

## THE BROOK HOUSE INQUIRY

### WITNESS STATEMENT OF

**D1473**(D1473)

1. I, **D1473** make this statement to help the Brook House Inquiry. Although I will mainly deal with the time that I was detained at Brook House, I will also cover other events and experiences of detention where relevant to help explain the circumstances in which I was detained there. Because of the Covid-19 Pandemic restrictions, I have prepared this statement with my solicitor over the course of several conferences which have taken place via Zoom and telephone.
2. It is now over 4 years since the time I was detained in Brook House from 19 August to 29 September 2017, for a total of 41 days. The experience of detention was very difficult for me, especially my time at Brook House, and I still find it painful to try and remember some aspects. I suffer from mental health symptoms, related to my past history of trauma, which were made worse by detention. Since being released from detention, I have been diagnosed with moderate PTSD. I have some problems in remembering certain events that happened and when. I can also sometimes become too distressed to continue to speak or reflect on my experiences in detention.
3. I am still taking medication for my PTSD and depression symptoms. I take **Sensitive/Irrelevant** a day. I am receiving calls every couple of weeks from the secondary mental health care team in the community who ask how I am. I was having counselling, but this stopped during the pandemic and I am hoping it will restart.
4. I am offering to help the Inquiry because I want someone to properly acknowledge that what happened to me was wrong and should not happen again. I don't want others to go through what I went through. In helping me to prepare this statement, my solicitors have shown me and/or discussed with me various relevant documents prepared by the Home Office and G4S, which have been disclosed by the Inquiry. My solicitors have told me that they have also submitted to the Inquiry a bundle of documents relating to my detention, together with a chronology of events they have prepared from my time at Brook House in particular. I would ask that this statement be considered together with these documents which I hope will help the Inquiry to understand my experience at Brook House.

### My background and events surrounding my initial detention at The Verne

5. I was born in Nigeria on **DPA** I was subjected to serious violence and mistreatment whilst in Nigeria on account of my **Sensitive/Irrelevant**
6. I first entered the UK on 3 July 2005 on a visit visa. I remained in the UK as an overstayer after my visa expired on 17 October 2007. During this period, I entered into a relationship with **Name Irrelevant** who is a British citizen. We went on to have a child together, **Name Irrelevant** who is a British citizen.
7. On 1 July 2013, I was convicted of offences relating to **Sensitive/Irrelevant** and was subsequently **Sensitive/Irrelevant** **Sensitive/Irrelevant** During this period, I was also informed by the Home Office of their intention to deport me. I resisted this on the basis that I feared persecution

in Nigeria as I am [Sensitive/irrelevant] and would suffer further mistreatment there, and also because I had a British partner and child in the UK.

8. I was first detained by the Home Office on 22 August 2014 following the expiry of my custodial sentence, and transferred to The Verne Immigration Removal Centre on 10 September 2014. I remained there until I was released on bail on 24 February 2015. I really struggled with my first experience of immigration detention and felt that my mental state started to worsen. I remember feeling stressed, confused, low and struggling to sleep. This was noted in my medical records at the time [HOM029928 - internal p.8/97 medical records]. I could not understand why I was still being detained when I had already served my sentence and just wanted to be reunited with my family. I think I received some support from the mental health team whilst there, but this was limited.
9. On 15 September 2014 I was served with a signed deportation order (I know the precise date of this and other events from the documents that my solicitor has told me about). With the help of a solicitor, I claimed asylum the following day on account of my [Sensitive/irrelevant].
10. My asylum claim was refused on 30 April 2015 and I appealed this to the First-Tier Tribunal. I won my first appeal in a decision dated 20 October 2015. In that appeal, the judge accepted that I was credible and [Sensitive/irrelevant] and that I was subject to [Sensitive/irrelevant] attacks in Nigeria. But the Home Office appealed this and the Upper Tribunal decided that the appeal should be heard again. By the time my appeal was heard again in March 2016, I could not afford a solicitor and did not have representation. I tried to ask for an adjournment at the hearing but the judge refused.
11. In a decision dated 1 April 2016 my remitted appeal was refused. The judge did not believe I was telling the truth about what happened to me in Nigeria and relied on my conviction to support this. He did not think that my family life in the UK was strong enough to stop me being deported. I was still unable to afford legal advice and so did not appeal the outcome. I stopped signing on with the Home Office at around this time as I was not in a good way mentally. I felt hopeless and overwhelmed about my situation.
12. Around this time my relationship with [Name Irrelevant] broke down. I met and started living with a new partner, [Name Irrelevant] in Wales. I became very close to her and her four children. [Name Irrelevant] is a British Citizen. She became pregnant and in [DPA] our daughter, [Name Irrelevant] was born. [Name Irrelevant] is British and so I have two children in the UK who are British Citizens. [Name Irrelevant] and I are no longer together but I remain a committed parent to [Name Irrelevant] who stays with me every two weeks from Friday to Sunday. I also stay in close contact with [Name Irrelevant] and she stays with me regularly as well.

### **My second period of detention at The Verne in 2017**

13. On 13 July 2017 I was arrested and taken to the police station. I was then taken to The Verne the following day. I understand that I was arrested because I had not been signing on, not because I had committed any further crime. At the time, I was feeling very low and desperate about my situation. Although I had been detained before, both in prison and in an immigration removal centre, it affected me really badly to be detained again and I was very scared about what was going to happen to me. It was also very hard and painful to be separated from my partner, my new baby and step children. [Name Irrelevant] was barely two months old at the time.

14. On my first day at The Verne on 14 July 2017, I was seen by a nurse. I told the nurse that I was feeling low and had thoughts of hurting myself and that I had been depressed as well in the past. I also disclosed that I had suffered mistreatment in Nigeria. The nurse told me she would arrange for me to see a doctor about this to do a report. I wasn't sure what the report was for but I thought that it would be helpful to get the report and maybe the Home Office would consider it and not continue to keep me in detention. I was not seen by a doctor straight away for this report, which I know now from my solicitors to be called a Rule 35(3) report. In fact, this report was not completed for over a month into my detention at The Verne.
15. Sometime after I was first detained, I asked to see a lawyer and I was given an appointment with someone from Thompson and Co. I think they were a firm on the rota firms that provide initial free advice in detention centres. I explained to them why I was afraid to go back to Nigeria. I told them a bit about my immigration history and about my partner, [Name Irrelevant] and our life together in the UK. They said that they could not do asylum cases but that if I paid them, they would make further representations to the Home Office about the changes in my family life [Name Irrelevant] and I paid them to do this.
16. Because of my mood and the fact that I had said I had thoughts of hurting myself, I was placed on self-harm measures, which I now understand the Home Office refers to as an ACDT, at The Verne. As far as I can remember, I think I was on these measures throughout most of my time at The Verne. My solicitors have informed me that my medical records show that an ACDT file was first opened for me on 14 July 2017 and later closed on or around 27 July 2017. I was then placed back on an ACDT on 1 August 2017 which I stayed on for the rest of my time at The Verne. I remember that whilst on these measures I was on observations. I understand from my solicitors and the documents that I have seen that it was reported to the Home Office that I was on an ACDT in a form called an IS 91RA Part C. But this did not affect the decision to detain me in that it doesn't appear on the records that the Home Office considered my situation and how the detention was affecting me and putting me at risk from myself.
17. I was prescribed anti-depressants when I was at The Verne. I can see from the medical records that I was prescribed [Sensitive/Irrelevant] by a GP on 22 July 2017. I was also seen a few times by the mental health team, but these were only brief conversations about how I was feeling. I remember being told that I was going to see a psychiatrist, but I did not see a psychiatrist for the whole period that I was detained in The Verne and Brook House. Whilst my medication did help initially, I started to feel low again and felt so bad that I wanted to hurt myself.
18. There was an incident whilst I was at The Verne when I barricaded myself in my room. I don't remember the exact date but from the documents that I have now seen, it appears that this happened on 1 August 2017. As far as I remember, I was feeling really desperate; I had an appointment to see a solicitor in the detention centre but the solicitor did not show up. I was terrified about my situation and was feeling really helpless. I had, by then, been in detention for 2 weeks; I was separated from my family and especially my new baby. I didn't know what was going to happen to me, but guessed that the Home Office was planning to remove me from the UK. It felt like there was nothing I could do about my situation. I was in a really bad way at the time. I remember that I was having nightmares and bad thoughts about what had happened to me in Nigeria and what might happen to me if I was returned there. I was found with a belt from my dressing gown round my neck.
19. After this incident I was put in the segregation unit (or CSU) in The Verne. I can see from the

medical records on 1 August 2017 that the reason recorded for putting me into segregation was for me to be in a 'ligature free room'; however, I wasn't told that at the time– I only remember being told that I was being placed in segregation because someone had accused me of stealing (which I hadn't done) and that it wasn't safe for me to be on the wing. I can see that this reason was also recorded in a medical record entry dated 2 August 2017 [HOM029928 - internal p.12/97 medical records]. I have also seen in my medical records on 1 August 2017 that I was seen by a mental health nurse, who noted that I had been having "*flashbacks and nightmares*" and ongoing thoughts of self-harm and suicide [HOM029928 - internal p.12/97 medical records]. I was placed back on an ACDT at that stage and under constant watch for a short period. I am informed by my solicitors that the records confirm this incident was also reported to the Home Office in an IS91RA Part C form [HOM025617\_0002]. Again, there is nothing in the documents that I have seen to show that the Home Office did anything with this information. It didn't make the Home Office rethink the decision to continue to keep me in detention even though it was making me feel really unwell, to the point of my trying to end my life. It is hard to be reminded of this in the course of preparing this witness statement, and especially hard to go through the documents which I didn't have access to at the time when I was detained and learning that the Home Office didn't really care about my safety, my life or how detention was affecting me.

20. My medical records show that I was seen on 2 August 2017 whilst in CSU for a meeting, which I understand from my solicitors is called an ACDT review. The records note that I stated I had not been able to sleep in the segregation unit and that I did not want to stay there. I also reported that my medication was not helping. I continued to feel really low and sometimes entirely despairing, like I had no interest in life. Since being detained at The Verne, I had also been suffering from nightmares and flashbacks, as the experience and sounds of detention brought back distressing memories of my mistreatment in detention in Nigeria.
21. I was transferred to Colnbrook on 3 August 2017 for an interview with the Nigerian authorities. I did at one stage say I did not want to go but agreed to in the end. After the interview, I was taken back to The Verne on 4 August 2017. Meeting the Nigerian officials made the prospect of being made to leave seem all the more real and disturbing. I was taken to and from Colnbrook in a prison van and found this really intimidating. I was still on an ACDT at the time and continued to feel depressed and scared.
22. Eventually, a month after I had arrived at The Verne, on 14 August 2017, I saw a doctor for an assessment and report on my mistreatment in Nigeria. I don't know why I was only asked questions about what happened to me at this stage, for the first time, when I had raised it when I arrived at The Verne more than a month before. I also remember bringing it up again with healthcare staff, after I had been waiting for several weeks, and I can see there is reference in the medical records to me asking for a report on my return to The Verne on 4 August 2017 [HOM029928 - internal p.14/97 medical records]. During this appointment, I told the doctor what had happened to me and showed her the scars on my body. I also told her about how low I had felt since being in detention. She increased my dosage of [Sensitive/Irrelevant]. She also completed what I know now to be a R35(3) report that was sent to the Home Office. I remember seeing this report whilst in detention at Brook House. My solicitor has since shown me this Rule 35(3) report again [HOM029580] in which the doctor summarises my account of torture, and records the various scars she observed across my body, limbs and head. She also records that "*he has symptoms of depression along with thoughts to self harm, flashbacks and nightmares .....they have worsened in detention due to provoking factors e.g. hearing keys, sounds of doors, transport in*

van". As far as I can recall, these sections of the report reflect what I told the doctor during that appointment. I also can see that the Doctor records her assessment that: *"he provides a history of torture with scarring consistent with the history. He also has consistent psychological symptoms which have worsened and may continue to worsen due to detention"*. Apart from the increased dosage of medication, I don't remember there being any change in the mental health support I received after this appointment.

23. At some point shortly after this R35(3) report was prepared, I was made aware that the Home Office had responded to say that they were going to keep detaining me. The letter said that the Home Office accepted that the report described torture but that they thought that I would be removed within 2 or 3 weeks as removal directions had been requested. I did not understand this, as I thought that the report would help me get released and I thought my solicitors would make more representations about this. I had also already asked my solicitors to make representations about my family circumstances, but I did not know if they had done this yet.
24. I have since reviewed again document HOM025028 which is the Home Office response to the R35(3) report dated 15 August 2017. I can see that the Home Office treated the report as providing 'Level 3' evidence of my being an Adult at Risk. My solicitors have now explained to me that, according to Home Office policy, this means that they accepted that further detention *"would be likely to cause harm"*. I also understand this means that my detention could only have been justified where *"removal has been set for a date in the immediate future [and] there are no barriers to removal"* or where *"the individual presents a significant public protection concern or if they have been subject to a 4 year plus custodial sentence"*. The Home Office policy also says *"it is very unlikely that compliance issues, on their own, would warrant detention of individuals falling into this category"*. I didn't know any of this at the time and didn't even know that I was being treated as a Level 3 Adult at Risk. Given what I now know, and in light of what the report showed, I don't understand why I continued to be detained. Also, if I had been seen by a doctor when I was first detained on 13 July 2017, I believe that a report would have been produced then which should have resulted in my release because I would have told the doctor the same things I told her on 14 August 2017. I can't see how a different conclusion would have been arrived at by the doctor.
25. On 16 August 2017, my solicitors Thompson and Co confirmed to me that they had sent fresh representations to the Home Office about my family life in the UK including my new partner and baby. At around this time, I was also told that a removal window had been set. Whilst I was worried about this, I understood that, because Thompson and Co had put in representations on my behalf, the Home Office would not be able to remove me until they had dealt with the representations. My current solicitors have confirmed that my understanding was correct.

### **My detention at Brook House**

26. On 19 August 2017 I was transferred from The Verne to Brook House. I had not been to Brook House before and had little notice of this transfer: from memory, I believe that I was given less than one hour's warning. It was scary and I was really worried at the time because it was so sudden and because I did not know why I was being moved there. This had not been explained to me. I also could not understand why I was still being detained, despite my Rule 35(3) report.
27. I arrived at Brook House late at night. I felt really tired and confused as to where I was. I

remember being seen by a nurse at some point in the early hours of the morning. My medical records from Brook House, which I have since seen, suggest that this appointment took place at around 00:30 in the morning of 20 August 2017 [HOM029928 - internal p.17/97 medical records]. The nurse asked me some general questions about my health and history. I do not remember what was discussed during this appointment; however, I have now seen that the nurse's entry in the records, which states that I was on an ACDT, had a "*depressive disorder*" and appeared "*mentally low in mood*" [HOM029928 - internal p.14/97 medical records]. There is no record of me being asked about my history of torture or R35 (3) report.

28. As far as I can remember, I did not have an induction after my arrival at Brook House. I was instead taken straight to E wing, which I understood was because I was on an ACDT at the time. Following my transfer to E wing, I was placed for a short period on constant observations. I believe this was because I had stated, since arriving at Brook House that day, that I was having thoughts of ending my life. I have now seen a shift handover note from 20 August 2017 which confirms that I was placed on constant watch after expressing suicidal thoughts [CJS001198\_0006]. My solicitors have explained to me that the Home Office was informed of my being placed on constant watch in an IS91RA Part C form [HOM025617\_0008].
29. I have been told by my solicitors that documents indicate that I was initially placed in room 8 in E wing, before being moved to room 10 in E wing on or around 21 August 2017 [CJS001198\_0006; CJS007255\_0001]. I do not remember my room numbers on E wing, so I can't confirm if that is correct; however, I do remember that on my first night I was in one room, and then shortly after I was moved to a different room on E wing. I remained on E wing for my first three days at Brook House, up until my attempted removal on 23 August 2017.
30. I found being in Brook House to be a real shock. Its set up and operation was much more like an ordinary prison than The Verne. At The Verne, although we were in cells, the cells were not locked and you had a key to your own cell. The landing was locked at night but you could still leave your cell to go to the toilet. The Verne was still detention and made me feel really depressed as explained above. However compared to Brook House, it did not feel nearly as oppressive.
31. E wing was next to what was called "the block" (i.e. CSU) which was used to segregate detainees. My understanding of what E wing was for developed during my period at Brook House. I came to understand that it was used for people like me who were being monitored because of a risk of self-harm, and it was also where they put people who were obviously very seriously mentally unwell. People were also put in E Wing when they were coming down from spice, or if they were generally behaving badly. Some of the people there were very ill and did not make any sense when they spoke. I could not understand why people who were so ill were being detained there.
32. My solicitor has informed me that the records indicate that my observations were reduced to hourly later on 20 August 2017 and then to every 3 hours on 22 August 2017 [CJS007255; CJS001256\_0002]. I cannot say whether this reflects the actual level of observations that I received whilst on E wing as I cannot remember these checks specifically. I only remember being observed when I first arrived and was on constant watch as this was new to me and people were looking through my door panel frequently; but afterwards I wouldn't have paid attention to whether I was being observed or not, and I wouldn't have known, or noticed necessarily, when I was being observed. I do not however recall any officers or healthcare staff regularly speaking to me or asking me how I was whilst I was on E wing.
33. I found my time in E wing really difficult. When I first arrived I felt like I was just being monitored and watched on self-harm measures and that no one actually cared about me. I felt

vulnerable and not supported. I felt trapped on the wing: I can't remember leaving E Wing during the day, but might have done. We were locked in overnight from about 8 pm to the morning and could only go out onto E wing during the day, although we were locked in for an hour or so for roll-count.

34. I found being locked in the room very stressful and scary. I really didn't like being locked up on my own. Every time the door locked behind, I felt really claustrophobic and I could not escape my bad thoughts and memories of my past mistreatment. I started to feel less like myself and less like a human at all. I started to have bad dreams, and more intrusive thoughts about what had happened to me in Nigeria. Both of my rooms in E wing were small, with an unscreened toilet in them, and because the staff could look through the observation panel in the door it felt like I had no privacy and added to my feeling of claustrophobia. My room on B Wing, where I was later moved to, also had an unscreened toilet.
35. I felt increasingly depressed and anxious about my situation whilst at Brook House. The medical records indicate that on 20 August 2017 I declined to see a mental health nurse, and that I did not attend a GP appointment. I don't remember declining to see a mental health nurse, or missing a GP appointment. I don't understand these entries, as I had agreed to see a mental health nurse on that day, and don't think I would have refused further support. The entry also refers to my attendance at an ACDT review in E wing that day. I note it states that "*he becomes afraid whenever he is behind lock doors*" and that "*he does not want to be here*" [HOM029928 - internal p.18/97 medical records]. I remember trying to explain to staff at this meeting about how unwell I felt on E wing, however nothing was done in response. I was not in fact reviewed by a member of the mental health team until a week into my detention at Brook House. From the medical records I have now seen, it does not appear that I had my first GP appointment until 24 August 2017, after my attempted removal.
36. I did ask the Brook House staff if I could be moved from E wing, however I was told that I had to stay there. I didn't share a room with anyone whilst at Brook House, but I recall at the beginning of my time there that I asked to share with someone I knew who arrived with me from The Verne but this did not happen. I wanted to have some feeling of friendship and support there with me as I was already struggling from being in The Verne, and Brook House felt so much worse and more oppressive. I note that the medical records state, in the ACDT review on 20 August 2017, that it "*would be arranged for him to share room with his friend*", however as I have explained this never happened. I do not know the reasons for this.
37. I moved from E Wing at some point after the Home Office's attempt to remove me from the UK on 23 August 2017. My solicitors have informed me that a shift handover note for 24 August 2017 indicates I was initially placed back in E wing following my return to Brook House on 24 August 2017. I think I was then moved to what was called the Induction Wing, which was B wing, the following day. My room number was B-206A. It was room 206, but the bunks were lettered 'A' and 'B'. I can see that this location is confirmed by a further shift handover note, which records that I was in a 'medical single occupancy' on B wing 'pending assessment' [CJS001192\_0006]. I understood at the time that I was in my own room because of my mental ill health. I remained on my own in this room, save for a day in segregation, until I was released from Brook House. Whilst on B wing I think from memory we were locked into our rooms at about 8 pm until the next morning. Like on E Wing, we were let out in the morning although we were locked up for about an hour at lunchtime so that they could count us.

38. There were very few things to do at Brook House. There was a place outside where we could play football and I watched people doing that sometimes. Football wasn't organised by staff, it was just something detainees did by themselves. Sometimes I went to the library and the computer room, although that was often closed or the internet was down. I can't remember there being any organised activities (education, training, workshops, exercise etc.) in Brook House at all.
39. I had a mobile phone in Brook House. I already had an immigration solicitor, Thompson and Co, by the time I arrived at Brook House, so I was able to call them on my phone. I could also speak to my partner [Name Irrelevant] when I wanted to but she was not able to visit me in Brook House because it was so far away. This was very hard because we had a new-born baby I could not see.
40. I speak English well so didn't need an interpreter in Brook House, but there were lots of detainees who didn't speak any English at all and they weren't able to communicate. I would try to help people to communicate when I could but it was hard. I remember sometimes seeing people being given documents in English which they clearly didn't understand. I felt very lucky in there that I could speak English and read and write; if I hadn't been able to, I think I probably would have been removed from the UK because I wouldn't have been able to find help.
41. Although I did not witness any direct assaults by staff on detainees, and I wasn't subject to any uses of force save for the attempted removal on 23-24 August 2017, I thought the atmosphere in Brook House was oppressive and it did not seem that the officers cared about the detainees. I remember one incident on B wing at the servery when someone complained about the food, and a woman working there said *"if you want to stay in this country you have to take what you're given"*. I heard another officer, who said he used to be in the military, tell a detainee *"I used to kill people like you for fun"*. I took that to mean he was talking about killing black people, as the man the officer was addressing this comment to was African. This kind of attitude and language was common. Officers would even say that they *"didn't care"* when you asked them for help.
42. I found the whole atmosphere at Brook House very tense and intimidating. I tried to keep to myself and keep out of harm's way. I felt that we were not respected. For example, on the first occasion when the Home Office tried to remove me unlawfully, I kept saying to officers that I had representations that were under consideration by the Home Office but no one was willing to listen to me or to check the information I had given. They just wanted to get rid of me and didn't seem to care what I was saying. Also, after refusing to take me to the bail hearing in September 2017, therefore giving me no choice but to withdraw my bail application, the Home Office tried to move me back to The Verne. This would have disrupted my further bail hearing by video-link and created more delay to my being able to go to court and ask a court to release me. I felt like staff at Brook House wanted to deliberately put you down, or kill your spirit, because then you feel less of yourself, less human, and you're less likely to speak up or resist.
43. I did not complain about these incidents apart from the complaint my solicitors made about the circumstances of the attempted removal on 23 August 2017 which I will speak about further below. When I was in The Verne, there was a board that had information about how to complain and useful numbers on it. In The Verne I did make some complaints about my treatment by healthcare because, for example, there was confusion about my medication. However, in Brook House there did not seem to be any information about how to complain and I did not think there was a complaints procedure I could use. I would verbally complain to staff, for example I



complained to a nurse about my treatment when the Home Office tried to remove me, but they didn't take that forward or suggest how I could do so myself. I think the atmosphere in Brook House was so oppressive that people didn't feel they had the power to complain anyway and were scared of doing so.

44. I do not think I saw a member of the IMB at Brook House – although you could see them quite regularly at The Verne and that's where I found out that the IMB existed. Nobody at Brook House told me what support groups were available, or what to do if you needed to complain. I'd never heard of the PSU (Professional Standards Unit) or Gatwick Detainee Welfare Group. I'd heard of the PPO (Prisons and Probation Ombudsman) when I was in prison, but didn't think the PPO had anything to do with immigration removal centres. There was supposed to be a chaplain available in Brook House but I can't remember ever seeing them.
45. I remember on 11 September 2017, because it was the day the solicitor from Bhatt Murphy first came to see me, that one officer said I had eaten my meal when I hadn't. This meant I did not get a meal after the legal visit. I believe this was recorded on the self-harm records and I was told the officer responsible would be disciplined. But nothing happened. This kind of thing made you feel hopeless because people could lie about you and nothing happened.
46. The quality of healthcare at Brook House was really mixed. When I was at The Verne I was told I would be seen by a psychiatrist but I never was. They said I would see one in Brook House, however that never happened. If you went with bad pain, for example when I had a painful stomach and shoulder after the failed removal, they just gave you paracetamol. I did occasionally see a nurse for what are called "support sessions" or mental health appointments in the medical records – I had several of these. I can't remember how regularly I had these, though I know now from my medical records that these sessions didn't take place at set intervals (i.e. every week, or every day). I don't know the thinking behind how often, or when, these sessions would happen. I have been informed that there are some records where it said I didn't attend: I can't remember missing any appointments, as if you're late they would announce your name over the tannoy. If I didn't attend I expect it was because there was a lockdown in the IRC and we couldn't move around, or I was required to be somewhere else. As I have explained, I was feeling really unwell and believe I would have taken any mental health support that was offered to me. During the support sessions a nurse would ask how I was. This was helpful, though it didn't change the fact that I was being detained or how I was feeling.
47. I remained on an ACDT for the entire period of my detention at Brook House. My solicitor has informed me that records suggest that my ACDT was stopped the day before my removal [HOM033116], but I wasn't told that as far as I recall. I understand that the ACDT was only properly closed when I was released from detention on 29 September 2017. Detainees' ACDT books were kept at reception, I think so that staff could quickly update them throughout the day. They had the detainee's name and number on the book. If you wanted to, you could look and see who was on an ACDT because the books were visible, so I felt like there was not much privacy. I also felt like that when collecting medication, as detainees would queue up together to get their medication so everyone would know who needed it. Again, this made me feel like there wasn't much privacy or confidentiality.
48. I felt that healthcare at Brook House was really on the side of the detention centre rather than being focussed on looking after vulnerable detainees such as myself. Healthcare at Brook House never

sent a Rule 35 report to the Home Office about my situation, despite knowing that I was a victim of torture and was suffering from serious mental health problems [HOM029928 - internal p.20-21/97 medical records]. Also, I know from the medical records that Healthcare did not document that I had shoulder pain after the attempted removal, despite my repeatedly reporting this along with stomach pain. I think that medical staff don't want to write anything in the medical records that could be critical of the detention centre staff. It was like healthcare and IRC staff had each other's backs and would brush it off if you said something critical.

49. There were a lot of drugs in Brook House. They were much more available than in The Verne. I know that there was cocaine, cannabis, pills, and spice readily available. I remember seeing people taking drugs on a spoon, but didn't know what it was. The drug most commonly used was spice. You would see people quite often in a very bad way hallucinating and screaming or banging their heads. Occasionally when someone overdosed on spice they would disappear and we never saw them again. I took spice a couple of times in Brook House. I was given it by people in the exercise yard. I did this just to try and make myself feel better as my time at Brook House was so difficult. However it did not help and I did not use spice again (nor did I try any other drugs) after these times. There were lots of people selling spice in Brook House, it wasn't just one person, and I don't remember their names. I paid for spice by exchanging it for food: I would buy the seller's food on my card.
50. I think there were multiple ways to get spice, or other drugs, into Brook House. I didn't see this myself, but understood that people on the outside would fly the drugs into the outside area using a drone or toy helicopter. I also heard rumours that staff would facilitate detainees getting drugs, by taking drugs from visitors who would bring it into Brook House, and then the officer would pass those drugs on to the detainee. Again, I didn't see that happen myself, it was just something I heard. I didn't report drug use to staff because it was so obvious that staff knew. As I said above, drugs were everywhere, and people were often in quite a bad way because of it, so there was no way staff didn't know drugs were in Brook House. I felt like staff were quite used to it: when someone was being really disruptive on drugs staff would call healthcare, but when people were calm but clearly high or stoned (i.e. open mouthed and slouching) staff would just walk past and ignore them. I remember someone fitting / seizing and staff telling detainees to leave them as it was a drug reaction and I assumed staff knew that it would pass. As far as I was aware, there wasn't any rehabilitative programmes or support for drug users in Brook House.
51. My medical records show that I also refused food at Brook House from between about 18 to 22 September 2017. I was very down and feeling desperate during this period because on the 18 September I had not been taken to my bail hearing. I discuss this further below. This made me feel hopeless and so I decided not to eat. I just told the Brook House staff that I wanted to go home. I see from the medical records that I spoke to a mental health nurse on 22 September 2017 and I told her I would eat again. I don't remember why I started to eat again, as I still felt very low at this time
52. Whilst at Brook House I did contact Medical Justice. I found out about them at The Verne. The Board with information on how to complain and useful information had their number on it and I called to see if they could help me. I saw a Medical Justice doctor on 15 September 2017. A report wasn't produced until after I was released and so was not sent to the Home Office. The report said I had symptoms of depression and PTSD.

**The unlawful attempt to remove me on 23/24 August 2017**

53. Although I had been given some documents saying I could be removed from the UK, I had been given no specific date for removal and did not think this could happen until my representations had been dealt with. As I mentioned earlier in my statement, these representations were made on 16 August 2017, prior to my transfer from The Verne to Brook House. I had been assured several times by my solicitors that the Home Office had received these representations, and had been faxed through a copy of the application as proof. I was also told by staff at Brook House they contacted the Home Office and that they had received my outstanding representations. I believe it was the manager who told me this. I was also told that they had received a copy of my application at Brook House too. He told me that I was not to worry as I would not be removed. I therefore felt very reassured that Brook House and the Home Office had a copy of my application and I would not be removed at that time. It was therefore a shocking and terrifying experience for me when the Home Office tried to remove me to Nigeria on 23 August 2017.
54. I made a full statement about my experiences that I signed on 20 November 2017 and which was forwarded to the Home Office in support of a complaint about my treatment made at the time. This has already been provided to the Inquiry, who may wish to refer to this statement for the full details of what happened. I think it is important to set out the key features of what happened to me here, as are most relevant to this Inquiry, but I hope that whatever I don't mention here is not taken as not being important or affecting me in particular. It is really hard for me to talk about this very difficult period of time in my life and to recall the specific sequence of events. Also, I have been asked various questions by the Inquiry about this attempted removal, and use of force, but I still haven't received disclosure of the CCTV footage of the removal, as was referred to in the subsequent complaints and litigation process. I have been asking for that footage since 2017 when I made my complaint to the Home Office, but still haven't seen it. I will only be able to respond to the specific questions asked by the Inquiry in respect of the removal if and when the CCTV is disclosed to me.
55. As explained in my earlier statement, I had been aware from other people at Brook House that there was going to be a charter flight to Nigeria on 23 August 2017. But because of what I was told by my solicitors, and the manager at Brook House, I was therefore not worried about being affected by this charter flight. After officers and managers tell you one thing, and then the exact opposite happens, you completely lose trust that you can believe anything they're saying. I think this is part of the trick at Brook House: staff tell you whatever you want to hear so you feel reassured because they want to keep you relaxed so that they can more easily remove you.
56. Throughout the day on 23 August 2017, people were told that they would be on the charter flight and people were being moved around as a result. Nobody came to speak to me about this, which made me feel even more assured. I was still in E wing at the time, on an ACDT. Then in the early evening, around 6.10 pm, a manager at Brook House came and told me that I would be on the flight. I explained that I shouldn't be on the flight because the Home Office had yet to consider my further representations for leave to remain. The manager told me to go and get the copy of the application from my room and then speak to the Home Office officials in reception. I was shocked and frightened about what was going to happen to me.
57. I remember that an officer then escorted me to my room in E wing to collect my papers so that I could show what I was saying about not being removed because of pending representations was true. We got the documents, and I returned to reception to wait to speak to the Home Office

officials as I had been instructed to. I was told to wait which I complied with. Whilst I was waiting, I noticed that several bags had been put behind me containing my belongings. This had happened so quickly, and I was upset and embarrassed that someone had packed my personal things without my knowledge. I did not know who to trust. I knew that my immigration solicitor would not be able to help me because their office would be shut. As a result, I just carried on waiting to speak to a Home Office official to explain again that I should not be removed. I never got a chance to do that, however.

58. The next thing that happened was two officers came to find me. They seemed to be security guards of some kind, though I know now they were Tascor escort officers contracted by the Home Office. I told them that I was waiting to see a Home Office official and that I shouldn't be put on the plane that evening to Nigeria. They didn't listen and just gave me instructions on signing some forms. I complied and did not resist, even though I didn't want to be removed and didn't think that it was right that I was being forcibly removed when the Home Office had not yet made a decision on my representations.
59. Despite this, I was put into a waist restraint belt by the two officers. This was both painful and humiliating. Both of my hands were tied in front of me to the belt so I could barely lift my arms. I kept telling the officers that the belt was too tight but they did not seem to listen to me. I continued to complain of the stomach pain and discomfort it was causing me throughout the journey to the airport, but no one listened to me or made any effort to loosen the belt. I was kept in the waist restraint belt for a total of 5 ½ hours and didn't ever resist. Being held in that belt for so long a period made me recall my traumatic experiences in detention in Nigeria.
60. I understand from the documents that Tascor disclosed in my litigation against them that they say that the restraint belt was used because I had a history of being disruptive and was on ACDT. I also understand that this information had come, at least in part, from the Home Office. However, this is just not correct. I was not at all resisting, despite what was being done to me, and was just trying to explain to the Tascor escorts why I shouldn't be removed. They were not listening to me and I couldn't get access to a Home Office official either in the detention centre or on arrival at the airport. Moreover, I can't see how my being on self-harm measures should have resulted in me being put in this or any kind of restraint.
61. Throughout the long journey to the airport that night, I kept trying to tell the officers that I had an application pending and should not be removed. They did not however respond and seemed to only be focussed on removing me. As I have said, the waist restraint belt was very tight around my stomach and was causing me a lot of pain. I gave up however asking the officers to loosen the belt as they refused to engage with me. I felt desperate at the prospect of remaining in that belt for any longer, let alone throughout the whole plain journey to Nigeria, as one of the escorts had told me I would be. I was also made to wait to use the toilet until we arrived at the military base – which was a several hours drive away. Even then, when I was finally allowed to use the toilet, I was watched by two officers and had to do so whilst still in my belt which was incredibly difficult. This just added to the humiliation I felt at this whole experience.
62. I was eventually returned to Brook House in the early hours of the morning once it had been confirmed at the airport that I had outstanding representations. I felt so frustrated and helpless by this, as I had been saying this all along and no one had listened. The waist restraint belt was removed for the journey back. One officer told me this was because the '*risk has gone down*'. I

did not understand this reasoning at all. I was mentally and physically exhausted.

63. I found the experience of that night terrifying and humiliating from start to finish. I was treated like an animal you were transporting. I had not had any experience like this before. I couldn't believe this was happening to me. The whole experience from being put into the waist restraint belt to getting back to Brook House the next morning lasted about 10 ½ hours. The terror of facing removal to Nigeria, of being ignored when I tried to explain I had an application preventing this, and being placed in prolonged restraint throughout, was indescribable.
64. I still find it difficult to think about the experience and it makes me feel very uneasy remembering it. I am often have nightmares about it, and wake up sweating so much that my bed sheets are wet.

**The remainder of my experience of Brook House**

65. I can see from the medical records that I was seen by a nurse after I was returned to Brook House at 04.30 on 24 August 2017 [HOM029928 - internal p.19/97 medical records]. This was shortly after I had returned from my failed removal.
66. In this appointment I explained to the nurse that my stomach and shoulders hurt as a result of the waist restraint belt. I understand that my stomach pain was recorded in my medical records, but my shoulder pain was not. Having been restrained really tightly and for so long, the abdominal pain I was experiencing lasted for some time. I had to go back to healthcare on 31 August 2017 to complain about my ongoing abdominal pain, as I was experiencing sharp pains in my stomach. I was told to have paracetamol whilst I waited for an appointment with the GP. I asked for an emergency appointment because I was in a lot of pain and was worried about whether I had any injuries, and didn't feel like I could wait any longer. I wasn't seen urgently however and I didn't see the GP until 5 September 2017. My solicitor has informed me that the GP recorded on this occasion that I had 'non specific abdominal pain'. I didn't have any further treatment about my stomach after that appointment, and eventually my stomach pain resolved. My shoulders are still sore from time to time.
67. During the same appointment with the nurse on 24 August 2017, I also explained that I was feeling very bad mentally because of my recent experience. I explained that I wanted to see a psychiatrist and I was again told that I would be referred to a psychiatrist, but never saw one and just continued to receive the occasional mental health support session. I have seen in my medical records that a mental health assessment was recorded on 26 August 2017 [HOM029928 - internal p.20-21/97 medical records]. I don't remember this assessment, nor do I remember anyone telling me that a mental health 'care plan' had been created. I can see from this entry that it is recorded I felt "*traumatised*" by my recent unlawful removal and that it had brought back "*memories and flashbacks*" of my mistreatment in Nigeria. This accurately reflects how I was feeling at the time: I had already been suffering from flashbacks and nightmares since my detention at The Verne, however these became much worse, and more frequent, after the Home Office's attempt to remove me whilst at Brook House. This record also states that I was hearing voices: this is correct. After the attempted removal, I felt like I couldn't trust anyone. I started to feel paranoid and then to hear voices in my head.
68. I continued to suffer from flashbacks for the rest of my time at Brook House and felt more and more desperate. I understand from my solicitor that no report was sent to the Home Office under

Rule 35 following my attempted removal and my mental state getting worse. My solicitor has informed me that in a Detention Review dated 7 September 2017 [HOM024617] I was downgraded from an Adult at Risk Level 3, to an Adult at Risk Level 2. I did not know this at the time. I understand that the Home Office did this because Brook House healthcare told them that my mental health appeared to be well managed and that detention didn't appear to be making my health worse. I don't understand why healthcare would have said that, as it clearly wasn't true. The doctor had said the opposite of that in my Rule 35(3) report. I would have thought I would need to be assessed by a psychiatrist before I could be downgraded in this way. It doesn't make sense to me that it could be suggested that I was improving, especially when I was feeling even worse after the failed removal and had told healthcare that I felt traumatised and that I was having flashbacks and hearing voices.

69. After these events, Medical Justice referred me to Bhatt Murphy Solicitors who wrote to the Home Office on 12 September 2017 to challenge the lawfulness of my ongoing detention and attempted removal. They also asked the Home Office to formally investigate my treatment during the attempted removal. I also contacted Bail for Immigration Detainees (BID) to help me make a bail application. I remember it was around this time that the Panorama documentary was aired and all of us detainees watched it. That night everyone was banging on the walls and doors in their rooms. That was as close to a protest as I witnessed at Brook House.
70. Things happened quite quickly during this period. I was still feeling very bad. It was around the time of my 10-year old stepdaughter's [Name Irrelevant] birthday and she was waiting for an operation on her heart. I just wanted to be with her.
71. On 18 September 2017, I was meant to be taken for a bail application from Brook House. I got ready to go and went to reception where I was kept waiting. However, I was then told that the escorts from Tascor would not take me to the bail hearing because I was too big. I was devastated by this. BID advised that the bail application should be withdrawn if I was not there. My partner and baby had travelled from Wales to be there. The experience made me feel physically and mentally exhausted. I felt really helpless, that I was stuck in the immigration detention centre with no hope of getting out. This is why I stopped eating for several days. I have since found out, from reviewing the Home Office records [HOM025617\_0007], that Tascor's refusal to take me was related to my being on an ACDT. I cannot understand how this could be the reason, especially given that I had also been on an ACDT on 23 August 2017, but this had not stopped the officers from removing me from Brook House and putting me in a waist restraint belt.
72. On 19 September 2017, the Home Office refused the application I had made to remain in the UK on the basis of my family life and I was given a removal window commencing on 23 September and ending on 3 October 2017. They hadn't responded to Bhatt Murphy's letter of 12 September 2017. Bhatt Murphy was told that I would be removed on late 27 September 2017 or early on 28 September 2017, so they had to go to court to get an order stopping this. This again put me under a great deal of pressure, fear and distress. I note from the medical records there is reference on 27 September 2017 to my stating that I had had thoughts of harming myself again at this time, especially at night in my room [HOM029928 - internal p.26/97 medical records]. The Court stopped my removal and subsequent to my release, the Home Office agreed to reconsider the outstanding representations in respect of both my family life and my asylum claim, and I had another right of appeal.

73. The day before I was released on bail, on 28 September 2017, the IRC staff tried to make me share a cell with someone I did not know and I was segregated for refusing to do this. At this point I was feeling desperate and could not face sharing a cell on B wing. I understand from my solicitor that detainees should only be put into segregation (in what I called “the block” at the end of E Wing) on grounds of “*security or safety*” under Rule 40 of the Detention Centre Rules 2001. I don’t know why it was necessary to do this to me. Being segregated made me feel vulnerable and scared again. This was the only time I was in segregation in Brook House.
74. I was in segregation when I had my bail hearing, on 29 September 2017, which was by video link. I was granted bail. I was finally able to return to [Name Irrelevant] and the children and was so relieved.

### **Complaint Process**

75. I did ask the Home Office through my solicitors to investigate a complaint about my treatment when I was taken from Brook House for removal by the escorts on 23 -24 August 2017. I also made a complaint about the fact that the Home Office had tried to remove me when I had outstanding representations and they should not have done.
76. At first I understand that the Home Office referred the complaint about my restraint back to Tascor to deal with internally. I have seen email correspondence between Tascor and the Home Office [CAP000539] confirming that the Home Office’s initial view was that my complaint was unlikely to constitute serious or gross misconduct, and that it was minor. I think this shows that they didn’t take the complaint seriously and I was concerned that Tascor would investigate their own misconduct. I am told by my solicitors that Tascor should only have investigated the complaint if it related to ‘minor misconduct’: I don’t think being wrongly restrained for 5 ½ hours was a minor matter. My solicitors made representations that the Home Office should investigate the complaint which were accepted.
77. However both these complaints were rejected. I was very disappointed by the responses as they did not seem to deal with my complaints properly. The Home Office did offer to interview me about my complaint but I provided a full statement instead which my solicitor helped me prepare. The complaint response in relation to the restraint states that statements were taken from the officers concerned and there was CCTV from inside the vehicle which took me to the airport. My solicitors asked for a copy of the CCTV both in the complaint process and in the subsequent damages case they brought on my behalf against Tascor, but it has never been disclosed to me. I would like the Inquiry to help me obtain a copy so that I can finally consider it and address the Inquiry’s further questions about being subjected to the waist restraint belt and my treatment during this removal.
78. The response to the complaint about the restraint did not seem to even recognise that the use of a body belt when I had mental health problems was a serious issue. The letter dated 7 February 2018 from the Home Office claimed that it was reasonable for me to be restrained by the body belt for 5 ½ hours even though I was compliant throughout that period. This position was maintained by the Home Office in a further letter they sent on 1 March 2018.
79. The response to the complaint about being unlawfully removed, dated 14 March 2018, stated that I would not have been removed without the representations being dealt with. I did not understand this. If they were not going to remove me until the fresh representations were dealt with, why was

I taken to the airport under forced restraints and only released from them at early in the morning? The Home Office did not in fact respond to these fresh representations until over 3 weeks later. I do not understand how the complaint response could not recognise that the Home Office were wrong to try and remove me before the representations were decided and wrong for me to be restrained and treated like that. I think the Home Office can't properly investigate its own staff, or Tascor, because they work together. They don't want to own up when something like this happens, because it's good business to work together and they don't want problems. But, if the Home Office doesn't deal with these types of complaints properly they will never learn from their mistakes and detainees will continue to be treated badly.

80. The Home Office didn't even think about whether, if they did refuse my representations, I should be able to get legal advice and challenge the decision before I was removed. My solicitor has advised me that this is an important right that I had. In the end, when the Home Office did refuse my representations, they accepted I should have another right of appeal. This would not have happened if I had been forcibly removed as they planned.
81. I have been informed by my solicitor that the Home Office referred my complaint to Sussex Police to investigate whether this incident was criminal. I can't remember this myself, but now know that at the time Sussex Police told my solicitor and also the Home Office that this was not the type of incident they would investigate, and that they wouldn't investigate unless the Home Office's investigation uncovered evidence of criminality.

### **Civil Claims**

82. After my release, Bhatt Murphy continued to represent me about my detention in 2017 and in relation to the events of 23-24 August 2017. They helped me to bring claims for compensation on my behalf for unlawful detention and the use of force during the removal. They argued on my behalf that it was a breach of my human rights including my rights not to be treated inhumanely and in a degrading way.
83. The Home Office settled my claim about the unlawfulness of the detention when I accepted an offer of compensation in April 2019. The Home Office did not apologise for what they did. It was through this process that I became aware that the information about the possible need for a waist restraint belt during the attempted removal came from the Home Office. I really don't understand how they could have thought my self-harming and ACDT measures would require restraint. I have not yet been given any proper explanation of this because the Home Office settled the case at the initial stage before court proceedings started and so we didn't have to exchange court documents with the arguments about the case.
84. Bhatt Murphy also took proceedings on my behalf against Tascor, the contractors who used the restraints on me. Again, this was also settled with minimal involvement of the court and we didn't get to a stage of receiving full disclosure of documents from Tascor or the CCTV either. I accepted an offer to settle that claim in April 2020. Again this was without any apology for my treatment.
85. I am not aware that any steps were taken by the Home Office or Tascor to hold any of their staff responsible for these actions and the harm caused to me. That is one of the reasons why I am participating in this Inquiry. Paying me compensation without acknowledging what they did



wrong is not enough. I don't see how things will change if nobody is held to account for their decisions and actions. They just seem to get away with it. I am also frustrated that my complaints were just dismissed and I was made to feel again like they did not listen and did not care about what had happened to me. Feeling worthless is one of the worst feelings you can have. It still really affects me.

86. I would be happy to answer further questions about my time at Brook House but would prefer and feel safer if I could do this through my solicitors. They know me and understand what I have been through and I trust them. I still suffer from serious mental health issues and find it really difficult at times to recall and speak about my time in detention without getting distressed about what happened to me.
87. 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 causesto be made, a false statement in a document verified by a statement of truth without an honest belief in its truth. I also consent to my statement being published on the Brook House Inquiry website

Signed

Signature

D1473

Dated

26/01/2022