



## Immigration Enforcement

Immigration Enforcement  
Secretariat  
Sandford House  
41 Homer Road  
Solihull  
B91 3QJ

Lewis Kett  
[lewisk@duncanlewis.com](mailto:lewisk@duncanlewis.com)

[www.gov.uk/home-office](http://www.gov.uk/home-office)

Wednesday 22 April 2020

Dear Mr Kett,

### **Re: Freedom of Information request – 57974**

Thank you for your email of 26 February in which you ask:

For October to December 2018 (i.e. Q4 2018), please can you provide the following information:

- How many reports pursuant to Rule 35 of the Detention Centres Rules 2001, were received by the Home Office by medical practitioners in immigration removal centres (IRCs)
- How many detainees were released following the receipt of a Rule 35 report in the same time period.

Please can you break down the figures by the type of Rule 35 (e.g. Rule 35(1), (2) and (3)), by each IRC and for each month.

Your request has been handled as a request for information under the Freedom of Information Act (FOIA) 2000.

I am able to disclose the information you requested in the enclosed annex. Please note that the statistics provided have been taken from a live database, are subject to change as the information on the system is updated and have not been assured to the standard of Official Statistics.

Home Office systems only record a single release reason and it not possible to establish all reasons for a release without examining individual case files. Table 3 provides data on the number of individuals who have been released following receipt of a Rule 35 report without any examination of the reasons for release.

If you are dissatisfied with this response you may request an independent internal review of our handling of your request by submitting a complaint within two months to [foirequests@homeoffice.gsi.gov.uk](mailto:foirequests@homeoffice.gsi.gov.uk), quoting reference **57974**. If you ask for an internal review, it would be helpful if you could say why you are dissatisfied with the response.

As part of any internal review the Department's handling of your information request would be reassessed by staff who were not involved in providing you with this response. If you were to remain dissatisfied after an internal review, you would have a right of complaint to the Information Commissioner as established by section 50 of the FOIA.

Yours sincerely,

**Immigration Enforcement Secretariat**

[ImmigrationEnforcementFOIPQ@HomeOffice.gov.uk](mailto:ImmigrationEnforcementFOIPQ@HomeOffice.gov.uk)



# Immigration Enforcement

## Re: Freedom of Information request – 57974

Annex

### Lewis Kett

For October to December 2018 (i.e. Q4 2018), please can you provide the following information:

How many reports pursuant to Rule 35 of the Detention Centres Rules 2001, were received by the Home Office by medical practitioners in immigration removal centres (IRC)

How many detainees were released following the receipt of a Rule 35 report in the same time period.

#### Notes

- 1 **These figures have been taken from a live operational database. As such, numbers may change as information on that system is updated.**
- 2 Data extracted for Transparency publication, at the end of Q4-18
- 3 Data is provided for Q4-18 only, as requested
- 4 Figures for Larn House, Manchester and Pennine House Short Term Holding Facilities (STHFs) have been excluded in line with published statistics.
- 5 The presented figures may not match with published transparency due to the different methodologies required for splitting the data monthly rather than quarterly as provided in published data
- 6 Table 1 shows the number of unique Rule 35 level (1), (2) or (3) applications made. Where a Rule 35 was made for the same person, at the same level, on the same day, it has been excluded.
- 7 Table 2 shows the number of individuals to which the figures in Table 1 relate. Where an individual has more than one Rule 35 of the same level in the same month at the same centre, only one instance will be counted. However, an individual with R35(s) of different level(s) in the same period will be counted in those respective fields.
- 8 Table 3 shows the number of unique people whose detention restriction has been closed (regardless of reason) **On or After the Rule 35 case was raised and up to 31 Dec 2018**. The number of unique Rule 35 level (1), (2) or (3) applications made have been included in this calculation. Where a Rule 35 was made for the same person, at the same level, on the same month, it has been counted only once.

Our records indicate that...

**Table 1 - Number of Rule 35 (1), Rule 35 (2) or Rule 35 (3) applications raised between 01-Oct-18 and 31-Dec-18, split by month and centre**

<b>Location Rule 35 Raised</b>	<b>Oct-18</b>	<b>Nov-18</b>	<b>Dec-18</b>
<b>Brook House IRC</b>	<b>16</b>	<b>19</b>	<b>15</b>
Rule 35(i) - Health Concerns	0	0	0
Rule 35 (2) - Suicide Risk	0	0	0
Rule 35 (3) - Torture Allegation	16	19	15
<b>Campsfield House IRC</b>	<b>20</b>	<b>21</b>	<b>1</b>
Rule 35(i) - Health Concerns	1	1	0
Rule 35 (2) - Suicide Risk	0	0	0
Rule 35 (3) - Torture Allegation	19	20	1
<b>Colnbrook</b>	<b>23</b>	<b>25</b>	<b>27</b>
Rule 35(i) - Health Concerns	0	1	2
Rule 35 (2) - Suicide Risk	0	0	0
Rule 35 (3) - Torture Allegation	23	24	25
<b>Dungavel IRC</b>	<b>6</b>	<b>3</b>	<b>8</b>
Rule 35(i) - Health Concerns	0	0	1
Rule 35 (2) - Suicide Risk	0	0	0
Rule 35 (3) - Torture Allegation	6	3	7
<b>Harmondsworth</b>	<b>56</b>	<b>61</b>	<b>56</b>
Rule 35(i) - Health Concerns	7	3	0
Rule 35 (2) - Suicide Risk	0	0	0
Rule 35 (3) - Torture Allegation	49	58	56
<b>Morton Hall IRC</b>	<b>23</b>	<b>23</b>	<b>21</b>
Rule 35(i) - Health Concerns	0	1	0
Rule 35 (2) - Suicide Risk	0	0	0
Rule 35 (3) - Torture Allegation	23	22	21
<b>Tinsley House</b>	<b>6</b>	<b>6</b>	<b>3</b>
Rule 35(i) - Health Concerns	0	0	1
Rule 35 (2) - Suicide Risk	0	0	0
Rule 35 (3) - Torture Allegation	6	6	2
<b>Yarl's Wood</b>	<b>28</b>	<b>24</b>	<b>14</b>
Rule 35(i) - Health Concerns	0	0	0
Rule 35 (2) - Suicide Risk	0	0	0
Rule 35 (3) - Torture Allegation	28	24	14
<b>Other</b>	<b>2</b>	<b>3</b>	<b>4</b>
Rule 35(i) - Health Concerns	0	0	0
Rule 35 (2) - Suicide Risk	0	0	0
Rule 35 (3) - Torture Allegation	2	3	4

**Table 2 - Number of Detainees making Rule 35 (1), Rule 35 (2) or Rule 35 (3) applications between 01-Oct-18 and 31-Dec-18, split by month and centre**

<b>Location Rule 35 Raised</b>	<b>Oct-18</b>	<b>Nov-18</b>	<b>Dec-18</b>
<b>Brook House IRC</b>	<b>16</b>	<b>19</b>	<b>14</b>
Rule 35(i) - Health Concerns	0	0	0
Rule 35 (2) - Suicide Risk	0	0	0
Rule 35 (3) - Torture Allegation	16	19	14
<b>Campsfield House IRC</b>	<b>20</b>	<b>21</b>	<b>1</b>
Rule 35(i) - Health Concerns	1	1	0
Rule 35 (2) - Suicide Risk	0	0	0
Rule 35 (3) - Torture Allegation	19	20	1
<b>Colnbrook</b>	<b>23</b>	<b>25</b>	<b>27</b>
Rule 35(i) - Health Concerns	0	1	2
Rule 35 (2) - Suicide Risk	0	0	0
Rule 35 (3) - Torture Allegation	23	24	25
<b>Dungavel IRC</b>	<b>6</b>	<b>3</b>	<b>8</b>
Rule 35(i) - Health Concerns	0	0	1
Rule 35 (2) - Suicide Risk	0	0	0
Rule 35 (3) - Torture Allegation	6	3	7
<b>Harmondsworth</b>	<b>56</b>	<b>61</b>	<b>56</b>
Rule 35(i) - Health Concerns	7	3	0
Rule 35 (2) - Suicide Risk	0	0	0
Rule 35 (3) - Torture Allegation	49	58	56
<b>Morton Hall IRC</b>	<b>23</b>	<b>23</b>	<b>21</b>
Rule 35(i) - Health Concerns	0	1	0
Rule 35 (2) - Suicide Risk	0	0	0
Rule 35 (3) - Torture Allegation	23	22	21
<b>Tinsley House</b>	<b>6</b>	<b>6</b>	<b>3</b>
Rule 35(i) - Health Concerns	0	0	1
Rule 35 (2) - Suicide Risk	0	0	0
Rule 35 (3) - Torture Allegation	6	6	2
<b>Yarl's Wood</b>	<b>27</b>	<b>24</b>	<b>14</b>
Rule 35(i) - Health Concerns	0	0	0
Rule 35 (2) - Suicide Risk	0	0	0
Rule 35 (3) - Torture Allegation	27	24	14
<b>Other</b>	<b>2</b>	<b>3</b>	<b>4</b>
Rule 35(i) - Health Concerns	0	0	0
Rule 35 (2) - Suicide Risk	0	0	0
Rule 35 (3) - Torture Allegation	2	3	4

**Table 3 - Number of individuals whose detention restriction was closed (regardless of reason) On or After the Rule 35 case was raised on CID and up to 31 December 2018**

<b>Location Rule 35 Raised</b>	<b>Oct-18</b>	<b>Nov-18</b>	<b>Dec-18</b>
<b>Brook House IRC</b>	<b>12</b>	<b>15</b>	<b>6</b>
Rule 35(i) - Health Concerns	0	0	0
Rule 35 (2) - Suicide Risk	0	0	0
Rule 35 (3) - Torture Allegation	12	15	6
<b>Campsfield House IRC</b>	<b>19</b>	<b>20</b>	<b>1</b>
Rule 35(i) - Health Concerns	1	1	0
Rule 35 (2) - Suicide Risk	0	0	0
Rule 35 (3) - Torture Allegation	18	19	1
<b>Colnbrook</b>	<b>21</b>	<b>20</b>	<b>12</b>
Rule 35(i) - Health Concerns	0	0	1
Rule 35 (2) - Suicide Risk	0	0	0
Rule 35 (3) - Torture Allegation	21	20	11
<b>Dungavel IRC</b>	<b>6</b>	<b>2</b>	<b>1</b>
Rule 35(i) - Health Concerns	0	0	1
Rule 35 (2) - Suicide Risk	0	0	0
Rule 35 (3) - Torture Allegation	6	2	0
<b>Harmondsworth</b>	<b>47</b>	<b>45</b>	<b>27</b>
Rule 35(i) - Health Concerns	5	2	0
Rule 35 (2) - Suicide Risk	0	0	0
Rule 35 (3) - Torture Allegation	42	43	27
<b>Morton Hall IRC</b>	<b>22</b>	<b>19</b>	<b>12</b>
Rule 35(i) - Health Concerns	0	1	0
Rule 35 (2) - Suicide Risk	0	0	0
Rule 35 (3) - Torture Allegation	22	18	12
<b>Tinsley House</b>	<b>5</b>	<b>5</b>	<b>3</b>
Rule 35(i) - Health Concerns	0	0	1
Rule 35 (2) - Suicide Risk	0	0	0
Rule 35 (3) - Torture Allegation	5	5	2
<b>Yarl's Wood</b>	<b>20</b>	<b>19</b>	<b>6</b>
Rule 35(i) - Health Concerns	0	0	0
Rule 35 (2) - Suicide Risk	0	0	0
Rule 35 (3) - Torture Allegation	20	19	6
<b>Other</b>	<b>1</b>	<b>1</b>	<b>0</b>
Rule 35(i) - Health Concerns	0	0	0
Rule 35 (2) - Suicide Risk	0	0	0
Rule 35 (3) - Torture Allegation	1	1	0