

# Investigation into claims of abuse on asylum-seekers

By Robert Verkaik, Law editor – The Independent; Tuesday, 30 September 2008

Claims by hundreds of asylum-seekers that they have been beaten or abused by British guards during their detention and removal from this country are to be independently investigated for the first time, The Independent has learnt.

The Home Secretary, Jacqui Smith, has appointed Nuala O'Loan, the former Police Ombudsman of Northern Ireland, to conduct an investigation into mistreatment allegations first reported in this paper last year. Dame Nuala, who won praise and criticism from Catholics and Protestants for her robust style in dealing with complaints against the police and led the inquiry into the handling of the Omagh bombing, has been given a wide remit to reopen cases of alleged brutality. She has also been asked to report on any failures of a system that allows private security guards to use "reasonable force" in restraining asylum-seekers.

The Home Secretary's intervention follows the publication of a detailed report in July that revealed nearly 300 cases of alleged physical assault and racial abuse in the past four years. The report, entitled Outsourcing Abuse, raised concerns about the control and use of private security firms in the detention and deportation of some of the most vulnerable people in British society.

Nearly 50 of the complainants contacted by the researchers and lawyers gave permission for the Government to reinvestigate or begin fresh investigations into their claims. Their names have been passed to the UK Border Agency.

Last night, the authors of the report welcomed Dame Nuala's appointment. Emma Ginn, of Medical Justice, which helps victims of abuse, said: "The Home Office had previously described allegations as 'unsupported assertions'. We note their change of tone now that national and global organisations have picked up on the issue."

Romain Ngouabeu, of the National Coalition of Anti-Deportation Campaigns, added: "We continue to get allegations of assaults, including one on the day we published our report."

Diane Abbott, Labour MP for Hackney North and Stoke Newington, said last night: "I am very pleased to hear that Nuala O'Loan has been appointed to look into the allegation of abuse against immigrant. This is an incredibly serious matter that deserves nothing less than the most rigorous of investigations. I look forward to the results of the investigation – both in terms of justice being done and in terms of a concrete improvement in the way immigrants are treated while being detained or deported."

Many of the allegations, often supported by medical evidence, concern the use of excessive force in the removal of failed asylum-seekers on a scheduled flight. In some cases, pilots have refused to take off while the refugee is still on board, citing concerns for the safety of passengers.

Noreen Nafuna, a 38-year-old Ugandan woman, came to the UK three years ago after claiming to have been detained and beaten by the Ugandan army. Her application for asylum was turned down and she was held at Yarl's Wood removal centre in Bedfordshire before being taken to Gatwick by private security guards employed by the Home Office.

"I was carried up to the plane. I started screaming when I was brought to the top of the stairs. I was only wearing underpants and a bra. A jacket was placed over my neck and I was held around the neck so I couldn't make a noise."

In her complaint about her treatment, Ms Nafuna recounts: "Two of them sat on me. One of them placed her hands over my mouth to stop me shouting out. I was finding it hard to breathe. The plane

was not full of passengers. A lady in a red suit came up with another woman. I heard her ask if I was still alive as I had stopped moving or making any sounds. They got off me then so I sat up. I was crying again. Then other passengers became aware of what was going on and told the officers to leave me alone. Everyone saw me bleeding. Eventually they called the pilot and he came up and said, "We are not taking her."

Her complaint was eventually upheld by the Home Office after her legal action for assault was settled by the security company.

In another case, HM, a 16-year-old girl from Rwanda who claimed asylum after coming to Britain as a sex-trafficking victim, says she was assaulted by guards who removed her from a shower unit in a detention centre. She says she suffered bruising when she was handcuffed from behind in a semi-naked state and taken to a holding cell. Her claim was investigated and dismissed by the Home Office, although there was criticism of the way the guards had handled her.

The Home Office says that it properly investigates all complaints of such a nature but it does not recognise the large numbers contained in the report.

### **Asylum abuse claims**

\*In July last year, RH, an asylum-seeker from Burundi, was taken from his room in a detention centre by immigration escorts. He was handcuffed, and his legs were crossed at the ankle before being tied together with tape.

After struggling on his way to a van bound for Heathrow, he says he was beaten and kicked by the escorts before being dragged half-naked on to the plane. During the alleged assault, his handcuffs caused him to incur severe injuries to his wrists which were clearly visible.

The pilot came to investigate, and told the escorts he would not fly Mr RH out of the country in his current physical state. Other cases include that of Amos Alajaibo, a Nigerian who says he was beaten unconscious by guards after admitting he had talked to the media during a protest, and an Algerian man who was allegedly assaulted while in a wheelchair.

Suren Khachatryan, an Armenian, suffered a punctured lung after allegedly being stamped on by his immigration escorts in the back of a security van. Another detainee said he was "bound up like a parcel" by officials trying to force him on to a deportation flight. None of these complaints has been upheld.