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Freedom from Torture
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The Home Secretary
The Home Office
2 Marsham Street
Westminster
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Dear Home Secretary,

We are writing to express our dissatisfaction at the lack of scrutiny being afforded to the development of a revised torture definition, which will be used to identify torture survivors and prevent them from being detained, as part of the Home Office's Adults at Risk policy.

A recent High Court judgment ruled that the definition of torture that was being used in the Home Office's Adults at Risk policy was unlawful and was resulting in the unlawful detention of survivors.

As you are aware, immigration detention is hugely damaging for people who've survived torture: it causes or worsens anxiety, depression, post-traumatic stress, suicidal thoughts and self-harm. If the Home Office gets this definition wrong, vulnerable people could be wrongly detained, at huge detriment to their wellbeing. It is vital that the Home Office gets the torture definition right this time.

Home Office officials have now drafted a new torture definition, but have disclosed it only to a select group of interested organisations in advance. They have not opened it up or allowed time for wider consultation, or waited for the benefit of the findings of Stephen Shaw's independent review of the welfare in detention of vulnerable individuals. This is unacceptable.

We fear that, in the absence of comprehensive consultation with experts in international law and clinical practice, the new torture definition will not protect survivors. You will surely agree that everything possible must be done to ensure no torture survivor is detained simply for immigration purposes.

We call on you to halt the current process, wait for the Shaw review to report, and consult widely on the redrafted torture definition as part of a more comprehensive update of the relevant policy and guidance.

Yours sincerely,

Sonya Sceats
CEO – Freedom from Torture