

Submission to SIAC on the Case of 'U'

25th March 2009

by Jim Adams

1. Legalities

- a) The question arises whether I should make a submission to a court that is founded on illegal procedures. I have decided to do so to make the case of 'U' more public.
- b) That a defendant is unable to respond to charges made against him, because the court deems it inadmissible that he shall know what those charges are, is rightly described as Kafkaesque. Elaborate legalities do not hide the brazen and unreasonable travesty of a just process of law which takes place at SIAC under closed evidence.
- c) 'U' has been detained as an Asylum Seeker since 2001, and subsequently under draconian bail conditions. Even if the charges made under secret evidence were not fabricated or distorted, which is unlikely, it is improbable that a due process of law under domestic arrangements under similar but open allegations against him would have resulted in an imprisonment of a duration longer than he has already experienced.

2. On the character of 'U'

- a) 'U' is a devout Muslim, as is evidenced by his many everyday actions and his stated beliefs. By that I do not mean he is unreasonable or unresponsive to those who do not share his same faith and observance, but it is a key to understanding a source of the psychological strength and resilience in adverse circumstances that he possesses, and his remarkable equilibrium.
- b) 'U' is a diligent student, and has enrolled in an Open University course in European Governance. All contact with the Open University is via the slothful procedures of the Home Office, which has prevented him starting his course from its beginning, which has delayed on-time submissions of essays from meeting Open University deadlines, which has apparently not forwarded on to the Open University his request to be part of the SCONUL scheme, whereby he would have access to books from University libraries (and of course he is at a further disadvantage compared with other students in being denied all access to the internet), and for which the recent refusal of bail has terminated all possibility of study.
- c) It is my opinion that 'U' would make a mature, responsible and even exemplary citizen of this country, if allowed to do so. He is practical, helpful, and if occasion permits, capable of being both studious and reflective of the situation he finds himself in and of the world. In other situations one might expect that he would reach a senior position in a vocation he had decided on.
- d) By intent he is politically and insightfully informed, on the situation in Algeria and in the UK, and elsewhere. As a Muslim he is critical of undemocratic regimes, corruption and abuses of power.

- e) 'U' has been scrupulous at all times in adherence to bail conditions. That he should deviate from this stance would be deemed highly uncharacteristic to those that observe at close hand his behaviour. It is the opinion of all who know him personally that blundering attempts by the security services to demonstrate that he has violated bail conditions are futile.