

Debate Pack

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The imprisonment of Jagtar Singh Johal

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1

Timeline

Jagtar Singh Johal is a British citizen of the Sikh faith, from Dumbarton in Scotland. This timeline details his arrest and the subsequent developments in the case.

- 4 November 2017: Mr Johal is arrested by 15 men in Rama Mandi, Jalandhar. His [lawyer claims that Mr Johal was then subjected to "physical torture"](#). He alleges that he was [made to sign blank documents and film video confessions](#). Mr Johal is allegedly not allowed access to legal counsel, family members or British High Council representatives until 14 November 2017.
- 5 November 2017: Mr Johal appears before a duty magistrate in Bagha Purana.
- 14 November 2017: Mr Johal is permitted access to legal counsel. His lawyer files a request for an independent medical examination. The Government of India have stated that Mr Johal was regularly examined by medical professionals.
- 7 December 2017: local news organisations air footage of Mr Johal's alleged confession.
- May 2019: the Punjab Police and the National Intelligence Agency (NIA) file charge sheets in the ten cases against Mr Johal. He is transferred to Tihar prison on 25 May 2019.
- July 2019: charges are dropped against Mr Johal in one of the cases against him.
- 7 January 2021: Mr Johal is arrested in a new case by the Delhi Police.
- 4 May 2022: the [United Nations Human Rights Council Working Group on Arbitrary Detention's Opinion on Mr Johal's case is released](#). The Opinion states that Mr Johal has been arbitrarily detained and should be immediately released.
- 22 August 2022: [it is alleged that MI5 and MI6 transferred information to Indian authorities that led to Mr Johal's arrest](#). Mr Johal begins legal action against the UK Government.

The Government of India denies the allegations of physical and mental torture as "baseless and false".¹ Mr Johal has yet to face trial.

¹ UN Human Rights Council: Working Group on Arbitrary Detention, [Opinion No. 80/2021 concerning Jagtar Singh Johal \(India\)](#) (PDF), p.8

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The charges against Mr Johal and his alleged mistreatment

Currently, Mr Johal faces ten charges. Primarily, these are linked to an NIA, the counter-terrorism taskforce of India, investigation into a series of alleged targeted killing cases that took place in Punjab between January 2016 and October 2017. It is alleged that these offences were part of a conspiracy created by the Khalistan Liberation Front (KLF), an organisation of which the NIA alleges Mr Johal was a member. KLF was described in the court documents as a “terrorist gang”.²

The alleged offences were committed against right wing political and religious leaders and were allegedly designed to “instil terror in the minds of public in general and the members of a specific community”.³ According to the NIA, Mr Johal, alongside other individuals, allegedly played a role in “identifying the targets” and “the shooters” for the series of offenses. Further to this, Mr Johal is accused of providing £3,000 for the alleged organisation of “a terrorist camp”.

Allegations of mistreatment

Shortly after his arrest in 2017, [Mr Johal’s lawyer alleged that he had been subjected to “physical torture”, including electrical shocks.](#)⁴ [In response to the BBC’s questions, asked through his lawyer in January 2021, Mr Johal stated that](#) “he was physically tortured into signing a blank confession and forced to record a video which was broadcast on Indian TV.”⁵

The BBC was unable to independently verify these claims. However, the United Nation’s Working Group on Arbitrary Detention’s May 2022 report, covered in further detail in section four of this pack, supported these allegations.

The Indian authorities deny these accusations. The British Government has raised Mr Johal’s “allegations of torture and mistreatment and his right to a fair trial” with the Government of India.⁶

According to the UN Human Rights Council Working Group on Arbitrary Detention, the Government of India has not denied the accusation that Mr

² The Scotsman, [Scottish Sikh man charged with murder plot five years after he was arrested in India](#), 27 July 2022

³ Indian Express, [Targeted Killing Cases: 5 years on, British national Jaggi Johal languishes in jail; trial yet to begin](#), 4 November 2022; BBC News, [Jagtar Singh Johal: British man 'tortured to sign blank confession' in India](#), 28 January 2021

⁴ BBC News, [‘Extreme action’ vowed in Scot held in India has been tortured](#), 21 November 2017

⁵ BBC News, [Jagtar Singh Johal: British man 'tortured to sign blank confession' in India](#), 28 January 2021

⁶ [PQ 39958 \[on Jagtar Singh Johal\], 19 July 2022](#)

Johal was held incommunicado from 4 November 2017 until 14 November 2017.⁷

⁷ UN Human Rights Council: [Working Group on Arbitrary Detention, Opinion No. 80/2021 concerning Jagtar Singh Johal \(India\)](#) (PDF), p.10

3

Unlawful Activities (Prevention) Act 1967

The charges that have been brought against Mr Johal by the NIA fall under India's primary piece of federal anti-terrorism legislation: [the Unlawful Activities \(Prevention\) Act 1967](#) (UAPA). Originally, the Act solely contained provisions that covered the designation of associations (ie organisations or groups) as unlawful. Subsequent amendments (2004, 2008, 2012 and 2019) introduced and then strengthened its anti-terrorism provisions.⁸

Concerns with UAPA

The UN and human rights groups have raised concerns about UAPA.⁹ Broadly, these responses are linked to two potential areas of incompatibility with international human rights law:

1. The use of a definition of terrorism [that does not conform to Article 15 of the International Covenant on Civil and Political Rights](#). That is, be "precise and foreseeable".¹⁰ [A 2008 Human Rights Watch report](#) and a 2020 letter from multiple UN Special Rapporteurs to the Government of India expressed concerns about UAPA's definition of terrorism. The definition in UAPA encompasses potential or likely terrorism as well as terrorist acts. Therefore, these organisations allege that it does not reach the Article 15 threshold and, according to the UN's 2020 letter, could lead to "potential discrimination against religious and other minorities as well as and human rights defenders".¹¹
2. The potential for prolonged detention. Under UAPA, suspects can be detained without trial for up to 180 days. UAPA's terrorism offenses articles make the provision of bail unlikely in this period. The UN's 2020 analysis of this concluded: "The Act thus allows for persons to be arbitrarily detained for prolonged periods, who may ultimately be found to be innocent."¹²

⁸ The Times of India, [How amendments to UAPA will give more teeth to anti-terror law](#), 24 July 2019; The Wire, [Fifty Years of Unreasonable Restrictions Under the Unlawful Activities Act](#), 9 March 2017

⁹ Un Special Rapporteurs, [Letter to the Government of India](#) (PDF), 6 May 2020; Human Rights Watch, [Back to the Future: India's 2008 Counterterrorism Laws](#), 28 July 2010; People's Union for Civil Liberties, [UAPA: Criminalising Dissent and State Terror. Study of UAPA Abuse in India, 2009-2022](#) (PDF), 28 September 2022

¹⁰ UN, [International Covenant on Civil and Political Rights](#), 16 December 1966, Article 15

¹¹ UN Special Rapporteurs, [Letter to the Government of India](#) (PDF), 6 May 2020, p.8. See also: Human Rights Watch, [Back to the Future: India's 2008 Counterterrorism Laws](#), 28 July 2010

¹² As above, p.10

Government responses

In December 2021, India’s Ministry of External Affairs spokesperson described a statement on UAPA from the Office of the United Nations High Commissioner for Human Rights as “baseless and unfounded allegations”.¹³

The UK Government has not commented directly on UAPA.

¹³ The Hindustan Times, [India slams UN agency for ‘baseless’ allegations against security forces, defends UAPA](#), 2 December 2021

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Sikhs in India

Prior to his arrest, Mr Johal was an online activist and contributed to a magazine and website documenting the potential persecution of the Sikh religious minority in India. Mr. Johal's activities consisted in translating into English the stories of Sikhs who had allegedly faced persecution in India. Some stakeholders have suggested that Mr Johal's arrest was linked to these activities.¹⁴

Overview of religious rights

India is a multi-faith democracy, with a majority Hindu population. According to [2011 census data](#), 79.80% of the population of India is Hindu, 14.23% Muslim, 2.30% Christian, 1.72% Sikh, 0.70% Buddhist, and 0.37% Jain.

India's [constitution](#) defines the nation as secular and protects freedom of religion or belief. However, there are concerns that religious minorities and other minority groups are suffering from persecution and discrimination, and that conditions have [deteriorated](#) in recent years.

Human rights groups have criticised the Government, which has been led by the Bharatiya Janata Party (BJP) since 2014, for not doing enough to protect minorities. Human Rights Watch, in its [2019 report on India](#) claimed that “the government failed to properly enforce Supreme Court directives to prevent and investigate mob attacks, often led by BJP supporters, on religious minorities and other vulnerable communities”.¹⁵

Indian Prime Minister, Narendra Modi, who has led the BJP Government since it came to power, has defended its record on religious freedom. Mr Modi in an address to the US Congress in 2016, [said](#):

For my government, the Constitution is its real holy book. And, in that holy book, freedom of faith, speech and franchise, and equality of all citizens, regardless of background, are enshrined as fundamental rights.¹⁶

Current situation for Sikhs

The [United States Commission on International Religious Freedom](#) (USCIRF) an independent U.S. federal government commission that reports on religious freedom, briefly mention Sikhs in [their most recent report on India](#) (PDF).

Their report looking at the events of 2021, mentions the Indian Government's actions against protestors opposed to their farming reforms (which the

¹⁴ Reprieve, [Free Jagtar Singh Johal: Latest News and Everything You Need to Know](#), 2 September 2022

¹⁵ Human Rights Watch, [India: Events of 2019](#), accessed 27 June 2022.

¹⁶ Economic Times, [Freedom of speech and religion enshrined in constitution: PM Modi](#), 8 June 2016.

Government have now dropped), of whom Sikhs made up a notable proportion:

In 2021, mass protests continued against farm laws enacted in September 2020. Despite the widespread and diverse nature of the protests, efforts—including by government officials—were still made to discredit the protesters, especially Sikh protesters, as terrorists and religiously motivated separatists. The government repealed the farm laws in November 2021.¹⁷

Human Rights Watch, also mentioned the protests in their annual report on human rights in India, saying the protestors, “many of them from the minority Sikh community[...] were accused by BJP leaders and pro-government media of having a separatist agenda”.¹⁸

For further background on these protests, and the Government’s reaction to them see the Library’s 13 December 2021 briefing: [Farmers’ protests in India and agricultural reforms](#).

Historic issues: Operation Blue Star

The most significant historical issue of relevance to the treatment of Sikhs in India from the last several decades, is the 1984 Operation Blue Star, sometimes referred to by Sikhs as “The 1984 Battle of Amritsar”.

Indian Prime Minister Indira Gandhi was assassinated in 1984 by her Sikh bodyguards, in response to her ordering Operation Blue Star. Operation Blue Star occurred in June 1984, and saw Indian military forces storm the Golden Temple in Amritsar, the preeminent spiritual site of Sikhism. The military operation was launched to try and force out Sikh separatists who were occupying the Temple, and who had been demanding an independent homeland - called Khalistan - in the Punjab. After the assassination of Mrs Gandhi, Hindu vigilante groups targeted and killed Sikhs in November 1984. There is some dispute over the numbers of those killed, and the extent to which members of Mrs Gandhi’s Indian Congress party helped orchestrate or encourage the violence.¹⁹

Concerns that the British Government may have provided military assistance or support for Operation Blue Star, led to an official investigation by the then Cabinet Secretary Sir Jeremy Heywood, in 2014. The review concluded that British military advice was given to India ahead of the operation, but it had only “limited impact”, and according to the then Foreign Secretary, William Hague, UK assistance was “purely advisory” and given months beforehand.²⁰

¹⁷ United States Commission on International Religious Freedom, [2022 Annual Report \(PDF\)](#), April 2022, p21.

¹⁸ Human Rights Watch, [India: Events of 2021](#), accessed 27 June 2022.

¹⁹ BBC News, [Why 1984 Golden Temple raid still rankles for Sikhs](#), 1 August 2013.

²⁰ BBC News, [Golden Temple attack: UK advised India but impact 'limited'](#), 7 June 2014.

Khalistan/independence for Punjab

"Khalistan", is the homeland proposed by some Sikhs for themselves in Punjab. Punjab is an historic region in South Asia, which was split during the 1947 partition of India. The largely Sikh and Hindu East Punjab became part of the new nation of India while the largely Muslim West Punjab became part of the new nation of Pakistan. Today there is now an Indian State of Punjab, and on the other side of the border a Pakistan Province of Punjab.

In 2020/21 an organisation called [Sikhs for Justice](#) organised an unofficial referendum on the issue of independence for Khalistan/Punjab. A 19 November 2020 article in the House Magazine/Politics Live website by the General Counsel for Sikhs for Justice, sets out in further detail the motivations behind the campaign: [From Punjab to London, Sikhs around the world will soon be able to grasp their right to self-determination.](#)

5 May 2022: UN Human Rights Council Working Group on Arbitrary Detention, Opinion No. 80/2021 concerning Jagtar Singh Johal

[The Working Group has the mandate to investigate cases](#) of “deprivation of liberty arbitrarily”. These are cases of deprivation of liberty that are inconsistent with either the international standards set by the Universal Declaration of Human Rights, or the relevant international legal instruments accepted by the States concerned. To carry out its mandate using “sufficiently precise criteria”, the Working Group adopted criteria that draw upon the following:

- The principles established in the the [Universal Declaration of Human Rights](#).
- [The International Covenant on Civil and Political Rights](#).
- [The Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment](#).²¹

These principles were then used to create five potential categories of arbitrary detention which the Working Group use to assess a given case.

On 4 May 2022, its Opinion on Mr Johal’s case was released. The Opinion stated that the appropriate remedy in this circumstance “would be to release Mr. Johal immediately”.²² It found his detention to be arbitrary in four categories:

- Lack of legal basis (category 1): “the different arrests suffered by Mr Johal were without a warrant...he was not promptly informed of the reasons for his arrest.”²³
- Deprivation of liberty resulting from exercising the right to freedom of expression and opinion (category 2): “The source further argues that Mr. Johal’s legal situation is a retaliation for his contributions to disseminating knowledge worldwide of the persecution of the Sikh religious minority in India”.²⁴

²¹ UN, [Fact Sheet No.26: The Working Group on Arbitrary Detention](#), 1 May 2000, p.4

²² UN Human Rights Council: Working Group on Arbitrary Detention, [Opinion No. 80/2021 concerning Jagtar Singh Johal \(India\)](#) (PDF), p.16

²³ As above, p.11

²⁴ As above, p.12

- Non-observance of the right to equality before the courts and right to a fair trial (category 3):

The Working Group observes that Mr. Johal was not presented with a warrant at the time of his various arrests; was denied the right to counsel, and when he finally had legal counsel, he did not have the opportunity to talk to his lawyer privately; was denied the presumption of innocence; was subjected to torture and refused medical treatment; was not granted prompt consular assistance; was not brought promptly before a tribunal; and was judged behind closed doors without the presence of his lawyer and his diplomatic representative.²⁵

- Deprivation of liberty on discriminatory grounds (category 5): “the Working Group finds that Mr. Johal was deprived of his liberty on discriminatory grounds, owing to his status as a human rights defender and based on his political activism, religious faith and opinions”.²⁶

Category 4 is not relevant to Mr Johal’s case as it applies to when “asylum seekers, immigrants or refugees are subjected to prolonged administrative custody”.

In June 2022, the then Prime Minister Boris Johnson, for the first time, described Mr Johal as having been arbitrarily detained.²⁷

The Government of India denies any allegations of ill-treatment or human rights violations.²⁸ It stated that all of Mr Johal’s “human and legal rights were duly honoured”.²⁹

²⁵ UN Human Rights Council: Working Group on Arbitrary Detention, [Opinion No. 80/2021 concerning Jagtar Singh Johal \(India\)](#) (PDF), p.15

²⁶ As above

²⁷ The Guardian, [Boris Johnson says India arbitrarily detaining British Sikh activist](#), 30 June 2022

²⁸ UN Human Rights Council: Working Group on Arbitrary Detention, [Opinion No. 80/2021 concerning Jagtar Singh Johal \(India\)](#) (PDF), p.9

²⁹ As above

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August 2022: Allegations of UK Government involvement

In August 2022, [Reprieve, a human rights organisation, alleged that information from the UK's intelligence services had led to Mr Johal's arrest.](#) Mr Johal's legal team, in collaboration with Reprieve and Redress, have suggested [that Mr Johal is referenced in the Investigatory Powers Commissioner's Office 2018 Annual Report](#) (PDF). This document was published on 5 March 2020 and included a case study detailing how UK intelligence agencies had passed information on a British citizen to a partner country. This citizen was then arrested and tortured.

Mr Johal's legal team, alongside Reprieve and Redress, have identified six similarities between this case study and Mr Johal's case. For instance, on 15 November 2017 an article in the Hindustan Times claimed that "a source in the UK" had provided the Punjab Police with "vague information" about a man named "Johal".³⁰ Moreover, they allege that the "bilateral meeting" mentioned in the case study is a reference to the then Prime Minister Theresa May's meeting with the Indian Prime Minister Narendra Modi on 18 May 2018.³¹ Mr Johal's case was raised at this meeting.³² His legal team also point to three other pieces of evidence not drawn from the case study.

Legal proceedings

Mr Johal's legal representatives provided the following summary of his legal claim:

He seeks damages for breach of the Data Protection Act 1998, assault and battery, negligence and misfeasance in public office. He claims damages for personal injury from torture and inhuman and degrading treatment and loss of liberty. He also claims damages to compensate for cruelty, death threats, the constant fear that his wife and family would also be subject to torture and the failure of the Foreign Office, Home Office and Attorney General to acknowledge their role in all of the suffering endured.³³

UK Government position

The UK Government does not comment on ongoing legal proceedings in which it is involved.

³⁰ Hindustan Times, [Targeted killings in Punjab: UK resident Johal was on police radar for a year](#), 15 November 2017

³¹ Investigatory Powers Commissioner's Office, [Annual Report 2018](#) (PDF), HC 67, 5 March 2020, p.62

³² Leigh Day, [Government intelligence sharing led to arrest and torture of British citizen in India, it is claimed](#), 23 August 2022

³³ As above

However, Anne-Marie Trevelyan, a Minister of State in the Foreign, Commonwealth and Development Office, in response to a written question on 10 January 2023, provided the following update on the recent discussions of Mr Johal's case:

The Government has consistently raised Mr Johal's case with the Government of India, and is committed to doing what it can to assist him. The Foreign Secretary discussed Mr Johal's case with the Indian External Affairs Minister, Dr Subrahmanyam Jaishankar, in Delhi on 29 October, and Lord (Tariq) Ahmad of Wimbledon, the Minister for South Asia, raised the case with the Indian High Commissioner to the UK on 13 December. The FCDO regularly coordinates across His Majesty's Government on different aspects of the UK-India bilateral relationship at official and Ministerial level.³⁴

³⁴ [PQ 114794 \[on Jagtar Singh Johal\], 20 December 2022](#)

7 Media

7.1 Press releases

[UK Government Must Come Clean on Torture of British Human Rights Defender and Secure His Release](#)

Redress

03 November 2022

[MI5 and MI6 Tip Off Tied to Torture of British Blogger at Risk of Death Penalty](#)

Redress

22 August 2022

7.2 Articles and blogs

[Our loved ones are imprisoned abroad. Why won't the UK government help?](#)

Guardian, opinion

28 December 2022

[Jagtar Singh Johal: Why a UK man has been tortured and held in Indian jail for 1,682 days without trial](#)

iNews

12 June 2022

[UK Government silent on alleged tip-off that led to Jagtar Singh Johal's arrest in Punjab](#)

The National

07 September 2022

[Government intelligence sharing led to arrest and torture of British citizen in India, it is claimed](#)

Legh Day

23 August 2022

[Jagtar Singh Johal: UK Government under pressure over India 'collusion' claims](#)

Holyrood

23 August 2022

[Jagtar Singh Johal: Briton tortured after spy chiefs' tip-off](#)

Times

22 August 2022

[Scottish Sikh man charged with murder plot five years after he was arrested in India](#)

The Scotsman

27 July 2022

[Boris Johnson says India arbitrarily detaining British Sikh activist](#)

Guardian

30 June 2022

[Starmer urges PM to request India release UK citizen Jagtar Singh Johal](#)

Guardian

03 June 2022

The imprisonment of Jagtar Singh Johal

[Handling of Jagtar Singh Johal case exposes callousness of 'Global Britain' under Tories](#)

The Scotsman, opinion

11 May 2022

[UN group: No legal basis for Jagtar Singh Johal's detention in India](#)

BBC

08 May 2022

8 Parliamentary material

8.1 Early day motion

[Detention of Jagtar Singh Johal](#)

That this House notes that Friday 4 November 2022 marks the fifth anniversary of the arbitrary detention in India of Jagtar Singh Johal, a Sikh activist from Dumbarton held since being abducted from the street during his honeymoon by unidentified assailants who turned out to be undercover police agents; ...

07 Nov 2022 | Early day motions | Open | House of Commons | 535 (session 2022-23)

Primary sponsor: Docherty-Hughes, Martin

8.2 Debates

[Jagtar Singh Johal](#), HL Deb 08 Sep 2022, 824 cc280-3

[Jagtar Singh Johal](#), HC Deb 07 Sep 2022, cc254-267

[Detention of Jagtar Singh Johal](#), HC Deb 30 Jun 2021, 698 cc105-122WH

8.3 Parliamentary questions

[Jagtar Singh Johal](#)

Asked by: Gill, Preet Kaur

To ask the Secretary of State for Foreign, Commonwealth and Development Affairs, what recent discussions he has had with Cabinet colleagues about seeking the release of Jagtar Singh Johal.

Answering member: Anne-Marie Trevelyan | **Department:** Foreign, Commonwealth and Development Office

The Government has consistently raised Mr Johal's case with the Government of India, and is committed to doing what it can to assist him. The Foreign Secretary discussed Mr Johal's case with the Indian External Affairs Minister, Dr Subrahmanyam Jaishankar, in Delhi on 29 October, and Lord (Tariq) Ahmad of Wimbledon, the Minister for South Asia, raised the case with the Indian High Commissioner to the UK on 13 December. The FCDO regularly coordinates across His Majesty's Government on different aspects of the UK-India bilateral relationship at official and Ministerial level.

10 Jan 2023 | Written questions | Answered | House of Commons | 114794

Date tabled: 20 Dec 2022 | **Date for answer:** 10 Jan 2023 | **Date answered:** 10 Jan 2023

[Jagtar Singh Johal](#)

Asked by: Lord Tyrie

To ask His Majesty's Government what plans they have to refer the case of Jagtar Singh Johal to the Intelligence and Security Committee of Parliament, under the provisions of the Justice and Security Act 2013.

Answering member: Baroness Neville-Rolfe | **Department:** Cabinet Office

His Majesty's Government has no plans to refer the case of Jagtar Singh Johal to the Intelligence and Security Committee of Parliament.

Under section 2(3)(b) of the Justice and Security Act 2013, the Prime Minister may ask the Intelligence and Security Committee of Parliament to consider a matter outside of the Committee's self-determined work plan, provided that the consideration of the matter is consistent with any principles set out in, or with any other provision made by, the agreed Memorandum of Understanding, as per section 2(4) of the Act. One such principle in the MoU is that careful consideration must be given to whether it is appropriate to investigate a matter which relates to criminal or civil legal proceedings, inquiries, or inquest proceedings.

As the subject of ongoing legal proceedings, it would not be appropriate to comment on the allegations brought against His Majesty's Government by Mr Johal. However, His Majesty's Government has consistently raised concerns about Mr Johal's case in India with all levels of the Indian Government. Ministers and officials have together raised Mr Johal's detention on over 100 occasions since 2017, and they will continue to do so.

20 Dec 2022 | Written questions | Answered | House of Lords | HL4185

Date tabled: 08 Dec 2022 | **Date for answer:** 22 Dec 2022 | **Date answered:** 20 Dec 2022

[Jagtar Singh Johal](#)

Asked by: Sheerman, Mr Barry

To ask the Secretary of State for Foreign, Commonwealth and Development Affairs, how many meetings he has held with his Indian counterpart regarding the case of Jagtar Singh Johal in the last 12 months.

Answering member: Anne-Marie Trevelyan | **Department:** Foreign, Commonwealth and Development Office

The Foreign Secretary discussed Mr Johal's case with the Indian External Affairs Minister, Dr Subrahmanyam Jaishankar, in Delhi on 29 October. The previous Foreign Secretary raised Mr Johal's case with Dr Jaishankar during her visits to India on 31 March 2022, and 22 October 2021. The Former Prime Minister Johnson also raised the case with Prime Minister Modi during his visit to Delhi on 22 April. The Minister of State for South Asia, Lord (Tariq) Ahmad of Wimbledon regular raises this case, and did so most recently with the Indian High Commissioner to the UK on 25 October.

24 Nov 2022 | Written questions | Answered | House of Commons | 84804

Date tabled: 11 Nov 2022 | **Date for answer:** 15 Nov 2022 | **Date answered:** 24 Nov 2022

[Jagtar Singh Johal](#)

Asked by: West, Catherine

To ask the Prime Minister, whether he raised the case of Jagtar Singh Johal during his meeting with Prime Minister of India at the G20 conference on 15 November 2022.

Answering member: Rishi Sunak | **Department:** Prime Minister

I refer the hon. Member to the answer I gave to the hon. Member for Glasgow Central during my statement on the G20 on 17 November 2022, Official Report, Column 839.

18 Nov 2022 | Written questions | Answered | House of Commons | 87928

Date tabled: 15 Nov 2022 | **Date for answer:** 18 Nov 2022 | **Date answered:** 18 Nov 2022

[Jagtar Singh Johal](#)

Asked by: Gill, Preet Kaur

To ask the Secretary of State for Foreign, Commonwealth and Development Affairs, what recent assessment she has made of the compatibility of her policy on the case of British national Jagtar Singh Johal with Declaration Against Arbitrary Detention in State-to-State Relations.

Answering member: Gillian Keegan | **Department:** Foreign, Commonwealth and Development Office

The Government continues to work with international partners to enhance mechanisms to uphold international law, tackle human rights abuses, and stand up for our shared values. This includes strong support for the Canadian-led Declaration Against Arbitrary Detention in State-to-State Relations which aims to raise awareness and end the use of arbitrary arrest, detention, or sentencing of foreign nationals for the purpose of exercising leverage over foreign governments.

In relation to Mr Johal, the British Government has consistently raised concerns about his case directly with the Government of India, including his allegations of torture and mistreatment and his right to a fair trial. The former Prime Minister raised the case with his Indian counterpart Narendra Modi when they met in Delhi on 22 April 2022. The Prime Minister in her previous capacity as Foreign Secretary raised Mr Johal's detention with India's Minister of External Affairs, Subrahmanyam Jaishankar, on 31 March 2022, and met Mr Johal's family and MP on 9 June 2022. Ministers and officials have raised Mr Johal's case on almost 100 occasions and will continue to do so.

20 Sep 2022 | Written questions | Answered | House of Commons | 39958

Date tabled: 19 Jul 2022 | **Date for answer:** 21 Jul 2022 | **Date answered:** 20 Sep 2022

[Jagtar Singh Johal](#)

Urgent question on the Government's actions in the case of Jagtar Singh Johal.

07 Sep 2022 | Urgent questions | House of Commons | 719 cc253-267

Lead member: Docherty-Hughes, Martin | **Answering member:** Chishti, Rehman

Department: Foreign, Commonwealth and Development Office

[UK-India Free Trade Agreement](#)

Asked by: Martin Docherty-Hughes

The Republic of India has a respected independent legal system, and that will form part of the basis of the FTA between the UK and India. The Secretary of State will be aware of my constituent, Jagtar Singh Johal. What importance do the Minister and the Government place on a well-functioning legal system that respects human rights and the dignity of the individual when progressing free trade negotiations with states such as the Republic of India?

Answered by: Mr Jayawardena | **Department:** International Trade

I thank the hon. Gentleman for what he says, and he has raised this issue with me in the past. Her Majesty's Government are committed to working with the Government of India to resolve longstanding and complex consular cases such as this. The Foreign Secretary met the hon. Gentleman and the family of his constituent on 9 June, and she committed to continuing to raise those concerns with the Indian authorities. Our strong ties with India benefit British prosperity and security, and vice versa, but we are clear that increased trade need not come at the expense of our values.

16 Jun 2022 | Oral questions - 1st Supplementary | Answered | House of Commons | 716 c414

Date answered: 16 Jun 2022

[Jagtar Singh Johal](#)

Asked by: Jarvis, Dan

To ask the Secretary of State for Foreign, Commonwealth and Development Affairs, what assessment she has made for the implications of her policies of the determination of the UN Working Group on Arbitrary Detention of 4 May 2022 that Jagtar Singh Johal is arbitrarily detained and should be released.

Answering member: Vicky Ford | **Department:** Foreign, Commonwealth and Development Office

We take the opinion of the United Nations Working Group on Arbitrary Detention on Mr Johal very seriously. The British Government has consistently raised its concerns about Mr Johal's case with the Government

of India, including his allegations of torture and mistreatment and his right to a fair trial.

The Prime Minister raised the case with his Indian counterpart Narendra Modi when they met in Delhi on 22 April 2022. The Foreign Secretary raised Mr Johal's detention with India's Minister of External Affairs, Subrahmanyam Jaishankar, when they met in Delhi on 31 March 2022. Ministers and officials raise Mr Johal's case regularly and will continue to do so.

06 Jun 2022 | Written questions | Answered | House of Commons | 9878

Date tabled: 26 May 2022 | **Date for answer:** 06 Jun 2022 | **Date answered:** 06 Jun 2022

[India: Economic and Security Relationship](#)

Asked by: Martin Docherty-Hughes (West Dunbartonshire) (SNP)

With India arbitrarily detaining UK nationals such as my constituent Jagtar Singh Johal for over four years now and failing to defend the democratic right of national self-determination for Ukraine, can the Minister tell us how the trade negotiations are going?

Answered by: Vicky Ford | **Department:** Foreign, Commonwealth and Development Office

Again, I point to the important statement that the Foreign Secretary made yesterday. It is vital that we continue to strengthen our economic and defence relationship with India. However, the constituency case of Jagtar Singh Johal that the hon. Gentleman mentions was raised by the Foreign Secretary recently with her counterparts in India.

08 Mar 2022 | Oral questions - Supplementary | Answered | House of Commons | 710 c187

Date answered: 08 Mar 2022

[Jagtar Singh Johal](#)

Asked by: West, Catherine

To ask the Secretary of State for Foreign, Commonwealth and Development Affairs, what discussions she has had with the Indian Government on the continued detention of Jagtar Singh Johal ahead of his scheduled court appearance in Delhi on 10 January 2022.

Answering member: Amanda Milling | **Department:** Foreign, Commonwealth and Development Office

The UK Government takes all allegations of human rights violations very seriously, and we regularly raise Mr Johal's case directly with the Government of India at official and Ministerial level. The Foreign Secretary last raised Mr Johal's case with the Indian Minister of External Affairs, Dr Subrahmanyam Jaishankar, on 22 October 2021. Lord (Tariq) Ahmad of Wimbledon, Minister of State for South Asia, raised Mr Johal's case most recently by letter with the Indian Foreign Secretary, Harsh Vardhan Shringla, on 16 December and with the Indian High Commissioner on 17 December. The British High Commissioner to India also raised Mr Johal's scheduled court appearance with the Indian Home Secretary on 21 December. Consular staff have attended a number of hearings in Mr Johal's case in an observer capacity, and did so on 10 January. This Government will continue to look to raise our concerns about Mr Johal's case at all appropriate opportunities.

11 Jan 2022 | Written questions | Answered | House of Commons | 99026

Date tabled: 06 Jan 2022 | **Date for answer:** 11 Jan 2022 | **Date answered:** 11 Jan 2022

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Further reading and organisations

[Opinions adopted by the Working Group on Arbitrary Detention at its ninety-second session, 15–19 November 2021](#), UN Human Rights Council, Working Group on Arbitrary Detention, 04 May 2022

[Free Jagtar Singh Johal: Latest News and Everything You Need to Know](#),
Reprieve

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