

# Written evidence to parliamentary inquiry by the APPGs on Migration and Refugees into immigration detention, 26.09.2014

## Declaration

1. *This submission is the result of oral interviews with two individuals in detention, conducted and transcribed by a volunteer visitor, Svenja May. Text in italics is by the volunteer; paragraphs 5 onwards are verbatim transcriptions of the individuals in detention. The names of the individuals interviewed have been changed.*

## Summary

2. *Both individuals are in detention long-term, arbitrarily and indefinitely: one by the Home Office's error (of which he has proof), the other because policies exclude him from access to housing. They cite several barriers to justice:*
  - a. *Lack of communication from the Home Office and lawyers, resulting in poor understanding of people's own cases.*
  - b. *Lack of transparency around the eligibility criteria for legal aid*
  - c. *Lack of clear information about the mechanisms for accessing lawyers.*
3. *Healthcare is also inadequate. One has been unable to see a doctor for seven months, and both feel there are no appropriate mechanisms to deal with mental health issues.*
4. *Food is inadequate and a cause of poor health. People who stop eating are punished by being placed in segregation (known as 'the block') rather than being given better food and/or support for their mental health.*
5. *The injustice and the brutalising experience of detention reportedly radicalises some people to join extremist and terrorist groups against the UK. Clearly this is not in the interests of the state.*

## Context and duration of detention

### *Person 1:*

6. My name is Imran. I've been in Colnbrook for 7 months. I came to the UK four years ago together with my wife. In Bangladesh we had many problems and it was not safe for us. That's why we came to the UK. We lived in York. We don't have anyone in Bangladesh, we grew up in an orphanage. My English is not good, **I didn't know what asylum means. I only claimed asylum later because of that**, two years ago when my English was a bit better and I had learnt more about the system.
7. I was first detained in November 2013, in Morton Hall but was released after 15 days because my wife was sick. Afterwards I had to report once a month at the police station for the Home office. **I did not miss one single signature**, I went every month. However, the Home Office said I had missed several times and that is why they have to detain me again. But **I have the proof**, I never missed a signature! They never believe you! **The Home Office does not believe anything, they**

**don't believe my story!** They don't believe that we can't go back. Our claims were rejected, they already tried to remove me once but I didn't go.

*Person 2:*

8. My name is Oumar, I'm 27 years old. **I came to London when I was 2 years old.** My parents are from Somalia, they fled the war and were refugees. **I have never been in Somalia, I don't speak the language, we have no family left there,** they are all here or died. I served a prison sentence of three and a half years. After that I was detained, first in different centers but because my family and everyone lives in London I could be transferred to Colnbrook.
9. **I'm in detention already for one and a half years. My case isn't moving at all. I can't get bail** because the bail addressed has to be probation proofed and the probation people didn't accept any of the addresses of family and friends **and I can't apply for Section 4** because that's only for people who don't have any family ties here. **So I just wait here but don't really know what for.** I went for unlawful detention but that was rejected. I don't know when I'll ever get out of here. It's paradox: **I know someone who accepted the voluntary return thing they always offer but they don't bring him to Somalia.** So even if you accept it although you have never been there and don't know a single, it might be that you can't go. So we are just here and wait.
10. It's bad for the state. **People learn to hate Britain although they are from here. But because of this experience of detention they now hate it. You hear so many people talking about joining terrorist groups and stuff.** That may just be talk, but you never know because people in here really hate the state.

#### Conditions in detention and ability to access services

*Person 1:*

11. In detention centers **they do not respect human rights. The food is bad, many get sick from it.** When you have health problems it is very difficult to see a doctor. **For seven months already I try to see a doctor.** Every month I put down my name to get an appointment but the nurses always say, the doctor is very busy and give you painkillers. You can only see the nurses but they don't do anything. **They only give painkillers, no matter what your problem is.**
12. Access to legal services is also not good. **It is intransparent who gets legal aid** and who doesn't and if you don't have family with a bit of money outside **it is difficult to get access. They don't tell you how things work and what you have to do to get a lawyer** for example.

*Person 2:*

13. Detention centres are prisons. I've seen it both and I can say it is a prison. The only difference is that you are allowed to spend more time outside of your room. But otherwise: you are locked up, you are told what to do, etc. It's the same thing. In some ways prisons are even better because you know exactly what's going on. **When I was in prison, I had my structure, when to get up, when to do what. I knew exactly how long I would stay, how many months left. And you could do training courses and obtain qualifications. Here you have nothing, you don't know when it will ever be over.** Ok, you could get one of these small jobs but that's just cleaning, you don't learn much from it. There are no offers at all, **it is really depressing, so you basically sleep all day.**
14. Besides not knowing for how long you are here, **most of the time people don't have any idea what's going on with their cases. The Home Office doesn't inform them, the lawyers only contact them very rarely,** so they don't know at all what's going on in their cases. That's the

worst about it. **Often it is fellow detainees who explain them how things work** and what they have to do. In my opinion, **people here should be informed and regularly be updated on what's the actual development in their cases.**

15. **There is almost no access to legal advice here compared to other centres.** In other centres you had more often people coming in for legal advice. But here, nothing.

#### **Mechanisms to deal with mental, physical and emotional issues**

*Person 1:*

16. There is no support at all except painkillers that you can get. My wife lives in York, she has no money to come to London. I have not seen her since I'm here. **She had a miscarriage and I wasn't there**, we were expecting twin babies but they died. She is all alone. Sometimes she has no food or no place to sleep. **I worry a lot about her and that makes me depressed** because I can't provide for her. She sleeps in a restaurant. I worry so much about her. Detention is especially difficult for people who have a family. You cannot see each other.
17. Sometimes people refuse to take food. As punishment they are put into the "block". That is a **small dark room without window, without bed and sheets and you are alone. The block is terrible.**

*Person 2:*

18. **There is no emotional or mental health support.** In prison there were social workers and psychologists and you had lots of opportunity to talk about your problems and how you feel. But here you are just left to yourself.

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