



Home Office

Baroness Lister of Burtersett
House of Lords
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Lord Sharpe of Epsom
Parliamentary Under Secretary of State

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04 March 2024

Dear Baroness Lister

SAFETY OF RWANDA (ASYLUM AND IMMIGRATION) BILL: HOUSE OF LORDS COMMITTEE STAGE

I am writing to follow up the debate in the Lords on day two of Committee (Official Report, 14 February 2024, column 319) regarding Home Office statistics on the those in detention who have suffered torture.

You asked why the Home Office does not routinely collect data about the number of people in detention who have suffered torture, given that the Home Office's rules say that torture is an example of a vulnerable group that needs special support in detention.

The question originally tabled in PQ HL1639 was to ask His Majesty's Government how many asylum seekers who have claimed to be victims of torture have been detained at immigration centres.

Although the Home Office hold statistical data for detainees who claim to be victims of torture and thus have a Rule 35 report made by a medical practitioner, the data is not broken down into case types. To provide data to respond to the PQ, which asks exclusively about asylum seekers, officials would have been required to carry out a manual search of several records at a disproportionate cost.

Immigration Enforcement data, included within the Home Office's published quarterly transparency data includes the number of reports made by a medical practitioner to the Home Office under Rule 35 on individuals in immigration detention by level (1, 2 and 3).

I have annexed the table of information detailing the number of reports made by a medical practitioner under Rule 35 for individuals in detention centres. This is routinely published, and the data has been taken from: [Immigration Enforcement data: Q3 2023 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/statistics/immigration-enforcement-data-q3-2023)

I am copying this letter to Lord Anderson of Ipswich, Baroness Chakrabarti, Baroness D'Souza, Lord Clarke of Nottingham, The Lord Bishop of Bristol, Lord Deben, The Lord Bishop of Leeds, Lord Scriven, Lord Cashman, Lord MacDonald of Salford, Baroness Bennett of Manor Castle, Lord Hoffman, Lord Purvis of Tweed, Lord Green of Deddington, Lord Coaker, Lord Falconer of Thoroton, Baroness Kennedy of The Shaws, Lord German and Baroness Butler Sloss and Lord Ponsonby of Shulbrede.

I will also place a copy of this letter in the library of the House.

Yours sincerely,

A handwritten signature in cursive script that reads "Sharpe of Epsom".

Lord Sharpe of Epsom
Parliamentary Under Secretary of State

Annex A:

Rule 35 of the Detention Centre Rules 2001 ensures that vulnerable detainees are brought to the attention of those with direct responsibility for authorising, maintaining and reviewing detention. Rule 35(1) reports relate to health concerns, Rule 35(2) reports relate to suicide risk, and Rule 35(3) reports relate to allegations of torture. One detained individual may have Rule 35 reports raised at more than one level in a given quarter.

For this the reason, the "Total" row for the number of detainees that Rule 35 reports relate to in a given quarter may not equal the sum of the preceding rows (which provide the number of detainees at each Rule 35 level).

DT 03: Data taken from Immigration Enforcement data: Q3 2023 - GOV.UK (www.gov.uk)

Reports made by a medical practitioner to the Home Office under Rule 35 on individuals in immigration detention by level (1, 2 and 3) 1,2,3 (2023)

Quarter	Rule 35 level	Rule 35 reports made by Medical Practitioner to Home Office	Of which:- Number of detainees Rule 35 reports relate to ⁴	Rule 35 (detention release) reports made by Medical Practitioner to Home Office
2023 Q1	Rule 35 (1) - Health Concerns	8	8	6
2023 Q1	Rule 35 (2) - Suicide Risk	3	3	1
2023 Q1	Rule 35 (3) - Torture Allegation	458	440	178
2023 Q1	Total	469	449	185
2023 Q2	Rule 35 (1) - Health Concerns	16	16	10
2023 Q2	Rule 35 (2) - Suicide Risk	6	5	3
2023 Q2	Rule 35 (3) - Torture Allegation	607	589	215
2023 Q2	Total	629	606	228
2023 Q3	Rule 35 (1) - Health Concerns	15	15	10
2023 Q3	Rule 35 (2) - Suicide Risk	2	2	0
2023 Q3	Rule 35 (3) - Torture Allegation	561	552	198
2023 Q3	Total	578	568	208