

Submission to Inquiry into the Use of Immigration Detention – Nasser X

Background

1. I had been living in the UK since 1999 without papers. I claimed asylum in 2009, just before my prison sentence ended – I did not claim before this due to lack of knowledge. I did not know what asylum was.
2. I served 18 months of a three-year sentence. My release date was supposed to be 5/12/2009. It turned out to be 26/03/2014.
3. I currently have a fresh asylum claim pending, as well as an application for judicial review for unlawful detention.

Bedford Prison

4. I served my sentence in a category C prison, and was then transferred to a category B prison in Bedford. I was told I would be there for 2 weeks but it turned out to be 23 months.
5. When I was transferred to Bedford I was categorised as ‘remanded’, which was wrong because I had already served my sentence.
6. I was told that immigration detention was full, but it was not full.
7. I was told that if I did not sign to give my permission to be sent back to Iran, I would face 2 years in prison under ‘Rule 38 of the Immigration Act’. I am unsure whether or not this rule exists.
8. I was told if I did not work, I would have no TV or association (seeing other prisoners). I worked 7 days a week just to please them, to be left alone, until I needed a hernia operation because I had been carrying heavy things in the kitchen. I also worked in healthcare with the elderly and the infirm. The people who did not please the guards were given a really hard time; you would end up in a psychiatry ward or committing suicide. While I was in Bedford there were 3 suicides, between 2010 – 11.
9. I was taken to an immigration tribunal in Nottingham just before Christmas 2010. I had no solicitor so my appeal was dismissed. When I told the prison officers about my situation they would just start laughing. I had no money to pay for a solicitor. I contacted the Citizens’ Advice Bureau but they told me that they could not help me because I was not a citizen.
10. While I was in Bedford I received no monthly report from Immigration.

Colnbrook Immigration Removal Centre

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11. I was taken to Colnbrook on 13/10/2011. I was in Colnbrook until 15/04/2012.

Morton Hall Immigration Removal Centre

12. I was then taken to Morton Hall. I spent two weeks in Morton Hall.

Hillingdon Hospital

13. I was then taken to Hillingdon Hospital for an operation. The guard who took me to the hospital took the handcuffs from my wrists and placed them round my ankle, and he then attached a chain to my ankle and held me by it. I do not think he was allowed to do this.

14. After my operation the hospital staff called Colnbrook Healthcare and asked if there were any available beds. They were told yes, there was a bed free for me.

Colnbrook Healthcare and Short-Term Holding Facility

15. When we arrived at Colnbrook that evening, there were no beds available and I had to sleep in the wheelchair I had been brought in. I was due medication every 4 hours, which had been given to the nurse, but she did not give me any.

16. The next morning an ambulance was called for me at 9am because I was in so much pain. An ambulance arrived at 1pm but took someone else to hospital – a pregnant lady who was vomiting. The second ambulance arrived at 4pm. The paramedics asked the nurse at the detention centre why she had not given me my medication. She said it had been put in a trolley in the health centre and she had not seen it. The paramedics told her that I could have died.

17. After I had been treated again at the hospital the paramedics took me to the Short-Term Holding Facility in Colnbrook. I spent two weeks in a wheelchair there, then I was taken back to Healthcare. When I lodged complaints with the IMB, I was moved back to Morton Hall (15/05/2012).

Morton Hall IRC

18. An immigration officer visited me at Morton Hall on 18/06/2012. I was told “you will die here. This is only the beginning.” I had never had a single warning for bad behaviour either in prison or in immigration detention. I was always helpful to staff, to avoid searches or having my prayer mat stood on, for example. I was not allowed to work but I hoovered and cleaned the toilet when staff asked me to.

Brook House IRC

19. On 04/07/2013 I was moved to Brook House. I was not given any reason for the move.

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20. I was told I had an interview with my embassy. However my embassy was shut, and I had no plane ticket booked.
21. I was told on my arrival at Brook House that someone from immigration would talk to me within 72 hours. I waited 1 month and 4 days and nobody came. I received visits from someone from a detainee visitors' group, who pushed for me and helped me find a solicitor.

Morton Hall IRC

22. On 12/08/2013 I was taken back to Morton Hall.
23. I was taken by force because I did not want to go. There were 5 officers and 3 managers there to take me. They had cameras but they were off. They came for me at 6am. I barely had a chance to stand up. They carried me; I did not resist.
24. I did not want to go back to Morton Hall because staff there were racist, and there were a lot of incidents. I overheard one member of staff saying "we need to put them in the toilet, these immigrants, and flush it." We complained many times about the guards, but they were untouchable.
25. On 08/01/2014 I applied for bail for the first time, because I had been given a Section 4 address in Middlesborough. I had waited for 2 years for a bail address. After around 5 minutes, the judge looked at me and said "I believe you are likely to abscond." My application for bail was refused. I was upset because I had waited for 2 years and I thought I would have to wait for another 2 years.

Life after detention

26. On 26/03/2014 I was told to pack my things because I was being released. I was released from Morton Hall that day, and told to report every day to Lincoln Police Station.
27. I was not provided with any accommodation and had barely any money. I had always been told that I was being kept in detention because I was a risk to the public, and then I was chucked onto the streets. Since then, at the reporting centre I was told I have only been released temporarily until they can deport me.
28. I'm not leaving the country. I have nowhere to go. I don't have a choice.
29. They can abuse me now how they like. I am being followed – recently when I went to report, I was asked how my visit with the dentist was. I had been asked to report every day of the week, but my reporting centre is closed at the weekends. I am tagged and I report Monday – Friday.

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30. When I was released, I slept in the mosque, the park and the night bus, before I was given a Section 4 address.
31. I have a fresh claim pending, with new evidence of torture, from an independent doctor. When the doctor saw my scars he said that he had “never seen anything like this”. In Bedford Prison, staff and other detainees had seen my scars when I had taken my shirt off. They knew that I was a victim of torture. Even in Colnbrook, the nurse told me that I was “a rule 35”, and that he would take care of it. Nothing happened. In Colnbrook, one of the governors saw me without my shirt and I saw him mouth to another guard “victim of torture”. Nothing happened. My lawyer tried to have doctors from different NGOs visit me while I was in detention at Morton Hall, but they were not able to.
32. I’m a human being. I’m humble. I just want a normal life; a job and a family. I don’t know why they are destroying people’s lives for nothing. They just have the power to abuse some people.

Recommendations

33. I think that there can be detention, but it can only be for a short time. They say that the UK is the best at human rights but we need a time limit like in Europe – there it is only 60 days.
34. I think that immigration staff should always give a monthly report to people in detention, so that they know where they stand.

from Nasser X, as told to Gracie Bradley