



ANNEX C

DETENTION SERVICES ORDER 9/2016 – DETENTION CENTRE RULE 35

Rule 35(3) report – concerns that a detainee may have been a victim of torture

Section 1: Detainee's details

Forename(s):	D2567		
Surname:			
Date of Birth:	DPA	HO reference number:	12218965
Immigration Removal Centre:	Gatwick Immigration Removal Centre		

Section 2: Detainee's authority to release medical information

The detainee named above has authorised the release of the medical information in this report in line with the guidance in DSO 1/2016 – The Protection, Use and Sharing of Medical Information Relating to People Detained Under Immigration Powers.

Section 3: Medical practitioner's report
(Please read the notes at the end of this form)

I have examined the detainee named above in my capacity as an immigration removal centre medical practitioner and hereby report that I have concerns that the detainee may have been a victim of torture. This is a factual report rather than a medico-legal one.

I understand that torture in this context means:

Any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. It does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions.

I also understand that it includes such acts carried out by terrorist groups exploiting instability and civil war to hold territory.

Section 4: Detainee's account

Please provide details of the account given to you by the detainee of the alleged torture. In particular, please provide:

- as much detail as possible about the detainee's explanation for the cause of each injury, scar or symptom (physical or psychological).
- details of when, where, how, over what timeframe and why the torture is said to have happened, if possible.

Says he informed Home Office 01/04/2017 of this torture.

- He escaped DPA Iraq and made his way to Turkey for safety where he was forced to work as a slave for a group of Kurdish Mafia, for a period of 3 years during which he was a cook but endured torture.
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- He was made to be a slave for 3 years in Turkey for a Kurdish mafia group.
- They would beat him with wood to the back of head.
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- At the age of 13 (2008), he was raped anally upto 20 x and they would twice force him at knife point (he shows me scars to the right foot)
- He tried to kill himself 1 x in Turkey and 2 x in UK.
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- In the IRC, he informs me that he becomes tearful and explains he walks around ashamed thinking that others will know all about him, especially those from his country.
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- He feels he wants to die. He feels no one cares about him and there is no place for him.
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- He has difficulty sleeping. He has a brother in London and he wishes to live with him. He thinks of his dead mother every day, who was killed in Iraq. He is unsure of the whereabouts of other family members.
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- He has says he always has bad dreams of the events from 2008.
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- He also mentions that 2 months ago he was physically attacked in Dunkirk by a group of random men who hit him to the back, but there are no scars present. He says he did attend hospital.

Section 5: Relevant clinical observations and findings

Please provide details of your objective clinical observations and findings. This should include:

- details of all scarring or other physical marks, psychological symptoms, physical disability or impairment.
- details of any medical or professional treatment/support that the detainee has received (including outside the UK) or is receiving and from whom.
- any information in respect of previous or current physical or mental health problems which may be a result of having been tortured.

See above.

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He appears vulnerable. He does have some scarring to his foot but no other marks. In addition to the scars he has mentioned has also evidence from self-harming 03/04/2017 whilst at IRC.

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He has been seen by mental health team and has difficulty sleeping and displays symptoms of depression and general low mood.
As mentioned

Section 6: Assessment

Please set out your reasoned assessment of why, on the basis of the detainee's account together with your own examination and clinical findings, you are concerned that the detainee may have been a victim of torture. This should include your assessment of:

- the consistency of any physical (eg scars) and/or psychological findings with the detainee's allegations, including any evidence to the contrary
- whether there might be other plausible causes for the findings
- the impact detention is having on the detainee and why, including the likely impact of ongoing detention

If there are no physical or psychological findings to support the detainee's account, you must state why, in your professional assessment, you nevertheless have objective grounds for your concern.

He describes a 3 year period of slavery with periods of physical and sexual abuse (and torture). I think there is a strong likelihood of torture and deterioration in this environment (note self harm). He appears a credible individual. His scars are consistent with his account despite paucity.