

COMMUNITY RESPONSES TO THE WAR ON TERROR

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**INSTITUTE OF
RACE
RELATIONS**

Since September 11 2001 and, especially since the London attacks of 7/7, community organisations in the UK have had to face up to the fall-out at home of the government's so-called war on terror and the demonisation of Muslims in the media and popular discourse. Over fifty organisations were represented at the Institute of Race Relations' conference on 'Racism, liberty and the War on Terror' held in London on 16 September 2006. We publish below speeches given at the conference which outline the challenges for four very different community organisations. The issues cover racial violence, anti-Muslim racism, police raids and the criminalising of communities.

Shobha Das on combating racial violence

Shobha works for Support Against Racist Incidents, SARI, in Bristol and the surrounding areas. Bristol is relatively cosmopolitan with a BME population of 8 or 9 per cent. For fifteen years SARI has carried out casework with victims of racial harassment and attempted to work as a bridge between them and statutory bodies, such as the police and housing agencies. SARI also does proactive work including training for police probationers and educational work in schools to empower young people and teachers to challenge racism.

There are four ways in which the war on terror has affected our work. In terms of the first – racial harassment and violence – we saw increases in racial violence after 9/11 and 7/7. And there seems to be an atmosphere, where communities are encouraged to be suspicious of each other. I think the term used is 'alert', but it translates into suspicion as well. An offshoot is that sections of majority communities adopt a kind of vigilante approach in a display of partnership with the 'war on terror' and act out prejudices and misconceptions, and that's dangerous. This idea of the war on terror legitimises racist prejudice, it

can even transform racist acts into acts of patriotism, like saying to a 7-year-old child in a school, 'Go back to Afghanistan because you've bombed our people', as has happened. The war on terror is not about intelligent targeting but is becoming something that's quite vicious and diffused everywhere in society. It's the targeting of the 'other', people who are my skin colour. I'm not a Muslim, but that doesn't matter any more to people. It is a targeting of anybody who looks different, such as possibly happened in the Stockwell shooting.

This summer, over the past eight to ten weeks, we've seen an increase in violent attacks. We recently had, in Bristol, a 23-year-old Ugandan man who was punched on his way home from the Harbour Festival (a lovely little event half of Bristol goes to). He fell and went into a coma for about fifteen days, on the edge of death. Most people thought he wouldn't pull through. He did though and he's now walking, he's now talking. The medical establishment isn't quite sure how he's made this recovery, but he has. He was a Black person, possibly not conflated with being Muslim, but the attack came from the same space in which racial hatred is legitimised. The comments always end 'go back to where you came from'. I spoke to a client yesterday who was saying that she had challenged a neighbour playing music very loud, very late at night, and the neighbour says, 'What are you going to do, bomb us?'. So there are these constant allusions to the fact that people who are of a different skin colour or a different ethnic origin are automatically somehow terrorists.

There's an increase in random attacks: people who don't know their victim attacking someone because they look different. It includes verbal abuse in schools, which we are seeing more and more. This can be quite heartbreaking because the effects are very intense, not just on the young person, but the family as well. Schools often are

not confident about how to handle this and therefore often they do nothing at all, which just makes the problem worse. There are also people being targeted in their homes, where we return to feel safe at the end of the day, but for a lot of people, it is about waiting for the next brick to come through the window.

The other sort of racism that we are seeing is carried out by agencies against the very people who are suffering racial violence. The criminal justice system doesn't always understand what racism is. We still see police officers questioning why someone has reported something as racist. A lot of officers don't quite seem to have got the idea that we've now shifted to the Lawrence Inquiry definition of a racist incident, which is based on perception – if victims or witnesses see it as racist, it is a racist incident. As you go up the criminal justice chain, the same is still true. The CPS doesn't always understand, the courts don't always understand.

We see police targeting of communities, particularly the Muslim community. We recently had a case of an American White convert to Islam, dressed in traditional Islamic attire. He was followed for a while by the police and then stopped and asked for his documents. He was then followed home by the police officers, who came into his home, asked to see his bank statements, asked to see his passport.

My second point: since 7/7 we have been invited by agencies like the police to sit on things like 'Gold Groups', which are meetings which bring together top commanders and unit heads within the force to plan, implement and monitor responses to critical incidents. But there is the danger – and I think that it's something a lot of community organisations have faced – of being the 'token Asian' on these groups. So we've got to fight hard when we sit on these panels, actually

to be challenging, be critical, be robust in our questioning.

Third, we want to hold up a mirror to agencies – to encourage better, more intelligence-led policing, rather than random stereotyping and/or the presumption that people who dress differently are terrorists. There is still a bit of that mentality, but what we are hoping is that the more we challenge, the more we will be able to root out this approach. Because we offer training, we do get a chance to help officers question their stereotypes.

The fourth challenge is to help communities with their own soul-searching. This is difficult because one of the things that the war on terror does is to pit Asian against Asian. It can polarise communities. It is difficult for us and other community organisations to manage this process of questioning without asking Muslim people to feel guilty for being Muslim. This 'war on terror' also threatens to shift the focus away from other key issues for black communities, such as educational attainment, over-representation in prisons, women's issues, poor housing, etc.

One of SARI's future tasks is to get the establishment to talk to communities, directly, not through intermediaries like us. Agencies like the police need to be directly accountable to the communities they serve, especially those they serve badly.

Beena Faridi on anti-Muslim racism

Beena is the sole caseworker at the London-based Islamic Human Rights Commission (IHRC), dealing with complaints against Muslims across the whole country. She is the first port of call for so many people with problems ranging from racial harassment to sackings at work and she often acts as a referral agency. Official figures of religious hate crimes, though showing that Muslims are

increasingly being targeted, are a gross underestimate in her view. She commended the work of the Institute of Race Relations and the Monitoring Group in logging incidents, so as to build up a more realistic national picture of the problem of racial harassment of Muslims.

In an IHRC survey in 1999, we found that 35 per cent of respondents had recorded some kind of discrimination, by 2000, this had risen to 45 per cent, and by 2004, which is post-9/11, it was 80 per cent. If you look at figures released by the Crown Prosecution Service, in the year up to April 2004, twenty-two out of forty-four religious hate crimes were against Muslims or people perceived to be Muslims.

So what happened post-7/7? When Tony Blair spoke about his twelve-point plan after the 7/7 attacks, he alluded to some isolated, unacceptable acts of racial and religious hatred. But how isolated were they? We had a 200 per cent rise in the number of cases we were getting: it could be Muslim women being spat on, women in the niqab not being allowed on a bus, women waiting at the bus stop having stones thrown at them; it could be that you've gone for an interview and you are asked strange questions like 'What's your view on Iraq?'. It got worse, it got to criminal damage. A woman had her garage torched. We had a taxi driver, called to pick up people, when he arrived he was beaten up. Somebody was beaten up on his morning jog. In Watford, a gentleman, 65, was called 'Paki'. When he asked the youths why, they beat him badly, breaking several teeth. I think four mosques were attacked in Bristol, someone tried to set fire to a mosque in Bournemouth, in the Wirral, a mosque was set alight and the cleric was trapped. In Leeds, gurdwaras were attacked.

And the worry is that there is a lot of under-reporting of attacks. The police quote a 600 per cent rise in attacks. But the reports I have show

that the majority of people don't report an attack to the police. Firstly, there is the belief that the police, on the whole, are anti-Muslim. This is because of cases such as the 'ricin plot' and the Forest Gate shooting. There are cases like that of Babar Ahmad, whose house was raided. Police allegedly forced him in to a prostrate position saying 'Where is your God now? And why don't you pray for help from him?'. That case has really affected the psyche of the Muslim community because Babar Ahmad is going to be extradited to America without the American government having to produce appropriate evidence in a British court.

Second, there are people's experiences when they do report crime to the police. Police are very slow to pick up the racial and religious element, never mind that they are very unwilling even to come out to you home. The woman whose garage was torched, allegedly had to wait with her 4-month-old baby outside the police station, on the pavement, for over two-and-a-half hours. When she did get in, the police officer said 'Well, how do I know that it's a racial attack?'. There is a perception that this violence is not being taken seriously by institutions and public figures. When over a dozen mosques were attacked, there was no attempt by any politician to visit a mosque and just say, 'this is wrong'.

Also, look at the sentences that people get. When Kamal Raza Butt, in the days after 7/7, was beaten up and killed by a group of youths allegedly shouting 'Taliban, Taliban!', his attacker only received an eighteen-month detention order.

I want to go into one case that illustrates all these points. A young gentleman who was over here, about to do his PhD., was waiting for a bus at Wembley, dressed in Islamic dress on his way to Friday prayers. Some youths came up, mocked his dress and began to spit on him. They found a broom and beat him so badly that he was in a

coma for two months, he was blinded for ten and he is now paralysed on the left-hand side of his body. When his family went to the police, he was investigated for terrorism, which means his stuff was confiscated. When a friend of his was going on pilgrimage, they questioned the young gentleman at the airport. He was asked which mosque he attended. The authorities also confiscated something which they believed could be a bomb-making device. His friend had been stealing electricity via this device and he had taken it from him because he believed that stealing was *haram*, forbidden. Meanwhile, the family liaison officer kept making insensitive comments like 'I'm not saying he's a terrorist, but...' The family were upset because only three assailants were charged. Of them, only one received a five-month prison sentence. And the racial and religious element was not recognised in that case.

Recommendations

The police need to respond to a crime in the way that the victim perceives it; if the person believes it to be Islamophobic, it needs to be investigated as such. The police should not just pay lip service on this issue. Nottingham police, for example, had all these green ribbons in support of Muslims after 7/7 – quite sweet really, but that kind of thing is not going to help very much. What is needed is harsher sentencing for attackers. And if a building like a mosque is attacked, it would be helpful if someone like an MP would go and visit and show concern.

Third-party reporting of attacks is also very important. Groups like IHRC are just having to cope with too much. We cannot deal with the actual cases and also do the necessary logging and collation of figures. There should be a formal, overall policy in place to allow for the sharing of information on incidents – especially with the police. Perhaps some scheme could be set up with

an email link to a contact within the police, with whom one could regularly exchange information.

Cilius Victor on police anti-terror raids

Cilius is a volunteer trustee of the Newham Monitoring Project, a community-based group which has worked to support victims of racial attack and police harassment since the murder of Akhtar Ali Baig on East Ham High Street, London, in 1980.

One thing that has not really been recognised in the discussion of the war on terror is to what extent it is being used by a range of public bodies to inform general policing. There is a merging of processes which are sometimes badged as the war on terror, sometimes policing issues. In some instances, it's almost irrelevant to try to separate the two.

I'll explain it in terms of the Forest Gate raid in June 2006. Just to recap. 250 police, in the early hours of the morning of 2 June 2006 raided two adjoining houses in Lansdown Road during which one man was shot and wounded. First, most of you probably gleaned from the media that two homes were raided. But, in fact, three streets were effectively cocooned for ten days, affecting not just the two families but 300 people. They couldn't get to their houses without a physical escort from the police; residents had to show ID in order to get to their front doors. And you've got to remember that this was against a backdrop of the police running around looking for chemical weapons. It suggests imminent danger and yet no one was being evacuated.

The raid happened on Friday and sometime in the early hours of Saturday morning, the police seemed to have stopped their search. They won't admit this publicly, but if you went down there, as I did, you would have seen them clearly packing up their weather suits and chemical suits.

So what were they were doing for the next nine days? May be it was for the media, to show how seriously this was being taken.

The family at the centre of the raid were virtually incarcerated. The two brothers at the centre of the raid were taken away by the police. But the other members of the family, who weren't injured, got somehow spirited away. We used whatever networks we had to track the family down. This is exactly what happened to the family of Jean Charles de Menezes, after he was shot dead following 7/7. All four of his cousins were spirited way and quarantined, phones were cut off, virtually no access allowed to anybody. And it took a great effort to track them down and bring them back into some sort of support network within the community.

The property at the centre of the Forest Gate raid was taken apart. That the family ought to be rehoused is another community fight; completely innocent people have been made homeless. Yet what you read in the papers is not this, but that families are being put up in big expensive Kensington hotels. First, they weren't expensive and second, who put them there? The family is under a great deal of strain. They don't like being there and the rooms are small. Meanwhile, the local authority is trying to wash its hands of its responsibility to rehouse the families.

When the raid took place, local agencies just melted away. Local councillors weren't around. The local policing team based in Green Street seemed to disappear – the sergeant was on holiday. Scotland Yard put its own people there. The Borough Commander admitted in public he didn't know anything about what was happening, including why people were not evacuated. Effectively Scotland Yard took over.

The process by which information got out was also critical. Our organisation has had a lot of

experience of dealing with the police and the media, but the situation we faced was quite new. Information was being managed in a new way. This came out even more clearly after a raid in Walthamstow a month later. A day after that raid, we were reading in the papers complete biographies of individuals supposedly involved in terrorism, including their lives in Pakistan. Journalists are not that good, the information must have come from elsewhere. It felt as if everything had been rehearsed beforehand, that there was a package of stuff ready to be put out.

There's another sinister element to the way the police now act when the war on terror is in the background. It's always been the case that individuals (particularly young people), if caught on a minor charge, might be offered a reduced charge or have the charge dropped in return for information. But now the deal seems to involve information on supposed terrorists. And nowhere is this more crucial for the police than in east London, where they have to plan to control certain communities because the area is to be home to the Olympic Games in 2012. They have a planning committee already in progress dealing with security issues. It is tracking the buying and selling of property in the area, tracking people moving in and out. This is one aspect of the supposed regeneration of this part of London, brought by the Olympics, that has not been publicised but that may have serious implications for local communities and their civil liberties.

And there is another challenge for community groups in the present climate; they can get co-opted. Now the police have their Gold Groups and Bronze Group for which they handpick individuals in the community to respond and front for them when something happens. This has been on the go for some time, but in the context of the war on terror, individuals now feel almost obliged to get involved and cooperate.

The war on terror certainly presents new challenges to groups like NMP, which have had to learn how to adapt and develop strategies to meet new circumstances. But, ironically, the war on terror can also be seen as an extension of abuses that members of the black community have long experienced. What happened to Jean Charles was in the context of terrorism but, actually, it could be viewed as just another violent death in custody involving the police – of which we have had hundreds. (It is not even clear yet whether he was killed under the specially created shoot-to-kill Operation Kratos.) We had, through community networks, been grappling for some time with the issues of how police use weapons, how they draw weapons and civil liberties. And we were beginning to make headway. But is the war on terror going to be used as a new shield for the police, a way of providing another level of opaqueness, a means of undermining any notion of community accountability? Those are the issues now troubling us.

Anne Gray on the Campaign Against Criminalising Communities

Anne is a member of CAMPACC, which was founded in 2001 in response to implementation of the Terrorism Act 2000. It continued to campaign against internment under the 2001 anti-terrorism Act and later against control orders and other house arrest powers. The campaign links lawyers, human rights campaigners, advocates for refugee and migrant communities, and those targeted or affected by anti-terror laws. It provides practical support for those affected, e.g. through protest events, letters, bail surety and home visits to persons under house arrest.

We have opposed all anti-terror laws and their use as an unjustified infringement of civil liberties and human rights in this country. We defend the democratic freedom to dissent and to resist

oppression, both nationally and internationally. We have campaigned against the banning of nationalist movements like the Kurdistan Workers' Party (PKK) and Hamas under the Terrorism Act 2000, measures to make association, publication, fund-raising, and so on into crimes and the creation of the new offence of glorification of terrorism, which can become an excuse to criminalise free speech. The ordinary criminal law prohibits efforts to incite violent crimes or conspiracy to organise crimes anyway – and we should remember it was the older law of incitement to racial hatred that was used to convict Abu Hamza. The new 'glorification' offence seems designed to deter (or criminalise) merely verbal support for resistance against oppressive regimes. The Prevention of Terrorism Act 2005 also established a new crime of disseminating 'terrorist publications', presumably those which sympathetically portray any activities that the government classifies as terrorist, according to the excessively broad definition in the 2000 Act. In all these ways, the new offences are designed to stifle legitimate political and academic debate within the UK.

The definition of terrorism

We argue that terrorism is defined far too broadly in the UK measures and in EU legislation and in ways which criminalise legitimate political activity. The Parliamentary Joint Select Committee on Human Rights has expressed concerns that the UK definition of terrorism is so broad as to be incompatible with the European Convention on Human Rights, especially Article 10 which protects the right to freedom of expression.

For the state to criminalise anti-state violence anywhere in the world negates the right to resist oppression. It is often asked, whether Nelson Mandela or the anti-Nazi French partisans would have been declared a terrorist under current

legislation. Even if the answer is no, it illustrates another problem; that terrorism is defined selectively, by reference to the foreign policies and sympathies of the government of the day.

The definition of terrorism under the 2000 Act includes not only violence but damage to property and threats of damage to property, if done with a political motive. Peace campaigners who cut fences or enter a military base then become terrorists. Even writing letters could become terrorism if they blocked a fax machine, because disrupting an electronic system is also defined as terrorism. And having coffee with people who do these things, or letting them use your fax machine, or sending them an e-mail, makes you a terrorist too. Having broadened the definition of terrorism, 'anti-terror' laws can then be used to deter, suppress and criminalise political activities of a non-violent kind.

Effects on publications, free speech, and charities

For example, the distributors of the Turkish-language magazine *Vatan* were harassed and in December 2002, arrested on grounds that the magazine sales were promoting and financing a banned organisation. Entire shipments of *Vatan* to the UK were confiscated as 'terrorist property'. In the run-up to the trial, Special Branch officers visited over a hundred shops in north London and asked shopkeepers to testify in court against the defendants, for example that they had supposedly demanded money with threats. Eventually the prosecution was abandoned, but only on a technicality.

The Anti-Terrorism Crime and Security Act (ATCSA) 2001 empowers the authorities to seize property or cash and to freeze bank accounts in cases of suspected 'terrorist' purposes. One effect of this has been to seriously impede the work of Muslim charities, some of whose bank accounts

have been frozen. Although most Muslim charities that have been investigated by the Charity Commission for possible links to terrorism have been exonerated, they have suffered heavily from a loss of donations, as a result of the stigma of being suspected of an affiliation with terrorism. This has been documented in a review of ATCSA 2001 from the Forum Against Islamophobia and Racism, published in 2003.

Even the mildest opponents of New Labour have become the subject of threats made under anti-terrorism powers. Recall the treatment of Walter Wolfgang at the Labour Party conference in Brighton in summer 2005. A man walking in the street near the conference venue was also stopped and searched under anti-terrorist powers because he was wearing a t-shirt with an anti-Blair slogan on it.

Control orders and domestic prisons

I come now to punishment without trial and house arrest, which, since 2001, have become a hideous scar on the judicial landscape. Despite the Law Lords' ruling against internment in 2004, detention without trial has been perpetuated and extended by other means, firstly through the power to impose 'control orders' and, secondly, the power to detain individuals under the 1971 Immigration Act. Both powers have been used to turn homes into domestic prisons. Those given bail under the 1971 Immigration Act have conditions very like control orders, with similar restrictions on visitors and movement and allowed out only a few hours a day. Thus the 1971 Act has been used to create a parallel regime to that of control orders.

There are at least sixteen men, fourteen of whom are Algerian, who have been placed under partial house arrest under the Immigration Act as persons considered dangerous to national security. They have been in jail or under house

arrest on bail for over a year now, waiting for the Special Immigration Appeals Commission (SIAC) to hear their appeals against deportation.

Individuals under control orders and similar measures have not been convicted of any crime, nor been charged with any offence. Yet they do suffer a real deprivation of liberty, and so do their households. The punishment without trial extends to wives and children, and even to those providing accommodation, since visitors to the whole household are restricted by Home Office vetting arrangements. Friends and relatives of those under control orders are terrified to apply for permission to visit them. Even detainees' children suffer restrictions on their visitors. They can't use home computers for their school work, since the detainee is frequently barred from using a computer and that means none must enter the home. These are forms of collective punishment, which violates natural justice and international law.

Medical treatment can also be interfered with by house arrest restrictions. One of the men who has suffered internment, then a control order, then more jail under immigration law, then house arrest, is seriously disabled. He cannot walk due to polio; once he could walk a little but his physiotherapy was interrupted and delayed because his therapist had to be vetted to visit him, so he now cannot walk at all. He attempted suicide about a year ago.

Asylum revoked for Detainee Y

The body which hears the appeals against deportation of these supposedly dangerous terror suspects is SIAC. It operates without a jury and defendants are not allowed to know all the evidence against them – some of it is withheld, supposedly to protect intelligence sources and methods.

On 24 August 2006, SIAC rejected the first of these appeals against deportation. It effectively sentenced a hapless Algerian refugee – known only as 'Detainee Y' – to return to possible life imprisonment and torture in Algeria. Y had been granted asylum in Britain in 2000. He was sentenced to death *in absentia* for allegedly providing logistic support for two attacks that killed several members of Algeria's notorious special police force, which has been responsible for many cases of torture and illegal detention. The British government eventually accepted that these accusations – and the torture he suffered whilst awaiting trial in Algeria – constituted grounds for asylum, and gave him indefinite leave to remain. But in 2003, the Algerian government sought to extradite him on these same grounds – and the British government started to listen.

Y, at the time, was awaiting trial in connection with the much-publicised 'ricin plot', of which he was later acquitted. But in September 2005, along with five other acquitted defendants in the same trial, he was re-arrested and detained under immigration law, pending deportation as a 'danger to national security'. Since then he has spent five months in jail and seven months tagged and under partial house arrest. So there are six people who were actually acquitted of terrorism in the UK, yet they may now be sentenced to deportation as terrorists, which might mean torture when they get back to Algeria.

Those people facing deportation as 'terror suspects' illustrate the worst horror of pre-deportation detention (a situation also suffered by thousands of asylum seekers) – being detained without trial in Britain. It can go on for the victim's lifetime; there is no end in sight. British law allows the detainees to be jailed or under house arrest as long as deportation is being negotiated, perhaps for years. Even if deportation is blocked by an appeal, they could remain under house arrest indefinitely, subject to control orders.

For those awaiting deportation, the Human Rights Act gives no rights against imprisonment without trial – internment was abolished, but not for them. But even worse than the thousands of other deportations taking place, is the deportation that the fourteen Algerians face, with a ‘terrorist’ label around their necks. And this without any accusation proven against them in British law.

Two men who had been through internment, control orders, and then prison again as dangerous persons awaiting deportation, decided that they would rather return to Algeria and risk torture than continue to suffer their present conditions in Britain. These cases show the depths of injustice and despair to which British anti-terrorism measures are leading. CAMPACC continues to support these people by campaigning that they should either be released or have a fair trial before a jury, and be allowed to know all the evidence against them. Some of us visit them, we sometimes give them food or money, we try to give them and their families strength in whatever way we can.

We believe the attacks on civil liberties and justice under the Labour government rest on certain unjust principles: a presumption of guilt, punishment without a fair trial, and pre-emptive restraints on liberty. These principles lie behind not only the ‘war on terror’ but measures against asylum seekers, demonstrators and those subject to ASBOs because they are accused of ‘anti-social behaviour’. By targeting individuals with these various forms of punishment without trial, the state persecutes and intimidates entire communities. All these measures have met overt defiance and everyday resistance. Indeed, to persist is to resist.

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