

Criminal casework

The facilitated return scheme (FRS)

The facilitated return scheme (FRS)

About this guidance

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	Safeguard and promote child welfare – This page explains your duty to safeguard and promote the welfare of children and tells you where to find more information.	
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Changes to this guidance

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This page lists the changes to the facilitated return scheme guidance, with the most recent at the top.

Date of the change	Details of the change
19 June 2013	Six month review by the modernised guidance team: <ul style="list-style-type: none">• Minor housekeeping changes.
May 2013	Change request: <ul style="list-style-type: none">• Conditions of acceptance:<ul style="list-style-type: none">○ New download added.
	For previous changes you will need to access the archived guidance. See related link: Facilitated returns - archive .

Related links

See also

[Contact](#)

[Information owner](#)

Links to staff intranet removed

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Categories of prisoner covered by the facilitated return scheme

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	<p>FNOs subject to a PTA can still benefit from the terms of FRS once they have completed their sentence in their home country and are released.</p> <p>FNOs with a mental disorder may also be considered. For more details on how such cases are dealt with, see related link: Detained cases under the Mental Health Acts.</p>	
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Reintegration of applicants

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The role of the International Organisation for Migration

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What the resettlement grant may be used for on return

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How FNOs can find out more about reintegration

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	<p>For each country of origin covered, a contact list is provided with the addresses of relevant organisations service providers, such as:</p> <ul style="list-style-type: none">• hospitals• schools• universities• ministries, and• non-governmental organisations (NGOs). <p>All relevant details about reintegration possibilities, along with advice about how the scheme works and what benefits it offers, appear in a stand-alone information leaflet which can be accessed by Home Office and Prison Service staff (see related link: FRS leaflet from 1 October 2010).</p> <p>This must be issued to FNOs still in custody, or who have moved to immigration detention. This is a useful reference aid when considering whether to take advantage of FRS.</p>	
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The facilitated return scheme (FRS)

How the scheme works

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Applying for the scheme

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The resettlement grant

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The facilitated return scheme (FRS)

Conditions of acceptance

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The facilitated return scheme (FRS)

Delays in departure under the scheme

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The facilitated return scheme (FRS)

Delays in issue of travel documents

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	<ul style="list-style-type: none"> • Some countries have their own identity questionnaires which must be completed, in English and their own language. • If the FNO claims to be a particular identity, any documentary evidence supporting this must be made available if possible. This is sent with all other relevant paperwork to the embassy or high commission. <p>Applicants who are serious about their intention to leave voluntarily under FRS should usually be compliant cases, and so a travel document should be easier to obtain than in non-compliant cases.</p> <p>Delays because of failure of the high commission or embassy to issue a travel document must be carefully monitored. Such delays might be viewed as outside the control of the applicant, but, acceptance under FRS places the responsibility on the applicant to assist in the documentation process, including applying for such a document in their own right.</p> <p>If you consider a delay has become unreasonable, consideration must be given to withdrawing acceptance under the scheme.</p> <p>If acceptance is withdrawn for this reason, you must tell the FNO they are eligible to resubmit their application when a travel document is available, and remind them, they can approach their high commission or embassy to obtain a passport or other travel document.</p>	
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The facilitated return scheme (FRS)

Action after acceptance and before departure

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	If the FNO raises any issues around excess baggage, this must be referred to the FRS team who will liaise with the IOM, if necessary.	Links to staff intranet removed
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The facilitated return scheme (FRS)

The facilitated return scheme team

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The facilitated return scheme (FRS)

The team's roles and responsibilities

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	<ul style="list-style-type: none"> ○ there are other barriers to removal or deportation. ● Make sure the removals desk update CID to record applicants' departures. ● Return cases to CC workflow team, or a case owner, if the applicant is ineligible for FRS or is rejected. 	
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The facilitated return scheme (FRS)

The team's contact details

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The facilitated return scheme (FRS)

Casework responsibilities for cases accepted under the facilitated return scheme

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The facilitated return scheme (FRS)

Assessment of applications

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The facilitated return scheme (FRS)

Deportation criteria cases

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	<p>If the case is pursued under the Immigration Act 1971, there is an in the UK right of appeal unless that right is disclaimed by the individual. The DO may not be made while a right of appeal against deportation can be brought, or such an appeal is pending. The time limit for bringing an appeal is 10 working days from the date the deportation decision is deemed to served if the subject is not detained, and five working days if the subject is in immigration detention.</p> <p>If a recommendation for deportation is made by a criminal court as part of the offender's sentence, the DO cannot be made while that person can appeal against their conviction or sentence. The time limit for bringing such an appeal is usually 28 calendar days after the date of conviction or sentence.</p> <p>Appeals and further representations against deportation</p> <p>If an FRS applicant brings an appeal against deportation following application and/or acceptance onto the scheme, this must be treated as an indication the individual does not wish to depart under FRS in the near future.</p> <p>The scheme is designed to facilitate early departure, the FNO must be notified that any previous acceptance onto FRS has been withdrawn. The case must then be returned to a CC caseworking team to progress.</p> <p>Any representations made after a DO made under the Immigration Act 1971 is signed must be considered as an application to revoke that DO, and may lead to an in the UK right of appeal.</p> <p>If an FNO, who is the subject of a DO made under the UK Borders Act 2007, makes further representations while still in the UK after appeal rights under section 82(3A) of the Nationality, Immigration and Asylum Act 2002 are exhausted, these must also be treated as an application to revoke the DO.</p> <p>In either case, the further representations must be treated as an indication that the individual does not wish to depart under FRS in the near future.</p>	
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The facilitated return scheme (FRS)

Cases that do not meet deportation criteria

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The facilitated return scheme (FRS)

Eligibility for the facilitated return scheme

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The facilitated return scheme (FRS)

Applicants who are not eligible

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	<p>representations have been withdrawn</p> <ul style="list-style-type: none">• The applicant is subject to reciprocal agreements between the UK prison service and the Isle of Man, and the bailiwicks of Guernsey and Jersey.	
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The facilitated return scheme (FRS)

European Economic Area nationals

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The facilitated return scheme (FRS)

Cases not otherwise meeting the criteria for departure under the scheme

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The facilitated return scheme (FRS)

Factors which may prevent departure under the scheme

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The facilitated return scheme (FRS)

Checks for confiscation or civil forfeiture orders

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	<p>You must consider all applications from FNOs where money is still owed carefully, and on their individual merits.</p> <p>Consideration must be given to the relative costs likely to be incurred if the application under FRS is rejected and Immigration Enforcement must then seek to enforce the FNO's departure by deportation or other removal.</p> <p>Prospective detention costs may also need to be taken into account. These costs must be weighed against the cost of allowing the FNO to depart voluntarily under FRS, and how much money is likely to remain unpaid. Advice must be sought from a senior caseworker for each case.</p>	
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The facilitated return scheme (FRS)

Convictions for serious offences

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	Caseworkers dealing with FRS applications must note rejections will be exceptional. A full explanation for any decision to reject must be given to the applicant.	
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The facilitated return scheme (FRS)

Rejection on the grounds of previous non-compliance

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	<p>get advice and guidance from a senior executive officer (SEO) or senior caseworker.</p> <p>Applicants previously removed under either the FRS or the AVR scheme should be rejected where there is no barrier to their departure.</p> <p>However, an FRS application can be accepted on a case by case basis with the authorisation of the local deputy director, if removal would otherwise be difficult to enforce.</p> <p>Any decision to reject such an application from an applicant who is otherwise eligible must be agreed at SEO level or higher within the FRS team. A full explanation of the decision must be given to the applicant.</p>	
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The facilitated return scheme (FRS)

Provisional acceptance

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The facilitated return scheme (FRS)

Withdrawal of acceptance by Immigration Enforcement

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The facilitated return scheme (FRS)

Withdrawal of acceptance by the applicant

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The facilitated return scheme (FRS)

Complex cases

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The facilitated return scheme (FRS)

Types of British citizen who may be subject to immigration control

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	<p>following its independence, or</p> <ul style="list-style-type: none"> ○ who were citizens of Eire and British subjects before 1 January 1949 and have made a claim to retain British subject status, who are entitled to apply for registration as British citizens, but are otherwise subject to immigration control, and so are eligible to apply for FRS. ● British nationals (overseas) are a category of former British dependent territories citizens from Hong Kong. Most are ethnically Chinese who became Chinese citizens on 1 July 1997 when the territory transferred back to Chinese control, but also opted to retain British passports. Like British overseas citizens, they are subject to immigration control, and so are eligible to apply for FRS. <p>Whilst a foreign national offender (FNO) with a:</p> <ul style="list-style-type: none"> ● British overseas citizen passport ● British national (overseas) passport, or ● other non-British citizen passport <p>may not be exempt from deportation or immigration control, they will become exempt if an application for registration as a British citizen is made and is successful.</p> <p>Before an application under FRS is accepted, the FRS team must confirm an application for registration as a British citizen has not been made or accepted. The nationality correspondence and enquiry team (NCET) deal with enquiries about acquisition of British citizenship. To email NCET, see related link.</p> <p>If the applicant's passport is available, it must be checked to make sure it does not contain conditions, such as a right of abode in the UK, which exempt the applicant from immigration control.</p>	<p>Previous administrative removal</p> <p>Under 18 year olds</p> <p>Foreign national offenders eligible for the tariff-expired removal scheme (TERS)</p> <p>Links to staff intranet removed</p>
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The facilitated return scheme (FRS)

Exemptions from deportation under the Immigration Act 1971

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	<p>meets or appears to meet the above criteria, you must get guidance from a senior caseworker before any decision on the FRS application is made. If the applicant meets the exemption provisions, they are not subject to deportation and as such are not eligible for FRS.</p> <p>Any document issued by the Turkish Republic of Northern Cyprus (TRNC) does not establish the person holding it is an EEA national. Only a document issued by the Republic of Cyprus establishes the holder is an EEA national, and is entitled to free movement within the European Union.</p>	<p>Previous administrative removal</p> <p>Under 18 year olds</p> <p>Foreign national offenders eligible for the tariff-expired removal scheme (TERS)</p>
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The facilitated return scheme (FRS)

Exemption from immigration control

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The facilitated return scheme (FRS)

Limited or indefinite leave to enter or remain in the UK

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The facilitated return scheme (FRS)

Third country nationals with British, exempt or settled spouses or partners

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The facilitated return scheme (FRS)

Third country nationals with EEA spouses or partners

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The facilitated return scheme (FRS)

Detained cases under the Mental Health Acts

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The facilitated return scheme (FRS)

Article 3 or refugee issues

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The facilitated return scheme (FRS)

Service in the British armed forces

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The facilitated return scheme (FRS)

Previous administrative removal

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The facilitated return scheme (FRS)

Under 18 year olds

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The facilitated return scheme (FRS)

Foreign national offenders eligible for the tariff-expired removal scheme (TERS)

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The facilitated return scheme (FRS)

Issuing the pre-paid cash card

About this guidance Categories of prisoner covered by the facilitated return scheme Reintegration of applicants How the scheme works The facilitated return scheme team Casework responsibilities for cases accepted under the facilitated return scheme Eligibility for the facilitated return scheme Factors which may prevent departure under the scheme Complex cases Issuing the pre-paid card Action post-deportation or removal Frequently asked questions	<p>This section tells you how the pre-paid cash cards given to successful applicants on the facilitated return scheme (FRS) are administered in different scenarios, and who is responsible for this.</p> <p>The FRS team in the criminal casework (CC) has sole responsibility for the issue of the pre-paid cash card to successful applicants, and for uploading the remaining sum onto the card following the applicant's departure.</p> <p>Where departure under FRS is agreed, and the ownership of the case is retained in a specialist casework team, such as the minors, mothers and babies team, that team must contact the FRS team to arrange the issue of the pre-paid cash card as required. As soon as removal directions are set, the caseworker must contact the FRS team immediately using one of the numbers below.</p> <div><div>Restricted – do not disclose – start of section</div><div>The information in this page has been removed as it is restricted for internal Home Office use only.</div><div>Restricted – do not disclose – end of section</div></div> <p>Arrangements will then be made by the FRS team to issue the pre-paid cash card.</p>	<p>In this section</p> <p>Departure from prison or immigration removal centre</p> <p>Departure on a charter flight</p> <p>Departure of non-detained cases</p>
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The facilitated return scheme (FRS)

Departure from prison or immigration removal centre

About this guidance Categories of prisoner covered by the facilitated return scheme Reintegration of applicants How the scheme works The facilitated return scheme team Casework responsibilities for cases accepted under the facilitated return scheme Eligibility for the facilitated return scheme Factors which may prevent departure under the scheme Complex cases Issuing the pre-paid card Action post-deportation or removal Frequently asked questions	<p>This page tells you how the facilitated return scheme (FRS) team arrange for the issue of pre-paid cash cards to successful applicants, who are leaving the UK directly from a prison or immigration removal centre.</p> <p>The FRS team must arrange for the card to be uploaded with £500 the day before departure. The card is held by the escorting contractor, who must arrange for the applicant to be given their pre-paid card shortly before they depart.</p> <p>Facilities for securely holding the cards are only available at Heathrow and Gatwick airports. For this reason, all FRS departures must be routed through one of these ports.</p>	<p>In this section</p> <p>Departure on a charter flight</p> <p>Departure of non-detained cases</p>
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The facilitated return scheme (FRS)

Departure on a charter flight

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The facilitated return scheme (FRS)

Departure of non-detained cases

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The facilitated return scheme (FRS)

Action post-deportation or removal

About this guidance Categories of prisoner covered by the facilitated return scheme Reintegration of applicants How the scheme works The facilitated return scheme team Casework responsibilities for cases accepted under the facilitated return scheme Eligibility for the facilitated return scheme Factors which may prevent departure under the scheme Complex cases Issuing the pre-paid card Action post-deportation or removal Frequently asked questions	<p>This page tells teams the actions to take when managing a case following departure under the facilitated return scheme (FRS).</p> <p>The FRS team is responsible for:</p> <ul style="list-style-type: none">• issuing the cash card in cases where a person was not detained and has departed voluntarily• arranging for the remaining payment to be uploaded onto the applicant's card once the International Organisation for Migration, who monitor progress of FRS cases following arrival in their home country, confirm contact within the first month of departure <div>Restricted – do not disclose – start of section</div> <div>The information in this page has been removed as it is restricted for internal Home Office use only.</div> <div>Restricted – do not disclose – end of section</div> <ul style="list-style-type: none">• making sure all other post-removal actions are completed in line with the criminal casework (CC) instructions (see related link: Post removal action), including notifying offender managers• work with the removals desk to make sure CID is updated to accurately reflect the departure under FRS. <p>Caseworking teams or local immigration teams are responsible for:</p> <div>Restricted – do not disclose – start of section</div> <div>The information in this page has been removed as it is restricted for internal Home Office use only.</div> <div>Restricted – do not disclose – end of section</div> <ul style="list-style-type: none">• making sure all other post-removal actions are completed for which they had responsibility, as outlined in local guidance.	Links to staff intranet removed
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The facilitated return scheme (FRS)

Frequently asked questions from applicants

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The facilitated return scheme (FRS)

Contact

About this guidance Categories of prisoner covered by the facilitated return scheme Reintegration of applicants How the scheme works The facilitated return scheme team Casework responsibilities for cases accepted under the facilitated return scheme Eligibility for the facilitated return scheme Factors which may prevent departure under the scheme Complex cases Issuing the pre-paid card Action post-deportation or removal Frequently asked questions	<p>This page explains who to contact for more help with a specific case involving the facilitated return scheme.</p> <p>If you have read this guidance and still need more help with this category, you must first ask your senior caseworker or line manager.</p> <p>If the question cannot be answered at that level, they or you may email the criminal casework operational process and policy team (CCOPPT) (see related link: Email: CCD process team).</p> <p>Changes to this guidance can only be made by the modernised guidance team (MGT). If you think the policy content needs amending you must contact CCOPPT, who will ask MGT to update the guidance, if appropriate.</p> <p>MGT will accept direct feedback on broken links, missing information or the format, style and navigability of this guidance. You can send these using the link: Email: Modernised guidance team.</p>	<p>Related links See also</p> <p>Changes to this guidance</p> <p>Information owner</p> <p>Links to staff intranet removed</p>
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The facilitated return scheme (FRS)

Information owner

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This page tells you about this version of the facilitated return scheme guidance and who owns it.

Version	5.0
Valid from date	19 June 2013
Policy owner	Criminal casework operational process and policy team (CCOPPT)
Cleared by director	Angela Kyle
Director's role	CCD director
Clearance date	28 November 2011
This version approved for publication by	Richard Short
Approver's role	Assistant director, modernised guidance team
Approval date	12 June 2013

Changes to this guidance can only be made by the modernised guidance team (MGT). If you think the policy content needs amending, you must contact CCOPPT (see related link: Email CCD process team), who will ask MGT to update the guidance, if appropriate.

MGT will accept direct feedback on broken links, missing information or the format, style and navigability of this guidance. You can send these using the link: Email: Modernised guidance team.

Related links See also

[Changes to this guidance](#)

[Contact](#)

Links to staff intranet removed