



## DEBATE PACK

Number CDP-2017-0086, 13 March 2017

# Detention of vulnerable persons

## Westminster Hall Debate 14 March 2017 at 2.30pm

A Westminster Hall debate on the detention of vulnerable persons has been scheduled for 2.30pm on Tuesday 14 March 2017. The Member in charge of this debate is Anne McLaughlin MP.

The text of the motion is:

That this House has considered the detention of vulnerable persons

Compiler: Sarah Pepin  
Subject specialist: Terry McGuinness (Asylum and Immigration)

### Contents

|   |           |
|---|-----------|
| <b>1. Background</b>  | <b>2</b>  |
| 1.1 An independent review of policies impacting upon detainee welfare | 2         |
| 1.2 Stephen Shaw's recommendations                                    | 2         |
| 1.3 The Government response to the review                             | 3         |
| 1.4 Home Office guidance on detention of vulnerable people            | 3         |
| 1.5 Home Affairs Committee  | 6         |
| 1.6 A further review  | 6         |
| <b>2. Press and blogs</b>   | <b>7</b>  |
| <b>3. Parliamentary Business</b>                                      | <b>10</b> |
| 3.1 Ministerial Statements  | 10        |
| 3.2 Parliamentary Questions   | 13        |
| <b>4. Organisations and further reading</b>                           | <b>16</b> |

The House of Commons Library prepares a briefing in hard copy and/or online for most non-legislative debates in the Chamber and Westminster Hall other than half-hour debates. Debate Packs are produced quickly after the announcement of parliamentary business. They are intended to provide a summary or overview of the issue being debated and identify relevant briefings and useful documents, including press and parliamentary material. More detailed briefing can be prepared for Members on request to the Library.

# 1. Background

## 1.1 An independent review of policies impacting upon detainee welfare

On 9 February 2015 the then Home Secretary Theresa May announced that she had commissioned an independent review into the Home Office policies and operating procedures that have an impact on immigration detainee welfare. She asked Stephen Shaw, former Prisons and Probation Ombudsman for England and Wales, to lead the review. Mrs May told the Commons:

The Government believes that those with no right to be in the UK should return to their home country and we will help those who wish to leave voluntarily. However, when people refuse to do so, we will seek to enforce their removal, which may involve detaining people for a period of time. But the wellbeing of those in our care is always a high priority and we are committed to treating all detainees with dignity and respect.

I want to ensure that the health and wellbeing of all those detained is safeguarded. Following the work I commissioned into the welfare of people with mental health difficulties in police custody, I believe it is necessary to undertake a comprehensive review of our policies and operating procedures to better understand the impact of detention on the welfare of those in immigration detention. The purpose of this wider-ranging review is to consider the appropriateness, and application, of current policies and practices concerning the health and wellbeing of vulnerable people in immigration detention, and those being escorted in the UK. I am committed to considering any emerging findings made by the review and to taking action where appropriate.<sup>1</sup>

## 1.2 Stephen Shaw's recommendations

Stephen Shaw's report was completed in September 2015 and published on 14 January 2016. He made [64 specific recommendations](#).<sup>2</sup>

[Part 4](#) of Mr Shaw's report addressed the concept of vulnerability. He recommended that the presumption against detention be extended to include victims of rape and other sexual or gender-based violence (including FGM), to those with a diagnosis of PTSD, to transsexual people and to those with learning difficulties. He called for the presumptive exclusion of pregnant women be replaced by an absolute exclusion, and that the clause "which cannot be satisfactorily managed in detention" should be removed from the section of the guidance covering those suffering from serious mental illness.

Mr Shaw also found that [rule 35](#) of the [Detention Centre Rules](#) - designed as a key safeguard for victims of torture or whose health would be at risk from continued detention - failed to protect vulnerable people in detention. He identified the 'fundamental problem' as being a

---

<sup>1</sup> [HCWS266](#), 9 February 2015

<sup>2</sup> Stephen Shaw, [Review into the welfare in detention of vulnerable persons](#), 14 January 2016

lack of trust in GPs to provide independent advice and called on the Home Office to consider whether GPs independent of the IRC system would be more appropriate to conduct assessments.

### 1.3 The Government response to the review

Responding to the review, the then Immigration Minister James Brokenshire said the Government accepted 'the broad thrust' of the recommendations and would take forward three key reforms:

First, the Government accepts Mr Shaw's recommendations to adopt a wider definition of those at risk, including victims of sexual violence, individuals with mental health issues, pregnant women, those with learning difficulties, post-traumatic stress disorder and elderly people, and to recognise the dynamic nature of vulnerabilities. It will introduce a new "adult at risk" concept into decision-making on immigration detention with a clear presumption that people who are at risk should not be detained, building on the existing legal framework.

[...]

Second, building on the transfer of healthcare commissioning in Immigration Removal Centres to the NHS, and taking account of the concerns expressed by Mr Shaw about mental healthcare provision in detention, the Government will carry out a more detailed mental health needs assessment in Immigration Removal Centres, using the expertise of the Centre for Mental Health. This will report in March 2016, and NHS commissioners will use that assessment to consider and revisit current provision. In the light of the review the Government will also publish a joint Department of Health, NHS and Home Office mental health action plan in April 2016.

Third, to maximise the efficiency and effectiveness of the detention estate, and in response to Mr Shaw's recommendation that the Home Office should examine its processes for carrying out detention reviews, the Government will implement a new approach to the case management of those detained, replacing the existing detention review process with a clear removal plan for all those in detention. A stronger focus on and momentum towards removal, combined with a more rigorous assessment of who enters detention through a new gate-keeping function, will ensure that the minimum possible time is spent in detention before people leave the country without the potential abuse of the system that arbitrary time limits would create.<sup>3</sup>

### 1.4 Home Office guidance on detention of vulnerable people

#### 'At risk' adults

Section 59 of the *Immigration Act 2016* required the Home Secretary to issue guidance specifying matters to be taken into account by immigration officers when determining whether a person would be particularly vulnerable to harm if detained.

---

<sup>3</sup> [HCWS470](#), 14 January 2016

The [\*Guidance on adults at risk in immigration detention\*](#)<sup>4</sup> is intended to lead to a reduction in the number of vulnerable people detained and a reduction in the duration of detention before removal.

The appropriateness of a vulnerable person's detention will be assessed on a case-by-case basis. There is a clear presumption that detention will not be appropriate if a person is considered to be 'at risk'. Detention will only become appropriate at the point at which immigration control considerations outweigh this presumption.<sup>5</sup>

The guidance provides the following indicators of risk:

**Indicators of risk**

11. The following is a list of conditions or experiences which will indicate that a person may be particularly vulnerable to harm in detention.

- suffering from a mental health condition or impairment (this may include more serious learning difficulties, psychiatric illness or clinical depression, depending on the nature and seriousness of the condition)
- having been a victim of torture<sup>3</sup> (individuals with a completed Medico Legal Report from reputable providers will be regarded as meeting level 3 evidence, provided the report meets the required standards)
- having been a victim of sexual or gender based violence, including female genital mutilation
- having been a victim of human trafficking or modern slavery (see paragraph 20 below)
- suffering from post traumatic stress disorder (which may or may not be related to one of the above experiences)
- being pregnant (pregnant women will automatically be regarded as meeting level 3 evidence)<sup>4</sup>
- suffering from a serious physical disability
- suffering from other serious physical health conditions or illnesses
- being aged 70 or over
- being a transsexual or intersex person.

The guidance provides the following examples of immigration control considerations that may outweigh the presumption that an 'at risk' person should not be detained:

14. The immigration factors that will be taken into account are:

- Length of time in detention – there must be a realistic prospect of removal within a reasonable period. What is a "reasonable period" will vary according to the type of case but, in all cases, every effort should be made to ensure that the length of time for which an individual is detained is as short as possible. In any given case it should be possible to estimate the likely duration of detention required to effect

---

<sup>4</sup> Home Office, Immigration Act 2016: Guidance on adults at risk in immigration detention, August 2016

<sup>5</sup> Ibid, paragraphs 2-4

removal. This will assist in determining the risk of harm to the individual. Because of their normally inherently short turnaround time, individuals who arrive at the border with no right to enter the UK are likely to be detainable notwithstanding the other elements of this guidance

- Public protection issues – consideration will be given to whether the individual raises public protection concerns by virtue of, for example, criminal history, security risk, decision to deport for the public good
- Compliance issues - an assessment will be made of the individual's risk of abscond, based on the previous compliance record.

### **Pregnant women**

Pregnant women may not be detained for longer than 72 hours. This period is extendable up to a week in total with Ministerial approval.<sup>6</sup>

There is separate Home Office guidance on the restrictions on the detention of pregnant women for the purpose of removal and on the duration of their detention.<sup>7</sup> The strong preference is to avoid the detention of pregnant women, even where their removal from the UK is to be enforced. Detention must be reviewed promptly if there is any change in circumstances, especially if related to her pregnancy or to her welfare more generally.

### **Families with children under the age of 18**

Families with children are no longer detained in IRCs before removal from the UK, due to [policy changes made in 2010](#) by the Coalition Government (some of which were subsequently put into primary legislation: sections 2-6 of the [Immigration Act 2014](#)).

As a last resort, families with children may be detained in 'pre-departure accommodation'. Home Office policy states this is normally for a maximum of 72 hours but may, in exceptional circumstances and subject to Ministerial authority, be extended up to a total of seven days.<sup>8</sup>

Following the adoption of a new approach to removing families from the UK, a secure facility named Cedars was opened in 2011 to provide this pre-departure accommodation. Cedars is managed by G4S, the Home Office and Barnardo's, who provide social work, welfare and family support services. HM Chief Inspector of Prisons described the Cedars facility as 'ground-breaking' and said it 'produced the best outcomes for detainees that we have seen anywhere in immigration detention'.<sup>9</sup>

---

<sup>6</sup> *Immigration Act 2016*, section 60

<sup>7</sup> UK Visas and Immigration, Enforcement instructions and guidance, [Chapter 55a: detention of pregnant women](#)

<sup>8</sup> UK Visas and Immigration, Enforcement instructions and guidance, [Chapter 55: detention and temporary release](#), paragraph 55.9.4

<sup>9</sup> HM Chief Inspector of Prisons, [Report on an unannounced inspection of Cedars pre-departure accommodation](#), June 2016

On 21 July 2016 the Immigration Minister announced that Cedars is to close and new pre-departure accommodation to be established at Tinsley House IRC.<sup>10</sup> The decision followed Stephen Shaw's recommendation that to ensure value-for-money the Government should either close Cedars or change its use as a matter of urgency. In an answer to a subsequent Parliamentary Question the Government promised that 'the important assistance to families preparing to return to their home country, provided at Cedars, will remain in place at the new pre-departure accommodation'.<sup>11</sup> The introduction of pre-departure accommodation did not end criticism of the detention of families, and campaigners expressed concern over the closure of Cedars.

### **Unaccompanied children**

The general policy is that unaccompanied children must not be detained other than in very exceptional circumstances. If they are to be detained, it should be for the shortest possible time, with appropriate care. While this may include detention overnight, an unaccompanied child must not be held in an IRC in any circumstances. This includes the subject of an age dispute case, where the person concerned is being treated as a child.<sup>12</sup>

The guidance sets out the very exceptional circumstances in which it might be appropriate to detain unaccompanied children in paragraphs [55.9.3A – 55.9.3C](#).

## **1.5 Home Affairs Committee**

The Home Affairs Committee expressed concern as to the operation of the 'adults at risk policy':

70. Ten months on from Stephen Shaw's report on detention, the number of people spending more than two months in detention has increased. The Government aims to address the problem of long detention in its 'adults at risk' policy. The policy states that "a failure to remove within the expected timescale might also tip the balance to the extent that release becomes appropriate." This does not strike us as a firm commitment to reduce the length of time people are detained. We will monitor the implementation of this policy closely. It must meet our and Mr Shaw's recommendations that the length of detention be reduced. If it fails to do so then further interventions such as a statutory limit on detention will have to be considered.<sup>13</sup>

## **1.6 A further review**

At the invitation of the Government Stephen Shaw will conduct a shorter follow-up review in autumn 2017, assessing the progress made in implementing the recommendations in his first report.<sup>14</sup>

---

<sup>10</sup> [HCWS114](#), 21 July 2016

<sup>11</sup> [PO HL1739](#), 11 October 2016

<sup>12</sup> Ibid, paragraph 55.9.3

<sup>13</sup> Home Affairs Committee, *The work of the Immigration Directorates (Q1 2016)*, HC 151, 2016-17, 27 July 2016

<sup>14</sup> [PO 59369](#), 19 January 2017

## 2. Press and blogs

Telegraph

[A robust asylum system needn't rely on detention. So why are vulnerable women being locked up?](#)

Caroline Spelman 7 March 2017

Aljazeera.com

[Death in detention: suicide attempts soar in the UK](#)

Liam O'Hare 12 February 2017

Guardian

[New immigration detention policy for 'adults at risk' needs urgent review \[letter\]](#)

Heads of Medical Justice, Immigration Law Practitioners' Association and 7 other organisations

11 September 2016

British Medical Association

[A longer road to freedom for torture survivors?](#)

Juliet Cohen 11 February 2016

Prison Watch UK

[More key findings from the Shaw Review into UK immigration detention](#)

28 January 2016

Asylum Aid

[The Shaw Review into Welfare in Detention: implications for women in detention](#)

27 January 2016

Prison Watch UK

[Shaw Review on UK immigration detention: four more key findings](#)

20 January 2016

Politics.co.uk

[Home Office reform could make it harder to protect torture victims](#)

Sile Reynolds 19 January 2016

Guardian

[UK must drastically reduce use of detention, says Shaw immigration report](#)

Alan Travis 14 January 2016

The Register

[Indie review blasts detained immigrants' Facebook, Skype ban](#)

Alexander J Martin 14 January 2016

Amnesty International

[Response to Shaw review: UK must end 'unacceptable' use of indefinite immigration detention](#)

14 January 2016

University of Oxford, Centre for Criminology

[Immigration detention in the UK under review \(again\)](#)

Mary Bosworth 14 January 2016

Liberty

[Shaw review: immigration detention in urgent need of reform](#)

Rachel Robinson 14 January 2016

UK Lesbian and Gay Immigration Group

[Transgender equality inquiry: a 'missed opportunity' for trans asylum seekers](#) [also discusses Shaw review]

14 January 2016

Freedom from Torture

[Response to the Shaw Review](#)

14 January 2016

Labour Press

[Shaw report - clear that the rules meant to protect vulnerable people are not working - Keir Starmer](#)

14 January 2016

Freedom from Torture

[Message to Home Office minister: action needed on torture survivors in detention](#)

13 January 2016

Refugee Council

[Independent review calls for Government to detain fewer people](#)

January 2016

Liberal Democrats for Seekers of Sanctuary

[Reaction to Shaw Review on Immigration Detention](#)

January 2016

## 3. Parliamentary Business

### 3.1 Ministerial Statements

#### [Cedars pre-departure accommodation](#)

#### **Robert Goodwill (The Minister of State for Immigration):**

I am today announcing the Government's decision to close Cedars pre-departure accommodation, and replace it with new pre-departure accommodation near Gatwick Airport, as a discrete unit at Tinsley House immigration removal centre. This will maintain the required legal safeguards and focus on welfare for families with children whose return is to be ensured under the family returns process. The new pre-departure accommodation will be operated in line with the statutory framework established by the Immigration Act 2014, specifically in relation to the statutory time limit on stays at the facility and the requirement for the Independent Family Returns Panel to be consulted in advance in each case where it is proposed that a family should be placed there.

The Government met its commitment to end the routine detention of children for immigration purposes by fundamentally changing the way in which it deals with families that have no lawful basis of stay in the UK, and limiting the detention of unaccompanied children for removal. The new family returns model introduced in 2011 placed the welfare of the child at the heart of the process. Key parts of the family returns process, including the separate statutory status of pre-departure accommodation, were enshrined in the Immigration Act 2014. The new pre-departure accommodation will operate in line with both the statutory requirements and the wider family returns process, which will remain unchanged.

The low level of use of Cedars pre-departure accommodation over the last few years is a testament to the overall success of the family returns process and, in particular, to the fact that more families are accepting voluntary assistance to leave the UK when they no longer have a lawful basis to stay here. Cedars has from the outset only been intended to be used as a last resort, after all voluntary or other return options have failed, and following the advice of a panel of independent child safeguarding experts.

Stephen Shaw's Review into the welfare of vulnerable people in detention, while recognising that Cedars was an exceptional facility, recommended on value for money grounds that the Home Office should draw up plans either to close Cedars or to change its use as a matter of urgency. The Government accepted this recommendation, and has reviewed the most cost-effective way of providing the necessary component of pre-departure accommodation for the family returns process, while ensuring that safeguarding and promoting the welfare of the children involved remain a key priority.

The Government is committed to safeguarding the health and wellbeing of those detained in its care, some of whom may be vulnerable. It is very grateful to Barnardo's for all its valuable work with families at Cedars and for working with us to ensuring that the new facility continues to safeguard and promote the welfare of children, and builds on the learning and experience of Cedars.

## **21 July 2016 | Written Ministerial Statement | HCWS 114**

### [Immigration Detention: Response to Stephen Shaw's report into the Welfare in Detention of Vulnerable Persons](#)

#### **James Brokenshire (The Minister of State for Immigration):**

The Government is committed to an immigration system that works in Britain's national interest, and commands the confidence of the British people. Coming to the United Kingdom to work, study or visit is a privilege, not an unqualified right. Accordingly, the Government expects anyone who comes to the UK to comply with their visa conditions and, if they do not, to return home voluntarily at the first opportunity.

We have put in place a robust legal framework, which prevents the abuse of appeals procedures and encourages timely and voluntary departures by denying access to services, such as bank accounts, rental property, the labour market and driving licences, to those with no right to be here. Where individuals nonetheless fail to comply with immigration law, and refuse to leave, we will take enforcement action to remove them from the UK. Where it is necessary for the purposes of removal, and taking into account any risk that an individual may abscond, this will involve a period of detention (which of course can be avoided if the individual departs voluntarily). The Government is clear that in these circumstances it is in the public interest to detain and remove such individuals, and the vast majority of those in detention are, accordingly, those who have made their way to the United Kingdom unlawfully or breached their conditions of entry, have failed to make their case for asylum, or are foreign criminals.

It is a long-established principle, however, that where an individual is detained pending removal there must be a realistic prospect of removal within a reasonable time. Depriving someone of their liberty will always be subject to careful consideration and scrutiny, and will take account of individual circumstances. It is vital that the system is not only efficient and effective but also treats those within it with dignity and respect, and takes account of the vulnerability of those detained.

It is against this background that in February last year the Home Secretary asked Stephen Shaw to conduct a review of the welfare of vulnerable individuals in detention. His review is being published today (Cmd 9186). It makes recommendations for operational improvements, for changes to the policy on detaining vulnerable people, and for changes to the provision of healthcare services in detention. Copies have been laid in the House. The Government is grateful to Mr Shaw for his review, welcomes this important contribution to the debate about

effective detention, and accepts the broad thrust of his recommendations. Consistent with our policies, we will now take forward three key reforms, working across Government and the National Health Service and with private sector providers.

First, the Government accepts Mr Shaw's recommendations to adopt a wider definition of those at risk, including victims of sexual violence, individuals with mental health issues, pregnant women, those with learning difficulties, post-traumatic stress disorder and elderly people, and to recognise the dynamic nature of vulnerabilities. It will introduce a new "adult at risk" concept into decision-making on immigration detention with a clear presumption that people who are at risk should not be detained, building on the existing legal framework. This will strengthen the approach to those whose care and support needs make it particularly likely that they would suffer disproportionate detriment from being detained, and will therefore be considered generally unsuitable for immigration detention unless there is compelling evidence that other factors which relate to immigration abuse and the integrity of the immigration system, such as matters of criminality, compliance history and the imminence of removal, are of such significance as to outweigh the vulnerability factors. Each case will be considered on its individual facts, supported by a new vulnerable persons team. We will also strengthen our processes for dealing with those cases of torture, health issues and self-harm threats that are first notified after the point of detention, including bespoke training to GPs on reporting concerns about the welfare of individuals in detention and how to identify potential victims of torture.

Second, building on the transfer of healthcare commissioning in Immigration Removal Centres to the NHS, and taking account of the concerns expressed by Mr Shaw about mental healthcare provision in detention, the Government will carry out a more detailed mental health needs assessment in Immigration Removal Centres, using the expertise of the Centre for Mental Health. This will report in March 2016, and NHS commissioners will use that assessment to consider and revisit current provision. In the light of the review the Government will also publish a joint Department of Health, NHS and Home Office mental health action plan in April 2016.

Third, to maximise the efficiency and effectiveness of the detention estate, and in response to Mr Shaw's recommendation that the Home Office should examine its processes for carrying out detention reviews, the Government will implement a new approach to the case management of those detained, replacing the existing detention review process with a clear removal plan for all those in detention. A stronger focus on and momentum towards removal, combined with a more rigorous assessment of who enters detention through a new gate-keeping function, will ensure that the minimum possible time is spent in detention before people leave the country without the potential abuse of the system that arbitrary time limits would create.

The Government expects these reforms, and broader changes in legislation, policy and operational approaches, to lead to a reduction in

the number of those detained, and the duration of detention before removal, in turn improving the welfare of those detained. Immigration Enforcement's Business Plan for 2016/17 will say more about the Government's plans for the future shape and size of the detention estate.

More effective detention, complemented by increased voluntary departures and removing without detention, will safeguard the most vulnerable while helping control immigration abuse and reducing costs.

**14 January 2016 | Written ministerial statement | HCWS 470**

## 3.2 Parliamentary Questions

### [Welfare in Detention of Vulnerable Persons Review](#)

#### **Asked by Baroness Hamwee**

To ask Her Majesty's Government, further to the Written Answer by Baroness Williams of Trafford on 9 February (HL5169), whether, in his review of the implementation of the recommendations set out in the Review into the Welfare in Detention of Vulnerable Persons, Stephen Shaw CBE will be asked to refer to those recommendations that have been implemented partially or not at all.

#### **Answered by: Baroness Williams of Trafford | Department: Home Office**

Stephen Shaw CBE will be invited to assess the implementation of all of the review recommendations during his follow up to the review into the welfare in detention of vulnerable persons.

**6 March 2017 | Written questions | HL 5493**

### [Welfare in Detention of Vulnerable Persons Review](#)

#### **Asked by: Baroness Lister of Burtersett**

To ask Her Majesty's Government, further to the Written Answer by the Minister of State for Immigration, Mr Robert Goodwill on 19 January (59369), against which key actions from the Review into the Welfare in Detention of Vulnerable Persons (Cm 9186), published in January 2016, will Stephen Shaw QC be asked to assess progress, and whether he will have any say in which key actions are included in his remit.

#### **Answered by: Baroness Williams of Trafford | Department: Home Office**

The follow up to the review by Stephen Shaw CBE into the welfare in detention of vulnerable persons will take place in late 2017. Mr Shaw will be invited to assess the implementation of all his review recommendations.

The timings and resources for the follow up review are to be agreed with Mr Shaw.

**9 February 2017 | Written questions | HL 5170**

[Asylum: Sexual Orientation](#)

**Asked by: Lord Lexden**

What is the Government's reaction to Stonewall's recent recommendations that alternatives to detaining LGBT asylum seekers should be developed, drawing on international best practice?

**Answered by: Baroness Williams of Trafford | Department: Home Office**

I can tell my noble friend that certainly the Shaw review recommended that transgender and intersex people should be in the vulnerable persons category and as a general principle should not be detained.

**HC Deb 14 December 2016 c1236**

[Immigrants: Detainees](#)

**Asked by: Kate Osamor**

To ask the Secretary of State for the Home Department, what consultation process took place before the implementation of the new Adults at Risk guidelines.

**Answered by: Robert Goodwill | Department: Home Office**

Stephen Shaw, a former Prisons and Probation Ombudsman, was commissioned by the then Home Secretary in February 2015 to undertake a review of the welfare in immigration detention of vulnerable people.

Mr Shaw carried out a comprehensive consultation in preparing his report of his review and the adults at risk policy, which came into force on 12 September 2016, forms part of the Government's response to Mr Shaw's review.

When the draft policy was published on 26 May 2016, the Government wrote to a wide range of relevant non-Governmental organisations and offered them the opportunity to discuss it. Subsequently Home Office officials held meetings with a number of interested organisations, and received written representations, and the views of these organisations were taken into account as the policy was developed further in advance of its implementation.

**21 October 2016 | Written questions | 48646**

[Immigration: Detainees](#)**Asked by: Kate Osamor**

To ask the Secretary of State for the Home Department, what assessment she has made of the implications for her policies of the finding of the Review into the Welfare in Detention of Vulnerable Persons, A report to the Home Office by Stephen Shaw, published in January 2016, paragraph 12, that rule 35 of the Detention Centre Rules does not protect vulnerable people who find themselves in detention.

**Answered by: Robert Goodwill | Department: Home Office**

The Government has carefully considered the recommendations made by Stephen Shaw in his review report, and has taken these into account in introducing revised guidance and its new policy on adults at risk in immigration detention. Revised guidance on Rule 35 of the Detention Centre Rules 2001 was published on 12 September 2016. It will support improved reporting quality by doctors working in immigration removal centres and improved consideration by Home Office caseworkers of those reports. The adults at risk policy, which also came into force on 12 September, strikes the right balance between protecting vulnerable individuals and maintaining effective and proportionate immigration control.

**15 September 2016 | Written questions | 46191**

## 4. Organisations and further reading

Stephen Shaw, [Review into the welfare in detention of vulnerable persons](#) , Cm 9186, Home Office, January 2016

House of Commons Home Affairs Committee, [The work of the Immigration Directorates \(Q1 2016\)](#) , HC 151 2016-17, 27 July 2016

All Party Parliamentary Group on Refugees and All Party Parliamentary Group on Migration, [The report of the inquiry into the use of immigration detention in the United Kingdom](#) , March 2015

Immigration Law Practitioners' Association, [ILPA briefing for Westminster Hall debate on the detention of vulnerable persons in the name of Anne McLaughlin MP, 14 March 2017](#) , 12 March 2017

### About the Library

The House of Commons Library research service provides MPs and their staff with the impartial briefing and evidence base they need to do their work in scrutinising Government, proposing legislation, and supporting constituents.

As well as providing MPs with a confidential service we publish open briefing papers, which are available on the Parliament website.

Every effort is made to ensure that the information contained in these publically available research briefings is correct at the time of publication. Readers should be aware however that briefings are not necessarily updated or otherwise amended to reflect subsequent changes.

If you have any comments on our briefings please email [papers@parliament.uk](mailto:papers@parliament.uk). Authors are available to discuss the content of this briefing only with Members and their staff.

If you have any general questions about the work of the House of Commons you can email [hcinfo@parliament.uk](mailto:hcinfo@parliament.uk).

### Disclaimer

This information is provided to Members of Parliament in support of their parliamentary duties. It is a general briefing only and should not be relied on as a substitute for specific advice. The House of Commons or the author(s) shall not be liable for any errors or omissions, or for any loss or damage of any kind arising from its use, and may remove, vary or amend any information at any time without prior notice.

The House of Commons accepts no responsibility for any references or links to, or the content of, information maintained by third parties. This information is provided subject to the [conditions of the Open Parliament Licence](#).