

BROOK HOUSE INQUIRY

Witness Statement of **D2033**

I, **D2033** (DOB **DPA**), state as follows: -

1. I make this statement as a witness in the Inquiry into Brook House IRC, where I was detained in April 2017 when I was **DPA-Minor** years old. As it has been four years since I was detained at Brook House, and I have memory problems because I suffer from post-traumatic stress disorder, I cannot remember every detail. The following account contains everything I can remember at present, and I reserve the right to add to or amend my account at a later date, in particular in light of the content of further disclosure received from the Inquiry or questions posed by the Inquiry.

Introduction

2. My full name is **D2033** I am not known by any other names.
3. I am a national of Afghanistan and I am a Muslim.
4. My date of birth is **DPA**. Although the Home Office initially did not accept that this was my date of birth and gave me the date of birth of **DPA**, last year the Upper Tribunal made a decision to accept my claimed date of birth. My solicitors have submitted this order in the course of my ongoing asylum claim, in which the Home Office has continued to state that my date of birth is **DPA** **DPA** despite the Upper Tribunal Order.
5. I was detained at Brook House IRC from 3 April 2017 until 11 April 2017, when I was unlawfully removed from the UK to Germany.

6. I myself don't remember which wing I was kept in but I know that I was transferred from one wing to another during the week that I was at Brook House. Because I had argued with the officers about my age during the induction, they put me in an isolation wing. I have been advised by my solicitors that this was probably E Wing. After a couple of days they put me in a wing where I had to share a room. Again I complained to the officers that I was under eighteen and then I was moved back to an isolation wing and from there I was unlawfully removed to Germany.

Immigration History and Asylum Claim

7. I was born and lived in [redacted] **DPA** before I left Afghanistan. My family consists of my mother, father, two brothers and one sister, although sadly my father and older brother passed away in 2015. I do not know where my mother and two younger siblings are currently living, and I am increasingly concerned for their safety, particularly in light of recent events in Afghanistan.
8. I left Afghanistan in autumn 2015, after I faced problems which led to my father and brother being killed. My father refused to give his land to a powerful man in the area, [redacted] **Name Irrelevant**, and as a result he was kidnapped and killed. [redacted] **Sensitive/Irrelevant**
[redacted] **Sensitive/Irrelevant**
[redacted] During this time, I was tortured and sexually abused, and my brother was killed. After I managed to escape from where I was being held, I realised that it was not safe for me to remain living in Afghanistan.
9. I entered the UK in April 2016 and claimed asylum. I was initially accommodated by Lincolnshire social services until they conducted an age assessment which concluded that I was over the age of 18. I was then able to locate my maternal uncle, [redacted] **Name Irrelevant** and began living with him and his family. I lived with my uncle until I was detained at Brook House IRC in April 2017.

10. My uncle helped me to access local mental health services after he became worried about the impact that the traumatic events I had endured in Afghanistan were having on my mental health. I had a few appointments with Dr Olimpia Belea who I met on a few occasions for appointments before I was detained. I told Dr Belea about the impact that my experiences in Afghanistan were having on me. I told her that I was feeling low and that I had sometimes thought about killing myself by walking into moving traffic. She diagnosed me with post-traumatic stress disorder and I was prescribed Sensitive/Irrelevant She also referred me to the charity Freedom from Torture, who provided me with an appointment. Unfortunately I could not attend this appointment as I was detained at Brook House.

11. I was removed to Germany on 11 April 2017 and remained there until 20 December 2018, when my solicitors obtained a court order for the Home Office to return me to the UK, as my removal to Germany was held to be unlawful. This was because the Home Office did not provide me with proper notice of my removal to Germany, meaning that I did not have an opportunity to challenge this on the basis that I was a minor at the time. I also have an ongoing case in the County Court regarding my unlawful detention at Brook House, in which the Home Office has conceded that I was unlawfully detained from 3 April 2017 and 11 April 2017. I have been living with my uncle and his family since my return to the UK.

12. My asylum claim in the UK is ongoing. Even though my second screening interview took place on 20 December 2018, there were long delays in the Home Office arranging my asylum interview. My substantive asylum interview took place on 9 June 2021, and I am yet to receive a decision from the Home Office in my asylum claim.

Detention

13. I was detained by the Home Office after I attended the reporting centre in Croydon on 3 April 2017. Prior to being asked to report on this date, I had not previously been required to report to the Home Office. I did not expect that I would be taken to a detention centre from the reporting centre, and so I had not brought my medication with me or other belongings such as spare clothes and toiletries. When the Home Office took me to the detention centre from the reporting centre, this dealt me a mental shock. When I saw what the detention centre was like, I became very afraid. The act of taking me to the detention centre conjured up all of the memories of what had happened to me in Afghanistan when I was abducted and detained against my will.

Induction

14. I was taken to Brook House from the reporting centre in the evening after I had waited at the reporting centre until the evening. When we entered through the main entrance there was a reception and the officers took me to the reception and went through the induction and registration process with me. In the meantime the officers were joking about me and laughing at me. They were asking me ridiculous questions, whether I was working with the army and whether I had killed any people because I am from Afghanistan. I found this very confusing and insulting, especially as I was a child at the time. During the induction, I was asked a number of questions but I don't now remember them. It was very stressful for me being detained and on top of that the officers asked me very offensive questions.

15. I found the entire induction process to be very stressful. I never had an experience like it before and I haven't since. It was dark when I arrived at Brook House – sometime between 7pm and 10pm. After the induction they just put me in a cell on my own. As soon as I arrived in this cell, I was locked in by the officers. It was an experience like nothing I had ever encountered. I was very scared and afraid and anxious. It was a real shock to me. It felt like they had dealt me a real psychological blow, worsening my feelings of self-harm and suicide, which I had been experiencing

since my experiences of being captured and tortured in Afghanistan. I felt that the Home Office were making my problems worse considering that I was a very young person and I was already suffering from post-traumatic stress disorder and depression, for which I was prescribed medication. They did not give me a tour of Brook House, and no healthcare professional visited me. I remember that they measured my waist and height during the induction, but I'm not sure whether the person who did this was from the healthcare department.

16. I do not remember whether I had access to an interpreter during the induction. As far as I can recall, I just had to communicate in English. At that time, my level of English was not that good but I just did my best to answer questions. From what I can recall, I was asked basic questions such as my name and what country I come from. I didn't know that I could ask for an interpreter.

17. I don't recall being given any written materials during my induction or being informed of my rights as a detainee.

18. When I arrived at Brook House I pleaded with the officers to put me somewhere safe as I was a young person and I was afraid. I feared I might be sexually assaulted as I had been in Afghanistan. I think as a result of this I was put in an isolation wing for something like two nights.

Physical environment

19. I don't know which wing I was accommodated in at Brook House, but my solicitors have told me that it was E Wing. When I arrived at the wing on my first night I realised that the wing I had been placed in was where the troublemakers or disturbed people were, those who are fighting and causing trouble. It was clear that this was an exceptional wing for exceptional people. The reason why I say this is that when I was

taken to my room the troublemakers were shouting and banging on the doors to their rooms. The person just next to my room was constantly kicking the door throughout the night. This was very alarming.

20. After around two nights, I was transferred to another wing where they mixed me with adults. I was placed in a cell with one other man, but several people came and left whilst I was there. It was scary for me to share with adults. I wasn't able to sleep at night and I always worried that my roommate might attack me or sexually assault me during the night. I think that I was especially afraid of this because of my past experiences of sexual assault in Afghanistan. I pleaded with the officers that I should be kept somewhere safe and transferred back to the first wing where I had a room by myself. Although it wasn't easy for me being in a room by myself, I thought that it was preferable to me sharing with adults. When they transferred me to the public wing there was a lady, a middle aged woman, who used to come to check on me. I think that probably she was from welfare. I believe this was because they realised I was underage. She used to come and talk to me and ask me how I am. Every night she would come to my room. I am not sure how many times, but she came at late hours.

21. After a few nights, I was transferred back to first wing where I was detained on the first day.

22. I am told that this wing is called the care and separation unit or E Wing, but there was no 'care' there. The measures in that wing were very tough and there was a high level of security and custody. I think they kept me in E Wing as a precautionary measure as I was underage and they didn't want any problems later on. The people who were kept in this wing were under stricter supervision. There were around ten detainees held in separate rooms in my corridor and there were around six security guards for these detainees, and so there was a high ratio of guards to detainees.

23. It was a horrible experience for me being detained at Brook House. Most of the people there were suffering from mental health problems and some of the detainees looked like they were dangerous criminals. Some of them had tattoos on their bodies and looked like very angry people, and this made me feel very afraid. I kept thinking that all I had done was come to the UK to seek asylum and protection and instead the authorities had placed me in detention with dangerous and damaged adults, some of whom were using drugs.
24. I was afraid that the other detainees would rape me, and I constantly felt in danger. Being detained at Brook House IRC reminded me of the torture that I suffered in Afghanistan, which included rape; it was very traumatising for me.
25. For a few nights I was kept in a room with another detainee who was very angry and was always shouting and screaming. I was afraid that he would attack me. For those few nights, I could not sleep at all. One time when I returned to the room from getting some food I saw that he had ripped up the bedsheets and made a mess in the room. He had destroyed and broken everything in the room. I felt very afraid; this was like a nightmare for me. At one point this other detainee had a plastic object in his hand and threatened me that if I stepped forward he would hit me up with it. I think it was a plastic knife.
26. After this, I reported this incident to the security guards, who swapped that roommate with someone else. Then the next day I again went to the officers saying I'm not happy to share a room with an adult, please put me somewhere safe and then they moved me back to the isolation wing.
27. When I was in the isolation wing, I saw a man in a very bad condition. He had stitched his lips together as a protest and his lips were bloody. He was an Iranian and was on hunger strike as he was going to be returned to Germany. He was in a terrible, dangerous condition, as you would imagine if a person's lips were sewn and

bleeding. I had no contact with him; all I can tell you is that I saw him in that condition. This was the first time that I had seen that kind of thing, and I was scared. That incident always comes back to me, and I still have scary nightmares and flashbacks about that incident and about being in detention in general. I understand from my solicitors that they also represent this man in the Inquiry and that he is a Core Participant.

28. In both wings the toilet was embedded inside of the room and there was a very narrow partition which made the toilet separate from the rest of the room, but there was no door. It wasn't private. When someone was using the toilet, you could also hear and smell the stench of the toilet. That made me feel an additional psychological blow and emotional torment. I had to wait for the other roommate to go out or to dinner or lunch and then there was a bit of space before I felt comfortable to go to the toilet. Whenever my roommate was in the room I did not feel comfortable to go to the toilet. Being in Brook House was a nightmare for me.

29. The layout of the shared room was as follows. When you entered the room, in front of you were two detainees' beds and to the side of the room there was a toilet bowl that you could see. So if the other detainee was on his bed he couldn't see you going to the toilet but if he walked to the side or went to leave the room he could see you. It was not safe, always exposed. It was a small room.

30. I do not remember exactly the timetable when I was at Brook House. During the night we had to stay in our rooms and during the day there were certain hours when we were allowed to go outside. Sometimes we were allowed to go to the corridors or kitchen and there were some times when we were able to walk to other wings.

31. Every day when I was at Brook House we had a lock in for many of the hours. I can't tell you about when exactly in the day that happened. There were times when we were ordered to return to our rooms and were then locked in there. On the first day

when an officer told me to go back to my room I had a bad feeling but thought that at least when I was in my room I would be safe. Although the door to my room was locked, I could hear a lot of angry people around me banging on their cells and shouting, which was very scary. Naturally nobody likes to be locked in against their will, but that was what it was. As humans, we like to be free, but they had imposed those conditions against me and there was nothing I could do about it. We didn't have the ability to make our own decisions on the wing, but I felt particularly bad when the security personnel ordered me to return to my room and locked the door on me.

32. In terms of activities to do, there was a billiard table and TV in the corridor and sometimes the officers gave me a pen and paper and then I had an opportunity to draw something. I'm not sure if there were education opportunities available. If there were then nobody told me about them. There was also a gym but I didn't go there. It was a very stressful time for me and I wasn't in a position to go to the gym and have fun. I was always scared of the others around me.

33. Shortly after I arrived at Brook House, I went to the healthcare department to ask for my antidepressant medication and the doctor sent me out of the room. I do not remember the name of the doctor. The way he forced me to leave the room felt very inhumane when I was seeking help. On this occasion, I had gone to the healthcare department to ask for my medication for my mental health. I didn't have a prescription with me, but I told the staff that I had been taking the medication before I was detained. The doctor began to speak on the phone and then he told me to leave the room in a very rude and bad manner. I didn't expect that from a doctor.

34. As far as I can recall, there was no interpreter available for me at all when I was at Brook House. I had to just make do as best as I could. My English was not so good at the time, and so it was difficult for me, but I had no choice. At one point, when the Home Office wanted to remove me to Germany the officer had an interpreter over the phone and that was when I was told that I was going to be removed to Germany. I

believe that this was one or two days before my removal. I was taken to an office and told that I would be removed to Germany. As far as I can remember, this was the only time that I was provided with an interpreter at Brook House. I never had an interpreter when I visited the healthcare department.

35. When I saw the immigration officers at the detention centre they said to me, “We are going to remove a group of people back to Germany but you are not among them,”. The day after this they came and took me and I found out I was going to be removed. Being told this made me feel like I had been tricked and deceived. They gave me false hope and I thought that I had a chance to be released from the detention centre and back to my uncle. My solicitors at the time had told me that they were trying to get me released on bail. When the officers came in the middle of the night and forcibly removed me I felt very betrayed and deceived.

36. I do not remember about the regime of accessing the telephone inside the detention centre but I remember when my maternal uncle came to visit me he gave me an old phone as we were not allowed a smartphone. Before my uncle provided me with a telephone I had to use the detention centre phone. The detention centre staff never offered me a mobile phone to use when I was detained; I just had to make do with using the public phone. I can’t remember exactly how long it was before my uncle brought me a phone. I think they put me in detention on Monday and I think it was Friday when my uncle came to visit. So from around Monday until around Friday I did not have a personal telephone.

37. As far as I recall, the only visit I had was from my uncle. I think it was a Friday when he came to visit, but I am not sure. It was quite a short amount of time. The security guards were present and told us when we had to finish. I’d never been detained before in the past apart from the incident when I was kidnapped in Afghanistan and so when

I met with my maternal uncle he was trying to encourage me to be brave and patient. It was very hard for me to stay strong.

Access to legal advice

38. At the time that I was detained, I was represented by a different solicitors firm. It was my maternal uncle who was in contact with my solicitor. As far as I knew they were trying to stop my removal and bail me out of detention. I had two conversations with my legal representatives when I was in detention. The first time when I contacted him, I was at the reporting centre and had been told that I would be detained. I told my legal representative that I had not been allowed to leave the reporting centre and my solicitor told me not to worry, that he was going to sort things out. The second time was when I was on the bus on the way to the plane. This was the last time that I spoke to him. I never had a meeting with my legal representatives inside detention.

Treatment

39. When I was detained at Brook House IRC, I was still a young person (only DPA - Minor years old). It was mentally very hard for me being detained, and the way that I was treated was beyond my worst expectations. As I have explained above, during the induction the immigration officers spoke in a degrading and insulting way towards me. However, throughout my time in detention the staff did not behave in a good way towards me. There were many security guards working at Brook House. Some were good, some gave me the impression that they did not like immigrants at all and behaved in an unwelcoming manner towards me and some were in the middle. The guards were always being verbally abusive towards me, but they were never physically abusive. I never witnessed the guards being physically abusive to the other detainees, but from what I can remember, staff were often behaving in a verbally

abusive and degrading way to other detainees. For example, when we were told to return to our cells for lock-in, the detention centre staff would tell us very rudely and aggressively to get to our cells. They would act like our bosses, rather than requesting politely that we do this. Another example is when I wanted my medicine and pressed the bell, a female officer would come and from behind the door would ask rudely what I was pressing the bell for. On another occasion, a guard came to my room and asked me to go with them to another room where I was asked a number of questions. I was alone with him in the room without an interpreter and he asked me a number of questions regarding what I had done in Afghanistan and how I had come to the UK. I can remember this man clearly even now. He was around 35 years old, balding and carrying a bit of extra weight. I did not want to answer his questions as I felt that he was not from the Home Office and so I did not see why he needed to ask me these questions. His behaviour made me feel like he did not like foreigners and I found his manner of questioning to be offensive.

40. During induction, when I told the staff that I was DPA-Minor years old, they just began laughing at me. When I asked them to at least put me in a separate room because of my age, they just laughed at me. I was crying and begging the guards that I don't want to be kept in a room with adults. In the end, they gave me my own room for a night or two and then I shared with someone else.

41. One day, I was walking down a corridor and saw a woman walking the other way. I asked her if I could speak to her. I later visited her in the welfare department and told her that I am DPA-Minor years old, but the officers are not listening to me. I told her that I have my Taskera to prove it. A Taskera is an Afghan photographic identity document stating a person's name and age. I asked my maternal uncle to get my Taskera to me, which he did. I told her about my situation and she was helpful and listened. She said that if I can prove that I am under eighteen years old, the Home Office won't be allowed to send me to Germany. This gave me hope but later I brought my Taskera in to the Home Office at the detention centre, but they

disregarded it and still sent me to Germany. The lady at the welfare department then shared what I had told her with a colleague in the welfare team who would regularly check on me at night to see how I was doing.

Use of Force

42. When I was removed to Germany, I was physically assaulted during the removal process. I was restrained with handcuffs and I sustained an injury to my wrists. Initially about four to six Brook House security staff came to the room in the early hours of the morning and said you will be taken to Germany. The officers were wearing full riot gear with batons and shields and so I felt that I could not resist them. They handed me to other officers who fitted a waist restraint belt which was connected to handcuffs around me. I remained in this waist restraint belt and handcuffs until I reached Germany. I think that the handcuffs were made of plastic but I cannot remember exactly. These officers were not in full riot gear but were wearing their normal uniform, which I think was black and had the name of their company on it. I do not remember the name of the company they were working for. My solicitors have told me that the second group of officers worked for a different company to the officers who were at Brook House, but to me they were all connected to Brook House and part of the same experience. I screamed and tried as much as I could to stop them taking me to the airport, but it was no use. I was clinging onto the handrails in order to resist being taken with the officers. The officer deliberately placed himself in a comfortable position, kneeling on the chair with one leg and standing with the other, so that he could drag me with ease. He fitted another pair of handcuffs around one of my wrists and he held the other handcuff in his hand so that he could pull me out of the bus when I resisted. When he was unable to forcibly remove me from the bus, he called several of his colleagues over. The officers were so aggressive in forcing me to come with them that they pulled my trousers off. My

trousers came off when the four or five officers were trying to force me off the bus. They were pulling my legs and my arms and using all of the force that they could to pull me out of the bus. It was in this struggle that my trousers came off. When the officers were pulling my arms and wrists using the handcuffs, it felt like my arm was coming off. One end of the handcuff was around my wrist and the other was in his hand and he pulled me along using the handcuffs. I still have scars on my wrists from the handcuffs from when they dug into my skin, leaving deep, bloody cuts on my wrists. My whole body was hurting. It felt like I had been beaten up for the next few days. They then put us onto the plane and then we were deported to Germany. It was not until I got onto the plane that I was able to pull my trousers up. Before, they had been round my ankles since the officers pulled them off, and I was so focused on resisting removal that I wasn't interested in pulling them up until I knew that I had no hope of resisting removal anymore. Throughout the whole journey to Germany on the plane, I was restrained. One officer was sitting to one side of me holding my arms and legs, and another officer on the other side, holding my arms and legs. There was another officer behind me, forcibly holding my head. I could not move at all. I told the officers that the handcuffs and belt were very tight and causing me a lot of pain, but they told me that I would need to wait until I arrived in Germany until they could remove my handcuffs. It is very distressing for me to think about or talk about this incident. The way that I was forcibly removed, handcuffed and dragged like an animal onto the plane was very inhumane and dealt a psychological blow to me and is not something I will forget.

43. I remember on another occasion a detainee cut his wrist and it was very bloody and the detention centre staff called an ambulance. This was another incident I will never forget. That was a very horrible moment for me. I think they took him to the hospital. I think this happened when I was in the public wing.

44. When I was in the isolation wing, in the next room to me, there was a guy who was constantly beating and punching the door. There was no way to stop him from doing

this, and this was very scary for me. The door was locked to my room and it was very noisy. When I returned to the isolation wing from the public wing that guy was still there.

45. We were all treated badly and without respect but apart from the incident where the officers taunted me during the induction, which I think may have been due to me being from Afghanistan and the stereotype they had about people from Afghanistan being connected to the Taliban or the army, I do not believe that I was specifically singled out to be treated badly because of my ethnicity, nationality or religion but this may have been why they treated us all badly.

Use of Force

46. I have described how force was used on me to remove me and when I was in the plane. I was assaulted and physically restrained and put in waist restraints and handcuffs. They did this even though I was a young person and had mental health problems.
47. When I was detained in the isolation wing, there was another Afghan boy detained near to me. He was making a lot of noise and banging the doors. I remember that on one occasion a number of staff did restrain this Afghan boy in another room because he was causing so much fuss. I can remember hearing him shouting and kicking and punching the door. I think that this happened when I was brought back to the isolation wing at the end of my detention.

Rule 35 (if applicable)

48. I did not have a Rule 35 report prepared for me by the healthcare department whilst I was in detention. I am not aware of what a Rule 35 report is and no one explained to me what a Rule 35 report is or its purpose whilst I was at Brook House. I cannot remember whether or not I was asked and told a doctor at the detention centre about

the torture I sustained in Afghanistan but my solicitors have confirmed to me that according to my medical records I did inform a nurse when I first arrived and I was to discuss it with a doctor. However I was not offered an appointment for a doctor at the detention centre to examine my scars. If I had the opportunity I would do everything not to be separated from my family including requesting a Rule 35 report but unfortunately I did not have this opportunity. I had an appointment with Freedom from Torture when I was detained but I missed this appointment. Then when I was in detention, Freedom from Torture called me and asked why I did not attend this appointment and I said that I was in detention and they said sorry and that they wished they could help.

ACDT

49. Whilst I was detained at Brook House, my mental health was very poor. Even before I was detained, I had considered ending my life, and I had even made an attempt to do so by walking in front of oncoming traffic. Being detained just made my suicidal feelings worse.

50. Because of my suicidal thoughts, I was placed under constant watch and supervision. The level of supervision was particularly strong when I was detained on the isolation wing, which my solicitors say was called E Wing. I think it might have been because I was seen to be a danger to myself. I was under immense psychological pressure when I was detained at Brook House. I wanted to self-harm but couldn't find anything to harm myself with, such as a knife, as they gave us plastic cutlery. I could not believe that despite the past problems I had been through, the Home Office just took me and detained me in a place I never imagined myself in. This made me feel hopeless. Being observed all day felt intrusive and uncomfortable. At all times I felt like someone was watching me or following me, like someone was filming me. Being watched all of the time actually made my mental health and suicidality worse. I felt restricted all of the time.

Food refusals

51. Although I didn't have the appetite to eat or drink when I was at Brook House, I never refused food and fluids in protest at the way that I was being treated. When I was hungry I ate and drank, but often because of how distressed I was I didn't feel like it.

Drugs

52. I never used drugs when I was detained at Brook House. At one point, another detainee told me that it was possible to get illegal drugs, but I did not witness anyone taking or using drugs or illegal highs.

Protests

53. I did not participate in any protests whilst I was at Brook House. I didn't see any mass protests, but I did see individual detainees doing things like banging doors, sewing their lips together and cutting their arteries, which I think might have been at protest against being detained.

Clinical care issues

54. As I have explained above, when I was detained at Brook House I was mentally unwell and psychologically under pressure and I suffered more than I ever imagined

myself due to being in place like that. I saw people with knife wounds and I was kept in a room by himself. I always felt stressed, worried, concerned, scared someone would assault me, including sexual assault, from the day they took me there to when I was released. When I was at Brook House I couldn't sleep at night due to the concerns I had about my future.

55. When they were doing the registration process at Brook House I told them I am taking medication, [Sensitive/Irrelevant] That night they didn't give me medication and the same the following night. There was a two to three day gap between when I arrived at the detention centre and when I began receiving [Sensitive/Irrelevant] During the time that I wasn't receiving medication I used to push the emergency button to ask for my medication and the officers came to me and I told them I need my medication or else I will not be able to sleep. I would often have to wait for someone to answer the buzzer and even then they did not provide me with my medication and did not seem to care about the impact of me stopping taking my medication on me. When they did provide the medication I would go myself to healthcare to get the medication.

56. When I was unable to access my medication when I was detained, I suffered from tiredness and body aches. I also lost my balance and control of my body. I didn't know what I was doing; it felt like I had lost an important part of myself because I hadn't taken my medication and I was so stressed.

57. As I have explained above, when I tried to approach a doctor at the healthcare department to tell him that I needed my medication, he reacted very rudely towards me. After this, I repeatedly asked the officers for my medication, but it took two to three days before they realised that I was being serious when I said that I needed the medication. There was a bell in my room that I could ring at night and an officer who was on duty would come to me. It was only when this happened repeatedly that they realised how much I needed the medication.

58. At Brook House, all the healthcare department did was to eventually give me my medication. This is very different to when I see my doctor now, and I explain all my problems to them and they help me. At Brook House, the healthcare department just didn't care. All I did was go to the pharmacy and took my medication and that was it. I felt like I didn't have the right kind of medical support at Brook House. The doctor should have sat down with me when I got there and prescribed medication and given me recommendations on what should and shouldn't do like when I go to my GP now, but he didn't seem to be concerned for my welfare.

59. Although I wasn't happy with the medical treatment I received at Brook House, I didn't make a complaint about it as I didn't think that there was anyone there to listen to my concerns.

Complaints and oversight

60. As far as I can recall, I think that there was a complaints box at Brook House, but I can't remember where it was. Although making a complaint about being detained crossed my mind whilst I was at Brook House, as far as I can recall I did not make a complaint. I do not feel that I was given the opportunity to raise my concerns with anyone when I was in detention. I was only DPA - Minor years old and didn't know what to do and was too scared and nervous to complain to anyone.

61. As far as I can recall, I did not make any complaints about the way that other detainees were being treated when I was at Brook House.

62. I did not go to the police with my concerns or to anyone else. In reality, no one informed me that there was a complaints procedure.

63. When I went to the welfare department I informed them that I was under eighteen years old and that I should not be in detention. However, as far as I can recall they never informed me of a complaints procedure.
64. I do not know what the Professional Standards Unit (PSU) is or the Independent Monitoring Board (IMB) or the Prisons and Probation Ombudsman (PPO). As far as I can recall, I was not told that I could complain to these bodies or about the complaints procedure.
65. The day after I arrived at Brook House, the officers brought an Imam to me who gave me reassurance and said that we pray on Fridays here. I had no other contact with him. I did go to Friday prayers but I don't know if it was the same Imam who conducted the prayers. I was not able to pray inside my room as there was no space to do so. As a Muslim, I have to pray five times a day, but as I wasn't aware that the place where the Friday prayers were held was open for praying five times a day and I was unable to pray inside my room due to lack of space, I was unable to practise my religion properly whilst I was detained at Brook House. Because of the emotional and mental pressure I was under whilst I was in Brook House, I was not able to think straight in order to ensure that everything was in place for me to practise my religion there. All I was concerned about at that time was about getting out of Brook House, and so it was not possible for me to think about anything else, such as when I needed to pray or the fact that I could not do so properly.
66. I did not try and find the Imam to see if he could help me as to be honest I was too scared to leave my room as I was afraid that somebody might harm me. I also didn't think the Imam was able to help me with practical problems; I thought that he was just there for religious support. The Imam never told me he would be able to help me with any of the concerns I had with being in detention. He said a few words to me but I don't remember what he said.

67. The welfare department at Brook House seemed helpful to me and they provided me with some support but I am not clear what information they gave to the Home Office about regarding my age or whether they gave the Home Office a copy of my Taskera and ultimately the Home Office removed me on the basis they claimed I was an adult. I do not know whether the people I met with were members of Gatwick Detainees Welfare Group, but I think that this is likely.
68. I was not in contact with any other detainees or visitors when I was at Brook House and I wasn't aware about any other support organisations.
69. Although making a complaint about being in detained crossed my mind whilst I was at Brook House, as far as I can recall I did not make a complaint whilst I was at Brook House. I do not feel that I was given the opportunity to raise my concerns with anyone when I was in detention. I was only DPA - Minor years old and didn't know what to do and was too scared and nervous to speak to anyone.
70. As far as I can recall, I did not make any complaints about the way that other detainees were being treated when I was at Brook House.
71. I did not go to the police with my concerns or to anyone else. In reality, no one informed me that there was a complaints procedure.
72. When I went to the welfare department I informed them that I was under eighteen years old and that I should not be in detention. However, as far as I can recall they never informed me of a complaints procedure.

Judicial Review

73. My current solicitors brought a judicial review to get be back from Germany which was successful and it was ruled that the removal was unlawful. However nobody from the Home Office or Brook House has acknowledged or apologised for what

happened to me, and so I feel like they have not learnt from their mistakes or suffered the consequences of their unlawful decisions. That makes me feel that I don't count for anything and they don't care that I suffered these things.

Responses to Rule 9 Request

74. I understand that the Brook House Inquiry has asked my solicitors some specific questions regarding documents which are relevant to my time at Brook House. My solicitors have shown me copies of these documents, and I wish to provide the Inquiry with my responses as follows.
75. In relation to the witness statement which my solicitors prepared in support of my judicial review claim during attendances with me when they visited me in Germany in December 2017, I wish to state as follows:
- a. In the statement I prepared for my judicial review I explain at paragraph 76 that when I was detained at Brook House I could not sleep in the second room allocated to me as I feared that my roommate would sexually abuse me. The Inquiry has asked me to provide further details in relation to why I had that fear and any events that underpin that fear. As I have explained in paragraph 8 above, before I left Afghanistan I was kidnapped and sexually abused by a Commander associated with **Name Irrelevant**. I go into more detail about these events in the statement I prepared for my judicial review and in particular at paragraph 27 of that statement. I do not wish to repeat these events in the present statement, as it is too traumatic and painful for me to think about them and talk about them. I wish to explain that it was because of my previous experience of sexual abuse in Afghanistan and the fact that I was a child when I was detained at Brook House that I felt particularly vulnerable to sexual abuse at Brook House. Being at Brook House reminded me of when I was detained and subjected to torture, including sexual abuse, in Afghanistan. I explain this further at paragraphs 13 and 24 of the present statement, above.

- b. I have also been asked by the Inquiry to provide further details of how my roommate had violent mood swings and shouted at me. I believe that the Inquiry is referring to paragraph 77 of the statement that I provided for my judicial review proceedings. I have given more details about this above at paragraph 25.
- c. My solicitors have told me that the Inquiry has asked me to answer the following questions regarding the officers at Brook House telling me that I could not leave my room. My answers to the Inquiry's specific questions are as follows:
 - i. As I have explained at paragraphs 18, 20 and 26 above, I requested to move rooms as I did not want to share a room with adults and I was afraid that I would be hurt or abused by my roommates and did not feel safe.
 - ii. As I have explained at paragraph 20 above, I asked both the officers at Brook House and a woman from welfare who used to check on me if I could move to a room by myself. I cannot remember exactly how many times I asked to move rooms, as I was detained at Brook House over four years ago and my memory is poor due to my mental health problems. However, from what I recall I asked the officers and the lady from welfare if I could transfer rooms at every chance I got when they came to my room.
 - iii. At first, the officers ignored my requests and refused to transfer me. As I have explained above, it was not until my roommate became violent that I was moved to another room where I shared with another adult detainee and then the next day I was moved back to the isolation wing.
 - iv. I have explained above at paragraph 25 about the conversations I had with the officers when my roommate was violent and when I asked the officers to be transferred back to the isolation wing as I did not feel safe.
- d. My solicitors have told me that the Inquiry has also asked whether my roommate damaged any of my property when he 'destroyed everything in the room'. I have given details of this incident above at paragraph 25, however, I wish to add that I did not have anything of my own with me as I was brought from the Home Office with just the clothes I was wearing, but my roommate destroyed everything in the room. I may have had some of my documents with me, but I can't remember

exactly. All I can recall is that my roommate turned everything upside down in the room.

- e. I understand that the Inquiry has also asked me to comment on how I responded when my roommate told me that he would attack me if I came into the room and whether I informed any staff member about these threats and if so, the responses I received. To summarise, when I told the officers about the threats I had received from my roommate, they moved my roommate with someone else. I think that when the incident happened, the officers asked me to wait outside of my room for a while whilst they tidied it up and then I was asked to return to the room, which I then shared with a new roommate.

76. I understand that the Inquiry has also asked me to explain whether I told anyone in Brook House that I was a minor at the time and if so, how they responded. As I have said above at paragraphs 40 and 41, I was constantly telling the detention centre staff that I was a minor from the beginning. I believe that this is why I was initially placed in a room by myself and why I was eventually transferred out of the shared room. Most of the time, when I told the detention centre staff that I was a child, they didn't seem to care or to be concerned for my welfare. I had to plead and keep repeating that I was a minor and that it was not safe for me to be detained or to share with adults before anyone took any notice. Although I was transferred to a room by myself, I feel that if the staff really cared for my welfare they would have taken steps to raise this with the Home Office or others in charge so that I could be released from detention.

77. I also understand that the Inquiry has asked me to review certain healthcare documents, but has only provided my solicitors with codes for these documents and has not specified which documents the codes correspond with. Due to the limited information that I have been provided by the Inquiry, I will answer these questions as best as I can and if I need to provide any more information once I have further information from the Inquiry. My solicitors have told me that the Inquiry has asked me to clarify whether anyone was able bring me medication if I needed it and if I was aware of the medication I was taking. I did not have my medication with me when I

was detained and as I have explained at paragraphs 33 and 57 above, when I went to the healthcare department shortly after arriving at Brook House and asked for my prescribed medication, the doctor sent me out of the room, and there was a delay between me arriving at Brook House and me receiving my prescribed anti-depressant medication. I remember that when my uncle came to visit me he brought my medication with him, but I cannot remember whether I was allowed to take it back to my room or whether I was only allowed to take medication which had been prescribed by the healthcare department. As far as I can recall, I was able to tell the detention centre staff that I had been prescribed [Sensitive/Irrelevant] but I am not sure if I was able to say how many milligrams I was taking or provide the detention centre with my GP's details. As I have explained at paragraph 55 above, the officers did not bring me my medication, but rather I had to go to the healthcare department and collect it myself.

78. In addition, my solicitors have told me that the Inquiry has asked me to comment on a statement made by [Name Irrelevant] in support of my judicial review proceedings, referring to a WhatsApp message I sent her on 14 August 2017. My solicitors have read this statement to me and the details of the WhatsApp message. My answers to the questions posed by the Inquiry are as follows:

- a. When I sent this message to [Name Irrelevant], I was living in Germany, separated from my family in the UK. My removal to Germany, which was later found to be unlawful by the UK courts, had a really bad impact on my mental health. What I meant was that at that time when they deported me they deported me in a very bad way and I was in a very bad condition and I felt I had lost the desire to live. I was extremely disappointed, broken and upset and psychologically affected. When I was in the UK I was with my family and I felt like there was someone to look after me but when the Home Office detained and then removed me to Germany I felt extremely lonely, helpless and in despair.
- b. It was related to everything that they had done to me including unlawful removal and detention at Brook House.

I was referring to my forced removal to Germany and separation from family when said I'm here like someone in prison.

- c. [Name Irrelevant] had always been very helpful to me and treated me like a son. I saw her like my mother in the UK and we used to share problems. When I was at Brook House she had no access to me and was not aware that I had been removed to Germany as the officers had taken my phone from me when I was detained. When I arrived in Germany and switched my phone on I received her messages. I informed her about my detention and removal and asked her if she could help me to be reunited with family in the UK. She referred me to a friend who referred me to Duncan Lewis who represented me in judicial review proceedings which resulted in me being returned to the UK.
- d. When I talked of pain in this message I was talking of both psychological and physical pain. The psychological pain was due to the way the Home Office had acted in detaining me and unlawfully removing me and the physical pain was due to them using force on me, putting me in handcuffs and forcibly putting me onto the plane and injuring me in the process. In terms of injuries there were clear injury marks and scratches on my knees and from handcuffs on my wrists and in addition my whole body ached and it felt as though I had sustained a beating. The physical pain disappeared several weeks after the incident but my meaning in that message to [Name Irrelevant] was to refer to the psychological pain. When I was in Germany, my antidepressant medication was increased and this caused me to experience sleeping problems and physical pain. Some of this pain was due to events that occurred after I was at Brook House such as my forced removal to Germany and separation from my family but the pain I was experiencing was really a continuation of the pain I experienced when I was at Brook House. When I messaged [Name Irrelevant] the pain was deteriorating and getting worse and worse with the passing of time, but it all started with my experience of detention at Brook House.

79. I also understand that the Inquiry has asked me to confirm whether I was on medication for and suffered from depression and stress during the time that I was at

Brook House. As I have already explained in this statement at paragraph 10, for several months prior to me being detained at Brook House, I was under the care of a psychiatrist who had diagnosed me with post-traumatic stress disorder and had prescribed me with [Sensitive/Irrelevant]. I understand that my solicitors have already sent the Inquiry a copy of a letter from Dr Olimpia Belea dated 7 March 2017, which gives details of my mental health and treatment. I can confirm that I continued to take [Sensitive/Irrelevant] after Dr Belea wrote this letter, and I was still taking it at the time that I was detained at Brook House. As I had had no contact with the Home Office between being prescribed [Sensitive/Irrelevant] and diagnosed with post-traumatic stress disorder and being detained at Brook House from reporting, I had not had an opportunity to inform the Home Office of my mental health and the medication I was taking. I do not think that my previous solicitors ever wrote to the Home Office to inform them of my mental health problems and the medication I was taking, although they did write to the Home Office with a copy of my Taskera, which stated that I was a child.

80. My solicitors have also told me that the Inquiry has asked me to comment on an entry in my medical records from the healthcare department at Brook House IRC from 7 April 2017, where I stated 'I don't know' when asked if I had any thoughts of self-harm or suicide at this time. I cannot remember this conversation as it happened so long ago. As far as I can recall, I did not have the assistance of a Dari interpreter during any appointments I had with the healthcare department at Brook House, and so it's possible that I misunderstood the question that I had been asked. As I have explained above, at the time that I was detained at Brook House, my spoken English was not as good as it is now, and even now I require a Dari interpreter for complicated conversations, such as preparing this witness statement with my solicitor. As I have stated earlier in this statement, in particular as paragraphs 15, 49 and 50, I was feeling suicidal throughout my time at Brook House, and I was on suicide watch. Talking about these things is not easy.

81. I understand that the Inquiry has also asked about the letter from Dr Belea and asks me to confirm whether I was given any formal or informal treatment for my mental health. It is unclear from this question whether the Inquiry is asking me whether I was given any formal or informal treatment for my mental health prior to or during my time at Brook House. I can confirm that prior to me being detained at Brook House, I was under the care of a psychiatrist, Dr Olimpia Belea, who I was referred to by my GP, and who I had seen on several occasions prior to me being detained. Dr Belea had also prescribed me [Sensitive/irrelevant] I had been referred to Freedom from Torture. When I was detained at Brook House, I did not receive my medication for a number of days, despite requesting this. Although I met with the healthcare department when I was detained at Brook House, I did not receive any treatment from them. I do not feel that the treatment that I was provided with by Brook House healthcare department was adequate for me, and in any event I was in such a low place mentally that I felt like I had shut down. It was also the detention that was making my mental health worse.

82. I also understand that the Inquiry has asked me to answer further questions related to the witness statement which I prepared for my judicial review proceedings, in which I comment on the healthcare treatment I received when I was at Brook House. My answers to the questions posed by the Inquiry are as follows:

- a. As I have explained above at paragraph 15, as far as I can recall no doctor came to see me as part of my induction or on the first day of detention. I think I was seen by a nurse but not a G.P. When I did eventually go to see a doctor myself, he kicked me out of the room and didn't seem to care about my welfare. I can't remember how long after I arrived at Brook House it was that I saw that doctor. I think it was a few days after I arrived there.
- b. As I have explained above at paragraph 15, when I arrived at Brook House, I explained that I had been prescribed [Sensitive/irrelevant] for my mental health. I was concerned that I could not access this medication in detention and about the impact that not taking the medication would have on me, so I kept asking the

officers to give me my medication. When I rang the bell in my room to request the medication, often the officers did not answer and when they did they acted as though they did not care. I did not feel that the officers appreciated the seriousness of me not receiving my prescribed medication. The staff were very dismissive, rude and harsh, saying things like 'it's not in our hands' and 'you must wait'. This demonstrated that they did not care what I was going through. Because I had been taking the medication regularly and then I was forced to stop taking the medication the consequences were fatigue, body aches, anxiety, bad feelings and thoughts of self-harm. I was in shock not only because I did not have access to my medication but also because I had been placed in a position which reminded me of my past experiences. These acts of detaining me made me feel as though I was reliving the experiences of my past.

- c. As I have explained above at paragraph 33, after I arrived at Brook House I saw a doctor who shouted at me and told me to leave the room when I requested my medication. The doctor behaved very rudely to me, picked up the phone to speak to someone else and told me to leave the room. I cannot remember the name of the doctor who I saw as the incident happened many years ago. From what I remember the doctor was between 50 - 60 years of age. The conversation was not very long, but in terms of his appearance, he was wearing glasses and had a greying beard. As far as I can remember, no one else was present at the incident where I saw the doctor at Brook House.
- d. As I have explained above at paragraph 15, as soon as I arrived at Brook House I asked for my medication, and I explained that I was concerned about that effect on me and my mental health if I did not receive it. However, it wasn't until a few days after I arrived there that I was given my medication. Although I was not feeling well in the day, I felt particularly bad in the night time when I was locked in and that was when I banged on the door asking for medication until they were convinced that I needed my medication.

83. I also understand that the Inquiry has asked me to comment on an entry in my medical records from Brook House on 6 April 2017, when I told a nurse about being

tortured in Afghanistan and about having made a suicide attempt. My answers to the Inquiry's specific questions are as follows:

i. My solicitors have discussed with me my medical records from Brook House, and it seems that this incident actually took place on 7 April.

ii. Because it is over four years since I was detained at Brook House and due to my poor mental health, I have difficulties remembering specific details. However, as far as I can recall, when I was detained at Brook House I was feeling very low. I think I told the officers on a number of occasions that I was feeling suicidal and hopeless about my life, but I cannot remember particular events.

iii) I have been told by my solicitors that I should have had a full physical and medical examination by a G.P. and an assessment of my experience of torture and ill-treatment and whether detention would be harmful to me because of this, my health problems and suicide risk, but this did not happen. I find that very upsetting.

84. My solicitors have told me that the Inquiry has asked me to comment on when I was placed under observation on 7 April, 10 April and 11 April 2017 and an ACDT was opened for me. My answers to the Inquiry's specific questions are as follows:

a. From what I can recall about my observation period, the place where I was kept, it felt like I was on constant supervision. I felt like I was being watched. There weren't many people on this particular wing – maybe eight or ten people. The officers were constantly doing rounds. I think that there were also cameras watching us.

b. I am not completely sure why I was kept under observation. One reason could be because I had explained to them I was under age and had been detained unlawfully. They probably wanted to ensure no problem came to them in the future. The other reason might be because I told them about my mental health issue and about my problems. Also, when I first arrived there, I was very scared, especially when I looked at the others who had stab marks and tattoos. I was crying and pleading for them to place me in some place where I would not be subjected to an assault.

- c. I do not remember much more about having an ACDT open for me. I would just stay in my room.
- d. I think I have given the reasons for me being placed on ACDT above at paragraphs 49-50. The officers weren't doing anything in particular in relation to me just that I was separated from everyone else. As far as I can recall, no one came to explain to me what an ACDT was and that I had been placed on constant watch and why, but I could feel that they were constantly watching me. At that time all my focus was on being released from detention, but obviously being in a place like that has its effects. Naturally when you take a free human being and detain them, especially someone like me who has had bad experiences, they will find it difficult. I was also concerned that they might remove me and send me to Germany and that Germany might deport me to Afghanistan. That also worried me. I felt under enormous pressure and stress by everything that was happening to me. Locking me in and monitoring me all the time did not help at all.

Statement of Truth

I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without honest belief in its truth.

I confirm that I am willing for the statement to form part of the evidence before the Inquiry and published on the Inquiry's website.

Signed: **Signature**
D2033

Dated: 18 - 01 - 2021

Interpreter's Declaration

I, Zubair Popalzai, confirm that I have interpreted the above statement from Dari to English during with **D2033** who has confirmed that he is happy with its contents.

Signed: **Signature** - signed by Stefania Sbengheci on behalf of Mr Zubair Popalzai for 24-7 Language Services
19/11/2021

D2033

