

carf61

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And the killings go on...

Shibli Rahman, 1966-2001

Defend Macpherson's motivation

Since Macpherson reported in February 1999, there has been a consistent push from the Right – from journalists, 'think-tanks', police chiefs and, latterly, William Hague himself – to rubbish the Report and, especially, the notion of institutional racism. Now, a judge has entered into a new line of attack on Macpherson. He has objected to the recommendation that the police investigate an incident as racist if anyone perceives it to be racist (see p3).

There has been a long struggle since the 1960s to get the police to take cases of racial harassment and racial attacks seriously; to investigate them not just as 'gang fights' and not to fob victims off by downplaying racist attacks as mere 'neighbour disputes'. And a vital part of that ongoing fight has been to get an incident's racial dimension accepted in court. Macpherson's Report was the first official document to acknowledge the extent of the problem of racial violence. He was responding to the evidence put before him of years of experiences from black communities and local groups' struggles to have racial violence taken seriously. He was attempting to change policing practices, by recommending that an incident be investigated as racial if anyone perceived it as such.

And we have to defend that struggle to highlight racial attacks and clarify racial motivation. After all, if the authorities do not accept the possibility of racial motivation, that can mean their not accepting that a crime has actually been committed. They can say, 'Oh, Ricky Reel, he had an accident, he slipped into the Thames.' 'Oh, the McGowans, they just committed suicide.' 'Michael Menson – he set himself alight!' And not recognising the racial dimension of a crime in court has led to a string of victims' convictions from the Virk brothers in 1978 to Satpal Ram in 1987. Part of our fight has to be to uphold those parts of the Macpherson Report which were resonant of community concerns. For, what is now at stake is not just the letter of Macpherson's definitions but the spirit of his Report. ■

CARF would like to apologise to subscribers for the late arrival of this issue, which has been delayed as a result of the Leeds footballers trial. The next issue will arrive at the usual time.

Please note that this issue of CARF has been compiled under the legal reporting restrictions currently in force with regard to the Leeds footballers trial.

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Shiblu Rahman: another racist murder?

In the early hours of 1 April, 34-year-old Bangladeshi chef Shiblu Rahman, was brutally stabbed and left to die by a gang of white men in Bow, east London. Shiblu was stabbed seven times in the stomach and back as he returned home from work to his wife and children on the Lincoln Estate. Shiblu managed to stagger home where he told his wife he had been stabbed by three white men. He later died in hospital.

Shiblu's family are unhappy that it took an ambulance over 30 minutes to arrive and have also criticised the police who refused to let family members into the house to comfort Shiblu as he lay dying. The police have also been criticised for failing to let family members accompany Shiblu to the hospital or even take him to the hospital themselves. The police are treating the attack as racially motivated.

On 11 April, 23-year-old Dean Cox, a 17-year-old and two 16-year-old youths appeared at the Old Bailey charged with Shiblu's murder. Bail was refused and the men were remanded into custody until 6 June. ■

Justice for Shiblu Rahman Campaign, c/o London Borough of Tower Hamlets, Malbury Place, 5 Clove Crescent, London. E14 2BG.

Racial motivation: Now you see it, now you don't

We thought that, at long last, we were seeing change in how the system deals with racist attacks. Macpherson's recommendations, we were led to believe, had set in place a systematic process through which racist attacks would now be taken seriously by the police, Crown Prosecution Service and courts. But now a judge has called into question Macpherson's proposals.

Recommendations

Macpherson's key recommendations on investigation and prosecution of racist violence:

■ **The police should investigate an incident as racist when it 'is perceived to be racist by the victim or any other person'.**

■ **'Police services and the CPS should ensure that particular care is taken at all stages of prosecution to recognise and to include reference to any evidence of racist motivation. In particular it should be the duty of the CPS to ensure that such evidence is referred to both at trial and in the sentencing process.'**

Victims of racially motivated violence have always had to struggle against the police to take the crimes against them seriously and record them as racial, not just 'neighbourly disputes' or 'gang fights'. If they managed to get a proper police investigation which acknowledged the racial nature of the case, they would then have to hope that the CPS brought a prosecution to court. Then, once the trial started, there would be the danger that the racial dimension to the case was ignored. Or, later, the judge might give an unfairly lenient sentence, on the grounds that, in some way, the victim was asking for it. At each stage, the victim risked seeing justice denied.

Importance of Macpherson

The Macpherson recommendations were to change all that. To counter the problem of the systemic failure to acknowledge racial motivation in their investigations, Macpherson proposed that police officers take the widest possible view of when to record an incident as racially motivated. He endorsed the formula of the Association of Chief Police Officers on racial motivation, that the police are to treat an incident as racist when it 'is perceived to be racist by the victim or any other person'.

On the question of prosecutions, Macpherson recommended that, to prevent racial motivation cases being spuriously dropped, or treated as non-racist at trial, the CPS should ensure that, at all stages of prosecution, any evidence of racist motivation be

recognised and referred to. He went on to state that the CPS ought to have a duty to ensure that 'such evidence is referred to both at trial and in the sentencing process' and that no 'plea bargaining' should ever be allowed to exclude such evidence. He made it clear, however, that he did not propose to alter the criminal standard of proof for racially motivated crime.

So, for example, in a murder case, the police would have a duty, if there was any perception of racism, to investigate the crime as racially motivated. In practice, the investigation would not be substantially different from investigating any other murder. The work of collecting witness, forensic and CCTV evidence would be done in the usual way. The value of recognising the racial dimension would be that the police were more aware of the possibility of this motive. However, the CPS would have to decide if there was any evidence, not just perception, of racism and, if there were, bring the evidence to the trial. Any evidence brought of the defendant's racism would have the same status as motivation evidence in any other kind of trial (for example, in the trial of a wife-batterer, the prosecution may wish to bring evidence of the defendant's attitudes to women). The defendant would not face charges of racism or racial aggravation, just murder. And the usual standards of proof for a criminal court would apply. But that would not mean that any evidence of a racial dimension to the case would not be brought to trial.

Macpherson's recommendations thus imply, at different stages in the system, the use of different criteria to decide whether racism is involved. But that is nothing extraordinary. It is perfectly normal for the police to investigate claims on the basis of mere suspicion or perception (as black people will know only too well). If it then turns out that no evidence can be found to back up the claims, then those claims ought not be brought to court.

Macpherson attacked

Yet the disjunction between police and court criteria for recording racism has now become the basis for yet another attack on Macpherson's recommendations. The process of change that Macpherson initiated, the hope that finally racist attacks would be properly dealt with by the system, is now being undermined by a judge who is supported by the right-wing press (see *Daily Telegraph* editorial, 11 April). He has issued a statement in which he claims that Macpherson's definition of a racist incident is potentially problematic and ought to be reconsidered. His concern appears to be that, while a court requires 'objective' standards of proof, the Macpherson definition is 'entirely subjective'. He discerns a problem on those occasions when the police announce that an incident is being investigated as racially motivated but no evidence for racial motivation is brought to court. He suggests that, in such cases, the trial may become prejudiced

FOR CRITICS OF MACPHERSON, THE MEREST MENTION OF THE WORD 'RACISM' IS CONSIDERED ENOUGH TO PREJUDICE AN ENTIRE TRIAL.

against the defendants if the jury know that they have been investigated as racists, even though they are not being treated as such in court. Yet, by the same argument, any announcement by the police as to the nature of their investigation into any crime could risk prejudice!

What is really at issue here is the fear that racism is an 'emotive' issue. Critics of the Macpherson report prefer to avoid the 'R' word at all costs. The merest mention is considered enough to prejudice an entire trial.

Fudge by the judge

Ironically this problem has, in fact, been worsened by some of the very measures intended to challenge this thinking. Section 28 of the Crime and Disorder Act 1998

for the first time allowed a charge of racial aggravation to be added to other charges (such as assault, malicious wounding, actual or grievous bodily harm) to increase the maximum sentence. But because, under this measure, racial motivation is a part of the charges, rather than the investigation or the evidence brought at trial, racism has to be proven according to the criminal standard of proof, rather than the Macpherson definition. And many would say that to prove charges of racial motivation beyond reasonable doubt is in itself problematic. But, now that there are specific charges for racial aggravation, there is the danger that judges will order that if these charges are not being brought, then anything a jury hears of racism will necessarily prejudice the case.

But this argument is not only an insult to jury members, who are capable of putting aside their memory of a prior police investigation, or even evidence presented to court of perceptions of racism, if they decide it is immaterial to the charges. The argument is also flawed because where charges of grievous bodily harm with intent or murder are being brought, there is no allowance in law for adding racial aggravation charges (GBH with intent and murder already carry a life sentence, so racial aggravation charges cannot increase the maximum sentence). The result of following this argument through to its conclusion is that a murder or GBH with intent trial could never acknowledge racial motivation, either in the investigation, charges, trial or sentencing. ■



Sarfraz Najeib

Retrial in Najeib case

The retrial of Leeds footballers Lee Bowyer and Jonathan Woodgate, along with Woodgate's friends Paul Caveney and Neil Clifford, has been scheduled to start on 8 October at Hull Crown Court. There is the possibility of three to four weeks of pre-trial legal arguments prior to this date.

The four defendants remain on bail with charges of grievous bodi-

ly harm with intent and affray for the attack on Sarfraz Najeib in January 2000.

Suresh Grover, spokesperson for the Najeib family, said:

'The decision to halt the trial was a blow for the family. The *Sunday Mirror's* decision to print an article was made without the consent of the family, and was done in direct violation of the undertaking

given by the paper.

'The Najeib family, however, are determined to continue their quest for justice and are optimistic about the prospects of a retrial. They would like to thank everyone who has supported them.

'We cannot comment further on this case at present because of the reporting restrictions currently in force.' ■

NF march ends in 'racist attack'

A 24-year-old Asian man was left lying on the street in Bermondsey, south London, after an alleged attack involving up to ten assailants on Saturday 7 April. Just hours earlier, a National Front march had passed the same spot in Rotherhithe New Road. Police have arrested seven white men and one white woman in connection with the incident, which is being treated as a racist attack.

During the afternoon, around

30 NF supporters marched under the banner 'Keep Bermondsey White'. The march had been timed to coincide with a Millwall football match taking place in the same area. The Club had designated the match against Rotherham as a 'Kick Racism out of Football' day.

The NF march was met by around 200 anti-fascists. A 'peace walk' in memory of Damilola Taylor took place on the same day in Peckham, just a couple of miles to

the south.

The next Saturday, the NF were allowed to march a second time along the same route. Again only 30 people joined the march, while hundreds of police were enlisted to protect them.

Earlier in February, 15-year-old Harifur Rahman was attacked by a racist gang in Bermondsey and left with a fractured skull after being kicked and beaten unconscious. ■

Killer politics

Asylum seeker at risk



'I am very puzzled, in this country they say I am not allowed to kill myself, but on the other hand they want to return me to people who will kill me.'

Farrokh Shiri, HMP Exeter, 15 March 2001

On 7 March, 37-year-old Farrokh Shiri, an Iranian, was arrested and detained by police after his asylum claim was refused. Nothing unusual, you may think. However, Farrokh, who had been dispersed to Penzance and was living in a YMCA hostel, was arrested after a six-hour siege with armed police officers from Camborne police station in Cornwall. On the day of the siege, Farrokh was deeply distressed that his asylum claim had been

rejected and he had been ordered to leave. As a result, he threatened to take his own life with a gun. He was arrested and charged with possession of a replica firearm and

causing a police officer to believe that unlawful violence would be used against him or others, and with intending to use an imitation firearm with the intent of resisting arrest! Farrokh is currently on remand in the hospital wing of Exeter prison.

Please send letters of support to Farrokh Shiri, HMP Exeter, New North Road, Exeter, Devon EX4 4EX

Saeed Alaei

26-year-old Iranian, Saeed Alaei of Nelson, Lancashire, took his own life on 21 December after telling friends that he was a 'sinner'. His asylum claim had been refused. He was found by a flatmate hanged from bannisters. A verdict of suicide was recorded.

Police inaction protest

Farid Hosefar, a 31-year-old Iranian refugee who had been dispersed to a hostel in Sunderland, was attacked by two knife-wielding white racists on the evening of 15 March. As Farid returned from the city centre to his hostel, he was set upon in a subway and stabbed several times. The unprovoked attack resulted in serious injuries to his arm and back, requiring stitches. Ten days earlier another asylum seeker in Sunderland had been the victim of a stabbing.

Asylum seekers who have been dispersed to the area – many of whom are accommodated at the

large Park Avenue hostel – believe that the police do not take their safety seriously. A week after the attack on Farid, around fifty asylum seekers picketed Sunderland police station demanding proper protection. Police officers agreed to meet a delegation of Farid's friends, but claimed that Sunderland is one of the safest parts of England for asylum seekers. If they are right then the rest of the country is a very frightening place.

International Federation Of Iranian Refugees, PO Box 27236, London N11. Tel: 07730 107 337 Fax: 0870 129 4167 E-mail: ifir@ukonline.co.uk Web: www.hambastegi.org

Accidental death?

In March, an inquest in Haywards Heath heard how two young Cubans died attempting to get to America. On Christmas Eve 2000, 16-year-old Maikel Almira and 15-

year-old Alberto Rodriquez intended to stow in the wheel arch of a plane from Havana heading for Miami. However, they mistakenly clambered on a BA jet heading for London. The plane flew for over 8 hours at

temperatures below -50°C and heights of over 37,000 feet.

The inquest heard how the boys, whose footprints were found inside the wheelbay flap, probably died minutes after take-off from a lack of oxygen. Maikel's body was found on Christmas Eve in a Sussex field. Alberto's body fell from the plane as it left the next day for Mexico. Maikel left a note to his mother, explaining that he had gone to America to find work. The inquest recorded a verdict of accidental death.

Fleeing dispersal

The most harrowing aspect of Glasgow Asylum Rights Campaign's (GARC's) dossier of incidents of anti-refugee racial violence is the effect that such violence is having on children, who are often followed in and out of school by threatening gangs. In one incident, a six-year-old girl had to have all her hair shaved off after a gang poured noxious liquid, which could not be washed off, over her head. In another incident, adults encouraged a group of young thugs armed with baseball bats to attack a five-year-old African boy in the playground. Attacks by gangs armed with baseball bats, knives and broken glass, incidents where concrete blocks are thrown on asylum seekers from high-rise windows are all documented here.

With Scottish police criticised for their handling of the Chhokar case and a failure to imbibe the lessons of Macpherson, GARC's documentation of the woeful police response to escalating attacks on asylum seekers is particularly timely. Asylum seekers regard the reporting of violence as counter-productive, since it does not lead to more protection for them. Rather, it results in increased hostility. For a typical police response (when there is one at all) is to tell asylum seekers that nothing can be done because the perpetrators are children. A significant number of asylum seekers are now fleeing Glasgow, despite the fact that their financial assistance is cut off as a result.

Dossier of racial attacks on dispersed asylum seekers in Glasgow April 2000-February 2001 is available from Glasgow Asylum Rights Campaign, c/o Scottish Human Rights Centre, 146 Holland Street, Glasgow G2 4NG. Tel: 0141 332 5960. Email shrc@dial.pipex.com

Show Racism the Red Card

The anti-racist football campaign Show Racism the Red Card has released a cdrom for schools which features video footage of a large number of well-known football stars talking about racism. Containing a lot of background information on racism, both in the game and society at large, the cdrom will be an effective way of introducing a difficult subject to young football fans.

Show Racism the Red Card cdrom costs £20.00 (including postage and packing) and is available from SRTCC, PO Box 141, Whitley Bay NE26 3YH. Please make cheques payable to 'Show Racism the Red Card'. Tel/fax: 0191 291 0160. Web: www.srtcc.org

New Vision

Web for
asylum
seekers and
refugees

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Racism, nationalism and the Countryside Alliance

The support of fascist groups for hunting is well-documented. But less is known about the extent of racist and nationalist feeling in the countryside. Trevor Bark, of the Centre for Criminology at Middlesex University, has been investigating.

The Countryside Alliance is a many-headed hydra and simplistic characterisations cannot represent its true essence. Nevertheless, there is more than circumstantial evidence to indicate that beneath its broad umbrella shelters the usual urban mixture of nationalists and racists.

'The Tory party at play'

Historically the Bloodjunks' leadership nationally and locally has been composed of military personnel or aristocrats. The British Field Sports Society (the predecessor of the Countryside Alliance) was well known for being the 'Tory party at play', and individual Hunt histories are well populated by both these types. As we know, the reactionary history of the Lords and military figures at home and abroad includes the imperial past, so we should not be surprised at the racism of their 'troops'. Indeed you don't have to search too hard to find evidence of this.

trying to position itself as the defender of British liberty protecting minority interests, using the language of civil rights. Yet all the evidence shows that these people have historically persecuted the real countryside minorities, Gypsies, and, more recently, travellers.

The idea that organised hunting with dogs is a real countryside tradition is a misconception. Historically, rulers hunted deer in an organised manner and the poor were asked to kill foxes however they liked. But by the end of the eighteenth century, when stags became rarer and dog-breeding more developed, the aristocracy joined in fox-hunting. It is, therefore, what Hobsbawm would call an invented tradition.

Neither green nor pleasant

Although the Countryside Alliance represents an attempt by the Right simultaneously to reproduce itself and to carve out new territory, it has

different implications for our struggles, in particular those against racism. Generally the flight from the city to rural areas has been well documented, and some (not only fascists) have called this a 'white flight'. When this is coupled with the very English 'love of tradition' in the form of romantic notions of Englishness and the English landscape constructed around the exclusion of

'others', there is a snowballing effect. Issues such as the Right to Roam are posited against the Right to Own, equality and justice versus 'traditional' values imposed by conquest and maintained by force, Britain versus Europe, Anti-Road campaigners versus the More-Roads lobby, Anti-GM crops and Agrochemicals versus corporations. (All this is clearly shown in *Another Country* by M. Mosbacher & Digby Anderson, published by the right-wing think tank the Social Affairs Unit.) For the Right as well as for the Left, no issue is a single issue.

The groundwork for the Countryside Alliance was done since 1995 by people like Lord Mancroft, Eric Bettelheim and Robin Page. Page has campaigned for the Referendum Party, spoken at the 'Right Now' Christmas 2000 Moan, and writes for *Horse and Hound*. In the hunting press there is blatant and barely disguised racism, homophobia and nationalism. On their marches we've seen all shades of right-wing groups. At the demonstration the Countryside Alliance held at the Labour party conference in September 1999, it is alleged that the BNP turned up (though I have yet to see the evidence) but the usual assortment of lay rightists did. Evidence for this is a photograph published in *Howl*, the magazine of the Hunt Saboteurs Association, that clearly shows a confederate flag (beloved of the Klu Klux Klan), the St George's cross and the Union Jack flying within 50 yards of each other.

On the march

Recent claims that the new hot spots of racism are in rural areas (see article from NCRM South-West) indicate where future work needs to be done. We don't have too far to look. This March the *Shooting Gazette* (the posh magazine for the thoroughbred shooter) ran an article which included the statement: 'Deport all illegal immigrants'. This was published before the Countryside Alliance march was cancelled due to Foot and Mouth. We hope the racists keep their 'disease' to themselves and stay at home all the time.

A new umbrella group called the Urban Alliance, which had committed itself to holding a counter-demonstration against the Countryside Alliance march on 18 March, promises to oppose the Countryside Alliance whenever it uses its 'Right to Roam' in urban areas.

To support the Urban Alliance contact: Urban Alliance, P.O. Box 14672, London, E9 5UQ. www.geocities.com/urbanalliance/ HSA, P.O. Box 2786, Brighton, BN2 2AX www.huntsabs.org.uk

Nathan/HSA



Countryside Alliance demonstration at Labour Party Conference 1999

Horse and Hound magazine, founded in 1884, is the bible of hunting people. Currently it serves as the mouthpiece of the Countryside Alliance and there is a direct connection between the editor and the leadership of the Alliance. In its early editions it spoke freely of 'the niggers in Ceylon' and asked 'when, will the authorities learn that the Celts are like niggers and curs, only amenable to the lash'. Of course, this was over a century ago, but they've never retracted any of this nonsense.

The Countryside Alliance is

national civil rights movement

Issue 5

newsletter

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Web: www.ncrm.org.uk

Free race and policing
helpline: 0800 374618

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

To provide support for the victims of racial injustice, to promote family-based campaigns and to challenge the criminal justice system.

NCRM SOUTH-WEST

From the heart of England's 'Deep South'

In a region which prides itself on being the tourist capital of England, there exists a disease more dangerous than Foot and Mouth. Racism, individualised or institutionalised, is rampant throughout Devon and Cornwall – the heart of Britain's 'Deep South'. Jon McKenzie, regional coordinator for the National Civil Rights Movement South-West, reports.

Area profile

Recent Home Office figures reveal a 358 per cent increase in reported racist incidents in Devon and Cornwall, the second highest in the country. An *Observer* special national feature reported that racist attacks are ten times more likely to take place in rural as opposed to

urban areas and identified Devon and Cornwall as one of the most dangerous places for isolated black people to live. A black person can be the only one in a town of 25,000 people; a black family may be the only one within a radius of 25 square miles in a rural area.

From the beginning

In May 1999 around 60 black people held a meeting in Plymouth to discuss the implications of the Stephen Lawrence Inquiry. Speakers included Sukhdev Reel, Kwesi Menson, Suresh Grover and local anti-racist activists. The meeting voted unanimously to set up a branch of the National Civil Rights Movement and it was launched in October 1999. Since then, a small number of dedicated

members have worked hard, with near zero resources, to ensure that the NCRM can give effective support to some of Britain's most isolated and vulnerable black and minority ethnic communities.

Asylum seekers and refugees

The level of racist attacks on asylum seekers and refugees in Devon and Cornwall is barely reflected in 'official' statistics. Underreporting of race hate crimes against black and minority ethnic people who were born in or live in the region is widespread. Violence against asylum seekers in Devon and Cornwall is spreading. In recent weeks, NCRM has heard of a number of cases of knife attacks on asylum seekers in Plymouth.

The experience of Abdul is not

Carl Egonu

Carl visited a police station to report a racist attack, but was charged and prosecuted for assaulting his attacker. Carl sought the support of the NCRM. A 'Self Defence – No Offence' campaign was launched and received widespread support. His Crown Court committal hearing at Plymouth magistrates' court was picketed by NCRM, trades unions and black community groups, who handed to the CPS a 500-signature petition against his prosecution. Two days later the CPS notified Carl that the case was discontinued.

Manos and Costa Patrakoulakis

This father and son were racially abused by a group of white youths while at work and then attacked two days later by the same gang using weapons. Costa was knocked unconscious by a blow to his face from a table leg and repeatedly punched as he lay on the ground, resulting in

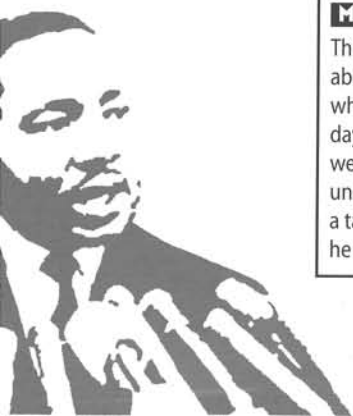
serious facial injuries and permanent damage. Manos was attacked with a snooker cue as he tried to defend his son. Two youths have been convicted of GBH and await sentence.

The Gypsies of Wixenford Bottom

In a large-scale operation carried out by the National Trust, involving 80 private security guards and 30 police in full riot gear, a community of 15 Roma families was forcibly evicted from land it had occupied for 20 years. They put out a call for support to prevent their removal and the NCRM launched a campaign, which received massive local and national support. Plymouth City Council, which forced the Gypsies to move after closing its caravan site in 1973, and which had refused to make any other provision since then, has now, after recognising the risk of an action under the Human Rights Act, announced that it will build a new permanent site for the community.

The Demir Family

A Kurdish family who have run a popular kebab house in Exeter for the past eight years have, since April 2000, been the targets of a sustained campaign of violence, involving dozens of racist attacks. On 28 January, three incidents took place at the Demirs' business. Huseyin was forced to defend himself, using a wooden door wedge, against an attack by a white man armed with a knife. Within minutes, a black man walking past his shop was attacked and stabbed. Huseyin gave first aid until an ambulance came. When officers from Devon and Cornwall police arrived, Huseyin identified a group of white men, who were standing on a nearby corner, as being responsible for the attacks. But no arrests were made. Now, he has been arrested on suspicion of attacking someone with a piece of wood.



'Let me take you on a journey to a foreign land – to Britain after a second term of Tony Blair'

William Hague 4 March 2001

uncommon. (Testimony through an interpreter.)

'Two men came up to me shouting. I did not understand what they were saying. They caught me and tried to take my jacket. I tried to stop them, but one man punched me in the face. They stole my jacket and my watch and the other man kicked me in my private parts. The man who punched me showed me his knife and I ran away. When I got near to my hostel a policeman in a car shouted at me. I went to him. He saw the blood on my face and drove his car away.'

In Plymouth two private companies, Clearsprings and Asylum Seekers Management Ltd (sic) are contracted by the NASS to provide accommodation. ASM staff in particular, operate some disturbing practices in their so called 'hostels'. For example, they routinely photograph all asylum

seekers without their consent. One person (who is too frightened to give his name) recently reported to NCRM:

'I was in my bed and the door opened. I was told to get out of bed and stand up. When I did this he took a photograph of me without letting me get dressed. He told me that the photo was for the Home Office and the police and if I made any trouble he could get me deported. I am very scared that this photo will be sent to my government and someone will be sent here to kill me.'

Within days of Hague's 'foreign land' speech, there was evidence that asylum will be the key issue on which the next election will be fought in Devon and Cornwall. At a full meeting of Plymouth City Council on 6 March, the Tories debated a motion on asylum seekers. One councillor went all the way on a racist anti-asylum ticket

and was challenged, not by the leader, not by the chief executive, but by the only black person in the public gallery! The following day, the West Devon District Council held its meeting in Tavistock. During a discussion on why the council should start to introduce ethnic monitoring a councillor got to her feet to proclaim, 'All niggers should stop at Calais.' And no one challenged her.

Support the NCRM South West

In a short time the NCRM in the region has had an impact. Our priority now is to develop local branches as a matter of urgency. Organising in a rural area is difficult and we need new people to help us to strengthen the existing network.

Contact NCRM National Office on 020 8574 0818 or NCRM Southwest on 07940 514270 for further information on current campaigns, meetings and membership.

NCRM LEICESTER

A right to live

On 3 February 2001, 250 asylum seekers and their supporters marched through Leicester in memory of 27-year old Iranian asylum seeker Ramin Khaleghi, who took his own life in January, shortly after his claim for asylum was

turned down. His rejection ignored medical evidence showing that he had been tortured as a political prisoner in Iran.

The procession walked under the banner 'A Right to Live' through the city centre, and then in silence past the International Hotel, the hostel

where Ramin had lived. Over 300 asylum seekers are housed here, in appalling conditions, by contractors working for the Home Office's National Asylum Seeker Support Service (or the 'Nasty And Stupid Service' as one placard had it). As part of the government's forcible dispersal of asylum seekers around the country, Ramin had been separated from his family in London. An asylum seeker living at the International expressed the shared sorrow and frustration surrounding the case: 'Sometimes

you get so frustrated when your life is in other people's hands. You fear for your life back home in Iran, but when you get here you live in fear too. All of us can identify with Ramin.'

The demonstration supported demands raised by asylum seekers for an end to dispersal, vouchers, and deportations. It was organised jointly by local asylum seekers and the Leicester Civil Rights Movement (LCRM), and was also attended by asylum seekers and supporters from Bradford and Hull, and NCRM members.

LCRM took the opportunity to go on the offensive against the widespread ignorance surrounding the conditions faced by asylum seekers, and gave out hundreds of flyers telling people about Ramin's case and correcting many misconceptions about refugees.

Positive coverage of asylum seekers in the local press followed the demonstration. The *Leicester Mercury* contacted the Home Office three times to find out why Ramin's application was turned down. Twice it refused to comment. Finally, a spokeswoman said: 'We very much regret the death of Mr Khaleghi and investigations are being made into his death. When those investigations are complete we will be able to make a fuller response.' Ramin's solicitor calls the govern-

ment's decision to refuse asylum 'ludicrous and callous'. 'They didn't even see him. It was a decision made on paper,' he said.

LCRM supports Ramin's family and friends in demanding a public inquiry into the circumstances which led to his death, including an investigation into the effect of the Home Office's dispersal policy and the impact of rejecting well-founded asylum claims. Phillip Whitehead MEP has offered LCRM support, and promised to raise the matter of Ramin's suicide with Barbara Roche at the Home Office.

Ongoing support is offered to asylum seekers through LCRM in practical ways. Members of LCRM have been going with asylum seekers to their appeal hearings, and are challenging the Home Office over the fact that they are all being held in Nottingham and Birmingham. Although we've just found out that it's rare for refugees housed in Nottingham to have their cases heard there!

Plans are under way to start a monthly newsletter, designed to encourage a wider audience to listen to the voices of local asylum seekers, and challenge some of the many misconceptions surrounding asylum.

For further information contact Priya at Highfields Youth & Community Centre on 0116 253 1053 or E-mail: Priya@hycc.ac.uk

Leicester Civil Rights Movement reports

Monica Hingorani



Demonstration after the death of Ramin Khaleghi

Dover 58: it will happen again

Jabez Lam of the Chinese Monitoring Group reports on the Dover 58

In the early hours of 18 June 2000, bodies of 58 Chinese asylum seekers, and two survivors, were found at the back of a lorry in Dover. The news generated hostile media reports and statements from politicians and racists alike calling for the tightening of controls on immigration and asylum. The case was to be an example to deter others from entering the UK by a

similar route.

Instead of giving support and care to the families of the victims in this tragedy, the Kent police demanded that families who wished to identify the

bodies provide information about their own immigration status. How did they know that their relative may have been among the victims? When did they last hear from him or her? What route did the victim take to the UK? The questions put fear into the families and many were too frightened to come forward to identify their loved ones. In the end the police only had four bodies identified here; the rest were identified by sending photographs of the victims to China.

While the Home Secretary called the victims 'illegal immigrants' and the media portrayed them as greedy Chinese coming to the UK to exploit the welfare system, the Metropolitan Police 'Chinese Unit', interviewed on Chinese television, said they regretted that 'the police do not have the power of immediate arrest and deportation of illegal immigrants'. The Chinese community has now become the target for increased racial attacks and police raids. Since the tragedy, there has been a clear increase in police passport checks. A few examples illustrate how the harassment created an atmosphere of fear.

Mr H, a student from Beijing,

rented a flat, which he found advertised on a card in a newsagent's window. When police visited the flat looking for the tenant, Mr O, suspected of housing benefit fraud, Mr H told the police he lived there and rented the flat from Mr O. He was not aware that it was a council flat. The police demanded to see the passports of all three occupants of the flat.

Mr Li rented a room above a Chinese takeaway in Islington. When police visited the address looking for Mr Li to assist in their investigation, he was not at home. The police asked to see the passports of everyone living at the address, including the owners of the shop and their three children, and checked the immigration status of two workers in the shop.

Seven months after the tragedy, the 58 bodies were returned on 18 January 2001 to their home village for burial. The British and Chinese authorities were determined to sweep the whole matter under the carpet, blaming the victims for trying to enter the UK illegally, as if this were the only concern.

The fact of the matter is that China does not have a good human rights record. In 1999, the Chinese banned a religious organisation, Fa Lun Gung, that has tens of millions of followers. Members of Fa Lun Gung were arrested, imprisoned and tortured. Amnesty International recently published a report titled 'Torture – a growing scourge in China – Time for action', cataloguing the use of torture to coerce confession, to implement the one-child policy, to extract taxes, fines and debts, and to carry out political campaigns.

When people are desperate to leave China to seek asylum, the only operators who can assist them are criminal elements exploiting the market created by British immigration law, in particular the carriers liability law. As long as political oppression, abuse of human rights, poverty and war exists, people will leave their homes to seek asylum and, as long as the immigration and asylum system creates a market for large profits, similar tragedies to that of the Dover 58 will occur again and again.

updates

Ricky Reel: unauthorised autopsy

A senior police officer in the original investigation into the suspicious death of Ricky Reel has been contacting reporters from right-wing newspapers aiming to rubbish the family campaign led by Sukhdev, Ricky's mother.

Recently he wrote an article in the *Daily Telegraph* entitled 'Political correctness gone mad'. In it, he alleged that had he categorised the death of Ricky Reel as a racist murder he would probably still be in the force. But because of his insistence that it was an accident, he claims that he has been forced to take early retirement.

Early in March he contacted the *Mail on Sunday* claiming to have 'dramatic' new evidence to 'prove' that Ricky's death was accidental. However when the reporters saw him they came across material belonging to the Met which he was holding without authority, including post-mortem photographs of Ricky with the bulk of his skin removed. This has appalled the family and, if true, the police and coroner were undertaking a medical examination without either verbal or written consent. The family campaign has now asked for a thorough inquiry into the autopsy and an investigation into why the officer still holds case documents.

You can't keep a good man down

Lesley Naylor and Deeder Zaman write:

In the first week of February Satpal Ram was moved to HMP Wellingborough, a 'C' category prison, while he waited for the Parole Board to decide on whether he is eligible for release. He was hoping for his first open day visit from friends and supporters.

Then, on 2 March, he found himself stripped and placed in segregation by prison officers in full riot gear following an incident where another prisoner had barricaded himself into his cell. When Satpal protested at being moved to another block while they 'dealt' with this prisoner the officers allegedly attacked him. After spending two days in solitary confinement he was moved back to HMP Blakenhurst.

The last time Satpal spoke to us on the phone he sounded as positive as ever, 'I'm fine here at the moment,' he said confidently. When we asked him if he was hurt, he replied 'the prison officers can try all they like but they can't keep a good man down'. The Criminal Case Review Commission is yet to make its decision on whether to send his case back to the Court of Appeal.

Email: freesatpalcampaign@hotmail.com



Remembrance service held by Dover 58 Coordinating Committee

Oakington demonstration

Over 100 people marched through the centre of Cambridge on 10 March to protest against Oakington detention centre, the first centre designed for asylum seekers, which was opened a year ago.



S. O'Neil

On the same day, campaigners from the newly established Barbed Wire Britain Network Against Refugee and Migrant Detention also met to plan future action. The network, made up of local campaigns with support from the National Coalition of Anti-Deportation Campaigns, the Joint Council for the Welfare of Immigrants, and the Committee to Defend Asylum Seekers, will be co-ordinating protest against the increasing use of detention for refugees and the conditions they are forced to live in.

Demonstration plans:

16 June – Haslar detention centre (provisional)

Last Saturday of every month – ongoing protests at Campsfield detention centre in Oxford.

Barbed Wire Britain Network Against Refugee and Migrant Detention, 60 Great Clarendon Street, Oxford OX1 2JJ.

Web: www.barbedwirebritain.org.uk
email: info@barbedwirebritain.org.uk

Double jeopardy rule should not be altered

The double jeopardy rule is an ancient English law that no one who has been convicted or acquitted of an offence can be tried a second time on the same facts.

In response to a recommendation of the Macpherson Report, the Home Secretary asked the Law Commission to examine the double jeopardy rule. The Law Commission has recommended that, in murder cases only, a fresh trial should be possible if 'compelling' new evidence of guilt emerges after the defendant is found not guilty. It also recommended that the change should be retrospective.

But there are real problems. The lesson from the Stephen Lawrence case was that a sloppy and flawed police investigation led to suspects evading conviction. Changes to the double jeopardy rule are not likely to improve the quality of police investigations, and, given the large number of complaints regarding the quality of police investigations and dropped cases due to 'lack of evidence', clearly more attention needs to be focussed on solving recently committed crimes.

The change in the law would undermine the presumption of innocence and trial by jury. Imran Khan, solicitor for the Lawrence family, makes the point: 'Imagine a jury hearing a case who know a High Court judge has looked at the evidence and said it is compelling and should lead to a conviction.'

The NCRM argues that that there are compelling arguments against altering the law. A change in the double jeopardy rule could lead to more miscarriages of justice.

For further information contact the NCRM lawyers group on 020 8574 0818

Appeal from Germany

The Caravan for the Rights of Refugees and Migrants needs your support.

Refugees from all over Germany will camp in the centre of Berlin from 17-19 May to oppose the Obligatory Residence Law and assert their right to travel and choose where they live.

Show your solidarity by adding your name to the supporters' list, spreading news of the refugees' call in your publications or giving financial support.

Since refugees are dispersed all over Germany, and live on a pitiful monthly allowance, the Caravan needs to raise money to finance travel to Berlin.

Contact: Berlin Demonstration Coordination, Antirassistische Initiative, Yorckstr. 59, 10965 Berlin. Tel: 00 49 (0) 30 7857281. Fax: 00 49 (0) 30 786 9984. Email: ari@ipn.de
Solidarity Donation: 'Berlin Residenzpflichtgesetz Protest'. Bank account no: 0231633905.BLZ: 86010090 PostBank Leipzig.

Christopher Alder update

In April, five police officers failed in their attempts to have the unlawful killing verdict into the death of Christopher Alder overturned in the High Court. The men had launched a judicial review of the unanimous verdict which was

recorded in August 2000. The five officers are still awaiting trial for charges of misconduct in public office.

Justice for Christopher Alder Campaign, c/o Red Triangle Cafe, 160 St James Street, Burnley, Lancs BB11 1NR

Building a united future: NCRM spring conference, 26 May, Leicester



The NCRM is at a crossroads. Launched in 1999 in the wake of the Lawrence Inquiry, the organisation has struggled to establish a broad national network, to link together different family campaigns and to develop a grassroots movement for change in the criminal justice system. There have been successes on some high-profile campaigns, but we have yet to consolidate a broader anti-racist agenda which could combine issues of asylum rights, racist violence and police brutality. Now, after two years, the NCRM is holding a national conference in Leicester on Saturday 26 May to consolidate its achievements and devise a strategy for the future. Your active support is needed. Please contact Halima Mohamed on 020 8574 0818 for booking and transport details. ■

criminalise refugees



The right of refugees to seek protection in Europe is under threat from anti-trafficking initiatives, argues campaigner John Morrison.

The context in which refugee policy is framed within the European Union has changed dramatically since the 1980s. From being an issue of human rights and cold-war politics it had, by the early 1990s as the number of asylum claims rose, become an issue of immigration control. By the end of the decade the paradigm had shifted again to criminology, moving from border control to the fight against transnational organised crime.

Globalisation and trafficking

The Group of Eight Industrialised Nations (G8) has stated its commitment 'to the fight against the dark side of globalisation: transnational organised crime which threatens to damage our societies and our economies'. The trafficking and smuggling of human beings is seen as a key element in such crime and each warrants its own protocol attached to the recently agreed United Nations Convention on Transnational Organised Crime. The significant actors in the globalisation process: transnational corporations, financial institutions and organised crime, all represent a direct threat to the sovereignty of nation states. In response, states can often react by opting for solutions that, however wasteful or inefficient, maintain at least the illusion of control.

There is no doubt that governments throughout the world now view human trafficking and smuggling as significant components of transnational organised crime. A survey of 45 countries by the United Nations in October 1999, showed that 'trafficking/smuggling human beings' incurs an average punishment of between 5 and 15 years imprisonment. This is comparable with other types of serious transnational crime such as trafficking in drugs


(5–20 years), counterfeiting in money (3–10 years), money-laundering (5–15 years) and the smuggling of firearms (1–10 years).

No legal routes left

What is missing from all of the above approaches to the issue is a direct reference to the fact that human smuggling is now the only option for the vast majority of asylum seekers to reach the EU at all. Since the growth of common visa policies, carrier's liability fines, airline liaison officers and readmission treaties there has been no compensating commitment to refugee resettlement or even a 'refugee visa' that would provide a legal migratory option for those in need of protection. Instead, refugees have had to run the gauntlet of illegal migration. Recent research has made two things clear:

- The vast majority of asylum seekers who reach Europe have required the assistance of a 'human smuggler' at some stage of their journey.

- The effect of blanket enforcement measures has been to push asylum seekers from using safer forms of 'deceptive' migration (eg using a regular air flight on a forged travel document) to 'clandestine' means



which are both more expensive and hazardous to the women, children and men involved (eg being locked in the back of a lorry).

The fact that refugees might have to use 'illegal means' of entering a country of asylum is recognised in Article 31 of the 1951 UN Convention on the Status of Refugees. This realisation had sprung directly from the 'human smuggling' activities of people such as Varian Fry, Oscar Schindler, Raoul Wallenberg, Frank Foley and Nicholas Winton in the 1930s and 1940s rescuing Jews from Nazi persecution. However, a large number of Jews who sought protection in Britain in the mid-to-late 1930s were denied protection as there was no international treaty that obliged the government to consider each application within international norms. This is why Article 31 of the 1951 Convention is so important and why it is a thorn in the side of current EU ambitions to keep the majority of EU-bound refugees out of Europe altogether (despite the fact that we currently offer protection to less than 5% of the world's total). We can expect that during the latter part of 2001, under the Belgian Presidency of the EU, there will be a concerted attempt, led by the United Kingdom, to deny refugees any dispensation for illegal entry onto European territory. This will be part of 'regional solutions' to keep the vast majority of Afghan refugees in Pakistan, Somalis in Kenya, Iraqis in Turkey etc, in huge refugee

camps paid for by bilateral donations from the European Union or increased funding to UNHCR.

Creating an international crime

This is the perspective from which we should view European efforts to frame irregular migration as an international crime. By 1997, because of the increasing interest in the numbers of migrants arriving on the peninsula, the Italian government sought to promote an international convention to combat illegal migration by sea. This was to be presented in London at the 76th Session of the International Maritime Organisation in 1997. Instead, the Assembly referred it to their Marine Safety Committee as a resolution, noting that human trafficking per se was outside the remit of its organisation. The Italian proposal was then consolidated with an Austrian draft convention on the Smuggling of Illegal Migrants and was considered by the UN Commission for the Prevention of Crime and Penal Justice in April 1998. This has formed the basis for the Ad Hoc Committee on the Elaboration of a Convention against Transnational Organised Crime that drew up the 2000 UN Convention on Transnational Organised Crime.

An excuse to end asylum?

Under the Organised Crime Convention a distinction is made between the 'trafficking' and 'smuggling' of humans,

How the tabloids harass refugees

For the tabloids, there is no world outside Britain. No foreign correspondents are despatched abroad. So when a freighter with over 900 Iraqi Kurdish refugees ran aground on the French Riviera, what interest could the British tabloids possibly have in a story of human suffering that began in some obscure foreign villages thousands of miles away?

On 18 February, not long after US and UK forces bombed Iraq, a rusty, leaky freighter carrying the Kurdish refugees hit rocks and ran aground on the French Riviera with nearly 500 children (three babies were born during the voyage) on board. Slowly, the horrifying details of their journey emerged. Dehydrated and malnourished, the passengers told how they had spent seven hellish days at sea. Cramped in the squalid holds of the freighter, with standing room only, the refugees were found, close to collapse, standing in their own excreta and vomit. Many were brought out barely able to stand.

It soon emerged that most of the refugees came from three villages in the oil region of northern Iraq, around Mosul, which, despite being in the 'no fly zone' is actually under the control of Saddam Hussein's forces. Their property had been seized as part of the regime's practice of forcing Kurds from their land and resettling it with Arabs.

Dehumanising the refugees

So did tabloid reporters camped out on the French Riviera interview the refugees about the reasons for their flight? Not likely. Why would UK readers want to know about the hard luck stories of bloody foreigners? The tabloids wanted a different take, and found it in those tricky Frenchies who, because they couldn't be fagged to deal with all the Kurds' false asylum claims, released them all from detention in the hope that they would all sneak into the UK via the Channel Tunnel. Already, Eurostar had been briefing the *Daily Mail* about Labour's refusal to act on its proposal to send in the Gurkhas, currently stationed at Folkestone, to 'deter and apprehend' illegal immigrants. And Eurotunnel's freight and passenger director Bill Dix, speaking on BBC Radio 4's *Today* programme, had urged the government to make the UK less attractive to immigrants. Now, the *Daily Mail* and the *Evening Standard* linked the Iraqi Kurdish refugees stranded on the French Riviera to Eurostar's demand for action. Suddenly, it was absolute fact – no question about it – that all these Kurds were heading for Dover. The *Evening Standard's* billboard on 21 February read 'French Kurds heading here' as though the refugees were a swarm of bees, or foot and mouth infested cattle. The *Evening Standard's* stance was embraced by the *Daily Mail* and the *Sun*. 'Stop France dumping the refugee Kurds on Britain', shouted the *Sun*, carrying under its headline a picture of a Kurdish family with the text

each warranting its own protocol. Trafficking involves exploitation that goes on after the arrival in the country of destination, such as bonded labour or prostitution. The consensus within the human rights community is that such illegal migration should be stopped at source. However, there were few refugee NGOs that paid much attention to the drafting of the Smuggling Protocol ('smuggling' meaning an assisted illegal border crossing with no ongoing exploitation) – despite the fact that most refugees are smuggled and not trafficked into Europe. Under the Smuggling Protocol, the migrant is not viewed as the blameless victim, but rather is partly complicit in the act of 'illegal migration'. The common assertion is that human smuggling should now be criminalised out of existence, despite the fact that this would mean the end of European asylum policy as we know it. Too few human rights commentators have grasped the complexity of the situation – the fact that many refugees actively choose the smuggling process to escape persecution or to join their only remaining family in Europe. It is now an international offence to assist any person in an illegal border crossing, regardless of whether they are a refugee in need of protection or not. Is this really an issue of transnational organised crime, 'the dark side of globalisation', or more a Trojan horse to facilitate Europe's desire to end the right of asylum upon its territory?



What we can do

European governments have been supremely successful in frustrating international human rights law by shifting the paradigm of refugee policy twice in the past 15 years, from human rights to border enforcement and then on to organised crime. Academics, lawyers and NGOs have been generally too specialised to adapt and so there has been no concerted defence of an asylum seeker's right to access European territory to seek protection. It might now be too late but there is still time for a robust defence of the asylum principle, as set out in Articles 1, 31 and 33 of the 1951 Refugee Convention. Governments might also have over-stretched themselves under their commitments to the European Convention on Human Rights, in particular the jurisprudence under Article 3, which requires governments not to return any person to a country where they face torture, inhumane or degrading treatment. We must also be precise as to when we are talking about human 'trafficking' as opposed to 'smuggling'. As there is a more immediate consensus in the case of the former, some governments will still use it as an umbrella term hoping that they win the support of the human rights community in its attempts to control all migration, including an end to unsolicited asylum. ■

John Morrison is the author of *The Cost of Survival* (British Refugee Council, 1998) and *The Smuggling and Trafficking of Refugees: the endgame in European Asylum Policy* (UNHCR, 2000).

'NOT WELCOME... The Ali family'. Already, the *Sun* had carried an interview with Mr Ali. With two wives and nine children, he desires nothing more than to educate his children in the UK, it warned. *Sun* readers were so outraged that they took up pen to denounce Mr Ali and other refugees who wanted to 'milk the system', believe the UK is a 'soft touch', and an 'easy milk ticket'.

International news – what's that?

Even if the Kurds did tell journalists that Britain was a preferable destination, why couldn't the tabloids connect this to the UK's support of the 'no fly zone', or the fact that the French may be perceived by Iraqi Kurds as more sympathetic than the Brits to Saddam Hussein? Alone amongst the tabloids, the *Evening Standard* connected

the refugees' story with international issues. But in an editorial of breathtaking stupidity, it condemned the French for describing the UK/US bombings or northern Iraq as a war crime, while declaring that each and every one of the Kurds who arrived in France were 'illegal immigrants' whom the French, with 'ruthless cynicism', wanted to dump on the UK.

In one thing the press is right. The French government is cynical. But, then, that is not a purely French quality. Each European government wants to pass the buck to the next, to turn away from international problems made worse by its own interventions. No European government acts with honour. And for Europe's press barons, the vicious hounding of refugees has become a favourite sport. ■

Standing up to media bullying

Last year, we reported (CARF 56) that the *Daily Mail* had been taken to court by an Algerian asylum seeker who was being harassed by the paper's journalists. It was forced to give an undertaking not to contact the man or to print anything else about him. Now, another important blow has been struck against media bullying. In March, Esther Thomas was given the go-ahead to sue the *Sun* for harassment.

Esther Thomas is a black civilian clerk for the City of London police. When four police officers behaved in a racist and abusive way towards a Somali asylum seeker who sought their help, she reported them. Two sergeants were demoted and a constable was fined. The *Sun's* reporting of the affair, described by the paper as 'strident, aggressive and inflammatory' and by the judge at Lambeth county court

as racist, provoked a volume of hate mail to Ms Thomas. With the help of the London Race Discrimination Unit, she sued the paper under the Protection against Harassment Act. (The Act was passed in 1997 to deal with stalkers, but has been used against animal rights and environmental activists.) The *Sun* says it was never designed to be used against newspapers, but the judge ruled that if the paper had carried out a course of conduct which had caused alarm or distress, that was enough for the legal action to be valid.

The *Sun* is appealing against the ruling to the Court of Appeal. If it is upheld, it gives victims of tabloid hate campaigns real power, and will be an important tool in the fight against racism. ■

Police try to stop Iraqi Kurds campaign

Using the pretext of a bomb alert, police, on 2 March, forced the dismantling of a tent and confiscated banners from thirty Iraqi Kurdish asylum seekers, who had been on hunger strike since Wednesday 28 February outside parliament. At about 4.30pm two vanloads of police arrived without warning and officers told the protesters: 'This is a security zone. Dismantle the tent immediately or we will dismantle it for you.' Reluctantly the protesters dismantled the tent, but they had no van, so the police piled tent, banners, placards, sleeping bags, blankets etc into the police vans and removed everything to the police station.

They had been protesting against the refusal of their claims for asylum and against threats of deportation to Iraq. Since January 2001 all Iraqi Kurdish asylum seekers, receiving initial Home Office decisions on their asylum application, have been refused and some have been threatened with deportation to Iraq, on the grounds

that it is a 'safe country'.

The fact that since January the British government, along with the US administration, has bombed Iraq contradicts such a claim. Legal representatives of the Iraqi Kurds are demanding that the Home Office explain exactly how and to where in Iraq asylum seekers can be safely deported. The asylum seekers have now called off their hunger strike, but they will continue their campaign for refugee status here, building on the wide support, including that from several MPs, that they have won so far. ■

For more information please contact: Committee to Defend Asylum Seekers, Diyari Kurdi 0793 921 8191; Sarah Parker 0795 187 5853 or 020 8800 9430 e-mail: info@defend-asylum.org, BCM Box 4289 London WC1 3XX or KNKknklondon@gn.apc.org

reviews &updates

BLACK DEATHS IN CUSTODY

Cheryl Hartman

The inquest into the death of Cheryl Hartman which began at the end of February recorded an open verdict. Cheryl, who had a history of mental problems, took her own life in Holloway prison on 18 June 2000 (CARF 57). She was serving a nine-month sentence for assault and affray and had asked for medical help.

When she was sentenced the court heard of concerns about her being a suicide risk. Initially, she was placed in the psychiatric wing of the prison before being moved to a dormitory, where prison guards thought she would be safe from self harm. She requested a single cell after bullying in the dorm and was given one. Prison authorities failed to take her mental health seriously. Cheryl hanged herself with the cord from her dressing gown.

Leon Marshall

The inquest into the death of 24-year-old Leon Marshall, who died on 15 July 1999, began in March 2001 and recorded a verdict of accidental death. Leon died after swallowing crack cocaine during an arrest by Coventry police officers. The officers were aware that he had something in his mouth but failed to take him straight to hospital and instead took him to Little Park police station. Officers alleged that Leon was acting in a violent manner, which is why he was first taken to the police station. He later told officers he had swallowed some crack cocaine and was taken to hospital, where he died two days later. Leon's family are considering a legal challenge to the verdict as they believe police officers could have done more to save his life.

Keita Craig

In February 2001, the High Court ordered a fresh inquest into the death of Keita Craig after a judicial review. Keita's family were unhappy that the coroner refused to allow the jury to consider a verdict incorporating neglect. Keita suffered serious mental health problems and took his own life in Wandsworth prison on 1 February 2000. Keita hanged himself by his shoelaces, which had been returned to him, though earlier removed because he was a known 'suicide risk'. The inquest in April 2000 had recorded that Keita had 'killed himself whilst the balance of his mind was disturbed'. ■

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

GERMANY

Anti-terror trial targets anti-racist

In March the trial began of Harald G, an anti-racist activist and founder of the Berlin group FFM, which works in solidarity with refugees and asylum seekers. The proceedings against Harald are bizarre. They started in December 1999, when a thousand police officers broke down the doors of the FFM building in the early hours of the morning and raided the place, causing hundreds of thousands of deutschmarks' worth of damage. Harald, together with three others, was charged with membership of a left-wing group, Revolutionäre Zelle

(RZ) which shot a senior immigration official in the knee and placed a small bomb in the mid-1980s. The prosecution don't say that Harald did these things himself, only that he was a member of an organisation which did them. The charges have been brought under Germany's notorious anti-terrorism law, paragraph 129a, which extends rules of evidence and criminal responsibility.

The trial began in conditions of such high security, in a court within the prison complex at Moabit, in Berlin, that international observers

had writing materials removed as they entered the court. It is expected to last until August. Even if the accused are convicted, their sentences are unlikely to be much longer than the time they have already served on remand.

The trial could be a taste of things to come in Britain, where the new Terrorism Act has broadened the definition of terrorism, proscribed over 20 organisations including the LTTE and the PKK, and criminalises their supporters. ■

For further information see www.freilassung.de

ARTS

The drama of asylum

The social reality for asylum seekers in the UK is increasingly being dramatised in theatres and on our screens.

Bogus Woman

Playwright Kay Adshead's *Bogus Woman*, which was originally shown at London's Bush Theatre before touring the UK, has received rave reviews – deservedly. In this pioneering work performed by one actress, Noma Dumezweni, based on interviews with refugees, we are told the story of a young African asylum seeker forced to leave her country after being raped and seeing her family murdered before her eyes. Having fled to the UK, she is detained in Campsfield House and later, after a period outside living on vouchers, at Tinsley house. Through flashbacks, the audience puts together the pieces of her story. Not an unusual one, but played with such feeling, and rage

by Noma Dumezweni that we are literally transfixed. In the blink of an eye, Dumezweni switches from portraying an asylum seeker, desperate to be believed, to a racist prison officer determined to hurt.

Adshead interviewed many asylum seekers to write this play, and their stories, including that of the 'child man' at Campsfield whose story *CARF* readers will be familiar with, are woven into the script.

Last Resort

On the face of it, *Last Resort* is an anti-racist's nightmare. A pretty Russian single mother, Tanya, with her 10-year-old son, Artiom, arrive in the UK only to find that Tanya's English lover has failed to show up at the airport. The immigration authorities want to send Tanya straight back to Moscow but she is so desperate to find her fiancé that she takes the only route available. Quite by accident, Tanya claims political asylum and is dispersed to Stonehaven (Margate in real life).

All this, one would have thought, would make the *Last Resort* the kind of reactionary tale that racists could exploit. Yet, this tender love story (Tanya is befriended by Alfie, an arcade attendant, with a troubled past) with its traditional 'East West, Home's Best' theme, provides no comfort, either to the government or to the Right. Polish director Pawal Pawlikowski captures the Kafkaesque quality of Straw's asylum system



(many asylum seekers were used as extras during filming) and shows how a deterrent asylum system based on internal controls

destroys vulnerable individuals and poisons childhood. Tanya falls prey to pimps and perverts and Artiom starts on a career of juvenile crime. This is a commercial mainstream film that will appeal to the arthouse. Nevertheless, film director Pawal Pawlikowski, in comparing Straw's asylum system to a Soviet gulag, has stayed true to social reality. ■

Last Resort is on general release, distributor Shooting Gallery.



EVELYN 190 CENTRE

Know your rights and use them

Have you been discriminated against at work because of your race, sex or disability? Have you been unfairly dismissed? If you have experienced unfair treatment in work or when applying for work and live in the London borough of Lewisham, the Evelyn 190 Centre may be able to help you.

This is a free and confidential service.

Evelyn 190 Centre, 190 Evelyn Street, Deptford, SE8 5DB. Tel: 020 8691 7180

diary of race and resistance

FEB-MARCH 2001

RACISM

1 FEB 38-year-old Philip Gould and 36-year-old James Devlin sentenced to three years' probation after racist attack on Somali in Colindale, London in September 1999

2 FEB Ronnie Coulter and Sandra Tierney sentenced to two years for contempt of court in the trial of those accused of murdering Surjit Chhokar in 1998

10 FEB 20-year-old black man suffers fractured jaw and head injuries after racist attack by two white men at bus stop in New Malden, Kingston

13 FEB *Anthony Smith and Richard Smith sentenced to five and a half years for manslaughter of Ben Kamanalagi who was killed in September 1999; Patrick McDonagh cleared of murder* ■ After an excluded black pupil, 10-year-old Jevan Richardson, was found hanged in Lewisham home, the council investigates whether racism played a part in suicide

14 FEB 19-year-old Stephen Morris convicted on two charges of violent disorder and a 16-year-old convicted of racially aggravated criminal damage after racist attacks on Asian owned shop in east Hull

15 FEB *Judge rejects racist motivation in murder of Jan Pasalbessy in Newport, south Wales*

17 FEB 18-year-old Chinese barman repeatedly stabbed and racially abused outside wine bar in Edinburgh

19 FEB Lindsy Percy faces charges of racial abuse after dragging US flag on ground while demonstrating against missile defence system. The CPS alleges she caused 'harassment, alarm and distress' to personnel at the base ■ 56-year-old Iraqi man and 40-year-old Tunisian man racially abused and attacked by gang of white men after leaving a pub in Bromley, south London

25 FEB 15-year-old Harifur Rahman left with fractured skull after being kicked and beaten unconscious by racist gang in Bermondsey, south London

28 FEB *Crimewatch* programme launches appeal for information after 58-year-old Khaliur Rahman died following a robbery and racist attack in Birmingham on 22 October 2000

29 FEB Ofsted report reveals black children excluded for longer than their white counterparts for similar offences

2 MAR 31-year-old Neil Sibson banned from all professional football matches for three years after racially abusing ANL members outside Bradford City FC ground

4 MAR William Hague's speech to Conservative Party forum warns that Labour will turn Britain into a 'foreign land'

12 MAR Indian restaurant worker in Rugby beaten about the head with broken table leg and racially abused by two white youth

17 MAR 30 football fans arrested after racist chanting at Bradford v Manchester City match

20 MAR Over 100 people arrested in operation against racist and homophobic crimes organised by Racial and Violent Crimes Task force

24 MAR *Eastern European asylum seeker stabbed to death in suspected racist attack in Edgware, London*

25 MAR Asian shopkeeper Sukhwinder Kumar reveals he has been subjected to over 200 racist attacks in 12 years in Walsall

30 MAR BNP poll 17.12 per cent of vote Canning Town by-election

1 APR *34-year-old Shiblu Rahman stabbed to death in suspected racist attack in Bow, east London*

5 APR Three men arrested in connection with murder of Shiblu Rahman

IMMIGRATION

1 FEB *Iraqi man crushed to death and another broke both legs as they tried to jump on to Eurostar train heading for UK from Coquelles, near Calais*

9 FEB British and French governments launch Cross Channel Commission to resolve 'problem' of asylum seekers

14 FEB Home Secretary Jack Straw reveals government has scrapped £77 million computer system designed to reduce asylum application backlog

29 FEB *Government bans 21 groups under new Terrorism Act*

3 APR Council of Europe report accuses Britain of being 'most' racist to refugees

5 MAR Report from University of Wales suggests that, as population ages, immigration will become vital to the UK economy

8 MAR BBC2 TV documentary states that over 50 young African girls are thought to be working as prostitutes in Italy, after disappearing from the care of West Sussex social services

12 MAR Court of Appeal rules it 'unreasonable' for Home Secretary Jack Straw to adopt blanket 'safe third country rule'

14 MAR Two Albanian refugees awarded £80,000 after High Court ruling that refugees should not be penalised for entering the country illegally ■ Three stowaways, found on Eurostar and jailed at Oakington, escape

21 MAR Inquest records verdicts of accidental death for 16-year-old Maikel Almira and 15-year-old Alberto Rodriguez, who died after mistakenly stowing away on a flight

from Havana to Gatwick at Christmas ■ BNP leaflets Mitcham against proposed housing redevelopment for refugees

27 MAR Conservative MP John Townend blames 'coloured immigration' for rising crime

5 APR *32-year-old Perry Wacker jailed for 14 years for manslaughter of 58 Chinese stowaways; 29-year-old Ying Guo sentenced to six years for conspiracy to smuggle*

CRIMINAL JUSTICE

4 FEB Three south Wales police officers found guilty of assault and racial abuse in civil action brought by 24-year-old Darren Hoole

12 FEB Judge claims Duwayne Brooks' case for compensation from Met, for his treatment following the death of Stephen Lawrence, cannot be justified

15 FEB Over 40 officers threaten to sue Met police for unfair treatment after report finds that Delroy Lindo was racially harassed and stereotyped by them

1 MAR Northants police first UK force to introduce Emergency Response Belt, as velcro restraint for the arrest of violent people ■ David Ramsbotham, Chief Inspector of Prisons, condemns YOI Brinsford as a disgrace, as report reveals bullying and high levels of self harm

6 MAR Inquest returns open verdict into death of Cheryl Hartman who was found hanged in Holloway prison

7 MAR Judge directs jury to clear 20-year-old Tony Hackworth of all charges in relation to the attack on Sarfraz Najeib in Leeds

8 MAR Court rules that 29-year-old Esther Thomas can sue the *Sun* newspaper for harassment, after it published articles which led to her receiving racist hate mail

9 MAR Sgt Peter Solley, MBE, who gave evidence at the Macpherson Inquiry, is charged with nine counts of rape and one of perjury (in relation to evidence given at inquiry)

11 MAR Inquest returns accidental death verdict on Leon Marshall, who died after Coventry police officers failed to take him to hospital after he swallowed drugs

15 MAR Police arrest Delroy Lindo for 38th time - on suspicion of abusive and insulting behaviour

9 APR *Police fail in attempt to get inquest verdict of unlawful killing into death of Christopher Alder overturned ■ Jury in trial of Leeds footballers discharged after Sunday Mirror prints article on the case*

10 APR *New trial of Leeds footballers set for October 2001; the judge also criticises Macpherson definition of racist incident*

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