



Detainees under escort:  
Inspection of escort and removals to

**Orlando, USA**

by HM Chief Inspector of Prisons

21 May 2024

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# Introduction

This was the first overseas escort inspection that we have conducted on a scheduled flight since 2020.

The removal involved one detainee being taken from London Gatwick to Orlando, USA. He was not returning voluntarily, although he complied and said he was content to return. He was not given enough privacy during some of the initial processes when he was collected from Harmondsworth Immigration Removal Centre (IRC), and the IRC did not share all relevant medical information. However, the operation was generally well organised and the improvements in operational practices that we noted at previous inspections involving charter flights had, with a few exceptions, been sustained.

The journey time was too long before boarding the flight, and nothing was provided to help pass the time while the detainee was waiting in a vehicle. There was little use of force, but insufficient attention was paid to ensuring that the detainee had the means to travel onwards to his intended destination in the USA.

**Charlie Taylor**

HM Chief Inspector of Prisons

June 2024

# Summary of key findings

## What needs to improve

During this inspection we identified four key concerns. Leaders should make sure that all concerns identified here are addressed and that progress is tracked through a plan which sets out how and when the concerns will be resolved. The plan should be provided to HMI Prisons.

## Key concerns

1. **The search process and initial health care assessment did not take place in private.**
2. **Information about medical issues was not clearly communicated to escort staff or the paramedic.** The opening of personal medical notes without the detainee's consent breached medical confidentiality.
3. **The detainee spent too long in the vehicle before boarding the aircraft, with nothing to help him pass the time.**
4. **Although the detainee had very limited funds, no enquiry or offer of support was made to make sure that he could reach his intended destination on release.**

## Notable positive practice

Inspectors found no examples of notable positive practice during this inspection.

## The removal in brief

One detainee travelled from Harmondsworth IRC and boarded the aircraft at Gatwick Airport. He was content to return, although he was not doing so voluntarily. The destination was Orlando, USA.

The journey from boarding the van at the IRC to being allowed into the USA by immigration officials was 17 hours and 18 minutes. The escort contractor was Mitie Care and Custody.

## Leadership

As in our inspection of charter flight removals, leaders continued to promote a decent and respectful approach towards detainees. We found this was a well-organised operation, with a few exceptions. Overall, the staff focused on mitigating stress and meeting the detainee's needs, showing him care and compassion throughout his removal.

## Section 1 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.

- 1.1 The detainee had been transferred four days previously from a UK prison to Harmondsworth IRC after serving a period of imprisonment.
- 1.2 He was aware of the date of his removal, but not the timing of his return, which made it difficult for him to arrange to be met on arrival. He was surprised to be woken in the early hours of the morning for his removal to begin.
- 1.3 Escorting staff were attentive during the initial briefing. They were reminded to maintain good communication with the detainee but also to be mindful of any changes in his demeanour. Some information relating to the detainee's previous behaviour was too general to be of use and when the escorting staff contacted the IRC for clarification, they had no information other than that the detainee was content to return to the USA.
- 1.4 There was an appropriate gender mix of staff acting as escorts, with two male officers and one female officer, who was the senior officer. A male paramedic also travelled on the flight.
- 1.5 At the IRC, the staff did not all introduce themselves to the detainee, but they were friendly and respectful and made good efforts to reassure him and explain the removal process.
- 1.6 The detainees' medication was brought to the departure area, but the IRC health staff did not attend to brief the escorting paramedic in person. The paramedic opened the accompanying medical notes without the detainee's consent, which breached medical confidentiality and was inappropriate. These medical notes lacked some important information (see the 'Respectful treatment' section).
- 1.7 Home Office staff were not present at the centre to address any last-minute immigration queries, but escorting staff confirmed that their control room had 24-hour contact with the relevant department to handle such queries if required.

## 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.

- 1.8 The search at the IRC was carried out in a side room. It was proportionate and respectful but lacked privacy, with three staff not involved in the search standing at the door and watching. The detainee was advised that CCTV cameras would be used to record his removal on the vehicle and until he boarded the aircraft.
- 1.9 The only use of force was guiding holds (see Glossary). These were used while the detainee was disembarking from the vehicle airside. Their use was justified for reasons of safety, as the detainee was not steady on his feet. Escorts carried handcuffs on their belts, but these were hidden from view by their clothing.
- 1.10 The records from the previous four scheduled flight removals to the USA indicated that guiding holds had been used once and a waist restraint belt had also been used once. As on this occasion, guiding holds had been used as a safety measure when a detainee was unsteady on her feet. The fitting of a waist restraint belt was justified in the record on the ground that the detainee had been trying in different ways to avoid removal and staff believed she might refuse to walk on board the aircraft. However, the record did not explain why she remained in the belt for a further 25 minutes after she had boarded the flight.
- 1.11 At one point just before boarding the present flight, the detainee became very distressed and emotional. Staff were very supportive in letting him express his emotions, showing care and compassion. At the end of the removal, we reviewed the person escort record (PER – see Glossary) and found that this lacked detail and did not always clearly record the mood and good interactions between staff and the detainee that we had observed.

## Legal rights

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

- 1.12 The detainee confirmed that he was looking forward to returning to the USA and seeing his family, although he was not returning voluntarily. He had chosen not to consult a legal representative.
- 1.13 Throughout the journey, staff offered the detainee use of one of their phones to contact family or friends in the USA or elsewhere, but he declined this offer, owing to time zone differences. On landing at

Orlando, he accepted the use of a phone, but despite making several calls, he was unable to contact any family members.

## Section 2 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.

- 2.1 The vehicle used to take the detainee to the airport was clean and comfortable. Disposable toilet products were available. The vehicle was temporarily re-routed to Brook House IRC, to allow the detainee to use a toilet there. The toilet door was closed but not locked while in use, allowing privacy, and the same applied during the flight.
- 2.2 Waiting times were not kept to a minimum: the detainee was held in the vehicle for just under six hours before boarding his flight. Almost two hours were spent sitting in the car park of the Mitie base near Gatwick Airport. This was too long, and no activities were provided to help pass the time. This delay was necessary while the senior officer went to the ticket office, but this was not adequately explained to the detainee.
- 2.3 Property, including cash, was handled effectively and was held in safekeeping by staff during the flight.
- 2.4 The detainee had no clothes other than those he was wearing. The IRC staff did not offer him any additional clothing. All escorting staff could offer him was a pair of flight socks, which he declined.
- 2.5 Food and drink were offered regularly in the vehicle, as was a nicotine replacement product. During the flight the detainee received a pillow and blanket and was offered the same food and drink as his fellow passengers.

### 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.

- 2.6 The detainee and escorting party were allowed to board the flight first, which avoided drawing any unnecessary attention to their presence. Relationships between staff and the detainee were relaxed and respectful, and a good rapport developed, with staff using the detainee's preferred name throughout. During the flight he was settled, watching films, sleeping or eating and drinking.



- 2.7 The detainee received a Home Office complaint form before leaving the centre. He was also given a leaflet detailing the care he should receive while in Mitie's custody. These were not fully explained to him.
- 2.8 The escorting paramedic conducted a health assessment with the detainee before leaving Harmondsworth. This should have been confidential, but could be overheard by all staff in the reception area.
- 2.9 Recording of health information in the PER was poor. It contained no information which escorting staff may have needed about the detainee's medical conditions or medications, including failing to identify that he had an implanted medical device to prevent cardiac arrhythmia or heart block. Details of this were also not recorded in his personal medical notes: the presence of the device became apparent to staff when they conducted their search of the detainee.
- 2.10 Throughout the journey, the escorting paramedic provided the detainee with very good care, ensuring that medications were administered correctly at the appropriate intervals and continually checking on his well-being. Personal medical notes, in a resealed envelope, and all his other property, including medications, were returned to him once the plane landed in Orlando.

## Section 3 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.

- 3.1 The detainee was not given any information about organisations that could provide him with support or advice on his return to the USA.
- 3.2 On landing in Orlando all other passengers left the plane first, after which the detainee quickly disembarked. After passing through passport control, the detainee and escorts were directed to Border Control, where additional immigration checks were conducted. There was a slight delay before they were completed, and the detainee was then allowed to enter the country. Although staff were aware that he had been unable to contact any family or friends, and that he only had a small amount of sterling in his possession, he was not asked how he would reach his intended destination or offered any additional financial assistance to do so.

## 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 identification of **areas of concern**. Concerns identify the areas where there are significant weaknesses in the treatment of and conditions for detainees. To be addressed they will require a change in practice and/or new or redirected resources. Concerns are summarised at the beginning of inspection reports and the body of the report sets out the issues in more detail.

We also provide examples of **notable positive practice** in our reports. These list innovative work or practice that leads to particularly good outcomes from which other providers 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 other providers could learn from or replicate the practice.

### This report

This report outlines the priority and key concerns identified during the inspection. 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 [Expectations – HM Inspectorate of Prisons \(justiceinspectorates.gov.uk\)](https://www.justiceinspectorates.gov.uk/expectations-hm-inspectorate-of-prisons/)). Section 5 lists the concerns raised at the previous inspection and our assessment of whether they have been addressed.

## **Inspection team**

This inspection was carried out by:

Fiona Shearlaw	Inspector
Chelsey Pattison	Inspector

## Appendix II Glossary

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.

### **Guiding hold**

Where an officer takes hold of a detainee's arm to guide them when walking. This is recorded as a use of force.

### **Person escort record (PER)**

The key document for ensuring that information about detainees' risk and health issues is communicated to escort staff, and that their mood, actions and interactions with escort staff are recorded during their removal.

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