are additional to those on our home Boards. The CFMT had five members for the first month of the year and four for the rest of the year. We are recruiting.

8.2 The nine operations monitored this year were to Albania, in January, March, June, July, August, September and November and twice in April. To the best of our knowledge there was only one charter operation to a non-European destination set up to remove one man.

8.3 We presented formal reports to HOIE on each monitored operation and received formal responses to which C&C contributed. These responses were not timely.

8.4 We were not able fully to monitor events and contacts during flights in a single-aisle plane and reported these repeat difficulties to HOIE. There was a lot of legitimate traffic up and down the single aisle. As a result, we could not easily walk through the aircraft to speak to returnees or stand close enough to hear the CIO's planned conversations with returnees, nor try to gauge returnees' reactions to what was typically bad news nor how it was managed. We were not so inhibited during the last three operations we monitored when a twin-aisle plane was used.

8.5 Our team leader's quarterly meetings with HOIE and C&C continued. They continued to be generally helpful although C&C were not always able to address all the issues we raised in the detail hoped for, even though our agenda was circulated in advance.

Appendix: case study

1. This case study records our concerns around the removal process of a vulnerable man which also provides further examples of concerns recorded in the body of this report around length of in-vehicle confinement and medical confidentiality.
2. Mr X had been imprisoned. He was later admitted as a patient in a medium-secure psychiatric unit. He was sectioned under the Mental Health Act at some point. In the summer, he was transferred to the custody of the escorts, and travelled with them from the psychiatric unit to the charter airport and on to the country he was being deported to. We discovered this, by chance, a few days later. We started to ask questions, and then more, which HOIE answered. We were given access to the escorting record.
3. Our initial concerns had been around Mr X's capacity to make immigration decisions on his own behalf. HOIE told us that that the responsible clinician in the psychiatric unit had assessed that he did have capacity and that HOIE did not contest that judgment.
4. The removal paperwork was served on Mr X by the responsible clinician. We accept that authority to serve removal papers is usually delegated. We were not satisfied that a clinician has delegated authority to serve removal papers, even after HOIE had shown us an extract from the relevant administrative guidance document.
5. We consider the responsible clinician's role was solely the care of the patient, and not carrying out immigration enforcement functions. In our view, this presented a conflict of interest between the clinician certifying, in effect, that Mr X had the necessary mental capacity to make immigration decisions on his own behalf, and then serving the documents on him in respect of which these decisions were required.
6. We had other grave concerns about the process, including
 - the lack of any assurance to us that the content and effect of the papers had been explained to Mr. X before he accepted service of them. In one he agreed to leave voluntarily; a choice open to him. In exercising it he had to waive all his rights, which he did, including to take legal advice.
 - That Mr. X had seemingly not needed help from an interpreter. We draw a distinction between speaking English and being literate in it. The removal papers were in English.
 - that the clinician witnessed Mr. X's signature of the Assertive letter, signing over the printed text "Immigration Officer" which the clinician was not and
 - the coincidental timings of Mr. X's signature on a couple of the papers reinforced our concern about whether or not they were explained adequately to him.
7. Our team leader wrote formally to senior HOIE officials on 4 March 2024 putting the following principal questions:

"Are you satisfied that the removal documents were legally served?" and

"Even if you are, do you consider the process represented best practice?"

8. The written answer to the first question was “Yes”, Mr X “was served removal papers in compliance with our published policies” and to the second “as above documents were served in compliance with our policies”. Answers, which struck us as evasive.

9. We had set out our position in the formal note and our reasons for it. HOIE did not engage with any of these points.

10. We had also asked questions early on about aspects of the escorting process. We had replies. Mr. X was held in a C&C van for just over seven hours between getting into it and then boarding the plane, with a short break to use a WC in a coach at the airport. The wait at the airport to get onto the plane accounted for four hours 20 minutes. We were told the original plane had developed technical difficulties, so another had to be flown in, delaying departure, and that C&C knew this in advance. We accept the situation may have been fluid but consider the journey timings for Mr. X were not well judged.

11. Mr. X was accompanied on his journey by a dedicated Aeromed paramedic. Replies to our questions on the professional expertise of the paramedic indicated they were not a specialist in mental health issues.

12. Mr. X’s PER recorded that a few bags of medication were given to the paramedic. It also recorded that three and a half hours after arriving at the airport Mr. X said he was starting to feel stressed. He was told he could have his medication ten minutes later and did.

13. HOIE told us the medication was handed over to the receiving authorities.

14. HOIE told us they had been told that a clinician had made arrangements for Mr. X’s family to meet him on arrival in Tirana.



This publication is licensed under the terms of the Open Government Licence v3.0 except where otherwise stated. To view this licence, visit nationalarchives.gov.uk/doc/open-government-licence/version/3

Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned.

This publication is available at <https://www.gov.uk/government/publications>

Any enquiries regarding this publication should be sent to us at imb@justice.gov.uk.