



UK to deport Afghan torture survivor on Christmas Day

Home Office decision to forcibly remove man it accepts was tortured shows 'complete lack of humanity', lawyer says

Diane Taylor

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A 39-year-old Afghan survivor of torture is to be forcibly removed from the UK and returned to his home country on Christmas Day, in what is thought to be the first case of its kind.

Lawyers for the man, an asylum seeker accepted by the Home Office to be a torture survivor, have mounted a last-minute legal challenge to try to prevent him from being deported.

The man has lived in the UK for almost 11 years, but is due to be on board a Turkish Airlines flight to [Afghanistan](#) via Istanbul at 4.25pm on 25 December.

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His solicitor, Jamie Bell of Duncan Lewis, lodged a judicial review in the upper tribunal of the immigration and asylum chamber on Friday.

The man was detained at Brook House immigration removal centre near Gatwick airport on 4 October 2017. The G4S-run centre was recently the subject of a BBC Panorama exposé, which [highlighted alleged abuse of detainees](#) by guards. G4S has launched an investigation into the programme's findings.

During the asylum seeker's detention, a rule 35 assessment was carried out to ascertain whether he was a survivor of torture or had some other vulnerability. He told the assessing doctor that he had been tortured and detained in Afghanistan.

The man described being hit with sticks and whips, predominantly on his legs, and being scarred by hot metal on his left knee, ankle and right arm. He also said he had been beaten and hung up. The man said he found it difficult to be locked up

in detention as it reminded him of the torture he had experienced.

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The doctor who assessed him in the detention centre said he had many scars consistent with the forms of torture he had described. The Home Office accepted the report and considered him to be an adult at risk, but said it planned to remove him from the UK quickly so he would not have to spend an extended period of time in detention.

Bell argues that the man's life will be in danger if he is returned to his home province of Laghman, which is very unstable, or to Afghanistan's capital Kabul, where the security situation is deteriorating. He said his client's vulnerability as a survivor of torture made it too dangerous to deport him.

He also said the man was at further risk of being targeted by anti-government elements in Afghanistan because he was westernised as a result of being in the UK for almost 11 years. Home Office guidance acknowledges that there is a significant problem throughout Afghanistan with anti-government elements, including the Taliban.

"It is deeply concerning and yet sadly unsurprising that the Home Office is planning to remove my client on Christmas Day," Bell said. "This symbolises the complete lack of humanity in the government's approach to refugees.

"The Home Office has taken Christmas, a time for compassion, as an opportunity to remove someone to a war zone, thinking it would be difficult to challenge them. They are wrong, on every level."

A spokesman for the Home Office said it does not comment on individual cases.

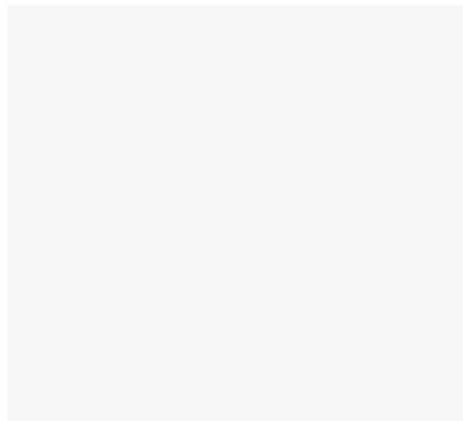
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