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The UK regrets torture and compensates Kenyan victims after more than 50 years

6 June 2013, London – Following four years of legal battle and faced with irrefutable evidence, the UK government has finally acknowledged for the first time today the torture and ill-treatment inflicted by the colonial administration upon thousands of prisoners during the Kenya Emergency (1952-1960).

In 2009, a group of elderly Kenyan victims of torture filed a claim against the British Government, which up until now the UK has strenuously resisted. REDRESS intervened in the case and made written and oral submissions to the High Court on the issue of whether the claim was time-barred.

Today's settlement includes a compensation payment of £19.9m to more than 5,000 survivors as well as UK funding of a memorial in Nairobi to Kenyan victims of colonial torture. Foreign Secretary William Hague expressed in Parliament his "sincere regret" but stopped short of issuing an apology. At the same time he reiterated that the British government does not consider itself liable for acts committed under colonial rule and stressed that it will not consider the settlement a precedent in other cases.

"REDRESS welcomes the fact that these elderly survivors will at last receive some compensation and the public recognition that they had sought. It brings justice to victims and breaks the silence and denial that has surrounded their suffering for decades," said Dadimos Haile, Interim Director of REDRESS.

"Although Mr Hague sought to limit the issue to what happened in Kenya, it is important for the UK government to fully address the legacy of colonial abuses wherever they were committed," added Haile. "This includes taking immediate steps to make publicly available all records about abuses committed in all former British territories and to cooperate with any interested parties, including survivors' organisations. Where sufficient evidence is available, the UK should provide adequate reparation to the victims, which should also comprise a full apology," he said.

In October 2012, the High Court rejected the Government's argument that the survivors' claims were time-barred under English law. With the revelation of a vast secret archive, the judge found that a fair trial was possible, stating that "The documentation is voluminous (...) and the governments and military commanders seem to have been meticulous record keepers." The claimants were part of a larger community of elderly Kenyans who were imprisoned during the Kenya Emergency in the 1950s.

The victims were represented by Leigh Day & Co. REDRESS instructed leading silk Elizabeth-Anne Gumbel QC to draft its submission and present oral arguments in the case *Mutua and Others v. The Foreign and Commonwealth Office*.

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Note: REDRESS was founded by a British torture survivor in 1992. Since then, it has consistently fought for the rights of torture survivors and their families in the UK and abroad. REDRESS takes legal challenges on behalf of survivors, works to ensure that torturers are punished and that survivors and their families obtain remedies for their suffering. REDRESS has intervened in a range of leading torture cases.