

# Q-CAT

# QUAKER CONCERN FOR THE ABOLITION OF TORTURE

## DECEMBER 2019

## NEWSLETTER No.38

Charity No 1093757

The Religious Society of Friends declares itself to be utterly opposed to the use of torture and determined to spare no effort to bring it to an end...  
Hamilton Declaration 1976

### Update on investigation into UK complicity in torture overseas

In the September newsletter we reported that during the last days of Theresa May's premiership it had been announced that there would not be the hoped-for judge-led inquiry into the role played by UK's MI5 and MI6 in post 9/11 counter-terrorism operations with its many cases of torture and rendition.

The parliamentary intelligence and security committee (ISC) had in 2018 published a partial report but had not been given access to key witnesses. Since then there have been many calls for a full independent judge-led inquiry, including by the UN Committee against Torture in their recent report into UK's adherence to the UN Convention on Torture (see Q-CAT Briefing No 62 August 2019).

We are heartened to read in the Guardian online that "The government's refusal to hold a public inquiry into allegations that the security services were complicit in the torture and abduction of terror suspects after 9/11 is to be subjected to a full-scale legal challenge." ([www.theguardian.com/law/torture/2/12](http://www.theguardian.com/law/torture/2/12)) This follows a ruling in the high court by Mr Justice Hilliard granting permission for lawyers representing David Davis, Dan Jarvis and Reprieve to launch a judicial review of the government's decision in July not to establish the inquiry.

Liberty, Redress and five other prominent human rights organisations wrote very recently to the leaders of each major party, calling on them to commit to an effective, independent inquiry into an alleged cover-up of war crimes, so that people who have suffered can see justice done and lessons will be learned. They referred to an investigation by the Sunday Times and Panorama which had exposed allegations of British soldiers' involvement in the murder of children and torture and killing of civilians in Iraq and Afghanistan. Full text of the letter at [www.redress.org](http://www.redress.org). To this end let us hope that Judge Hilliard's decision will indeed lead without further delay to the establishment of the desired inquiry.

### MI5's 'the third direction' policy is challenged

A coalition of human rights groups has challenged MI5's powers and legality in the partially secret policy, known as 'the third direction' which allows agents to become involved in criminal conduct. In a case before the Investigatory Powers Tribunal (IPT) Ben Jaffery QC

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said the policy in effect meant that MI5 was granting immunity to its agents. He said that the collusion between officials and agents inside terrorist organisations had led to grave abuses. For example police have recently recommended that more than 20 people, including senior officials should be prosecuted for murder, kidnap, torture and perverting the course of justice, following an investigation by Operation Kenova into the handling of agents inside the IRA during Northern Ireland's Troubles. Sir James Eadie QC, for the government and intelligence agencies, said that in none of the cases had MI5 breached any human rights.

The director of Reprieve commented "The government must make clear what limits – if any – they place on agents committing serious crimes like torture or murder". The outcome of the hearing has not yet been made available. ([www.theguardian.com/law](http://www.theguardian.com/law) 5/11)

### **Asylum seekers falsely imprisoned by the Home Office**

It is widely accepted that immigration detention can retraumatise torture victims, can exacerbate existing health issues and can cause severe harm and mental illness. Detention of torture victims is not allowed for this very reason. The recent decision by five supreme court judges that many asylum seekers who were locked up under rules pertaining between 1/1/14 and 25/3/17, pending being sent back to the first country in Europe in which they claimed asylum, were 'falsely imprisoned' by the Home Office, was widely welcomed. The judges had concluded that these people "were detained without lawful authority and their detention amounted to false imprisonment and they are entitled to damages". ([www.theguardian.com/uk/immigration](http://www.theguardian.com/uk/immigration) 27/11)

### **Q-CAT Business**

#### **Trustees**

Sue Jenkins has come to the end of her stint as a trustee and we are most grateful for her service. Central England have put forward the name of John Cockcroft to replace her and we are happy that John will be joining the team again.

We would like to find additional Trustees, whether or not from a Supporting Area Meeting. If you feel you might like to be considered for being involved in this way please contact our Convenor, Juliet Morton (details see page 1).

#### **Supporting Area Meetings**

We are delighted that North Wales, at their Area Meeting in November, agreed to become a Supporting Area Meeting. Would your Area Meeting consider doing so? Please contact Juliet Morton (as above) if you would like further details. One or two Trustees would be happy to come and talk at an Area Meeting or event about this.

### ***The Report***

This film, recently released with Adam Driver in the leading role, is about the US Senate researcher Daniel Jones and his struggle to publish his study of the CIA's post 9/11 use of "extreme interrogation techniques" such as waterboarding, impeded as he was at every stage by the CIA and the White House. Peter Bradshaw writes that "The film – a sober, downbeat, valuable docudrama – does a good job at showing how the right succeeded in framing the debate in terms of wussy-liberals-are-squeamish-but-torture-gets-answers. The point of Jones's report is that torture did not get answers."

([www.theguardian.com/law/torture](http://www.theguardian.com/law/torture) 14/11) Let us hope the message gets across, and reaches many people who had otherwise been led to believe that torture can be an effective method of getting reliable information. If you get a chance to see this film please write and tell us what you thought of it. We can put your comments in the next newsletter.

To receive newsletters and briefings by email contact: [from.qcat@hotmail.com](mailto:from.qcat@hotmail.com) and include your Local and Area Quaker Meetings if appropriate.

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The next Briefing is due out in mid-January and the next Newsletter at the beginning of March.