

BROOK HOUSE INQUIRY

Annex D523-1

D523's responses to the general questions raised by the Inquiry

ANNEX ONE TO WITNESS STATEMENT OF D523

Introduction

- 1. Please provide your full name and any other names by which you are known.**

My name is D523

- 2. Please provide your nationality and any religious belief.**

I am an Afghan national, and I am a Sensitive/Irrelevant

- 3. When were you detained at Brook House (please provide dates) and when you were released and why (e.g. after a successful bail hearing; temporary admission; judicial review etc)? Please provide all dates (including if you were re-detained after being released).**

I was detained at Brook House IRC from 27 February 2017 to 8 May 2017. I was released from Brook House IRC after my solicitor submitted a fresh claim for asylum on my behalf.

- 4. In which wings were you accommodated in and when?**

When I first arrived to Brook House IRC I spent one night in E-Wing (this was a special wing for vulnerable people and the cells had two beds in each room) and was then taken to B-Wing (this was the Induction Wing and had two beds in each room). I believe I was held there for 9 to 10 days – so from 27 February 2021 to approximately 9 March 2021.

From the Induction Wing I was taken to C-Wing (this is one of the main wings and at the time I was there the cells had three beds in each room) and I believe I was there for around

one month. From C-Wing I was taken to D-Wing (this is one of the other main wings and at the time I was there the cells had three beds in each room) and I was there until I was released on 8 May 2017. I also spent time in the Care and Separation Unit (we called this wing the block or the CSU and the cells only had one bed in each room as this wing was used for segregating people) and on E-Wing, which I discuss more below.

Induction Process

- 5. When you arrived at Brook House were you provided with an “induction”? If so, please summarise what this involved, for example: a. How soon it was after arrival; b. Whether it involved, for example, an interview, tour of building, visit by healthcare professional etc; c. Whether it was during daytime or night-time; d. Whether you had access to an interpreter if needed/requested; e. Whether you were given any written materials; f. Whether you were informed of your rights as a detainee (and if so, what you were told); g. Whether you were accommodated in an “induction wing” for the first night or nights of your stay**

Please see paragraphs **16 to 19** of my witness statement.

Physical environment

- 6. Were you accommodated in Eden Wing at any point during your stay at Brook House? If so, for how long and between which dates?**

During this period of detention I was taken to the E-Wing of three or four occasions from the CSU. Please see paragraphs **27 to 28 and 43** of my witness statement.

- 7. Were you accommodated in the Care and Separation Unit (CSU) at any point during your stay at Brook House? If so, for how long and between which dates?**

I was taken to the CSU on four separate occasions:

- a. On 20 March 2017 for I believe 24 hours;
- b. On 26 March 2017 for I believe 24 hours;

- c. From 21.00 on 7 April 2017 until 20.15 on 8 April 2017; and
- d. From 23.15 on 14 April 2017 until 11.45 on 17 April 2017.

Please see paragraphs **25 to 26, 32 to 43** of my witness statement, which describe in detail my four separate stays in the CSU.

8. Did you share a room? If so, with how many people, with whom and for how long?

My first night at Brook House I was allocated a room E-Wing. I remember I shared with a man but I cannot remember his details.

I was then taken to the B-Wing (the Induction Wing) for 9 to 10 days. For this period I shared a cell with an Afghan man from [DPA] (I believe his name was [D3238]) I remember him saying words to the effect of '*I am not alright in my head, I want to see the mental health*' and '*I cannot trust myself*'. I remember that he went to healthcare to ask for help but I am not sure what help he received. I was relieved when I was transferred out of this cell as I felt nervous sharing a cell with this man.

From the Induction Wing I was taken to C-Wing for around one month. For this period I shared a cell with a Sri Lankan man (I cannot recall his name). The Sri Lankan man was very nice but I think he was struggling with his physical health as he told me he felt very weak and had lost lots of weight. I also remember nurses visiting him around three times per week to check his blood pressure.

From C-Wing I was taken to D-Wing until I was released on 8 May 2017. For this period I shared a cell with an Indian man [Sensitive/Irrelevant] who ended up appearing on the BBC Panorama documentary. I cannot recall his name but I think he was around [DPA] and he was very nice.

9. Was the toilet fully or partially separated from the rest of the room?

In all the cells in Brook House the toilet is inside the cells. It was separated from the rest of the cell with two walls but there was no door – just a curtain for privacy. I understand that some of the cells did not have a curtain but all of my cells did during this stay.

The main reason I did not want to share a cell is because of the toilet. During the day it is okay as you can come and go but overnight it is very hard as whenever I eat I have to go to the toilet straightaway and I found it very, very uncomfortable using the toilet while my cellmate was locked in the cell with me.

10. What was the regime like on the wing/s you stayed in? Include things such as: a. How many hours were you locked in your room per day and when? b. What access did you have to activities (e.g. education, training, workshops, exercise etc.)? c. Did you have adequate access to healthcare? d. Did you have access to translation services? e. Did you have access to phone calls/visits/letters? If so, what was the frequency of this contact and for how long were the phone calls and visits?.

In all wings (except the CSU and E-Wing) we were allowed outside our cells from 8am to 9pm. During these times, we could go to healthcare, the library, the IT, the gym, the shop, the football ground, the cricket ground and the mosque. In E-Wing we were allowed outside our cells from 8am to 9pm, but we were not allowed off the Wing. In the CSU we were only allowed outside our cells for a shower and sometimes for a cigarette break.

From memory, healthcare was open from 9am – 9pm and if you need an appointment you have to go early in the morning to the office and ask to see the GP and you would then get your name added to the list. I also remember the pharmacy was open at certain times for medication collection. I believe I had adequate access to healthcare other than the issues I had with my Rule 35 Report that are described in paragraphs **16, 20 to 23 and 37 to 38** of my witness statement.

I do not remember being offered any education, training, workshops or exercise classes.

I only had one visitor during my time at Brook House – from my solicitor. There was no difficulty in arranging this appointment. I used my mobile phone to make calls and this was always accessible to me other than the period in CSU when the officer took it from me.

Access to legal advice

11. Did you have access to legal advice and/or representation, if required?

While I was detained at Brook House IRC I had access to legal advice when required. This is because after my first night in Brook House IRC [Irrelevant] and I met an Afghan man. I started speaking to him and he told me that I need to go to the library and telephone the numbers to get a solicitor. I followed his advice and met my solicitor.

Treatment

12. Whilst you were detained at Brook House were you a victim of or did you witness any mistreatment or abuse from Brook House staff? If so, please describe for each incident (as far as possible): a. Date; b. Place; c. Name/description/role of staff involved; d. If verbal abuse, what was said? e. If physical abuse: i. what did the staff member do? i. Did you sustain any injuries, and if so, what was the extent of those injuries? iii. Did you seek and/or were you given medical treatment? f. Did anyone (staff or detainee) witness the incident? If so, who? How, if at all, did they respond? g. Did you make a complaint? If so, to whom? How was it resolved?

Mistreatment or abuse from Brook House staff to me

I was physically mistreated by staff when I was forcibly take to the CSU after I refused to share a cell with two other detainees on 7 April 2017. Please see paragraph 34 of my witness statement. I did not make a **complaint** about this treatment as I was in the CSU and I just wanted to be let out and I thought if I made a complaint they might hold me for longer.

I was also physically mistreated by staff when I was forcibly taken to the CSU following the protest on 14 April 2017. I have described this treatment in paragraphs 39 to 41 of my witness statement. Again, I did not make a **complaint** about this treatment as I was in the CSU and I just wanted to be let out and I thought if I made a complaint they might hold me for longer.

While I was in the CSU from 14 – 17 April 2017 I was abused by an officer who I believe was named **Derek** Murphy. Please see paragraph 43 of my witness statement.

Mistreatment or abuse from Brook House staff to other detainees

I remember being in the E-Wing and seeing a black detainee who appeared very mentally unwell wanting to fight an officer. I remember seeing DCO Derek Murphy and the officer with brown skin (I cannot recall his name) get him to the floor and squeeze his neck tight. I remember feeling very concerned for the detainee and thinking that reaction by the officers was very disproportionate and unnecessary.

I also remember being in my cell and watching officers forcibly take people to charter flights. The way *they* would take people was so rough; like they were animals. On one occasion I remember hearing a man crying in so much pain and it sounded like he was being harmed by the officers.

13. Please provide the same information in relation to any mistreatment or abuse from other detainees.

I do not recall experiencing any mistreatment or abuse from other detainees.

14. More generally, did you on any occasion feel bullied, threatened, intimidated, victimised, treated without respect or unsafe because of a member of staff or other detainees? If so, please explain why.

I recall feeling bullied, threatened, intimidated, victimised, treated without respect and unsafe on three main occasions which in Brook House in 2017:

- a. On, or around, 28 March 2017 by Bonnie Spark. Please see paragraphs **30 to 31** of my witness statement.
- b. On 7 April 2017 by a group of officers. Please see paragraph **34** of my witness statement.
- c. On 8 April 2017 by Chris. Please see paragraph **36** of my witness statement.
- d. On 14 April 2017, by a group of officers. Please see paragraphs **39 to 41** of my witness statement.
- e. From 15 – 17 April 2017, by Derek Murphy. Please see paragraph **43** of my witness statement.

15. Were you or any other detainee that you witnessed, treated badly because of your ethnicity, nationality, religion or sexual orientation? a. If so, please explain how and when. b. Did you make any complaints and if so, how was it dealt with?

Please see my responses to questions **12** and **34 to 36**.

Use of Force

16. As far as you recall, was force ever used against you by Brook House staff, i.e. being physically restrained, moved, pushed, handcuffed? If so, in relation to each incident (as far as possible): a. Please provide as far as possible details of the time, place and what happened. b. Were you asked to fill out a form where you could give your account of what happened? c. Were you injured? If so, what were your injuries? d. Did you see Healthcare? Did they provide you with any treatment? e. Did any other detainee or staff member witness this incident? If so, who?

I understand from my use of force records that force was used on me on the following occasions:

- a. On 26 March 2017 to take me to the CSU;
- b. On 7 April 2017 to take me to the CSU;
- c. On 14 April 2017 to take me to the CSU; and
- d. On 26 April 2017 to stop an incident from escalating.

I have described my recollections of these incidents in paragraphs **32, 34, 39 to 41 and 55** of my witness statement.

17. Did you witness any incidents where force was used on another? Please provide details if so.

Please see my responses to question **12** above.

Rule 35 (if applicable)

18. Did you ever see a doctor in relation to the preparation of a ‘Rule 35’ report? This is a report in relation to: a. The likelihood of your health being badly affected by continued detention; or b. Any suspicion that you had suicidal intentions; or c. Concerns that you may have been a victim of torture.

Please see paragraphs 17, 19 to 24 and 37 to 38 of my witness statement.

19. If so, what was the outcome of the report? Were you content that the report accurately reflected what had happened to you, and what you’d said?

Please see paragraphs 17, 19 to 24 and 37 to 38 of my witness statement.

Rule 40 (if applicable)

20. Were you ever placed on Rule 40 (removal from association)?

I was placed on Rule 40 on four occasions:

- a. On 20 March 2017 *‘for punching a kitchen worker’*;
- b. On 26 March 2017 *‘for jumping on the netting on C Wing’*;
- c. On 7 April 2017 for *‘refusing to share a room, and threatening a member of staff’*;
and
- d. On 14 April 2017 for *‘being a main inciter during a protest on dove wing courtyard and charging at staff’* ‘

Please see paragraphs 25 to 26, 32 to 43 of my witness statement, which describe in detail my four separate stays in the CSU.

21. If so, when and why?

Please see response to question 20 above.

ACDT

- 22. Were you placed on an ACDT (Assessment Care in Detention and Teamwork) plan?
If so, why? For how long? How were you then taken off ACDT?**

I was placed on ACDT after I attempted suicide on 8 April 2021 by twisting a bag around my neck while in the CSU. I believe the ACDT was closed after two or three days. Please see paragraphs **36 to 37** of my witness statement, which describe my recollection of this.

I was also placed on ACDT and constant observations on 14 April 2017 after force was used on me to relocate me to the CSU. I am not sure when the ACDT and constant observations were closed. Please paragraphs **39 to 41** of my witness statement.

Food refusal

- 23. Did you ever refuse to eat or drink?**

Please see paragraph **33** of my witness statement.

- 24. If you did refuse food or drink, how long was this for? What were the reasons? How were you treated?**

Please see paragraph **33** of my witness statement.

Drugs

- 25. Did you use drugs and alcohol, including NPS/'legal highs' (Spice etc) during your detention, or witness others doing so?**

Please see paragraphs **47 to 51** of my witness statement.

- 26. If so, a. what type of drugs (e.g. Spice), and alcohol? b. When? c. Where did you/others get them from? d. Did you report drug use to any G4S staff, or anyone else? If so, what was the response? e. Did you or anyone that you saw have an overdose or a bad**

reaction to drink or drugs? How was it dealt with? f. What, if any, rehabilitative support was given to you/other users of drugs? Was this support adequate in your view?

Please see paragraphs **47 to 51** of my witness statement.

Protests

27. Did you observe or take part in any protests at Brook House during the relevant period?

On 14 April 2017 I took part in a protest . I have described my memory of the protest and the aftermath at paragraphs **39 to 43** of my witness statement.

Clinical care issues

28. Did you suffer from any physical or mental health issues when you were a detainee at Brook House? If so, please provide a brief description of the issue/s.

I suffered with depression while I was in Brook House. I was losing hope and had thoughts that no one wanted me in the country and this led to my trying to kill myself on 8 April 2017. I have described my memory of this at paragraphs **35 to 38** of my witness statement.

I do not recall suffering with any physical health issues while I was in Brook House.

29. Did you receive medical treatment while at Brook House?

Even though I was struggling with negative thoughts I did not make an appointment with healthcare to talk about how I was feeling. This is because I was smoking weed every day and I was also using a fellow detainee's anti-depressant medication (Sensitive/Irrelevant) and it helped me feel calmer so I did not believe I needed any more help.

30. If you received treatment from a healthcare professional please describe that treatment (for example): a. How easy did you find it to access medical care? b. Was

there any reason why you didn't access medical care where you needed it? c. Were you provided with an interpreter if you needed one? d. Did you experience any issues or delays with receiving medication or treatment? e. Were you referred for additional or specialist treatment? Was this done promptly or with any delays? Where were you referred? f. Were you satisfied with your treatment? If not, why not? g. How would you describe the attitude of healthcare staff? h. Did you feel that your healthcare issue was treated seriously? i. Did you trust the medical professional that treated you? If not, why not?

I do not recall having any issues with healthcare although I understand that there were failures in relation to Rule 35 in my case which I have described in my statement at paragraphs 17, 19 to 24 and 37 to 38.

- 31. Did you make any complaints about the healthcare you experienced at Brook House?**
a. If so, please describe the complaint made. – who to, and what did you say? b. What was the response? c. Were you satisfied with the response?

Please see my response to question 30. No complaints were made.

Complaints and oversight

- 32. Do you know what the PSU (Professional Standards Unit) is? The IMB (Internal Monitoring Board)? PPO (Prisons and Probation Ombudsman)? Chaplaincy? Gatwick Welfare Detainees Welfare Group?**

I have never heard of the PSU (Professional Standards Unit) or the IMB (Internal Monitoring Board). I have heard of the PPO (Prisons and Probation Ombudsman), the Chaplaincy and Gatwick Detainees Welfare Group (GDWG).

- 33. If yes, what do you know about this organisation / these organisations? What were you told by staff? What were you told from other detainees or visitors?**

My understanding of the PPO (Prisons and Probation Ombudsman) was simply that it is a number to call as a last resort if you have issues with bail or probation. No one ever told me that I could call the number if I had any issues with Brook House IRC.

My understanding of the Chaplaincy at Brook House IRC is that it was a place for Christian people to pray. I did not go to the Chaplaincy as I am not Christian.

My understanding of the Gatwick Detainees Welfare Group is that you can go to them for any advice about your immigration case or other welfare issues in detention.

34. During your time and Brook House did you make any complaints or raise any concerns about your own treatment or that of others, including to staff, to one of these organisations, to the police, or to anyone else?

During my time at Brook House IRC I did not make any complaints or raise any concerns about my own treatment or that of others to the PSU, the IMB, the PPO, the Chaplaincy or GDWG as I did not realise that I could. I did telephone the police on three or four separate occasions.

35. If you did, please provide details: a. When you made the complaint; b. To whom? c. Was the complaint resolved? d. What was done? e. Were you satisfied with the response and why; and f. Do you feel that you were treated any differently due to fact you had made a complaint?

I telephoned the police on three or four separate occasions. I have described my memory of this at paragraphs **41 to 43** of my witness statement.

36. If you did not complain about your treatment (but wanted to), what prevented you from complaining?

I did not make any complaints or raise any concerns about my own treatment or that of others to the PSU, the IMB, the PPO, the Chaplaincy or GDWG as I did not realise that I could.