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The murder of Zahid Mubarek at Feltham Young Offenders' Institute, along with the recent revelations of racist regimes at Brixton and Parc prisons, has prompted the Commission for Racial Equality (CRE) to launch an investigation into discrimination in the prison service.

The casual indifference of the prison system to the lives of black men and women is reflected in the number who die, needlessly and without account. Zahid Mubarek died because he was forced to share a cell with a racist psychopath. Others have died as a result of dangerous 'control and restraint' techniques, which are applied more frequently on black prisoners. Still more have died through suicide or in circumstances which remain unknown. Beyond the recorded deaths are the everyday, routine acts of violence and cruelty: unauthorised punishments, denial of privacy, racist abuse, forced isolation, lack of proper health care. All these must be tackled in the CRE inquiry.

But shelves can already be filled with official and anecdotal reports which document these practices. A study published in 1989 found that only six officers out of 101 in the sample did not refer to black prisoners in pejorative terms, such as noisy, belligerent, lazy, demanding and unintelligent. It quoted one officer as saying that 'they remind me of a monkey colony, they keep together in a flock and are always scratching each other's backs and hissing together when they're under any threat'. According to statistics for 1998, on average black male prisoners received a higher number of punishments per offence than white male prisoners. According to a 1999 survey, more than one in ten black prisoners have suffered a racially motivated physical assault in prison.

It is young, African-Caribbean boys, in particular, who bear the brunt of this system. A third of the prisoners at Feltham, the largest youth jail in Europe, are black. They are more likely to be incarcerated because of discrimination in policing, in prosecution, the courts and the probation service. Where once their youth may have encouraged understanding of their path into custody and efforts at rehabilitation, today it just compounds the stereotypes which a black skin already gives rise to. And, in any case, the sheer number of young people being locked up has squeezed rehabilitation out, leaving containment as the sole objective. Between 1993 and 1998 the number of 15-17-year-olds in prisons doubled, as politicians encouraged magistrates to get tough on juveniles. In the last year the number of young people inside has risen by a further eleven per cent (3,000 more young people), even though crime is falling. Britain locks up more children and young people than almost every other country in western Europe. Young Offenders' Institutes have become warehouses of despair.

Now, at last, there is a chance that the closed world of prison racism and brutality will be exposed to public scrutiny. But true change will only come when home secretaries abandon their 'tough on crime' postures and close down juvenile prisons for good. ■

Zahid Mubarek case: see pp4-5



Chhokar killers walk free

The family of 32-year-old Surjit Chhokar waited patiently through over two years of delays, confusion and legal wrangling for the killers of their much loved father, son and brother to face the courts. But at



Surjit Chhokar

the end of November, two men, 22-year-old David Montgomery and 19-year-old Andrew Coulter, were found not guilty of murder, although Coulter received a 12-month sentence for assaulting Surjit and theft

from his flat. To add insult to injury, Coulter was revealed, after sentence, as a convicted killer already serving a six-year sentence for stabbing Patrick Kelly to death in a gang fight in September 1999 while awaiting trial for Surjit's murder. Now, Kelly's family want to know why he was given bail.

Surjit, a father of two, was killed in November 1998 outside his girlfriend's home in Wishaw, Scotland (see *CARF* 49). Police were quick to arrest Montgomery, Coulter and his uncle Ronnie Coulter, as the attack was witnessed by Surjit's girlfriend, Elisabeth Bryce, but they never investigated a racial motive. Then, after police sent a report of the case to the Crown Office, the charges against Andrew Coulter and Montgomery were dropped. But ten days before the trial in 1999, the sole remaining defendant, Ronnie Coulter, lodged a special defence naming the two other men as the killers. Surjit's family watched in disbelief as the charge of murder was reduced to

one of assault and he walked free after being convicted of assault, having served time on remand. Lord McCluskey, the trial judge, criticised the Crown Office for its 'extraordinary' decision not to put David Montgomery and Andrew Coulter in the dock with Ronnie Coulter. His comments sparked a legal storm.

Eventually, Montgomery and Andrew Coulter were re-charged and sent for trial. They launched three attempts to have it stopped, going right up to the Privy Council in the House of Lords to argue that a fair trial was impossible because of the previous trial and the publicity the case had received. When their trial finally began, the two also lodged special defences of incrimination, naming Ronnie Coulter as the killer. Ronnie Coulter was forced to take the stand, although he had exercised his right not to at his own trial. He admitted washing his and his nephew's clothing on the night of the murder and asking his girlfriend to dispose of it. He also gave her a box of knives to dispose of, with one small knife missing. After his trial he had had two tattoos done – one of Hannibal Lecter and one of a book-jacket of *The Devil's Advocate*, where a guilty man is acquitted of murder. Coulter's sister, Margaret Chisholm, also testified that he said to her, 'I've stabbed a black bastard'.

Surjit's family are bitterly disappointed at the verdicts and are severely critical of the Scottish legal system which allowed three men to walk free after blaming one another. The family are also critical of the police and the Crown Office for failing to acknowledge the racial motivation in the case and bring appropriate charges. So much for the recommendations of the Macpherson Report on investigating race crimes.

After the verdicts, the Lord Advocate of Scotland, Colin Boyd, announced two inquiries. The Justice of the Supreme Court of Northern Ireland, Sir Anthony Campbell, is to investigate the actions of the Crown Office, and Dr Raj Jandoo will look at the treatment of the family during the investigation in a separate internal inquiry. Both inquiries will be held in private and the family will not be allowed access to the evidence. The family are very unhappy about the separation of the issues into two inquiries.

The Chhokar Family Justice Campaign is calling for a full, independent judicial inquiry into the police and Crown Office's handling of the case and the way racist attacks and murders are investigated in Scotland.

The family campaign is in desperate need of funds, so please help. ■

The Chhokar Family Justice Campaign c/o Scottish Fire Brigades Union, 4th Floor, 52 St Enoch Square, Glasgow G1 4AA

Case details

Surjit was stabbed three times with a small knife, on 4 November 1998 as he returned home from work. His heart was pierced as were several major blood vessels. He lost three pints of blood in the seconds it took him to stagger to his car, and he died soon afterwards.

EWITNESS ACCOUNT OF ELISABETH BRYCE, SURJIT'S GIRLFRIEND

'I heard Chhokar arriving at 11.30pm and I looked out of the window and saw him with a bottle of Irn Bru and his supper, a curry takeaway in a bag. He walked towards the gate and turned and smiled up at me. I turned towards my living room door and I heard a scream and ran back to the window and saw David Montgomery, Ronnie and Andrew Coulter dragging Chhokar across the road. They were running him across the road towards the fence. I ran towards them and started shouting and swearing at them in the middle of the street to let him go. It happened that quickly. One moment he [Ronnie Coulter] was holding him and the next minute he was swinging something at him. Surjit said "They stabbed me". He put his hands on top of the bonnet of his car and then put his head on his hands. Then there was this terrible noise as if someone had put a tap on full. Whoosh. And then there was blood all over the place.'



Ronnie Coulter



David Montgomery



Andrew Coulter

zahid mubarek

Killed by a racist; failed by the system



FOR stealing £6 worth of razor blades and interfering with a motor vehicle, 19-year-old Zahid Mubarek was sentenced to 90 days in Feltham Young Offenders' Institute. Perhaps if he had been white, he would not have received a custodial sentence. But because Zahid was black, he never left Feltham alive.



Feltham: 'rotten to the core'

Feltham Young Offenders' Institute, the largest youth prison in Europe, is home to 886 young men between the ages of 15 and 21, 32 per cent of whom are black. In 1998, Chief Inspector of Prisons David Ramsbotham described Feltham as a 'disturbing place... rotten to the core', blighted by violence, with offenders locked up for nearly 24 hours. Feltham has had four governors in six months, with former deputy governor Ian Thomas describing it as 'Dickensian'. At the end of October there was a riot in a unit housing 60 prisoners. The wing was trashed. A month earlier a 16-year-old had committed suicide. ■

IN the early hours of the morning on 21 March 2000, the day he was due to be released, Zahid was brutally murdered in his bed by Robert Stewart, his racist cell mate (see *CARF* 56). Stewart beat him with a table leg around the head, between seven and eleven times, causing massive head injuries, a broken arm and finger. He then pushed the alarm button in his cell, telling the arriving officers that Zahid had 'had an accident'. Zahid died in hospital a week later of massive head injuries, never regaining consciousness.

In November, 20-year-old Robert Stewart was jailed for life for the murder. At the trial, Stewart, who has 'RIP' tattooed on his forehead, denied the murder despite a mass of evidence proving his guilt. Officers who searched the cell after the attack found a swastika scratched on the wall with the words 'Just killed me pad mate'. When asked why he had attacked Zahid he replied 'I don't even know myself, it's hard to explain, I just felt like it.' However, letters found in his cell explained his motive – racism. Extracts from these letters were read out in court: 'If I don't get bail on the seventh I'll take extreme measures to get shipped out. I'll kill me fucking pad mate if I have to. Bleach me sheets and pillowcases white, make myself a Klu Klux Klan suit and walk out me pad holding a flaming cross.' The letter was signed with a swastika. In another letter, dated the day before he killed Mubarek, Stewart wrote: 'I'm going to nail bomb the Asian community of Great Norbury. Its [sic] all about immigrants getting smuggled into here, Romanians, Pakis, niggers, Chinkies, taking over the country and using us to breed half castes.'

There would have been more evidence but for careless mistakes by prison staff. Stewart was taken to a cell with a hand basin after the killing where he was able to wash blood from his hands – destroying potential evidence. And when police requested the night patrol's

report it was said to have been lost.

But then Zahid would still be alive but for the fact that prison staff put him in a cell with a violent racist. Those in charge, either deliberately or recklessly, missed the signs of Stewart's violent racism or were very, very stupid. While ten per cent of all letters written by inmates are read by prison officers at Feltham, only one of the hundreds of racist letters Stewart wrote was intercepted and no action was taken. The failure to monitor Stewart's letters and phone calls is all the more surprising given that he was on remand on a charge of sending racially motivated malicious communications. But in fact evidence disclosed at the trial revealed that prison staff knew of Stewart's racism.

Stewart's history of violent assaults on fellow prisoners was also known, including stabbing another prisoner, threatening to 'carve up' a cookery teacher and possession of blades. A senior prison officer had written of Stewart that 'he may come across as a weakling but he is an extremely dangerous individual'. Yet he was still placed in the same cell as Zahid. ■



THE MURDER OF ZAHID MUBAREK, ALONG WITH RECENT REVELATIONS OF RACIST REGIMES OPERATING AT BRIXTON AND PARC PRISONS, HAS PROMPTED THE COMMISSION FOR RACIAL EQUALITY TO LAUNCH AN INVESTIGATION INTO RACISM IN PRISONS.



Britain's racist prisons: some worst offenders

Blakenhurst

Alton Manning, a 33-year-old black man from Birmingham, died during a strip search in which prison officers at

Blakenhurst private prison used 'control and restraint' techniques. He was restrained by eight officers after he refused to squat naked for an intimate inspection. Alton's body was found to be covered in cuts and bruises. Witnesses gave evidence that he was held in a dangerous neck-lock.

Brixton

According to a prison service report of October 2000, white staff at Brixton prison harassed and bullied black colleagues and inmates in a 'blatantly' racist regime. Black prisoners alleged that they had been assaulted, refused special dietary requirements and were told to 'go back to Africa'. Unauthorised punishments, known as 'reflections', in which prisoners, the vast majority of them black, were locked in their cells for hours on end, were also exposed.

Brockhill

Edita Pommell, a black woman from Birmingham, was found dead in her cell on 5 May 2000 after complaining of racial and sexual harassment by staff. West Mercia police are investigating the deaths of three other women inmates at the jail in the past 18 months (see CARF 58).

Full Sutton

Satpal Ram has been moved over 60 times during his 14 years in Britain's prisons, a form of punishment known as 'ghosting' which is not officially sanctioned. In his own words he describes what happened to him during a routine cell search at Full Sutton, York, in 1994: 'My arms were twisted and forced behind my back. Somebody grabbed me by the hair and they then proceeded to rain down blows to my body... One of the officers tried to muffle my screams by placing his elbow around my neck and applying pressure. I started to choke and gag... One of them trod on my neck and I received further blows to my body. My head was repeatedly banged against the floor'.

Parc

A report published in October 1999 by the Chief Inspector of Prisons revealed serious problems of racism at Parc prison, Bridgend, which is run privately by Securicor. A racist gang known as the Rhondda Valley Skins, which was linked with the Welsh Ku Klux Klan, had taken over a wing of the prison and operated a regime of racist bullying and intimidation there.

Portland Young Offenders' Institute

In August 2000, a police investigation was launched following allegations that inmates were physically assaulted by staff over a 14-year period.

Wandsworth

In December 1999, police were called in to investigate allegations of brutality. This led to an inspection report which described the prison as 'nasty, sexist, racist' with a 'pervasive culture of fear'.

Wormwood Scrubs

In 1999, 25 prison officers went on trial on charges of assaulting prisoners. Almost half the victims were black. ■



The culture of racism in Britain's prisons

Professor Joe Sim of John Moores University, Liverpool, spent a year doing research within three prisons in 1999. CARF asked him how racism operates within the prison system.

What would be the appropriate terms of reference for the Commission for Racial Equality inquiry?

What they need to look at is not just 'outputs': how many black people are racially abused, although that is still obviously an important factor. I think that ultimately we need to get into the more informal mechanisms through which racism operates. Are black people discriminated against in terms of not getting the good prison cells? Or not getting on the good work parties? It is on that informal level that power structures operate in jails. We know about the 'canteen culture' among the police; we know that an informal culture in the police operates with regard to stop-and-search and the racist stereotypes around black people. Among prison officers it is the 'landing culture'. When you talk to black people in prisons, they would certainly point that out.

In the Zahid Mubarek case, the failures that have emerged all took place on that level: whether it is the failure to take action on the racist letters that were sent by Zahid's murderer, problems with reception processes for new prisoners, or deliberate separation of black prisoners.

How can we tackle the 'landing culture' in prisons?

It will be really bad if the CRE Inquiry just focuses on equal opportunities and performance indicators. I hope that they will realise the need to get beyond that. Otherwise, the solutions offered will be to recruit more black officers to the prison service and to provide racial awareness training. But I don't think that those solutions will get inside the 'landing culture'. You cannot just take prison officers and train them for six months, introducing

them to racial awareness training, or even notions of institutionalised racism, if they are then going to be confronted with a landing culture which, very often, will say: 'well you can forget what you heard at school; here's the reality'. The interesting thing for me is why it is that staff who refuse to be a part of that 'landing culture' do not get on in the prison service. That brings you right back to the question of how that culture is legitimated and supported by the broader mass of officers.

But the key issue to flow from the fact of the informal culture is the need for democratic accountability.

Demands for police accountability have a history going back beyond the 1980s. Why have the same demands not been made with regard to the prison service?

In the case of prisons, there have not been debates about accountability, in the way that there were with the police after the uprisings in 1981, for example. And what has happened with the police is that accountability has worked its way through into local police committees. Now, anybody with any critical persuasion would recognise that there are immense problems with police committees but, having said that, at least they provide a kind of symbolic point of reference. Prisons have never had that. The only accountability of the prison system has been through boards of visitors, which usually consist of local worthies. I think that in order to get democratic accountability back on the agenda, there is a strong case for the establishment of local prison committees. These would aim to push some democratic input into the prisons so that people

can be called to account to the local community and local representatives. At the moment the whole idea of democratic accountability has simply been translated into notions of managerialism, whether it is in the police or the prison system.

How will the privatisation of prisons affect accountability?

Here in Liverpool they are talking about building a third jail. There is already one which is public and one private. That certainly pushes the issue of accountability further onto the agenda. Democratic accountability is needed even more because trying to get information about these places is sometimes even more difficult than it is dealing with the Home Office, because of the notion of commercial confidentiality. There are currently seven privatised jails, with four more being built and a further three planned. I do not know if they are going to open more after that. But there are still about 130 to 135 jails in the public sphere which need huge democratic input into them.

Why are there increasing numbers of young people in prisons?

If you put together all the criminal justice legislation which Labour has brought in, there is an intensification in authoritarianism towards young people, particularly the Crime and Disorder Act, their flagship piece of legislation. There is a serious issue about younger people in the criminal justice system in general and this notion of 'tough love'. It is immensely problematic if young people are seen as the real evil wrongdoers in our society. ■

hope or hijack?

Racism and the Human Rights Act

The government parades it as an emblem of its own enlightenment. The Right sees it as yet another stick for criminals, asylum-seeking scroungers and their politically-correct allies to beat the liberal establishment with. How profoundly will the Human Rights Act change things in Britain, and more particularly, will it help the fight against racism?

THE Act brings into British law the 1950 European Convention on Human Rights, which guarantees respect for basic rights – life, freedom from torture and from inhuman or degrading treatment and from slavery; liberty, fair trial procedures, respect for family and private life, home and correspondence, freedom of conscience, expression and assembly; rights to property, to education and to free elections; and the right not to be discriminated against in the enjoyment of any of the protected rights.

Although Britain signed the Convention 50 years ago, it has never until now been part of British law. If anyone wanted to claim that British authorities had violated their human rights, it meant appealing to the European Court of Human Rights in Strasbourg. From the 1960s, a steady stream of cases was brought. Irish Republicans claimed that British army interrogation techniques, including hooding, wall-standing, subject-ion to white noise and sleep deprivation, were inhuman and degrading. Their claims were upheld in one of the early cases. In another, Britain's exclusion of citizens of Asian origin who were expelled from East Africa was held to be so blatantly racist as to constitute degrading treatment. When prisoners, people who had had homes trashed in searches, those detained under the Prevention of Terrorism acts or indefinitely incarcerated in mental hospitals, journalists penalised for publishing or for refusing to reveal sources, poll tax protesters and others won case after case, the inadequacy of British law for the protection of fundamental human rights was exposed.

Deaths in custody

Since 2 October 2000, anyone who complains that their human rights have been violated or threatened by a 'public authority' (which includes private bodies acting officially) can bring a case in the UK under the new Act. In the fight against racism, the Act's main impact is likely to be in the treatment of people in detention – in prisons, police stations, immigration detention centres and mental hospitals – and in particular, the investi-



gation of deaths and injuries in custody. This is because, under the Human Rights Convention, the state has primary responsibility for the welfare and safety of those in its custody. It must have measures in place to protect prisoners from known risks, whether from self-harm or harm from others; to investigate any death or injury in custody fully, and to allow families of those who die or are injured full participation in any inquiry. The government is under an obligation to bring those responsible to justice. These obligations mean that failure to prosecute police and prison officers, found by inquests to have unlawfully killed those in their custody, may lead to a finding of a violation of the victim or family's human rights. They also mean that

Protestors outside Blakenhurst prison, Redditch, 1996, following the death of Alton Manning the year before. The refusal, without explanation, to prosecute the prison officers involved, breached the Manning family's human rights.

Satpal Ram

He might be able to claim that the whole of his treatment by the prison service – including the numerous acts of brutality, the vast number of moves and the various indignities he has suffered cumulatively add up to inhuman treatment under Article 3, or at the very least, to discrimination in his rights to privacy under Articles 14 and 8. To prove the latter he would have to show that white prisoners in his position are not treated in the same way.



Supporters of Satpal Ram, including Apache Indian (left), gathered outside Downing Street on November 16 to hand in a petition to Tony Blair demanding Satpal's release. The attack on Satpal which led to his imprisonment took place on the same date in 1986. As CARF goes to press, we await a Parole Board decision.

Richie Andrew

Ricky Reel



If the Act had been in force when Ricky died, his family might have been able to take a case under Article 14 of the Convention combined with Article 2 – discrimination in the protection of life. They would need to show that a white person's disappearance and subsequent death would have been investigated more energetically and vigorously. If the family were taking the police to court, they would be entitled to see the report of the investigation into the police failure to investigate, under the principle of 'equality of arms' which is an essential ingredient of a fair trial (Article 6 of the Convention), providing that neither side to litigation should have an unfair advantage by failing to disclose all relevant information. Otherwise, they would probably not be entitled to the report. The Convention contains no general principle of freedom of official information.

Zahid Mubarek



If the Act had been in force when Zahid was killed his family could have taken the prison service to court for putting a racist who was known to be violent in the cell with him. The prison service ought to have prevented the death and its failure to do so means it has violated Zahid's right to life under Article 2 of the Human Rights Convention. His family ought to be compensated.

See pp4–5

families should as a matter of course obtain legal aid for representation at inquests into a relative's death, and should as a matter of course be entitled to full disclosure of all relevant evidence.

In fact, the Act has already had an impact in this area. In July, in recognition that it was about to come into force, the family of Christopher Alder were granted legal aid to be represented at the inquest into his death in Hull police station in 1998. A decision had already been taken to prosecute the officers involved for neglect of duty. In the same month, the High Court condemned the refusal by the DPP to prosecute the prison officers implicated by the unlawful killing verdict on the death of Alton Manning in Blakenhurst prison in 1995. The judges said that the refusal, without explanation to the family, breached their human rights.

Victims of violence

The state's responsibility under the Convention to protect life and property could also offer a real opportunity to the victims of racist attacks and their families to hold the authorities accountable for a failure of protection. In the Osman case, in which a family complained about the failure of the police to prevent the killing of their son by an obsessed teacher, the European Court of Human Rights said that the right to life means not just the right not to be killed by the state but also the right to protection from killing by others. The authorities have a responsibility to avoid real and immediate risks to life which they know or ought to know about. Thus, a victim of repeated racist attacks, such as Lancaster shopkeeper Mal Hussein, would be able to bring an action against the police and the local authority alleging a failure to protect his home, his property and his life. The family of Robert Hamill, who was killed by a loyalist gang in Portadown in full view of an army patrol who took no action to intervene, would also have a strong case for arguing that the authorities' failure to protect, or later to investigate or prosecute anyone for Robert's death, violated the Human Rights Act. Police no longer have immunity from legal action. If it can be shown that the failure to protect was discriminatory – that police act faster and do more for white victims than for black, or loyalist than republican, for example – a breach of the anti-discrimination provision of the Act would also be established.

Asylum and deportation cases

The Act will also have an impact on the rights of asylum seekers and those facing deportation. Under the Convention, no-one can be sent back to a risk of torture or inhuman or degrading treatment. This should provide protection for those who currently don't qualify to remain in the country as refugees – eg those seen as a threat to national security, or who fear the indiscriminate violence of war rather than the particular violence of persecution. Additionally, it will be unlawful under the Human Rights Act to send home AIDS sufferers and others with terminal or very serious illnesses if to do so would result in loss of medical treatment and condemn the sufferer to an early death, to misery and destitution. Equally, deportations that split families may be prevented if as a result the family cannot stay together – although the right to respect for family life is not absolute but may be set aside (the legal term is



A victim of repeated racist attacks, such as Lancaster shopkeeper Mal Hussein (above), would be able to bring an action against the police and the local authority, alleging a failure to protect home, property and life.

'interfered with') on the grounds that it is 'necessary in a democratic society'. A deportation which splits a family could be justified if the deportee has criminal convictions, or if he or she has a 'bad' immigration history.

Frightening the judges

These examples show that there are many loopholes for judges who don't like the idea of human rights for asylum seekers, illegal immigrants and criminals (and for many judges, as for the Home Office, the three terms are often seen as synonymous). It's in the field of immigration and asylum law that the judges already give the Home Office the greatest freedom – just as the judges of the European Human Rights court have traditionally done. Many judges appear haunted by the spectre of hordes of scrounging huddled criminal masses waiting to exploit every possibility offered them to pour into Britain. The House of Lords decided in the summer, in the teeth of the evidence, that Gypsies in Slovakia are adequately protected by the

authorities from racist attack and cannot claim refugee status in Britain. And following the coming into force of the new Act, lawyers have told CARF they have noticed a perceptible defensiveness in judges called upon to stop deportations.

Right-wing backlash

This defensive response is encouraged by the right-wing press and its political bedfellows in the Tory ranks. Within weeks of the Act's introduction the first scare mongering headlines were appearing: 'He has AIDS and convictions for drugs and violence. But the asylum seeker has a human right to be in Britain, says a judge. And we can't even name him.' This one took up one-third of a *Daily Mail* page on 25 October. A large photograph of the offending judge appeared below the headline. The headline had nearly all the ingredients for hysteria: crime, health scare, asylum seeking. The text of the story brought in the other ingredient calculated to deter liberal judges: taxpayers' money, which was funding the man's appeal. The *Mail*

story also referred to the 'Sikh terrorists who can't be deported because they face torture in India' in a throw-away comment which made torture sound like a mere inconvenience.

The right-wing line is that human rights are not really for everyone, only for a particular class of people who deserve them, and the others, the criminals, the scroungers, the asylum seekers, are taking the judges for a ride. And the danger is that judges will respond to this right-wing backlash, even try to pre-empt it, particularly in 'sensitive' areas involving institutional racism, such as policing and immigration, by rulings which defer to ministers' or police assessments of which interferences with rights are 'necessary in a democratic society'. We saw an example of this in the Court of Appeal's ruling in July that Muslim priest Shafiq ur Rehman was a national security risk who ought to be deported, even though his support (if at all) was for liberation fighters in Kashmir. The court accepted wholesale the Home Secretary's argument that anyone who threatened any friendly country's security was a threat to the UK.

In cases where it is claimed that there has been discrimination in the enjoyment of a basic right (for example, the disproportionate use of stop-and-search against black men, or the exclusion of black children from school) the judges have to decide whether, if there has been discrimination, it has a reasonable and objective justification. The danger here is that by relying on suspect statistics or borrowing right-wing arguments about constitutional disorderliness or criminality, judges could find the institutional racism manifested by such practices justified. And that would give both the actions and the underlying racist arguments the seal of legal approval.

Hijacking human rights

If the combination of judicial conservatism and media scare mongering has the effect of undermining the usefulness of the Human Rights Act to those who need it most – victims of state racism – the real beneficiaries of the Act could be those who need it least. The human rights that the judges may be most willing to uphold are, perversely, the rights of corporations – to advertise tobacco products and to print gossip about celebrities, in accordance with rights to free speech; to receive compensation for irregular planning decisions, in accordance with their rights to enjoyment of property. If it seems bizarre that those most anti-human of creations, commercial corporations, can enjoy and enforce 'human' rights to enable them to make profit, while families can be split in the name of immigration control, that perversity is a clue to the struggle that lies ahead. Human rights are being hijacked – by the corporations demanding the right to print lies and broadcast pornography in the name of freedom; by the lawyers and judges who are assisting the divorce of human rights from human beings to turn them into subjects of litigation and specialist textbooks.

We must use the Human Rights Act for all it is worth – to try to get rid of the degrading voucher scheme which stigmatises asylum seekers; to demand proper investigations into racist attacks and deaths in custody; to insist on accountable police and prisons; to fight deportations. But we must not be under any illusions that the fight is going to be easy. ■

Human rights in prison: new briefing published



The Prisoners' Advice Service and INQUEST have published a very useful briefing on the Human Rights Act and prisoners' rights. The biggest impact of the Act is likely to be in the prevention and investigation of deaths and injuries in custody, including suicides and attempted suicides as well as attacks by prison staff and inmates and failure to provide proper medical treatment. But the briefing examines all the rights protected by the new Act – not only the right to life and to freedom from torture and inhuman or degrading treatment or punishment, but also freedom from forced labour, the right to liberty, access to courts, freedom from retrospective penalties, rights to privacy and family life, freedom of conscience, expression and assembly, rights to marriage and to found a family, freedom from discrimination, property rights and free elections – showing the relevance of each to those in custody. It is clear, comprehensive and an invaluable guide to prisoners and those assisting them. ■

Prisoners, deaths in custody and the Human Rights Act: a briefing, by Prisoners' Advice Service and INQUEST, price £5.00. Prisoners' Advice Service Unit, 305 Hatton Square, 16/16A Baldwin Gardens, London EC1N 7RJ. Tel 020 7405 8090. INQUEST, Ground Floor, Alexandra National House, 330 Seven Sisters Road, London N4 2PJ.

New York demonstration against detention



On November 24, Thanksgiving day in America, a coalition of immigrant rights, anti-prison, student and community activists organised a demonstration in New York City to demand justice for all prisoners – including detained immigrants and refugees. On any day, an average of 20,000 immigrants, including families with children, are held in US detention centres, under prison-like conditions. The US prison population now totals over 2 million people – the largest prison population of any nation – over 70 per cent of whom are non-violent offenders. An overwhelming majority of those incarcerated are Black, Latino and other 'people of colour'. Many of these detention centres and prisons are managed by the same two private corporations – Corrections Corporation of America and Wackenhut Corporation – which are now running private jails in the UK (see CARF 57). ■

burying macpherson

It took 50 or so years of struggle against racism in Britain to get the fact of institutional racism accepted. In that sense the Macpherson Report into the death of Stephen Lawrence was a milestone – for it vindicated the repeated claims of racism that black people had made against the police and the criminal justice system.

Paul Mattsson



Still fighting

Doreen Lawrence, who is still fighting institutional racism, is being portrayed by the Right as a victim of anti-racists' manipulation, rather than of police racism.

EVEN WHILE THE STRUGGLE IS STILL ON TO GET THE GOVERNMENT TO IMPLEMENT MACPHERSON'S RECOMMENDATIONS, THE IDEOLOGICAL BACKLASH TO THE INQUIRY HAS GATHERED PACE.

THE days of explaining that racism was not about personal attitudes or cultural disadvantage were over. Racism was established as a systematic pattern of injustice woven into the very culture and institutions of society and the state. Or so we thought. But even while the struggle is still on to get the government to implement Macpherson's recommendations, the ideological backlash to the Inquiry has gathered pace.

Attack from the Right

Two reports hailing from the Institute for the Study of Civil Society (ISCS), a successor to the right-wing Institute of Economic Affairs, are quite overt about undermining the Macpherson Report and, especially, the concept of institutional racism. *Institutional Racism and the Police: Fact or Fiction* is a small book which gathers together previously published opinions. That some of these, like those of John Grieve (of the Met's Racial and Violent Crimes Task Force) and Mike O'Brien (Home Office Secretary of State), are embarrassingly keen to embrace the concept of institutional racism can be no coincidence or matter of balance; they are there as foils for the remaining contributors. For Tory ex-shadow minister Robert Skidelsky (of the Social Market Foundation) the definition of institutional racism (particularly 'unwitting racism' which is 'unprovable') has been so expanded that it has nothing to do with 'truth' and 'everything to do with politics'. In David Green's hands Macpherson's call to ditch colour-blind policing (because it gives no weightage to the differential customs, lifestyles etc of different ethnic groups) becomes interpreted as a call to colour-conscious policing which equals preferential policing. And Michael Ignatieff (whose understanding of racism begins and ends in the Balkans) sides with Green in his equal-not-differential treatment gambit – on the basis apparently that we all start off equal and should therefore be treated equally! It is Green, though, who sums up the whole Right position on Macpherson: the Lawrences were exploited and Macpherson was misled

by pressure groups which sought to establish black people as victims of a white society that cared little about the death of a black man. Which of course is manifest nonsense in Green's view as the couple who helped Stephen as he lay dying were both white!

Selective reading

In *Racist Murder and Pressure Group Politics*, a larger work by Norman Dennis, George Erdos and Ahmed Al-Shahi, the same spurious arguments and methods are employed to discredit Macpherson – alleging, for instance, that because the Inquiry could not find either overt or covert racism, it moved the goalposts to 'unwitting racism'. And by selective readings of parts of the evidence submitted to the Inquiry, the authors are not just able to exonerate individual police officers but also succeed in arguing in the process that it was Doreen Lawrence who incited the public, and Imran Khan, an uppity lawyer, who made it so hard for the police to do their job. (Note, this interpretation was handed to the Right on a platter by journalist Brian Cathcart in his book *The Case of Stephen Lawrence*.) All of which, say the authors, has made the police so sensitive to accusations of racism that they fail to police black areas effectively.

Much of this mischievous ISCS book (which is being promoted by sections of the police) utilises the sleaziest of tactics: words from the Lawrence parents are pulled out of context to oppose those from Macpherson, the religious beliefs and family values of the Lawrences are, without the slightest evidence, posited as anathema to their supporters, anti-racists are derided as Stalinists or Trotskyists, and Stokely Carmichael (credited with coining the term institutional racism) as an anti-Semite, and anti-racism itself is depicted as a totalitarian creed.

Misrepresenting anti-racism

The book relies on the same canard that the New Right (à la Anthony Flew, John Marks, David Dale, Ray Honeyford et al) used in the 1980s and 1990s to attack the Inner London Education Authority, the Institute of Race Relations and the Central Council for Education and Training in Social Work, namely that anti-racists conflate equality of opportunity with equality of outcome. In other words that anti-racism demands ethnic quotas in all fields to correspond with ethnic proportions in the overall population. And they still wheel out Afro-American Thomas Sowell, their one solitary academic, to give their arguments 'substance'.

IN ONE FELL SWOOP,
THE PAREKH REPORT
NOT ONLY UNIDID
MACPHERSON, BUT
UNIDID ANTI-RACISM
TOO.

It would not be worth bothering at all with such shoddy and clearly politically-inspired reports except that their supporters in the press give their specious arguments popular airing and further add to muddle-headed thinking under guise of common sense. *Sunday Times* columnist Melanie Phillips, for example, begins by drawing on the ISCS reports to exonerate the police of racism and then goes on to add her own ha'p'orth of originality by alleging that institutional racism for Macpherson is something which 'mysteriously floats about in structures, not persons, you can be racist without knowing it. Thus what isn't there is really there.'

But it is Phillips who is not all there. It is she and her cohorts of the Right who wilfully refuse to grasp a) that prejudice is not synonymous with racism, b) that it is the effect of an action not its intent that constitutes the problem, c) that sensitive policing does not militate against equality of treatment but enhances its possibility, d) that institutional racism describes the policies, procedures, operations and culture of institutions and e) that the Macpherson Inquiry's finding of institutional racism was based, not just on the conduct of officers in one case, but on a whole body of evidence of black people's experience over 50 years.

Attack from the Left?

It is ironic, indeed, that a report from a conservative, retired high court judge can push forward frontiers in the tackling of racism, while another report influenced by prominent black (and erstwhile radical) academics can set them back. But the *Parekh Report* on The Future of Multi-Ethnic Britain (FMEB) has produced more problems for anti-racists than solutions.

Its authors, now reeling from the media brouhaha over the *Parekh Report*, complain that sentences were taken out of context and that serious practical recommendations have been overlooked. But the fact remains that, before any discussion of racism in the report come 55 pages which set the philosophical scene. And it is here, in sections entitled, 'The Turning Point', 'Rethinking the National story', 'Identities in Transition' and 'Cohesion, Equality and Difference' that the dragon's teeth were sown. Strongly influenced by academic preoccupations with postmodernism and a 'reading' of racism more usually found on Cultural Studies courses, the report here weaves its way round 'imagined communities', 'hybrid identities', 'cultural difference' and the 'multicultural post-nation'.

Postmodern gobbledygook

The term Britishness, like Englishness, is racially coded, says the report. Racial and cultural difference have been symbolically 'written out of the national story'. Defining British in an exclusive manner alienates 'a large number of people and fails to foster a common sense of belonging'. Britain should formally declare itself a multicultural society whose history needs to be 'revised, rethought or jettisoned'. A state is not only a territory or political entity but also an 'imagined community'. A genuinely multicultural Britain needs to reimagine itself. Such a reimagining would speak both to the increasing number of people who have 'multiple identities' and the 'hybrid cultural forms' emerging in music and the arts.

In one fell swoop, the *Parekh Report* not only undid Macpherson, but undid anti-racism too. Macpherson had put racism, and especially institutional racism, four-

square on the nation's agenda. Now the agenda was sliding back to the old preoccupations of multi-culturalism (1970s), ethnicities (1980s), identities (1990s). Racism, we were being told, was really about identity, inclusion and rebranding. And the fight against racism had once again been degraded to a fight for culture and identity.

In the world of discourse, academics do not distinguish between metaphor, symbol, the word and the world. Representation is all. But, as A. Sivanandan commented, 'changing the tag does not change the goods'. It was the fact that those first 55 pages, and particularly the section on Britishness, were couched in the private, elitist, postmodern gobbledygook beloved of the ivory tower intellectuals, that really did for the report.

Vindicating hostility to Macpherson

The result was that that section of the press which had already been hostile to Macpherson had found vindication and that section which was not, was now prone to cast anti-racists as unreasonable and un-British.

The *Daily Telegraph*, in particular, took the opportunity presented by the *Parekh Report* to vilify Macpherson. 'The Conservatives now have an excellent chance to make good their past silence on Macpherson', it editorialised on 12 October. In case the point was missed, it went on the next day to state that: 'No more disgracefully unfair a document has ever been produced by a judge in modern British history.'

Home Secretary Straw himself was the first to defend Britishness from the alleged racist slur, attacking the political left as 'unpatriotic'. Boris Johnson ran with it: 'These people genuinely hate Britain... This is a war over culture' (DT 12.12.00). And Hague was quick to get in on the act. 'In 2000', he wrote in the next day's issue, 'the threat from the Left ... manifests itself in the tyranny of political correctness and the assault on British culture and history.' 'It can only stir up racial ill-feeling', opined Andrew Alexander in the *Daily Mail*. 'Political correctness gone mad' was already the *Daily Star's* conclusion. 'Commission for Racial Etiquette', quipped the *Times*. 'Children will be told lies about their history and encouraged to feel ashamed of their country', warned Littlejohn in the *Sun*. 'The brainwashing process has already begun.'

Another platform for the Right

As the terrain of debate moved from racism to national identity and patriotism, it provided the new-Right 'ideologues' (not the libertarian free-marketeer types of the ISCS, but their nationalist, traditionalist cousins) with a new lease of life. For not since the hey-day of the Greater London Council and the attacks on the 'Loony Left' have Norman Tebbit, Roger Scruton and even Ray Honeyford had so much coverage. Now we find their views being aired in columns, letters pages, profiles and Radio 4 debates.

But, say some of the Commissioners on the FMEB, we need just this kind of debate. All well and good in the safe confines of the university seminar room or the BBC studio. But it is a stabbing, not a debate, for an asylum seeker in Coventry.

The Institute for the study of civic society is at 39 York Road, London SE1 7NQ, website: www.civil-society.org.uk.

The future of multi-ethnic Britain, Profile Books Ltd., £10.99

Overlooked

Practical recommendations in the Parekh Report which got overlooked included:

- Independent body to investigate complaints against the police
- Evaluation of the use of stop-and-search powers
- Race equality inspection of prisons
- Independent commission on all aspects of immigration, nationality and asylum
- Legislation to prohibit discrimination on grounds of religious belief

national civil rights movement

issue3, winter 2000

newsletter

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Free race and policing
helpline: 0800 374618

Call this number anywhere in the
UK for assistance with police
racism.

The hugely successful campaign waged on behalf of Stephen Lawrence over the last seven years has highlighted the nature and scale of racism in this country. As a result of the Lawrences' campaign, the Macpherson Inquiry produced an indictment of institutional racism across our society and in particular within the police force.

In recent years a number of families of the victims of injustice have shown a remarkable determination to campaign for truth and accountability. Their experience and confidence form the basis of the National Civil Rights Movement. Inspired by their example, we have come together – families, campaigners, lawyers and community activists – to build a new movement. Our aim is to provide support for the victims of racial injustice, to promote family-based campaigns and to challenge the criminal justice system.

Please help us build and strengthen that network by joining the National Civil Rights Movement.

ANTI-IRISH RACISM

Justice for Garry Walton

Garry Walton, an innocent 21-year-old Irishman, was racially murdered in 1996. To date no-one has been charged with his murder. The killing took place on 7 November 1996 while he was on a pleasure boat on holiday in Tenerife. Evidence from several eye-witnesses shows that he was subject to continuous racial harassment, taunting and intimidation by a group of men from Essex. The same people then allegedly murdered him by throwing him overboard. Since then the Walton family have endured injury upon injury.

The Spanish police persuaded a local coroner to declare that no injuries had been discovered on Garry's body, thus saving them the bother of questioning up to 60 possible witnesses. However, following an exhumation and second post-mortem in Ireland (where the Waltons now live) the state pathologist determined that Garry had indeed received several injuries, some of them serious, before being thrown overboard.

In July 1997, Greater Manchester police obtained witness statements (signed under oath in court) from people on board the boat. The first witness named a Chelmsford man as Garry's murderer, whilst a second witness testified that she had been present the morning after the

incident when this same person boasted of having killed Garry.

This suspect then threatened the two witnesses and warned them to say nothing about what they had seen and heard. In addition, other independent testimonies, secured by the victim's family, state that the suspect and two accomplices had subjected Garry to several hours of mounting abuse, ridicule, insults and taunting, and had finally thrown him overboard.

Today, some four years later, Essex police have still not questioned the person identified by witnesses. Despite pressure from the Home Office, Interpol, the Irish Foreign Office and Garry's family and friends, they have repeatedly refused to apprehend this man on the ground that they could not justify spending taxpayers' money on investigating the death of an Irishman in Spain.

The Walton family together with The Monitoring Group and the National Civil Rights Movement have now set up a campaign to fight for truth and justice in this killing involving anti-Irish racism.

For further information, please phone Suresh Grover / Kiran Ballay at TMG or alternatively write to: Justice for Garry Walton, C/O G McCullagh Solicitors, Cois Mhuire, Dungarven, County Waterford, Eire.

SUSPICIOUS DEATH

Refugee death 'suspicious'

The family of 31-year-old Abdi Ahmed Dorre, a Somali refugee, who died in suspicious circumstances in a nightclub in Northampton on 11 August, is calling for the police to step up their investigations. Abdi, a father of two, is said to have 'fallen' downstairs at the club. He was taken to hospital but



died the following day of severe head injuries. The family is unhappy about the way in which police have investigated the death. Little attempt was made to obtain evidence and, despite requests from the family, police are not treating the death as murder or as racially motivated. Three people were originally arrested and charged but the CPS dropped charges, citing insufficient evidence to prosecute.

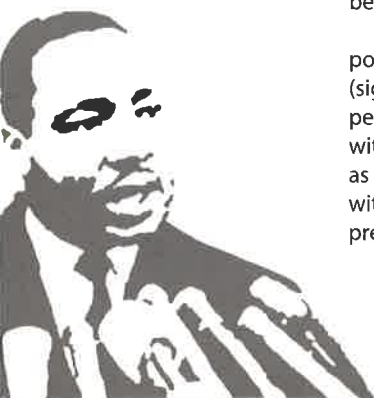
Family's demands

■ A thorough investigation by the Racial and Violent Crimes Task Force

■ Immediate suspension of the Chief Constable of Essex Police

■ Meeting with the Home Secretary to review the case

■ Full disclosure of the Police Complaints Authority inquiry into the family's complaint.



Caravan tours south of England

In early October, the Civil Rights Caravan visited the south-west of England, an area where far-Right groups have recently been active and black people are often isolated in their struggles against racism. A south-west branch of



Civil Rights Caravan in Bristol

the National Civil Rights Movement was launched a year ago to counter this isolation. The Caravan's visits to

Exeter and Plymouth were marked with anti-voucher pickets, public meetings and 'Rock Against Racism' events. The Caravan also visited local Gypsy sites and linked up with refugee groups in Bristol.

Later in October, the Caravan was in Dover and Margate – areas which have become hot-spots of anti-refugee hostility and violence. The Caravan was particularly concerned to provide support to the refugees resident in these towns, who are in desperate need of emergency legal support and translators. Caravan activists returned to Margate in November to continue providing practical support for refugees there. In Dover, the death of the 58 Chinese migrants earlier this year was marked. ■

Caravan in Manchester

The Civil Rights Caravan arrived in Manchester on 28 October where a reception had been organised in Moss Side. The next morning, after leafleting in the city centre, a public meeting was held at the Pakistani Community Centre in Longsight. Speakers included Christopher

Alder's sister Janet, Sam Azad of the Federation of Iranian Refugees and asylum seeker Omari Mtiga who spoke of his experiences of detention, vouchers and racism. A branch of the Civil Rights Caravan was established to develop further activities in Manchester. ■

National demonstration against racism



Mike Cohen

A national demonstration against racism and for refugee rights, called by the National Civil Rights Movement, was held in central London on 14 October – the third anniversary of the disappearance of Ricky Reel. Eight hundred people, mainly drawn from family campaigns against racism and refugee groups, marched past parliament and Downing Street, where 157 black balloons were released, one for each person who has died as a result of racism and xenophobic laws since the murder of Stephen Lawrence. ■

updates

Roger Sylvester

After taking thirteen months to reach a decision, the CPS announced in November it would not prosecute any of the eight police officers involved in the murder of Roger Sylvester. Roger died on 18 January 1999 after he was restrained by police officers in St Ann's hospital, Tottenham, where he had been detained under the Mental Health Act (see CARF 50 and 54). Roger's mother, Sheila Sylvester, said of the announcement, 'This shocking decision comes as no surprise to my family. There is something shameful about a system where, when people die in custody, their custodians never give a proper account of what they did and the system is not geared towards making anyone properly accountable.' The inquest into his death will now be held early next year.

The family campaign held a picket of Tottenham police station in protest at the CPS' decision. The campaign is now calling for an independent judicial inquiry into the death and the wider issues of the use of force by the police and the policing of black communities. ■

Roger Sylvester Justice Campaign, PO Box 25908, London, N18 1WU. Tel: 07931 970442 e-mail RSJC@hotmail.com

Inquest, Ground Floor, Alexandra National House, 330 Seven Sisters Road, London N4 2PJ. Tel: 020 8802 7430 Web: www.inquest.org.uk

Michael Menson

Finally, the Menson family's complaints into the Met police's treatment of the death of Michael Menson in January 1997 are being investigated. Michael was found alight on the North Circular Road in Edmonton, north London, and died 16 days later from his injuries. Four men were jailed last year for their involvement in the murder (see CARF 52 and 54).

The PCA is supervising Cambridgeshire police, who are investigating the conduct of at least 11 officers in the inquiry. The investigation is thought to be concentrating on the actions of the police at the initial stages, when the attack was treated as an attempted suicide. Officers called to the scene failed to make the simplest of inquiries. Whether these officers will be prosecuted at the end of the investigation remains to be seen. ■



Leicester Civil Rights Movement

The Leicester Civil Rights Movement (LCRM) writes:

We have been meeting every fortnight since the Caravan came to Leicester in September. Safe transport is provided to meetings for any local asylum seekers who need it and we encourage local people to attend as interpreters. We share a hot meal, listen to the experiences of the hostel dwellers and their living conditions, and plan joint activities. Recently, these have included meetings with the City Council's catering DSO to try to

had come without interpreters – only a phone service was available. Because members of LCRM had been invited down by asylum seekers to observe what happened and to act as advocates if necessary, we were able later to lodge formal complaints about the way this inquiry was conducted.

There is a pregnant woman at the hotel, whose baby is due in February. Despite the appalling conditions and lack of appropriate food, the authorities will not rehouse her till after the baby's birth. We are supporting her appeal and hope to work more closely with the other women at the hotel, who are unable to make it to the open meetings.

A recent lobby of the local MP's surgery was very successful and even got coverage in the local newspaper. The MP has since written to the Home Secretary about the conditions at the International Hotel. LCRM also lobbied him for an end to the system of dispersal and the scrapping of vouchers. Leicester is expecting another 1,000 asylum seekers shortly.

We organised a coach for our supporters to go down to the NCRM national demonstration in London on 14 October to mark the third anniversary of Ricky Reel's death. Asylum seekers went for free and we were really keen to show how to link national and international issues, and the whole range of experiences of racism – in the asylum system and in the criminal justice system. Walcott Hill's son Spencer was killed in Leicester last year while being pursued by the police as he defended himself from a racist attack. Walcott has been attending meetings and sharing information on the progress of his son's case. LCRM is supporting him and his family, as the NCRM did with the Reel family, in campaigning for an independent investigation into the death of his son. ■

improve basic things like food. We found out that the council is contracted to supply food for about 300 residents of the International Hotel (a refugee hostel in the city centre) although the hotel currently houses nearer 400 people! Other problems which have been raised by asylum seekers include overcrowding (double rooms are being used to accommodate five people – so much for a right to family life!), insanitary conditions and boredom. The only recreation available is one table tennis table – and a fine of 50p is levied each time the ball goes missing. Other practical support that LCRM has provided includes the distribution of warm winter clothing, fruit, vegetables and toiletries.

NASS came to the hotel and interrogated asylum seekers about allegations that they had been working, and we found that they



The Leicester Civil Rights Movement attended the national demonstration against racism on 14 October

campaigns

MISCARRIAGE OF JUSTICE

Justice for Samar and Jawad

In October, on only the fourth day of the hearing of Samar Alami and Jawad Botmeh's appeal against their conviction on charges of conspiracy to cause explosions, the case was adjourned, probably for a few months. The defence was allowed to introduce some 'new' evidence – actually available in 1994, but never disclosed by the prosecution to the judges or to the defence. Pii (Public interest immunity) certificates were used to withhold information that MI5, MI6 and Special Branch were aware, before the bombing of the Israeli embassy, that a terrorist group was seeking information about the embassy for possible bomb attacks. This information was only revealed after judges held closed hearings on the evidence. The CPS continues to withhold additional evidence which is thought to reveal the involvement of Israeli intelligence in the bombing.

Samar and Jawad are being denied their freedom despite evidence being available which would exonerate them. In similar circumstances, the M25 Three were finally released earlier this year after spending 10 years in jail for robbery and murder (see *CARF* 57). The European Court of Human Rights had earlier ruled that the men were denied a fair trial because vital evidence was withheld under Pii certificates. ■

Address: BM Box FOS, London WC1N 3XX.
Tel: 0208 863 2294 / 07958 680 449
E-mail: postmaster@freesaj.org.uk
Web: www.freesaj.org.uk

Picket of CPS, 11 December

The campaign is calling for a day of action on 11 December, the fourth anniversary of Samar and Jawad's convictions.

Picket of Crown Prosecution Service, 3–6pm, 50 Ludgate Hill, London EC4.

Tewodros Afework: Met police offer reward

In October, the Met police announced it is offering a reward for information on the attempted murder of Eritrean Tewodros 'Teddy' Afework. 24-year-old Teddy was attacked while walking home on Easter Sunday, this year (see *CARF* 56). A man kicked, punched and abused Teddy after knocking him to the ground. Teddy, remains critically ill in hospital with severe head injuries and brain damage. ■



Other taxi deaths

1/92 Mohammed Sarwar
Minicab driver beaten, dragged from cab in Manchester, cab then set alight. He was left dying in road.

1/92 Ashiq Hussain (21)
Minicab driver stabbed to death in Birmingham after going to aid of another driver who was being racially abused.

3/93 Fiaz Mirza (42)
Assailants took cab to Docklands, stole £30 takings and beat driver unconscious. Put him in boot of car and crashed through gates leading to dock. Fiaz initially escaped but they beat him to death and threw his body into the water.

Murder of taxi-driver

On 9 November, Tariq Javed, a 48-year-old taxi-driver from Bury, was brutally murdered while driving the cab he had driven for years. Tariq, a father of four, had been sent by his firm, Peel Cars, to a local pub but never arrived. An unidentified witness called the cab firm and said that a driver was being attacked by two men. Tariq was beaten, robbed and then run over by his own car.

The murder led to violent clashes in the area between white and Asian youth. Taxi-drivers and local people staged a weekend of strikes and demonstrations in protest. Many more taxi-drivers are refusing to return to work, protesting at the climate of fear and intimidation in which they are

forced to work.

Greater Manchester police are treating the attack as racially motivated and, soon after the murder, arrested a group of men who had been out celebrating a birthday. The group is thought to include two juveniles. A week after the murder 21-year-old Mark Baker was charged with murder and robbery and a few days later, 29-year-old Jason Power was also charged with murder and robbery. Both men are from the Bury area.

Two weeks after the murder, in an unprecedented action, the police issued personal attack alarms to 300 taxi firms in the area amid continued concerns about driver safety. ■

Government asylum fraud

In a wood outside Clacton there is an old run-down holiday motel. Run by Estuary Hotels, a private company which owns two seedy hotels in Clacton, this motel, far from anywhere, now serves as a dumping ground for asylum seekers, mainly families. An interpreter who went there in November to help fill in a Statement of Evidence form for an Iranian client was literally mobbed by scores of frantic residents and had to be physically pulled away by the staff.

The Iranians dumped in the Essex hinterlands are victims of the government's massive asylum fraud. Behind the statistics which show that the backlog of asylum claims is decreasing by thousands a month is the reality of a system set up to ensure asylum claims fail because applicants simply can't provide the information the Home Office demands. Under the new procedures, refugees claiming asylum are given a 'Statement of Evidence' form (SEF) which has to be completed in full and in English and returned to the Home Office within 14 days with supporting evidence and translations into English. But they are often dispersed out of London and the south-east (where most of the refugee lawyers, interpreters and caseworkers are) to the north-east, north-west, and areas such as Norfolk and Essex where expertise – linguistic, legal and medical – is very sparse. The few solicitors and interpreters there are overwhelmed and are booking appointments to help fill in the forms months ahead.

The government insists that asylum applicants don't need lawyers to fill in the forms. Meanwhile, however, 36 per cent of claims are refused for 'non-compliance' – that means for failure to return the forms in time. And the Home Office has no answer to the question: how are asylum claimants expected to know what is relevant to an asylum claim without a lawyer? And how are Iranians who speak no English expected to fill in forms in English without help? ■

BNP and press stoke dispersal fears

As the government continues its programme of forcibly dispersing asylum seekers to rundown areas of northern towns, the BNP has been attempting to whip up fear and resentment among local residents. In Newcastle, North East 'organiser' Kevin Scott, who has previous convictions for assault and for using threatening words and behaviour, has been active in the West End area. In a leaflet delivered to scores of homes in Denton, Scott claimed that Brent Council was about to send 16,000 asylum seekers to the area. The BNP tried the same tactic in Glasgow, where members even managed to hand out leaflets in a school with a small number of refugee children. But Scott's plan backfired when the *Newcastle Evening Chronicle* put him on its front page, exposing him as a fraud. In actual fact only 35 asylum seekers are to be housed in Denton.

Other local newspapers have not been so positive. The *Sunderland Echo* ran an article on 2 June warning of 'widespread concern about waves of asylum seekers arriving unchecked in the North East'. Young families and pensioners would be 'lobbed out on to the

street', according to the *Echo*, to make way for 'a money-spinning influx of asylum seekers'. Since April, the paper has repeatedly printed letters in which crude prejudices go unchallenged. Refugees are portrayed as criminals, carriers of infectious diseases and aggressive beggars.

With newspaper coverage such as this, and the BNP active, it is little wonder that hostility against refugees in the Tyneside area is leading to violence. In June, a two-year-old refugee child suffered a head injury after a Polish family's house was attacked in Jarrow. Refugee children often face abuse on their way to and from school.

A recent report by Save the Children Scotland and the Scottish Refugee Council reveals similar problems in Glasgow, where about 380 children have been forcibly relocated. Almost every child interviewed had suffered some form of hostility and racism. 'They tell of stones being thrown at them in the street, even at a baby, air rifles being fired at them, windows being broken, racist abuse, shouting, swearing, being chased, beatings and other harassment.' ■



BNP North-East organiser, Kevin Scott

No compromise on vouchers

Ahmad, an asylum seeker from Iran who has been through interrogation by the revolutionary guards, sweats and trembles. He is not reliving his experiences in prison,

but describing how he feels as he approaches the check-out at the supermarket where he buys his groceries. The experience is always an ordeal of humiliation for him.

An alliance of trade unions, churches, refugee support groups and charities succeeded in getting the degrading voucher system on to the agenda at the Labour Party conference in the autumn. A review was promised and, in the meantime, Home Secretary Jack Straw assured the

conference that the 'no change' policy used to attract supermarkets to the scheme would be ditched and asylum seekers would be given change for purchases. Now Bill Morris, leader of the TGWU, feels betrayed. The 'review' is to be conducted by Straw's immigration minister Barbara Roche rather than by an independent body, and asylum seekers still don't get change when they use the vouchers. Campaigners believe they may win on the issue of change, since the alternative – the provision of even smaller denominations, down to 10p vouchers – is deemed too expensive. But the voucher system itself seems set to remain. Bill Morris vowed that his union would not give up on the issue: 'The government must understand – vouchers are an affront to human dignity on which my union will not compromise.'



Xmas cards

The Committee to Defend Asylum Seekers has produced full-colour Xmas cards with the above cartoon (£5 for 6 cards; or £25 for 30; add 50p postage).

Order from Committee to Defend Asylum Seekers, BCM Box 4289, London WC1N 3XX

No to secrecy and censorship

As immigration and asylum policy becomes more and more restrictive across Europe, indications from France and Ireland reveal official attempts to suppress information about the detention of immigrants and asylum seekers, and to stifle their campaigns.

The French government is preparing a decree to stop anti-racist group CIMADE and other independent organisations from going into French detention centres to offer legal advice to detainees. The move follows a series of press reports based on CIMADE's disclosures, drawing attention to shocking medical neglect of detainees and the illegal detention of children and long-term residents. CIMADE had provided social and legal support for detainees. The decree being prepared by the Interior Ministry provides for social but not legal assistance for detainees and envisages replacement of CIMADE by a quango, the Office des Migrations Internationales (OMI), which already operates in airport waiting zones. OMI is not trusted to monitor detention centre policies and practices, or to safeguard detainees' rights by publicising abuses.

Meanwhile, in Ireland the Irish

Refugee Council and the National Union of Journalists have condemned a new law which prevents asylum seekers getting public support for their campaigns against deportation. The law, which came into effect in November, says that no asylum seeker should be identified in any media story without the consent of the Justice ministry as well as that of the asylum seeker. Identifying the subject of the story could lead to 12 months' imprisonment or a fine of £1500. The Department of Justice said the law was designed to protect asylum applicants. But as the NUJ and the Refugee Council pointed out, the prior consent of asylum seekers for publication of stories about them adequately protects them from media harassment or reprisals from their own government. The added requirement of the Justice ministry's consent gives that ministry the power to decide which asylum applicants can tell their stories. Suspicion about the motives of the new law was heightened by its introduction in the middle of a high-profile anti-deportation campaign by a Nigerian asylum seeker in Tramore, with the effect that she can no longer be named in news stories. ■

campaigns & reports

Su family campaign

The planned deportation of the Su family of Manchester was deferred after strong campaigning by Dukinfield Astley High School where Miao, aged 16, and her brother Jing, 14, are pupils. Headmaster John Mayes said that the children should attend classes as normal and that if the police or immigration officials turned up at the school they would be refused



Jing Hong Su

entry. The children's father, Lian Hu Su, arrived in Britain in 1992 after assisting students involved in the Tiananmen Square protests. His wife, two sons and daughter arrived three years later. Astley School has become the focus of their campaign to prevent deportation back to China, with pupils helping to collect 3,000 signatures and writing protest letters to the Home Office.

See www.irr.org.uk/sad for more information

Campaign

Dublin AFA is calling for a disobedience campaign to break the new law and make it unworkable.

Contact: Anti Fascist Action Ireland, PO Box 3355, Dublin 7. Ireland. e-mail: afa@ireland.com web: www.geocities.com/irishafa

diary of race and resistance

OCT-NOV 2000

RACIST VIOLENCE

11 OCT Royal Mail suspends six managers from its Aston sorting office for campaign of racial bullying which led to a suicide 10 months ago

13 OCT Doreen and Neville Lawrence agree to £320,000 compensation from Met police for failed investigations into murder of their son, Stephen

18 OCT *Trial of Leeds football players on charges of assaulting Asian student Safrez Najieb fixed for January, to be held in Hull*

31 OCT Met police offer £7,500 reward to find attacker of Tewedros Afework, who suffered brain damage and remains critically ill after racist attack on Easter Sunday

1 NOV *Robert Stewart jailed for life for racist murder of 19-year-old Zahid Mubarek in Feltham Young Offenders' Institute in March 2000*

2 NOV One boy expelled and six others suspended from Stewart Melville College after racially abusing their Asian computer teacher ■ Racists steal cross from church in King's Worthy, Northamptonshire, then set it alight in shop owned by Asian family

9 NOV *48-year-old taxi-driver Tariq Javed murdered in Bury, Lancashire by being dragged from his car, beaten and run over* ■ Lancaster city council apologises to Mal Hussein and Linda Livingstone for nine years of racist attacks

13 NOV Cambridge United footballer Neil Mackenzie sacked by club for persistent misconduct after he appears in court on racially aggravated public order offences

15 NOV 46-year-old taxi-driver Mohammed Choudray ambushed in Reading alley by three racists who attack him with a hammer, douse him in petrol and leave him needing 50 stitches to his head and 10 to his hand

16 NOV Anniversary of racist attack on Satpal Ram in Birmingham fourteen years ago which led to his imprisonment for murder

21 NOV Report by Joseph Rowntree Foundation reveals that under-reporting of racist incidents is widespread, despite advances made in the reporting of incidents since the Lawrence Inquiry

22 NOV Scotland Yard disbands team formed to investigate death of Ricky Reel

28 NOV *One man jailed for theft and second found not guilty after second trial into murder of Surjit Chhokar in 1998; both men blamed a third man who was found guilty of assault in 1999*

IMMIGRATION

1 OCT Government agrees to launch review of voucher system for asylum seekers

7 OCT High Court rules *Mail on Sunday* cannot reveal identity of 28-year-Algerian refugee suing Home Office for distress (under Human Rights Act) after detention in Campsfield

16 OCT Employment Minister Margaret Hodge announces 30,000 extra visas to be granted to overseas workers

24 OCT HIV positive Colombian man, whose asylum claim was rejected, allowed to stay in UK pending decision on partner's asylum request after he takes case to High Court under Human Rights Act

22 OCT Bill Morris, leader of TGWU, accuses government of backtracking on plans to reform voucher system for asylum seekers

17 NOV *Police find body of an unknown man in his 20s run over by a lorry – assumed to be the one he travelled in to Dover*

21 NOV Home Office announces 20 per cent fall in number of stowaways getting into UK, citing tougher penalties on those bringing in stowaways as reason for decline

26 NOV Immigration Service announces plans to fine freight train owners £2000 for stowaways found on trains

CRIMINAL JUSTICE

10 OCT Two Asian men and a white man freed after all white jury discharged at Sheffield crown court when jury member complains of another juror's racism

11 OCT Updated CPS code of practice for prosecutors instructs them to consult the victim or victim's family when deciding to prosecute

12 OCT Met police officer to face disciplinary charges after death of Seychellian Patrick Jean-Louis on 2 November 1998 in Plumstead police station

19 OCT Greater Manchester Police Force introduces PIN numbers to stop police officers posting racist messages on its on-line discussion forum

31 OCT Prison Service report on racism at Brixton prison condemns white staff for 'blatant' racism as black staff and inmates bullied and harassed

3 NOV 27-year-old Susan Okoya launches action for damages against Met police for unlawful arrest, false imprisonment and malicious prosecution after her 1997 arrest in King's Cross while she was waiting for a friend

8 NOV Police announce that their inquiry into 13 deaths at the New Cross fire in 1981 will end in May as all lines of inquiry exhausted

10 NOV PCA report reveals 75 per cent rise in complaints of racism against the police force

15 NOV PCA launches investigation into 12 police officers after Duwayne Brooks alleges fit-up by officers in a failed rape case last year

17 NOV CRE launches inquiry into racism in the prison service covering Brixton and Parc prisons and Feltham Young Offenders' Institute

20 NOV *CPS decides there is not enough evidence to charge the eight police officers involved in the death of Roger Sylvester in January 1999*

25 NOV Funeral of Christopher Alder takes place in Hull, 22 months after his death in the town's Queen Street police station

30 NOV Met agrees to reinstate Gurpal Virdi after employment tribunal finds its investigation into allegations that he sent racist hate-mail was 'flawed and tainted by racism'

FASCISM

5 NOV *Sunday People* reveals BNP's plans to infiltrate the fuel protesters' pickets and demonstrations

23 NOV BNP stand in local by-elections – Nick Griffin polls 4 per cent of the vote in West Bromwich and Christian Jackson polls 1 per cent in Preston

MISCELLANEOUS

13 OCT Ford announces shake-up in race training and promises training for all 20,000 employees in attempt to head off CRE investigation into company's race practices

18 OCT New Home Office working group on hooliganism in football reveals that black England football players targeted for racist abuse by fans from England Members Club

27 OCT Research commissioned by OFSTED reveals that schools are failing black schoolchildren – with the gap between white and Afro-Caribbean pupils increasing since 1988

11 NOV Commission for Future of Multi-Ethnic Britain publishes report ■ Esther Thomas, a civilian worker at Bishopsgate police station, launches harassment action against the *Sun* for its readers' abusive calls and letters after it identified her as the person complaining about the racist behaviour of her police officer colleagues

27 NOV Teacher from Calderstones Comprehensive, Liverpool, suspended after allegedly making racist remarks to three pupils

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