

Amnesty International UK

Submission to the Home Affairs Select Committee Inquiry into:

Rules governing enforced removals from the UK

Amnesty International is a worldwide movement of people who campaign for internationally recognised human rights to be respected and protected. Our vision is for every person to enjoy all of the human rights enshrined in the Universal Declaration of Human Rights and other international human rights standards. Our mission is to conduct research and take action to prevent and end grave abuses of all rights – civil, political, social, cultural and economic. From freedom of expression and association to physical and mental integrity, from discrimination to the right to shelter – these rights are indivisible.

For further information contact:

Jan Shaw
Refugee Programme Director
020 7033 1581
jan.shaw@amnesty.org.uk

Oliver Sprague
Arms Control Programme Director
020 7033 1696
oliver.sprague@amnesty.org.uk

Amnesty International

Rules on governing enforced removals

The Use of Force by private security companies during Enforced Removals

1. Amnesty International has been concerned for many years about allegations of ill-treatment by private security escorts during the forcible return or deportation of some foreign nationals from the UK.

2. In June 2005, Amnesty International published: “**United Kingdom: Seeking Asylum is not a Crime: detention of people who have sought asylum**”. The report included claims by some of the interviewees that during attempts to enforce return to their country of origin from the UK they were ill-treated by escort staff and that in some cases excessive force was used.

3. On 29 October 2010 the UK Border Agency announced that it had awarded a new contract for escorting people detained by the UK Border Agency to Reliance Secure Task Management Ltd¹. The four year contract would start in May 2011 and the company would be responsible for escorting detainees, both when in the UK and also on removal flights to home countries. Amnesty International was told that the intention was that current G4S staff responsible for escorting detainees would move to Reliance but this was up to individual staff members.

4. Until the end of April 2011 and for the past five years it has been primarily one company, G4S which has provided escort services to people being forcibly removed from the UK. It is understood that Reliance underbid G4S for provision of these services.

5. This submission brings together allegations of ill-treatment during enforced removals including removals of refused asylum seekers² and looks at what level of force is strictly necessary and proportionate during the removal process by escorts, using accepted methods of restraint.

6. In 2005 following a BBC documentary which reported on vicious behaviour towards those being returned from the UK by private security escorts during the journey from the Immigration Removal Centre to the aircraft, the Prison and Probation Ombudsman conducted a special investigation. The Ombudsman stated that it was “on escorts – in particular, on escorts to aircraft prior to removal – that the potential for abuse of their legitimate authority by staff (and of misbehaviour on the part of detainees) is the greatest”.³

7. Also in 2005 the Medical Foundation for the Care of Victims of Torture released a report “**Excessive force during removal of Immigration detainees**”.⁴ The report found that the use of force against immigration detainees during attempts to expel them from the UK must be limited to that which is strictly necessary and proportionate under the circumstances, using

¹ <http://www.homeoffice.gov.uk/media-centre/news/escort-detainees>

² Although not every asylum applicant is deserving of international protection, many commentators including Amnesty International, believe that the asylum determination procedure is flawed and denies protection to some people who need it.

³ <http://www.ppo.gov.uk/docs/special-oakington-irc-05.pdf> page 3

⁴ <http://www.torturecare.org.uk/resources/publications/2103>

accepted methods of restraint designed to minimise injury risk to all concerned. The report cited fourteen cases after failed removal attempts, where there were allegations that excessive force had been employed.

8. In 2008 Birnberg Peirce and Partners, Medical Justice and the National Coalition of Anti-deportation Campaigns (2008) published its report “**Outsourcing Abuse: The use and misuse of state sanctioned force during the detention and removal of asylum seekers**”.

⁵The report found “an alarming and unacceptable number of injuries had been sustained by those subject to forced removals.

9. The “**Outsourcing abuse**” report presented findings from their dossier of nearly three hundred cases of alleged assault and 48 detailed case studies. Allegations of assault were made by people originating from over 41 countries.

10. Baroness Nuala O’Loan was appointed by the then Home Secretary to independently review the allegations and she presented her report in March 2010. In her Executive Summary she said that the use of force by detention Custody Officers and Escort Officers takes two principal forms: the use of handcuffs and the use of control and restraint techniques.

11. She reported that escort officers are equipped with handcuffs. Leg restrains are also used to facilitate the removal of a non-compliant detainee outside the detention estate. The control and restraint procedures used by contractors working for the UK Border Agency are those used by HM Prison Service.

12. Baroness O’Loan said in her conclusions that examination of the complaint files in the earlier cases indicated confusion as to responsibilities, some lack of training and of understanding of the complaints procedures which applied, and management deficiencies in identifying these problems and addressing them. That situation had now improved and the procedures and policy guidance are better than they were. However there was scope for further development of policies and she made recommendations to address these issues.

13. She concluded that during the period of her examination from 2002 to 2008 there was inadequate management of the use of force by the private sector companies. She had concerns in relation to the guidance, management and training, for the use of handcuffs.

14. Baroness O’Loan’s recommendations on the Use of Force included:

- a review of the training provided for the use of force and of the annual retraining, to ensure that, in any case in which force is used, officers are trained to consider constantly the legality, necessity and proportionality of that use of force;
- On all occasions on which force is used, officers should be required to justify that use of force by reference to the necessity, proportionality and legality of the particular use of force;
- There should be a review of the control and restraint techniques and of the Guidance used to determine what improvements could be made.

15. In August 2009 the HM Inspectorate of Prisons conducted a thematic review on detainee escorts and removals.⁶ In her introduction to the report Anne Owers the former HM Chief Inspector of Prisons noted that : “The behaviour of immigration escort staff involved in

⁵ <http://www.medicaljustice.org.uk/content/view/787/89/>

⁶ http://www.justice.gov.uk/inspectorates/hmi-prisons/docs/Detainee_escorts_and_removals_2009_rps.pdf

removing detainees, particularly those resisting removal, has been a focus of concern for some time.....". She stated that it was essential that there were built-in safeguards to minimise the possibility of over-enthusiastic use of force, or abusive behaviour, and to ensure that those being escorted had the fullest opportunity to complain if they believed that they had been ill-treated. The review found that there were considerable gaps and weaknesses in the systems for monitoring, investigating and complaining about incidents where force had been used, or where abuse was alleged.

16. On 12 October 2010, following numerous documented allegations of harm during the enforced removal process, an Angolan national Jimmy Mubenga died during an attempt to deport him to Angola on a British Airways flight. Eye witnesses told the Guardian newspaper how the 46 year old man was heavily restrained by security guards and that Mr Mubenga had complained of difficulties in breathing prior to his collapse.

17. On 15 October 2010, Scotland Yard's homicide unit took over the investigation into the death of Jimmy Mubenga and MPs called for a wide-ranging and independent inquiry into the UK's deportation system. Rt Hon Keith Vaz MP, the Chair of the Home Affairs Committee said he would be writing the Theresa May, the Home Secretary and G4S about possible questions surrounding the death.⁷

18. The three security guards from G4S were bailed without charge initially until December 2010 and continued on bail during the writing of this briefing, pending further enquiries. Mr Mubenga's death and many other serious allegations of excessive force have led to calls for G4S to be fully investigated. On 17 March 2011 it was reported in the Guardian that Scotland Yard was considering bringing a corporate manslaughter charge against G4S over the death of Jimmy Mubenga. The three security guards from G4S could also face manslaughter charges.

19. At the end of 2010, at a public meeting at the House of Commons called by INQUEST and Medical Justice, the chair of the Home Affairs Select Committee Rt Hon Keith Vaz MP, reassured Jimmy Mubenga's family that "we will not just pick up the issue and drop it," promising to take up the case as soon as the ongoing police inquiries had finished and the CPS had considered whether a prosecution should be brought. He also agreed that the committee should conduct an investigation into the wider issue of the use of force during enforced returns.

20. Prior to the death of Jimmy Mubenga, Joy Gardner a 40 year old Jamaican woman was the last person to have died during deportation from the UK. She was gagged and restrained by police at her home in north London 1993. Thirteen feet of masking tape and a body belt - a leather contraption for pinning the arms which had chains and handcuffs fitted which were compared to slave manacles - were used to restrain Joy Gardner. The officers involved were found not guilty of manslaughter and subsequently the deportation squad was disbanded.

21. Cases sent recently to Amnesty International by the organisation Medical Justice demonstrate that the allegations of ill-treatment during the enforced removal process continue.

- A Moroccan national claims that he was restrained by his arms and legs and was dropped down the stairs of the airplane. His arm was broken.
- A Cameroonian national claims he was struck on the neck, handcuffed and his ear was injured.
- A Zimbabwean claims to have had his wrist broken and that he was bitten
- A Zambian claims to have been strangled.

⁷ Guardian 16 October 2010

- A national from the Democratic Republic of the Congo claims to have been beaten and that his head was banged on the floor.
- A Cameroonian claims to have been assaulted and had a suspected fracture but was not taken to hospital for x-ray

22. During the past year there have been a number of specific allegations of ill-treatment during enforced removals that have been reported including:

A 37 year old Colombian was hospitalised on 6 October 2010 after G4S guards escorted him onto BA flight. He was refused asylum in the UK claimed he was mistreated in the stairwell outside the aircraft where there were no cameras.⁸ There were five attempts to remove him and Amnesty International subsequently learned he was finally sent to Colombia on 14 January 2011.

An asylum seeker from the Democratic Republic of Congo (DRC) claimed he struggled to breathe when security staff restrained him at a Heathrow boarding gate, and feared he was "going to die".⁹ He alleged that escorts put a knee on his chest and sat on him as he resisted efforts to enforce his removal on a Kenya Airways flight to Nairobi in January 2011. He had been in the UK for eight year and had claimed asylum as he is an opponent of the Government and feared return to the DRC.

Two students from London University's School of Oriental and African Studies were taken off of a Virgin Atlantic flight to Nairobi on 5 January 2010 when a man nearby was being forcibly removed from the UK.¹⁰ They said that the man was handcuffed and in pain as he being violently restrained. Other passengers on the plane seated nearby were looking at each other in disbelief at a fellow passenger was who crying out for help and was clearly in considerable distress and pain.

The two students claim the man screamed as he was restrained by three guards who were pinning him in his seat. The students demanded to see the captain which was denied and they were offered seats at the front of the plane so that they would not hear the man screaming. When they continued to voice concerns, the plane taxied back to the terminal where according to them armed police were waiting for them. They were taken off and one of the students said he was questioned under anti-terrorism powers for several hours before being escorted to the underground station at Heathrow.

A refused asylum seekers from Cameroon whose removal on Kenya Airways took place on 9 April 2010 with 14 other refused asylum seekers.¹¹

The Independent reported that he was accompanied by a male and a female escort officer plus a male medical escort. All three were provided by the private security company Group 4 Securicor (G4S). The report also stated that Escorts were authorised to use a variety of techniques to restrain deportees including a "Goose Neck" lock and a procedure called "Nose Control".

⁸ <http://www.guardian.co.uk/uk/2010/oct/21/g4s-jose-gutierrez-deportee-alleged-mistreatment>

⁹ Guardian 23 January 2011

¹⁰ "Witnesses 'thrown off plane' during deportation flight. Guardian 31 October 2010 Matthew Taylor and Paul Lewis"

¹¹ Independent 15 July 2010

He relates in the article that his wrists and legs were handcuffed for the whole flight and that his lip was cut and his wrist and chest were bruised. He was allowed to go to the toilet only with the door open and four guards standing outside.

23. In October 2010 The Times newspaper reported on a secret internal G4S document that it had obtained, revealing the control and restraint techniques used during forced removals.¹² The escorts from the private security companies were allowed to use techniques that the Government's advice warns can lead to skull fractures, blindness and asphyxia. The document shows that its escorts are permitted deliberately to inflict pain by applying pressure to joints, to use handcuffs normally associated with specialist police units, to use nose control or nose distraction, which is essentially a karate chop to the nose.

24. The Times had learnt that the Prison Service is to phase out nose control techniques as a way of restraining inmates in jails in England and Wales because it is considered to be too risky. Its use in juvenile detention centres has already been banned after an inquiry into the death of Adam Rickwood, 14, who hanged himself hours after his face was bloodied by the technique. "Nose control" is not used by police officers.

25. The Home Office has said that the use of force was a matter of last resort if someone became disruptive or refused to comply, or to prevent the returnee from harming themselves. Handcuffs and in exceptional cases, leg restraints can be used.¹³

26. The Home Office does not publish documentation on the "control and restraint" methods used to effect a removal and the UKBA operating standards state that "When the application of force is deemed necessary no more force than necessary will be applied and any such force must be reasonable".¹⁴

27. As reported by the Independent documents obtained exclusively by the newspaper reveal the "control and restraint" techniques used by private detention and escorting officers. These include: Rigid bar, chain link and double-locked handcuffs as well as leg restraints.

28. David Banks Managing Director, G4S Care & Justice Services and Stephen Small, Managing Director of Detention and Escorting gave evidence to the Home Affairs Committee on 2 November 2010 for the Rules Governing Enforced Removals enquiry.¹⁵

29. The Committee was looking at the rules and protocols employed by G4S during enforced removal from the UK prompted by the death 20 days before of Jimmy Mubenga who died while being escorted by two G4S escorts.

30. Mr Banks said that his officers were empowered under legislation to use control and restraint techniques when appropriate. He went on to say that staff are selected for their interpersonal skills. Use of de-escalation techniques is a huge part of their training and the use of force and control and restraint techniques are used as a last resort. These can mean anything from the application of handcuffs to the use of Prison Service approved methods of control and restraint.

¹² The Times "control and restraint" techniques used during forced removals

¹³ Guardian 14 October 2010

¹⁴ Independent 5 July 2010

¹⁵ <http://www.publications.parliament.uk/pa/cm201011/cmselect/cmhaff/uc563-i/563i.htm>

31. He believed that last year control and restraint was used in about 8% of removals. The control and restraint techniques used were those that were developed by the Prison Service and approved by UKBA and that the risks associated with positional asphyxia were a major part of the training programme.

32. Mr Banks told the committee that UKBA wanted to review the use of control and restraint and immediately following the death of Mr Mubenga they did lift the ability of escorts to use control and restraint and after a short period of consideration, those powers were reinstated in full.

33. A member of the committee referred to allegations of behaviour which had been considered inappropriate concerning a detainee's arm being held too tightly, restraint by using an inappropriate neck hold and being left too long in handcuffs and was told that during the five and a half years of the current contracts, complaints alleging assaults specifically relating to control and restraint totalled 186. Such complaints were investigated by the company and by UKBA Professional Standards Unit.

34. Banks said all G4S guards were trained in the dangers of positional asphyxia and denied any of its approved techniques involved pushing detainees' heads between their legs, saying the only technique used involved "lifting their head up".

35. Mr Banks was asked about restraint of the head as there had been photographs and drawing in the newspapers about the restraint of individuals. Mr Small said that there was no training in pushing the head downwards but training in trying to keep the deportee upwards. There were no neck or head holds used. Holds and arm locks are used to keep people down in their seat but it did not involve pushing their heads down. Sometimes their heads were held up when they were trying to put their heads down.

36. Reference was made to the Ministry of Justice's Physical Control in Care Training Manual amended July 2010¹⁶ which identified a number of risk factors associated with the control and restraint procedures. They explained that there were two holds that were discontinued following this publication and that the guidance to G4S employees had subsequently been changed. The two holds were the seated double embrace and the double basket hold. Mr Banks further explained that there was a distraction technique, commonly called the nose distraction technique which involved "a very short chop to the nose" that was discontinued.¹⁷

37. However, three months later it was reported that following Jimmy Mubenga's death, whistleblowers from G4S had given testimony which contradicted the evidence given by the G4S managers regarding a banned restraint technique known as "carpet karaoke."¹⁸ This revealed that G4S managers were repeatedly alerted that refused asylum seekers who became disruptive on flights were being "forced into submission" with their heads placed between their legs. The technique, which is strictly prohibited because it could result in a form of suffocation known as positional asphyxia, was nicknamed "carpet karaoke" by G4S guards.

38. The article revealed that the whistleblowers had repeatedly warned that "potentially lethal force" was being used during the removal process. This evidence had been secretly submitted to the Home Affairs Select Committee following Jimmy Mubenga's death.

¹⁶ <http://www.justice.gov.uk/physical-control-in-care-training-manual-2010.pdf>

¹⁷ The nose distraction technique was suspended by the Ministry of Justice in December 2007, <http://www.publications.parliament.uk/pa/jt200708/jtselect/jtrights/65/6505.htm>

¹⁸ Guardian article G4S security firm was warned of lethal risk to refused asylum seekers 8 February 2011

39. The whistleblowers also alleged that staff were insufficiently trained. Their evidence conflicts with that given by David Banks Managing Director, G4S Care & Justice Services and Stephen Small, Managing Director of Detention and Escorting to the Home Affairs Committee on 2 November 2010.

40. On 9 November 2010 Lin Homer former Chief Executive of UKBA gave evidence to the Home Affairs committee on the work of the UK Border Agency.¹⁹ She was questioned about the award of the contract to the private company Reliance and asked if she was aware of the complaints about the way in which Reliance dealt with people in custody.

41. Ms Homer replied that they looked at the quality of all the major providers as one of the aspects of award, and expected them all to have a complaints system and to be able to show that it was accessible and operated fully and fairly.

42. She was asked if she was aware of the complaints made against Reliance and the case of Gary Reynolds was cited. The Independent Police Complaints Commission (IPCC) completed its investigation into the case of 41 year old Gary Reynolds, who became unconscious while in police custody in Brighton, Sussex.

43. Brighton Custody Suite is run by Reliance, whose staff are not subject to IPCC or Sussex police disciplinary recommendations, despite the IPCC's highly critical findings.²⁰ The statement continued that if any part of the criminal justice system was to be run by private companies it was vital that they are held fully publicly accountable for their actions and omissions.

44. Gary Reynolds' long term prognosis is not known but he has suffered life changing injuries and is currently paralysed on his left side and is suffering from significant cognitive impairment.

45. Hickman and Rose, Gary Reynolds' solicitors reported on 31 January 2010 that he was paralysed down the left hand side of his body and suffers from a permanent brain injury after being found in a coma in his cell in Brighton police station on 2nd March 2008.²¹ Gary Reynolds called for a public inquiry on receiving the report of an investigation by the Independent Police Complaints Commission (IPCC), which highlighted systemic failures by custody staff at Brighton Police Station, who were responsible for Gary's care on 2nd March 2008. The IPCC found a failure "to provide Gary Reynolds with an adequate level of care", which "contributed to Gary Reynolds remaining in a coma longer than he should". The IPCC also found there was a collective failure to carry out a range of highly significant duties required by the Police and Criminal Evidence Act for the care of detainees.

The German deportation/removal process

46. In Germany private security companies are not involved in escorting a person to the aircraft during the enforced removals process. This practice is carried out by the German Federal Police. In general the police are the responsibility of the regional governments, but this is not the case at the airport, stations or at the borders.

¹⁹ <http://www.publications.parliament.uk/pa/cm201011/cmselect/cmhaff/587/10110901.htm>

²⁰ <http://www.hickmanandrose.co.uk/Press-Releases/31-january-2010-gary-reynolds-calls-for-a-public-inquiry-into-systemic-failings-that-almost-killed-him.html>

²¹ <http://www.hickmanandrose.co.uk/Press-Releases/31-january-2010-gary-reynolds-calls-for-a-public-inquiry-into-systemic-failings-that-almost-killed-him.html>

The system in Germany

47. An effective monitoring system was introduced in 2001 in Germany first at Düsseldorf Airport. Frankfurt Airport followed in 2006 and Hamburg in 2010. The tried and tested monitoring system comprises two components:

- monitoring of people who are present for forced returns at the airports in Düsseldorf, Frankfurt and Hamburg airports
- airport forums were established which are responsible for installing the monitors and to which these monitors must regularly report.

48. The committees consist of representatives of governmental and non-governmental organisations as well as the churches. They receive the reports of the monitors and discuss any incidents or problems that have arisen. The forums do not have any legal or official supervisory competences. They see themselves as discussion forums in which problematic situations and matters can be reviewed and clarified.

49. Confidentiality is an important feature of the forums' work. On the one hand the protection of personal data has to be ensured in all governmental activities. Data on individual incidents and other sensitive information is only discussed among the forum members and not made available to third parties. The forums can voice criticism and demand improvements, for example, concerning the protection of the human rights of persons about to be removed.

50. The work of those monitoring removal operations and of the airport forums has led to an ongoing discussion and exchange between representatives of non-governmental organisations and the churches with governmental agencies. The goal of this process is transparency in a sector previously inaccessible to the public.

51. Independent monitoring of forced returns also protects the rights of everyone involved in such procedures. This is true for people facing removal whose fundamental rights may be violated when means of restraint are used, and it is also true for police officials, since the presence of neutral monitors safeguards them against unjustified attacks and accusations.

52. Essential preconditions for the establishment and further development of the monitoring system:

Monitors of removal operations must have:

- access to all relevant data and information while taking the confidential nature of the material into account.
- unhindered access to all phases of the removal procedure, meaning free and uninterrupted monitoring from detention facilities to the interior of the airplane.
- the possibility of accompanying the flight as far as the country of origin, in particular in case of joint removal operations from the European Union.
- unhindered communication with the returnees.
- immediate contact with the official in charge of the removal procedure in case of any problems or incidents.
- a regular exchange of best practices and experience with other German and European monitoring institutions with a view to developing common standards.

Conclusion:

53. This briefing has documented a pattern of excessive use of force by Private Security Contractors during the enforced removals process over a number of years, often employing dangerous and abusive control and restraint techniques that in at least one case, appear to have resulted in the death of an individual in October 2010. This death, and other many similar cases alleging serious abuse by private contractors have continued despite two critical government reports - one produced by Baroness O'Loan March 2010 and the other by the HM Inspectorate of Prisons in August 2009 – which highlighted deficiencies over the accountability, training and techniques employed by these contractors. This suggests there remains widespread and fundamental problems with the use of Private Security Companies in the enforced removals process.

54. In Amnesty International's view, a complete and radical overhaul and reform of the current system is now required to enable the UK Government to meet its legal obligations to protect individuals against human rights abuses. In short, reforms that must drastically improve the accountability, monitoring, oversight, compliance, training and techniques employed during enforced removals.

55. What follows is a more detailed set of recommendations, both for the UK government and Private Security companies, to help prevent serious human rights violations from occurring. Finally a summary of the relevant international human rights standards that apply to the lawful and proportional use of force is provided, obligations that the UK and any companies contracted on its behalf must meet during the enforced removals process.

Recommendations for the UK Border Agency:

56. The roles played by Private Security Companies that have been contracted by States, raise specific and challenging accountability issues for the protection of human rights and international law. Given long standing concerns over the accountability and conduct of private security companies sub contracted to undertake law enforcement or related security operations, the Government should review experience in other EU countries, most notably in Germany, where the state uses its own law enforcement personnel to undertake enforced returns. Their experience suggests that allegations of harm during the removals process are dramatically reduced when state law enforcement personnel are used and independent monitoring is allowed.

57. Where private companies are contracted by the UK government for enforced removals, oversight, contracts must only be awarded, overseen and monitored subject to:

- Explicit acknowledgement that private companies exercising public law enforcement operations including the use of force on the authority of the state, are explicitly bound by the Human Rights Act, other relevant human rights legislation or standards related to law enforcement operations including detention, enforced removals and the use of force.
- Economic incentive, cost or other commercial and or operational requirements must not be a basis for awarding or operating contracts dealing with the humane and lawful treatment of individuals during the removals process.
- Contracts must be dependent upon suitability and robustness of the training and accountability and compliance mechanisms, including risk assessment,

contingency planning procedures, reporting, monitoring and evaluation process to ensure compliance with internationally recognised human rights standards and subject to rigorous external and regular compliance audit and monitoring. The UK government should not allocate contracts to private companies which have been implicated in instances involving the excessive use of force, harm on removal or any act of torture or other cruel, inhuman or degrading treatment.

- To ensure greater public confidence in the removals process, all allegations of harm on removal must be subject, where necessary, to independent investigation by competent body acting with integrity, impartiality and independent from company, government or the complainant's influence.
- To increase transparency and accountability and to mitigate against harm, all removals must be independently monitored by a competent independent body who should accompany, monitor and report on all stages of the removal process, including transport from the place of detention, escorting through airports and on-board aircraft.

58. In these instances, the UK government retains the legal obligation to protect individuals against human rights abuse caused by Private Security Companies as well ensure the right to judicial remedies.

Recommendations for Private Security Companies.

- No person or company can undertake enforced removals without adequate training and annual certification. Training methods should be subject to continuous review, assessment, learning and development based on evaluation of operational experience and should be subject to regular auditing by the UK Border Agency. All training must be geared to help reduce the use of excessive force and must include:
 - all relevant human rights and international legal obligations, human rights legislation and related standards on use of force including the lawful use of control and restraint techniques.
 - modules on dealing with potentially vulnerable groups, ethnic, cultural, religious, age or gender related sensitivities,
 - medical assistance, including the medical and psychological implications associated with the use of different devices and restraints, with particular focus on the differential impacts it may have on different population groups.
 - scenarios based on likely issues faced during enforced removals, such as different types of transportation, escorting, on board aircraft and different categories of individuals being removed
 - training on verbal techniques / de-escalation techniques.
- Private Security Companies should have a clear use of force policy in place to which they can be held publicly to account. The policy should list prohibited techniques and practices, and state its commitment to relevant human rights and international legal obligations, human rights legislation and related standards on use of force including the lawful use of control and restraint techniques.
- There should be an absolute prohibition on any control and restraint techniques that are likely to impair breathing as should strikes to the head and face whose application

can seriously risk human life, cause serious injury or constitute cruel and degrading treatment.

- All use-of-force, including use of restraints, should be reported immediately, monitored and evaluated. Use of Force reports should be thorough and detailed to allow for meaningful assessment to ascertain if each use of force was strictly necessary and proportionate at the time of its application. It must be clearly specified in training and operational procedures that every individual authorised to use force is accountable for each and every application of force and must be able to justify each and every use of such force.
- All use of force must be reported and investigated through robust internal compliance procedures allowing for continual assessment, learning and evaluation, including appropriate disciplinary or other remedial procedures. There must be recourse, to external investigation by a competent independent body free from company or government influence. Private Security Companies should not, in any way, prevent or hinder an external investigation into use of force allegations.
- The use of manual restraints should be avoided unless strictly necessary to prevent imminent threats of serious injury or escape and must not be applied for any longer time than is strictly necessary. No individuals can apply restraints of any kind unless they have been authorised and trained in the use of manual restraints. Only approved restraint equipment and techniques may be used and, within this, preference should be given to less injurious restraints such as soft restraints made from fabric. The use of manual restraints must never be used as a tool of pain compliance, or used in ways that are likely cause unnecessary pain or suffering or heighten risk injury, such as, for example by placing excessive stress on wrist joints, or by over tightening. Rigid bar handcuffs and hinged cuffs should not be used, given their history of abuse
- The use of leg restraints should be avoided in all but the most extreme cases which cannot met with more humane alternative forms of restraint, and must never be applied for prolonged periods. Fabric (soft) leg restraints should be used; metal leg restraints should not.
- All enforced removals should include a designated compliance officer who is qualified as a senior trainer with a supervisory role, a certified medical officer and a certified social and welfare officer.
- The enforced removals process should be subject to a detailed risk management methodology and contingency planning prior to each and every removal to help reduce the use of excessive force or other human rights abuses. To reduce the likelihood of abuse, contingency planning should ensure:
 - adequate resources and capacity are allocated to each removal depending on the likely nature of incidents to be faced
 - a minimum number of trained and authorised personnel necessary to deal with anticipated situations.

Key relevant international standards on the use of force, applicable to any officer acting under the authority of the state.²²

- No person acting under the authority of the state for any law enforcement operations can inflict, instigate or tolerate any act of torture or other cruel, inhuman or degrading treatment or punishment and has a duty to disobey orders to carry out such acts.
- All law enforcement should apply non-violent means as far as possible before resorting to the use of force. All use of force must be strictly necessary, proportional to the threat faced and designed to cause the minimum of pain and suffering necessary to meet its lawful objective. They may use force only if other means remain ineffective or without any promise of achieving the necessary lawful objective. Force, including the use of restraints, must not be applied for any longer time than is strictly necessary.
- Special attention should be given to the protection of human rights of members of potentially vulnerable groups, such as children, the elderly, women, refugees, displaced persons and members of minority groups. Law enforcement personnel should pay particular regard to factors of race, color, gender, sexual orientation, age, language, religion, nationality, political or other opinion, disability, ethnic or social origin when carrying out their duty.
- Law enforcement personnel must ensure that all possible assistance and medical aid are rendered to any injured or affected persons at the earliest possible moment.
- All violations of human rights by law enforcement personnel, including any breaches of these Basic Standards, should be investigated fully, promptly and independently. All law enforcement personnel must report every use of force incident, including the use of restraints, promptly to their superiors, who should ensure that proper investigations of all such incidents are carried out.

²² For more details see, 10 Basic Human Rights Standards for Law Enforcement Officials (1998).
AI Index: POL 30/004/1998.