



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):	D668		
Surname:	D668		
Date of Birth:	DPA	HO reference number:	7412940
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.

Pt. claims he was tortured between 2000 and 2007, in Ivory Coast in Abidjan. He mentions in the year 2000 after the presidential election he went to [Sensitive/Irrelevant]

[Sensitive/Irrelevant] He mentions he walked to the presidential palace. He mentions he arrived on the bridge facing military soldiers who tried to shoot at him and others. He mentions he ran back and was caught. He mentions he was beaten and mentions bleeding on his mouth. He mentions he was beaten on the buttocks by a metal object. He mentions she passed out. He mentions waking up in hospital bed.

- He mentions in 2002 he mentions he was in his house and mentions being caught by police for an arrest because he was [Sensitive/Irrelevant] [Sensitive/Irrelevant] and hiding weapon. He mentions being beaten on the face and the nose. He mentions being dragged. He mentions he was on gun point. He mentions he was taken to the police station and was taken to an underground jail where 12 others were there. He mentions being left there overnight. He mentions he was taken out of the cell and was beaten again and was naked and then he was hit again. He mentions he confessed to what they wanted him to say. He mentions he lied to save his life. He mentions he was dizzy and was sent to hospital and was there for 2 days. He mentions he was picked up.
- The third time in November 2006 he mentions he went to [Sensitive/Irrelevant] on the street. he mentions he came home, He mentions answering the door. he was being arrested again. He mentions opening the door. He mentions there were 4 people. He mentions he was being arrested as he was a trouble maker. He mentions he was taken to prison. He mentions being beaten again. He mentions he was kept there for a day. He mentions spending 2 days. He mentions he lost consciousness and then went to hospital. He mentions he had a broken left hand.
- He mentions after this he was beaten again in Feb 2007 by police man again. He mentions he was caught on the street. He mentions he was sent to a police cell. He mentions he lived elsewhere until 2009. He mentions after this he left to come to the UK.

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.

He shows me multiple scars. 2 on the back and one on the left back of hand. Right foot scar and left lower leg scar. All scars between 2-7 cm,

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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.

Hi scars may be due to his account.

Section 7: Signature

Signed: Signature

Printed name: *Dr. Chakrabarti*

Position and qualifications: *MBBS, MRCGP*

Date: 24 Jul 2017

If other healthcare professionals have supported you in examining the detainee and/or in producing this report their details must be given below:

Signed:

Printed name:

Position and qualifications:

Date:

Signed:

Printed name:

Position and qualifications:

Date:

Signed:

Printed name:

Position and qualifications:

Date:

NOTES – for the medical practitioner

The requirement to report need only be triggered by you having a concern that the detainee may have been a victim of torture. However, you should not make a report where the detainee's experience of harm or mistreatment does not meet the definition of torture given in section 3 above, or where you do not have clinical concerns that the detainee may have been a victim of torture, including instances where there is no basis for concern other than an unsupported claim by the detainee to have been a victim of torture.

Your report must be completed legibly, with all questions being completed fully. Consideration of the report will be delayed if Home Office officials have to return the report to seek clarification.

If the Home Office request clarification of any point in this report, this must be provided promptly.

Once completed this report must be faxed to the Home Office IRC Team.

A signed copy of this report must be placed on the detainee's medical record and another signed copy provided to the detainee free of charge.

The Home Office response must on receipt be reviewed by the medical practitioner. If it is considered to unsatisfactorily address the original concerns, it must be escalated to the Home Office IRC Team.

NOTES – for the Home Office caseworker

You must consider and respond to this report in line with the guidance and instructions in:

Chapter 55b Enforcement Instructions and Guidance – Adults at Risk in Immigration Detention

Detention Services Order (DSO) 9/2016 – Detention Centre Rule 35

Annex B – Authority for Release of Healthcare/Medical Information

I, **D668** (Home Office Reference: **7412940**....) hereby give my informed consent for a copy of my healthcare/medical information to be released to the Home Office.

I confirm that I have had explained to me and fully understand that this (i.e. the purpose for this information sharing) is in conjunction with my immigration matters and may be shared with other agencies (from the list below) as deemed necessary by the Home Office after I sign this form.

I understand that the information I have allowed to be released to the Home Office will be treated in confidence but may be disclosed to other government departments, agencies, foreign governments and other bodies for immigration purposes.

Details:

I confirm that I have had explained to me the reason why my information may be shared.

Details:

I confirm that I have had explained to me how this information will be stored/secured and how it will be disposed of when it is no longer necessary for the above purpose/purposes.

Details:

I am aware that I reserve the right to withdraw my consent at any time; and I can do this by notifying the Healthcare team myself

Signature:

Signature

Name:

D668

Date:

24/07/17

For personnel obtaining consent:

I have explained to the detainee and checked their understanding of what this information will be used for - ☒ Yes

I have explained to the detainee and checked their understanding about how this information will be stored/secured and how it will be disposed of when it is no longer necessary for the above purpose/purposes - ☒ Yes

I have explained to the detainee and checked that they understand who will have access to this information - ☒ Yes

This has been done by using a language translation service or a language understood by the detainee - ☒ Yes/No

Details

this.....

Person seeking consent – name and signature: Eavan Owens

Signature

Organisation: G4S

Contact number:

Date: 24/07/17