



Ministry
of Justice



Home Office



Department
of Health &
Social Care

Independent Advisory Panel on Deaths in Custody
102 Petty France
7th floor,
London
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The Rt Hon Suella Braverman KC MP
Home Secretary
2 Marsham Street
Home Office
SW1P 4DF

14 October 2022

Dear Home Secretary,

On behalf of the Independent Advisory Panel on Deaths in Custody (IAPDC), I write to congratulate you on your appointment. The IAPDC is a non-departmental public body, co-sponsored by the Ministry of Justice, Home Office, and Department for Health and Social Care. Drawing on expert evidence, our role is to advise Ministers and officials to enable you and your colleagues to prevent deaths, natural and self-inflicted, in all forms of state custody.

On 10 June, [we wrote](#) to your predecessor, the Rt Hon Priti Patel MP, regarding the Government's plan for immigration processing in Rwanda. In this letter, the panel sought formal clarification on what active steps will be taken to protect the lives of people who, pending their removal to Rwanda, will be detained in state custody in the UK.

In [her reply](#) of 22 July, the former Home Secretary assured the panel that "[n]obody will be removed if it is unsafe or inappropriate to do so", with individual decisions "taken on a case-by-case basis." We continue to have questions about the plan, including the process by which individuals are screened for suitability for removal to Rwanda. Our concerns stem from unanswered questions contained in our initial letter as well as issues raised in recent reports by, amongst others, HM Chief Inspector of Prisons (HMCIP) and the charity Medical Justice.

HMCIP's [recent report](#) of an unannounced inspection of Brook House found that detainees proposed for removal to Rwanda found it difficult to access their legal rights and were not given sufficient information about the removal process in a language they could understand. Operational staff were "not adequately briefed" on the process and so were "poorly placed to support" detainees. Initial asylum screening was "too brief" and failed to identify relevant information, and some individuals proposed for removal were reported as being at risk of self-harm or as having histories of torture or medical vulnerabilities. All these factors generate increased risk to life for those being proposed for removal.

Further, [a recent report](#), published by the charity, Medical Justice, found that there is "inadequate" and "no specific" screening of individuals for removal to Rwanda and that some of those selected for removal display signs of serious mental and physical ill-health, including risk factors for suicide and previous suicide attempts.

In addition, documentation [released](#) via requests under the Freedom of Information Act, completed by custody staff following incidents involving the use of force connected to

attempted removals to Rwanda on 14 June, records that some individuals may have injured themselves while in detention and during the process of removal.

International research conducted and gathered by panel colleagues charts ways to prevent or reduce the risk of deaths in custody. These include good communication and clear accessible information; eradicating ligature points; early diagnosis of, and treatment for, physical and mental health conditions; maintaining or re-establishing family contact; supporting and enabling progression; and maintaining a sense of fairness and hope for the future.

I should therefore be grateful if you could answer the following questions:

- Is there any specific screening assessment used to determine which individuals are deemed suitable for removal to Rwanda, before they receive a 'Notice of Intent', other than their initial asylum screening interview?
- If so, will this assessment take account of deteriorating physical and mental health conditions and the risk of suicide and self-harm? What steps will be taken to mitigate these risks?
- Is there any specific screening assessment for individuals who are given a 'Notice of Intent' to determine whether they are suitable for detention?
- While we understand that individuals are assessed on a case-by-case basis, what is the test or threshold to determine whether an individual is deemed unsuitable for removal to Rwanda, in view of any physical or mental health risks?
- What provision will be made for assessing and responding to mental and physical health needs during (i) detention and (ii) removal?

The IAPDC understands that the recently established Monitoring Committee for the Migration and Economic Development Partnership will oversee the removal of individuals to Rwanda. I would be grateful if you could answer the following questions about its work:

- The Committee is described in its terms of reference as undertaking at minimum three UK visits to view the "selection process". What process (or processes) will members of the Committee be examining, and what does it involve? Where and how will members of the committee be examining it?
- Will they be conducting any review or assessment of the 'selection process', and if so what criteria will they be using to assess it?
- Has the Committee been mandated to report specifically on the risks to life, including self-harm and suicide, prior to and during the process of removal?
- Has the Committee been asked to review and report on any deterioration in the physical and mental health of those who are facing relocation to Rwanda?

The IAPDC is committed to supporting you and Home Office colleagues to keep people safe. We look forward to your reply.

Yours sincerely,

A handwritten signature in purple ink that reads "Juliet Lyon". The signature is written in a cursive style with a long, sweeping tail on the 'n'.

Juliet Lyon CBE, Chair of the Independent Advisory Panel on Deaths in Custody
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