

Case 1

Complexity: simple

Target groups: all

Note: The following case representation selects specific questions from a complete and general examination.

A twenty eight year old refugee from an African country is to be examined on his request for documentation of injuries alleged to be the result of torture in his home country. He already has been granted asylum, but intends to use findings to raise a claim at a later time.

He presents with pain in both feet and lower legs, that is increasing when he is walking a longer distance. Physiotherapy has only mildly improved this problem and also lower back pain, and he frequently takes opioid based analgetics. Physical examination demonstrates small scars, plantar tenderness (soles of both feet), and an unusual gait pattern. Psychological examination yields a negative result as to psychopathological symptoms, especially as to PTSD and depression.

He reports that he had been beaten by sticks on both feet for several days, until they were swollen and painful, and had been denied treatment. He was forced to sign a confession and a statement he had not been tortured- He was told that the beatings were also his just punishment. Based on the confession he was sentenced to a major fine.

Questions:

- 1) Are his findings consistent with any common form of torture and with the reported events ?
- 2) Which next steps could be taken to confirm a clinical diagnosis ?
- 3) Does the negative psychological finding especially on Posttraumatic Stress Disorder (PTSD) indicate the patient might be lying ?
- 4) Authorities allegedly claimed that the client was not tortured as this was just “deserved punishment”. Is this an acceptable argument.

Answers:

- 1) **Are findings consistent with any common form of torture and with the reported events ?**

Yes, with Falanga that is commonly used in some countries in the region.

- 2) **Which next steps could be taken to confirm a clinical diagnosis ?**

While the clinical presentation is quite characteristic, bone scintigraphy, MRI and sonography might be performed, if necessary and available.

- 3) **Does the negative psychological finding especially on Posttraumatic Stress Disorder (PTSD) indicate the patient might be lying ?**

No, some patients do not develop psychological symptoms, also they might remit over time.

- 4) **Authorities allegedly claimed that the client was not tortured as this was just “deserved punishment”. Is this an acceptable argument.**

No, torture is never a “legal sanction” or “legal” punishment. The case example also indicates further issues that violate international human rights standards you can discuss.