



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

for reporting year 2017

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Monitoring fairness and respect for people in custody

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INTRODUCTORY SECTIONS

1 THE ROLE of THE INDEPENDENT MONITORING BOARDS CHARTER FLIGHT

1.1 The CFMT is appointed on an administrative, non-statutory, basis under the terms of the Memorandum of Understanding and Service Level Agreement between the Home Office Directorate of Immigration Enforcement (“HOIE”) and The National Council of Independent Monitoring Boards, signed in November 2016.

1.2 It records that

- the CFMT is responsible for monitoring and reporting on the conditions and treatment of returnees during charter flights;
- the CFMT should be afforded the same assistance as to monitoring rights as Independent Monitoring Boards appointed on a statutory basis;
- the remit of the CFMT begins when the returnee is collected from the Immigration Removal Centre (“IRC”) and ends at the point of hand-over to local officials at the overseas destination;
- best practice for the CFMT is for members monitoring a particular flight to join at the escorting staff muster point.

2 EXECUTIVE SUMMARY

2.1 There has been no response to the CFMT’s report, for the calendar year 2016. Silence suggests official indifference to the important independent role the CFMT plays in monitoring enforced removal by charter. Virtually all the issues then identified remain unaddressed. They are therefore raised again in this report.

2.2 This Report presents the findings for the calendar year 2017 when the CFMT monitored enforced removals by charter nine times, to the following destinations:

- Islamabad, four times, in January, March, September and December,
- Tirana twice, in May and August,
- Germany once in June,
- Lagos and Accra once in January and
- Lagos once in May.

2.3 The CFMT’s selection of destinations was influenced by changes in the charter timetable of which the CFMT did not always receive much advance notice.

2.4 The charter to Germany was arranged under the provisions of the Dublin Convention. It determines which European member state is responsible for considering an asylum claim. It permits member states to transfer an asylum applicant to the state responsible. These removals from the UK are managed by the Third Country Removal Unit (“TCU”) of the Home Office. Charter flight removal of these asylum applicants was

introduced in February 2017 as an alternative, in some cases, to removal by scheduled flight.

2.5 The CFMT's data on the numbers removed on each of the flights it monitored and the number of escorting staff on the flights is set out in the Appendix to this Report.

2.6 The CFMT's evidence comes from its own observations, scrutiny of records and contact with some returnees and staff.

3 MAIN JUDGEMENTS

3.1 **Fairness.** The decision to put all the returnees on the June TCU operation ("the TCU removal") in restraints was neither fair nor humane: paragraphs 6.1.5 and 6.1.6.

3.2 The CFMT is satisfied that returnees on the other flights were generally treated fairly but is concerned about some aspects of their treatment including the following:

- that use of restraint on some returnees appeared to be a hasty reaction to a statement to the escorts of unwillingness to leave and that restraint was invariably retained until after the aircraft had taken off without intermediate review: paragraphs 6.2.3 to 6.2.6.
- that all returnees who wanted access to the Chief Immigration Officer ("CIO") for immigration information or advice during the flight may not have had it and that a sift of potential applicants was made by the escort contractor's staff: paragraph 7.1.2.
- that professional interpreting services were not available: paragraphs 6.10 and 6.10.1.
- no one was told that their right to use the official Home Office Complaints procedure continued: paragraphs 7.2 and 7.2.1.

3.3 There are other examples of unfairness recorded in this report.

3.4 **Humane treatment.** The CFMT observed returnees treated kindly and with respect. Examples are given in this Report. However, the CFMT is not satisfied that **all** were treated humanely in every aspect of their removal on the day. Examples:

- some were transferred to the escorts' custody and then moved to the departure port during the night: paragraph 6.3.4.
- some were penned in coaches for hours: paragraphs 6.4 to 6.4.2.
- none could use the WC on the coach or the lavatory on the aircraft in conditions of privacy: paragraph 6.9.
- very late, or no, warning of some intrusive or demeaning standard escorting practices was given, specifically that the returnees' arms would be held as they were escorted up the steps into the aircraft, that they would be filmed boarding the aircraft and whilst being escorted to their seats in it, again with escorts holding their arms: paragraphs 6.6 and 6.6.1.

- the behaviour of some escorts was intimidating: paragraphs 6.3.1 (the TCU removal) and 6.7.2.

3.5 Preparation for removal. Returnees to Nigeria and Albania did not have information about support and re-integration services in the official format potentially available to returnees to Ghana and Pakistan –this was unfair. The CFMT does not know whether returnees on the TCU removal had been told by the TCU what to expect on arrival in Germany: for example, how their asylum claims would be dealt with, whether they would be detained during that process: paragraphs 9.1 to 9.4.

4 RECOMMENDATIONS

TO THE MINISTER

4.1 The Home Office Escort Contract monitoring team must be better resourced. Contemporaneous oversight at every IRC from which a charter party leaves is required, not least given the levels of force and restraint which have been applied during the reporting period.

4.2 Immediate action should be taken to provide returnees to Nigeria and Albania with literature about re-integration support of at least the same quality as provided for returnees to Ghana: paragraph 9.3.

4.3 Immediate action should be taken to update the “Coming Home” booklet for Pakistanis: paragraph 9.1.

4.4 Returnees should be expressly informed of their continuing right to use the Home Office Complaints procedure during removal, and how to do it, in their own language: paragraph 7.2.1.

TO HOIE

4.5 Contemporaneous and authoritative oversight of your escort contractor’s use of force and restraint is imperative. The CFMT did not observe consistent compliance with policy: paragraphs 6.1 to 6.2.7.

4.6 Asylum applicants transferred to an EU member state under the Dublin Convention may be more fearful of the outcome of removal than other groups of returnees – their asylum claims have still to be considered. The CFMT heard fear of this sort expressed by some during the June TCU removal. This vulnerability needs to be imaginatively addressed. Extensive use of force and restraint appears, unfortunately, to be the default response: paragraphs 6.1.5 to 6.1.10.

4.7 All returnees who want access to the CIO during the flight for immigration information or advice should have it as of right, whether via the on-board surgery or separate access to the CIO: paragraphs 7.1 to 7.1.5. The practice of sifting potential applicants must be discontinued.

4.8 The following standard practices which demean the returnee should be discontinued:

- Penning returnees in coaches for hours: paragraphs 6.4 to 6.4.2;
- Letting returnees travel in cold aircraft cabins with no blankets or pillows: paragraph 6.7.3;
- Denying returnees privacy to use the WC on the coach and the lavatories in the aircraft in privacy: paragraph 6.9;
- The presence of one or more escorts at the CIO's on-board surgery whose interpretation of the role at that point appears to be to intimidate: paragraph 6.7.2.

4.9 The following standard and disrespectful practices must be re-considered:

- holding returnees' arms as they board the aircraft and are then lead to their seats: advance notice (i.e. not at the last minute) should be given as well as the reason for this approach: paragraph 6.6;
- filming returnees as they board the aircraft and are then lead to their seats: they should be told in advance (i.e. not at the last minute) that they are going to be filmed during both stages and why: paragraph 6.6.1.

4.10 Professional interpreting services must be available throughout the removal process: paragraphs 6.10 and 6.10.1.

4.11 Your escort contractor must be instructed to offer a comfort break as a matter of course before the returnee boards the coach or other vehicle: paragraph 6.3.3.

4.12 You must ensure that your escort contractor consistently provides coaches that are road-worthy with WCs and washing facilities fit for purpose over hours: paragraphs 6.5 and 6.5.1.

4.13 An information booklet, in the form referred to in paragraph 6.13.3, should be published quickly in all the languages apt to the typical returnee cohort.

TO HOIE and to DETENTION SERVICES

4.14 Areas in an IRC allocated on the day for charter discharge must include a discrete search room and a functioning lavatory: paragraphs 6.3.2 and 6.3.3.

5 THE ORGANISATIONS INVOLVED IN THE REMOVALS

Tascor (part of Capita plc) was the escorting contractor. Tascor hired the coaches which took returnees from their IRCs to the departure port. The aircraft was chartered by the Home Office Immigration Enforcement Directorate. Healthcare services were provided during removal by IPRS Aeromed.

EVIDENCE SECTIONS

6 SAFETY

6.1 **Use of force and/or restraints.** The numbers of returnees who left the UK under some form of restraint are, to the best of the CFMT's knowledge,

- 2 of the cohort of 49 to Islamabad in January;
- 8 of the cohort of 61 to Lagos and Accra in January;
- 3 of the cohort of 34 to Islamabad in March;
- 1 of the cohort of 46 to Albania in May;
- 7 of the cohort of 40 to Lagos in May;
- 30 (100% of the cohort) on the TCU removal in June;
- 2 of the cohort of 49 to Albania in August;
- 3 of the cohort of 54 to Islamabad in September and
- 5 of the cohort of 28 to Islamabad in December.

6.1.2 Detention Service Order 07/2016 – “Use of Restraint(s) for escorted moves” sets out the policy. Its provisions include the following:

- There is a presumption against use of restraint;
- Any use of restraint must be subject to an individual risk assessment;
- Unless risk is properly assessed and use of restraints is fully justified, this could amount to inhuman and degrading treatment under Articles 2 and/or 3 of the European Convention on Human Rights;
- Any use of restraint must be reasonable, necessary and proportionate and restraints must only be used for the minimum amount of time;
- The position in which a detainee is kept in a Waist Restraint Belt (“WRB”) will be kept under constant review.

6.1.3. The WRB was the form of restraint most commonly used, applied during the discharge process at the IRC. Some returnees co-operated in its application.

Compliance of those who did not was achieved by prior application of a rigid bar cuff, usually, but not invariably, promptly released once the WRB was on. A few were also put into leg restraints, occasionally applied at the IRC but otherwise at the departure port. Returnees in leg restraints were carried on board the aircraft.

6.1.4 The WRB was sometimes fitted in the restricted position, which allows the returnee some arm and hand movement, and sometimes in the secure position which prevents arm and hand movement

6.1.5 All 30 of the individuals sent back to Germany in the TCU removal were put into WRBs on transfer to the escorts' custody at the dispatching IRCs, without regard, in every case, to individual risk assessment. A few tried to resist. The blanket approach of putting everyone in a WRB had been determined in advance. It appears to have been

the escort contractor's decision. The CFMT tried, unsuccessfully, to discover whether HOIE had approved it. The plan was to keep all the returnees belted until they disembarked in Germany, in Frankfurt or Leipzig. Some escorts did not register this instruction and released 10 or 11 returnees from the belts soon after the aircraft had taken off.

6.1.6 The CFMT alerted the Minister to its grave concern and asked him to investigate. In replying to the CFMT's letter the Minister wrote that the investigation had "clearly established, as you have reported to me, that certain returnees were placed into Waist Restraint Belts when their individual risk assessments did not justify it." Additionally, following review of the contractor's reports, the Home Office Use of Force monitor had identified a small number of cases in which risk indicators used to justify the application of restraints would be challenged.

6.1.7 Having seen some records, the CFMT then queried application of a particular technique of force on a man who was resisting at the IRC. The CFMT had heard him scream with pain. The use of this technique was undocumented. The CFMT considered HOIE could not therefore demonstrate use had been lawful. Officials disagreed: they considered this to be an example of sub-standard report writing.

6.1.8 The Minister asked his officials to brief the CFMT after the next TCU removal. They did. Officials told the CFMT that 19 of a cohort of 34 had left the UK under some form of restraint -

- 10 had co-operated as they were put into WRBs and
- 9 had been subjected to use of force of whom 5 were carried on board the aircraft.

The records had been reviewed by the Home Office Use of Force monitor who concluded that "every single use of force" was "justified by the individual risk assessment" as was every application of the WRB with the returnee's co-operation.

6.1.9 There was a further TCU removal later in the year. The CFMT has scant information but was told by officials that of the cohort of 24,

- 7 co-operated as they were placed in WRBs,
- 12 were subjected to use of force and carried on board the aircraft.

6.1.10 Individuals being removed under the Dublin Convention are required to return to the first EU member state they entered on their way to the UK from a non-member state. The CFMT notes that this cohort is subjected to much higher levels of force and restraint than other returnees.

6.2 This assessment is borne out by the other numbers given in paragraph 6.1. They show that restraint and/or force was used to a significantly lesser extent on the other charter operations. The CFMT accepts that on these operations some uses were

reasonable, necessary and proportionate within the terms of the Policy - for example on men who were discovered to have secreted razors and would not give the escorts an assurance that the search had discovered everything potentially harmful. However, the CFMT has the following recurring concerns.

6.2.1 The briefing to the escorts at the staff muster can heighten the expectation of problems. This is not always warranted.

6.2.2 Home Office Escort Contract Monitors were rarely present at the dispatching IRCs – twice, in the CFMT’s experience, at one IRC. Assessments appeared to have been made by post facto analysis of escorts’ reports, which may not give the full picture. For example, the reality of attempts to de-escalate (and so potentially avoid use of restraint) is difficult to gauge from a report unless that document contains clear evidence to substantiate the routine tick in the relevant box.

6.2.3 Statements of unwillingness to leave (not accompanied by physical resistance, or the threat of it) resulted in the returnee being put into a WRB, sometimes preceded by force, with no time spent first trying to talk this through and no attempt made first to understand what impact this statement might have on the returnee’s future behaviour during removal. Examples:

- The Albanian, distressed and verbally abusive, but not physically resistant, was presented to the escorts already cuffed. He was put into a WRB. It was subsequently discovered that he was destitute. His plight was brought to the CFMT’s attention on the aircraft. His escorts on the flight were so concerned they were willing to fund him themselves for his onward journey from Tirana. No one had seemingly bothered to spot his destitution in advance and gauge what impact it might have on his demeanour on the day.
- The Pakistani woman, aged 52, of slight build who did not speak English and did not want to leave. She co-operated as she was put into a WRB. In view of the language impasse the CFMT wondered whether she actually understood what was going on, and how the perceived need to put her in a WRB was explained to her. The escorts’ report stated as a fact that she had a history of “dropping her weight”. The CFMT tried to discover, but could not, what evidence underpinned this statement.

6.2.4 The CFMT accepts that resistance to boarding the aircraft, stated at the last minute, poses a challenge for the escorts. That said, the CFMT does not consider bundling up someone who is expressing unwillingness, in words only, should be the instant response.

- A young woman did not want to go. She refused to stand up and leave the coach to board the aircraft. She was cuffed to get her off the coach. She stood on the tarmac weeping. She was asked whether she was willing to walk and allowed a matter of seconds in which to decide. She did not appear to make a decision.

She was put into a WRB, then into leg restraints as she continued to weep and say “You cannot take me this way” and then carried on board. She was not fighting, just weeping.

6.2.5 The CFMT has evidence that the position of a WRB, once applied, was reviewed and changed from restricted to secure. This was typically just before the returnee was to board the aircraft – a response to the then perceived increased risk of non-compliance. The CFMT has no other evidence of compliance with the Policy obligation for “constant review” referred to in paragraph 6.1.2.

6.2.6 Returnees in a WRB stayed in it until after the aircraft had taken off, typically hours after the WRB had been applied - the standard approach. The CFMT cannot reconcile this with the Policy requirement that restraints must only be used for the minimum amount of time: paragraph 6.1.2.

6.2.7 The outcome for returnees put in restraint without individual risk assessment, or as a result of dynamic assessments so dynamic as to be arguably ill-judged, or founded on evidence hard to trace, was of humiliation and degrading treatment.

6.3 The discharge process at the IRC. Returnees were usually treated with respect and dignity during this process, but not invariably.

6.3.1 The process is commonly known as “meet and greet”. The returnee is presented to the senior escorting officer responsible for collection from the IRC, known as the Coach Commander. That officer is supported by a small team of colleagues. Some carry out searches. Others deal with luggage. The “meet and greet” teams generally had good inter-personal skills, an ability to reassure returnees and sometimes to defuse a potentially difficult situation. The CFMT observed empathetic responses to individual requests. Examples:

- A returnee had an old-style £10 note which he thought he might not be able to exchange in Pakistan. The Coach Commander gave him a new-style note from his wallet and took the old one in exchange.
- A returnee said a friend had brought in a case of belongings for him that day which the IRC staff had not been able to find. The escorts allowed him to telephone the friend who gave him the receipt number. The case was then found quickly.

By contrast, the meet and greet teams for the TCU removal, members in this instance of the escorts’ security team, were often brusque, and noticeably less empathetic: there was a lot of shouting at returnees.

6.3.2 All returnees are searched as part of the discharge process – a non-invasive search of the body and clothing – by escorts of the same gender. **Returnees in the Harmondsworth section of Heathrow IRC were denied privacy, as follows:**

- The unsuitable stairwell area was used for discharge on the CFMT's second monitoring visit in January and again in September. Last year, the CFMT recommended this area should not be used for charter discharges. There is no discrete search room.
- A different spacious area at Harmondsworth was used for the discharge processes in August and December. However, returnees were searched in this main room.

In these examples, male returnees were searched in full sight of people not directly involved in the process, including women.

6.3.3 Last year the CFMT reported that male returnees were not routinely offered a comfort break before leaving their IRC despite the fact that some would spend hours in coaches on the next leg of the journey. That was the CFMT's observation again this year. In three instances of discharge from Brook House IRC the offer was not possible: there was no lavatory in the area allocated that day for the charter discharges. Another time the CFMT observed that a lavatory off the room being used for searching in another IRC was locked throughout the discharge process.

6.3.4 **Night moves. They are inhumane.** The removal process for Albanians began in the night; for example, in May, the discharge process at one IRC started just after 01:00. The discharge process for some returnees on the TCU removal started just after 03:00. The CFMT understands that night moves are standard for these flights despite the impact on returnees.

6.4 **The road journey. Some returnees were treated as commodities, penned for long hours in coaches with inadequate sanitation.**

6.4.1 Most returnees were driven in coaches from the dispatching IRC to the departure airport and after a wait landside, driven airside to board the aircraft. They were routinely penned in coaches for hours. This is the standard approach to which the CFMT drew attention last year. Some, in restraint, travelled in separate vehicles as, sometimes, did compliant returnees who were considered to be vulnerable.

6.4.2 The first returnee to be discharged from the IRC boarded the waiting coach and then sat there until everyone else joined it. The discharge process for the whole cohort leaving the IRC was typically long. This had a direct impact on the length of time returnees discharged early in the process spent penned in the coach. The worst experience was for men discharged from Brook House IRC early in the process. The CFMT calculates that the time spent in the coach for these returnees ranged from five hours to seven hours forty minutes, in one extreme case, with the average being about six hours thirty minutes.

6.4.3 When there were two, staggered, collections from an IRC, those discharged on the second spent less time on a coach than those on the first. The CFMT's examples range from between three and four hours.

6.4.4 The escort sitting with a returnee is expected to engage whilst they are seated together on the coach, as well as later on the aircraft. The CFMT observed many positive interactions. There was also insensitive behaviour:

- Escorts talking to each other across the coach rather than to their returnee
- Leaving the coach to smoke in full sight of the returnees who were not allowed off for that purpose.

6.4.5 Viewing a DVD or listening to music can help divert returnees during their hours on the coach. There was an inconsistent attitude. Some Coach Commanders facilitated diversion of this sort, others did not.

6.5 **The state of the coaches.** One of the coaches used at the end of May was not road-worthy. It was elderly and overheated. It had to pull off the road in a safe area. The returnees and staff in it were later moved to another coach. There was something fundamentally wrong with a coach used in September; a lot of noise and juddering during the journey. The driver was reluctant at one point to turn off the ignition in case the engine would not then re-start.

6.5.1 Last year the CFMT recommended the Escort Contractor ensure its transport supplier provided coaches with WCs and washing facilities fit for purpose. The same failures were noted again this year. Examples:

- in March, the WC in one of the coaches had no light and no water. It was out of action for the whole time the returnees were in it.
- in September a WC was so unpleasant as not to be usable during the road journey and in December a WC was vile.

The WCs on coaches, when they work, do not have the capacity to meet requirements in decent conditions. The standard of provision does not recognise the length of time some have to spend in these vehicles. **This underscores the imperative of offering every returnee a comfort break before leaving the IRC.**

6.6 **Boarding the aircraft. Returnees were not consistently treated with dignity.** As they came off the coach, one by one, they were told their arms would be held as they walked up the aircraft steps. Not all welcomed this unsolicited contact. Some were rushed up the steps. The CFMT also observed instances of good practice. Extra care was taken with some older returnees and those with mobility problems.

6.6.1 Returnees were often not told they would be filmed walking up the steps. Filming continued as they were escorted (arms still held) to their seats in the cabins. The CFMT

did not once hear returnees warned that filming would continue inside the aircraft cabins.

6.7 The flight. The levels of engagement between an escort seated by a returnee tended to abate once the aircraft had taken off, and sometimes for understandable reasons – the returnee had fallen asleep. There were several exceptions. For example, the escorts assigned to travel with a particularly distressed man managed to calm him during the flight although he became tearful again when the flight landed.

6.7.1 However, as last year, the CFMT again observed escorts asleep whilst the returnee in their charge was awake. The CFMT again does not have confidence in the respite opportunities which spare escorts on a flight are intended to provide.

6.7.2 The demeanour of some escorts attending the on-board “surgery” was intimidating: the surgery is referred to in paragraph 7.1. One typically knelt in the row in front of the applicant returnee, facing him or her, often moving closer as the surgery progressed. This proximity was not warranted – there was no apparent security risk. The CFMT observed applicants, faced by a large glowering escort, deterred from presenting their case as fully to the CIO as they might have wished.

6.7.3 Parts of the aircraft cabins were cold. Returnees were again not offered pillows or blankets. This is the standard approach; not individually risk assessed.

6.7.4 Hot and cold drinks and two cooked meals were served on the flights to West Africa and to Islamabad, and one cooked meal on the Albanian flights. A snack was offered during the June TCU removal.

6.8 Disembarkation at the receiving port. Local immigration officials and/or the Police boarded the aircraft soon after landing and liaised with the CIO. Returnees were then usually called forward one by one, left the aircraft and walked to a waiting coach or shuttle bus parked nearby. Their luggage was taken in a separate vehicle. Most returnees left the aircraft voluntarily and peacefully, sometimes exchanging warm good byes with their escorts.

6.9 Lavatory access during the journey. Returnees were again denied privacy when using the WC on the coach or the lavatory on the aircraft. The door was always held slightly ajar. This is the standard approach, not individually risk assessed. Again, the CFMT heard no one told why this approach was considered necessary. Some returnees objected to it.

6.10 Interpreting services. Professional services were not offered despite the patent need in some cases, evidenced below. **These returnees were denied respect.**

6.10.1 The CFMT was told that senior escorts had a Capita-approved translation app on their mobiles but did not see it used either during the discharge process or later. A few escorts speak languages in addition to English which is helpful but the CFMT did not

observe managers making any attempt to manage the problem other than on an ad hoc basis. Examples:

- A significant number of returnees on the TCU removal did not appear to understand English. There was no attempt to close this gap during the discharge process at the IRC from which 28 of them left. The escorts continued to shout instructions in English.
- A middle-aged woman returning to Pakistan spoke no English. The escorts assigned to look after her on the coach and then again on the aircraft did not speak her language. A female escort who did, visited the woman a few times to explain things. No attempt was made to match the woman's need with the escort's skill by, for example, seating them together on either the coach or the aircraft.

6.11 Arrangements for female returnees. Women were always accompanied by female escorts on the coach and again on the aircraft. Use of the WC on the coach or the aircraft lavatory was supervised by female escorts. The women boarded the aircraft separately from the men and were seated apart from the main male cohort. Supervised access to a WC or a lavatory is particularly demeaning for women.

6.12 Vulnerable returnees The CFMT observed acts of kindness towards vulnerable returnees. Examples:

- The Coach Commander decided that a man who was very distressed during the discharge process should be spared the coach and travel instead in a separate vehicle which afforded him greater privacy.
- Blankets were put up around the seats in the front cabin occupied by a disabled female returnee to give her some privacy. Her female escorts helped her to stretch out to sleep.

6.13 A potential change for the better

6.13.1 This report records ways in which returnees were demeaned, denied dignity, treated in the round as problematic rather than as adults understandably not wholly enthusiastic about their enforced removal, despite the fact that so many co-operated with the decision on the day.

6.13.2 The CFMT learned in December that HOIE intend a Charter Flight information Booklet. The CFMT was invited to comment on the then draft. It assumes no change in standard practices. The approach is to give returnees better notice of what will happen

- on discharge from the IRC,
- during the road journey,
- at the departure port and

- during the flight.

The booklet is also intended to spell out returnees' continuing right to invoke the official Home Office Complaints procedure during the removal process.

6.13.3 If such a booklet is published,

- in the terms the CFMT suggested in response to the draft and
- is made widely available to returnees in their own languages,

returnees will at least be given a little more respect than they were accorded this year, simply by virtue of advance notice of what will happen.

7 EQUALITY AND FAIRNESS

7.1 **Legal Rights.** The CIO leading a charter flight has discretion whether or not to hold an on-board “surgery”. The surgery gives a returnee the chance of raising issues for the last time with the only person on the flight with the professional competence to address them.

7.1.2 Applicants for a surgery were sifted by the escorts against criteria which appeared to the CFMT to be entirely subjective – whether the escort in question considered the topic a returnee wanted to raise was apt. As last year, the CFMT was not confident that all returnees who wanted to speak to the CIO were allowed to. For example, in September the CFMT had clear evidence that a woman’s access had been blocked. The CFMT brought her to the CIO’s attention. The woman had her conversation.

7.1.3 At the end of November the escort contractor issued an instruction to staff. They were reminded that all returnees’ requests to speak to the CIO were to be referred to the CIO whose role it was to evaluate them. The on-board surgery the CFMT observed in December was well attended. The CFMT hoped this indicated that the long-established practice of sifting had been abandoned.

7.1.4 A surgery was not held during the two flights to Albania in May and August. This is the standard approach, on the basis that the flight is too short. The CFMT has been told that the CIO will, nonetheless, speak to any returnee the escorts bring to his attention. The CFMT has not observed a proactive approach by the escorts on these flights. The CIO leading the flight to Albania in May saw one returnee in his seat, at the CFMT’s request.

7.1.5 A surgery was not held during the TCU removal. Each leg of that flight was short and there was not space in the cabins to accommodate a surgery. However, two TCU officials were on the flight. They simply sat in their seats. They were not accessible to the returnees. They were there simply to observe the charter process.

7.2 **Complaints procedures.** Returnees on the coaches the CFMT travelled on were offered an information sheet, telling them how they may complain about the escort contractor, confidentially.

7.2.1 As last year, the returnee’s continuing right use the official Home Office Complaints procedure was not drawn to attention during any of the discharges the CFMT observed at IRCs nor on any of the coaches on which the CFMT travelled. Coach Commanders have the forms in their packs, in a range of languages appropriate to the returnee cohort, excluding non-English speaking Albanians.

7.2.2 A change was proposed in December: paragraph 16.13.2.

8 HEALTHCARE

8.1 A Paramedic, contracted by IPRS Aeromed, attended the discharge process at each IRC and travelled with the returnees on the coach to the departure port. Two paramedics also flew.

8.2 The returnee's medical notes and any prescribed medication should be handed to the paramedic as the returnee arrives in the IRC discharge area. The CFMT observed the paramedic read the notes, check the medication, and assure the returnee that the next dose due would be given at the appropriate time. Sometimes the paramedic had to prompt the IRC's Healthcare department when not all the medication had arrived. Sometimes medication was discovered in the returnee's luggage and handed to the paramedic, with the returnee watching.

8.3 The paramedics responded to any immediate needs communicated as returnees were being discharged or during the coach journey. The CFMT also observed them assess the reason for pain a returnee was experiencing. Paracetamol was the standard offer. The paramedics checked returnees who had been subjected to use of force, once the restraint had been removed. The CFMT noted escorts were proactive in alerting the flying paramedics to any medical need a returnee expressed during the flight.

8.4. Last year the CFMT observed that returnees were handed their prescribed medication and medical notes shortly before the aircraft landed. The practice changed during this year. Medication and notes were handed en masse to local immigration officials, presumably for later distribution. The CFMT does not know whether this happened.

9 PREPARATION FOR REMOVAL

9.1 A booklet entitled “Coming Home” is potentially available for Ghanaians, and Pakistanis giving information about support services available back home, and other useful information such as about transport links. These booklets are compiled by local charities or NGOs supported by the British High Commission. The edition for Pakistan is in English and Urdu. The CFMT reported last year that it needed to be revised. It has not been. It still cites a support organisation which no longer functions.

9.2 The CFMT has been told these publications are available in IRC libraries and welfare offices. The escorts used to distribute these booklets on the coaches and the CFMT has some evidence that this still happens. Distribution at this point is better than nothing, although too late for a returnee who has not previously seen the booklet to make use of the early sections which contain advice on what to do before leaving the UK.

9.3 There is no equivalent official literature for Nigerians or Albanians – no change from the position last year. This is another example of unfairness.

9.4 The CFMT does not know whether any of the returnees on the TCU removal had been told in advance what to expect when they arrived back in Germany.

9.5 Returnees appeared not to know in advance that they would not have access to their personal mobiles from the point at which they were discharged from the IRC until after they had landed in the receiving country. The escort contractor offered use of company-issue mobiles. To take advantage of this, returnees needed to have selected and written down numbers they might want to call during the journey. They did not know they had to do this until they were being discharged. They were allowed to do so then.

THE WORK OF THE CHARTER FLIGHT MONITORING TEAM

10. The CFMT is composed of IMB members from Prisons, Immigration Removal Centres and non-residential immigration Short-Term Holding Facilities. There were ten team members at the start of the reporting period reduced to seven by the middle of the year with a further resignation in the autumn. Monitoring nine operations during the year was an achievement, given the resource. Further recruitment is intended.

10.1 The rostered CFMT members attend the muster and briefing for the escort contractor's staff, then split up and to go to different IRCs to observe returnees being discharged and travel with them to the departure port and then fly.

10.2 The CFMT presents a report on each operation it observes to HOIE which circulates it to the escorting contractor and (possibly) Detention Operations. Communication between HOIE and the CFMT faltered during the first seven months of the reporting period. There has since been regular dialogue. The escort contractor's response to the nine CFMT reports was limited to the instruction to staff referred to in paragraph 7.1.3.

10.3 The CFMT did not receive applications in the conventional IMB sense but was in touch with returnees whether they, or their escorts, initiated the contact, or just to chat.

APPENDIX

Destination	Date (2017)	Actual returnees	Escorting staff who flew
Islamabad	January	49	94
Lagos/Accra	January	61	135
Islamabad	March	34	64
Tirana	May	46	85
Lagos	May	40	96
Germany	June	30	90
Tirana	August	49	87
Islamabad	September	54	106
Islamabad	December	28	68