

REDRESS

Ending Torture, Seeking Justice for Survivors

Torture Survivors' Handbook

**Information and Resources for
Torture Survivors in the UK**

*Your rights to access
support, advice and justice*

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Part 1: Introduction

i) Who this Handbook is for?

This Handbook is for torture survivors, their families and friends, community members, and front-line service providers and advisors who work closely with torture survivors.

If you have experienced torture, we hope this Handbook will help you access support and assistance in the United Kingdom (UK), as well as seek justice, reparation, and accountability for what happened to you.

If you know, are related to, or work with a torture survivor, we hope this Handbook will help you provide support and advice, as well as increase your awareness about the consequences of torture and the rights torture survivors have in the UK and internationally.

Are there torture survivors in the UK?

Yes. Many. It is estimated that approximately 30% of refugees and asylum seekers who come to the UK have been victims of torture. In addition, an increasing number of UK citizens are tortured abroad and are later able to return home. Individuals have also reported that they were tortured by UK officials in UK controlled conflict areas such as in Iraq, or ill-treated in Immigration Removal Centres in the UK.

Those who suffer torture come from all walks of life. Some may have been working abroad or on holiday. Others are victims of political repression or conflict. Still others were simply in the wrong place at the wrong time.

ii) What information can I find in this Handbook?

This Handbook gives you information about your rights and a list of resources depending on your needs. We hope this Handbook will be helpful to all survivors of torture and ill-treatment living in the UK, wherever the torture took place. This Handbook includes information on:

- a) how to access medical and psychological rehabilitation and care to address your physical, mental, and emotional wellbeing;
- b) regularising your immigration status or applying for asylum and seeking advice on social welfare, employment, or education;
- c) your right to justice, reparation, and accountability for what you experienced; and
- d) resources where you can seek further support and assistance.

How was this Handbook compiled?

REDRESS has helped torture survivors in the UK for many years, and we consulted torture survivor groups across the UK. We worked with our own clients, as well as “*Experts by Experience*” (*Freedom from Torture*, Manchester) and women using “*Hope for Housing*” services in Birmingham. We asked torture survivors about their experiences in the UK and lessons that they might like to pass on to fellow survivors arriving in or returning here. REDRESS then developed this Handbook to reflect the key needs identified. We thank all those who gave input, our clients, and other service users, as well as REDRESS interns Louise Kinsella and Aimee Risee for their work in helping to compile this Handbook.

iii) What is Torture?

Torture is the intentional infliction of severe pain or suffering, whether physical or mental. It aims to dehumanise victims through calculated acts of cruelty to remove the victims' dignity and make them powerless. It is a very serious human rights violation and an international crime. It is also a crime under UK national law, no matter where the torture was committed. Torture is forbidden under all circumstances.

The United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984) defines torture as

“any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity.”

UK law (section 134 of the Criminal Justice Act (1988)), uses a similar definition. To be defined as torture under law, the infliction of pain or suffering must be carried out by or on behalf of: a public official (such as the police, security forces, soldiers), but sometimes this can be extended, for example, to a private security or military company that is performing public functions. If the acts are committed by a private person but the authorities fail to prevent and punish them, the State where the crimes took place may also be complicit in and responsible for the acts.

Ill-treatment is cruel, inhuman, or degrading treatment or punishment. It is the infliction of physical or mental pain or suffering; it will usually involve humiliation and debasement of the victim. Unlike torture, these acts need not be inflicted for a specific purpose (such as obtaining information or a confession, punishment, intimidation, coercion, or discrimination). However, the ill-treatment must be carried out by an official or someone acting in an official capacity. Different rules apply where mass atrocities have occurred.

Common methods of torture and ill-treatment include: beating; rape and sexual assault or molestation; electric shocks; stretching or suspension; submersion in water; waterboarding; sleep deprivation; starvation; suffocation; prolonged solitary confinement; burns; hooding and other sensory deprivation; constant noise (sensory bombardment); extremes of hot or cold; humiliation, including deriding a person's religious beliefs; mock executions; threats to the victim's life or the lives of others (such as friends or family); extremely poor conditions of detention (such as gross overcrowding); and witnessing the torture of others.

Torture can cause both physical and psychological scars, including an inability to trust others or difficulty relaxing even in a safe environment. The impact of torture can last a lifetime. Fortunately, there are support organisations that provide assistance (see "Part 4: Resources").

Sexual Abuse

Sexual abuse can be a form of torture for both women and men. Such a humiliating experience is often difficult to talk

about, and cultural sensitivities may make it even harder to do so. However, victims of sexual abuse often need urgent physical and psychological help. If you have suffered sexual abuse, it can be crucial to include information about this early on in a claim for justice, or asylum in the UK. Several agencies help survivors of sexual abuse. Some specialise in helping only women or only men. Others specialise in helping specific ethnic groups in their own language. Your doctor (your General Practitioner (GP)) will know of resources in your local area.

iv) Can REDRESS offer specialist advice?

Yes. REDRESS is an independent, international human rights organisation. REDRESS provides free confidential legal advice (this does not cover asylum and immigration matters for which advice needs to be sought separately).

REDRESS' mission is to: obtain justice for victims of torture and related international crimes; hold accountable the governments and individuals who perpetrate it; ensure compliance with international standards; and secure remedies for victims. REDRESS fulfils this mission through engaging in **casework, advocacy and training**.

REDRESS can tell you whether what you suffered amounts to torture or ill-treatment under international human rights law, as well as whether any arrest, detention, or trial you have faced may have been unfair or unlawful. You may find that seeking justice, and using international human rights law, is an empowering way to heal.

Below are three examples of REDRESS cases:

Example 1: Mrs M, a British citizen and humanitarian aid worker, sought help from REDRESS in 2011 after she was raped by a soldier at a checkpoint in Egypt, an act which constitutes torture. Mrs M felt that the British consular office in Egypt did not support her, and advised her to do things which caused re-traumatisation. REDRESS helped Mrs M follow the proceedings against the soldier in Egypt, and obtained physical and psychological reports about the consequences of the assault. In April 2012, REDRESS complained to the UK Foreign and Commonwealth Office (FCO) about the consular advice Mrs M received, using the FCO's complaint procedures. The matter was later escalated to the Parliamentary Ombudsperson who opened a formal investigation. In November 2013, the Ombudsperson's final decision was made public and included an apology and award of £1,000 in compensation for insufficient consular assistance. Further, the case resulted in the FCO changing its policy on consular services in sexual assault cases. Now, the standards for consular assistance in rape cases are much clearer: victims know what to expect and the government has clearer obligations which it must meet.



Example 2: In May 2001, Necati Zontul, a Turkish man, who was detained with a large group of other migrants in immigration detention in Crete after his boat capsized off the coast of Greece, was raped with a truncheon by a Greek coastguard official in a homophobic attack. In April 2008, REDRESS brought his case against Greece to the European Court of Human Rights. On 17 January 2012 the Court found that Greek coastguard officials had tortured Necati and ordered Greece to pay €50,000 in compensation. Necati told REDRESS that he felt terrible after the events of 2001, but he began to feel stronger as his case progressed and after the decision, because his true story had finally been told.

Example 3: During the Pinochet regime in Chile, Leopoldo Garcia Lucero was arbitrarily detained and tortured. He was forcibly expelled from the country in 1975. Leopoldo obtained refugee status in the UK. REDRESS submitted his petition to the Inter-American Commission on Human Rights in 2002 and the case progressed to the Inter-American Court of Human Rights in 2011. In August 2013, the Court ordered Chile to pay Leopoldo £20,000 in moral damages as well as adequate funding to cover medical and psychological treatment. In February 2014, Leopoldo received a formal apology from the Chilean government at a ceremony in the Chilean Embassy in London.



Part 2: Services and Assistance: What can I Expect?

In this section you will find information on:

- a) medical and social support available to you;
- b) specific support available for British nationals tortured abroad;
- c) specific support available for individuals tortured by British officials; and
- d) specific support available for migrants tortured abroad (asylum seekers, refugees, and those with humanitarian protection).

i) Medical and Social Support

After you have left the country in which you were tortured, it can be hard to adapt to life in the UK. It is often difficult for families and friends to truly comprehend what you endured and the lasting impact it will have. You may feel pressure to forget what happened and return to the life you led before you were tortured. This may cause distress because it is difficult — if not impossible — to return to the life you led before, especially in a new country if you are not from the UK.

You may feel lonely, sad, and depressed as a result of the treatment you experienced. Other symptoms include: difficulty falling asleep; waking early, sometimes shouting or with nightmares; difficulties with memory and concentration; irritability; persistent feelings of fear and anxiety; depression; and an inability to enjoy any aspect of life. Sometimes these symptoms meet the diagnostic criteria for severe conditions such as post-traumatic stress disorder (PTSD) and major depression, both of which require urgent attention.

Medical Support

REDRESS recommends that you approach your General Practitioner's surgery (GP) about obtaining specialist support to help you cope with any psychological and physical effects of torture.

Primary Healthcare—General Practitioner's Surgery

At the time of publication, everyone is entitled to free primary healthcare from a GP. You can register at a GP surgery in your local area, and should do this as soon as possible. You can find your local GP on *NHS Choices*: <http://www.nhs.uk/Service-Search>.

A GP surgery cannot refuse to register you with their practice on the grounds of your immigration status, race, gender, social class, age, religion, sexual orientation, appearance, disability, or a medical condition. If you do not speak English, you can request an interpreter. If a GP has not registered you at their practice, and you think you have been discriminated against, seek advice from:

Doctors of the World, Praxis, Pott Street, London, E2 0EF,

Tel: +44 (0)20 75157534. This line is open from 10am to 12 noon,

Monday to Friday. Email: clinic@doctorsoftheworld.org.uk

Website: <http://doctorsoftheworld.org.uk/pages/london-clinic>

Medication

Medication should be taken as prescribed by your GP or other physician. There are charges for prescriptions; however, if you are receiving benefits or are an asylum seeker in receipt of asylum support, you are entitled to free prescriptions. You will need to show a certificate of entitlement. To obtain a certificate, fill in a Form HC1

available from your GP surgery. If you are on a low income, you may also be entitled to a full or partial exemption from payment and will need to fill in the same form.

Definition: An asylum seeker is someone who is seeking protection from persecution he or she may face in their home country. Even if you entered the UK illegally, once you have applied for asylum your presence is no longer “illegal;” you are entitled to stay in the UK while waiting for a decision on your asylum claim. If you receive a positive decision on your asylum claim, you are a “refugee.”

Secondary Health Care—National Health Service (NHS)

Depending on the treatment that you need (for example, physiotherapy, surgery, counselling), the GP may need to refer you to a specialist in a hospital or other “Secondary Health Care.” Specialists may recommend tests or treatment.

UK nationals are entitled to free health care from GPs and from minor injuries units, NHS walk-in centres, NHS Urgent Care Centres, Accident and Emergencies, and NHS hospitals. However, **for those not normally resident in the UK** (including asylum seekers and those on visas), tests and treatments outside of the GP surgery may cost money.

Hospitals provide more complex and emergency services, compared to GP surgeries. Hospitals may not charge anyone for family planning services and treatment for communicable or sexually transmitted diseases. However, they can charge for all other services.

If a hospital doctor believes that you need treatment for a life-threatening disease or injury, or for an injury or illness that may become critical if left untreated, they should not

wait for payment before treating you. However, you may still receive a bill after your treatment. The NHS can also pass information on your treatment and any outstanding debt to the Home Office. Therefore, if you owe the NHS, this may impact any application for indefinite leave to remain in the UK, and you should consult a legal advisor to discuss this further.

Counselling

Psychological problems are common to survivors of torture, and some symptoms are described above. Forging new friendships, making a stable home, and creating structure and purpose through study (for example) can all help to deal with the effects of torture. This may not be easy and may need time and support from others.

Refugee organisations can help connect you to similar people and support groups or to services that will help you settle into life here. However, this may not be enough; you may need additional support in the form of counselling.

Seeking this help is not a sign of weakness or a source of shame. It may be necessary or even vital for you to talk through your experiences in order to be able to heal.

“Coming from the Congo, psychotherapy was a taboo subject for me. I thought that by accessing counselling, I was being weak. But, I met some fellow torture victims at a local Church, and they told me how helpful counselling had been for them, how crucial it had been in helping them build a new life—without relying on alcohol or drugs to numb the pain. So, I sought help and received very helpful therapy from *Freedom from Torture*. Now I volunteer there, as a member of a user-led group.”

Anonymous, Experts by Experience, Freedom from Torture, Birmingham

There are different types of counselling you can benefit from, and having a good relationship with your individual counsellor is important. If you are not getting on well with him or her, it might be helpful to change counsellors or to seek a different therapeutic approach. Getting counselling on the NHS through your GP is possible, but there are long waiting lists as counselling services in the UK in general can take several weeks or months to access. Specialist services are available for those that have suffered severe torture and trauma. For example, services are provided by *Freedom from Torture* and the *Helen Bamber Foundation*. (See “Part 4: Resources,” at the end of this Handbook).

Some people will not benefit from counselling alone, and you may require more treatment in the form of anti-depressant medication from your GP only. Medication must be taken only in the way prescribed by your doctor. Other treatments such as physiotherapy and acupuncture can help relieve physical injuries and psychosomatic symptoms (such as where you experience physical symptoms but where there is no physical disease). In addition to your GP, local refugee or community organisations can often assist in referrals for these kinds of treatments.

If you have thought about or committed self-harm, or have thoughts about killing yourself, you should urgently address these issues through specialised counselling. Though these serious outcomes may be related to trauma and torture, they require attention from specialists to ensure they are dealt with properly, speedily and effectively.

Social Support

UK nationals, refugees and those with **humanitarian**

protection status may be entitled to social support such as: Personal Independence Payment; Jobseeker’s Allowance; Housing Benefit; Accommodation; and Community Care Support (social services). Whether or not you are entitled to the benefits will depend on whether you are looking for work or unable to work. You will need to apply for these benefits through your local authority, who will decide whether or not you are entitled to the benefits. When the benefits office sends you a letter about their decision, if you do not agree, you can ask them to explain or reconsider it. If you are still unhappy, you can appeal.

Further information about appealing decisions is available here:

England and Wales:

http://www.adviceguide.org.uk/wales/benefits_w/benefits_benefits_introduction_ew/benefits_problems_with_benefits_and_tax_credits_e/benefits_challenging_a_benefit_decision/challenging_a_benefit_decision_where_to_start.htm

Northern Ireland: “How to Appeal Against a Benefits Decision”: <http://www.nidirect.gov.uk/how-to-appeal-against-a-benefits-decision>.

Scotland: <http://www.glasgow.gov.uk/appealspack>

Your local Citizens Advice Bureau (CAB) may be able to provide general advice, including on social support.

Find your local CAB:

<http://www.citizensadvice.org.uk/index/getadvice.htm>

Get online advice from the CAB:

<http://www.adviceguide.org.uk>

Get telephone advice from the CAB:

Wales, Tel: +44 (0)3444 77 20 20; and

England, Tel: +44 (0)3444 111 444.

Shelter: May be able to provide housing advice.

Website: <http://www.shelter.org.uk>

Helpline: +44 (0)808 800 4444

Shelter's helpline is open 8am–8pm on weekdays and 8am–5pm on weekends, 365 days a year.

Destitute asylum seekers are also entitled to financial support, and housing accommodation. Some **refused asylum seekers** can access a restricted form of asylum support which consists of housing and cash (just over £36.00 per person, per week, including children), but you must be “taking all reasonable steps to leave the UK.”

In both cases, to qualify, you must be considered destitute (because you do not have suitable accommodation and cannot meet your living expenses). Further, unless you are receiving treatment from *Freedom from Torture's* London office or the *Helen Bamber Foundation*, you will be given accommodation outside of London. This support can be taken away if you no longer meet the criteria.

You have the right to appeal against a decision to either withdraw or refuse asylum support. These appeals are heard at the First Tier Tribunal Asylum Support. The *Asylum Support Appeals Project* may be able to help you with this. Tel: 0203 716 0283.

If you have **exceptional leave to remain** with the condition that you have “no recourse to public funds” you will not be entitled to the same mainstream benefits and should seek advice from a legal advisor if you become destitute (you cannot meet your living expenses) and homeless.

Particularly Vulnerable Individuals

If you are an adult considered to be in need of “care and attention” (you need help carrying out daily activities, such as washing, cleaning and eating) you will be eligible for community care support. To get advice on your eligibility for support, contact a law firm specialising in Community Care Law. See “Part 4: Resources” for a list of some law firms providing this advice.

Drug and Alcohol Use

If you feel that drug or alcohol abuse is affecting you, you should contact the specialist services listed at the end of this Handbook in “Part 4: Resources.”

Family life

Settling into family life if you are experiencing symptoms after torture can be very difficult. Some torture survivors suffer from irritability, which can lead to domestic violence. People with such symptoms can benefit from professional help from GPs and local mental health teams. Sometimes (although, not always) it is beneficial for the whole family to take part in counselling, which can help family members to understand what you have been through and how best to help you. A list of family support services is provided at the end of this Handbook in “Part 4: Resources.”

Tracing your family

If you are concerned about the safety of family you have left behind and cannot reach, you can connect with the British Red Cross who may be able to help locate missing family

members and put you in contact with them. To find your local British Red Cross branch, click here:

<http://www.redcross.org.uk/What-we-do/Finding-missing-family/International-family-tracing>

Family Reunion

If you want to try and bring family members who are not UK citizens to the UK, you should consult a legal advisor. Not everyone is entitled to family reunion under the immigration rules. A list of legal advisors is provided at the end of this Handbook in “Part 4: Resources.”

ii) British Nationals Tortured Abroad

Until 2010, there were roughly 50 reports a year of British nationals being tortured abroad. REDRESS has noticed a recent sharp increase to 95 reports of torture and ill-treatment of British nationals in 2013. Torture and ill-treatment can take place in detention or outside detention (such as at a military checkpoint or during a protest).

Consular Assistance

Consular assistance is the help provided by UK Government consular and diplomatic staff to UK nationals in difficulty overseas, often through local embassies. If you are detained, you have the right to communicate with British consular officers (Vienna Convention on Consular Relations (1963)). If you are detained, you should ask for access to a lawyer, to consular officials, and the opportunity to speak to your family.

If you know of a UK national in detention abroad and are

concerned about their safety or well-being, contact the local embassy and the **UK Foreign and Commonwealth Office (UK FCO)** immediately.

EMBASSIES:

<http://embassy.goabroad.com/embassies-of/united-kingdom>.

If there is no British consular office in the country you are in (e.g. Iran), you may contact, or request access to, the consular office of another European Union Member State.

Under UK law, UK officials have discretion as to whether or not to assist British nationals in trouble abroad; they will likely provide some support. At a minimum, they should try to get in touch with you or your lawyer while you are in detention, visit you or call you on a telephone at least once, and contact your family. If there are signs that you have been or are at risk of being tortured, UK authorities should make further representations for you on your behalf to the authorities that are detaining you.

REDRESS has helped British nationals detained abroad obtain access to consular support, and *REDRESS* may also suggest other urgent action that could also be taken.

87 Vauxhall Walk, London SE11 5HJ, Tel: +44 (0)20 7793 1777, Fax: +44 (0)20 7793 1719, Email: info@redress.org;

Website: <http://www.redress.org/>.

FAIR TRIALS INTERNATIONAL can help you find a local lawyer, and share any concerns you have with consular services.

Temple Chambers, 3/7 Temple Avenue, London EC4Y 0HP, Tel: +44 (0) 207 822 2370 and +44 (0) 207 822 2371, Email:

office@fairtrials.net Website: <http://www.fairtrials.org/arrested-abroad/asking-for-our-help/>.

PRISONERS ABROAD can provide food and medical care if you

are detained abroad.

89-93 Fonthill Road, Finsbury Park, London, N4 3JH, United Kingdom, Helpline: 0808 172 0098, Tel: +44 (0)20 7561 6820, Email: info@prisonersabroad.org.uk
Website: <http://www.prisonersabroad.org.uk/>

You may also be able to obtain assistance from your local Member of Parliament (MP), who may be able to encourage the FCO to provide support.

You can find details of your MP here:
<http://findyourmp.parliament.uk/>

Diplomatic Protection

Once you have returned to the UK from the country in which you were tortured or mistreated, you may also ask the FCO to exercise “diplomatic protection.” Diplomatic protection means that the FCO would make representations to help you obtain reparation from the country in which you were tortured, or mistreated.

The FCO can choose whether or not to act on your request. Like consular assistance, diplomatic protection is not a right in the UK. Before FCO officials consider your request, they will ask you to show how you have taken all possible legal steps to get redress in the country where you were tortured (or to show that no possibilities for redress exist in the country you were tortured). This is known as the requirement to “exhaust domestic remedies.” There are exceptions to this rule. REDRESS can provide advice on this requirement and on diplomatic protection generally.

iii) Torture by British officials Abroad

Torture may not have occurred in the UK, but in a territory

that the UK once controlled. In such cases although the victims are not in the UK this Handbook provides some basic guidelines for such persons.

Hundreds of allegations of abuse committed by British soldiers in Iraq and Afghanistan, as well as allegations of complicity in torture abroad by the UK's security agencies remain unresolved today, as well as allegations of torture during British colonial times.

The UK has taken steps towards addressing some of the serious violations committed by its forces against Iraqi civilians, including by setting up the Baha Mousa Public Inquiry. This Inquiry followed the September 2003 death of Baha Mousa in British army custody in Iraq, and the torture of other Iraqi civilians at the same detention centre. It is possible to obtain justice and reparation for victims of torture and ill-treatment by UK officials in UK controlled areas, by bringing cases in UK courts. Options are described in detail in "Part 3: Seeking Justice", below.

In addition, the International Criminal Court (ICC) is currently analysing alleged international crimes attributed to the UK's armed forces in Iraq between 2003 and 2008. The UK has an obligation to investigate all allegations of torture by British personnel abroad. Due to the technical nature of making a complaint against the UK for torture, REDRESS recommends that you consult specialist advisors familiar with the relevant law. A list of organisations is provided at the end of this Handbook in "Part 4: Resources"; you will find a list of law firms specialising in human rights cases in the UK, and a list of human rights organisations who may be able to assist you and advise you on your options.

iv) Migrants Tortured Abroad

REDRESS is not an accredited or specialist provider of asylum or immigration advice. If you need asylum or immigration advice, you should contact specialist solicitors and/or legal centres. A list is provided at the end of this Handbook.

If you have been tortured abroad, securing your status in the UK will be crucial in ensuring that you are not returned to a place where you are at risk of being tortured again. This Handbook provides only a *summary* of the process of seeking asylum in the UK. It is not intended to be a detailed guide.

A. Entering the UK as an Asylum Seeker

An asylum seeker is someone who is seeking protection from persecution he or she may face in their home country. You should apply for asylum when you arrive in the UK, or as soon as you think it would be unsafe for you to return to your own country. You will either be given a financial stipend and housing, or else you may be detained in an Immigration Removal Centre. It is **crucial that you consult a legal advisor** (solicitor, caseworker, immigration lawyer) **as soon as possible** to determine your rights and entitlements from the earliest stage of the process, and throughout the whole process.

Legal advisors can tell you what to expect and help locate and translate evidence to support your claim. As an asylum seeker, you may be eligible for free legal advice (Legal Aid) depending on your income, savings, and whether your case has a realistic chance of success. In England and Wales, your legal representative should be from an organisation which has a contract with the Legal Aid Agency in immigration law

or is an advisor registered with the Office of the Immigration Services Commissioner. Some immigration law practitioners are listed in “Part 4: Resources” of this Handbook.

Who Can Apply for Asylum?

To apply for asylum you must: be unable to go back to your own country (if you are stateless, this is the country you usually live in) because you fear persecution; be unable to live safely in any part of your own country; have failed to get protection from authorities in your own country. A fear of persecution must be due to your race, religion, nationality, political opinion, or membership in a particular social group that puts you at risk in your country. You can include **family members** (dependants) in your application if they are with you in the UK, including your partner and children under 18.

Where to Apply for Asylum in the UK

You can apply for asylum:

- a) to an immigration officer when you arrive in the UK (e.g., at airport or seaport);
- b) at the Croydon Asylum Screening Unit near London (Lunar House, 40 Wellesley Road, Croydon CR9 2BY. Phone: +44 (0)20 8196 4524);
- c) at a Local Enforcement Office or by post, though only under very exceptional circumstances, such as if you are a child or have a condition that means that you cannot reasonably be expected to travel to Croydon.

Unaccompanied children

If you are a child, separated from your parents and not being looked after by an adult who has the responsibility to do so, then local authorities in the UK have a duty to provide

support for you. Contact the **Migrant Children’s Project Advice Line** for support and advice on your rights. Tel: +44 (2)07 636 8505 10am to 6pm Tuesday to Thursday.

Screening Interview

After you claim asylum, you will have a screening interview. You may need to phone to arrange this: **Asylum Screening Unit Appointments line**

Tel: +44 (0)20 8196 4524 or +44 (0)20 8196 4524, Monday to Thursday, 9am to 4.45pm. Friday, 9am to 4.30pm.

The **Asylum Screening Unit** should ask simple and not detailed questions about why you are claiming asylum. A legal advisor can tell you what to take with you.

At the screening interview, the authorities will decide if a country other than the UK may be responsible for considering your asylum application. This may apply if you travelled through another country where you could have or did seek asylum (called a “Dublin or 3rd Country” case). You may be detained in an Immigration Removal Centre until you are transferred to the country considered responsible for your asylum claim.

You must tell your Home Office caseworker if you have any special needs (if you have a disability or need medication).

What Happens after the Screening Interview?

After your screening interview, you will either be:

- i) granted “temporary admission” to the UK and you will be told about how you can obtain **asylum support**; or
- ii) be detained at an Immigration Removal Centre (see further details at next subsection, B. Detention, below).

If you are not detained, you may be asked to report at an **immigration reporting centre** or police station, every week or every month. It is important that you stick to the reporting requirements. You may be detained if you do not.

B. Detention

The Home Office has the power to detain some asylum seekers at any stage in their asylum application. The Home Office will detain you if they think you will not stay in touch with them. This decision may be made immediately after the screening interview. If the Home Office detains you, they must tell you in writing (in a language you understand) why they are detaining you. You may be able to challenge the detention decision. You can get legal advice, including from: *BAIL FOR IMMIGRATION DETAINEES*, Tel: +44 (0)20 7247 3590, Website: <http://www.biduk.org>

Detained Fast Track

If you are detained under the “Detained Fast Track” programme (DFT), this is because the Home Office think you are a flight risk. Your claim will be decided within two weeks. But if you are a torture survivor, you should not be detained under DFT. The English High Court has found DFT is unfair to torture survivors. The DFT is currently under review. If you are detained under DFT, contact your legal advisor or Detention Action immediately.

DETENTION ACTION, Tel: +44 (0)20 7226 3114; Email: admin@detentionaction.org.uk
Website: www.detentionaction.org.uk

Detention Generally

You must not be detained in an Immigration Removal Centre if you are: a child; a family with children; over 24 weeks

pregnant; determined to be a victim of trafficking; able to provide independent evidence of torture; or suffering from a mental or physical condition which cannot be managed or which presents a risk to other detainees.

If you believe that you fall within one of these categories and you have been detained, you must contact a legal advisor. They may be able to challenge your detention.

If you are struggling to obtain independent evidence of torture, or are unhappy with a report that has been made about you, you should contact your legal advisor and:

MEDICAL JUSTICE, Phone: +44 (0)207 561 7498.

Email: med@medicaljustice.org.uk

Website: <http://www.medicaljustice.org.uk>

Ill-Treatment in Immigration Removal Centres

If you believe you are being mistreated in immigration detention in the UK, or you know someone that is, you should contact the police, a legal advisor, or NGO (such as REDRESS) immediately, while also making a complaint.

Ill-treatment may include inappropriate sexual conduct, refusing to give you access to medical treatment, keeping you in detention while your mental health is deteriorating, “peeping in” to look at you inappropriately, or using physical forms of violence against you. Between 1 January 2009 and 2011, there were more than 9 recorded allegations of criminal sexual assault taking place in immigration detention.

Making a Complaint

You can submit an official complaint about your treatment in

detention by completing a DCF9 form (available in your Immigration Removal Centre) and placing it in a marked, locked box provided on every floor of the Centre, specifically for complaints. You should receive an acknowledgement and a reply from the relevant body dealing with your complaint.

If you are unhappy with the response you receive, you can appeal to the relevant Ombudsman, or the Independent Police Complaints Commission. You can also raise concerns with the Independent Monitoring Board (a group of volunteers who you should see visiting the Centre) who may be able to raise the concerns on your behalf within the Centre where you are detained.

REDRESS recommends that you seek advice from an NGO or legal advisor when going through the complaints procedures.

C. Substantive Interview

This is the most important opportunity you will have to explain why you have come to the UK and cannot return to your country of origin. The tone of the Home Office caseworker may not be pleasant; they may ask questions repeatedly. Nevertheless, try to explain how you were persecuted in your country, why you are afraid to go back to your country, and why you are seeking asylum in the UK. The questions may be very difficult to answer because they bring up distressing memories, making you feel as though you are re-living past persecution. But it is vital that you fully explain what has happened to you and your family to your Home Office caseworker. You can request a break at any time during the interview. This will not negatively impact your claim.

It is crucial that you have a legal advisor with you at the

substantive interview. If you do not have a legal advisor with you, the interview will still take place and 24 hours before the interview, you should ask your Home Office caseworker to have the interview recorded. You can also ask to have the interview with a caseworker of a specific gender if you would find this more comfortable (your request may not be granted, however). The information you provide to the Home Office caseworker and interpreter will be treated in confidence and will not be disclosed to the authorities in your own country.

Further or Missing Information

Torture and other traumas can cause memory difficulties. If after the interview you think you have left out any relevant information or given inconsistent information about what happened, you must tell your legal representative as soon as possible, as they only have 5 working days after your asylum interview to submit further information.

D. Asylum Decision

Unless you are being detained under the DFT (Detained Fast Track) programme, your application will usually be decided within 6 months. If a decision takes longer than 12 months, you may be entitled to seek employment in designated fields (such as engineering). You should seek legal advice on this.

Permission to stay in the UK

You may be granted permission to stay as a **refugee** or for **humanitarian** reasons. Humanitarian protection is granted to someone who does not qualify for asylum under the terms of the Refugee Convention but they may suffer some other form of serious harm if returned to their country.

If recognised as a **refugee** or granted **humanitarian protection**, you and your dependants will be given permission to stay in the UK for 5 years. This is known as “leave to remain.” You can then apply to settle in the UK.

You may get permission to stay for **other reasons** (“exceptional leave to remain”) if you do not qualify as a refugee or humanitarian protection. This is rare, and how long you can stay will depend on your situation, but it is usually for 2.5 years. You may apply to extend your time in the UK towards the end of your stay.

Refusal

If your application is refused, you should receive a letter from the Home Office stating the reasons why. The majority of asylum applications are refused by Home Office caseworkers, although some of these applications will later be successful at appeal. You may feel very depressed at receiving a refusal letter or while waiting for the result. Some torturers tell their victims that they will not be believed when describing their torture. So, the Home Office caseworkers’ disbelief may be difficult to cope with. However, an initial refusal is only the first stage in the process. The important thing to do upon receiving such a letter (or any official letter you do not understand, or are worried by) is to take it to your legal advisor as soon as possible, and discuss the next step. They can let you know whether you are eligible to appeal a decision refusing to grant you leave to remain in the UK.

E. Appeal

If you are on the DFT programme you will have 2 working days to appeal; in other cases, you have 14 days to appeal. Up until the deadline for you to apply to appeal and whilst

your appeal is pending, the Home Office cannot remove you.

It is important that you contact your legal advisor immediately to help you lodge an appeal. If your appeal is refused, the Home Office will expect you to leave the country, forcibly or voluntarily.

F. Making a Further Submission and Medical-Legal Reports

If your appeal has been refused or you are out of time to make an appeal, and you have no more appeal rights, you may decide to provide new or additional reasons why you should be allowed to stay in the UK. This is called “making a further submission” or a “fresh claim.” You can make a **fresh claim** where there is new material evidence which has not been previously considered and which gives you a realistic prospect of succeeding at a new asylum claim. It is important that that you seek legal advice about this. Once you have sought advice, you must make a further submission in person, and you may be detained. A refusal by the Home Office to accept a fresh claim can be challenged through **judicial review** proceedings (explained in the next subsection).

Some legal advisors may suggest obtaining a **medical-legal report (MLR)** to help support your application (including at any appeal stage) and corroborate (confirm) symptoms of torture. This will involve a detailed analysis by medical doctors, psychologists or psychiatrists of any injuries or scars you may have and your mental health. It normally means explaining details of the torture, describing psychological symptoms, and having a physical examination of the parts of the body affected by the torture.

It will not be possible to obtain a helpful MLR for everyone who has been tortured as sometimes there is nothing to document. Usually, however, such a report can provide important evidence, and if your legal advisor does not mention getting one, you should raise the issue with them.

If a MLR is received from *Freedom from Torture* after a refusal of a claim for asylum, and the MLR supports a claim for asylum in the UK, the case must be reviewed by the Home Office. Though most commonly filed during appeal proceedings, MLRs can be submitted at any stage of the asylum application or appeal process. The reports can cost £900.00 but are usually covered by Legal Aid.

G. Judicial Review

If you have exhausted all your appeal rights, and your fresh claim has also been rejected (if you have made one) you may be issued a removal order or a deportation decision. Obtain legal advice on your rights to judicially review these decisions.

A judicial review will assess whether the law has been correctly applied and the right procedures followed in decisions to refuse your claim and remove you. You should not be removed during the judicial review process.

However, if all legal avenues to prevent your removal or deportation fail, you can be forced to leave, and you may be detained without warning at an Immigration Removal Centre pending your forced removal from the UK. Before this happens, you may first be asked to consider Assisted Voluntary Return to your country of origin. Refugee Action

Choices Programme can offer assistance and give you information on the programme.

H. Returned to Torture

The UK is prohibited from sending, expelling, returning or otherwise transferring a failed asylum seeker to places where they would be tortured. This principle (non-refoulement) was laid out in 1954 by the UN Convention relating to the Status of Refugees, which, in Article 33(1) provides that:

"No Contracting State shall expel or return ('refouler') a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion."

Article 3 of the Convention against Torture states:

No State Party shall expel, return ("refouler") or extradite a person to another State where there are substantial grounds for believing that he would be in danger of being subjected to torture.

Yet, individuals have been returned to countries where torture is prevalent. If you have been returned and subsequently tortured, you may be able to bring a compensation claim against the UK Government and also seek asylum again. You must be able to show that the UK should have granted you asylum when you first applied and that they were wrong in not doing so, and in returning you. If your subsequent torture was not foreseeable, it will be difficult to bring such a case.

This is a complicated area of law and you should obtain specialist legal advice. A list of immigration legal advisors is provided in "Part 4: Resources."

Part 3: Seeking Justice: Obtaining Legal Advice and Moving Forward

Despite the absolute prohibition of torture, in many countries public officials and others working in positions of authority commonly abuse their positions and commit this international crime. As a survivor of torture, or a family member of someone who has been tortured, you may wish to seek justice for what has happened. Justice is about fairness and righting past wrongs. There are different forms of justice, and depending on what happened and your particular goals, some of these forms of justice may be more appropriate than others.

You may want to **find out and expose the truth** about what happened to you, or to loved ones, and to honour the memory of those that have been killed. You may want to obtain **formal court recognition** of the harm experienced or for the torturer to face **trial and punishment** for what they did.

You might have a number of aims in bringing a case. For instance to: **raise awareness** about human rights issues in the country where you were tortured; **locate** a missing relative; receive funds for **rehabilitation**; receive **compensation**; obtain formal **apologies** from those persons responsible for committing the torture and ill-treatment; see perpetrators held **accountable**; secure **guarantees** that such treatment will not be repeated and information about specific steps that will be taken to ensure that others will not experience the treatment you endured. These are all forms of **reparation**.

Some find the pursuit of justice to be very rewarding, and a

crucial component of healing. But it is important for you to know that it is not an easy process; it can take years and may not succeed in the end. You could spend a long time waiting for any news, progress, or developments in the case.

Other victims find legal proceedings to be stressful. You will need to describe what you experienced in detail to a lawyer, and possibly to doctors and other medical professionals. Depending on the route taken, you may also need to give a statement to the police; if the complaint reaches trial, you could be questioned in a court. It is important to have a community of support during the legal process. Some victims find the careful taking of testimony and other aspects of the justice processes actually helps in dealing with the trauma of torture.

If you are interested in seeking justice, REDRESS staff will be happy to discuss your options with you. REDRESS takes a victim-centred approach to its work. We start by asking you what you hope to achieve, work to understand your concerns, and provide confidential legal advice. We assess:

- a) whether there are **other needs you want to address** before bringing a justice case, or at the same time as bringing a justice case (for example, to obtain counselling, legal advice on other matters relating to welfare, housing or employment);
- b) how to **further strengthen your case**, for example by helping you to gather further evidence, including medical evidence;
- c) what are the **realistic chances of success** in your case and what may be achievable legally (which will depend on the country in which you were tortured);

- d) **how long** the process may take; and
- e) whether any **alternatives to justice proceedings** are available, such as advocacy or joining a campaign.

What REDRESS provides first is advice; it will be your decision what to do next. If you decide to take your case further, REDRESS will try to assist with that as well.

Before commencing a justice case, you should consider whether there is a risk you will be returned to the country in which you were tortured, the long time cases take, and any risks of reprisals against family members or friends still in the country where you were tortured. You need to be prepared for setbacks, and to consider re-traumatisation. There is no guarantee that you will achieve what you set out to do, but with determination, you may find the process to be very rewarding and a crucial step towards rebuilding your life.

REDRESS' current caseload covers torture and related crimes in more than 40 countries around the world, with over 120 active cases relating to more than 800 victims before national and international courts. Our clients include: political activists; civilians targeted in armed conflict; child soldiers; human-rights defenders; persons persecuted for their sexual orientation; UK nationals tortured abroad; those mistreated in or out of detention; whistle-blowers who uncovered corruption, for example; family members of political activists or human rights defenders; suspects or those accused of crimes tortured to "confess" to help "solve" crimes; and socially excluded individuals including minority groups, sex workers, and migrants.

REDRESS provides advice on all human rights concerns arising from torture and ill-treatment, including related human

rights violations (such as violations of freedom of expression, assembly and association, arbitrary detention, rights to fair trial, and rights to health).

Depending on your case, REDRESS can represent you directly or we might work with lawyers in the UK, or with lawyers or partner organisations in the country of your torture. We will seek your authorisation before providing any information about your case to any person, including and especially a lawyer or anyone else in the country where you were tortured.

REDRESS keeps information confidential. This means we do not send courts, governments or lawyers your information, or publish information you give us, without your prior consent.

Obtaining reparation may not always be possible: there may be no effective court system, complaints procedure, or other legal channel for claiming reparation in a particular country. The only way may be to join others in a long-term campaign against torture in the country where you were tortured, which may take decades to make an impact but is vital, nonetheless. REDRESS can also advise on advocacy options.

i) Making a Criminal Complaint against Perpetrators of Torture or Ill-Treatment

You may want to make a criminal complaint so that the person(s) who tortured you is investigated by the proper authorities, and where there is enough evidence, prosecuted and punished. In many cases, it is possible to file a criminal complaint – in writing – with the law enforcement authorities

of the country in which you were tortured, from the UK. REDRESS can help you draft the criminal complaint and find and possibly pay for a local lawyer who can file such a complaint in the country concerned.

Law enforcement authorities should then conduct an investigation. Complaints can be made against public officials, including an individual or group of perpetrators, as well as against a person who did not commit the torture or ill-treatment themselves but may have ordered it, assisted in it, or did nothing to stop it.

Investigations, Prosecutions and Trials

It is usually up to the authorities (police, prosecutors, or an investigating judge) in the country where the torture or ill-treatment occurred to undertake an investigation. The police, prosecutor, or an investigating judge will examine a complaint, consider the evidence that you have provided, and identify what further information or evidence is needed. The authorities may then request a full investigation or even bring charges against the alleged perpetrator of torture.

However, upon examining the complaint, authorities will also consider barriers to the case. For example: if key witnesses are abroad, whether they can protect witnesses, how long it has been since the torture or ill-treatment occurred, as this may impact upon the evidence now available, and whether they think the perpetrator is immune from prosecution. Not all of these considerations need stop law enforcement agents from pursuing a prosecution. For example, witnesses – and even victims – can provide evidence by video-link if they are unable to travel to the country that is investigating the allegations of torture.

Prosecutors or courts may decide that there is not enough evidence, or that other barriers are too great to bring charges against a suspected torturer. It may be possible to challenge this decision in court. REDRESS can assist you in challenging a decision not to prosecute a suspected torturer.

If local authorities decide that there is enough evidence and they do bring charges against the suspected torturer, the matter – usually after some time – could proceed to trial. The alleged perpetrator must have a fair trial. The trial may be lengthy and may not result in a conviction. This can be traumatising. It is important to be mentally prepared for such possibilities and seek psychological support as needed.

Survivors are often unable to provide evidence in person, and find it very difficult to face their suspected torturer. In these circumstances, it may be possible to present evidence via video-link. For example, one of REDRESS' clients (who was tortured in Kenya but currently lives in the Middle East) will testify to a Kenyan High Court by video-link from the UK in April 2015.

In 2005, an Afghan warlord – Faryadi Zardad – was found guilty of torture following a trial which took place in London. Zardad was described as being responsible for a "heinous" campaign of torture and hostage taking in Afghanistan at checkpoints between 1991 and 1996. At the trial, the jury heard evidence from Afghan witnesses – who feared for their lives – via a video link from the UK embassy in Kabul.

The Complaint Procedure

Torture can lead to a deep mistrust with State institutions. You may feel unable to make a complaint to the very people or authorities that were supposed to protect you in the first place, or were in fact responsible for your torture. This feeling of distrust is completely understandable.

In some countries, especially where corruption and torture is very common and widespread, there may be no realistic prospect of police, prosecutors, or investigating judges carrying-out independent investigations to bring torturers to justice. Nevertheless, some torture survivors feel that it is important to make a complaint regardless of the outcome of an investigation. The failure of police, prosecutors, or judges to conduct an investigation can also open up the country to a human rights complaint – for the failure of the State to properly investigate the matter. **Making a complaint nationally** is also often a **necessary first step** to “exhausting domestic remedies” so that a complaint can eventually be brought to a regional or international human rights body

To ensure that the authorities in the country that you were tortured take your complaint seriously – and if you are a British national – you can ask the Foreign and Commonwealth Office (FCO) to make representations for you (see Diplomatic Protection section above). For example, the FCO could ask the country in which you were tortured for updates on what is being done, and call for an independent investigation. REDRESS can help you seek such assistance from the FCO. REDRESS has done this in a number of cases where UK nationals have been tortured in the Middle East and in Africa, amongst other places.

Once a complaint is filed, you should get a **written acknowledgement** of the complaint, **updates** on the progress of the complaint, and **contact details** so you can follow up with authorities about the case. If the authorities decide to prosecute the suspected torturer, you should receive details of the charges against the accused and the time and place of the trial. In the event that the authorities decide *not* to prosecute or to close the investigation, you should be told of the reasons for that decision. You should have a right to complain formally about a decision not to prosecute. REDRESS can help you appeal a decision not to prosecute.

Complaints against other entities

In some countries, it may be possible – in limited circumstances – to make complaints against others such as a company or other organisation that was involved in the torture or ill-treatment, for example, by providing equipment or funding.

It is also possible in some countries (such as the USA, the Netherlands, Germany, France, and Switzerland) to make a criminal complaint against a business for torture, genocide, war crimes, torture, and the forced recruitment of child soldiers.

Example:

On 19 October 2011, two nongovernmental organisations filed a criminal complaint alleging that the French corporation *Amesys* was complicit in acts of torture by supplying surveillance equipment to the Gaddafi regime, thereby allowing it to repress its opponents. The investigating judge decided to open an investigation and the Paris Court section specialising in crimes against humanity, genocide and

war crimes now manages the case.

Universal Jurisdiction

Law enforcement authorities in many States have powers to investigate and prosecute international crimes committed in other countries, under a principle known as **“universal” or “extraterritorial” jurisdiction**.

Torture is an international crime. Where torture is carried out in some other country but the suspected torturer is found in the UK (for example, on holiday or business), the UK can prosecute him or her here even though the alleged torture took place elsewhere.

Universal jurisdiction helps to enforce the absolute prohibition of torture. Because torture is such a serious crime, therefore, it gives rise to an exception to the usual rule where each State has the exclusive right to deal with what has happened within its borders. Thus this special universal jurisdiction rule means that an alleged torturer can be prosecuted wherever they are found. There are some exceptions which apply to Heads of State, Foreign Ministers and some diplomats (they may have immunity from prosecution). It is important to seek advice. The UK Government claimed that Prince Nasser of Bahrain could not be prosecuted for torture in the UK. However, in October 2014, the High Court (England and Wales) ruled that he is not immune from prosecution over torture claims. No charges have yet been brought against Prince Nasser, however.

If you know of someone who committed torture, and they are in the UK, this can be reported – either directly to the police, to a lawyer, or to organisations like REDRESS who can

provide advice and help with contacting the police.

In the UK, section 134 of the Criminal Justice Act 1988 provides for the offence of torture as follows:

- (1) A public official or person acting in an official capacity, whatever his nationality, commits the offence of torture if in the United Kingdom or elsewhere he intentionally inflicts severe pain or suffering on another in the performance or purported performance of his official duties.

So, for example, if a rebel leader responsible for the mass rape of civilians in a conflict zone in Congo lives in the UK, it may be possible for that person to be prosecuted in the UK. Any member of the public in the UK can apply for a warrant to have that person arrested. The consent of the Director of Public Prosecutions (DPP) is required to bring such a case, starting with a warrant for arrest. The DPP will only consent if he/she believes that there is sufficient evidence against the suspected torturer, and a reasonable prospect of convicting the suspect. For further information see:

REDRESS, FIDH, Trial: Handbook for Victims of Serious International Crimes in the EU: Your rights to access support, advice and justice, November 2014

<http://www.redress.org/downloads/publications/1411Victims%20Handbook.pdf>

Example

Wolfgang Blam and Jaqueline Mukandanga Blam live in Germany, where they moved after fleeing from Rwanda in 1994. They travelled to the Netherlands to take part in the trial of Joseph M, who was later convicted of war crimes and torture. Both Wolfgang and Jacqueline testified as witnesses during the trial. They were also able to make a statement to

the court to describe how they felt about what had happened, and how it impacted their lives. Both of them admitted that taking part was difficult and emotionally draining. Jaqueline said:

“It is extremely difficult psychologically, because you thought you were finally far away from it all but you have to re-live the whole experience [...] Even though I went to see a psychologist for post trauma therapy it was still extremely difficult for me. Luckily the Prosecutor’s team and the police conducting the investigation were very professional, supportive and they really listened to me. [...] Psychological support was available at all times, all day long.”

International Tribunals

In relation to international crimes such as **genocide**, **crimes against humanity** (widespread or systematic attacks against civilians, including torture and enforced disappearances, with no requirement that the acts were perpetrated by a public official for a specific purpose), and **war crimes** (crimes committed against protected groups such as civilians, injured persons or prisoners of war during armed conflict or military occupation), international criminal courts and tribunals may be involved in prosecutions.

Seeking advice from a lawyer or civil society organisation experienced in international crimes is important to help you determine where a complaint can be filed.

The International Criminal Court (ICC)

The ICC is an independent, international Court supported by more than 120 countries around the world. It has the authority to prosecute persons that are believed to be responsible for some of the worst possible crimes: genocide,

crimes against humanity, and war crimes. It is a permanent Court that, within various rules and restrictions, can investigate crimes committed worldwide.

As at the date of publication of this Handbook (March 2015), the ICC has agreed to formal investigations relating to the following countries (concerning alleged crimes which took place after July 2002 when the Court came into existence): Uganda, Kenya, Democratic Republic of the Congo, Cote d'Ivoire Central African Republic, Sudan (Darfur conflict), Mali, and Libya.

Not all crimes and human rights abuses which took place in these countries are investigated by the ICC. Also, the ICC can only prosecute individuals that are citizens of States that have signed up to the Rome Statute establishing the ICC, or persons who committed crimes on the territory of States that have signed up to the Rome Statute.

If you suffered harm or witnessed one of the three international crimes in any of these countries, you should seek legal advice from an organisation such as REDRESS as to whether you can provide information or participate in any of the ongoing ICC proceedings. If you suffered harm or witnessed one of these crimes in another country, it is also possible to bring the information to the Prosecutor, who will consider whether it has the authority to investigate. The ICC Statute and Rules of Procedure and Evidence recognise the right of victims, under certain circumstances, to participate in its proceedings.

Victims and witnesses living in the UK should note that the UK has joined the ICC Statute. This places the UK under an

obligation to cooperate with the Court and assist its work.

Anyone can observe the on-going trials. It is possible to visit the Court's premises at The Hague, Netherlands to attend hearings, as long as they are not confidential.

The Court's website includes the hearing schedule, and how to visit the court, here: http://icc-cpi.int/en_menus/icc/about%20the%20court/visiting%20the%20court/Pages/visiting%20the%20international%20criminal%20court.aspx

A criminal lawyer, civil society group, or specialist NGO (including REDRESS) can advise you on the ICC's current investigations and how to submit evidence.

ii) Bringing Complaints against the State for its Role in Serious Human Rights Abuses

A human rights complaint can be made against a State for failing to uphold your right not to be tortured. You can do this when public officials tortured you, failed to protect you from torture, or failed to investigate your allegation of torture seriously.

A. National Authorities

All States should have procedures within their legal systems that allow you to complain about violations of your human rights. These procedures may result in you obtaining a declaration that your rights were violated, at which point the State should open an investigation so that those responsible

can be identified and held to account. In some cases, the State may pay compensation to you.

In many States there are mechanisms allowing you to file human rights complaints without the need to go to Court. These procedures commonly require you to write a letter, setting out details of your treatment and your complaint. REDRESS can help you write such letter.

Such a letter could be sent to a:

- a) **police complaints commission** or other official contact point in the police where persons unhappy with how police have acted can file complaints

Example

The Independent Police Complaints Commission (IPCC) is the public body in England and Wales responsible for overseeing the system for handling complaints made against police forces in the country. It also conducts investigations when someone has been assaulted, seriously injured or has died in police custody. The IPCC then makes recommendations to the police, or police and crime commissioners.

- b) **national Ombudsperson** who investigates complaints into actions by State bodies

Example

The South African Human Rights Commission is the national institution responsible for promoting human rights in South Africa. It can investigate and report on allegations of human rights violations, and take steps and secure appropriate redress where human rights have

been violated.

- c) national **human rights commission** which monitors State compliance with human rights standards

Example

The Ecuadorian Ombudsman “*Defensor del Pueblo*” seeks to help citizens exercise their human rights. Individuals can make complaints directly to the Ombudsman’s office. The Ombudsman’s office researches the complaint and may make interventions in cases where rights have not been protected, for example, they may call upon a judge to respect the right to liberty and security when a person has been held in pre-trial detention for more than six months.

In some States, you may also be able to bring a human rights complaint in a Constitutional or Administrative Court. The Court will hear your evidence, review the decisions or actions of the State or its officials, and decide if they were lawful and made in compliance with international and human rights law.

Sometimes, national human rights processes will not be independent or impartial, or it may be impossible to use them once you have fled the country in which you were tortured. It is important to be aware of the limitations and consider whether regional or international human rights bodies may be available to you. REDRESS can advise you on these issues.

B. International Human Rights Bodies

If you are unhappy about the result of a domestic

investigation or human rights process, or it has been impossible to convince local authorities to open an investigation, you may be able to bring a complaint about torture or ill-treatment to a regional or international human rights mechanism.

You can do this where you have been tortured by a public official; also if **public officials did not do enough to prevent the torture** from happening, when they had an obligation to prevent it, they could be subject to legal action. For example, when an individual makes numerous complaints of abuse and domestic violence and the police fail to take any steps to investigate and protect them from continued violence.

T.M. and C.M. v The Republic of Moldova, European Court of Human Rights, 28 January 2014

This case concerned a woman (T.M.) and her daughter (C.M.). T.M. complained several times to police that her ex-husband was abusing her and her daughter. Medical reports showed that they had been ill-treated. T.M. applied for a protection order but the authorities took a long time to consider it. Finally, once the order was granted (requiring T.M.'s ex-husband to be removed from the house by police), the police did not enforce it. So, T.M. and C.M. were forced to move into a refuge. The police and prosecutor did not bring charges against T.M.'s ex-husband for domestic violence. The European Court of Human Rights said that the police had a duty to investigate the allegations of domestic violence and that Moldova had violated its obligations to protect T.M. and C.M. from torture and ill-treatment. Moldova failed to take effective measures against the abuser despite knowing about the risk of violence to T.M. and C.M.

If public officials **failed to investigate** following your complaint of torture by a public official, the State can be found to have failed their procedural obligations under the prohibition against torture. This is why it is important to first make a **criminal complaint** in the country where you were tortured. If the authorities fail to take this seriously, you may be able to escalate your complaint to a regional or international human rights mechanism.

The European Court of Human Rights found that the French Government had not done enough to prosecute Rwandan nationals living in France for crimes they committed during the Rwandan genocide.

A British High Court has found that police did not do enough to investigate allegations of rape made by numerous women.

These regional or international bodies accept complaints only if you have **already tried and failed to obtain justice** at the national level. This is commonly described as a requirement to have “exhausted domestic remedies.”

Exceptions can be made if you can show that it was impossible for you to pursue such a claim in the country in which you were tortured. Such exceptions arise when there are no available effective justice mechanisms in the country where the torture occurred—even where mechanisms are theoretically or technically available but inaccessible in reality because, for example, the authorities threaten victims or witnesses to withdraw complaints and regularly delay decisions or investigations so that years go by without anything happening.

Only three regional courts have powers to make binding orders:

- African Court on Human and Peoples' Rights
- European Court of Human Rights
- Inter-American Court of Human Rights

Other bodies only have powers to make a declaration that a violation has taken place and to recommend that the State concerned addresses the case and provides you with a remedy. These include the African Commission on Human and Peoples' Rights, the Inter-American Commission on Human Rights, and UN monitoring bodies such as the UN Human Rights Committee, UN Committee on Torture, UN Committee on the Rights of the Child, UN Committee on the Elimination of All Forms of Discrimination Against Women, and UN Working Group on Arbitrary Detention.

Regional or international mechanisms can only be used if the country responsible for the violation has agreed in advance to allow the body to receive complaints against it. This will depend on whether the State you are making your complaint against is a party to the relevant treaty. You will only be able to make a complaint to one body.

For example, if you were tortured in Mexico, you would be able to use the Inter-American Human Rights system because Mexico ratified the American Convention on Human Rights on 2 March 1981 and recognised the jurisdiction of the Inter-American Court of Human Rights on 16 December 1998, provided the alleged torture occurred after these dates.

If you were tortured in Russia you would be able to use the European Court of Human Rights provided the alleged torture

occurred after 1998, because Russia ratified the European Convention on Human Rights in 1998.

Similarly, if you were tortured in Algeria, Burkina Faso, Burundi, Cote d'Ivoire, Comoros, Congo, Gabon, Gambia, Ghana, Kenya, Libya, Lesotho, Mali, Malawi, Mozambique, Mauritania, Mauritius, Nigeria, Niger, Rwanda, South Africa, Senegal, Tanzania, Togo, Tunisia and Uganda you might be able to have access to the African Court on Human and Peoples' Rights. If you were tortured in any other country in Africa (excluding Morocco), you may make a complaint to the African Commission on Human and Peoples' Rights only.

If you were tortured in Sri Lanka or Nepal, you can bring a complaint to the UN Human Rights Committee. This is not an exclusive list of countries; many other individuals can also have recourse to the UN Human Rights Committee or the UN Committee against Torture, for example.

REDRESS can check for you whether the State involved has signed up to the relevant regional or international treaties, which create regional and international human rights bodies. This will help clarify the options available to you to pursue a claim.

Each of the international mechanisms will have different procedures. International human rights lawyers and organisations can help you make submissions to them. Usually, you will make an initial submission, and the body will decide whether the complaint is admissible. If it is, the body will then ask you for further information. The State concerned will have a chance to respond before a final decision is made.

The following issues will be helpful to consider in deciding whether to use a specific international human rights body in your case:

- what you hope to achieve;
- whether the procedure is public and its findings are public;
- whether sensitive information can be removed before it is sent to the State concerned (if you or witnesses require this for safety reasons);
- how long it has been since attempts were made to obtain justice nationally;
- whether there are specific procedural issues that need to be followed (for instance, in relation to the language used, or the timing of the submission);
- the types of evidence available;
- whether specific remedies will be awarded to you directly by the human rights body, or whether it will be up to the State responsible to implement the body's recommendations nationally;
- whether the mechanism has a follow-up procedure to ensure that States abide by its decision;
- whether there is a way of bringing sanctions against the responsible State where it doesn't comply; and
- whether urgent measures are available.

For some countries, it will not be possible to bring a regional or international human rights complaint. This is because there are some regions that do not yet have regional human rights courts or commissions (like Asia and the Middle East), or the regional court is optional (like in the Americas and Africa). Some States have also not given authority for individual complaints to be brought against them to

international complaints bodies; for example, the UK does not permit individuals to bring complaints before the UN Committee against Torture, or the UN Human Rights Committee. Or, it may be because the torture or ill-treatment occurred before the country responsible gave its permission to allow individuals to make complaints to a regional or international human rights body.

If no international bodies are able to hear the complaint, there may be alternative advocacy options and these are described in more detail below.

Time limits

Victims can seek justice for torture that took place many years ago. However, once you embark on the process, strict time limits will apply. For example, once you have obtained a final decision from a court at the national level, if you wish to submit a complaint to the European Court of Human Rights, you will have (at the time of writing) only six months to file the case, after which it will become inadmissible. The Inter-American Commission on Human Rights also has a six-month cut-off.

For the African Commission on Human and Peoples' Rights, there is no fixed time limit, but the Commission may nonetheless apply a similar deadline. However, this is applied flexibly. For example, if you are an asylum seeker and you needed time to settle into a new country before filing a complaint, this may be taken into account by the Commission in determining whether you submitted your complaint in a timely manner.

For the UN Human Rights Committee, a five-year time limit is applied. The UN treaty bodies are generally more flexible in this regard.

iii) Suing Torturers (Civil Claims)

You may be able to bring civil claims for damages in court against persons, companies, or organisations you believe are responsible for or involved in (for example, by their negligence) what happened to you.

A. What are civil claims?

Civil proceedings differ from a criminal complaint in that your complaint is not investigated by police, and there is no prosecutor. Instead, you and your lawyer must gather the necessary evidence and bring it to court. The court does not find the defendant “guilty” of any crime and does not have the power to impose a prison sentence. Rather, the proceedings are a way of trying to undo the harm you suffered—for example, returning money or property you have lost as a result of the torture or ill-treatment, or providing medical or psychological care to help heal injuries.

Civil claims can take place *instead of* criminal proceedings, for example if a criminal trial has not taken place because the prosecutor has decided not to pursue charges due to a lack of sufficient evidence, or because of legal barriers. Civil claims also can take place *in addition to* criminal proceedings. Or, in some countries, the civil and criminal process may be combined and victims may be able to join criminal proceedings as *civil parties*. The civil part of the case to obtain compensation against the defendant takes place after the criminal trial finishes and once the perpetrator is

convicted.

Example

Major Bernard Ntuyahaga, for example, was found guilty by a Belgian court in July 2007 of murdering several peacekeepers and an indeterminate number of Rwandan civilians during the 2004 Rwandan genocide. In September 2007, a Belgian Crown Court granted a total of 540,000 euros in reparations to 21 Rwandan civil parties present at the trial.

B. How Victims Can Bring Civil Claims

You can seek a civil claim in the country where you were tortured. In some countries, it will be possible to seek compensation only once there is a criminal conviction of the perpetrator. However, in other countries, you may have to bring a separate civil claim for compensation, regardless of whether the suspected torturer has been convicted and punished. A lawyer can advise you on the process.

Example 1

Binyam Mohamed was released from Guantánamo Bay in March 2009. Following his release he claimed he was tortured by a number of different State agents, with the collusion of UK security services. He brought a civil claim for compensation in the UK. In November 2010 it was announced that Binyam Mohamed and some of the other former Guantánamo Bay detainees were to be awarded compensation by the British Government to settle the case.

Example 2

Dutch courts have recognised the responsibility of Dutch peacekeepers for their role in failing to prevent the genocide at Srebrenica.

Example 3

Civil claims against the British Ministry of Defence have been lodged successfully in UK courts by Iraqi family members in relation to the deaths of loved ones at the hands of British soldiers in Iraq.

Example 4

A Dutch court convicted Frans van Anraat of complicity in war crimes due to his involvement in the large-scale purchase and sale of a key chemical used to create mustard gas, which was sold to Sadaam Hussein's government of Iraq. Joining the case as civil parties, over a dozen Kurdish victims of gas attacks demanded a symbolic monetary penalty. After the criminal case was completed, civil proceedings resulted in the awarding of 25,000 euros plus interest to each of the 16 victims of chemical weapon attacks that were represented in the case.

Civil claims can involve complicated and expensive legal proceedings requiring a detailed understanding of legal arguments, evidence, and other rules. You should not begin these proceedings unless you have the assistance of a lawyer who can file a claim on your behalf and represent you in court.

You can usually bring civil claims in the country most closely connected to you or the defendant. However, it is virtually impossible to bring civil claims in the UK against defendants who are State officials in a foreign country, because of rules

relating to State immunity. For example:

Ron Jones, Alexander Mitchell, William Sampson, and Leslie Walker were all falsely accused of involvement in a bombing campaign in Saudi Arabia in 2001 and 2002. After being repeatedly tortured, arbitrarily detained, and (for Mr Mitchell and Dr Sampson) sentenced to death, the victims were returned to the UK. The four individuals brought civil claims in the UK against Saudi Arabia to attempt to gain reparation for the harm suffered. All four men's requests were rejected by the UK courts due to State immunity, and this position was eventually confirmed by the European Court of Human Rights in January 2014. None of the men received compensation through legal proceedings.

Unlike the example above where British nationals sought to bring a complaint against Saudi Arabia in the UK, there is usually more chance of success when cases against governments and their officials are brought in the courts of the countries where the torture took place, or when the cases are brought against private individuals.

Civil claims may be barred if the crimes were committed a long time ago, although courts have recognised exceptions. For example, veterans of the Mau Mau uprisings of the 1950s colonial era in Kenya were able to sue the British Ministry of Defence in the UK courts for torture, despite the passage of sixty years (the case was ultimately settled out of court).

Also, Dutch courts only recently compensated the widows of seven villagers who were summarily executed and a man shot and wounded in a 1947 massacre during Indonesia's battle for independence against the Dutch.

Sometimes, the act of bringing a civil case will encourage a State, company, corporation, or organisation to settle the

matter out of court. Some victims are happy with a settlement. However, settlements are often subject to confidentiality orders, which may mean that the terms of the settlement cannot be disclosed to the public. On rare occasions States, companies, corporations, or organisations may agree to settle out of court and not impose a confidentiality order.

Companies

If companies have a connection to the UK, successful civil litigation proceedings *could potentially* be brought against them in the UK, even if the crimes were committed in another country.

Example

Complaints of violations of international human rights law may be able to proceed in the USA under the federal Alien Tort Statute and the Torture Victim Protection Act where there is a strong connection to the United States (U.S.).

Al Shimari v. CACI

Four Iraqi detainees at Abu Ghraib who allegedly suffered torture by the U.S. military and civilian defence contractors employed by CACI international brought a legal action including claims under the Alien Tort Statute, against the business in 2008. On 30 June 2014, the Fourth Circuit Court of Appeals said that the claim did fall within the remit of the Alien Tort Statute.

iv) Evidence

After a decision is taken on which justice avenue to pursue, a legal advisor (including one at REDRESS) can advise you on the type of evidence that you will need to start your claim.

You should aim to obtain the best possible evidence and good quality information. The most useful information will be detailed, with few contradictions and have supporting evidence from a number of different sources.

Your Statement, as the Torture Survivor

Your statement is an important form of evidence. It should include: information that helps the authorities identify who you are (your name and address, for example); descriptions of the torturer (if available); how you came to be in the control of the authorities or perpetrators; where you were taken or held; forms of torture and ill-treatment; descriptions of any torture outside a detention setting, or the conditions of detention if you were detained; how officials failed to prevent you from suffering foreseeable harm; and any official responses to complaints made about your ill-treatment.

When lawyers take a statement, you deserve to feel comfortable. You can ask to speak to a lawyer of the same or a different gender, and you can request an interpreter.

It may take more than one session to finish compiling a statement.

“Although retelling the trauma story for reframing and reworking has been a central tenet in treatment, recovering

memories of trauma must be done in a safe setting, with the appropriate timing, and with acknowledgement of cultural variations in the expression and interpretation of these memories."

Jose Quiroga and James M Jaranson (2005), *The Journal on Rehabilitation of Torture Victims and Prevention of Torture*.

Witness Statements

It can be helpful to have a statement from someone (including friends or family members) who may have witnessed your torture (for example at a protest) or witnessed your arrest; another example could be someone who can confirm the state of your health and physical condition before and after your detention. There may also be co-detainees who can confirm when and where you were detained or who can confirm that they witnessed your torture or ill-treatment.

If you have family or friends in the country where you were tortured, you may be afraid that they will face reprisals, intimidation, violence, or harassment if you take part in legal proceedings against torturers, or even if you merely initiate proceedings. You may have concerns about your safety even if you and your family are in the UK.

The first step is to discuss these issues with a legal advisor or an organisation providing assistance. They may be able to provide advice on steps that can be taken to minimise risks, or put you in touch with other organisations that could help. There may be protection measures available. Some bodies allow for some of the evidence to be provided confidentially or, at least for the information to be shielded from the public.

However, no one can ever completely guarantee your safety

or that of your witnesses, but you should make sure that you have as much information as possible about the measures that are, and are not, available. This will allow you to make an informed decision about whether you would face any danger and which, if any, risks you are willing to take.

If you are living in the UK and experience threats, violence, or intimidation, you should report this immediately to the local police. The police can investigate who is responsible for this behaviour; the persons responsible may be charged with a separate criminal offence, and authorities can take steps to address your security needs, as outlined above.

Civil society organisations and human rights organisations will be able to advise you on the available options, taking into account the specific context of the country in which you were tortured.

Photographs or video films

Images and videos of the torture and the context can be helpful. You or others may have taken photographs or recorded a video of the arrest, the context of the arrest or ill-treatment, and the injuries inflicted. It is always helpful for pictures of injuries to show both your face (so that you are clearly identifiable) and the specific injury or injuries. This may require multiple photographs.

Media and NGO reports

The press may have reported on your specific experience of torture, or they may have documented threats made publically against you. News reports may also be relevant to explain the context in which the crimes took place. For instance, a Ugandan newspaper article that lists the names of people perceived as homosexual who should be arrested or

assaulted would be useful background evidence to help show the context involving an allegation that a Ugandan homosexual was subjected to torture or assault, particularly if his or her name appears on the list. This could be helpful in a complaint against Uganda (in a criminal or human rights case) and in an application for asylum in the UK.

Reports, press releases, urgent actions from local or international organisations are also helpful, for example a report on police brutality in a particular police station which describes events at the same time of the allegations of torture in that same police station, is helpful to show a consistency with the allegations made. These may be about your specific case or may reveal patterns of torture, ill-treatment, and other human rights abuses in the country in question.

Medical Evidence

Medical evidence can include a statement from a doctor confirming your injuries and the state of health before and after torture, or take the form of an official medical-legal report (MLR), as described in “Part 2: K. Making a Further Submission and Medical-Legal Reports.”

In the UK, some solicitors or immigration caseworkers obtain MLRs for use in asylum applications. Usually, this is covered by Legal Aid. Where this report is not obtained during the asylum process, or if you did not seek asylum (because you are a British national, for example) NGOs working with you on your complaint can potentially help you obtain one.

v) Alternatives to legal proceedings

Sometimes no legal avenue is open because domestic courts

in the country where you were tortured are weak or corrupt, and the country responsible for the torture has not signed up to the relevant treaties that would allow you to make complaints against it before an international body. In these circumstances, it still may be possible to undertake advocacy through UN or regional human rights mechanisms, to write to government officials or put pressure on decision makers such as members of Parliament.

For example, REDRESS may be able to help you raise awareness about your situation through a **parliamentary human rights group** that focuses on issues relevant to your case, such as immigration and asylum, policing, or civil liberties.

Example

In October 2014, REDRESS and a number of other NGOs made written submissions to the All-Party Parliamentary Group on Refugees and the All-Party Parliamentary Group on Migration on the conditions of immigration detention in the UK. REDRESS' submission is available here;

<http://www.redress.org/europe/uk>.

In addition, if you are unable to use a regional or human rights complaints mechanism, you may be able to use other procedures. For example, the UN has tasked a number of additional agents or officials with protecting human rights that may be able to take some other steps on your behalf. UN Special Rapporteurs and Independent Experts have been appointed to focus on:

- **countries** (Belarus, Cambodia, Côte d'Ivoire, Eritrea, North Korea, Haiti, Iran, Myanmar (Burma), the Palestinian Territories, Somalia, Sudan, and Syria);

and

- **thematic issues** (for example, torture and ill-treatment; freedom of assembly and association; freedom of opinion and expression; human rights and fundamental freedoms while countering terrorism; human rights defenders; extrajudicial, summary, or arbitrary executions; truth, justice, reparation, and guarantees of non-recurrence; violence against women; contemporary forms of racism, racial discrimination, xenophobia, and related intolerance; among others).

These Rapporteurs and Independent Experts document human rights violations. They may be able to raise individual cases with the government of the country concerned. Even if the government does not respond, your documented complaint can help the UN show widespread patterns of human rights abuses and thereby strengthen arguments that the situation demands the attention of the international community.

In addition, it is often possible to draw attention to your and others' cases when the country responsible for your torture has its human rights record examined by a treaty body.

Example 1: In November 2014, the USA was reviewed by the UN Committee against Torture, the official monitoring body of the UN Convention Against Torture. REDRESS and other organisations submitted a report on ongoing violations in relation to terrorism suspects not being able to complain about torture and other ill-treatment. The report was called "Rendered Silent", available here: <http://www.redress.org/downloads/publications/REDRESS%20ICJ%20OMCT%20Shadow%20report%20to%20CAT%20-%20USA.pdf>

Example 2: In March 2014, Nepal was reviewed by the UN Human Rights Committee. REDRESS and its partners submitted a report on ongoing torture and other ill-treatment in the country. The report is available here:
<http://www.redress.org/downloads/publications/AF%20REDRESS%20APT%20Nepal%20submission%20for%20website.pdf>

Finally, REDRESS can provide a number of other services. For example, REDRESS aims to:

- connect you with physicians and mental health professionals who can provide rehabilitative support;
- help you access other specialised support services, such as those relating to immigration, family reunion, housing, benefits, or employment law; and
- connect you with community support service providers and victims' associations.

REDRESS cannot always provide these services and information directly but works with a number of service providers to which we can refer or signpost you. A list of resources is available below, in "Part 4: Resources." The details in this list of resources are accurate as at March 2015.

Part 4: Resources

A. National Organisations

Human Rights Organisations

REDRESS, 87 Vauxhall Walk, London SE11 5HJ, Tel: +44 (0)20 7793 1777 Fax: +44 (0)20 7793 1719, info@redress.org, <http://www.redress.org>

THE BAR HUMAN RIGHTS COMMITTEE, Doughty Street Chambers, 53-54 Doughty Street, London, WC1N 2LS, Tel: +44 (0)20 7993 7755, coordination@barhumanrights.org.uk, <https://www.barhumanrights.org.uk>

LIBERTY, Liberty House, 26-30 Strutton Ground, London SW1P 2HR, Tel: +44 (0)20 3145 0461 and +44 (0)845 123 2307, <https://www.liberty-human-rights.org.uk/contact-us>

REPRIEVE, PO Box 72054, London EC3P 3BZ, Tel: +44 (0)20 7553 8140; info@reprieve.org.uk, <http://www.reprieve.org.uk>

FAIR TRIALS INTERNATIONAL, Temple Chambers, 3/7 Temple Avenue, London EC4Y 0HP, Tel: +44 (0)207 822 2370 and +44 (0)207 822 2371, office@fairtrials.net, <http://www.fairtrials.org>

Human Rights Law Firms

BHATT MURPHY, 27 Hoxton Square, London N1 6NN, Tel: +44 (0)20 7729 1115 Fax: +44 (0)20 7729 1117, mail@bhattmurphy.co.uk, <http://bhattmurphy.co.uk> (also judicial review, immigration)

BINDMANS, 236 Grays Inn Road, London WC1X 8HB, Tel: +44 (0)20 7833 4433, info@bindmans.com, <http://www.bindmans.com> (also judicial review, immigration, unlawful detention, asylum support, community care)

BIRNBERG PEIRCE AND PARTNERS, 14 Inverness St, London NW1 7HJ, Tel: +44 (0)20 7911 0166 (also immigration and detention)

DEIGHTON PIERCE GLYNN, 328 City Road, London EC1V 2QA (see website for other locations), Tel: +44 (0)20 7407 0007 Fax: +44 (0)20 7837 7473, mail@dpglaw.co.uk, <http://www.deightonpierceglyn.co.uk> (also judicial review, community care, healthcare, detainee rights)

HICKMAN & ROSE, Aylesbury House, 17-18 Aylesbury Street, London EC1R 0DB, Tel: +44 (0)20 7702 5331 Fax: +41 (0)20 7253 1367, mail@hickmanandrose.co.uk, <http://www.hickmanandrose.co.uk> (also immigration detention, judicial review, discrimination)

HODGE JONES & ALLEN LLP, 180 North Gower Street, London NW1 2NB, Tel: +44 (0)80 0437 0322, <http://www.hja.net> (also immigration detention, judicial review, discrimination)

LEIGH DAY, Priory House, 25 St John's Lane, London EC1M 4LB, Tel: +44 (0)20 7650 1200 Fax: +44 (0)20 7253 4433, postbox@leighday.co.uk, <http://leighday.co.uk> (also judicial review, detainee rights, housing)

PUBLIC INTEREST LAWYERS, 8 Hylton Street, Jewellery Quarter, Birmingham B18 6HN, Tel: +44 (0)12 1515 5069 Fax: +44 (0)12 1515 5129, info@publicinterestlawyers.co.uk, <http://www.publicinterestlawyers.co.uk>

Police

METROPOLITAN POLICE (Anywhere in the UK), In emergencies: 999/ Non-emergencies: 101/ Textphone: 18001 101

General Advice

CITIZENS ADVICE BUREAU, for Wales call 03444 77 20 20 for England call 03444 111 444 TextRelay users should call 03444 111 445, <http://www.adviceguide.org.uk>

National Sexual Health Clinics

Find your nearest NHS Sexual Health Clinic here:

<http://www.nhs.uk/Service-Search/Sexual%20health%20information%20and%20support/LocationSearch/734>

National Hotlines

Domestic Violence

NATIONAL DOMESTIC VIOLENCE HELPLINE, Tel: +44(0)80 8200 0247, <http://www.nationaldomesticviolencehelpline.org.uk/>, (hotline for women experiencing domestic violence)

Child rights

CHILDLINE, Tel: +44 (0)80 011 11, www.childline.org.uk (advice for children on a wide range of issues)

CORAM CHILDREN'S LEGAL CENTRE, Riverside Office Centre, Century House North, North Station Road, Colchester CO1 1RE, Tel: +44 (0)20 7636 8505, <http://www.childrenslegalcentre.com>

GINGERBREAD, Tel: +44 (0)80 8802 0925, <http://www.gingerbread.org.uk> (advice for single parents on maintenance, benefits and money)

JUST FOR KIDS LAW, 21-22 Camberwell Green, London SE5 7AA (see website for other locations), Tel: +44 (0)20 3174 2279, info@justforkidslaw.org, <http://justforkidslaw.org> (advice for children on immigration, social service, education and crime)

THE CHILDREN'S SECTION – REFUGEE COUNCIL, 13-14 Katharine Street, Croydon CRO 1NX, Tel: +44 (0)80 8809 0500 and +44 (0)20 7346 1134, children@refugeecouncil.org.uk, [http://www.refugeecouncil.org.uk/what we do/childrens services](http://www.refugeecouncil.org.uk/what_we_do/childrens_services)

Suicidal thoughts

SAMARITANS, 46 Marshall Street, London W1F 9BF (see website for

other locations), Tel: +44 (0)84 5790 9090,
<http://www.samaritans.org.uk> (suicide prevention hotline)

Drug and Alcohol

DRINKLINE, Tel: +44 (0)80 0917 8282 (national alcohol helpline)

ADFAM, 25 Corsham Street, London N1 6DR, Tel: +44 (0)20 7553 7640 Fax: +44 (0)20 7253 7991, admin@adfam.org.uk,
<http://www.adfam.org.uk> (national charity working with families affected by drugs and alcohol)

Welfare advice

TURN2US, Unit 9, Cefn Coed Parc, Nantgarw, Cardiff CF15 7QQ, Tel: +44 (0)80 8802 2000 Fax: +44 (0)14 4382 7616,
info@turn2us.org.uk, <http://www.turn2us.org.uk> (help with accessing benefits and grants)

Housing

SHELTER, May be able to provide housing advice.

Website: <http://www.shelter.org.uk/>.

Helpline: +44 (0)808 800 4444

Shelter's helpline is open 8am–8pm on weekdays and 8am–5pm on weekends, 365 days a year.

Refugee Services and Asylum-seeker Rights

BRITISH RED CROSS, The British Red Cross provides support for refugees and vulnerable migrants only in specific areas across the UK. You can find out more by following this link:
<http://www.redcross.org.uk/What-we-do/Refugee-support/Where-to-find-us>

REFUGEE COUNCIL, Offers asylum seekers help in accessing food, shower and laundry facilities if you are destitute. Also helps with access to therapeutic services, and provides legal and asylum

support services. In addition, it can help refugees with getting employment, and accessing health services. You can find out more about the Refugee Council here:

<http://www.refugeecouncil.org.uk/>

REFUGEE ACTION, provides advice on the asylum process, asylum support and assisted voluntary return. They have offices in London, Bristol, Leicester, Birmingham, Manchester and Liverpool.

http://www.refugee-action.org.uk/get_help_advice

ASYLUM SUPPORT APPEALS PROJECT, Ground Floor, Anchorage House, 2 Clove Crescent, East India Dock, London E14 2BE, Tel: +44 (0)20 3716 0283 and +44 (0)20 3716 0284

B. London

Asylum Advice Organisations

ASYLUM AID, Club Union House, 253-254 Upper Street, London N1 1RY, Tel: +44 (0)20 7354 9264 and +44 (0)20 7354 9631, info@asylumaid.org.uk, <http://www.asylumaid.org.uk>

Law Firms

DUNCAN LEWIS, Vintage House, 37 Albert Embankment, London SE1 7TL (see website for other locations), Tel: +44 (0)20 7923 4020, <http://www.duncanlewis.co.uk> (immigration & asylum, social services, domestic violence, mental health, domestic violence)

FISHER MEREDITH, 7th Floor, 322 High Holborn, London WC1V 7PB, Tel: +44 (0)20 7091 2700 Fax: +44 (0)20 7091 2800, <http://www.fishermeredith.co.uk> (immigration & asylum, human rights, housing)

GILLIAN RADFORD & CO, 453 Harrow Road, London W10 4RG, Tel: +44 (0)20 8960 4366 Fax: +44 (0)20 8969 7268, info@gillanradford.co.uk, <http://www.gillianradford.co.uk> (housing)

HANSEN PALOMARES SOLICITORS, 153 Kennington Road, Lambeth, London SE11 6SF, Tel: +44 (0)20 7640 4600 Fax: +44 (0)20 7640 4610, info@hansenpalomares.co.uk,

<http://www.hansenpalomares.co.uk> (community care, housing, welfare benefits)

HOPKIN MURRAY BESKINE, Tower House, 149 Fonthill Road, London N4 3HF, Tel: +44 (0)20 7272 1234 Fax: +44 (0)20 7272 4050, reception@hmb Solicitors.co.uk, <http://www.hmb Solicitors.co.uk> (human rights, domestic violence, housing)

JEIN SOLICITORS, 3-5 Lee High Road, London SE13 5LD, Tel: +44 (0)20 8852 5214, info@jainsolicitors.org, <http://jeinsolicitors.org> (immigration & asylum)

KESAR & CO, 20-25 Market Square, Bromley, Kent BR1 1NA (see website for other locations), Tel: +44 (0)20 8181 3100 Fax: +44 (0)20 8181 3101, <http://kesarandcosolicitors.co.uk> (immigration & asylum, deportation, mental health)

PARAGON LAW, 50 Jermyn Street, London SW1Y 6LX (see website for other locations) Tel: +44 (0)84 5519 6567 Fax: +44 (0)84 5519 6970, <http://www.theparagongroup.co.uk> (immigration & asylum, human rights, deportation)

TV EDWARDS, 35 Mile End Road, London E1 4TP (see website for other locations), Tel: +44 (0)20 3440 8000 Fax: +44 (0)20 3357 9587, enquiries@tvedwards.com, <http://www.tvedwards.com> (mental health, housing, age disputes, community care)

WILSON SOLICITORS LLP, 697 High Road, London N17 8AD, Tel: +44 (0)20 8808 7535 Fax: +44 (0)20 8880 3393, <http://www.wilsonllp.co.uk> (immigration & asylum, deportation, judicial review)

Legal Advice Centres

CAMDEN LAW CENTRE, 2 Prince of Wales Road, London NW5 3LQ, Tel: +44 (0)20 7284 6510 Fax: +44 (0)20 7267 6218, admin@cclc.org.uk, <http://www.cclc.org.uk>

EALING LAW CENTRE, 210 Northfields Ave, Ealing, London W13 9SJ, Tel: +44 (0)20 8579 4598, info@ealinglaw.org.uk,

<http://ealinglawcentre.org.uk.gridhosted.co.uk>

HAMMERSMITH & FULHAM LAW CENTRE, 363 North End Road, Fulham, London SW6 1NW, Tel: +44 (0)20 3080 0330 Fax: +44 (0)20 3080 0339, hflaw@hflaw.org.uk, <http://hflawcentre.org.uk>

ISLINGTON LAW CENTRE, 38 Devonia Road, London N1 8JH, Tel: +44 (0)20 7288 7630 Fax: +44 (0)20 7700 0072, info@islingtonlaw.org.uk, <http://www.islingtonlaw.org.uk>

LAMBETH LAW CENTRE, Unit 4, The Co-Op Centre, 11 Mowll Street, London SW9 6BG, Tel: +44 (0)20 7840 2000, <http://www.lambethlawcentre.org>

MARY WARD LEGAL CENTRE, 10 Great Turnstile, London WC1V 7JU, Tel: +44 (0)20 7831 7079 Fax: +44 (0)20 7831 5431, <http://www.marywardlegal.org.uk>

SOUTHWARK LAW CENTRE, Hanover Park House, 14-16 Hanover Park, London SE15 5HG, Tel: +44 (0)20 7732 2008, <http://www.southwarklawcentre.org.uk>

Detainee Support

DETENTION ACTION, Leroy House, 436 Essex Road, London N1 3QP, Tel: +44 (0)20 7226 3114; Email: admin@detentionaction.org.uk; Website: www.detentionaction.org.uk

GATWICK DETAINEES WELFARE GROUP, The Orchard, 1-2 Gleneagles Court, Brighton Road, Crawley, RH10 6AD, Tel: +44 (0)1293 657070, www.gdwg.org.uk.

Psychological Support and Counselling

RTC REFUGEE THERAPY CENTRE, 1A Leeds Place, London N4 3RF, Tel: +44 (0)20 7561 1587 Fax: +44 (0) 20 7281 8729, info@refugeetherapy.org.uk, <http://www.refugeetherapy.org.uk>

FREEDOM FROM TORTURE, 111 Isledon Road, London N7 7JW, Tel: +44 (0)20 7697 7777 Fax: +44 (0)20 7967 7799, <http://www.freedomfromtorture.org>

HELEN BAMBER FOUNDATION, Bruges Place, 15-20 Baynes Street, London NW1 0TF, Tel: +44 (0)203 058 2020 Fax: +44 (0)203 058 2050, reception@helenbamber.org, <http://www.helenbamber.org>

TRAUMATIC STRESS CLINIC, 7 Devonshire Street, London W1W 5DY, Tel: +44 (0)20 7323 9890 Fax: +44 (0)20 7323 9903, info@traumaclinic.org.uk, <http://www.traumaclinic.org.uk>

FORCED MIGRATION TRAUMA SERVICE, Central and North West London NHS Foundation Trust, 7a Woodfield Road, London, W9 2NW, Tel: +44 (0)20 7266 9575, [http://www.cnwl.nhs.uk/Specialised Day Refugee Support Services.html](http://www.cnwl.nhs.uk/Specialised_Day_Refugee_Support_Services.html).

BAOBAB CENTRE FOR YOUNG SURVIVERS IN EXILE, 6 Manor Gardens, London N7 6LA, Tel: +44 (0)20 7263 1301; <http://www.baobabsurvivors.org>

ROOM TO HEAL, Mildmay Community Centre, Woodville Road, Newington Green, N16 8NA, Tel: +44(0) 207 241 5941, Email: info@roomtoheal.org.uk, <http://roomtoheal.org/contact/>

BAOBAB CENTRE FOR YOUNG SURVIVERS IN EXILE, 6 Manor Gardens, London N7 6LA, Tel: +44 (0)20 7263 1301; <http://www.baobabsurvivors.org>

Accessing Healthcare

DOCTORS OF THE WORLD, 6th Floor, One Canada Square, London, E14 5AA, Tel: +(0)20 7517 7534, www.doctorsoftheworld.org.uk

Trafficking and Sexual Violence

POPPY PROJECT, Unit CC01 Canterbury Court, Kennington Business Park, 1-3 Brixton Road, London, SW9 6DE, Email: post@eavesforwomen.org.uk, <http://www.eavesforwomen.org.uk/about-eaves>

C. East Anglia

GREAT YARMOUTH REFUGEE OUTREACH SERVICE, 144b King Street, Great Yarmouth, Norfolk, NR30 2PQ, Tel: +44 (0)1493 745 260, www.gyros.org.uk

D. South East

Law Firms

LEGAL SOLUTIONS ADVOCATES & SOLICITORS, Unit 2, 10-17 Sevenways Parade, Gaysham Avenue, Essex IG2 6JX, Tel: +44 (0)20 8551 0151 Fax: +44 (0)20 8127 6794, contact@lsasolicitors.co.uk, <http://www.lsasolicitors.co.uk> (immigration & asylum, housing)

ASYLUM WELCOME & DETAINEES SUPPORT GROUP, Unit 7, Newtec Place, Magdalen Road, Oxford, OX4 1RE, Tel: +44 01865 722082
<http://www.asylum-welcome.org/index.php/contact-us>

CAMBRIDGE REFUGEE SUPPORT GROUP, Llandaff Chambers, Regent Street, Cambridge CB2 1AX, Tel: +44 (0)1223 575489, Email: crsg@crsg.org.uk, http://www.refugeecouncil.org.uk/services/2750_cambridge_refugee_support_group

E. The Midlands

Law Firms

DUNCAN LEWIS, 104/106 Colmore Row, Birmingham B3 3AG (see website for other locations), Tel: +44 (0)20 7923 4020, <http://www.duncanlewis.co.uk> (immigration & asylum, social services, domestic violence, mental health, domestic violence)

PARAGON LAW, 7B Broad Street, Nottingham NG1 3AJ (see website for other locations) Tel: +44 (0)11 5964 4123 Fax: +44 (0)11 5964 4111, <http://www.theparagongroup.co.uk> (immigration & asylum, human rights, deportation)

TRP SOLICITORS, 6 Lee Bank Business Centre, 55 Holloway Head,

Birmingham B1 1HP, Tel: +44 (0)12 1616 4700 Fax: +44 (0)12 1643 0700, pas@trpsolicitors.co.uk, <http://www.trpsolicitors.co.uk> (immigration & asylum, human rights)

Advice Centres

ASYLUM SUPPORT AND IMMIGRATION RESOURCE TEAM, 97

Walford Road, Sparkbrook, Birmingham, B11 1NP,
Tel: +44 (0)121 772 6233; Email: admin@asirt.org.uk;
Website: <http://www.asirt.org.uk/contactus/index.htm>

NOTTINGHAM LAW CENTRE, 119 Radford Road, Nottingham, NG7 5DU, Tel@ +44 (0)115 978 7813 Tel: +44 (0)121 772 6233; Website: <http://www.nottinghamlawcentre.org.uk/index.htm> (Debt, Housing, Welfare benefits)

IMMIGRATION ADVISORY SERVICE, 46 Priestgate, Peterborough, Cambridgeshire, PE1 1LF ***LAW CENTRE***, 119 Radford Road, Nottingham, NG7 5DU, Tel: +44 (0) 1733 557472

Psychological support and counselling

FREEDOM FROM TORTURE, Unit 005, 1st Floor, Caroline Point, 62 Caroline Street, Birmingham B3 1UF, Tel: +44 (0)12 1314 6825 Fax: +44 (0)12 1212 9830, westmidlands@freedomfromtorture.org, <http://www.freedomfromtorture.org>

SV2, Derbyshire rape crisis (for any gender) Derby, DE1 1XU, Tel: +44(0)1773 74 61 15, Email: help@sv2.org.uk;
<http://sv2.org.uk/contact/>

MY TIME, 172 All Saints House, Herbert Road, Small Heath B10 0PR, Tel: +44(0) 121 766 6699 <http://www.mytime.org.uk/>

F. Yorkshire

Law Firms

BANKFIELD HEATH SOLICITORS, 107 Roundhay Road, Leeds LS8 5AJ (see website for other locations), Tel: +44 (0)11 3249 7781, enquiries@bankfieldheath.co.uk, <http://www.bankfieldheath.co.uk>

(immigration & asylum, human rights)

HOWELLS SOLICITORS, 15-17 Bridge Street, Sheffield S3 8NL (see website for other locations), Tel: +44 (0)11 4249 6666 Fax: +44 (0)11 4279 9746, <http://www.howellslip.com> (immigration & asylum, human rights, judicial review, mental health, community care, welfare benefits, discrimination)

ISON HARRISON SOLICITORS, Duke House, 54 Wellington Street, Leeds LS1 2EE (see website for other locations), Tel: +44 (0)11 3284 5000 Fax: +44 (0)11 3284 5150, mail@isonharrison.co.uk, <http://www.isonharrison.co.uk> (immigration & asylum, judicial review)

PARKER RHODES HICKMOTTS, The Point, Bradmarsh Way, Bradmarsh Business Park, Rotherham S60 1BP (see website for other locations), Tel: +44 (0)17 0951 1100, info@prhsolicitors.co.uk, <http://www.prhsolicitors.co.uk> (immigration & asylum, human rights, judicial review, sexual abuse compensation)

G. Northwest

Law Firms

KENWORTHY'S CHAMBERS, Arlington House, Bloom Street, Salford M3 6AJ, Tel: +44 (0)16 1832 4036 Fax: +44 (0)16 1832 0370, maria@kenworthysbarristers.co.uk, <http://www.kenworthysbarristers.co.uk/> (immigration & asylum, mental health, community care)

Legal Advice Centres

BOLTON CITIZENS ADVICE BUREAU, 26-28 Mawdsley Street, Bolton BL1 1LF, Tel: +44 (0)34 4488 9622, <http://www.boltoncab.co.uk>

BEFRIENDING REFUGEES AND ASYLUM SEEKERS, Victoria Hall, Knowsley Street, Bolton, Lancashire, BL1 2AS
Tel: +44 (0)1204 397152, <http://brassbolton.org/>

BURY LAW CENTRE, 8 Bank Street, Bury, Lancashire, BL 9 ODL, Tel:

+44 (0) 161 272 0666, <http://www.burylawcentre.co.uk/>

CUMBRIA LAW CENTRE, 15 Drake Street, Rochdale CA1 1BG, Tel:

+44 (0) 1228 515129, <http://www.cumbrialawcentre.org.uk/>

OLD TRAFFORD LAW CENTRE, 2 Talbot Road, Stretford, Manchester, M16 0GS, Tel: +44 (0) 161 872 3669

Psychological Support and Counselling

FREEDOM FROM TORTURE, 1st Floor North Square, 11-13 Spear Street, Manchester M1 1JU, Tel: +44 (0)16 1236 5744 Fax: +44 (0)16 1244 5577, northwest@freedomfromtorture.org, <http://www.freedomfromtorture.org>

RAPE AND SEXUAL ABUSE CENTRE, services in Birkenhead, Sefton, Liverpool and West Wirral, for further information see here: <http://www.rasamerseyside.org/>

H. Northeast

Law Firms

IRIS LAW FIRM, 1st Floor, Kent House, Church Street, Gateshead, Tyne and Wear NE8 2AT, Tel: +44 (0)19 1477 0055 Fax: +44 (0)84 5371 4844, info@irislawfirm.com, <http://www.irislawfirm.com> (immigration & asylum)

Legal Advice

NEWCASTLE LAW CENTRE, Ellison Place, Newcastle upon Tyne, Tyne and Wear NE1 8XS, Tel: (0)191 230 4777, <http://newcastlelawcentre.co.uk/>

Psychological support and counselling

FREEDOM FROM TORTURE, The Alan Smithson Rooms, City House, 1-3 City Road, Newcastle NE1 2AF, Tel: +44 (0)19 1261 5825 Fax: +44 (0)19 1222 1211, northeast@freedomfromtorture.org, <http://www.freedomfromtorture.org>

I. Scotland

Law Firms

DRUMMOND MILLER, Glenorchy House, 20 Union Street, Edinburgh EH1 3LR (see website for other locations), Tel: +44 (0)13 1226 5151 Fax: +44 (0)13 1225 2608, reception@drummond-miller.co.uk, <http://www.drummondmiller.co.uk> (immigration & asylum)

MORTON FRASER, Quatermile Two, 2 Lister Square, Edinburgh EH3 9GL (see website for other locations), Tel: +44 (0)13 1247 1000, infodesk@morton-fraser.com, <http://www.morton-fraser.com> (immigration & asylum)

PRYDE IMMIGRATION LAWYERS, 5 Buccleuch Street, Glasgow G3 6SJ, Tel: +44 (0)14 1332 9888 Fax: +44 (0)14 1280 0888, info@myimmigrationlawyer.co.uk, <http://www.myimmigrationlawyer.co.uk> (immigration & asylum)

THORNTONS SOLICITORS. Whitehall House, 33 Yeaman Shore, Dundee DD1 4BJ (see website for other locations), Tel: +44 (0)13 8222 9111 Fax: +44 (0)13 8220 2288, dundee@thorntons-law.co.uk, <http://www.thorntons-law.co.uk> (immigration & asylum)

Legal Advice Centres

LEGAL SERVICES AGENCY, Fleming House, 134 Renfrew Street, Glasgow G3 6ST (see website for other locations), Tel: +44 (0)14 1353 3354, lsa@btconnect.com, <http://www.lsa.org.uk>

Psychological Support and Counselling

FREEDOM FROM TORTURE, Room 27, Adelphi Centre, 12 Commercial Road, Glasgow G5 0PQ, Tel: +44 (0)14 1420 3161 Fax: +44 (0)14 1429 6578, scotland@freedomfromtorture.org, <http://www.freedomfromtorture.org>

REDRESS

Ending Torture, Seeking Justice for Survivors

REDRESS

**87 Vauxhall Walk
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Email: info@redress.org

Website: www.redress.org