

BROOK HOUSE INQUIRY

Witness Statement of **D2077**

I provide this statement in response to requests under Rule 9 of the Inquiry Rules 2006.

I, **D2077** **DPA**, currently residing at **DPA** say as follows.

Introduction

1. My name is **D2077** I am known by the Home Office as **D2077** I make this statement as a core participant in the Inquiry into Brook House Immigration Removal Centre (IRC).
2. I am a national of Iran and I am a Christian. I fled Iran in 2016 after I was tortured by the authorities on multiple occasions and because my life was at risk because of my conversion to Christianity. I am a recognised refugee. I was granted refugee status by the Home Office on the 20 September 2019.¹
3. I have been diagnosed with Major Depressive Disorder and Post-Traumatic Stress Disorder (PTSD) which is a result of my repeated torture in detention in my home country of Iran. I have a history of serious self-harm. My experience in detention in the UK made my mental condition very much worse.

¹ DSCB 2

4. I was detained on arrival in the United Kingdom (UK) on 11 April 2016. I was placed at IRC Tinsley House. I was later released from detention on 23 April 2016 after a Rule 35(3) of the Detention Centre Rules 2001 (Rule 35) assessment confirmed that there was evidence that I was a victim of torture.² I was released on temporary admission whilst my asylum claim was considered in the UK.
5. I was, however, re-detained by the Home Office on 31 March 2017 with a view to removing me to Germany under the Dublin III Regulations on a Charter flight. I was initially taken to Campsfield House IRC and then transferred to Brook House IRC on 6 April 2021. I was held there until 21 April 2017 when I was released on temporary admission once more after my lawyers issued unlawful detention proceedings for me.
6. During my detention in April 2017 at Brook House IRC, my mental health deteriorated significantly.³ In desperation I stopped eating and I sewed my lips together to try to get the authorities to take notice of my despair and to understand what they were doing to me.
7. After I was released from detention my mental health did not improve, re-detention had been re-traumatising for me and I continued to feel despair and thoughts of ending my life. I met with Dr Rachel Thomas⁴ who prepared a medico-legal report dated the 13 November 2017 to support my case. She summarised my situation as follows:

30. It can be seen that the following diagnostic conclusions are entirely consistent with those previously drawn by Dr Beata Godlewska, Honorary

² DSCB 330 'I have drafted the Rule 35 and propose release...', 22.6.16 Subject has now been released 22.6.16, R35 release letter 465-466

³ HOM0331740 §99-102 p37

⁴ HOM0331740

Consultant Psychiatrist and by Freedom From Torture (FFT). Whilst these, prior, assessments, concluded that [D2077] displayed symptoms of PTSD with secondary depressive symptoms, it is entirely clinically consistent that, over a further period of time, his depression would become more entrenched and chronic and supersede then the more acute PTSD symptoms in terms of predominance, thereby now becoming the primary diagnosis (although PTSD remains present) especially following release from immigration detention. It is my view that this has been the case over the course of 2017 as [D2077] has become more despairing about his situation and prospects of a better future.

...

102. Given [D2077] poor mental health at this time, it is my view that he is not currently fit for further detention and that this may augment his suicide risk significantly and cause further, marked, deterioration to his mental state. It is also my view that his past periods of detention have contributed significantly to the chronicity and severity of his current mental ill health as he reports significant relapse in his mental state around all three detained episodes. [D2077] indeed described in consultation that, if he were to be detained again, 'it would be like hell to me...when I was there before, it felt like being in a cage'.

8. I was not able to recover my mental health and I continued to suffer serious problems through 2017-2018. I was eventually admitted to hospital for mental health treatment on 11 June 2018 until 26 June 2018 and then again on 28 June 2018 until 5 July 2018.
9. I brought a civil claim changing the lawfulness of the detention which was only later settled with the Home Office agreed to compensate me for the unlawful

detention from 31st March – 21st April 2017 when I was held at Campsfield House IRC and then Brook House IRC.

10. I have asked my solicitors not to read back the medical evidence and documents that refers to my mental health because I find it too distressing but I confirm that I am aware of the contents of this documentation.
11. I also understand that my Solicitors have prepared a chronology that has been attached to this statement.
12. The medical report prepared by Dr Rachel Thomas⁵ on the 13 November 2017 confirms that I suffer from difficulties with my attention and concentration⁶ as well as cognitive confusion and short-term memory impairment.⁷ This means that I struggle to remember some things, especially traumatic events and to keep the sequence of events in my head.
13. I have tried to forget my time at Brook House IRC as much as possible but I still have repeated flashbacks of when I was detained there; I still imagine myself in the cell. I still suffer from nightmares and bad headaches. It has been very difficult and traumatic for me to prepare this statement and I have suffered from anxiety symptoms such as heart palpitations and shaking as a result of the stress that I have gone through preparing this statement. To limit the impact on me, my solicitors have referred to information in documents and reports wherever they can so I do not have to relive it.
14. I do want to assist the Inquiry with as much information as I can remember so that others do not have the same damaging experiences as me.

⁵ HOM0331740

⁶ HOM0331740 §47-50 p20

⁷ HOM0331740 p29

Background

15. I have previously given details of my protection claim to the Home Office. This is very sensitive to me and I am worried about being identified if some of the details of my claim are published. I can state that I was detained and severely tortured by the Iranian regime.
16. After leaving Iran in approximately February 2016 I travelled to the UK via Europe. I spent time in DPA before travelling to the UK via small boat. I was rescued in the English Channel after the boat overturned on 11 June 2016.⁸ I was taken to detention at Tinsley House IRC on the same day⁹. The records show that my fingerprints were taken and matched with someone in Germany¹⁰.

Medical issues and treatment in First Detention in 2016

17. On arrival in the UK on the 11 June 2016 I had a screening interview in which I confirmed that I had left Iran because I was at real risk of persecution as a result of my conversion to Christianity.
18. I was detained at Tinsley House IRC and referred to Duncan Lewis Solicitors to assist me with my case.
19. I did not see a GP within 24 hours of arrival at the IRC which I understand was required by Rule 34 of the Detention Centre Rules 2001 (Rule 34).

⁸ DSCB 335

⁹ DSCB 335

¹⁰ DSCB179-180

20. My solicitors wrote to the Home Office expressing serious concerns that I was a victim of torture and requesting a Rule 35 assessment first on 15 June 2016 and again on 17 June 2016. I was seen for the first time by a GP on the 17 June 2016.

21. The GP, Doctor Gascoyne's notes record:

*'History: Farsi(persian) interpreter ID 19863
says he was tortured in Iran by the police, say he was detained, kept in an enclosure, hx of memory loss, staying here reminds him of his previous torture
Detainee says he does not understand what the interpreter is saying, phone line cut off, unable to get another interpreter.
Rebooked for rule 35 pre-assessment'¹¹*

22. The Rule 35 assessment was completed on 19 June 2016 with an interpreter and by Dr Susheelwant Randhawa. A Rule 35(3) report was issued on the 21 June 2016 confirming that there was evidence that I was a victim of torture and had mental and physical symptoms consistent with my account of torture in Iran.

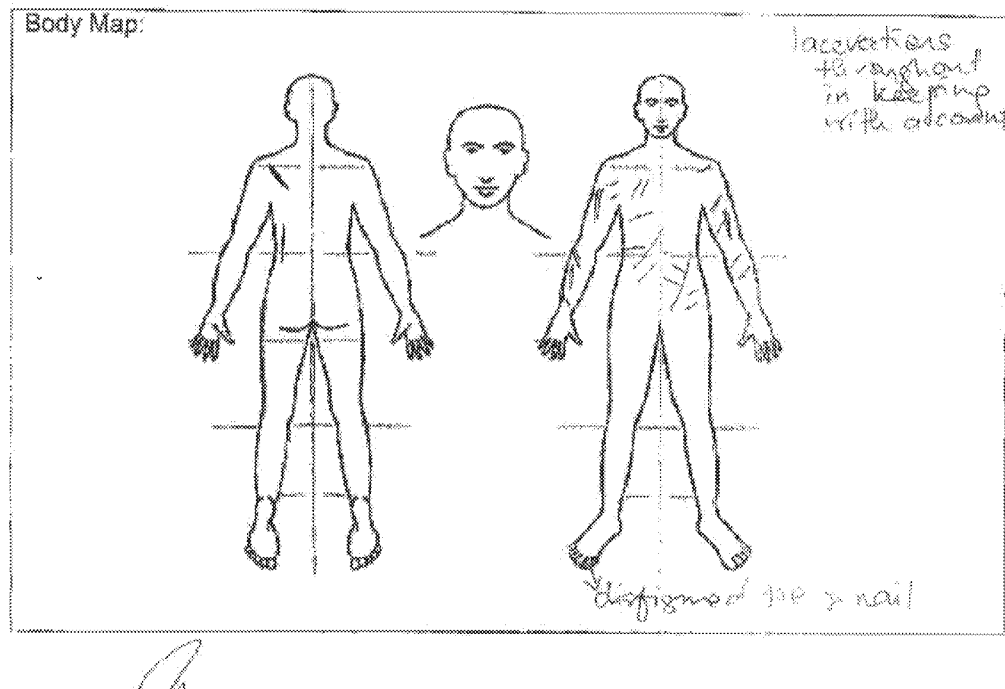
23. The Rule 35 assessment records as follows:

What appears to have happened? Include as much detail as practical to inform an interpretation of the clinical findings.	11 yrs ago, when he was in compulsory service. He was detained as he did not attend Friday prayer service. He was detained for 10 days, he was beaten up with fist and they poured water to his face. His foot was stumped on by military boots and he broke his toe. He fell backwards and hit his head. He lost consciousness and prior to that he had loss of vision during this period and had amnesia. The second incident was 6 yrs ago... He was detained by the police for 20 days he was kicked to his head and cuts were made to his arms, he was blind folded so he did not see what was used. They then put salt water into his wounds. 5 yrs ago he was detained for 15 days, he was beaten up and whipped 80 times.... A wet
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¹¹ DSCB 423

	towel was put on his face, his body was wet with cold water and he was whipped
To what extent does this now impact on the individual? Include details of physical disability, scars and indeed mental health problems that are consequent upon this	Due to the beating and whipping he has memory loss short and longterm. Also due to the whipping he has poor bladder control. He suffers from severe headaches and dizziness when moves. When he puts his head under the pillow feels like something is moving in his head. He has low mood and feels down. He is in constant fear and has developed phobias.
What were the circumstances of the event?...	Iranian armed forces and security officers that do not wear uniform
What is the basis of the concern...	He will be arrested and will most likely receive capital punishment of the death penalty
Is there anything that may raise a concern as to the authenticity of these comments?...	None
What have people done in the past to help?...	was unable to receive much help in Iran but saw a doctor there and was given pain killers for his headaches
What impact is detention having on the patient? Detail any remedial action that is possible to minimise these risks...	Due to being in detention he is having flash backs and when he sees the officers here his fears return.
Has a detailed mental health assessment been undertaken (or about to be)? ...	No

24. The Rule 35 also documented the scarring and the doctor notes ‘lacerations throughout in keeping with account’ and recorded them on a body map:



Release from detention in 2016

25. The Home Office responded ¹² in a letter also dated 21 June 2016 agreeing to release me. It states as follows:

'I have considered the Rule 35 report from the doctor and they noted that you have a number of lacerations on your body which are in keeping with your account. The doctor noted that due to the beatings and whipping you have memory loss, short and long term. Also due to the whippings you have poor bladder control. They noted that you suffer from severe headaches and dizziness and when you put your head under a pillow it feels like something is moving in you [sic] head. You have low mood and feels [sic] down and you are in consent [sic] fear and you have developed phobias. The doctor noted

¹² DSCB 465-466

that due to being detained you are having flashbacks and you see the officers you fear return.[sic]

The medical practitioner has recorded your subjective claim, and has drawn a connection between this and your physical and mental medical examination and that your account is consistent with torture

In light of the doctors' comments and the situation with your case it has been decided that your release from detention is appropriate on this occasion. Arrangements will be made for your release which will be communicated to you separately'

26. The Home Office internal notes also record the reason for my release as:

'Dr Randhawa recorded the accounts of the applicant and noted on the body map that "lacerations throughout in keeping with account". I am satisfied that the doctor's account is independent and appears to suggest that the applicant may be a victim of torture. Release authorised'¹³

27. I was actually released on 23 June 2016 to Home Office accommodation in London.

28. The detention at Tinsley House IRC was a traumatising experience that reminded me of my past detention and trauma in Iran.

29. On 25 June 2016 'Amanda' was requested to complete an urgent safeguarding referral by D3HAND in the Asylum Routing Third County team following my release from detention as I was suffering from mental ill-health and was self-

¹³ DSCB 330

harming.¹⁴ I was diagnosed by my G.P. with severe PTSD, prescribed antidepressants and referred for counselling.¹⁵

30. I had appointments with the Medical Foundation for the Victims of Torture in London but they were unable to accept me full-time as I was moved by the Home Office to accommodation in [DPA] in July 2016.

31. Every time that I had to report, I continued to feel stress, anxiety and fear. I had to travel from [DPA] to [DPA] every two weeks and it would drive me mad with worry for fear I would be re-detained.

32. Because I found reporting very difficult my GP wrote a supporting letter and a request was made to change my reporting conditions. This was refused on 24 November 2016.¹⁶

Suicide Attempt

33. I was so distressed and fearful of being detained and removed that on 23 November 2016 I attempted suicide.¹⁷ The Home Office was made aware of this by the accommodation provider and their records for the 30 November 2016 state the following:

'Compass report of incident of overdose and self-harm at accommodation 23 November 2016 A friend discovered him and raised the alarm. Hospitalised overnight and released with booked GP appointments for follow up. Appears to suffer heightened anxiety before reporting time due to worries about being detained and returned to Germany. A request to have his reporting regime

¹⁴ DSCB 302

¹⁵ DSCB 470-471

¹⁶ DSCB 303

¹⁷ DSCB 304

changed, backed by medical evidence was refused because it is an outstanding TCU case (Germany have refused but their decision has been challenged, according to notes).

Applicant is now living in [DPA] area. Safeguarding level raised to 3 and [DPA] Safeguarding Team alerted to update GP information etc. Email to TCU for an update on the likelihood of his removal.

It is also noted that a Medical Foundation Appt was scheduled for 07/09/16 but there is no further news of the outcome'

KIRAVENHILL Unit: CCMTNE04 Date: 30 Nov 2016'

34. There is also a note from the 8 December 2016 on my Home Office internal records with further details of what happened to me and confirmed a safeguarding referral to [DPA] Adult Social Services was made by the Home Office:¹⁸

When asked how he felt why he decided to take such action, He advised that he is struggling with anxiety & depression. He claims this is made worse due to fortnightly reporting in [DPA] The SUV advised me that on the run up to his reporting date and his actual reporting date, he feels very anxious & depressed at the thought of being detained returned to Germany. He has advised that previously, he gave his fingerprints in Germany.

[D2077] Immigration status is currently uncertain and a the outcome of his asylum claim is yet to be decided, a referral is therefore being made for your information should you wish to take any action for the welfare of the applicant.

35. I am told that the Home Office assessed me as a safeguarding Level 3 as a result of this suicide attempt.¹⁹

¹⁸ DSCB 304

¹⁹ DSCB 304

Decision to Re-Detain and Down Grade AAR Level 3 to AAR Level 2 in March 2017

36. On 23 January 2017, the Home Office refused my asylum claim as they wished to send me to Germany.²⁰ However, they did not tell me this on that date.
37. Whilst reporting, I was served with a notice of liability of removal on 6 February 2017 and a removal window notice. I did not understand the reason for this so I contacted my solicitors and asked them to help me.
38. On 7 and 8 February 2017 my representatives requested the Home Office to provide the correspondence with the German authorities.²¹ A Pre Action letter was sent on 10 February 2017 challenging the failure to send me documents about my case.
39. I have been told that on 12 February 2017 following pre-verification checks the authorisation for my re-detention was rejected by the Detention Gate Keeper on the grounds that no removal directions had been set and I was a Safeguarding Level 3 case.²²
40. I have been told that on 15 February 2017 the Home Office internal records state that my case had been rejected by the Detention Gatekeeper twice and that there was an outstanding letter before action from my solicitors and therefore detention for removal should not go ahead on 17 February 2017.²³
41. On 16 February 2017 my representatives made a request for an urgent response to the previous letters and to provide disclosure.

²⁰ DSCB 314

²¹ DSCB 315

²² DSCB 317

²³ DSCB 318-9

42. On 27 February 2017 the Home Office responded to my letter before action and provided the documents that had been requested including the decision to refuse my claim. I only then found out that my claim had been refused in the UK.

43. The Home Office records for the 3 March 2017²⁴ state:

*'Given that his mental health condition has been recognised by his GP and he is awaiting dates for counselling I believe it is not appropriate to detain the applicant today, but allow him the opportunity for counselling and hopefully amelioration of his problems...I have entered him on Special Conditions as AAR2'*²⁵

44. The internal notes of 28 March 2017 by M3Johnson at DPA Reporting Centre show what look like pre-verification checks and a further referral to the Detention Gatekeeper.²⁶ The first Detention Gatekeeper internal note dated the 28 March 2017 shows A Begum (Detention Gatekeeper) seeking approval for level 2 for Pre-verification by email from the Detention Gatekeeper Duty SEO at 16.09.²⁷

45. I understand that A Begum asked for the risk level to be reduced to Level 2 so that I could be detained for removal on a Charter flight as follows²⁸:

'Hello duty SEO

Can this case be reviewed and authorised for Level 2?

Vulnerability: on the referral from the ICE team it states that the subject is level 3AAR- suffers from depression and anxiety previous release on rule 35

²⁴ DSCB 319

²⁵ DSCB 322

²⁶ DSCB 321-322

²⁷ DSCB 339

²⁸ DSCB 339-340

grounds. Under special conditions is also states that the GP is arranging counselling for applicants mental health condition.

Removability: TCU removal on the German charter flight

Risks:? The subject failed to return voluntarily, this is a TCU case and subject removal on the German charter flight. Notes on CID confirm RD's to be set for 31/03/17.

Recommendation: TCU case and subject removal on the German charter flight. Notes on CID confirm RD's to be set for 31/03/17. Due to subjects health and previous release on rule 35 grounds, can we accept this case?

46. There is no record of a response to that email but I have been made aware of the following further email exchange on the 28 March 2017 that led to my detention.

47. A Begum wrote a further email to the Duty SEO at 16.21

'Duty SEO

I can confirm IS91RA is on Docgen, however RD's have not yet been set and notes on the form also include the following

13 Jun 2016 mentioned to OGD that the scars on his chest are due to self harming

24 Nov 2016 depression and anxiety Confirmed by S Mishra Locum GP, The flying Scotsman. See notes

30 Nov 2016 Referral was made to Solhull Team. Now needs to be Level 3 due to 23.11 apparent suicide attempt and self harm.

'Can you kindly have a look at this case and let me know if we should go ahead with acceptance or reject the case?'²⁹

48. Below the last entry from A Begum on p341 there is a note from E Bear which states 'Case discussed on DOR with DGK SEO D Leggett who agreed the subject's

²⁹ DSCB 339

*detention as the rule 35 medical report does not state that detention would be injurious to the subject's health.*³⁰ [341]

49. At 16.42 the notes record a response to A Begum from the Detention Gatekeeper Duty SEO S Jamal: *'Thanks [redacted]. AAR2 detention approved. RDs is for 11th April (not for disclosure) Sub would be detained for 12 days before RDs take place. There is no evidence to show that detention would be harmful to his health. Please could you ask the referring officer to update the RA to confirm the meds sub is on.'* S Jamal Detention gatekeeper³¹

50. At 17.05 A Begum sent a further email to Johnson M at Sheffield ROM stating that the case had been reviewed and setting out conditions for detention which included provision about medication and also specific information about assisted voluntary return (AVR) noting that it was insufficient to simply hand over a leaflet.³²

Campsfield detention 31 March 2017- 6 April 2017

51. As a consequence, I was re-detained when reporting in DPA on 31 March 2017. I did not understand what was happening. They were saying things to me but I didn't understand them as my English was not that good. I was so terrified about what was going to happen next. I believe that there was a telephone interpreter who spoke to me briefly who said that I was going to be removed. Officers then put handcuffs on me. I had no idea why.

52. I believe that there were three or four officers who restrained me. I did not show any reaction or resist in any way. I was frozen with stress and couldn't move. I was so scared. This was like a bad nightmare for me.

³⁰ DSCB 341

³¹ DSCB 341

³² DSCAB 341

53. I was first taken to a police station and then on to Campsfield House IRC in Oxford. I was left hungry and thirsty in the back of a closed prison type van.

54. I felt that the worst thing was happening to me. I was suffering from severe anxiety, heart palpitations and stress.

55. On the 31 March 2017 my legal representatives sent a fax to the Home Office Third Country Unit (TUC) expressing grave reservations about my re-detention on the grounds that I was a victim of torture. They explained that I had previously been released from detention after a Rule 35 report and that I was suicidal and undergoing medical treatment. They enclosed a medical report of 17 February 2017 from Dr Burne, a retired GP who had been assisting me outside detention which said:

In my view D2077 is suffering with severe psychological trauma, secondary to the torture he suffered in Iran. He has been monitored on a weekly to two-weekly basis by us due to his vulnerability and severe depression.

*D2077 has mentioned multiple times that he would end his life if he is deported to Germany. He already attempted suicide 3 months ago. In my view he is quite depressed.*³³

56. On arrival at Campsfield I had a short meeting where I told the interviewer that I was a victim of torture and I was on medication for my mental health.³⁴

³³ DSB467-8

³⁴ DSCB 440

57. On 1 April 2017 it was recorded that I was on medication and depressed but also that I was fit for detention³⁵ The medical notes further show that I was referred for a mental health assessment and a R35 was booked for 'Tuesday' (4/4/17).³⁶
58. On 3 April 2017 my representatives sent a Letter Before Action challenging the detention and removal to Germany.³⁷
59. On 3 April 2017 Dr Burne sent a fax to Campsfield IRC attaching the medical report from my GP Dr Shanu Mishra dated 14 February 2017³⁸ raising concerns about me including that I was at high risk of suicide and requesting the IRC arrange adequate monitoring.³⁹

Dr Burne: 'I have attached a copy of a recent medical report for [D2077] [D2077] who arrived with you on 31.3.17. This confirms my reports to you on 2.4.17 & 3.4.17 about his high risk of suicide attempts & I hope you are able to arrange close monitoring for him'

Dr Mishra: 'I have been seeing [D2077] since 29th August 2016. He had already been referred for counselling by another colleague for anxiety and depression. He had suffered with severe symptoms of physical torture in Iran and was suffering with consequential emotional, psychological and physical impacts of this...

...

In my view [D2077] is suffering with severe psychological trauma, secondary to the torture he suffered in Iran. He has been monitored on a weekly to two weekly basis by us due to his vulnerability and severe depression.

³⁵ DSCB 445

³⁶ DSCB 456

³⁷ DSCB 259

³⁸ DSCB 450-451, also at 467-468

³⁹ DSCB 449

D2077 *has mentioned multiple times that he would end his life if he is deported to Germany. He already attempted suicide 3 months ago. In my view, he is quite depressed.*

60. I understand that a fax from Campsfield healthcare department which was sent in response on 4 April 2017 recalls a telephone conversation on ‘Sunday’ from Dr Burne and she was told not to contact the healthcare department again because it is very busy but to contact the shift manager.⁴⁰

61. I am aware of a letter from Medical Justice to the healthcare team at Campsfield House dated 5 April 2017.⁴¹ This refers to the fact that I had been unable to access my medication since being detained and was feeling worse as a result.

62. The letter also records that I saw the doctor in the IRC but was told that no Rule 35 report would be prepared as I had previously had a Rule 35 report. Medical Justice asked for this to be reconsidered. Their letter states:

‘He also mentioned that he had seen a doctor for consideration of a Rule 35 report but that he was told none would be prepared as he has previously had a Rule 35 report during a previous period of detention. However, since part of the purpose of the Rule 35 process is to notify the Home Office of the impact of detention on the detainees health having previously had a Rule 35 report does not mean that another report is not needed. I would be grateful if this could be reconsidered.’⁴²

Transfer from Campsfield House to Brook House IRC

⁴⁰ DSCB 448

⁴¹ DSCB 459

⁴² DSCB459

63. On the 6 April 2017 I remember that I had an appointment with a doctor from Medical Justice so that they could prepare a medico-legal report but I was picked up and moved early in the morning before the appointment and taken to Brook House IRC.

64. It was really frustrating and distressing that I didn't have the chance to meet the doctor who I hoped would help to secure my release.

65. On 7 April 2017 my solicitors provided the medical letter sent by Dr B Godlewska to Dr Julia Burne as a further addendum to the letter before action already sent.⁴³

To Theresa Schleicher of Medical Justice

'Thank you for referring [D2077] As you know, at the time we agreed a face-to-face assessment at Campsfield Immigration Removal Centre he was already being moved to Brook House Detention Centre, which is why I was only able to assess him over the phone. The main goal of this assessment was to assess his current mental state. This was done with the help of an interpreter...

[D2077] sounded very distressed over the phone (I could hear his voice quite clearly). Despite this, he was able to focus enough to answer my questions. The symptoms he described point strongly towards a diagnosis of Post Traumatic Stress Disorder (PTSD) and a depressive episode...

An ongoing and highly worrying cause for concern is [D2077] suicidality, which has been documented over time and which he expressed today...

⁴³ DSCB 254

In my opinion which seems to be shared by the other medical professionals I mentioned, [D2077] is a very unwell individual who needs full medical attention and psychological support. Unfortunately I was not able to assess him today face to face due to his being moved before the arranged time of the interview and I strongly suggest he needs such an assessment by a psychiatrist...

66. I was taken again in a closed van and had my arms cuffed.

67. Again, I did not understand why they were doing this to me. This time I do not even remember a telephone interpreter saying anything. I thought that they were just going to take me straight to a plane. They did not tell me anything about why I was being moved. I felt that the world was collapsing around me. I did not see any hope for being alive at the time. I couldn't believe that it was happening again.

68. I was transferred with two elderly European men. I just remember driving and driving and not knowing the destination. It was very traumatic for me.

69. I felt like I was being treated like a serious and dangerous criminal. I just had to obey what they told me to do. I was so scared of what would happen if I resisted. I had too much fear to do anything other than what they asked me to do.

Detention Reviews

70. I understand that a 7 day detention review was conducted on 7 April 2017.⁴⁴ This noted that there would be no escorts available to remove me until May 2017, that I was considered an absconder risk because I had indicated I was unwilling to leave the UK and that despite being assessed as a victim of torture and suicide risk and

⁴⁴⁴⁴ DSCB 194

my representatives letters expressing concern about this -detention 'had been kept to a minimum'.

71. On 8 April 2017 an injunction was granted by the Court preventing my removal to Germany but I was not still released from detention.

72. An internal Home Office minute for 12 April 2017 by A Patel records that I was again considered a *Safeguarding level 3 case and the case was referred to safeguarding officers for further action.*⁴⁵ But I still remained detained at Brook House for a further 9 days with my mental health getting worse.

Induction to Brook House.

73. When I first arrived, I was kept in the induction wing and I had a small room by myself.

74. On 6 April a staff nurse recorded my health details and recorded that “ *I had previously attempted to self-harm – previously discharged after an overdose, feeling low currently as states he has not had any access to his medication for the last week.* ”⁴⁶

Environment and Conditions

75. I had been detained in two other detention centres but I felt that the environment at Brook House was far more oppressive and far harsher. They weren't even comparable in my eyes.

⁴⁵ DSCB 305

⁴⁶ DSCB 426

76. I felt that at other detention centres, the guards and the regime were more relaxed and there was more respect. You were not locked up for such long periods and herded back to your cells and made to queue up like animals for food. For example, at Campsfield you could go up when you were ready and choose between different kinds of food. In contrast, I remember at Brook House the choice was extremely limited and the food was just sickening to me. You all had to stand in a line with your plate to be given disgusting food. At Campsfield, in the day you were allowed to go outside whenever you wanted to and there were grounds and grass that you could lie on. In Brook House, you would only have a short period outside to get some fresh air. The other centres had better facilities that were easier to access. I do not remember being able to do anything at all. You could not distract yourself from where you were.

77. I shared a room with another person. There were two beds in the room and a toilet in the corner. There was a kettle and the room was just extremely dirty. For example, if we ate something we just had to put everything in the bin and it would stay there until we were allowed outside. The bin would overflow. From the IRC records I am told that this was Clyde Wing Sensitive/irrelevant⁴⁷

78. The Centre was generally dirty. The rooms were filthy as they weren't cleaned or cared for properly. At other detention centres, they would tell you to leave whilst they cleaned the rooms but they didn't do that at Brook House. The walls and the doors were very old and dirty. Many people had stayed there before. The sheets were very old and used and looked as if they had been used many times beforehand. The beds had been ruined through years of use and were extremely uncomfortable. They were very difficult to sleep in.

⁴⁷ CJS000611

79. I remember that the toilets were extremely old and dirty. They were stained and dirty and there was lots of germs in them. We were not able to easily get products to clean the toilet and nobody did this for me.
80. There was no ventilation so it smelt bad.
81. We had to keep going to ask for supplies for soap and shampoo. They would just give us enough for one and then we would have to go back again.
82. The room reminded me of a cage for animals.
83. There was a mirror in the corner of the room so that when you were in the toilet, it could be seen what you were doing. There was no privacy and officers would always be there.
84. It felt extremely restrictive and insecure. I did not feel that even dangerous criminals should be treated like this.
85. Fortunately, the other detainee who I was with was Iranian and he was helpful and was kind to me. Even so I could not cope in there. The environment in IRC Brook House was completely toxic and oppressive. People had serious mental health issues. There were frequent self-harm and suicide attempts. It seemed as if almost every day someone had hurt themselves. I found this very alarming and distressing.
86. I was also aware that there was a big drug problem. You could smell marijuana in the centre. People were in the centre obviously under the influence of strong drugs. It was all very disturbing- I could not cope.

Treatment by Guards

87. I felt that guards at IRC Brook House spoke to you full of hate. I could not understand all what they were saying but I could understand the expression on

their faces and their harsh attitudes were clear. It was very intimidating. I felt that their body language was always angry and hateful. I felt I was at least treated with some dignity at other detention centres.

88. I felt that in Brook House the guards did not care about your welfare or your health. They were just determined that you would leave the country as soon as possible. I don't think they believed that their job was to help us but just to ensure that we were deported. We did not feel comfortable asking anything because they just didn't care.

89. It seemed as if people would go crazy in there because they were kept inside for so long with the guards not bothered about what you did. The detainees had no opportunity to use their energy in any other way. Everyone was so tense all of the time and under pressure.

Locking in and Night Times

90. We were locked in our cells throughout the night and at lunch time. I did not know what particular reason that they had for locking us in during this time. However, I think that they were able to observe us more easily if we were locked in and it was easier for them.

91. When I was locked in at night, we had nothing to do. We could only think and worry. I would have really terrible flashbacks reminding me of what happened when I was tortured in Iran. Every night I was worried that someone would come to tie me up and take me elsewhere.

92. I tried to keep myself awake as much as possible to stop this from happening to me so I wouldn't sleep. I would close my eyes but I could not sleep because my mind was fully awake with all of these terrible thoughts.

93. I would keep boiling the kettle so that if someone came for me, I could pour the boiling water on myself. I had nothing else in the room so it was the only thing that I could think of. I knew that they would then have to take me to hospital as opposed to take me somewhere where I would be in danger.
94. In our cells there were bells that we could press if we needed attention. However, if we pushed they would initially ignore it. They would wait for a long time before responding to the cell bell, if at all. If they came, they would be very impolite and angry that you were bothering them. I was scared that by doing this the guards would get mad at me and go against me. I constantly apologised for example if I asked for the light for my cigarette which I needed to calm me.
95. When people felt that they were being ignored they would bang on their doors over and over again. When people did this, the noise would just echo. However, the officers would still just ignore the noise but it would be very distressing.
96. At night, you would also hear the screams from other detainees who were desperate and self-harmed. I remember hearing this every day. I saw blood in a cell and in the hallway. However, nobody seemed to care. The officers didn't react to the blood.
97. The night before flights, people would be especially noisy and many would shout and scream all night. I could hear these noises up until the morning until they were physically taken away. I am aware that if someone did not want to go, the officers would restrain them and drag them along the floor. We heard what was happening in terror.

98. You would not see the people the next day and you would know that they had been deported. I was always worried that this would happen to me. It would make my stress increase every time I heard it.
99. As well as my mental anguish, I couldn't sleep because of all of the noises; the sounds of the other detainees, the banging, cell bells and the thumping of footsteps.
100. Being locked in at night just felt like suffocation. It was if there was something heavy on my chest. I just wanted something to distract me from the pain and anxiety that I was in but there was nothing there. This is one of the worst things that I could imagine happening to me. Every night, I felt that I was near death. I felt that death was better than what was happening to me. At least I would not be living in fear anymore and I would escape my nightmares.

Food Refusal/Protest

101. On the 9 April 2017 I stopped eating. I did not want to eat or drink and instead I just smoked and took medication. I had no interest in taking care of myself when these people didn't care about me.
102. Although I had been told that my removal to Germany was stopped, I was still kept in detention after the 7th April. I was very confused and in despair about this. If I did not have a flight, I should not have been detained. I did not trust anything or anyone that I was told because of this. I was fearful that they would remove me regardless. I did not trust the Home Office to follow the rules.
103. I became more and more worried as the time passed and they didn't make a decision to release me. I originally thought the Court would help me but I began to think that the Home Office had so much power that they could ignore what the Courts had to say and do whatever they want to me. I felt that there were personal issues against me and I was being deliberately harmed.

104. On the 9 April 2017 I also stitched my mouth together with thread. I had previously stitched my mouth together as a protest whilst I was in the **DPA** jungle. I knew how dangerous and painful it was but I did it out of desperation and because I no longer cared whether I lived or died. Before this nobody was taking any notice of me and the physical and mental pain that I was going through. I felt as if I had no other choice. It couldn't get any worse than this and I could not cope being in detention any longer. I was forced to do it to try and get someone to see how I was suffering and to get me out of there before I ended my own life.

105. I wanted to get some oil or something similar to ease my pain but I could not afford it. They only gave me 95p a day. I could not afford phone credit to speak to my friends or lawyers nor cigarettes. I could not afford anything else for my pain.

Isolation:

106. I understand that an officer was notified by another detainee that I had done this to my lips on 9 April 2017⁴⁸. It says the officer found me in my room lying with a scarf on my face, having not eaten and having sewn my lips together in protest against my treatment by the Home Office and the despair I was feeling. I was assessed by Healthcare but I did not agree to have the thread on my lips cut.

107. I was moved to isolation E wing on an ACDT constant watch for 5 days from the 10/4/2017 until 15/04/2017. I am told by my solicitor that no Rule 35 assessment was made.

108. I was under the following supervision on E Wing:

- i) 10/4/17 constant supervision.⁴⁹

⁴⁸ CJS000611, CJS000894

⁴⁹ CJS001246

- ii) 11/4/17 – 14/4/17 hourly observations and 2 conversations a day⁵⁰
- iii) 15/4/17- 16/4/17 hourly observations and 1 conversation a day⁵¹

109. There was a 14 day detention review on the 13/4/17 but detention was maintained. It notes that I was on constant supervision after going on hunger strike and sewing my lips together.⁵² However the decision maker simply notes detention remains appropriate because I was considered an absconder risk. No consideration was given to how long I would spend in detention or whether it was causing me harm.

110. After transfer to isolation two guards were at first watching me 24/7. The guards had different shifts so they would change every so often. They were always there watching me, even when I was on the toilet. This was humiliating.

111. At night, they would frequently come with a torch light and flash it on me. I was scared that if I fell asleep, they would tie me up and then take me somewhere. It was very frightening and prevented me from sleeping properly.

112. I was very uncomfortable when I was always being observed. It felt that someone was always controlling me. When you are in isolation, you lose any freedom that you might have had. It felt like it was extra pressure inside the walls. It was inhumane. My stress and anxiety were out of control.

113. I eventually unstitched my lips on 14th April because of the advice that I was given by my lawyer and people who were trying to help me.

⁵⁰ CJS001230, CJS001300, CJS001295, CJS0001248

⁵¹ CJS001273, CJS001219, handover notes from 17/4/17 not available from disclosure, 18/4/17 CJS001185

⁵² DSCB 198

114. I was really worried that if I stopped my protest they would decide that now was the opportunity to send me back. I believed that this to be true until the last moment before I was released from the centre.
115. On 16 April 2017 I was taken back to A wing room 102 until release on 21 April 2017 but I remained under close observations starting at hourly, then reducing to every 3 hours.⁵³
116. I was released from detention on 21 April 2017.

Medical Justice Medico/Legal Report

117. I was seen by a doctor provided by Medical Justice named Dr Ibrahim on 16 April 2017 and she wrote a report dated 20 April 2017⁵⁴ recording my mental state at the time, lack of access to adequate medical treatment and the adverse impact detention was having on me as follows:
- i) *He reported low mood subjectively and objectively he presented with a low affect. He described biological features of depression including poor sleep, poor concentration, poor appetite and weight loss. He also reported significant anxiety symptoms including both psychological symptoms of anxiety (fear and panic) and physical symptoms (including palpitations, increased heart rate, nausea, sweating) [§29]*
 - ii) *There was no evidence of formal thought disorder during the interview. Regarding content of this thought there was no evidence of delusional thinking. He did describe occasions when he felt paranoid, often when feeling very anxious and when people were talking in English around him*

⁵³ CJS001219, CJS001185

⁵⁴ HOM0331741

and he could not understand what they were saying, this was not at delusional intensity and he could identify this as paranoid thinking [30]

- iii) *He was reporting significant preoccupations in his thoughts with suicidal ideations and thoughts being quite significant and having worsened recently. He also mentioned recurrent and ongoing thoughts and flashback to the torture and abuse he has reported. He stated these thoughts and flashbacks were at their worst in recent days. He described many triggers such as loud noises, shouting, hearing footsteps and the doors being opened and locked in the IRC.[§31]*

118. Dr Ibrahim reviewed and recorded the content of my medical notes from the IRC, my GP and Dr Julia Burne. Under 'Opinion' she concluded:

- i) *I believe that D2077 mental health is at significant risk while he is detained. There is the direct impact of the detention on his mental health and the exacerbation and worsening of his [redacted] but there is also the fact that he does not have access to all the appropriate treatments for his mental health disorders. I am also very concerned about the escalation in risk of suicide whilst his mental disorders are being exacerbated and inadequately treated. [63]*
- ii) *I do not believe D2077 is suitable to remain in immigration detention, due to the points highlighted in section b) and d) he presents with severe mental illness and is a vulnerable individual. [64]*
- iii) *I am very concerned about D2077 prognosis and feel it is poor, whilst he remains in the inappropriate environment of an IRC. Does not currently have access to adequate psychiatric services to manage his mental health adequately. He requires regular psychiatric input from psychiatrists as well as other mental health professionals (eg registered psychiatric nurses). However, he also requires specialist psychotherapy (talking therapies) that is specifically relevant to victims of trauma and abuse and can manage the*

complexities of the combination of diagnosis of [redacted] recurrent depression and anxiety, all in the context of his suicide risk. This kind of specialist therapy would not be available within IRC healthcare provisions and also would not be clinically appropriate within a detention settings. In D2077 case his [redacted] symptoms are exacerbated and he has no support or stability whilst in this kind of environment, this could also lead to therapy being contraindicated whilst his symptoms are acutely exacerbated. [65]

Treatment of detainees at Brook House IRC

119. Without seeing any pictures of the guards, I cannot remember any names who were particularly abusive. I cannot currently remember their faces and names, only their actions. If I saw some pictures, I may remember more. However, I know this would be very stressful for me.
120. I could not understand their language but I could tell that the guards were often disrespectful and making fun of people. They often seemed sarcastic, angry and they had no empathy towards us. It felt like they had no sympathy or understanding that we were just human beings in a difficult situation. It makes you feel less than human when someone is speaking to you like this but you cannot understand. It is extremely stressful when people are talking around you, about you and at you in a harsh manner but you cannot understand. It made me feel very paranoid and uncomfortable.
121. Even now when I see or speak to a police officer I am scared. I imagine that they will be the same as the officers at Brook House. I am now very scared of authority figures.

122. I left my own country because my life was in danger from the police and the security services in Iran. My experiences with the officers in Brook House made me think they didn't care about my rights either. I now have refugee status but I cannot feel that I am fully protected and safe. I still feel scared. I have lost any trust in this system to protect me.
123. One of the few times that an interpreter was used was after I had sewed my lips together. They were demanding that I stopped this. It was only when they felt that I was a serious problem that they used an interpreter.
124. One issue that really concerned me was that they sent an Imam to pray with me at this time. The officers knew that I was a Christian and that I had fled Iran because of this. Seeing an Imam just reminded me of where I came from and what I feared would happen next. It kept my past trauma forever fresh in my mind. I could not respond or engage with him. I was like a dead body. I felt that, I was dying of hunger and they sent an Imam from a religion that I had abandoned.
125. A couple of times after this, a pastor did come and pray for me. This gave me a better feeling as he was very kind although I did not have an interpreter so I could not understand much that he was saying.
126. Fortunately, I was never in a position where someone used physical violence towards me. I tried to stay away from people and away from danger. After I sewed my lips together I was alone in isolation. This meant that I always had officers observing me but I made sure I did nothing to provoke them.
127. I would, however, hear officers use aggression towards individuals when they were being taken away- I assumed to a deportation flight. For example, when they forcibly restrained people and tied their hands up. They would drag them on the ground to be taken away. On one occasion I saw 3/4 officers congregate outside a

young Afghan man's room before getting him. His room was close to mine so I could see them prepare for this. I could hear his screams whilst it was happening. People would scream in pain and distress but they would not stop doing this. This made my own stress increase. I was worried all the time that it would happen to me.

128. I also saw officers repeatedly ignore people who were suffering mental health issues and were struggling with their lives. They would look and see it happening but they just didn't care.

129. I can remember a couple of examples when I saw physical fights. There may be more occasions but this is all that I can remember at this point. There was a lot of violence and anger. One fight started between detainees and it had to be separated by other detainees in the centre. The officers did not do anything, they just stood and watched. Another time when the queue for food was particularly long and it was very crowded a fight started and I remember a lady officer screaming and cursing at them. I was told she called a young Afghan boy stupid and an animal. He was just hungry and wanted to eat. It was very shocking.

130. There was one lady officer who spoke Arabic and one male officer who spoke Iranian. They were two of the only officers who tried to be helpful and spoke to me with any dignity. I also remember that there was one male British officer in his 50s who was kind to me. I could tell that he had compassion and genuinely wanted to help. The rest of the officers and even the doctors and nurses were just the same. They did not care about us and they did not respect us as human beings.

Rule 35

131. When I was detained previously at Tinsley House IRC in 2016, I was released because I had a Rule 35(3) Report⁵⁵ which confirmed that I was a victim of torture

⁵⁵ DSCB 478-481

and I was released shortly afterwards because of it.⁵⁶ However, the Home Office obviously did not follow and acknowledge that I had this assessment previously because they detained me again in 2017. It is clear to me that the Rules must not have been working properly. Nothing had changed since I had last been detained. I was still a victim of torture and I was still suicidal. A doctor had said that I was not fit for detention previously and I was not fit for detention this time. I should not have gone through the horrors of detention again.

132. I believed that this country was different to my home country of Iran and that they would follow the rules here. However, this incident proved to me that this wasn't the case.

133. Whilst I was in detention, I asked for a new Rule 35 Assessment⁵⁷ to show that detention was not good for me but they refused to do this because I had one previously. I tried to tell them about my injuries and show them my paperwork but they didn't care.⁵⁸

134. I said repeatedly that I had been tortured and that I was dying and I hurt myself. From 9 April 2017 I was not eating and taking medication on an empty stomach.⁵⁹ I was causing serious damage to myself. However, they didn't care. If they cared they would have addressed my mental health problems and released me from detention.

ACDT/Mental Health

⁵⁶ DS CB at 465-466

⁵⁷ DS CB 426 "Said he told everybody he has a problem and his external doctor had informed immigration that he cannot be in a place as this. Said he has documents to prove that he cannot stay here and he also had a Rule 35 report because he was torture..." [426] 9/4/17. 'Would like to see doctor regarding rule 35' 10/4/17 [427]

⁵⁸ DS CB at 465-466

⁵⁹ Medical notes at DSCB 426-8 refer

135. As I have explained my mental health suffered a lot whilst I was in Brook House IRC. I felt like I was worthless whilst I was there. I was constantly worried that I would be removed back to Germany without any notice or process and feared I would be sent on to Iran and this would mean death to me.
136. I was paranoid and scared that they could do anything to me. I was worried even that they could send me directly to Iran. I did not have any faith that they would follow the rules and tell me the truth. When you break the law in one way, there is nothing stopping them from doing it again and again.
137. Every day in detention was like one year for me. I felt I was getting closer to death every single day. I did not know what time or date it was.
138. I felt that it would be better to die here and soon in the UK than continue to suffer and then die later on in Iran. I had constant suicidal thoughts and everything was so uncertain to me.
139. I did not feel as if the guards at IRC Brook House had any care or concern about the mental health issues that we were going through. I felt worthless whilst I was there. Their only concern was my deportation.
140. The guards would see someone cutting themselves and in mental distress and just look the other way. I remember in particular watching an Arabic man who had cut himself so badly that his tendon was showing. He was in pain and bleeding but they were just watching him. I believe that I had been in Brook House for about two weeks at this point, after I was on E Wing. It was in an open area I think the canteen.
141. When I was in isolation after stitching my lips I felt that the guards were just laughing at me and judging me for what I had done. I remember a couple of times

guards would bring their colleagues to look at me and what I had done to myself. The room that I was in had a glass door so people could see what I was doing from outside the room.

142. I felt as if they were not doing this out of sympathy or concern but because they wanted to just look at me like an animal in a zoo and to ridicule me.

Medical Care

143. I do not believe that I received appropriate medical care from nurses or doctors in the centre. I believe that on a number of occasions I was told that a nurse or doctor would come to me but they never arrived.

144. I knew I was harming myself by stitching my mouth together. It was a dangerous thing to do but I was forced to do it to try and get someone to see how I was suffering and to get me out of there.

145. I did not have any confidence in the healthcare system at Brook House. I felt that the doctors and nurses were part of the system and they had the same lack of care and disrespect for the detainees as the guards. I do not feel as if they truly wanted to help and were mainly concerned with trying to help the Home Office try to remove us.

146. My solicitors have referred me to a note that states that I refused to see a Doctor. I did not refuse to see a doctor. I was initially not keen to see the IRC doctor although I have no real recollection of this. I wanted them to contact my doctors who had been treating me and knew all about me. The healthcare did not listen to me but I hoped they would to my doctors who could tell them about my illness and suicide attempts and that I should not be in detention. The medical

notes from Brook House show that by the end of the appointment I agreed to see the doctor at the IRC.⁶⁰

147. I was taking a lot of medication when I arrived at Brook House from Campsfield. When I first asked for my medication when I got there, they just ignored me.

148. I believe that it took 3-5 days before I was given a low dosage of the same medication that I was on at the previous detention centre and in the community. They had taken my medication away from me when I was transferred to Brook House and they said that they would return it when I arrived. However, they did not do this.⁶¹

149. They said that they didn't have any evidence that I was on this level of the medication but when they received this evidence, they would change my dose. They did not genuinely care about our health

150. I constantly had issues with my medication. I had to request it directly. It was never just provided for me. They knew that I needed the medication at the same time every day but it just wasn't done. It was more difficult for me as I couldn't advocate for myself as I didn't speak English. I often had to ask someone to help me.

151. I was not allowed to have my medication on me at that centre so it meant that I had to queue to see them every day to get my medication. This was a constant reminder of their lack of care.

⁶⁰ DSCB 426-7 entry of Daliah Dowd Mental Health Nurse

⁶¹ DS CB 425 'arrived with [redacted] taken to property' 6/4/17, referral to rmn has been done advised to wait for rmn ref and will give [redacted] given back to him. Mental health team to decide on his medication. (script written) 7/4/17, Paracetamol given on 7/4/21 at 6.15am recorded on 9/4/17, paracetamol given on 7/4/17 at 1950 recorded on 9/4/17, nurse on 9/4/17 notes He is currently receiving [redacted] and is also prescribed [redacted] which I have taken from his property and returned to health care.

152. My medical records show that on 10 April 2017 I told the mental health nurse Karen Churcher that I would keep my mouth sewn until release.⁶² . Also present were Duty Director D Houghton and DCM S Dix. I have been referred to a note⁶³ saying that I would be spoken to about my objective. I am shown my medical notes which record Doctor Oozeerally stating that he saw me on E Wing on 10 April and that he would speak to me ‘tomorrow’ to understand my objective.⁶⁴ I do not remember him speaking to me again. He knew I was a victim of torture and that I wanted to harm myself. However, he did not care. He didn’t even ensure that I got my medication properly.

153. I remember that there was one nurse who mocked me after I sewed my lips together. She told me that I would need to unsew my lips together otherwise I would not be given my medication.⁶⁵ I do not remember the name of the nurse but I remember that she was young, had red curly hair and she was white. I felt that she was particularly cruel to me.

154. On 12 April 2017 I spoke to Jo Buss a staff nurse in the presence of a DCO who I told that the Home Office were not responding to my solicitors, that I would unsew my lips the following day and that I wanted to speak to a doctor about a R35 but no Rule 35 report was undertaken.

155. My hunger strike lasted for about ten days. My stomach couldn’t really take any food anyway so I only really started eating again properly after I was released from the detention centre. I continued to have difficulty eating for some time afterwards.

⁶² DSCB 427

⁶³ HOM0331741

⁶⁴ HOM0331741

⁶⁵ DSCB 426-7 nurse records ‘Presented as being angry and slightly anxious rather than being depressed’[426] ‘Would not give a straight answer as to whether he wants to harm himself or not despite being asked several times’ [427]

156. I did not know what the healthcare staff were thinking. I don't think they believed that I was genuinely unwell. I was not eating and I was physically harming myself but I still felt as I was treated by healthcare as if I was a criminal or a murderer.
157. I did not remember any doctors and nurses who showed any care of decency towards me. I felt that their belief was that their responsibility was to the Home Office rather than caring for the detainees.

Complaints and oversight

158. I was not aware of any complaints process in Brook House. Nobody made me aware of the existence of any process in my own language that I can remember.
159. I feel that even if I was aware of the process and I made a complaint, I do not believe that they would listen to me. I do not think that the staff cared about these things.
160. When I wanted the staff to help me, they did not listen to or help me. Why would they listen to my complaints? I did not feel confident to do this.

Release/After Release:

161. By the time I was released from detention, I did not believe what I was being told. I had lost all of my hope and belief in the system at this point. I felt that my mental health was being played with. Eventually at the end of the day on 21 April a taxi was suddenly sent, I was given a rucksack and I was let out of detention in the evening. I was originally sent to temporary accommodation in London.

162. I understand that I was due to have an immigration bail hearing in the High Court on the 20 April 2017 so I believe this may have convinced the Home Office to finally release me.

163. I am asked to comment on emails of 20 April 2017 about arrangements for my release and location.⁶⁶ A letter was sent to my solicitors explaining the delay in releasing me stating 'clarification regarding your client's mental health issues were necessary and therefore safeguarding issues concerning your client and the community were necessary to be considered prior to his release.'⁶⁷ I cannot really comment on these. It is painful to know that when I was detained the Home Office totally disregarded my history of torture and my mental illness and downgraded the risks to me of being detained but then held me for longer because of mental health problems.

164. These decisions drove me mad and to despair. Its why I lost all trust and took such desperate measures to be heard. I am also told by my solicitors that they provided a release address on 14 April 2017 but no steps were taken to release me until the 19 April 2017.⁶⁸ 5 days is a long time in Brook House when you are suffering as I was, in such a horrible place and surrounded by fear, violence, disturbance and distress.

Impact of Detention

165. After being released from Brook House I continued to deal with a lot of fear and anxiety. I still had to report to the Home Office every two weeks. I would bring my medical letters from my Doctor with me every time so I could show them that I was not doing well. I hoped that they would reduce my reporting restrictions

⁶⁶ HOM0331767

⁶⁷ HOM0331713

⁶⁸ DSCB 99

but they never did. It was mental torture for me. I was suffering from fear and anxiety at an extreme level. I had so many negative thoughts in my head.

166. A lot of other things continue to make me feel scared and frightened. For example, whenever I hear the sirens from an ambulance and from a police car. When I hear this noise, my teeth lock, my body starts to shiver and my legs become numb.

167. I also suffer from bad nightmares very frequently. Everything that has happened in my past life going around in my head and I feel scared. I have heart palpitations and I feel that my heart is going to stop working. I feel like someone is making me hold my breath. When I wake up I have to take a few minutes to remember that my nightmares were not real.

168. I now have no trust in the authorities. I am fearful every time I see a police officer. I cannot forget what has happened to me.

169. Whilst I have now been granted refugee status, my situation has unfortunately not changed very much. My mental health is still very bad and I still am suffering a lot every day. I try to distract myself by thinking about my family but it doesn't work most of the time. I am always worried about my future and I do not feel stable. I am waiting for something to go wrong.

170. Being in Brook House IRC made me remember and relive what I experienced when I was detained and tortured in Iran. The attitudes of the officers that they wouldn't listen to me and the amount of time that we were locked in at night reminded me of prison in Iran.

171. At least when I was in prison in Iran, the guards were speaking the same language as me so I knew what was going to happen to me. In Brook House, I did not know what was going to happen to me so I was constantly in fear of the worst.

172. The medical report prepared by Dr Thomas on 13 November 2017⁶⁹ recorded various factors as contributing to the deterioration of my mental health including:

- i) *The confined situation of detention with ongoing fear of imminent removal to Germany (and thence, he feared, to Iran)*
- ii) *Witnessing incidents of maltreatment and abuse from his perspective towards other detainees (and perhaps also towards himself although he did not seem able to disclose this if so) from IRC staff, which he reports having found intensely distressing;*
- iii) *Not having access to the required mental health support and treatment, only to nursing staff and over the counter medications;*
- iv) *Feeling shamed and humiliated by his detained status, which rekindled feelings of the same in relation to his torture experiences;*
- v) *Being removed from all community supports and treatment including his friends, NA meetings, anti depressant medication and psychological therapy.*

173. Dr Thomas concluded ‘...past periods of detention have contributed significantly to the chronicity and severity of his current mental ill health as he reports significant relapse in his mental state around all three detained episodes.’

174. I did not recover from these experiences and I was eventually hospitalised at a mental health hospital between 11 June 2018 until 26 June 2018 and then again on 28 June 2018 until 5 July 2018 I had to be hospitalised as I couldn’t go on anymore. The doctors had wanted me to go into hospital before this but I had always said no I didn’t want to. I couldn’t deal with the closed doors. It was too much of a bad

⁶⁹ HOM0331740, in particular §§99-102

nightmare for me after being in immigration detention but by then I couldn't keep going with my life and I could not keep reporting every week and being at risk of re-detention and removal. I felt suicidal all of the time.

Conclusion:

175. I feel that it is very important for me to speak out and explain what happened to me in detention and at Brook House. I do not want what happened to me to happen to anyone else. Detention was very damaging to me but no one has been held to account even though the Home Office knew I was a vulnerable person and a victim of torture who had recently attempted suicide they still made sure I was detained to be removed on a Charter flight.
176. Even though they have conceded they unlawfully detained me and paid me some money they have not apologised, there have been no consequences for any person involved in the decision making and I do not believe they really accept they did something wrong. They can just get away with these things.
177. I also felt that staff at the detention centre did not have any respect for our human rights and for our dignity. They treated all detainees as if they were dirt even when they had not done anything to deserve it.
178. For this reason, I wish to give evidence at the Inquiry with a hope that real changes are made so that individuals are not detained and treated like this again.

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 an honest belief in its truth.

I am content for this witness statement to form part of the evidence before the Brook House Inquiry and to be published on the Inquiry's website.

Name	D2077
Signature	Signature
Date	09/02/2022

CHRONOLOGY OF EVENTS

<u>Date</u>	<u>Event</u>	<u>Reference</u>
~ 2006	In Iran, [D2077] on compulsory national service and does not attend required Friday prayer. Detained and beaten. Sustains a head injury from being beaten and still feels the effects today.	
~ 2011	[D2077] arrested in Iran due to his tattoos. Detained and tortured.	
~ 2012	[D2077] detained again in Iran due to tattoos. Tortured.	
~ 2014	[D2077] is married in Iran.	
~ October 2015	[D2077] formally converts to Christianity three months before leaving Iran.	
~ January 2016	[D2077] leaves Iran and travels to Turkey and then to Greece	
9 January 2016	[D2077] fingerprinted in Greece	
15 January 2016	[D2077] fingerprinted in Germany	
Between January – June 2016	[D2077] spends a period of time in the [DPA] Jungle before crossing the Channel by boat.	
11 June 2016	[D2077] arrives in the United Kingdom, claims asylum and undergoes Screening Interview. [D2077] is served with illegal entry papers and detained at Tinsley House IRC.	
12 – 16 June 2016	[D2077] seen by nurses at Tinsley House IRC for an initial assessment and then daily with complaints of headaches and requests for pain relief. Home Office Case Record Sheet suggests that he should be referred for a psychological assessment.	422-423
13 June 2016	Take Back request made to Germany	A24-26
15 June 2016	[D2077]sols write to the SSHD expressing serious concerns that [D2077] is a victim of torture and requesting a Rule 35	
16 June 2016	Germany refuse take back request	186
17 June 2016	[D2077] seen by a doctor, but a full assessment not carried out due to problems with the phone interpreting service [D2077] sees detention nurse and reports being a victim of torture, stating that he did not disclose this earlier because he was too scared.	423

	D2077 tells the nurse about being arrested, imprisoned, hit, beaten, cut with a knife and beaten with a belt. Nurse notes scars on his body and then books a psychiatric nurse review and a Rule 35 appointment.	
17 – 19 June 2016	D2077 continues to attend healthcare daily to seek pain medication for headaches	
19 June 2016	Rule 35 Assessment. Doctor notes concerns that he may have been the victim of torture and that scaring is consistent with account. Attempt made by a psychiatric nurse to assess D2077 but rescheduled due to problems with the interpreting service.	478-481
21 June 2016	SSHD responds to Rule 35. Decides that D2077 should not be detained and he is to be released. This is not served on representatives until next day.	465-466
	Assessment carried out with psychiatric nurse in detention D2077 continues to request paracetamol daily for his headaches over the next few days	424
22 June 2016	D2077 sols request D2077 release on temporary admission (after D2077 sends copy of Rule 35 assessment to his sols).	
	D2077 sols request following documentation from the SSHD: -Screening interview -Documentation relevant to the decision to detain -Documentation relevant to consider his case suitable for third country action -Rule 35 Assessment -Response to Rule 35 Assessment.	
23 June 2016	D2077 released from detention (granted temporary release on reporting conditions). SSHD serve documents on D2077 Solicitors -Screening Interview dated 13 June 2016 -Eurodac Hit dated 13 June 2016 -IS91 dated 23 June 2016 -Rule 35 + Response	

	SSHD appeals the refusal of Germany to accept D2077	187-188
30 June 2016	Latest date on which Germany can be deemed to have accepted responsibility for D2077	
6 July 2016	D2077 dispersed from Tinsley House IRC to DPA and registered with a GP there.	
~ July 2016	D2077 becomes involved with the voluntary organisation DPA Conversion Club for refugees and asylum seekers' where he is seen by Dr Julia Burne, former GP. D2077 referred locally for counselling.	
September – December 2016	D2077 has various appointments with doctors where concerns about his depression and PTSD are noted.	
6 September 2016	ARC issued.	
8 October 2016	D2077 contacts the crisis mental health team in DPA because of suicidal ideations D2077 referred by doctor for support for severe PTSD	
13 October 2016	Date of letter from Dr Julia Burne commenting on health conditions.	472-473
23 November 2016	D2077 takes overdoses of anti-depressants and self-harms. Admitted to hospital.	107
24 November 2016	D2077 is released from hospital. Safeguarding level raised to Level 3.	A1-3
24 November 2016	Request made to change reporting restriction to monthly. Refused as TCU case	107
1 December 2016	Date of second letter from Dr Julia Burne commenting on health conditions.	474-475
8 December 2016	Note: Welfare Check take place following suicide attempt. D2077 says that he is struggling with anxiety and depression and reporting is making situation worse	107

18 December 2016	[D2077] is baptised	31
30 December 2016	Time limit to transfer [D2077] to Germany expires.	
13 January 2017	Germany accept responsibility for [D2077]	A23
23 January 2017	SSHD certifies and rejects [D2077] asylum claim under Third Country Grounds but does not serve on [D2077] or his representatives.	A21-22
27 January 2017	GCID Note R Shaikh [D2077] transfer should be escorted due to previous self-harm and suicide attempt	106
6 February 2017	On reporting, [D2077] is served with notice of liability of removal but not the decisions.	
6 February 2017	Duncan Lewis write to the SSHD requesting documents relating to DIH matter.	A4-6
8 February 2017	Duncan Lewis write to the SSHD once more requesting documentation.	
10 February 2017	Letter Before Action sent with expedited response timeframe due to notice of liability to removal. Challenges failure to disclose + illegality of notice of liability to removal as [D2077] is a Victim of Torture.	A7-10
12 February 2017	Detention Authorisation refused. C is a L3 in accordance with the AAR Policy.	
14 February 2017	Date of Letter from GP [Dr Shanu Mishru]	467-468
15 February 2017	GCID Note. Case rejected by detention gatekeeper twice. Removal should be on Phase 2 of German charter project.	105
24 February 2017	Holding Response to PAP by Home Office	A13-15

27 February 2017	GCID note from who? On Home Office's Case Record Sheet, [D2077] marked as unfit for detention on that date due to mental health condition.	
27 February 2017	SSHD responds to Letter Before Action (dated 23/2/17 served on 27 th). Confirms that Notice of Liability to Removal has been withdrawn. Serves following documentation: -Certification of Asylum Claim -Acceptance of the C by Germany -Take Back Request -Eurodac Match (previously served)	A16-20
3 March 2017	Detention authorisation refused by Detention Gatekeeper as not appropriate from a safeguarding perspective. Needs opportunity for counselling and hopefully amelioration of his problems	105
8 March 2017	GCID Note S Chowdury C should be served with a RED0001 as an adult at risk and is not suitable for no notice removal	105
28 March 2017	GCID note by A Begum Home Office's Case Record sheet notes that [D2077] transfer should be escorted with a medic in view of safeguarding/ self-harm and suicide issues.	103
28 March 2017	Detention approved by Detention Gatekeeper. Identified [D2077] would be detained for 12 days before removal takes place and states there is no evidence to show that detention would be harmful to his health.	
31 March 2017	[D2077] is detained upon reporting. He is moved to IRC Campsfield House.	194-197
	Duncan Lewis send fax stating: 'VERY URGENT: CLIENT IS NOT SUITABLE FOR DETENTION' identifying [D2077] as a victim of torture with previous R35, suicidal and undergoing treatment in community. Paperwork in relation to detention has not been served upon [D2077] representatives.	A28-30
1 April 2017	[D2077] seen by healthcare. Acknowledged that claims to be a Victim of Torture.	

1 April 2017	[D2077] undergoes detention review and officer recommends that [D2077] be removed on 11 April 2017 WHAT?	
2 April 2017	[D2077] is served with a new removal document confirming that he will not be removed for 5 working days following date of service.	
3 April 2017	Letter Before Action/Further Asylum Representations sent relying on further medical evidence. Deadline for response given as 6 April 2017 at 12PM	259-281
3 April 2017	Request made for healthcare records on urgent basis by representatives	A32
4 April 2017	SSHD notifies ILPA that a charter flight has been set for Germany on 11 April 2017	
6 April 2017	Letter re movement of [D2077] from Campsfield IRC reiterating health concerns. Despite [D2077] having prearranged appointment with Medical Justice, he is moved from IRC Campsfield House to IRC Brook House. No response received to the Letter Before Action	A34-36
6 April 2017	[D2077] undergoes initial nursing assessment in detention. Nurse notes that [D2077] should not be allowed to keep his prescribed medications on his person.	425
6 April 2017	Telephone Assessment takes place with Dr Beata Godlewska	254-256
7 April 2017	[D2077] assessed by a doctor in detention. [D2077] undergoes 7-day detention review in which officer maintains that detention remains appropriate to prevent [D2077] from absconding before removal. Officer notes that removal cannot be arranged until May due to availability of escorts.	426
7 April 2017	Two Further Medical Reports; by Dr Godlewska and Dr Byrne are submitted in support of previous Letter Before Action Time of response given as 1pm. No response received.	251-253
7 April 2017	Judicial Review Proceedings issued challenging [D2077] Removal	224-251

7 April 2017	Order received by Lang J staying [D2077] removal. Issue of detention is not dealt with by Lang J	A37
8 April 2017	Order sent by [D2077] caseworker to SSHD requesting confirmation of cancellation of removal directions	101
8 April 2017	[D2077] sews his lips together [D2077] is placed under ACDT	
9 April 2017	[D2077] is placed on constant supervision after appointment with mental health nurse in detention [D2077] representative has telephone conference with [D2077] and Brook House Staff where he is informed that a meeting will take place that evening to discuss his ongoing psychiatric conditions.	330
10 April 2017	[D2077] seen by mental health nurse who recommends that constant supervision is changed to hourly checks	427
10 April 2017	[D2077] representatives send urgent application for temporary admission. Includes order staying removal.	A38-40
10 April 2017	Further email sent to NRC requesting confirmation of cancellation of removal directions.	
10 April 2017	[D2077] representatives call SSHD's caseworkers and ask for confirmation of when temporary admission request will be dealt with. He is told this has been allocated. Reps are orally told that removal directions have been cancelled.	
10 April 2017	Request to what? sent to Centre Manager requesting information following [D2077] sewing lips together	A42-43
10 April 2017	Decision received certifying Article 3 claim.	209-216
11 April 2017	Planned date for removal (flight at 10.25am)	
11 April 2017	Application made for S4 support	A45-49
11 April 2017	New Rule 35 request made by [D2077]	331

12 April 2017	Nurse observation with Jo Buss. [D2077] indicates he will unsew his lips the next day	427
12 April 2017	Theresa Schleicher of Medical Justice is informed that [D2077] will undergo a Rule 35 Assessment that day	
12 April 2017	[D2077] representatives write to healthcare to request that copy of assessment is forwarded to them as soon as prepared	
12 April 2017	IS191RA completed in relation to [D2077] by Dr Oozerally who asks for his detention to be reviewed on the grounds that he has a previous R35. (Note not received until 19 April 2017).	A51-53
12 April 2017	Application Notice issued requesting bail and urgent oral interim relief hearing on 13 April 2017.	A57-63
12 April 2017	[D2077] promises to have the stitches removed now that his flight has been cancelled	326
13 April 2017	14-day detention review takes place in which officer recommends that detention remains appropriate because [D2077] is an absconder risk and his removal is imminent, despite the stay having been ordered by the Court	
13 April 2017	Application Notice served directly on SSHD with note that they have failed to respond to temporary admission request	A55-64
13 April 2017	Oral Hearing is listed for 20 April 2017	A68
13 April 2017	Further Temporary Admission Request sent.	A65-67
	16.53 email JB to Peter Smith-Wright of Detained Asylum Casework seeking assistance 16.59 Peter Smith-Wright writes to Jannath Amhbuba and Amanda Wotoon at the TCU 17.46 JB writes to all three expressing concern about detention over weekend 18.15 Peter S-W emails Brook House	A79-82
14 April 2017	[D2077] is orally informed that he would be released from detention that day pending receipt of release address. [D2077] caseworker speaks to centre staff twice:	99

	<p>1) To a G4S Security Officer</p> <p>2) To DCM (Duty Centre Manager) Steve</p> <p>Caseworker provides release address</p>	
14 April 2017	Email received from Deputy Immigration Manager Simon Levett Brook House Immigration Team. This confirms that the Home Office have no record of a fresh R35 but confirm [D2077] is currently being managed on an ACDT plan and that after the cancellation of his removal directions and the removal of sutures on lips, the observations are now hourly.	A78
14 April 2017	[D2077] is orally told that he will now be released on Tuesday after the Easter holidays	A77
16 April 2017	[D2077] is orally told that he would now have a meeting/interview with the Home Office to decide whether he would be released	A77
16 April 2017	[D2077] seen by Medical Justice in IRC Brook House	
16 April 2017	10.01 Email sent by [D2077] caseworker asking for clarification as to what [D2077] has been told about release and any interview due to take place. [D2077] now significantly distressed owing to contradictory information he has been given about release	A77
18 April 2017	08.50 Email received from Third Country Unit forwarding on queries of [D2077] case to relevant Brook House caseworker	
18 April 2017	Email received from Brook House Healthcare informing that a Rule 35 Assessment has not been carried out as one had been submitted last year. In response [D2077] caseworker asks that a Rule 35 Assessment is carried out	A71
18 April 2017	[D2077] caseworker JB has telephone assessment with Brook House Immigration Team. He is informed that the Third Country Unit will be dealing with matters of release and they cannot confirm whether a decision has been made to release.	A74
18 April 2017	HO Caseworker makes diary action to consider whether release is appropriate	327

	<p>16.23 JB email 'I have had no response to this correspondence and my client is completely unaware of what is going on. Can you please update me so I can advise him?'</p> <p>16.29 email from Jannath Mahbuba (TCU) to Paul Field (TCU) and JB asking P Field as safeguarding contact to respond.</p> <p>17.12 email from Jacintha Dix (Healthcare Practice Manager, Brook House) making reference to two statements. The first was IS91R. Unclear what the second of these was, JD states the statements were not sufficient could be added to original R35 and resubmitted</p> <p>17.41 JB replies stating that a fresh R35 is clearly necessary</p> <p>17.49 JB requests urgent update re i) release date and ii) interview</p>	A71-75
19 April 2017	<p>10.01 email JB to Brook House and others asking if any assessment had been made as to suitability of [D2077] for detention, [D2077] caseworker receives email from Third Country Unit confirming that the matter is in hand and that it is being prioritised</p>	A70
19 April 2017	GCID: Medical notes to be provided to A so he can receive GP help on release. Satisfied that fit for release.	99
20 April 2017	Date of psychiatric report produced by Medical Justice[Dr Fatema Ibrahimi]	404-421
20 April 2017	Oral Hearing Listed. Adjourned after SSHD agrees to release [D2077] from Detention	A69
20 April 2017	[D2077] released from detention to return to NASS property ACDT closed	
3 May 2017	Acknowledgement of Service and Summary Grounds of Defence filed by SSHD	155-178
19 May 2017	Amended Grounds of Claim filed by [D2077]	119-154
13 July 2017	Target removal date on Home Office case notes	105
18 August 2017	SSHD amends Summary Grounds of Defence	67-95

23 October 2017	Undergoes psychological assessment with Dr Rachel C. Thomas	
13 November 2017	Date of Rachel C. Thomas's psychological report	345-403
15 November 2017	Permission for JR granted on all grounds at a hearing	66
June 2018	D2077 hospitalised at mental health hospital following deterioration. [11.06.18-26.06.18] and [28.06.18 until 05.07 2018]	
7 January 2019	Duncan Lewis receives Asylum Preliminary Information Questionnaire	
17 January 2019	Representations in support of Asylum Preliminary Information Questionnaire	40-50
5 April 2019	Consent Order for withdrawing JR claim and hearing vacated	51-54
18 June 2019	Date of asylum interview	
9 July 2019	Post-asylum representations submitted	9-39
20 September 2019	Asylum granted to D2077 by the SSHD	2-8
4 October 2019	D2077 gets BRP card	1
19 September 2024	D2077 leave due to expire	1