

How torture survivors are (not) being supported in the UK

The right to rehabilitation for survivors of torture in international law

Article 14 of the United Nations Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment:

1. Each State Party shall ensure in its legal system that the victim of an act of torture obtains redress and has an enforceable right to fair and adequate compensation, including the means for as full rehabilitation as possible. In the event of the death of the victim as a result of an act of torture, his dependants shall be entitled to compensation.
2. Nothing in this article shall affect any right of the victim or other persons to compensation which may exist under national law.

Freedom From Torture's latest report, *The Poverty Barrier*, draws on the testimony of over 100 survivors of torture and the expertise of 18 different members of Freedom from Torture's clinical department.

The report paints a bleak picture of financial insecurity, social exclusion and hopelessness, confirming a disturbing reality for survivors of torture living in the UK; namely, that their experiences of poverty compound their trauma related to torture and impede their rehabilitation.

A total of 117 FFT clients took part in the research. Of this number, 85 clients from 20 different countries of origin completed a detailed questionnaire. The largest number of respondents from a single country was from the Democratic Republic of Congo, followed by Sri Lanka, Iran, Turkey and Eritrea, with between five and eighteen respondents in each case. Of these 85, 47 were in the "asylum system" at the time of the research; 33 had settled legal status and leave to remain; four had had their asylum claim rejected and had exhausted all further appeals.

Financial Support

Because of the levels of support provided, 67 of the respondents described themselves as "living in poverty" while only two said that they would not describe themselves as poor. They described the poverty they had experienced in the UK in both 'absolute' and 'relative' terms; 'absolute' in that they were unable to meet basic and essential material needs for food, clothing and shelter, and 'relative' in terms of being unable to live according to perceived 'normal' and 'reasonable' standards of life in the UK. They also reflected on the psychological impact of

poverty, describing inability to plan for the future or make decisions and having to live "from day to day". Access to means of communication is a major problem: *...This is one of the main problems ...we need to call our solicitors, it is very expensive and even if we try to call and the solicitor answers, it takes ages. When it is very urgent we can just fax it, it costs £1.40 per page so if we get a letter from UKBA [and we need to fax it to the solicitor] it can be 10 pages - one day I had to pay £15-£16 for a fax. Another time when I had to call the solicitor, I struggled to save £5-£10 for mobile top up and then the solicitor said please fax the letter, so I had nothing to eat and I was sitting and crying through the night.*

They often have to choose between paying for a travel card to visit their therapist, attend a hospital appointment or meet with their solicitor, or buying food or items of clothing.

Living under such constraints leads to anxiety, depression, social exclusion, and does nothing to contribute to the rehabilitation to which they are entitled under international law.

Accommodation

Torture survivors often find themselves living in accommodation provided by the (then) UK Border Agency. A significant number have lived in very unstable conditions, being moved regularly around the country. This clearly has a very negative impact on their rehabilitation as it impacts on their feeling of not being in a place of safety, and prevents an ongoing and stable relationship with counsellors and therapists.

The accommodation can be in areas where the local population suffers from multiple forms of deprivation, where there is a high incidence of local crime and where they do not feel welcome. One torture victim knew an asylum seeker who was killed in a racist attack, after which the housing manager advised others not to go out in the evening.

The accommodation is often of low quality:

... I don't really use the living room or kitchen because it is quite filthy and I can't really use them.

There are very long queues for the bathroom and no cleaning, no hot water.

... It is difficult to keep food stuffs in the kitchen because I live with different people, the others also do not have enough money, so if they need something they will take it from me - so if I can buy a few things I keep it with my clothes in the bedroom.

... My room is not secure so if I and my roommate leave the room people will break in and take my things. Even my documents are not safe. I must leave them with someone.

.... They put you in a room with someone so you're sharing. They don't brief him about you, about your mental state, and they don't tell you about him. Maybe one of you is sick. There are two of you living there with closed windows, sleeping, staying together in a tiny room.

The impact of poverty on the rehabilitation of torture victims

Evidence provided by clients and clinicians at Freedom from Torture demonstrates the detrimental impact of poverty on the ability of torture survivors to access and benefit fully from rehabilitation services. Problems include lack of funds (even if these would be reimbursed) to travel to appointments and to maintain contact by phone with Freedom from Torture clinicians and other health professionals; chronic diet inadequacies leading to poor cognitive functioning impeding participation and progress in therapy; and chronic dependence, disempowerment and a lack of agency which exacerbate psychological health symptoms associated with torture and reaffirm the sense of worthlessness and humiliation that survivors experience as a result of their torture.

What we can do:

The report makes a series of recommendations which we can use to write to MPs and other important decision-makers. These include:

- raising asylum support rates to provide for a standard of living equivalent to mainstream welfare support provision;
- implementing the recommendation of the Joint Committee on Human Rights for a coherent, unified, simplified and accessible system of support for asylum seekers;
- regular reports from the Home Office to the Home Affairs Committee on the appeal overturn rate in asylum cases;
- new guidance from the Home Office on dealing with asylum claims involving allegations of torture or serious harm, with training to improve the quality of decision-making;
- a review of the impact on people with mental health problems of the withdrawal of legal aid for welfare benefits law.

The full report can be found at:

http://www.freedomfromtorture.org/feature/the_poverty_barrier/7413

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