



Home Office

Michael Tomlinson KC MP
Minister of State for Countering
Illegal Migration

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Lynn Emslie
Chair
Independent Advisory Panel on Deaths in Custody

13 March 2024

Dear Ms Emslie,

Thank you for your letter of 18 December 2023 about the work of the Independent Advisory Panel on Deaths in Custody (IAPDC), and your interest in the progress that is being made regarding safeguarding and the prevention of deaths in immigration detention.

The welfare of all those in our care is of the utmost importance and we are committed to safeguarding individuals in detention through statutory policies, established operational processes and our prevention of future deaths in detention strategy is for immigration removal centres (IRCs) that was developed with input from the IADPC.

We accept that some groups of individuals can be at particular risk of harm in immigration detention. This is the basis of the Adults at Risk in Immigration Detention policy, which provides a framework for assessing the appropriateness of the detention, on a case-by-case basis. Under the Adults at Risk policy, vulnerable individuals may be detained only where the evidence of vulnerability in their particular case is outweighed by the immigration considerations. The [Detention Services Order 08/201](#) sets out further details on the care and management of individuals who are deemed to be at risk in immigration detention.

I understand that you are concerned about the operation of key safeguards which have been scrutinised by independent reports, including that of the Brook House Inquiry. As you may be aware, the Government has made significant improvements since 2017 to uphold the welfare and dignity of those detained. Safeguards introduced post the 2016 Shaw Report (Review into the Welfare in Detention of Vulnerable Persons), include the Adults at Risk Policy, the introduction of Detention Engagement Teams and the Detention Gatekeeper. Changes have also been made to operating contracts to increase staffing levels, improve welfare and activities with greater assurance on other safeguarding issues along with strengthening Home Office oversight of use of force and complaints. We remain committed to this and are carefully reflecting on the findings of the Brook House Inquiry report. A cross-Government working group has been established to manage the delivery of recommendations addressing concerns relating to Brook House but also the wider implications and lessons to be learned across the entire detention estate. The Home Office will continue to monitor the implementation resulting from the report's recommendations, as is the case for recommendations from other scrutiny bodies. A response to the report will be published in due course.

The Home Office also remains committed to our 2021 prevention of future deaths in detention strategy, which was informed by the IAPDC report 'Priorities for a prevention of deaths strategy in immigration removal centres'. The concerns you have highlighted around feelings of hopelessness and uncertainty in detention are among topics of research

being carried out by our Analysis and Insight department. We anticipate this research to be complete by spring 2024, and will be carefully considering the findings to inform future decisions regarding detention operations and policies, where appropriate. I know that my officials are in contact with you about this and other aspects of our work to ensure we learn from both deaths and near misses in the detention estate.

In the meantime, we are driving continuous improvements to safeguard vulnerable people in detention. For individuals at risk of self-harm or suicide, the [Detention Services Order \(DSO\) 01/2022 Assessment care in detention and teamwork](#) sets out guidance for staff to ensure the appropriate care and management of these individuals. This DSO, published in October 2022, now includes a more user-friendly ACDT document; improvements to the risk identification and management process; a post closure booklet and a renewed focus on onsite staff working as a team to meet the needs of the detained individual. A refreshed ACDT training package was also developed and rolled out to ensure all IRC staff are familiar with the ACDT process and how it is conducted. I am aware that my officials will shortly be sharing detailed information with you on ACDT following a discussion with the IAPDC on this topic.

The Home Office has committed to conduct a holistic review of the current position with regards to mental vulnerability and how this is managed in immigration detention. This review will consider the existing guidance; [Detention Services Order 04/2020: Mental Vulnerability and Immigration Detention: non-clinical guidance](#) with a view to identifying what action, if any, would be appropriate to take to address any operational and/or policy issues that are identified as a consequence of the review.

Additionally, a review of the Adults at Risk in Immigration Detention policy and Detention Centre Rules 34 and 35 is ongoing. In the interim, a Rule 35 training package is being delivered to medical staff in IRCs. It outlines the standards and key information expected in a Rule 35 report and is intended to improve understanding of the Rule 35 process.

I understand you have recently visited two IRCs and regularly engage with Home Office officials.

Once again, thank you for taking the time to write. I am copying this response to Minister Philp, in his role as co-chair of the Ministerial Board on Deaths in Custody.

Yours sincerely,



Rt Hon Michael Tomlinson KC MP
Minister of State for Countering Illegal Migration