

Chapter 19 - Index

19	Absconders
19.1	Purpose of Instruction
19.1.2	Use of Terms
19.2	Absconder Action
19.2.1	Initial Action
19.2.2	Absconder notification form
19.2.3	Police National Computer (PNC)
19.2.4	Storage of Passports
19.3	Individual is located or otherwise resumes contact
19.3.1	Form IS274a - Absconder Located
19.3.2	Updating CID – Absconder Located
19.4	‘Level of Harm’ categorisation
19.5	Missing Children/Vulnerable Adults
19.5.1	Inform local Police
19.5.2	Initiate Absconder Action
19.5.3	Police National Computer (PNC)
19.5.4	Missing Child/Vulnerable Adult is located or otherwise resumes contact
19.5.4.1	Missing Child/Vulnerable Adult is located by UKBA
19.5.4.2	In all cases where a missing child/vulnerable adult is located

19 Absconders

19.1 Purpose of Instruction

The purpose of this instruction is to advise all officers whose responsibilities include the notification of an individual who has absconded, or has subsequently been located or has otherwise resumed contact, of the procedures to follow in such circumstances.

[Return to top](#)

19.1.2 Use of Terms

An absconder is defined as;

An Individual who leaves the border control area without permission, escapes from detention, breaches one or more of the conditions imposed as a condition of Temporary Admission (TA), Temporary Release (TR), Bail Or release on a Restriction Order (RO) and whose current whereabouts is unknown.

Note: An individual can only be classified as an absconder if they have previously been served with either Form IS96- “Notification of Temporary Admission to a person who is liable to be detained”; Form IS99- “Recognizance of Applicant” (Bail cases), or Form ICD0343- “Imposition of Reporting Restrictions” (Restriction Orders) and have subsequently failed to comply with one or more of the legal restrictions as to reporting and/or residence set by an Immigration Officer, or an Officer acting on behalf of the Secretary of State, exercising their powers under the Immigration Act, 1971.

[Return to top](#)

19.2 Absconder Action

19.2.1 Initial Action

Once it has been confirmed that contact cannot be made with an Individual, the Individual must be recorded as an absconder.

All ongoing reporting restrictions must be cancelled, including any Electronic Monitoring (EM) requirements.

[Return to top](#)

19.2.2 Absconder notification form

The Caseowner/Operational Staff member must now complete and generate Form IS 274 (Non-Compliance Notification).

When completing an IS274, Staff **MUST** ensure that;

- All details are entered.
- If Information is not known, type ‘None’ or ‘Not Known’.
- If a passport number is entered the ‘issued at/on’ needs to be completed.
- A full description including any distinguishing features is noted.
- The correct Home Office/Port Reference is used.

- The form is signed by the issuing officer with the authorising officer's name and grade legible in block letters. The authorising officer **MUST** be at least **SEO/HMI** grade.

[Return to top](#)

19.2.3 Police National Computer (PNC)

The Police National Computer (PNC) is a national information system maintained and delivered by the National Policing Improvement Agency (NPIA).

[Return to top](#)

19.2.4 Storage of Passports

In order to facilitate the retrieval of all passports and existing identifying documents for those who have absconded and ensure that documentation applications are not made unnecessarily, the location of all such documents should be checked and, if necessary, amended, according to whether they are currently held on a File or in a local document hold.

[Return to top](#)

19.3 Individual is located or otherwise resumes contact

Port absconders located in the field are dealt with by the relevant Local Immigration Team (LIT) or Local Enforcement Office (LEO). Do not serve illegal entry papers in such cases. For non-asylum Port absconders (cases who have sought entry under the Immigration Rules, but have not claimed asylum):

- The LEO/LIT should make contact with the port concerned to notify them that the absconder has been traced. Operational circumstances will dictate whether or not the absconder will be detained by the LEO/LIT.
- The port will retain ownership for the case but **in isolated cases**, ports may ask the LEO/LIT to continue to deal. This will be done with the agreement of the port and the LEO/LIT wherever possible.
- Where LEOs/LITs do take responsibility for a case, they will also take on any subsequent case working enquiries/issues that arise.

- Ports will seek to have detained subjects removed from police cells as soon as possible.
- If an LEO/LIT identifies non-asylum port absconders during the planning of a middle or upper tier operation, they should liaise with the port concerned in order to reach agreement over who should take ownership of the case(s), should the subject(s) be detained.

If a person appears to be a port absconder but no records can be found, treat him as an illegal entrant: interview under caution and follow procedures in Chapter 7 of the Enforcement Guidance if appropriate. (Entry is without leave in breach of section 3(1) (a) of the 1971 Act).

In the case of other absconders, if a person has previously been served with notice of illegal entry, refer the case back to the original LIT or LEO. Circumstances will dictate whether the new LIT/LEO should deal with the case or whether it should remain with the original LIT/LEO, the influencing factors include the amount of time since the original service of papers, the location of the person and whether the previous LIT/LEO wishes to continue with the case.

[Return to top](#)

19.3.1 Form IS274a - Absconder Located

Once an absconder has been located (ie, has been successfully traced, is apprehended by enforcement staff or voluntarily re-establishes contact) the Caseowner/Operational Staff member must complete form IS 274A.

[Return to top](#)

19.3.2 Updating CID - Absconder Located

The Caseowner/Operational Staff member must now update the Case Information Database to note that the absconder has been located.

[Return to top](#)

19.4 'Level of Harm' categorisation

The UKBA is committed to a Harm Reduction Agenda and all cases are now categorised high, medium or low harm (with Category A being the highest). The Harm Matrix allows case owners to assess the level of harm on a case by case basis and, whilst case owners **must** be aware of the harm categorisation linked to each case before any breach occurs, they should also take this into account immediately following a breach, as local Regional resources and arrangements may allow for further robust measures to be applied *in addition* to the procedures in [19.2.1](#), above.

[Return to top](#)

19.5 Missing Children/Vulnerable Adults

Note: For the purpose of this guidance, the definition of a vulnerable adult is limited to a person who has been diagnosed as suffering from a mental illness, arrested or incomplete development of the mind, a psychopathic disorder or any other serious disorder or disability of the mind.

The UKBA is committed to a duty of care towards missing children and other vulnerable persons whereby the details are sent to the Police who record the individual as a missing person and attempt to locate them by various means, including the national missing persons database and contact with the British Transport Police (BTP).

[Return to top](#)

19.5.1 Inform local Police

As soon as the decision has been made, in consultation with a Senior Caseworker, that the individual is missing, the caseowner/Operational staff member responsible must inform the local Police station.

[Return to top](#)

19.5.2 Initiate Absconder Action

If the individual was previously served with a Form IS96- “Notification of Temporary Admission to a person who is liable to be detained”, they will also have been subject to one or more restrictions as to residence/reporting under paragraph 21 of Schedule 2 to the Immigration Act, 1971.

Whilst the vast majority of cases in this category will not have been subject to reporting restrictions, if a Form IS96 has been served they will have been subject to a restriction to reside, by law, at a given location and can therefore be classified as an absconder if they have gone missing.

Note: If a Form IS96 has not previously been served, the missing child/vulnerable adult cannot be classified as an absconder.

If it is confirmed that an IS96 has been served on the individual:

- Proceed as for [19.2.1- 19.2.2.](#)

[Return to top](#)

19.5.3 Police National Computer (PNC)

The Police National Computer (PNC) is a national information system maintained and delivered by the National Policing Improvement Agency (NPIA).

[Return to top](#)

19.5.4 Missing Child/Vulnerable Adult is located or otherwise resumes contact

[Return to top](#)

19.5.4.1 Missing Child/Vulnerable Adult is located by UKBA

If the individual is located by UKBA in the field or subsequently presents themselves to a Reporting Centre:

- Caseowner/Operational staff member immediately telephones the local police station to inform that the person is no longer missing.
- Inform the local Social Services Department by telephone.

[Return to top](#)

19.5.4.2 In all cases where a missing child/vulnerable adult is located

- Proceed as for [19. 3. Individual is located or otherwise resumes contact](#).
- Note that in completing the IS274a, the top right hand corner should be marked “Missing Child/Vulnerable Adult”, as appropriate.

[Return to top](#)