

TITLE	Gatwick Immigration removal centre Rule 35 – Gatwick IRC Brook House and Tinsley House
Author and Date	Sandra Calver 24 th November 2021
Background and Purpose	<p>Article 3 of the human rights act 1998 refers specifically to the right to life without torture or degrading treatment or punishment. Article 4 refers specifically to the prohibition of slavery, forced labour or servitude.</p> <p>Practice Plus Group believes that every individual has a right to:</p> <ul style="list-style-type: none"> • Live their lives free from violence and abuse • Be protected from harm and exploitation • Independence, which involves a degree of risk <p>Such rights are underpinned by the principles identified within Human Rights Act 1998. For the specific purposes of this local process it is important to reference article 3 and 4 of the human rights act specifically.</p> <p>Immigration removal centres are responsible for the care and welfare of a vulnerable and marginalised cohort of people and, as such, robust and clear processes are required.</p> <p>The purpose of Rule 35 of the Detention Centre Rules 2001, as set out in Detention - general guidance (Chapter 55), is 'to ensure that particularly vulnerable detainees are brought to the attention of those with direct responsibility for authorising, maintaining and reviewing detention Sub-paragraphs (1) to (4) of rule 35 of the Detention Centre Rules 2001 are in place to ensure immigration removal centre (IRC) doctors must report to Home Office caseworkers responsible for managing and reviewing that person's detention:</p> <ul style="list-style-type: none"> • the likelihood of a detainee's health being injuriously affected by continued detention • a suspicion that a detained person has suicidal intentions • concern that a detained person may have been a victim of torture
Relevant documents for reference e.g. National Guidance, Care UK policies	<p>The Human Rights Act 1998 The Modern Slavery Act 2015 Immigration Act 2016</p> <p>PPG Policy - Safeguarding Adults (2021) Safeguarding Children (2021) DSO - Detention Rule 35 process 09/2016</p> <p>***DSO refers to Detention Services Orders as set out by the Home Office***</p>
Principles	Everybody has the right to live life free from torture, inhumane or degrading

	<p>treatment and this is clearly outlined in legislation via the Human Rights Act 1998 article 3.</p> <p>In providing healthcare to detainees within a secure setting Practice Plus Group will ensure that assessments are carried out in line with National legislation and Home Office guidance.</p> <p>Clear pathways will ensure that the process for completion of all required assessments and subsequent reports for submission to the Home Office is clear and auditable.</p> <p>This local process will link with Home office guidance, Serco processes and wider PPG Policy around Safeguarding adults and local processes around Safeguarding, clinical assessment and escalation.</p> <p>Information sharing is key to safeguarding vulnerable people and groups and staff must understand the need to share appropriate information to inform Patient safety.</p> <p>Rule 35 of the Detention Centre Rules 2001 reports must be prepared and submitted by doctors only in line with Home Office requirements.</p> <p>All Healthcare staff must be aware of the requirement to report any claims by a detainees of torture or inhumane treatment or if such treatment is suspected.</p>
Local arrangements	<ul style="list-style-type: none"> • All Detainee's will be assessed by a nurse on arrival at the centre, part of this assessment will include if they have suffered any form of torture. • A priority Rule 35 appointment to see the GP will be booked for all Detainees who claim to have been victims of torture. • Rule 35 of the Detention Centre Rules 2001 reports must be prepared and submitted by doctors only in line with Home Office requirements. • The GP will populate Rule 35 template which is found on the SystmOne records ensuring that a comprehensive assessment is carried out. • If assessment shows that the Detainee does not meet the defined threshold for torture as set out in DSO 09/2016 then completion of the Annex D will be completed and forwarded to the Home Office. • On completion of R35 2 copies will be printed and signed by the Detainee and the GP. A copy is kept by the Detainee and a copy sent to the Home Office DET team and attached to the clinical notes. • If response is not received from the Home office within a reasonable timescale, 48 hours, this will be followed up and expedited by the administration team. • All responses are reviewed and counter signed by the GP before being added to the clinical notes. • The site will keep a local record of all R35 assessments completed and

	<p>administrative oversight of responses received from the Home Office.</p> <ul style="list-style-type: none"> • The healthcare team should promptly follow up on detainees who do not arrive for their scheduled appointment.
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