

This is the submission of a former ex-detainee who wishes to retain his anonymity. Samphire's Ex-Detainee Project facilitated this evidence and it has been approved by the former detainee for submission.

EXPERIENCE OF DETENTION / CONTEXT /DURATION

1. I was detained on two occasions. The first detention was for a period of 73 days (approximately 2 ½ months).
2. Second detention lasted for a period of 332 days (approximately 11 months).
3. Total duration of detention was 405 days (approximately 13 ½ months). 1 year and 1 ½ months.
4. I am not a criminal.
5. Any form of detention or incarceration is inhumane, especially when the detainee has been wrongfully detained.

THE CONDITIONS IN IMMIGRATION DETENTION, INCLUDING ABILITY TO ACCESS SERVICES;

Legal advice

6. Access to legal aid or support was limited. When there had been legal support there seemed to be pressure from the UKBA on the Tribunal Judges and the solicitors.
7. Solicitors and judges often seemed to be pressured by the Treasury Solicitors and do not appear to take quick decisions. In the end, cases are either delayed or not appropriately or legally concluded.
8. Where Judicial Review appeals are made, the subsequent Judges do not seem to query what previous judges have decided on. There seems to be unfairness in immigration cases in court.

Pastoral support

9. Whatever religion or faith one belongs to there is adequate pastoral support in detention. Some of us as Christians were very dedicated and drew moral support from our Christian Pastors, and I believe so do others. Some Pastors told us in detention that it was worse then, than when they began providing Pastoral services to detainees.
10. Others from other faiths who were also committed to their faith had moral support from their religious leaders.

11. The problem from my observation was that people get either confused or frustrated in detention and for that reason, refuse to be part of any religion. If that happens, the conditions of such people worsen.
12. To some of us, the only way we became strong was our constant daily fellowship and prayer meetings. We drew consolation from the fact that, many men of God in the Bible survived incarceration by standing firm on their belief in God and God answered their prayers.
13. It was also observed that there could be total peace and harmony in community, society and the whole world, if all mankind show respect for one another and respect peoples' religion without undue criticism and discrimination. This is because, in detention, I got on well with people from other religious backgrounds, and even with the leaders of the different multi-faith, by showing respect to everyone. They in return did similar.

On two occasions this person wrote a letter to UKBA, with details of his home address. On the first occasion the letter was accepted. On the second occasion, a line was ruled through the letter with a letter head and UKBA tried to hide the date by stamping the region of the date to obscure it. There was a form of bias. Later, the next month, UKBA went to same address and arrested the person that they got to that address by intelligence led.

APPROPRIATE MECHANISMS FOR DEALING WITH MENTAL / PHYSICAL / EMOTIONAL PROBLEMS

14. Detention is not a mental hospital. When someone is discovered to be suffering from mental or physical problems, the best way would be for the authorities to send that person to a hospital.
15. Detention officers are custodians and they do not have powers to release until authorised. Sometimes, some officers become aware that someone has been detained unlawfully, yet still they are not able to address the situation by themselves because they are doing their work as custodians.
16. In this case, the opposite was observed. People who should have been released under the Mental Health Act were still held in detention, including disabled patients.

LONGER TERM IMPACTS OF DETENTION

17. Society attaches stigma to anyone who has ever been detained. Family members, including children and parents were all affected in one way or another. In some communities, they recruit people including windows cleaners, bike riders, Taxi and taxi drivers as well as some private people to monitor or stalk on people. Especially if you are not working but found outside home. You go out and come in and if in the evening,

you see taxis and private cars parked at every vantage point of your home vicinity as if they are picking or dropping off someone but they operate the same routine and often times with the same cars. Taxis for example are to serve as a safer means of transportation for people in community but when used wrongfully it is a dangerous surveillance tool for society.

18. Somebody's parent died of shock when they heard that their child was detained in another country.
19. Since one is disallowed to work, it makes it impossible to make any meaningful plan or arrangements in life. This is a complete waste of time and skills. If you submitted applications to the Home Office and they were wrongfully rejected and this time, you have been asked to resubmit another application, but again told that even any further submission is unlikely to be granted then what is the implication? This is the plight of some ex-detainees.

ANY OTHER INFORMATION ABOUT DETENTION YOU WOULD LIKE TO SHARE

20. There should be a cap on the length of time anyone should be kept in detention for any immigration offence.
21. The maximum period should be between two to three months. Anything more than six months is a huge punishment, especially where the individual has been wrongfully detained.
22. In many cases the Home office has to pay compensation. This is a hard thing and people should not be detained for more than is necessary.

(Electronically signed).