# £UNITED KINGDOM @Cruel, inhuman or degrading treatment during forcible deportation

Amnesty International is concerned that the methods used by law enforcement officials to restrain people during forcible deportation from the United Kingdom have violated international standards and constituted cruel, inhuman and degrading treatment. The alleged ill-treatment of Mr G, Dorothy Nwokedi, Meya Mangete and Rukhsana Faqir illustrate the organization's concerns about the methods of restraint utilized by law enforcement officials as well as the use of private security firms in some deportation cases.

International standards, including Article 3 of the European Convention for the Protection of Human Rights and Fundamental Freedoms, the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and Article 7 of the International Covenant on Civil and Political Rights, to which the United Kingdom is a party and thus bound to comply, afford all people the right not to be subjected to cruel, inhuman or degrading treatment or punishment.

## Mr G

Two unauthorized methods of restraint were employed during the course of a Ghanaian man's deportation from the United Kingdom: an adhesive mouth gag, applied in the aircraft while still on the runway, and a broad leather body-belt wrapped around him during the transfer from the detention centre to the airport.

Although his appeal against a deportation order had still not been decided, Mr G was taken from a detention centre on 9 June 1993 and forcibly removed from the United Kingdom by members of Scotland Yard's SO1(3) Deportation Squad.[2] He was driven directly to the rear entrance of the aircraft and forced up the stairs and into the back seat and buckled in even though he was still restrained by the body-belt. When Mr G became

[1] This man, featured on London Weekend Television's 8 October 1993 London Programme, has requested that his true identity not be made public.

[2] SO1(3) is a specialist unit of the Metropolitan Police (London Police Force) called in by the Immigration Service to assist in deportation cases, usually when difficulty, resistance and/or violence are expected; its use in deportation cases was suspended by the Metropolitan Police Commissioner in August 1993.

distressed and began to shout, he was held down by one officer and gagged with adhesive tape by the other in-flight police escort.

Meanwhile, Mr G's fiancee arrived at Gatwick Airport and telephoned their solicitor (who was unaware that this forcible deportation was in progress) and was told by the solicitor that the Removal Order had been cancelled by the Home Office. One of the in-flight escorts was paged, told that there was no longer a valid deportation order and that Mr G was free to remain in the United Kingdom. Mr G alleged that although the aircraft was still on the runway at this point, the two remaining SO1(3) officers only laughed and refused to bring him back to the gate. The Immigration Service later apologized and claimed that "despite efforts to the contrary, it was not possible for [Mr G's] removal to be halted".[3]

The use of a mouth gag is not referred to in the Police Self-Defence and Restraint Manual. Charles Wardle, the Parliamentary Under-Secretary of State with responsibility for the Immigration and Nationality Department, has admitted there were no guidelines at that time regarding the use of mouth gags in deportation cases.

The use of the mouth gag was suspended by the Commissioner of the Metropolitan Police in August 1993 after the death of Joy Gardner. On 28 July 1993 this 40-year-old Jamaican woman was arrested by immigration and police officers from the SO1(3) Deportation Squad and the local police station for removal from the United Kingdom. Having been bound and gagged, Joy Gardner collapsed, fell into a coma and was pronounced dead four days later.[4]

The Commissioner of the Metropolitan Police, Paul Condon, called a press conference on 3 August 1993 to express his "sadness and profound regret" over the death of Joy Gardner. The SO1(3) unit's involvement in deportation cases was suspended pending further investigation.

Paul Condon stated that the death of Joy Gardner would be investigated by the Assistant Chief Constable of the Essex Police under the supervision of the Police Complaints Authority (PCA) pursuant to Section 88 of the Police and Criminal Evidence Act 1984.[5]

[3] The Immigration Service in a letter to Mr G's solicitors.

[4] At press time the Joy Gardner case was *sub judice* and Amnesty International is making no reference to any matter that could be in issue in any current case.

[5] It was reported that a different inquiry was to take place under the auspices of Scotland Yard with individual senior officers reporting to the Assistant Commissioner in charge of Specialist Operations who would then submit a report to the force policy committee. As Amnesty International went to press, the Metropolitan Police had not responded to the organization's queries concerning this internal private review.

However, this investigation was not empowered to examine the specific role of the immigration officers involved as the PCA is only authorized to supervise investigations into complaints against police officers.

The PCA/Essex Police investigation was completed on 16 February 1994 and handed over to the Crown Prosecution Service for review. The 230-page report was accompanied by 1,500 pages of evidence, including medical, pathological and neuropathological evidence, Metropolitan Police instructions, immigration documents, tape-recorded interviews with the officers concerned, reports in relation to a number of deportations in which the Metropolitan Police have assisted, and a range of other material. The full report of the results of the Essex Police/PCA inquiry will not be released to the public or members of Joy Gardner's family. The Crown Prosecution Service reviewed the PCA report and brought charges of manslaughter on 26 April 1994 against the three arresting Metropolitan Police officers in connection with the Joy Gardner case. At the time of writing this report, the charges had not yet been considered by the court.

Although the mouth gag was banned altogether by the Home Secretary in January 1994, Amnesty International has received a report that the mouth gag was subsequently used in May 1994. Elizabeth Blanchard, a 37-year-old Nigerian asylum-seeker, was allegedly handcuffed and gagged on 24 May 1994 after police officers from the Thames Valley police were called in by the Immigration Service to Campsfield House, a detention centre in Oxford. Elizabeth Blanchard was to be transferred to Holloway Prison where it was thought she might receive more appropriate medical treatment for her psychiatric ailments. She was initially brought to Banbury Police Station on 25 May 1994, where she remained in police custody for 16 hours until private security guards from Loss Prevention International transferred her to Holloway Prison. When a Senior Medical Officer at Holloway Prison refused to accept Elizabeth Blanchard on the grounds that her condition was too critical, she was taken immediately to Whittington Hospital in North London. She was reportedly unconscious on arrival and placed on an intravenous unit.

The Immigration Service has since claimed that handcuffs were the only method of restraint employed and denied that any form of mouth gag was used during the transfer from the detention centre.[6] Elizabeth Blanchard's solicitors are currently considering taking action against the Home Office for assault and negligence.

## The joint Home Office and Police review of removal procedures in immigration cases involving the police

[6] Amnesty International's information about the use of the mouth gag comes from a sworn statement by an inmate at the detention centre.

After the death of Joy Gardner, Metropolitan Police Commissioner Paul Condon announced that the Home Office and the Metropolitan Police would review removal procedures in deportation cases involving the police. The results of the joint police and immigration service review were disclosed on 12 January 1994 and the Home Secretary, Michael Howard, announced new guidelines outlining the proper usage of physical restraints. The use of mouth gags in immigration deportation cases was banned and arm and leg restraints would only be deployed in "cases where they are really necessary". The guidelines for arm and leg restraint usage mentioned in the Home Office/Police Review of Removal Procedures in Immigration Cases Involving the Police (hereafter referred to as the Joint Review) state that such methods should only be used on board aircraft where "the escorting officer is satisfied that the detainee cannot be adequately restrained with handcuffs and that...there are reasonable grounds to believe that the detainee will use violence...to escape or be so disruptive as to put the safety of passengers and crew at risk". When waiting to board the aircraft, the police officer in charge of the escort may take the decision to use restraints on his or her own authority in exceptional circumstances.

The Joint Review also provided details on the restraint equipment available, including "a broad leather belt which buckles at the rear with a chain ring stitched to the front to which a standard pair of handcuffs is attached [and] two straight leather belts of conventional design to bind the legs together". It also described the mouth gag as "standard pharmaceutical tape two inches wide which could be twisted into a soft narrow rope-like strand to provide a mouth restraint where necessary". The use of the existing restraint equipment for arms and legs has been governed by Metropolitan Police instructions since 1983, yet the Home Office had only recently sought medical advice regarding its safety. Although the body-belt and leg straps, when used properly, were not found to pose a significant physical threat to anyone, the mouth gag was determined to be unsafe. The Home Office guidelines of January 1994 stated that the body-belt with handcuffs should not be used where any medical risk might be involved, should be fitted no higher than the abdomen, and should be removed at the first sign of physical distress. The person wearing the body-belt should be allowed to sit or stand upright in order to avoid "positional asphyxia".[7]

From 1992 to the end of 1993, the body-belt was deployed in 37 out of the 139 deportation cases where in-flight escorts were provided by the Home Office and the mouth gag in six of those. Reportedly, in 102 of those 139 cases, the deportees were handcuffed

[7] David Veness, the Assistant Commissioner for Specialist Operations for the Metropolitan Police, stated in a 22 June 1994 letter to Amnesty International that this type of equipment "was only issued to the deportation group of SO1(3) [and] the exact history of the design of the restraint equipment used by SO1(3) is not known at present but research is continuing". At the 3 August 1993 press conference Paul Condon explained that "[SO1(3)] assist[s] particularly in relation to putting people on aircraft and in ensuring people were restrained on aircraft for the safety of other passengers. In such circumstances restraining techniques were used; among the specialist equipment was a belt with handcuffs attached which was to be used on the plane."

while they were taken to the airport and flown back to their country of origin.[8] The squad provided in-flight escorts in 50 per cent of cases where the person being deported was expected to be disruptive. Although private security firms carried out the remainder, the Joint Review pays little attention to their role in deportation cases.

Because the SO1(3) Deportation Squad have not resumed their work since the Metropolitan Police Commissioner's decision in August 1993 to suspend operations[9], private security firms are effecting an increasing number of forcible deportations from the United Kingdom.[10] The Immigration Service stated that it is current Home Office policy to use private security firm staff to assist in deportations, but they reserve the right to use Metropolitan Police officers in particularly difficult cases.[11]

Although the Home Office review recommended specific restraint usage training for state officials, Amnesty International is not aware that private security firms will be obliged to provide this type of training to any of their personnel involved in forcible deportations from the United Kingdom.

## Dorothy Nwokedi

Dorothy Nwokedi, a 31-year-old Nigerian single mother, was deported in July 1993 along with her four-year-old daughter. She alleged that she had been ill-treated by the private security guards authorized by the Home Office to carry out the removal.

In March 1985 a deportation order was issued against Dorothy Nwokedi who had arrived in the United Kingdom in 1982. The Immigration Service agreed not to enforce the deportation order at that time.

[8] Although the Metropolitan Police have refuted these figures, Immigration Minister Charles Wardle confirmed in a 11 January 1994 letter to Barbara Roche MP that 102 of the 139 deportees were indeed handcuffed during the course of their deportation from the United Kingdom.

[9] Assistant Commissioner David Veness, in his 22 June 1994 letter to Amnesty International.

[10] According to Immigration Minister Charles Wardle, between August and December 1993 private security firms handled 93 per cent of all forcible deportations for the Home Office, with local police forces covering the remaining seven per cent.

[11] David McDonough, of the Immigration Service Directorate, in an interview with Amnesty International on 22 June 1994.

On 22 January 1993 Dorothy Nwokedi's solicitor received a letter from the Home Office stating that arrangements would be made to enforce the deportation order against her and her daughter. On 14 February at approximately 6:00am, security guards from Airline Security Consultants (ASC) arrived at Dorothy Nwokedi's home in North London without providing prior notice. Dorothy Nwokedi was not given the opportunity to prepare herself for departure nor was she able to contact her solicitor. There were also allegations that Dorothy Nwokedi was denied medical treatment for minor injuries sustained from an accidental fall. This first deportation attempt resulted in failure when Dorothy Nwokedi became highly distressed, physically resisted removal and the airline refused to transport her in such a disruptive state.

Dorothy Nwokedi's solicitor was later assured by the Immigration Service that they would be notified once removal directions had been set. There was no further communication from the Immigration Service in connection with the removal until a letter was faxed to the solicitors on 9 July 1993 at 10:05am stating "arrangements have now been made to enforce Mrs Nwokedi's removal". It was only after subsequent telephone calls that morning that it was revealed to Dorothy Nwokedi's solicitor that another attempt to forcibly deport her was actually in progress.

Dorothy Nwokedi and her daughter were seized from their home at approximately 6:00am on 9 July 1993 and taken to Gatwick Airport for removal to Nigeria. Eight officials were involved in this removal: one immigration officer who was present until the Lagos flight was ready for take-off, two police officers and five employees of ASC including a supervisor, two in-flight escorts, and two non-travelling escorts.

Dorothy Nwokedi claims she was led to believe she was being taken to prison rather than the airport, was allowed to take only a minimal amount of her belongings with her, suffered great physical distress during the struggle to restrain her and was injured in the process.[12] When Dorothy Nwokedi started to cry after having entered the aircraft, one of the officials allegedly sat on her and the ASC escorts wrapped broad adhesive tape, normally used for securing luggage, around her legs from the knees to the ankles.[13] The Port Medical Inspector prescribed a valium tablet -- administered after take-off -- without checking her prior medical history. Although mouth restraints have never been officially sanctioned by the Home Office, Dorothy Nwokedi was allegedly threatened with a mouth gag if she did not

[12] Dorothy Nwokedi's claims of having suffered contusions and severe thumb injuries could not be substantiated as she never received medical attention whilst in the United Kingdom and is not available for comment in Nigeria.

[13] Immigration Minister Charles Wardle stated in a 27 October 1993 letter to Barbara Roche MP that "it was unfortunate that there was no more suitable form of restraint immediately available than the adhesive tape" and that ASC and the Immigration Service had been "instructed that in future adhesive tape is not to be used as a form of restraint".

agree to cooperate. During the flight, she was placed at the back of the plane in a cubicle, handcuffed by two of the ASC escorts and separated from her daughter.[14] Dorothy Nwokedi claims the restraints were not removed until two hours after take-off; the officers stated they removed the handcuffs as soon as the plane took off and the adhesive tape from her legs shortly thereafter.

The Immigration Service stated that it was satisfied with its own internal investigation into the Dorothy Nwokedi case and was convinced excessive force had not been used. However, in November 1993 the government banned the use of adhesive tape to restrain deportees[15]; this ban was the first change of government policy to result from the inquiries surrounding the forcible deportations of Joy Gardner, Dorothy Nwokedi and Meya Mangete.

## Meya Mangete

In April 1993 Meya Mangete, a 24-year-old asylum-seeker from Zaire, was amongst ten asylum-seekers held in custody at Haslar Prison who protested their detention and appealed for their release, some taking part in a week-long hunger strike. These detainees alleged that on 20 April 1993 they were called to the immigration office in Haslar Prison where they were handcuffed and told by a prison officer that they were to be deported as a result of a letter of protest they had written on 19 April 1993 to the Immigration Service and the Governor of Haslar Prison; some of the detainees claimed that immigration officers attempted to persuade them to withdraw their applications for asylum. These detainees were then transferred to separate locations and Meya Mangete was sent to Dorchester Prison. His plea to obtain political asylum in the United Kingdom was rejected by the Home Office and consequently a deportation order was issued against him.

On 3 August 1993 two private security guards and one immigration officer collected Meya Mangete at Dorchester Prison and told him he was being taken to London. When he arrived at Heathrow Airport, he was handed over to two employees of Airlines Security Consultants (ASC) who were to escort him back to Zaire. Meya Mangete was taken to Terminal 3 where he was forced to sit in a chair after being pulled down violently by the officers. His requests to use the toilet were refused. When Meya Mangete realized he was going to be returned to Zaire, he became frightened, felt compelled to draw attention to

[14] According to Immigration Minister Charles Wardle, "the use even of handcuffs by an escort in any individual case requires the prior authority of a senior Immigration Service officer of at least the rank of Inspector" and that "prior authority for [the use of handcuffs], if needed, had been given by an Assistant Director in Immigration Service Headquarters". (27 October 1993 letter to Barbara Roche MP)

[15] The ban followed an internal investigation by a senior immigration official into the treatment of Dorothy Nwokedi by private security guards hired by the Home Office to effect her removal from the United Kingdom.

himself in any way possible and began to undress. Meya Mangete alleged that the ASC guards became violent at this point, jerking his left thumb back and roughly shoving him into his seat. Another officer elbowed him in the face and drew blood. Plastic restraints were applied to his wrists and his arms were twisted behind his back, causing the plastic to dig into his skin. Meya Mangete sustained injuries to his face, neck, chest and hands.

[photo of Meya Mangete] **Meya Mangete, the 24-year-old man from Zaire, after the 3 August 1993 attempt to deport him, with a facial wound on his right cheek.**

Four police officers arrived shortly thereafter, reportedly ordered the private security officers away, cut off the plastic restraints and helped Meya Mangete to his feet. He was handcuffed with his hands behind his back and escorted to a nearby police station where the handcuffs were removed. Meya Mangete was allowed to phone his solicitor and was returned to Dorchester Prison where he received medical attention for his wounds the following day.

After its own internal investigation, the Immigration Service stated it was satisfied that no excessive force had been used during the 3 August 1993 attempt to remove Meya Mangete from the United Kingdom.

Solicitors for Meya Mangete continued to make representations on his behalf, but on 26 November 1993 Meya Mangete was taken from Dorchester Prison and deported from the United Kingdom to Zaire. He was initially arrested by Zairois authorities, but was then released; he subsequently fled to Luanda, Angola.

## Rukhsana Faqir

On 15 August 1993 Rukhsana Faqir, a 23-year-old Pakistani woman, was arrested in Walsall for removal subsequent to a 29 July 1993 deportation order after applications for exceptional leave to remain were rejected by the Home Office.

While visiting a nearby cousin, Rukhsana Faqir was served with a deportation order and in the process, suffered great physical and mental distress at the hands of the four to five immigration and police officials who arrested her. Rukhsana Faqir claimed that she was dragged down the stairs and thrown on a settee. The officers are alleged to have slapped her face. The Immigration Service was aware of Rukhsana Faqir's state of depression and knew that she had been receiving medical treatment for the five weeks prior to her arrest.

When taken to Manor Hospital in Walsall, Rukhsana Faqir states that she was unable to stand on her own and that her requests for assistance and water were ignored. From the hospital she was taken to Walsall Police Station pending her transfer to Manchester Airport and deportation to Pakistan on 17 August 1993. Rukhsana Faqir states that although she was unable to sleep due to the pain she suffered as a result of the manner in which she was arrested on 15 August, no medical treatment was offered. The Home Office claimed that she was seen by a nurse at Manchester Airport on 16, 17, and 18 August, that she was provided with painkillers and that a Greater Manchester Police Doctor could find no signs of physical injury and therefore saw no reason for further medical treatment. Rukhsana Faqir nevertheless continued to endure dizziness, headaches and backache.

The removal to Pakistan planned for 17 August was delayed in view of the allegations of criminal behaviour during the course of Rukhsana Faqir's arrest two days prior. The matter was investigated by the West Midlands Police but not referred to the Police Complaints Authority. Upon completion of the inquiry, the Immigration Service stated that it was satisfied with the investigation and saw no grounds for any disciplinary action against any of the officers involved.

When her appeal was sent to the High Court Rukhsana Faqir was transferred to Risley Prison, where she remained until her appeal was dismissed on 16 December. After more than four months in custody Rukhsana Faqir was deported from the United Kingdom to Pakistan on 30 December 1993.

## The use of private security firms by the Home Office

According to the Joint Review, private security firms are used for in-flight escorts in forcible deportations when a police escort is not readily available. Should the destination be a country where it is thought a police officer might be in danger by virtue of his/her public official status, or a police escort would prove too costly, the services of a private security firm would also be utilized.

The January 1994 Joint Review includes only a brief section on the reasons why private security firms are employed for in-flight escorts and does not mention selection criteria or training procedures. Immigration Minister Charles Wardle has claimed that private security firms are carefully selected based on a number of factors: track record, relevant experience, the qualifications and skills of the personnel employed.[16] According to the Joint Review, until the use of the SO1(3) Deportation Squad in immigration cases was suspended in August 1993, the private sector supplied 50 per cent of the in-flight escorts, managing about 20 cases a month while the Metropolitan Police Deportation Group handled about 12 cases a month.

There are no Home Office restraint usage training guidelines that are known to be specifically directed at private security firms. According to the Enforcement Directorate of the Immigration and Nationality Department, the normal form of restraint used by private security firms is handcuffs and that must be authorized in advance by at least an Immigration Service inspector. Any other form of restraint, ie. belts, can only be used in exceptional circumstances and with prior authorization. In the event that restraints are employed without authorization, the officers involved must report this usage immediately to the Immigration and Nationality Department.

Although the Immigration Service claims to select carefully any private security company employed to provide in-flight escorts, ASC reportedly does not adhere to the standards of the security industry's two self-regulatory schemes sanctioned by the government: the British Security Industry Association and the International Professional Security Association. ASC has also reportedly not chosen to register with the Inspectorate of the Security Industry, a private body established in 1991 to improve regulations amongst security guards. The Inspectorate conducts annual examinations of its members to verify that guidelines are met on staff vetting, training, equipment and finances. The Home Office strongly urged security firms to join the Inspectorate.[17] Because ASC is not on the record as participating in any of the security industry's principal regulatory bodies, it is not clearly bound by British Standard 7499, the only non-compulsory code of practice aimed at security guards.

[16] A Home Office spokesperson said that "technical competence, financial viability and commercial commitment" were taken into account in the evaluation of ASC, a company that, up until 1989, was registered as Sovereign Medical Supplies Ltd and had specialised in the import and export of medical equipment.

[17] Andrew Mackay of the Inspectorate of the Security Industry, in a 1 September 1993 article in the Guardian, stated that "it is surprising the Home Office does not demand in its contracts the basic standards that it has recognized as one of the cornerstones of self-regulation in the industry". He also stated in the 8 October 1993 London Programme that the fact that the British Government does not require the licensing of the private security industry (the second largest in Europe) is indicative of the lack of mandatory regulation for this sector.

At least four of the 240 deportees escorted by Airline Security Consultants (ASC) in 1993 have lodged complaints with the Immigration Service. Dorothy Nwokedi and Meya Mangete were the subjects of two of those complaints. All complaints were investigated by a senior member of the Immigration Service who had no previous involvement in the case; however, the only people reportedly interviewed were those against whom the complaints had been lodged and there was no independent element incorporated into the inquiries. This company, reportedly run out of a private home, is still employed by the government to effect removals from the United Kingdom.

There are two other private security firms that are employed by the Home Office in deportation cases as in-flight escorts: Loss Prevention International Ltd and Air Defence Services.[18] Loss Prevention International has applied for membership in two of the regulatory schemes and as far as Amnesty International is aware, neither company is the subject of any complaints for their services rendered to the Immigration Service.

Amnesty International is concerned that although the private security firms hired by the Home Office are currently enforcing most forcible deportations and removals from the United Kingdom, they are not accountable to an independent statutory body nor do they appear to be obliged to adhere to the law enforcement regulations that apply to police officers.[19]

## The Immigration and Nationality Department of the Home Office

Amnesty International is concerned that complaints made against immigration officers, as well as private security officers, are investigated internally by the Immigration Service without any independent element supervising the inquiry. The following was stated in the 1993 annual report of the Immigration and Nationality Department (IND):

"If IND is to command confidence it must be able to demonstrate that it has the right procedures in place for when things go wrong, as in any organisation they can from time to time. The arrangements for complaints were reviewed in the course of the year. **Ministers concluded that complaints against IND including those involving the Immigration Service (there were 500 such complaints in 1992/1993) were thoroughly investigated and complainants informed of the outcome** [our emphasis]. They decided that confidence in the system for handling complaints against IND staff

[18] Enforcement Directorate, Immigration and Nationality Department.

[19] In a 5 July 1994 speech before the British Security Industry Association, the Home Secretary, Michael Howard, stated that a statutory licensing scheme of private security companies was not warranted as he did not consider the number and type of complaints lodged against private security officers to be substantial enough. (The Guardian, 6 July 1994.)

would be enhanced if there were an independent means of monitoring the system. For this purpose a Complaints Audit Committee is being appointed, comprising three members. The Committee's remit will be to satisfy itself as to the effectiveness of the procedures for investigating complaints; to draw IND management's attention to any weakness; and to make an annual report to the Home Secretary. The Committee will have access to all papers on complaints investigations, but will not be involved in the investigation of individual complaints or decisions in individual cases."

On 8 December 1993 Immigration Minister Charles Wardle announced the formation of the Immigration and Nationality Department Complaints Audit Committee, This three-person body is not part of the civil service and is considered independent by the Home Office yet it has power only to make non-binding recommendations and will not become involved in the investigations that are conducted by senior immigration officers. The Audit Committee will not deal with complaints about ill-treatment or procedural irregularities by immigration officers but will only review decisions in terms of the law.[20]

## International standards

Article 3 of the European Convention for the Protection of Human Rights and Fundamental Freedoms, the United Nations (UN) Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and Article 7 of the International Covenant on Civil and Political Rights (ICCPR), to which the United Kingdom is a party and thus bound to comply, afford all people the right not to be subjected to cruel, inhuman or degrading treatment or punishment.

Article 10 of the ICCPR provides that "all persons deprived of their liberty shall be treated with respect for the inherent dignity of the human person".

Further, Article 3 of the UN Code of Conduct for Law Enforcement Officials provides that "law enforcement officials may use force only when strictly necessary and to the extent required for the performance of their duty". The commentary to this Article "emphasizes that the use of force by law enforcement officials should be exceptional", and instructs that while "law enforcement officials may be authorized to use force as is reasonably necessary...in effecting or assisting in the lawful arrest of offenders or suspected offenders, no force going beyond that may be used".

[20] Claude Moraes, general secretary of the Joint Council for the Welfare of Immigrants, stated in the 8 December 1993 edition of the Guardian that "there is still no permanent independent body or code with statutory force to govern the service's decisions or the widespread brutal handling of deportation cases".

## Recommendations

Amnesty International urges the Government of the United Kingdom to initiate a fully independent and impartial inquiry into the alleged ill-treatment of Mr G, Dorothy Nwokedi, Rukhsana Faqir and Meya Mangete and any other complaint submitted to it. The role and accountability of the police, immigration officers and private security firms in deportation cases should be examined as part of this inquiry; the restraint techniques and equipment and the authorization of methods of restraint should also be scrutinized. The results of the full inquiry should be made public.

The organization calls on the government to bring to justice any law enforcement official[21] alleged to have engaged in cruel, inhuman or degrading treatment, in accordance with international standards, and to take all the necessary steps to ensure that incidents such as those highlighted in this report are not repeated.

Amnesty International is concerned that the failure to initiate an independent inquiry into the issues raised and to make the results public, and the failure to initiate proceedings against alleged perpetrators of ill-treatment could lead to a loss of confidence in the government and law enforcement officials. Such failures might also create a perception that the government condones ill-treatment of the kind alleged to have occurred in the aforementioned cases.

Amnesty International urges the government to enact legislation and regulations in order to provide safeguards to ensure that deportations are carried out in such a manner as to respect all deportees' inherent dignity and that forcible deportations are not carried out in a cruel, inhuman or degrading manner.

Amnesty International urges the government to establish mechanisms for the independent and prompt investigation of all allegations of ill-treatment and complaints against immigration officials and private security officers.

Amnesty International believes that the government should hold all individuals and agencies who participate in the deportation process to the same high international standards applicable to law enforcement officials, whether they belong to the public or private sectors.

[21] The Code of Conduct for Law Enforcement Officials states that "the term `law enforcement official' includes all officers of the law, whether appointed or elected, who exercise police powers, especially the powers of arrest or detention".

Amnesty International calls on the government to create a statutory authority to regulate the Immigration Service and the private security firms it employs, as neither are currently accountable for their actions to an independent body.

Amnesty International urges the government to enact and make publicly available a code of practice for immigration officials who carry out enforcement decisions, so as to eliminate any confusion over their role in the deportation process.

Amnesty International believes that the government should enact and make public criteria for selecting private security firms and should ensure that all employees of such companies are thoroughly trained in the use of lawful restraints. The government should ensure that all regulations related to methods of restraint are applicable to both state employees and contracted agencies.