

Our vision is to end torture and complicity in torture, upholding our testimony to peace and equality and working towards healing through reconciliation.

Update by Chas Raws

A new inquiry begins

On 14th May came the announcement that allegations that British troops were responsible for a series of war crimes when deployed in Iraq between 2003 and 2008 were to be investigated. There is to be a preliminary examination by the International Criminal Court of an estimated 60 alleged cases of unlawful killing and claims that more than 170 Iraqis were mistreated while in military custody during the conflict.

This is the result of pressure from the European Centre for Constitutional and Human Rights, and from Public Interest Lawyers (which has represented many men and women who were detained in British custody and allegedly mistreated, including the family of Baha Mousa the Iraqi hotel receptionist tortured to death by British troops in 2003).

The process of a preliminary examination can take several years so the wheels will grind on slowly before any admission of liability can be expected.

Have they responded yet?

Two reports last year asked for response within a fixed time limit. That by the UN Committee against Torture (see Newsletter 14, November 2013) specified four key areas in which the UK Government had to show within 12 months it was making progress. The report of the Gibson Inquiry, published in December 2013 (see Newsletter No 15, February 2014) gave MI5 and MI6 one month to respond to the parliamentary Intelligence and Security Committee on 27 questions including those about the use of or knowledge of use of unacceptable techniques in the interrogation of terrorism suspects.

Those time periods have now passed and all has gone quiet. While we are unlikely to hear the results it is worth asking our MPs if the UK Government and MI5/MI6 have yet responded and if so what the response was, if only to show that people have not forgotten. If you receive an answer to a request for information please do let us know.

“That was then”. Dare we hope that “This is now”?
.....see over

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Extract from letter from Simon Hughes, Minister of State for Justice to a constituency MP, 4/14:

...The Government stands firmly against torture and cruel, inhuman or degrading treatment or punishment. We do not condone it, nor do we ask others to do it on our behalf. The UK is already a party to the United Nations Convention Against Torture, the International Covenant on Civil and Political Rights and the Council of Europe European Convention for the Prevention of Torture. Furthermore, the Government has published "Consolidated Guidance to Intelligence Officers and Service Personnel on the Detention and Interviewing of Detainees Overseas, and on the Passing and Receipt of Intelligence Relating to Detainees" so that we can be clear as possible about the standards under which the intelligence agencies and armed forces operate.

...I should add that torture is already a criminal offence in the United Kingdom under section 134 of the Criminal Justice Act 1988 and it carries a maximum penalty of life imprisonment.

...Article 3 of the European Convention for the Protection of Human Rights and Fundamental Freedoms provides that no one shall be subjected to torture, inhuman or degrading treatment or punishment. The Human Rights Act places a statutory obligation upon all public authorities to act compatibly with the Convention rights and strengthens a victim's ability to rely upon the Convention rights in civil and criminal proceedings. In the light of the above, I believe that the UK has robust mechanisms in place to prevent and punish torture and is a party to key international human rights instruments. The UK is also a major promoter of human rights, including preventing torture overseas...

United Nations International Day in support of Victims of Torture

This day has been marked each year on 26th June since 1998. Perhaps on the Sunday nearest (29th June) you might be able to bring the problem of torture to your Quaker meeting in some way. It would be a chance to remind people of Q-CAT's involvement on behalf of Britain Yearly Meeting and about the material available on our website www.q-cat.org.uk. The website of the International Day has some useful links to official documents and resolutions forbidding torture. Both Action by Christians Against Torture (ACAT-UK) and the International Federation of ACATs (FIACAT) encourage local groups of churches to organise an ecumenical vigil on this occasion.

Britain and Torture: 10 Questions to get us thinking

Jane Laxton

To start each of two recent workshops (one at Wrexham Christian Peace and Justice Group and one at Jt Area Meeting of Wirral and Chester with N. Wales) 10 questions were displayed round the room for people to consider before getting together for discussion.

What was your reaction when you first heard it suggested that the UK Government was complicit in torture? We use the word "torture" rather loosely in everyday speech. Do you know the internationally accepted definition? What are the purposes of torturing other people? Is torture legal?...effective?...ever justified? What do you think amounts to torture? (examples given) What effect do you think torture has on those who carry it out, those who give them the orders, and those who sanction it? If the Government is denying torture but research and investigation are uncovering involvement, how can you work out who is telling the truth? Why would the Government wish to cover up its action? Do you think religious bodies can have a particular outlook on this problem? Is there anything we can do about it?

In each case this prior reflection led on to a lively exchange of views and feedback was that these were productive sessions and useful both to those who had and to those who hadn't given the matter much previous thought. It is planned to hold a lunchtime meeting on these lines at Yearly Meeting Gathering. Do come if you can.

Some thoughts on torture

Juliet Morton

Torture is used around the world. On one level governments maintain that torture is a terrible thing and they point to the mandatory, international agreements that ban its use. And yet, the practice of torture is secretly condoned and implemented by these same governments.

What do civilians think?

An Amnesty International report notes that currently across the world many people fear becoming the victims of torture. In contrast to say, Mexico, fear of torture is fairly low in the UK, yet the fear is there for some. Alongside this people accept the fact that torture is used, on the orders of those who wield political power, not just by warring criminal groups. While a majority of people are against the use of torture, apparently a substantial proportion support governments which are prepared to use torture in certain circumstances.

Why do people accept the use of torture at all?

Familiarity?

Familiarity means we can come to accept that something happens, and assume 'that is just how it is'. Newspapers report the finding of bodies bearing the evidence of torture: politicians, opposition leaders, gang members, informers and others. Torture is often used in 'thrillers' to denote levels of violence and power. Films, TV serials and plays use it to 'turn the screw' on our emotions. Does this repeated depiction of man's brutality to another in these 'safe', 'theatrical' contexts mean we are becoming less sensitive to the actual despair and pain that is involved when torture is employed?

Do news items and films give a complete picture about torture?

Books, films, computer games and so on can only depict a limited range of circumstances, since they are 'telling a story'. This means they are a restricted 'snap shots' of a time and place in the service of the plot. When we watch these we are not introduced to the other elements that have to be organised, for torture to take place, with a Government complicit.

Surveillance

Surveillance systems are required to identify people who are defined as a 'risk' or 'potential risk' by a government. This would include 'planting' of secret police in civilian gatherings, general data gathering of people's movements and habits, and analysis of this. At this point you may be thinking of the Snowden revelations.

Who decides when someone is a 'potential risk'? Currently we are aware that in this country over the last 40 years peaceful protestors, who did not see eye to eye with the government of the time were infiltrated, provoked, and encouraged to break the law so that they could be prosecuted. Is this conducive to a civilised society?

Buildings and specialised personnel

Holding places are needed as a base for skilled interrogators, once a person has been detained. Lawyers are needed to ensure the 'legality' of such proceedings since to detain someone who is only suspected of 'potentially' being about to act in an illegal way runs counter to basic beliefs of justice. Personnel

trained in psychological techniques are needed to find an individual's weak points so that pressure can be exerted where they have least mental and physical resistance. Doctors are required to certify the person can continue to survive during interrogation.

These systems in themselves seriously strain civil security and social order. Professions that must necessarily be independent of politics, such as the military, police, lawyers and doctors, are undermined by systems that involve surveillance, secrecy, and torture. Their independence is corrupted by the system and by being harnessed to a single power structure. This endangers the security of all citizens. Justice is lost when information gained under torture is accepted in law. The acts of torture are kept secret, this prevents transparent and accountable governance.

Of course, felt familiarity might not be nudging people's perception of torture as an acceptable 'technique' in some circumstances. The limited depiction by the 'news' and the 'arts' might not be encouraging a sublime confidence in the effectiveness of the 'technique' for extracting valid and usable information. It may not encourage confidence in governments' concern for the security of those they govern. But it might.

Does torture 'protect the public'?

It would appear that almost half the world's people believe that torture is acceptable in some circumstances. But what circumstances? When it 'protects the public'? There are some big assumptions here. The first is that data extracted from people being tortured will yield useful, valid information. There is a belief that snippets from one tortured soul can be fitted alongside snippets gained from another, and eventually, like a jigsaw, a picture will emerge. Pictures do emerge, but since analysts cannot tell which are lies, truth, or imaginings forced from a tortured mind, they cannot tell if the 'patterns' they find mean anything. You may have read in an earlier Q-CAT newsletter how under extreme duress people come to believe they have been to places and done things that were impossible for them to do. Torture is not an effective method for preventing a 'ticking bomb', for this reason. Time and again it is shown that torture is not an effective way to gain trustworthy data.

How is the public 'protected' within European countries? The European Convention on Human Rights says that citizens are entitled to private lives within the boundaries of accepted laws. They are bound by expectations and duties throughout their lives, are entitled to hold differing views about governmental and local powers, and can influence these through the ballot box. An international system has also evolved regulating aspects of civil life. What does the illegal use of torture protect us from, that these inter-state systems don't cover?

If torture does not protect why is it used?

So why do governments render people for torture? To demonstrate overwhelming power? To punish? To frighten or silence opposition? To reduce recruitment to protesting groups? It may exert all these effects to an extent, but there is also much that arises from its use that is counterproductive. The legitimacy of a government is reduced, since it is acting illegally, and its moral standing is destroyed. The use of torture has often increased resistance against a government, and its effects on a person have provoked revulsion in others not previously engaged, so that they join the opposition. That, hand in hand with the undermining of the fabric of the state, mentioned above,

seems to be a recipe for unrest. Unrest may lead to more heavy handed control and increasing authoritarianism. No protecting of the public there.

Who is secure if people holding a different view are dealt with in this way? How can we know that we will not become categorised as a 'risk' due to our views that run counter to a government? Can we really trust a government that is complicit in this sort of thing and then lies about having been involved?

What counts as torture?

There were accounts in the press on May 14th 2014 of 'repulsive scenes' at an interrogation centre in Iraq where British troops were ordered to kick the blindfolded detainees, strike them with rifle butts and force them round obstacle courses. There is evidence of at least one person being kicked to death, and men with their thumbs tied together and hooded.

When does duress become torture?

Military training manuals have categories of 'softening up' methods, and some of greater duress. Simplistically one might make a division between physical and mental torture, although they go hand in hand. Physical torture includes, for example, branding, electric shocks, water-boarding, hanging off the ground by back hooks, feet beating, being raped by dogs.

Mental torture deals in anticipation, exploiting fears of one's important relationships, endless loud noise of offensive songs, prolonged exhausting positions, continued stress, un-predictable changes of place, routine. Taken on their own some of these might sound almost innocuous, but consider them in the context of detention: you are detained by a group of people whom you oppose and you cannot trust.

Do you ever recall as a small child, playing with someone you did not quite trust? Maybe going on a see-saw with them and not being sure they were not going to play a trick on you, such as jumping off so your end of the see-saw jarringly hits the ground? Trust and fair-play allow slightly perilous occasions to be negotiated. Without trust something quite mild can convey predictions of horrors to come. When one is detained and has no way of judging how one might achieve release, or where one is, or how long one might be there, or what rules your captors go by, then there can be no

trust, and hope may feel very unrealistic. Your stress will rocket.

Anticipation and memory are almost worse than living through a terrible present. Which is why there are reports of soldiers coping during the carnage of battle, but later, when they are back in civilian life, suddenly they find themselves facing terrifying flashbacks, dreams that appear all too real. Similarly, the tortured face unbridled horrors if they survive it.

A crisis of morality?

Many soldiers, having returned from their duties abroad, are now suffering extremes of distress that have led to them being classified as having severe mental health problems. Government statistics also show a very high number of ex-military personnel are now in prison, having found the transition to civilian life hard to negotiate. Why do we accept the idea that it is acceptable to allow young people to 'serve their country' in this way, knowing that many will become so deeply wounded for the sake of 'our security'?

In parallel with this it is known that torture harms the doer as well as the person harmed, before, during and after the intense times they are together. Both the tortured and the torturer are irreversibly changed, suffering deep spiritual wounds that may never heal.

If the use of torture really gave us 'security', even then, could we accept having a 'security' that relies on the deep wounds of others? Might this acceptance of such a terrible pact, our very questionable 'security' for their unquestioned 'hell', be a reflection of a deep, deep crisis at the central core of our civilisation?

Quaker writings assert that there is something divine within us all, and throughout creation, and that all life is sacred. To mistreat one is to mistreat the divine in that person. Does the increased acceptance that in some circumstances torture is acceptable to 'protect the public' signify that our civilisation puts less value, or no longer recognises, this side, the spiritual side, of our human nature? Does it mean that the comforting belief of temporary 'security' trumps international law, values relating to liberty and belief in the sacred? Hopefully not. But our refusal to accept the use of torture has to become not just our refusal, but that of many more people, so that a sea-change occurs in this country.

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