



Ministry  
of Justice



Home Office



Department  
of Health &  
Social Care

*Independent Advisory Panel on Deaths in Custody*

*Chair: Lynn Emslie  
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[www.iapondeathsincustody.org](http://www.iapondeathsincustody.org)

Michael Tomlinson KC MP  
Minister of State for Countering Illegal Migration  
Home Office  
2 Marsham Street  
London  
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18 December 2023

Dear Minister Tomlinson,

I am writing on behalf of the Independent Advisory Panel on Deaths in Custody (IAPDC) to congratulate you on your appointment to the Home Office. The IAPDC is an advisory non-departmental public body co-sponsored by the Ministry of Justice, Home Office, and Department of Health and Social Care with the central aim of preventing deaths – both natural and self-inflicted – in custody.

Your appointment comes at a time of significant challenges – and opportunities – to safeguard the lives of people in custody. People in immigration detention face distinct challenges. It is a population which is inherently diverse and can often present with complex and multifaceted physical and mental health needs.

Following Sir Stephen Shaw's second review of immigration detention,<sup>1</sup> the Home Office commissioned the IAPDC to provide advice on issues relating to deaths, 'near misses', and incidents of serious self-harm in immigration detention.<sup>2</sup> In response, the then Immigration Minister made clear the Government's commitment to taking all possible action to reduce deaths in custody.<sup>3</sup> We welcome progress made by the Home Office in response to the report, including improvements to transparency and learning through better data collection and publication following deaths. However, many of the issues highlighted in the report – including the link between feelings of hopelessness, uncertainty, and suicidality – remain as pertinent today.

We have particular concerns around the operation of the key safeguards in detention for those who are most vulnerable to suicide and self-harm, particularly in the context of the two

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<sup>1</sup> Home Office, 'Assessment of government progress in implementing the report on the welfare in detention of vulnerable persons. A follow-up report to the Home Office by Stephen Shaw', July 2018, available [here](#).

<sup>2</sup> IAPDC, 'Priorities for a prevention of deaths strategy in Immigration Removal Centres', October 2020, available [here](#).

<sup>3</sup> Letter of Immigration Minister to IAPDC Chair, 18 March 2021, available [here](#).

recent deaths at Colnbrook and Brook House immigration removal centres (IRCs) this year, as well as reports of high incidences of suicide attempts. Home Office data recently released through Freedom of Information Act requests indicate that there were 1,743 self-harm incidents and suicide attempts requiring medical treatment between January 2018 and September 2023 across Brook House, Tinsley House, Heathrow, and Yarl's Wood IRCs.<sup>4</sup> This equates to almost one incident per day over a six-year period.

Thankfully, overall numbers of deaths within immigration detention currently remain low relative to other detention settings. However, multiple HMIP inspections,<sup>5</sup> inspections of the Adults at Risk process by the Independent Chief Inspector of Borders and Immigration (ICIBI),<sup>6</sup> and the recent report of the Brook House inquiry<sup>7</sup> have all identified serious systemic failures in the operation and interaction of the key safeguards for preventing deaths in custody, namely the Assessment care in detention and teamwork (ACDT),<sup>8</sup> rules 34 and 35,<sup>9</sup> and Adults at Risk processes.<sup>10</sup>

The IAPDC is deeply concerned that, without urgent and sustained attention to these issues, expansion of the immigration detention estate – including following the coming into force of the Illegal Migration Act 2023 – will see a significant rise in the number of deaths. The effective operation of these safeguards is critical to preventing deaths in detention and must be at the heart of the Home Office's ongoing decision-making in this area.

I would welcome the opportunity to meet with you over the coming weeks to discuss how the IAPDC and I can work with you and your officials to identify and mitigate the risk of deaths in detention through enhancing safeguarding mechanisms, training, and auditing processes. I would also like to discuss the cross-sector learning and collaboration facilitated by the Ministerial Board on Deaths in Custody, which can help to inform this work. I look forward to hearing back from you.

Yours sincerely,



**Lynn Emslie**

Chair of the Independent Advisory Panel on Deaths in Custody

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<sup>4</sup> Guardian, 'Self-harm incident nearly every day in UK immigration detention, data shows', November 2023, available [here](#).

<sup>5</sup> HMIP IRC inspection reports available [here](#).

<sup>6</sup> E.g. ICIBI, 'Third annual inspection of 'Adults at risk in immigration detention' June – September 2022', January 2023, available [here](#).

<sup>7</sup> Brook House Inquiry, 'The Brook House Inquiry Report', September 2023, available [here](#).

<sup>8</sup> Assessment care in detention and teamwork (ACDT: detention services order 01/2022, October 2022, available [here](#).

<sup>9</sup> Rules 34 and 35 of the Detention Centre Rules 2001, available [here](#).

<sup>10</sup> Adults at risk in immigration detention policy, 20 April 2023, available [here](#).