

# Inquiry into the Use of Immigration Detention: written evidence submitted by Mr N.

Dictated to Anna Beesley, Committee Member for Scottish Detainee Visitors

Formatted by Anna Beesley

**Sex:** Male

**Date of statement:** 10/09/14

**Detention record:** Mr N. was given a 6 month prison sentence for using false documents. He served 3 months of it in Edinburgh Prison. He was then moved to Dungavel IRC and claimed asylum.

**Total length of time held under immigration powers:** 2 months in Dungavel, March – April 2010 (Mr N. suspects he was held under immigration powers in prison).

**Detention Centre:** Dungavel (Mr N. currently lives in Glasgow, his case is ongoing.)

The following is all Mr N.'s own words bar what is in brackets [...].

## 1. ENTERING DETENTION

1.1 The [criminal] judge told me this is not his problem he said this is a Home Office problem so the past 3 months [in prison] I was waiting for the Home Office to come. They came with my travel documents they were going to deport me to South Africa, I said I'm not South African I'm from Zimbabwe I can prove it to you. I said 'I want to claim asylum' she said 'well if you want I have to check with my bosses but if you're lying we will put you in prison for 2 years'. I said to her 'no make it 4 because I'm telling the truth'. So she was really rude to me, she was angry, so she kicked me out of the office. I was given a form and I applied for asylum.

1.2 I was moved to Dungavel detention centre in March 2010, when I got there it was a relief for me compared to Saughton Prison in Edinburgh. Dungavel is an open prison. The first days of it I enjoyed, the freedom of walking outside, but it did not take away the fear of being in prison and facing deportation. I think there were some days that were very difficult, like I think for me it was maybe not that bad but I can imagine someone that doesn't speak English for example it is bad. I don't want to say it's nice, it's not a good place, that's a simple thing, everybody deserves to be free.

1.3 The treatment there was the same as being in prison, but I found that the security guards are much better than the Home Office officers.

1.4 [I was in detention for months because] UKBA never come and deal with me, they were trying to get travel documents and South Africa refused me. But [the Home Office representative] lied to me, she said she had them, I think that day she wanted to move me to Manchester.

## 2. EXPERIENCES OF LIVING IN DETENTION

2.1 [In detention] people live as a group, Africans try to be together, telling stories, watching football. But the women, they cannot take it so well. There were all kinds of people in the detention centre except a white person, I saw one white man but he was released the next day, I'm not sure about his case. There were lots of Muslim guys and women there too, but I never saw a fight, people they were depressed. Not knowing what will happen.

2.2 Myself I couldn't sleep well in there thinking about deportation. The weekends time of being outside got cut short, so we stayed in rooms and we were counted every two hours. That is one of the annoying things, they will come anytime, you can't sleep well until the counting is done.

## 3. FOOD

3.1 The food was better compared to prison, but they will serve the same thing that was left from lunchtime I got tired of it. There was a programme that allowed people to cook their meals once a week as a group of countries, but the time given was not enough to cook and eat in the time.

## 4. HEALTH SERVICES

4.1 The point is there's nothing better than to being outside so we can't compare to the outside services. There was a time I needed to see a doctor for my tooth and my eye, I was told that I have to make an appointment that would take up to 3 weeks for the dentist to come and see me. I was in pain, the nurses they were rude to us. I remember one night I needed some pain killers, she shut the door behind me and that was it, and the time of closing has not yet come.

## 5. SOLICITORS

5.1 It was difficult because even to make a phone call to get a lawyer it costs money, money that I didn't have. Most of the solicitors were useless, until this one I got. The second day [I got a solicitor], they would tell you okay we're going to apply for the bail, because everybody wants to get out, they came on Tuesday then we [don't] hear [from] them again [until] next week Monday because they are busy. You are not kept informed. You could contact them but most of the time I was unlucky they'd be in court dealing with other cases.

## 6. JOB

6.1 I was given a job as a cleaner there, getting paid, so I don't understand why I can't work when I'm outside, I was working there £15 a week, £1 an hour. Basically I was working from the Home Office.

## 7. MAINTAINING FAMILY/FREIND RELATIONSHIPS

7.1 Some of my friends from Edinburgh tried [to visit] but they got lost because [Dungavel] is in the middle of nowhere and they tried to Google it and it didn't come out on the Google map. When I was in Edinburgh in prison lots of friends came to visit me.

## 8. STIGMA

8.1 When you tell people that [you have been detained] they're like 'ah what for?', you start to look like a criminal, you need to start explaining all the stuff. 100% immigration detention makes people look like criminals because anyone who's locked up in the world, it's a sign of punishment, you've done something wrong.

8.2 I think it's not a crime to arrive in the country for safety, that's not right, people should not be detained because of documents or being an asylum seeker. There's no need for someone to be punished.

## 9. LEAVING DETENTION

9.1 One day I was cleaning the living room then they just came to me, 'oh you'll be released tomorrow so get your stuff ready'. [They gave me] no explanation, [they said] just give us an address. I gave them my friend's address in England. They gave me a ticket to Penrith, but my friend couldn't support me so I went back to Edinburgh. Then I got a place in Red Road and a letter for the [asylum] interview.

9.2 I noticed something when I get out it was a strange, when I came to Central Station, everything was just strange, food and people. I cannot describe it, you have not been a human being for such a long time, you've been wearing the same clothes for some time.

9.3 It was a strange thing, because I still had an ongoing case so the depression does follow you because you don't know what's going to happen, especially after the interview you are waiting for the results.

9.4 You will never stop thinking that I am not free. I don't worry much about being detained again, but if you are moved to England that's the one thing we fear, you hear lots of bad stories from England detention centres.

## 10. INDEFINITE DETENTION

10.1 In that kind of situation from day one your mental state changes to something very terrifying. The fear was one of the most scary [things], fear of being sent back and fear of you don't know, especially if you've never been home for years and you start imagining things like how I'm going to arrive there, what will people think, there's so many things that goes in my head, it was too much. I meet some other people and we were sharing stories, you can

kind of cool it down but still to be in that place is not nice. It is constant fear, when we are there we are all dying to know the news, when I'm going to be out, simple as that, doesn't matter where you're going. The funny thing is like when you hear someone is leaving tomorrow and you see them packing their stuff you're like oh maybe next week it's me.

10.2 They should have a maximum time, 3 months is a long time. Time is the most important thing.

## 11. RECOMMENDATIONS FOR THE INQUIRY

11.1 I think the most important thing is the time limit and speeding up the cases.

11.2 [Detention] should be used for one or two nights until all the details are put down, because at the end of the day most of the people are going to be out and put back to the community anyway. I think the time limit should be 7 days if there is any confusion, but if it's not then 3 days.

11.3 They should only detain people that they know they are going to send them back.

11.4 [Instead of detaining people, the Home Office] can just use the rule that you go sign and then go back to your home.

11.5 It's too expensive to keep people in detention, I don't know where they get the money from.