

WRITTEN EVIDENCE SUBMITTED BY BRING BRITISH FAMILIES HOME
(DAE003)

I. Introduction

Bring British Families Home (BBFH) is a collective of British families who have relatives unlawfully and indefinitely detained in North East Syria (NES). The collective includes doctors, pharmacists, students, civil servants, security experts, IT professionals, entrepreneurs, youth workers, and individuals who have been repatriated from NES by the British Government.

BBFH provides this submission as written evidence to the Joint Committee on Human Rights inquiry into accountability for Daesh crimes.

The submission provides evidence on how current United Kingdom (UK) Government policy on detentions in NES serves as a barrier to accountability for crimes committed by the so-called Islamic State (ISIS). In particular, the family members focus on two issues:

- Impunity for ISIS trafficking of British nationals from the UK to Syria and Iraq;
- How UK Government policy prevents accountability.

The information contained in this submission was provided to Reprieve through interviews with BBFH family members. Due to the sensitive nature of the subject matter, the continuing insecurity faced by their family members in NES, and the harm the families continue to suffer as a result of their experiences, they have chosen to contribute this information anonymously (pseudonyms are used throughout).

II. Impunity for ISIS trafficking of British nationals in the UK

In evidence to this inquiry, the Government has acknowledged that some British nationals who were detained in NES may have been victims of trafficking.¹

Despite this, the experiences of those affected by ISIS trafficking, as understood through testimony from the BBFH family members, suggests that the government failed to treat this as a situation of trafficking, and continues to fail to do so to this day. The BBFH families report that the authorities responded inadequately to the threat posed by ISIS traffickers: missing key signals and opportunities to prevent trafficking, failing to subsequently investigate, and alienating rather than cooperating with family members.

i. Failure to prevent ISIS trafficking

Stella and Jane were girls under the age of 18 when they travelled to Syria from the UK. Both were known to law enforcement before their travel, but authorities did not tell their parents of the dangers to their children. Both were trafficked to ISIS, faced years of sexual exploitation and abuse, and remain in a detention camp in NES.

As her family member described, Jane had a friend who travelled to Syria weeks before she did. Although the police interviewed Jane and her friends at school, they did not alert her parents to what was going on. The family cannot understand why the police never directly contacted them, despite

¹ Alex Chalk KC MP, Lord Chancellor and Secretary of State at Ministry of Justice, *Joint Committee on Human Rights Uncorrected oral evidence: Ministerial scrutiny: Human rights*, HC 182, Wednesday 13 December 2023,

weeks passing between Jane's friend's departure and Jane's own travel. Jane travelled on the passport of a relative, and the family are incredulous that this escaped the attention of border authorities.

Some months before she left the UK for Syria, Stella was questioned by the police in relation to a friend who had run away. The family member who was with her was told to watch Stella, but was given no further details; she assumed it was a typical teenage runaway case, rather than something far more serious. Family members now agonise over whether the case related to Syria and if, had the police been more forthcoming, they could have saved Stella.

Subsequently, Stella was stopped at an airport trying to leave the UK with an adult who was not related to her. Border authorities – based on information still not known to the family – stopped them and refused to let them board but, like Jane, did not inform Stella's family. Her family member remarked that she *"would have thought that the police would take their passport and call their mum."* The next day, Stella left the UK by bus with the same adult. Her family member said, *"if you knew she was a child, and you had enough to take her phone, why did you not contact the family?"*

Sara, the sister of a young mother now detained in Syria, recalls that her sister was in a violent, abusive relationship for years before she left the UK. Sara later learned that the violence her sister and her children were experiencing was known to social services but they did not intervene and, in her view, *"failed her"*. Sara is angry about how her family was subsequently investigated by police after the authorities failed to take action to safeguard her sister both from domestic abuse and then trafficking: *"they scrutinise us and talk about what we do but they didn't do anything. They could see that she ... couldn't get away from him."* The family now believe that her sister met someone online who claimed to be able to help her to escape.

Another family reports how their loved one, now detained in NES, met a man on a dating website. The man was abusive and, it later emerged, trafficked a number of women to Syria. The family question why more wasn't done to protect their relative, who was very vulnerable.

In many cases, family members immediately alerted the police when they discovered their relatives had gone missing. However, many families now feel that the authorities failed to take steps to locate them or to prevent their entry into Syria. The former head of the Metropolitan Police's Counter-terrorism Command has described how locating individuals on their way to Syria, for example in Turkey, was crucial to ensuring a *"good possibility of being able to bring them home to their families"*.²

Pippa is the sister of a young girl who was trafficked to Syria. As soon as she went missing, the family alerted the police, who only later informed the family that they believed her sister was in Turkey. Pippa now believes that the police must have been immediately aware of where her sister was going as her friend had travelled to Syria several weeks before, unbeknownst to the family. Pippa's family then wanted to reach out to the Embassy in Turkey but were told not to by the police because this was already being done.

However, Pippa later learned that the UK government representative in Turkey, who should have been trying to locate her sister, was on leave during the period her sister was in transit, and no one else was covering for him. She now regrets trusting the police and says that, once the police got the information they wanted from the family, they *"washed their hands"* of them.

ii. Failure to secure accountability for ISIS trafficking operations

BBFH family members whose relatives may have been trafficked out of the UK by ISIS note that the Government has not pursued accountability for trafficking operations conducted in the UK; rather, in many cases, it appears to have pursued a policy of punishing potential victims.

² BBC News, *Three UK schoolgirls 'travelling to Syria'*, 20 February 2015, available at: <https://www.bbc.co.uk/news/uk-31554844>.

Lucy was taken from the UK to Syria when she was 12 years old, and was married at 14. She was transported with other family members, and describes how her family were crying and suffering panic attacks during the journey. Once they arrived in Syria, she said there was no way to exit ISIS territory: if you tried to say you wanted to leave, *"they would come and take you to a place and interrogate you."*

Despite the disturbing nature of Lucy's story, she reports that the UK authorities had little interest in hearing from her. She was visited only once by intelligence services, no other government official ever came to meet her. Even though Lucy was taken to Syria against her will, she said the UK did not want to know *"how she had coped and how she was doing... [they] did not seem interested in seeing how [she] was."* Lucy noted that her family members have never been given the chance to tell their story or defend themselves either.

This approach contrasts with that of other nations; Lucy said nearly every other Government had sent people to assess how their nationals were and what had happened to them. Her story reveals a concerning lack of interest about the experiences of trafficking victims.

Stella's cousin described psychological effects of being let down by the authorities, who were meant to protect her young relative:

"I felt I only could turn to the police at that time. But they let me down. I was interrogated as if I was a suspect, and once they had decided I wasn't, they didn't really want anything to do with me. It became really difficult to get in touch with them.... my cousin's situation, and the way the authorities failed to stop it and how they have acted since, have devastated my family. I developed severe anxiety, where sometimes I just can't stop shaking...Every time I see the police in the street now, I panic and start shaking."

The authorities' response has led to a sense of betrayal amongst family members. Sara has said that she:

"felt really betrayed and [she] felt confused as to why her country had abandoned her. I've now lost faith in the people who are supposed to help and protect us."

Pippa concurred:

"As a family, we feel really betrayed by the Government. We thought the police were there to help us, so we put all our hopes on getting my sister back on co-operating with them. I defended the Community Liaison Officer to my family, before I found out he had known about the risk to my sister before she left and hadn't told us."

John, whose relatives are detained in NES, also felt the Government had turned against the victims rather than providing accountability for what had happened to them. He stated:

"Normally, it is western governments that talk about human rights and trafficking, and those countries take these issues really seriously. However, when it is my family who have been abused and trafficked, they have decided not even to investigate their cases. They are considered guilty just for being in Syria."

John pleaded with the Government: *"take responsibility for my family. The Government should take its people home to investigate what happened to them. I need to see my family soon, to make sure they are safe."*

John is especially frustrated that the British government has met with his family member in a detention camp in NES but did not take any further steps on the case, as far as he is aware. He felt that this should have been enough for the Government to act: *"intelligence services met with them and had access to the camps. They could have realised they were victims and could have brought them back. They didn't charge them with any crime."*

III. UK Government policy prevents accountability

The BBFH family members report that the Government has left their loved ones in a legal black hole. Rather than conducting repatriations and referring their families' cases to the judicial system, if needed, they feel the Government's policy has simply been to abandon them in unsafe and deteriorating detention facilities, where they will remain indefinitely with no chance to defend themselves in a fair trial.

i. Policy of abandonment denies family members' loved ones fair trials and opportunity to prove innocence

Many family members reported that they can understand why the Government may want to investigate the cases of their family members detained in NES but cannot understand how the Government could leave them in detention without charge or trial. As Nabil explained:

"I understand we have laws, and that where there is evidence of crimes people should be prosecuted in a courtroom. If that happened with my brother, I would accept that. At least then I would know he was safe and being fed. I would know he has a chance to make his case. But the British government won't take responsibility for him. I would like MPs and Lords to ask: if Britain is such a strong country, why can't it bring its citizens home and give them a fair hearing?"

Other family members echoed this sentiment. Specifically, the family members felt that their loved ones have been denied the chance to prove their innocence in a court of law; instead, the Government has a blanket policy of assuming their guilt and refusing to repatriate them, without any recourse to the criminal justice system.

John, for instance, said: *"usually people are innocent until proven guilty but it seems that everyone in this situation is guilty and we have to be the ones to prove them innocent."* Like Nabil, John understands that the Government may need to prosecute some people, but notes that *"the majority of people [in the detention camps] are victims who need a lot of support."* Without referring the cases to the courts, the Government has not given those detained in NES an opportunity to prove either their innocence or their status as victims.

Lucy similarly cannot understand why the Government has not given people fair trials so justice can be done. She *"understand[s] there are a lot of people there who should be imprisoned, but there are lots who are innocent and have been trafficked... their voices have not been heard, but the Government has put them all in the same group and given them a death sentence effectively."*

This form of collective punishment extends to the children of people who have been detained. Lucy reported that the violent and unsafe conditions in the detention facilities have traumatised her young son. Her son can remember being shouted and sworn at by soldiers with guns and he is very afraid of being separated from her. Lucy said she worries about how these experiences will affect all of the children who remain detained.

As a result of the Government's policy of abandoning its nationals, some of the families do not even know whether their relatives are alive or dead.

Arnold is a British father, whose two children were studying abroad when approached by "activists" at their university. The activists told them of the humanitarian disaster in Syria, and arranged a "humanitarian trip" for Arnold's children. The family feel that this was a "trap" set by ISIS and, once in Syria, his children were prevented from leaving. Arnold had limited contact with his children but they were able to tell him that they were trying to leave; they were captured when they finally managed to escape. Arnold has not heard from his children since that time. The Government responded by depriving both of Arnold's children of their citizenship.

Elaine's son travelled to Syria around ten years ago. She lost contact with him, as he was captured and imprisoned in NES. In 2021, she was informed by the family member of another detainee with access to a phone that her son had died in a prison. He had never been on trial nor prosecuted for an offence. Elaine is still waiting for official confirmation of her son's death; she has asked Government departments repeatedly to conduct a welfare check and confirm whether her son is still alive. As yet, the UK Government has not substantively replied to these requests.

In both examples, Elaine and Arnold are in the dark about what the Government alleges their children did, if anything. Their children have not been allowed access to lawyers and have not been able to make the case for their innocence in the criminal justice system. Their fate is arbitrary, with no closure nor accountability through the judicial process. Lucy feels that the UK will eventually have to admit its policy of abandonment had failed, but asked "*how many lives would it take before we do?*"

ii. Citizenship deprivations as punishment without process

In addition to the policy of abandoning and refusing to repatriate British nationals detained in NES, the Government has turned citizenship deprivations into a punitive tool, which in effect convicts people without the due process guaranteed by the criminal justice system. The UK has neither provided any evidence to substantiate any claims of wrongdoing, nor provided detainees the chance to prove their innocence. The practice compounds the overriding failure to bring British nationals back and give them a fair trial.

Most family members' loved ones in detention have been deprived of their British citizenship. Many describe feeling that the decision was sprung on them, despite cooperation with authorities, and that they have been put through an opaque and arbitrary process.

Pippa's family, for instance, described how they were given assurances from the Metropolitan Police that legal action would only be taken against individuals suspected of committing a crime, and that those who had travelled to Syria as children would be tried as children. Pippa was then shocked to hear that her sister had been deprived of citizenship, without having been accused of committing a crime, and without explaining the decision to the family who had been cooperative with authorities throughout. Pippa herself thought that the decision to strip her sister of citizenship was motivated by negative media coverage since the Government took this action only after media reporting on her sister's case.

Sara described feeling angry by the secretive, summary process by which her sister was deprived of citizenship:

"In December 2019 they told us they were taking away [my sister's] citizenship ... They had deprived her in November and only told us a month later in December. You only get a

month to appeal...They put the citizenship deprivation decision in a drawer and then told me a month late knowing that time was an issue. I felt like it was a game they were playing with people's lives."

Sara's family then had to engage in lengthy litigation to demonstrate that the Government had illegally stripped her sister of her citizenship. She recounted the toll this took on her, and the isolation she felt, having to pursue the case:

"I can cope with it but with [mum], we couldn't tell her, she wouldn't have understood it – we told mum when [my sister] got her citizenship back and it had been dealt with – that took two years.... None of my friends knew during the process, my partner didn't know. I had to give evidence and I had to attend court sessions. The day we got her citizenship back we couldn't celebrate it. It was a silent win and I couldn't tell anyone."

Like many other family members, Nabil said that the situation has led him to conclude that there is a "two-tiered system": *"I think you can be a British citizen and retain your religious beliefs...but the authorities act like this isn't true."* Pippa said that her family feels like they have to "prove" that they aren't extremists.

Lucy agreed, noting the injustice of the system: *"they have stripped my family of citizenship... it is... almost racism because they are born in this country."* She said her family, as British citizens, should be able to *"have a fair trial and get their story on the table."* She wonders if the UK's policy is actually just to *"get rid"* of people like her family.

Family members have noted the injustice of depriving people of their citizenship when the state failed to safeguard them from grooming and exploitation by ISIS. The family member of a young girl who travelled to Syria as a child asked, *"How could you wash your hands of her when you had every opportunity to stop her from going?"*

IV. Conclusion

The evidence submitted by the BBFH family members reveals a disturbing picture about the UK's pursuit of accountability for ISIS crimes.

The Government failed to prevent their family members from ISIS' sophisticated trafficking operations in the UK. They then had to endure the Government abandoning the trafficking victims, rather than seeking accountability for the crimes committed against them and remedying the harm by repatriating them.

Now, the family members report that their loved ones are detained in a legal black hole, in unsafe and deteriorating conditions, where they are at risk of death, disease, and re-trafficking. They have never received a fair trial. Until the Government decides to repatriate them, the families fear they will continue to be detained, at great risk to their lives, outside the legal process.

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