

IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION
ADMINISTRATIVE COURT

Sensitive/Irrelevant

In the matter of a claim for Permission to Judicial Review

BETWEEN:

THE QUEEN

upon the Application of

D1527

Claimant

-and-

SECRETARY OF STATE FOR THE HOME DEPARTMENT

Defendant

WITNESS STATEMENT OF D1527

- 1) I, D1527 of London (address withheld to maintain anonymity) make the following statement. I confirm that the contents of this statement are true.
- 2) I find it very difficult to discuss in detail the events which took place in detention, as I find talking about this very traumatic. I suffer from Post-Traumatic Stress Disorder and depression, and I experience flashbacks which make it difficult to recall details. I have tried to set out in this witness statement the events which took place whilst I was in immigration detention.

Detention in HMP Belmarsh

- 3) On 13 November 2016 I was arrested on suspicion of several serious criminal offences. I explained that I was innocent, but no one believed me. I spent a month at HMP Highdown and then 3 months at HMP Belmarsh.
- 4) On 09 March 2017, I went to the court and I believe my lawyer told me that the police would drop the serious charges against me if I pleaded guilty to two small offences. There wasn't an interpreter available before we went into court and I didn't really understand what I was being asked to do, but they advised me I would be released if I did it so I agreed. I went in front of the judge and was told that I wouldn't have to go back to Belmarsh. This made me really happy.
- 5) However, after the hearing, I was taken back into the cells at the court and then they moved me back to Belmarsh. I didn't understand why. Then someone came and told me that I was being detained because of my immigration problems. This made me really upset and I fell into despair.
- 6) Going back to Belmarsh was awful. I was put on the Vulnerable Prisoners wing, which is where they keep the child sex offenders, even though I hadn't done anything wrong. The other prisoners assumed that I had been to court and been convicted so they would harass me and try to attack me because they thought I was a paedophile. Time spent with the other prisoners was really scary, but it was almost as bad to be locked up in my room. Often we were locked up for 22-23 hours a day, particularly if an incident happened or they were short on staff. One time they locked down the prison to search for weapons and we didn't get let out at all.
- 7) I felt that the officers and healthcare staff treated me with contempt. They wanted me to feel they were the ones with all the power and I was just a prisoner- They have the key, and they finish and go home while you are left locked up. Whenever I would self-harm they would not take me seriously, and they would use force to take me to

healthcare or to segregation. I felt as though I could not trust anyone or speak to anyone about how I was feeling.

- 8) I tried to commit suicide on at least two occasions in HMP Belmarsh. On both of those occasions I was taken to healthcare. The first time this happened I went with them no problem, but the second time I did not want to go. On this occasion they used a lot of force to make me go to healthcare. They grabbed my hands and neck and threw me to the ground. I felt as though I could not breathe and that I would be killed. I put in a complaint about this, but the response just said that the man who did this was just doing his job. I felt like no one cared about me. I am not sure when this was, but my lawyers advise me from records it may have been on 20 March 2017.
- 9) I could not talk to anyone about what had happened to me, because I knew that if I did nothing would happen. This was the same when I was in Brook House IRC, when things happened I felt like no one was going to do anything.
- 10) I was fortunate in a way because I am [Sensitive/irrelevant] and there were a lot of other [Sensitive/irrelevant] prisoners in Belmarsh who looked after each other a bit. Without them I think I would have been at real risk from the other prisoners, as some of the white prisoners were attacked and beaten up really badly. I didn't like being dependent on the other prisoners for safety though and I was worried that they would turn on me as well if they found out about [Sensitive/irrelevant] and my reasons for coming to the UK. There were some [Sensitive/irrelevant] here with very radical views, but I did my best to avoid them.
- 11) A few weeks after I was sent back to Belmarsh, someone from the Home Office came to see me. I didn't understand why they wanted to see me and they didn't bring an interpreter. I told them that I wanted a lawyer to help me follow what was going on. They went away after that.
- 12) My support worker Ben Feder arranged for a lawyer to come and see me at Belmarsh. I was pleased that someone was here to help me, but I struggled to tell my lawyer much about my life at first. I find it very difficult to talk to people about what has

happened to me in my life, and it has taken time for me to be able to talk about any part of it in any detail.

Detention in Brook House

13) Once my lawyer started working for me I was moved to Brook House IRC. I thought it would be better to be out of prison, and it was good to be away from the dangerous criminals, but the detention centre was scary in a different way. Lots of people get deported from the detention centre and I was really worried that they were moving me to Brook House to put me on a plane. I could see the airport as we drove into the detention centre.

14) I didn't really interact with anyone for the first 15 days or so. I was very scared.; I was frightened that I was going to be put on a plane at any moment. I hurt myself during this time, and some detention centre staff came in to my room. They said that I was just playing, that I was doing this for attention. The staff at Belmarsh had said the same thing to me when I had self-harmed. This made me feel that no one was or would take me seriously, like they didn't care whether I lived or died. I felt like animals at a zoo were treated better than I was. At this time I did not care – I wanted to die, and so if no one took me seriously then maybe I would be able to kill myself. I never would report when I had self-harmed, it would only be when other people saw me do it that I would ever see anyone like a nurse or doctor. I had some injuries from self-harm, but they were not very serious, and so they didn't require any treatment. I was seen by the nurse, but it was very brief, she did not stay long.

15) I was prescribed Sensitive/irrelevant in Belmarsh, and I was supposed to take this in Brook House as well. This was for stress and depression and to help me sleep. I couldn't get my medication though for the first six days. I would go to healthcare and ask every day, but they said it was coming but it was not here yet. They said they will order it. At the end of the week they said that the medication had arrived, and I could start to

take it as normal. Without this medication I felt a lot worse, and I could not get any sleep at all.

16) I would barely sleep whilst I was in detention. I would get maybe 4 hours at most, but this would be interrupted sleep. I would regularly have nightmares, and would wake up frightened. I am still not sleeping well.

17) I was always very scared in detention. I was terrified especially that the officers would come to take me away by force. I felt this because they were always using force against me whenever they wanted me to go anywhere I didn't want to go, for example when they would take me to E-wing. When they used force against me this was very scary. I was frightened that they would hurt me.

18) I would often refuse to eat anything in Brook House. I would go for weeks at a time without eating anything. Whenever I would eat anything it would be very small amounts, maybe some dates from the shop. I just wanted to die, I did not want to eat or drink anything. On one occasion I vomited blood. I was told this was because I was taking my medication without eating anything.

19) The medical staff at Brook House did very little to help me whenever I had a problem. I felt like they were not taking me seriously. One day I asked for the nurse, because I felt like I was having a heart attack. I couldn't breathe, my chest was tight and I felt a lot of pressure in my temples. The nurse said that nothing was wrong with me, just that my temperature was high. I was given two paracetamol to take. This feeling continued, and I called again. They said there is nothing wrong with me, that I was just playing. I would have these symptoms a lot when I was in Brook House. They were like a heart attack or a panic attack.

20) Whenever the staff used force against me I would have a flashback, I wouldn't see the people around me, I would see myself in Egypt, with what happened to me and [Name Irrelevant] (which is described elsewhere in my statements).

- 21) When the staff used force against me I told the mental health team that I feel something tingling up my arm. It feels like something is moving in your body, up my arm, into my chest, and in my legs sometimes too. The nurse said this is what happens when you have a heart attack, but they didn't do anything about it.
- 22) When I had my Rule 35 report, the nurse told me that sometimes when a person is suicidal, they keep them in detention because then detention is a safer place. I remember the nurse who told me this, I would see her a lot, she was an older white lady. As I told Dr Basu, being told this made me feel like I wanted to die. I felt that when she said this to me, that it was better to die in detention than be trapped here forever. I felt that I would never get out: This is your house from today, and you will never get out. This made me feel very hopeless. When I remember this, I feel very stressed and anxious, and it still upsets me greatly.
- 23) When I was not on E-wing, I was sharing a room with two other detainees. The room was very small, with one single bed and one bunk bed, a small table and a toilet in the corner. The toilet did not have a door, if you needed to go to the toilet you would have to do this in front of the people you were sharing a room with. There was a small table, but it was only big enough for one person to sit at it, so you would eat in your bed.
- 24) If I would do anything to hurt myself in Brook House, the staff would frequently put me on E-wing, which is where they put anyone who is badly behaved or not well. I hated being on E-wing, because I had to spend the whole day locked up by myself, just like I was at Belmarsh. When I am locked up on my own I am left with just my own thoughts. I would think back about what happened to me in Egypt and I would get very upset. This would not do anything to make me not want to hurt myself any more, and I would sometimes try and hurt myself when I was on E-wing.
- 25) E-wing was more frightening than being on the main wing. I was not allowed to come out of my room, someone was always there watching me. When I would try and sleep there was always someone watching. Seeing the officers always made me frightened

that they would try and remove me by force. In the regular wing you wouldn't see the officers that often, but on E-wing they were there all the time. I constantly felt afraid that someone was going to try and drag me out. I was also scared I might be put on a plane by force. Being on E-wing was like a prison inside a prison. I felt more stressed here than anywhere. I felt the staff were much worse here than other staff. They were rudier to me here than anywhere else.

26) Being on E-wing felt like a banishment. I had been taken to E-wing because I was self-harming, but I was not given any help. It felt like I was being punished for self-harming.

27) The room in E-wing was virtually bare; there was no TV or anything. There is just a mattress, but no cover. Sometimes they give you a cover, but it is very small, not enough to cover yourself with. Sometimes there is a kettle, but they normally take this away. They don't allow cutlery in the room. They take everything out of the rooms so it is harder for you to hurt yourself I think. I told the officer who brought me to E-wing that I wanted a TV, because if there was nothing to distract me while I was locked up on my own I would be stuck with just my thoughts and I would feel worse and worse. My mind would be racing, I would have nothing to take my mind off it and I would become lost in my thoughts. I would be trapped in my own head, thinking about everything I went through in Egypt, and what was happening to me here in Brook House. I would think about everything that frightened me, I couldn't think about anything else. I would get more and more scared and upset the more I thought about things.

28) I was taken to E-wing after I had self-harmed or tried to commit suicide, but being in E-wing with nothing to take my mind off my thoughts just made me feel more suicidal. Being on E-wing is like a prison inside a prison. The officer told me that if I needed anything to tell the duty officer on E-wing, for example if I wanted any tea. After a while, I asked this officer if I could have a tea, but she said "I don't work for you". She was very rude to me, and I didn't ask her for anything else after this. I felt like no one cared about me. I think she did this deliberately to upset me. I had nothing

in my room. Everything is in another wing. I had no kettle or anything, no cover for the bed. I only wanted a cup of tea, but I felt like she was showing that she is the officer and I was just a detainee, that she has power, and I can't do anything. This made me feel very little and insignificant.

29) The officer who brought me to E-wing was also very rude to me. Whenever he would see me, he would give me a dirty look, like I was nothing more than rubbish to him. This would make me feel upset also. The fact that he was a manager was even more upsetting, because he had even more power than the rest of the officers. It would make me feel even more worthless. He would also say things to me, but I don't remember what he would say. I don't remember his name, but I still remember his face. He was white, and was tall and skinny with dark hair. He didn't have any facial hair. He was wearing a white t-shirt, so I think he was a manager.

30) On one occasion, a guy who I was sharing a room with called for the staff because I was self-harming, and the staff said I had to go to E-wing. I refused to go; I did not want to be on E-wing. I was sharing a room with two other people at this time, and they said that if I did not leave they would kick the other two people out of the room and I would have to stay in this room on my own on constant watch. After they took the other two detainees out of the room, they tried to get me to leave the room by force. They grabbed my hands, my clothes, and tried to rip the bedding and mattress from underneath me so that I would fall out of bed and they could carry me to E-wing. After they said they would force the other two to leave I agreed to come with them to E-wing. This was very embarrassing and humiliating for this to happen in front of others. I felt that other detainees thought that I was a crazy person, because the staff were dragging me by force.

31) Many of the staff were very rude to me. They would treat me like I was an animal. They were the officers, they had all the power. I never felt like I could talk to anyone or make any complaints about what was happening to me. I had made a complaint in prison but no one took anything seriously. The staff at Brook House were the same, I felt like I could not say anything as it would just make things worse for me.

32) Sometimes even when I was not on constant watch I was kept on E-wing. Whenever I would ask for anything I would be ignored or they would be very rude to me. I asked to buy something from the shop, but they told me to wait, as I was not allowed to leave E-wing. They said they would go and get this for me, but only when they felt like going. I waited for 2-3 hours before anyone went. The shop is only 2 minutes away, it is not far for them to go. They know I could do nothing while I am stuck in my room, and I felt that they were showing how they had all the power and I didn't. I felt very powerless. When I would ask to go to the mosque to pray, they would say I was not allowed to go. There is no rule saying whether I can go to the mosque, it would depend completely on whether the guard would let you go. I believe they did this because they didn't like me. I think he did it deliberately to upset me.

33) I kept asking to go to the mosque for two days. I asked an officer called Yan who would often be on E-wing. I remember him very well; he is bald, and relatively well built. He was always very rude to me. He would treat me very badly, like I was not important to him at all. It made me feel like I was worthless. He would seem to think that he was the boss and I was the prisoner, and therefore he can do whatever he wants. I felt he didn't like me. I don't know whether he didn't like me because I am a Muslim, but I believe so. I asked Yan if I could go to the mosque, and he said "I'm not going to take you to the fucking mosque". This made me very upset. Going to the mosque would help me feel better, and would help me take my mind off what had happened to me in Egypt.

34) Sometimes they would lock the door to my room in E-wing. They would do this sometimes when they would feel upset or angry or did not want to deal with me. Sometimes the door was locked for 2 days. They wouldn't let you out of the room at all, except for when they would give me 2 minutes to have a shower. One time I was having a shower and Yan came in and said I had to come out. He opened the door to the shower and came in and told me to get out. One day I asked if I could have a shower and they said no.

35) I would hurt myself in a lot of different ways. As well as cutting myself with sharp objects, I would bang my head on the table or walls. I understand that in the Panorama documentary one of the detention centre staff talked about banging my head against the table and bending my fingers back. I do not remember much about this incident to confirm any details about this.

36) I was self-harming and trying to kill myself regularly. On some days I would try numerous times. Whenever someone reported this or saw me do it they would take me to E-wing. I was frightened to go to E-wing, which is why I refused to go.

37) On one instance, I did not want to go to E-wing, and the staff forced me to go. They used very bad force this day. They put me in handcuffs, and grabbed me by my arms and my neck, and dragged me to E-wing. I could only move when they moved me, I couldn't move my arms or legs at all. They moved me like a puppet; they were controlling my arms and legs. If I struggled, they would wrestle me and try and stop me moving. They would slam me against a wall to stop me from trying to break free. There were about 6 people doing this, they were being very rude to me, swearing throughout this while they dragged me to E-wing. I have difficulty in remembering dates, but having discussed this with my solicitors I believe (with assistance from my lawyers) this was 24 April 2017. This was very scary, I could only move when they moved me. I made me feel helpless and trapped.

38) When I got to E-wing, I asked for a TV, but they did not give me anything. I was stuck alone again with my thoughts. I tried to kill myself several times after this in E-wing. I do not remember exactly how many times it was or exactly how I attempted it. The bullying and the abuse I received made me feel more suicidal and hurt myself more.

39) The next day, which I believe to have been 25 April 2017, I cut my t-shirt and tied this around my neck. An officer came to stop me, and cut the t-shirt with a knife or something similar. I was choking, and I don't remember everything that happened. When this happened, I was having a flashback, and I'm not thinking or noticing what

the people around me are saying or doing. I see myself somewhere else, back in Egypt, and I don't remember properly what is going on at the time, because I feel like I am somewhere else. I remember people swearing at me, but not about what.

40) After they removed the t-shirt from my neck, I was placed forcefully on the floor of the cell, in the middle of the room. I was on the floor for a few minutes, I am not sure exactly how long. After a short while I sat on the bed in the cell. I took the battery out of my phone and I put it in my mouth.

41) I don't remember much about putting the battery in my mouth, but I remember it being taken out by force. I did not take it out myself. I know that people were talking about me and being rude to me, but I don't remember any of this. I wasn't listening to them, I did not feel like I was there in that room. I felt like I was somewhere else. I just wanted to die, I didn't care about anyone else or what they were saying.

42) Shortly after the battery was removed from my mouth, I tried to strangle myself using my hands. I know that after this one of the detention centre staff sat on my head and strangled me. I am not able to remember too much about this, only that I wanted to kill myself. There was some shouting, and then a lot of people came into the room. It is difficult for me to remember exactly who did what and when because there were so many people that came into the room that day. There were at least six people in and around the room when the incident happened. I know that the man who strangled me was called Yan. He was the man who told me that he was not going to take me to "the fucking Sensitive/irrelevant".

43) I remember being strangled. I remember someone saying something to me while it was happening, but I don't remember what it was. I know that it was threatening however. I remember at the time that I thought that I was going to die, that the man doing this to me was going to kill me. I remember having a panic attack, and hyperventilating. I felt like I was having a heart attack. I was lying on my side and I was salivating a lot. I know that a nurse came to see me, but she only stayed for a minute at most.

44) After being strangled I was left on the floor of the cell. No one tried to help me up. I was there for about 30 minutes, maybe slightly more. I don't remember anyone saying anything to me while I was on the floor. I felt like I was in a different world, I don't remember much.

45) The next day, the doctor came to see me. He asked me what happened. I said I didn't know, that I didn't remember. He said when you do remember come to see me, and then he left. He didn't ask me any questions, didn't try and find out how I was. He was very dismissive. He didn't even bother to find out what had happened. He stayed for less than 30 seconds and then moved on. This was the only time I saw a doctor on E-wing. He had not even come to see me, he was doing a round and just came in for a few seconds. I nearly died the previous day, but no one did anything. No one seemed to care.

46) On what I believe, with help of my lawyers, to have been 4th or 5th May 2017, I went to the office and asked for a plate for some food. I was with another detainee, who I shared a room with. We had both not eaten for a long time. I had several periods in which I did not eat anything. At this point I had not eaten for around 3 weeks. The lady in the office said that she had seen both of us in the queue taking food earlier, and so she was not going to give us anything. I said this was not right, we have not eaten anything for a long time, we were not in the queue earlier. I told her that I had not eaten anything from them for 30 days. She said that she had seen us, and that she would not give me a plate.

47) I got very angry about this, and left and went to my room. An officer asked me what had happened and so I told them. One officer eventually brought me a plastic plate. At this point, I was so angry that I broke the plate and put it in the bin. I told the officers to leave me alone, and I closed the door to my room. I put tissue on the window in the door so no one could see in. After a while, I left the room, but the officers were still there. An officer approached me from either side. I told them to leave me alone, but they got closer and closer to me, so I jumped from the balcony onto the suicide netting. I had taken a piece of the broken plate and I held it against

my neck. I remember seeing Callum, the officer who was doing the undercover filming for the BBC, on the stairs coming up towards me. I told him that if he came upstairs I will jump from the netting.

48) The netting is next to the stairs, which are open all the way to the floor. If you jump from here you can jump all the way to the floor. A lot of officers and nurses came running and were trying to talk to me. I didn't speak to any of them. Two other detainees who spoke Arabic were talking to me in Arabic, and were trying to get me to come off the netting. They were speaking to me for maybe 20 minutes. Eventually, they managed to convince me to come off the netting. I went with one of the men, he was from Palestine, into his room. All of a sudden all of the officers rushed into the room and grabbed me by force. I put the back cover of my phone in my mouth. They forcibly removed this from my mouth, and dragged me to E-wing.

49) When these incidents happened, I didn't tell my lawyers because I thought this was normal in detention. When I complained in prison nothing happened, I was told the man who attacked me was just doing his job. Who could I complain to? The manager was friends with the staff, not with the detainees, he would do nothing if I said anything. There was so much happening I just thought it was a part of being in detention. I had never been in prison before. I didn't know what the rules are, or what normal is. I didn't know what was normal in this country.

I confirm that the above statement is true to the best of my knowledge and belief.

Signed: _____

Name: _____

Dated: _____