



Detainees under escort:
Inspection of escort and removals to

Portugal

by HM Chief Inspector of Prisons

5 and 6 November 2024

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Introduction

This report describes findings in relation to two consecutive removals to Lisbon, Portugal, on scheduled flights. They are the second and third scheduled flight removal inspections that we have undertaken this year. Both involved a single detainee being returned by an escort team, one from London Gatwick and the other from London Heathrow. Neither detainee was returning voluntarily, but they complied with the process and the removals were completed without significant incident.

Both operations were generally well organised and journey times before boarding were not excessive, but we have identified some areas for improvement. In particular, written information given to the escorting staff about risks and vulnerabilities was incomplete and in parts inaccurate; and not enough attention was given to protecting the privacy of the detainees during the initial search, the flight or at the point of handover in Portugal.

Charlie Taylor

HM Chief Inspector of Prisons

November 2024

Summary of key findings

What needs to improve

During this inspection we identified two 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. **Escort paperwork detailing detainees' risks, vulnerabilities and known medical conditions and medications was neither accurate nor complete.**
2. **Not enough was done to protect the privacy of detainees at the various stages of the removal process.**

Progress on concerns

At our last inspection we raised some areas of concern. At this inspection we found that two of these concerns had been addressed and two had been partially addressed.

Notable positive practice

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

The removal in brief

Two detainees travelled from Colnbrook Immigration Removal Centre (IRC) on consecutive days. One detainee boarded the aircraft at Gatwick Airport and the other boarded at Heathrow Airport. Both complied with the return, although they were not going voluntarily. The destination was Lisbon, Portugal.

The journey time from boarding the van at the IRC to being allowed into Portugal by police officials was seven hours and 45 minutes for one detainee and seven hours and 55 minutes for the other. The escort contractor was Mitie Care and Custody.

Leadership

As previously reported, leaders promote a decent and respectful approach towards detainees, which was emphasised at staff briefings. The operations were generally well organised and some progress had been made in addressing previous concerns.

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 detainees had both been transferred from prisons to Colnbrook IRC two days previously, after serving a prison sentence. They were aware of the date of their removal, but not the timing.
- 1.2 Escorting staff were attentive during the initial briefings and clarified key points where necessary. They were reminded to maintain good communication with the detainee in their care and to be alert to any changes in demeanour. Written information relating to the detainee's previous offending behaviour was shared, but this was not always recorded in a clear or consistent way. For example, the movement order for one detainee indicated he was a risk to women and children due to a serious sexual offence, but the PER from the centre had changed this to 'abuse towards women and children', which has a different meaning affecting the risk assessment. Violence markers in PERs contained no details on context or dates to help establish current risk.
- 1.3 IRC staff were unable to provide information on the detainee's current behaviour or mood when escorting staff requested it. Although one detainee had medication in his property, IRC staff did not share information about his medical condition or medications in his person escort record (PER – see Glossary), even though this information had been shared by the prison from where he had transferred. This was not helpful, as escorting staff may have needed to provide him with medication during his journey.
- 1.4 There were three male officers, one of whom was the team leader, and one female officer on both flights. At the IRC, the staff did not all introduce themselves to the detainees, but they were friendly and respectful and made good efforts to explain the full removal process. One of the teams showed skill and sensitivity in de-escalating a potentially volatile situation when the detainee felt that he was being surrounded by the staff and started to clench his fists. Some of the staff stepped back, while another maintained very good communication with him, explaining in detail what the journey would involve. This escort spoke Portuguese, despite the detainee's good spoken English, and helped to calm the situation quickly.
- 1.5 Detainees were asked if they required interpretation services, which they both declined as they spoke and understood English. Both

detainees were handed a generic information leaflet about removal flights, but this did not provide any specific details about their removal, such as the departure or arrival times, and these were not fully explained to the detainees.

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.

- 1.6 The searches carried out at the IRC were proportionate and respectful, but not sufficiently private. Too many staff who were not involved in the searches stood at the entrance to the small search room. The detainees were told that there was CCTV in the vehicle and that body-worn cameras would be used to record other parts of the journey.
- 1.7 Force was not used at any time. For both removals, a waist restraint belt (see Glossary) was prepped in the IRC for immediate use. But in one case, it was indiscreetly placed on the reception counter in full view of the detainee, which was potentially inflammatory. Escorts carried handcuffs, but these were hidden from view by their clothing.
- 1.8 We reviewed records from the previous three scheduled flight removals to Portugal, and no force was used on any of these.

Legal rights

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

- 1.9 No Home Office staff were present at the IRCs to address last-minute immigration queries. However, escorting staff told us that their control room had 24-hour contact with the Home Office to handle any queries as they arose.
- 1.10 One detainee said that he had applied for financial support under the facilitated release scheme (FRS – see Glossary), but the team leader had no information about this. Staff checked with the relevant department and found there was no record of any application having been made. The detainee became distressed and said he had no family or accommodation in Portugal and was worried that he would be homeless on arrival. This was not subsequently recorded on his PER. Staff showed care and compassion in supporting him while he came to terms with this news and gave him practical advice and a small financial grant (see paragraph 3.1). After the inspection, it was established that the detainee had made an unsuccessful FRS application while in prison but had not been informed of the decision.

- 1.11 Throughout their journeys, staff offered the detainees use of one of their phones to contact legal representatives, family or friends in Portugal or elsewhere, but both declined this offer. One detainee said that he had managed to contact his family before leaving the IRC.

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 vehicles used to transport the detainees to the airport had recently been replaced. The new vehicles had more storage space for luggage and extra room in the rear for passengers to sit comfortably. The vehicles carried emergency equipment, such as first aid kits, and welfare packs containing disposable toilet products and antiseptic wipes, should these be required.
- 2.2 Waiting times in the vehicles were kept to a minimum. The longest a detainee was held in the vehicle before boarding their flight was just under four hours and 30 minutes. Some of the waiting time was related to the checking-in process. This was managed by the team leader while the detainee and escorts remained in the vehicle.
- 2.3 Personal property, including cash, was handled effectively. When one detainee realised that some of his property was missing at the IRC, staff acted quickly to retrieve it before leaving the centre. Large items were bagged, checked in and transported as hold luggage on the flights.
- 2.4 Food and drink were offered regularly in the vehicles and during the flight. Detainees received the same food and drink as their 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.

- 2.5 The detainees and escorting parties boarded their flights before other passengers, which avoided drawing any unnecessary attention. Relationships between staff and the detainees were relaxed and respectful, with staff using the detainees' preferred names throughout. During the short flight, the detainees appeared content; they were chatting, sleeping or eating and drinking. However, on one of the flights, escorting staff were not discreet enough with the PER. This contained personal information and was clearly visible to fellow passengers queuing for the toilet.

- 2.6 Both detainees were informed about the complaints process when they were at the IRC. The detainee who thought he was eligible for support under the FRS said he wanted to make a complaint about not receiving it. He was given a pen and a complaint form. He completed it in Portuguese and escorting staff said they would forward it to the Home Office on return to the UK. It had been translated by the end of the following week and was sent to the relevant department to investigate.
- 2.7 Neither detainee required medical treatment during their removal. Both had their personal medical notes, and in one case their medication, returned to them shortly before landing. They were also given their personal property and cash at the same time.
- 2.8 The completed PERs lacked some detail and did not always clearly record the detainee's mood or the good interactions that we observed.

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 who thought he should have received financial support under the FRS (see paragraph 1.10) was given some practical advice and a grant of 50 euros. Staff provided the telephone number of the national social emergency service, which assists with homelessness in Portugal. They also identified a charity providing social support in Lisbon and gave him the details.
- 3.2 On landing in Lisbon, one detainee was one of the first passengers to disembark, while the other disembarked after all other passengers had left the plane. In both cases, the detainee and escorting party shared airside transport with other passengers, but this did not attract any unwanted attention. On arrival in the terminal, both parties made their way directly to a police office, where detainees were handed over to police officers without incident. In one case, this exchange was conducted in front of several members of the public, who were seated in the police waiting area.

Section 4 Progress on concerns from the last inspection

Concerns raised at the last inspection

The following is a list of all the concerns raised in the report of our last inspection of an overseas escort (Orlando, USA in May 2024).

Safety

Concerns

The search process and initial health care assessment did not take place in private.

Partially addressed

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.

Partially addressed

Respect

Concern

The detainee spent too long in the vehicle before boarding the aircraft, with nothing to help him pass the time.

Addressed

Preparation for reintegration

Concern

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.

Addressed

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)). 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	Team leader
Rachel Badman	Inspector
Ian Dickens	Inspector
Martin Kettle	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.

Person escort record (PER)

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

Waist restraint belt

A lightweight restraint system that allows a detainee to sit and travel comfortably for extended periods.

Facilitated return scheme (FRS)

Provides for financial support for reintegration to encourage foreign national offenders to cooperate with their early removal from the UK.

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Printed and published by:
HM Inspectorate of Prisons
3rd floor
10 South Colonnade
Canary Wharf
London
E14 4PU
England

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