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THE RIGHT TO ASYLUM



DEAD AND BURIED?

Plus: Yarl's Wood, profit before lives?

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OBITUARY ● THE RIGHT TO ASYLUM 1951–2003

After years of repeated government attacks, two new proposals cut through to the heart of the asylum process. Legal advice for asylum cases is to be rationed, thus starving asylum seekers of access to justice (see p10). And in another asylum bill, expected to be announced shortly, the right of appeal is to be collapsed. Together, these two proposals will make it impossible for asylum seekers to fight for their rights, amidst a suffocating Home Office bureaucracy. Already, some of the best immigration law firms are abandoning legal aid asylum work, unable to work to the government's impossibly tight time quotas for cases. The charlatan firms, which the government claims it wants to eradicate, will have no such qualms. The one lifeline that had still been available to asylum seekers – the chance that a competent solicitor might successfully appeal on their behalf – has thus been removed. With, also, the denial of basic subsistence to many asylum seekers, since January, there will now be little point in claiming asylum at all. The right to asylum has died.

No longer, then, the asylum seeker. In its place, the 'illegal immigrant', a product of the government's own policies: made, by tighter border controls, to enter the

country through increasingly hazardous routes; made, by the removal of the right to work or support, to survive in the illegal economy; made, by the state's targeting of migrant communities for potential terrorists, into a new criminalised class.

And, in the recent trial of detainees at Yarl's Wood, the punishment meted out to this new 'criminal class', when it tries, still, to assert its rights, becomes clear. The trial of eleven men charged in connection with the fire there, in 2002, revealed a regime in which a 55-year-old Nigerian woman was first refused her request for medical help, then refused entry to church and, finally, when she became upset was pinned down by guards who 'didn't use any particular technique to push her to the floor'. Anger at this incident turned to violence and Group 4's building went up in flames, along with what was left of its reputation.

It is not known for sure if anyone died in the fire or whether up to fourteen people still unaccounted for simply fled. But then, those who die at Europe's borders – at least 742 people in the last eighteen months across Europe (see p12) – are almost always without a name, without a face and without a story. They are no longer persons seeking asylum; they are simply 'illegals'. ■



PROFIT LESSONS

THE FOUR-MONTH TRIAL of eleven men charged in connection with the massive fire eighteen months ago at Yarl's Wood detention centre resulted in only four convictions – two men were found guilty by the jury and another two pleaded guilty during the trial. A CARF representative, who sat through much of the trial, has been sifting through the evidence and draws out some of the issues which should be concerning anti-racists.

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BEFORE LIVES? FROM YARL'S WOOD

HOW DID THE FIRE START? Yarl's Wood was and still is run by Group 4 – a private company which won a six-year contract to build and run the centre. It also runs Campsfield and Oakington detention centres. The Crown Prosecution Service (CPS) prosecutor at the trial branded Group 4 a 'national laughing stock ever since they first blundered into the field of private custodial services'.

The immediate provocation for the fire was an incident on Valentine's night 2002 when Eunice Edozieh, a 55-year-old Nigerian woman, attempted to leave her wing to attend church which was in another wing. DCOs refused her access and then restrained her. Other male detainees saw what was happening and attempted to help Eunice. As a result, a disturbance broke out, fires were

started and half the centre burnt down.

That was the spark, but many factors led to the disturbance. Yarl's Wood's 385 detainees included families with children. And all those held there, deprived of their freedom, were keened to the fact that they had committed no crime save claiming asylum. Conditions at the centre had already been subject to many complaints, and detainees had organised hunger-strikes and even established their own committee to represent their views and take complaints to Group 4.

The kinds of complaints by resident detainees was exemplified in an incident involving Eunice, earlier on the day of the fire. Eunice came to the attention of Group 4 officers when she asked to see a doctor about her haemorrhoids. When the request

was refused, she became upset and a 'scene' ensued. Group 4 officers dealt with the situation by distracting Eunice by calling her on her pager (something all detainees have to carry), and conning her into believing she had an outside phone call. As a result of the 'scene', senior officers decided Eunice would not be allowed to attend church that evening, but failed to inform her. So when Eunice attempted to attend church and was refused, she became upset again and was restrained. A Detention Custody Officer (DCO) testified, 'I took hold of her left arm and moved her away and DCO Bassett had hold of her right arm. Someone shouted "down" so we took her to the floor. I don't know how – she was just heading down so I

continued on p5

YARL'S WOOD ON TRIAL

A STATEMENT FROM THE CAMPAIGN FOR JUSTICE IN THE YARL'S WOOD TRIAL

'THE HOME OFFICE showed a disregard for human life by detaining people in unsafe conditions, operated for private profit by Group 4 – described in court as a 'national laughing stock ever since they first blundered into the field of private custodial services'. A significant responsibility must rest, ultimately, with the government and Group 4 – it is they who should be prosecuted for unlawful imprisonment and recklessly endangering lives. We feel the trial, along with the enormous cost of building and running the detention centres, has been a waste of public money.

The Home Office told us that Yarl's Wood would be a 'removal centre' where rejected asylum seekers would be held for a short period prior to their deportation.

Actually, only 46 out of 385 detainees had a removal notice and many were in detention for months on end. Men, pregnant women, children, babies, the sick and torture victims – no UK court had sentenced them to Yarl's Wood. Their detention was arbitrary and indefinite.

When it was built, the then Immigration Minister described Yarl's Wood as a 'basic timber construction with brick cladding'. It had been decided that there would be no sprinkler system fitted in the main building. It was a place where children ended up after being torn away from their school friends to become 'child females' and 'child males'. It was a place where, it was suggested in court, the book of immigration rules had been removed after a detainee used it to claim her rights and where those who spoke out could be segregated. Presumably, the government hoped that this daily injustice would go unnoticed, behind the locked doors of the detention estate. But the fire of 14 February 2002 exposed the nature of the regime.

Many Yarl's Wood detainees had fled persecution. They were 'cared for' by guards paid £6.95 per hour. One said that hearing detainees speak a foreign language made her feel humiliated. At one time, the local BNP candidate worked there.

Disturbance

On the day of the fire, a 55-year-old woman was pinned to the ground and dragged along the floor, triggering a major disturbance which was, according to evidence presented in the trial, grossly mismanaged. Group 4 delayed the access of fire-fighters and police to the site. A Group 4 manager, according to evidence heard at the trial, ordered detainees to be locked in the burning building. At one stage, when it was thought that there might have been lives lost in the fire, Group 4 was investigated by the police for corporate manslaughter. One Group 4 guard, troubled by the order to lock up detainees in the burning building, said

staff was eventually thrown out of court.

The defence of those detainees who faced charges was hindered further by the deportation of many witnesses and by certain details of other witnesses being kept from the defence team for up to a year.

Re-opening

Immediately after the fire, Home Secretary David Blunkett praised Group 4, saying they acquitted themselves with 'dedication and courage'. Now, with Blunkett's endorsement, Group 4 is re-opening Yarl's Wood. Without the long overdue inquiry into the Yarl's Wood incident, more people will be subjected

to ostensibly the same regime. Would this happen if they were British?

In the White Paper *Secure Borders, Safe Haven*, published the same month as the Yarl's Wood disaster, David Blunkett said that 'government, and those agencies and organisations, delivering nationality, immigration and asylum services, need to demonstrate that they know what they are doing, and that they are doing it well'. It is blatantly evident that the Home Office does not know what it is doing or, even worse, it does. The Secretary of State should consider this. The White Paper also says that 'those who wish to work

and contribute to the UK, as well as those who seek to escape from persecution, will receive the welcome they deserve... Human skills and ambitions have become the building blocks of successful economies and the self-selection of migrants means they are likely to bring valuable ideas, entrepreneurship, ambition and energy'. Why spend money detaining and criminalising those same self-selected migrants?' ■

Campaign for Justice in the Yarl's Wood Trial /
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that he knew who gave the order and, if bodies were found, he would tell the authorities. Later, Group 4 decided to sue the police for £97m, under an obscure law which expects the police to underwrite the insurance costs of riots.

But it was selected detainees who faced a bizarre prosecution, blamed for the regime's own failings. As the police investigation into the fire got under way, Group 4 put up a staff notice discouraging co-operation. The company went on to perform a series of actions, such as coaching of witnesses – described in court as 'wholly improper'. The police had to threaten Group 4 with being interviewed about obstruction. Much of the witness testimony supplied by Group 4

went with her. I didn't use any particular technique to push her to the floor... she was shouting "they're going to kill me". The disturbance erupted and Eunice was dragged across the floor to a stairwell and locked into it with other female detainees.

Failure of control?

In the aftermath of the fire, Andy Gilchrist of the Fire Brigades Union commented on the private company running the detention centre, 'It is clear that [they] have put their private profit before the lives of asylum seekers thereby treating them as second class citizens.' This assessment appeared borne out by the admission of DCO Darren Attwood, in a statement read to the court, that he was told to 'lock the detainees in the burning building' and that 'he knew who gave the order and if bodies were found he would tell the authorities; he believed the order was wrong and it was worrying him'.

The facts of the case as presented by the Crown Prosecution Service (CPS) at the beginning of the trial supported Andy Gilchrist's observation: 'The police received a call at 20.06 hours ... requesting immediate assistance to deal with a serious disorder. Police arrived within ten minutes but [were not allowed] to take control until approximately 01.00 hours. Events during the intervening five hours were under control of Group 4.'

Acquitted but not free

Twelve male asylum seekers faced violent disorder charges in connection with the fire; five were additionally charged with arson and one with affray. Behar Limani, a 26-year-old Albanian, and Henry Momodu, a 39-year-old Nigerian, were both convicted of violent disorder and sentenced to four years. Henry was found not guilty of arson.

Klodgan Gaba, an Albanian, 32-year-old Nigerian Tomas Kalu, 20-year-old Agron Kastrioti and 36-year-old Petr Hrubes were all acquitted of violent disorder. All of the men (with the exception of Petr Hrubes who had exceptional leave to remain) were re-arrested and detained under immigration powers after their acquittal. Agron was taken to HMP Woodhill, a category A prison, where he was treated like a convicted prisoner.

After the case against Klodgan was dropped, he left the dock at Harrow Crown Court, his face filled with relief, only to be rearrested under immigration powers by a policeman built like a tank. He was then whisked away to South Harrow police station and taken on a tour of British detention centres, Harmondsworth (England), Dungavel (Scotland), and then, within days, was deported to Albania. Klodgan claims that he was driven from

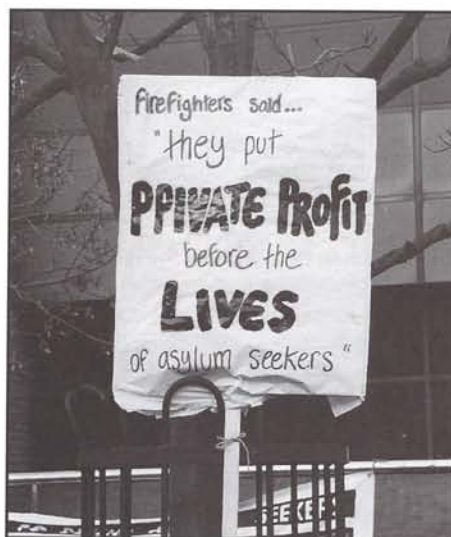
place to place in a car to prevent him from contacting his solicitor.

23-year-old Nigerian Lucky Jacobs, 29-year-old Nigerian Kayode Abdul and 25-year-old Kosovan George Tuka were all found not guilty of violent disorder by the jury. They were all re-arrested and detained under immigration powers.

Double punishment

Aliane Ahmed, a 29-year-old Algerian, pleaded guilty to violent disorder and Nassem Mosstafa pleaded guilty to affray. Both men had been held on remand in prison since the fire. Aliane was sentenced to eighteen months, time which had already been served on remand. Yet he remains behind bars in Wormwood Scrubs, detained under immigration powers. He has attempted suicide a number of times.

Nassem Mosstafa, a Moroccan who was



19 years old at the time of the fire and is now 21, was sentenced to three months, which again had already been served on remand. Nassem's 'crime' was to throw a half-empty plastic bottle at police lines some distance away while waiting outside with other detainees after the fire. Kevin White of the Prison Service riot squad said 'At no time did we feel threatened ... [the bottles] were just token gestures'. Nassem was also acquitted of violent disorder and arson. The judge described the evidence against him as 'tenuous'. Nassem was rearrested, detained under immigration powers and deported to Morocco.

Was justice served?

The trial, all four months of it, laid bare failures and inadequacies in the asylum and criminal justice systems. The police failed to interview potential witnesses, ID procedures were compromised, the Home Office deported potential witnesses, Group 4 showed pictures to witnesses thus contaminating

identification procedures.

● **Deported witnesses:** Dozens of potential witnesses were deported. For example, eight of Nassem Mostaffa's 18 witnesses were deported before giving statements and four of Agron Kastrioti's 12 witnesses. Abdul Kayode's two witnesses were deported, one of them without the police taking a statement. In the first days of the trial, attempts were also made to deport Eunice, but she allegedly became so upset on the plane that the pilot refused to fly with her on board.

● **Disclosure of evidence:** Defence solicitors encountered problems when trying to locate possible witnesses. In pre-trial hearings, Judge Saunders ruled in September 2002 that defence solicitors had to be given the means to trace possible witnesses. In many cases this information was not forthcoming until February 2003. Members of the Campaign for Justice in the Yarl's Wood Trial claimed to have heard the CPS counsel say that documents were withheld to avoid tipping off the defence as to who had been deported. The police, however, revealed that two weeks after the incident, they had compiled lever-arch files containing information on all the detainees at Yarl's Wood, including photos, personal details and addresses. In April, the judge was shown a letter from Home Office Minister Beverley Hughes, stating that 'no-one has been removed without the police being given opportunity to interview them'.

● **Group 4's conduct:** Group 4 hired Bond Solon, a company that specialises in 'courtroom skills', to train staff members who were key prosecution witnesses. Bond Solon was described by the CPS counsel as a 'thoroughly disreputable organisation' and the training as 'wholly inappropriate and improper in the context of a criminal trial'. The training was based on a hypothetical case study of 'Butlins Detention Centre' for asylum seekers. No records were kept of what was discussed. One witness, who received at least six hours' training from the company, was described in court by the CPS barrister as the 'worst witness ever seen'.

Group 4 also provided counselling sessions for its staff despite CPS advice that they should not take place. The police's instructions that people should not talk about the fire, were disregarded. Heidi Rippingale, a key prosecution witness who received counselling, was told in one session to cut out newspaper cuttings on the fire. Rippingale made an identification of Agron Kastrioti after seeing a picture of him in handcuffs in the *Bedford Times and Citizen*. She had not mentioned Agron's name before in statements to police. The judge excluded her evidence, ruling it 'tainted and totally inadmissible'.

● **Identification procedures:** Detective Superintendent Richter of Bedfordshire police told the court about 'policy decision



21' which prioritised the statements of Group 4 staff as more reliable than those of detainees. CCTV evidence, which was regarded as the most reliable source of evidence, was not available – it all burnt with the centre. The next most reliable source of evidence was regarded as eye-witness evidence from the police, fire, ambulance, Prison Service riot squad and Group 4 staff. After the fire, Group 4 put up pictures of 50 detainees, a 'rogues' gallery', in a staff office. There was also some 'name swapping' by staff in debriefings held after the fire by Group 4. The police video of Lucky Jacobs, used for an ID parade, showed Lucky wearing standard issue clothing from Yarl's Wood, which would have been immediately recognisable to the main witnesses – Yarl's Wood staff.

● **The jury:** At the end of the trial as the jury began its deliberations, one of the jurors, nicknamed 'Justice' by members of the Campaign for Justice in the Yarl's Wood Trial, sent a note to the judge alleging that two other members of the jury had made anti-asylum seeker comments. No action was taken to remove those jurors after they denied racism. A few days later, Justice presented the judge with a sick note and was allowed to stand down while the jury continued its deliberations. As another juror had retired because of ill-health, it was a 10-member jury that delivered verdicts.

Detainees helped officers

One of the most significant, but as yet unreported details to emerge in the course of the trial, was the altruism detainees showed their

'captors' when they realised the life-threatening nature of the fire.

● Joanne Alex Clarke, a mental health nurse, said she and a colleague, who had locked themselves in a room, emerged to be met by two male detainees who 'offered them coffee'.

● A number of Group 4 officers locked themselves in an office. DCO Swanell told the court he had radioed for assistance from Group 4 but 'wasn't satisfied that something was being done'. Detainees persuaded the group to leave and they were escorted out by detainees, some of whom were Zimbabwean and whom he described as 'brilliant'. A detainee, who was also present, said that an officer was 'down', and thought he was going to die. 'I held his hand through the broken window.' DCO Mark Curtis said of the same incident, 'Lucky Jacobs and Thomas Kalu both put an arm round him'. Of Thomas he added, 'it was quite a relief to hear a friendly voice'.

● Evidence from Ricardo Rocchi, another officer, revealed that detainees Lucky Jacobs and George Tuka had both helped him. George had also spoken to him in Italian to reassure him in his own language. He was helped out of a window and outside he recognised another detainee, Agron Kastrioti, and hugged him. He described Agron as a 'good man'.

● Behar Limani, who was later convicted of violent disorder, had warned DCO Sylvia Burns to 'get out, save yourself' and had then gone with other Albanians and searched rooms to make sure no one else was trapped.

Media without prejudice?

Is it too conspiratorial to connect a spate of

tabloid anti-asylum headline stories with the ending of the Yarl's Wood trial? On the day after the trial ended on 15 August, the *Daily Express* front page read, 'Asylum threat to NHS' and the *Sun*, two days later had a 'Halt the asylum tide now' headline. Neither paper is known for its restraint on refugees and asylum. But there was a certain restraint during the trial – which had opened with lengthy legal argument about media hysteria on asylum seekers being potentially prejudicial to a fair trial. And suddenly, after 15 August the gloves were off. Perhaps Fleet Street and Wapping legal advisors took very seriously the possibility that a newspaper could end up responsible for the failure of a trial that had cost the taxpayer millions of pounds. Worth foregoing a few sales?

This is not too fanciful a conjecture. For another trial, involving a Chinese man accused of people-smuggling, was temporarily halted on 28 July on exactly this ground. Defence lawyers argued that the then current media coverage of asylum (which included the BBC's Asylum Day coverage) would prejudice the trial. The trial was postponed to January 2004.

Are people missing?

While the fire raged, some detainees took the opportunity to escape and the authorities say that they were all recaptured. At first there was speculation that some detainees had been burnt to death in the fire, but forensic evidence could not be found. However, in some circles, it is still believed that up to fourteen people remain unaccounted for. In *Private Eye* Paul Foot quoted Algerian Amir Mohammed Benzaoui as giving a statement to police officers in which he says that he 'saw two persons lying on the floor at the door covered with a yellow blanket. Their heads and bodies were fully covered. I could not see them moving.' But the police, who initially investigated Group 4 for corporate manslaughter, found no evidence of any bodies.

Campaigning support

'Thank you for the sense of belonging you gave me', Eunice has told her supporters, 'I shall be very grateful for the rest of my life, you were indeed my voice when I couldn't speak and my eyes when I couldn't see, you cared for me and I will always be grateful.' The individuals behind the Campaign for Justice in the Yarl's Wood Trial, most of them local Bedfordshire people, supported the defendants throughout the trial at Harrow Crown Court, attending the proceedings every day, providing emotional and financial support.

Now, the Campaign intends to support the appeals of Behar and Henry against their convictions as well as continuing support for the detainees expected at the 'new and improved' Yarl's Wood which is just about to reopen. ■

TERRORISING MINORITY COMMUNITIES

S. O'Neill



The Campaign Against Criminalising Communities' (CAMPACC's) submission to the Privy Council Review of the Anti-Terrorism, Crime and Security Act 2001 (ATCSA) examines how anti-terrorist legislation has impacted on minority communities and, especially, the way they have been stigmatised and stereotyped as a result of the 'war on terror'.

CAMPACC sees 'the anti-terrorism legislation as part of a political agenda aimed at controlling and restricting the rights of migrants and refugees – who became the main focus of the security services as the peace process developed in the North of Ireland. The ATCSA with its powers of internment of foreign nationals alone is a culmination of a process that has seen the

entrenching of discriminatory legislation against minorities and migrants that allows for unequal treatment in matters of social welfare, education and citizenship rights and... encroaching on the fundamental right to liberty and fair trial procedures... Its wording and use has blurred crucial distinctions – between political activity, communal networks, immigration issues and organised

violence... the entire UK framework of "anti-terrorist" legislation is illegitimate, undemocratic and discriminatory in its terms and effects. It should be repealed.'

We publish below excerpts from interviews with people affected by the legislation, which are included as appendices to CAMPACC's submission to the Privy Council.

FAHIM AHMED ● 23-YEAR-OLD CRIMINAL LAWYER AND WEST LONDON POLITICAL ACTIVIST

ON 19 DECEMBER 2001, I was 'detained' by Special Branch for the purpose of 'examination', arrested, held for 17 hours, interrogated and assaulted through repeated forcible attempts at taking my fingerprints. Eventually, I was released on bail, to return on 18 February...

I had been in Belgium attending a massive trade union demonstration and the anti-capitalist demonstration, both in Brussels. I returned on Eurostar on 19 December... There were dark-suited British officers checking people on the train and I assumed that they were customs. An officer approached me, showed me a Metropolitan Police badge and asked to see my passport. I asked him what he was doing and he explained that he was a member of Special Branch and was doing routine anti-terrorism checks. I showed him my passport and he

continued on his way. I thought nothing more of it, but when I got off the train at Waterloo at 4.30pm, the same officer was waiting for me before the arrivals area.

He approached me and said: "Mr Ahmed I'm detaining you under the Terrorism Act, come with me." I could hardly believe it!... [I] followed him into a room in Waterloo station. He sat me down and immediately began asking me questions about who I was, where I had been, where I was going and what I was doing. I began answering his questions thinking I was being interviewed under the Police and Criminal Evidence Act 1984 (PACE), which guarantees criminal detainees rights to legal advice, silence, and a standard of treatment specified in the Codes of Practice. Little did I know I was actually being 'examined' under Schedule 7 of the Terrorism Act 2000 (TA).

... After an hour, I was handed a 'Notice of Detention' outlining the specific legislation under which I was being held... After I made my first phone call I was told that I was being arrested for failing to provide address details. I immediately pointed out that the officers had my passport, which had my address on it, and that I had told them so when I handed it over. Two minutes later I was told that I was to be arrested for refusing to submit to a body search!... [once in custody] I was allowed to speak to a solicitor...

My brief... admitted to knowing nothing about the terrorism legislation under which I was being held. We were told that I would not be 'interviewed' under PACE; rather I would be 'examined' under Schedule 7 of the TA. I had no right to silence, and in fact I was under a duty to provide the examining officer any information he requested!

Further, if I failed to comply with this duty I would be committing an offence for which I could be imprisoned for up to three months, and/or receive a fine of up to £2,500!

Following legal advice I decided that I would have to answer questions to avoid the possibility of an unnecessary conviction for a terrorist offence... I was asked very vague, open questions, mainly in relation to visits to Libya and Algeria. I explained to the officers that I had been attending youth conferences and festivals officially hosted by the governments of those countries. Then they asked me why I had been to Pakistan, and I told them that I, like many other second-generation immigrants in the UK, had family there, and that I had been visiting Pakistan since childhood... This 'examination' seemed to be an intelligence gathering exercise at my expense.

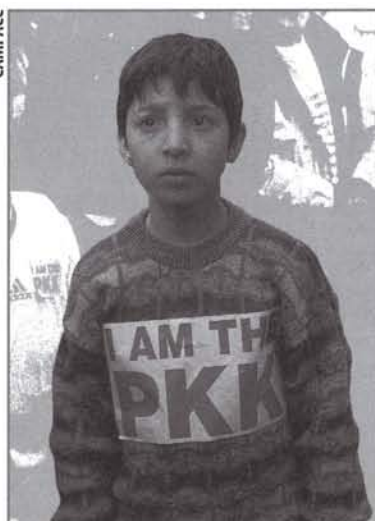
... I was told that I would be fingerprinted, but my solicitor discovered that they wanted three sets of extremely detailed fingerprints... I knew that the procedure required my written consent, and I also knew that consent could not be withdrawn once it had been given. More importantly though, they wanted my fingerprints before even charging me with any offence. I hadn't done anything wrong; they were not even alleging that I had done anything wrong, yet they wanted my prints for no apparent reason. Finally, they wanted to then keep those prints forever. I refused to consent to giving my fingerprints, and the police used all sorts of tactics over the course of the next four hours to get me to change my mind... I was told that in the morning the Territorial Support Group (TSG) would arrive, that they were a special anti-terrorist force, and

that they had methods of forcing prints from non-compliant prisoners, and that if my fingers or wrist were broken it would be my own fault.

... I was bailed to return at a later date... A couple of days prior to the re-bail date I called the case officer who told me that I was to be released from bail with no further action because it was not in the interests of justice to proceed...

I have since instructed solicitors to act on my behalf against the Metropolitan Police, and [they] have offered me £1,750 out of court in full and final settlement of the matter, although they continue to deny any liability and maintain that I was treated with 'dignity' and 'respect' throughout, and that had I not been so 'obstructive' none of this would ever have happened. ■

Extract from original statement by Fahim Ahmed.
Full copy available from CAMPACC.



MEHMET KARAYILAN ● DEFENDANT IN THE 'PKK' TRIAL

I WAS ARRESTED in Dover, supposedly for fund-raising for the PKK... I was in prison for nine months awaiting trial.

There are several persons in the PKK leadership. The police said that I was one of them. His surname is the same as mine. But his first name is Murat and mine is Mehmet. The police realised that I was not the PKK leader. But they still arrested [me] and wanted to get some result from the Terrorism Act. That is why they tried to find evidence against [me].

They came [to my house] the day after the arrests. For nine hours, from 3pm to midnight, they searched my house. They took away videotapes,

newspapers, magazines, etc. Also they took a Turkish newspaper reporting about the situation of Kurdistan. They even took away magazines published in the 1990s. Those publications are legal in Turkey. They took all those papers and magazines, trying to use them as evidence of terrorism.

My family was emotionally depressed. The local newspaper was also publishing articles about my arrest. So the neighbourhood knew that I was arrested under the TA 2000. My family does not speak English. The neighbours, because they heard about [the] arrest, labelled us a terrorist family, treated my family

badly. The police came to the neighbours and asked questions. There were lots of problems because of the articles published in the local papers and in the Turkish papers as well. A lot of family members in Turkey were also visited by the police.

... While awaiting our trial, the conditions in Belmarsh Prison were very hard. We had only two hours per day out-of-cell time. But there is no compensation for me. ■

Interviewed by Martina Anzinger on 2 May 2003.
Translated by a member of the Halkevi Centre, Hackney.

CALENDAR

THE 'WAR ON TERROR' 2003

MARCH ● Four men arrested attempting to leave the UK with £25,000, which is seized. **MAY** ● In simultaneous actions, British and US governments freeze the funds of charity Al-Aqsa Foundation, alleging they fund terrorist activities of Hamas in Palestine.

JUNE ● Six are charged with selling *Vatan* and *Emek ve Adalet* magazines – both freely available in Turkey and throughout Europe – and using the proceeds, and donations, for the proscribed Turkish organization, the Revolutionary Peoples' Liberation Party – Front (DHKP-C). ● 23-year-old Tahseen Chaudry and Iyaz Ghani, two medical students from Birmingham backpacking across the Middle East, are detained in Israel for eleven days after crossing over from Jordan. They accuse the Israeli authorities of 'psychological torture' after allegedly being handcuffed, blindfolded and interrogated. The Israeli authorities later deny the claims of mistreatment but admit that they did not allow the men access to the British embassy.

● Algerian Ali Serir, who was arrested with his wife in Scotland in February 2003 under the Terrorism Act 2000 (TA), released on bail pending a decision on his claim for asylum. Ali's wife was released without charge and Ali was not charged under the TA but was detained for deportation. ● 37-year-old Algerian Farid Belarbi is sentenced to three-and-a-half years after being found guilty of conspiracy to defraud banks and credit card companies. Farid allegedly has links with Brahim Benmerzouga and Baghdad Meziane, who were jailed in April 2003 for fundraising for al-Qaida. Belarbi denied that he knew the money was being used for terrorist purposes. He faces deportation after serving his sentence. ● Home Office Minister Beverley Hughes announces new offences to 'disrupt those involved in organised crime and terrorism'. People found to be carrying fake or stolen ID documents, passports or driving licences will face two-year sentences. ● 32-year-old Shazad Ashraf from Leyton, London is charged under the TA with possession of items for the purposes of terrorism and items containing information useful for terrorism. He was,

allegedly, found in possession of false travel documents, 'combat books, quasi-military information and tactical planning material'. ● 25-year-old Francis Sung Kei Lee is charged under the Anti-Terrorism, Crime and Security Act 2001 (ATCSA) with 'sending a quantity of white powder to induce a belief that it was likely to be a noxious substance'.

● Unidentified female MI5 officer tells Special Immigration Appeals Commission hearing that information extracted through torture would be used in court as evidence. **JULY** ● Offices of Al Muhajiroun and the homes of leaders, Sheik Omar Bakri Muhammad and Anjem Choudary, are searched by anti-terrorist police under search warrants gained under the TA. Computers, books, video and audio tapes are seized but no arrests made. ● Three men aged 35, 32 and 18 arrested under TA in Irvine, Ayrshire. They appear at a private hearing at Kilmarnock Sheriff's court charged with 'terrorist related' offences.

AUGUST ● 38-year-old Libyan Ishmael Kamoka appears at Bow Street magistrates after being found in possession of £6,000 in various currencies. Police allege reasonable grounds to suspect the money was 'terrorist cash' or would be used for terrorist purposes. Held at Belmarsh, he has not been charged with any terrorist offences.

● Three Law Lords rule that the legality of the ATCSA, under which thirteen men are detained without trial, should be reviewed in a full appeal to the House of Lords. ● 54-year-old Alan Davidson (aka Mohammed Kallem Ullah) of Glasgow faces charges of possession of equipment, allegedly a rifle, gun and fireworks, that may be used in the 'commission, preparation or instigation of an act of terrorism'. He is also accused of having intended to make bombs and possessed documents that highlighted military establishments and handwritten notes detailing 'action plans'. ● Three students from Luton University, 21-year-old Azhar Ali, 20-year-old Wajad Majad and 25-year-old Abdul Malik, plead guilty to conspiracy to place a hoax bomb with the intention it would induce the belief it was likely to explode or ignite and cause personal injury or

damage to property. Police evacuated the halls of residence at Luton University and called in the bomb disposal squad after the men planted the fake device on 21 March 2003. They were arrested later the same day under the TA. On 11 September 2003, each is sentenced to two years imprisonment. ● UK government freezes assets of Palestinian Relief and Development Fund (Interpal), one of five charities designated as 'terrorist entities' by the US Treasury Department. Interpal, a UK based charity, is accused of fundraising for Hamas. ● Dover port closed for seven hours in a terrorist alert after weapons are found in a car. Three men from London, Amir Khan, Ramin Malique and Zubair Khan, all 23 years old, are arrested and appear at Folkestone magistrates' court days later charged with the possession of prohibited weapons. They are remanded in custody.

SEPTEMBER ● 144 people arrested at the Defence Systems and Equipment International (DESI) arms fair in Docklands, two are arrested under the TA. Police also use s44 powers of the TA to stop and search protestors. ● Liberty wins permission to judicially review the police actions under TA at the DESI fair. ● Gatwick airport is closed for five hours after security alert. Two men and a woman arrested under s51 of the Criminal Law Act 1977 (bomb hoax), and are released on bail. ● Lotfi Raissi launches legal action against FBI and US Department of Justice for false imprisonment, false arrest and malicious prosecution after US accused him of training the 11 September hijackers. He spent five months in Belmarsh awaiting extradition before British judges said there was 'no evidence' against him. ■



ACCESS TO LEGAL AID FUNDING

Frances Webber, a leading immigration and asylum barrister explains what new government proposals augur



In February, the prime minister pledged to halve the numbers claiming asylum by the autumn. It looks as though he might just have done it. The attacks on asylum rights which his government has been engaged in have been unprecedented in their scope and their impact. The new 'white list' of 'safe' countries, the removal of in-country rights of appeal from all asylum claimants whose claims are declared clearly unfounded, the suspension of claims from certain nationalities such as Iraqis, who are left in limbo, between them mean that for many there is no point in claiming asylum. Add to these disincentives the abolition of the right to work and the denial of all support for asylum seekers who don't claim at the port, and for many, the safest and most sensible course is not to claim asylum, since to do so is likely to result in an extremely painful process involving complete destitution, desperation, refusal and removal.

But the stream of anti-asylum 'initiatives' designed to appease the tabloids carries on in full spate. The latest proposals, announced just before parliament's summer holidays, will cut down asylum and immigration appeal rights further. The right to seek judicial review of Immigration Appeal Tribunal refusal of leave to appeal has already been abolished and replaced by a paper 'statutory review', thus limiting the right of access to the courts. Now, the prime minister is talking about amalgamating the two-tier system of immigration appeals into one tier.

Rationing legal help

But the proposal which is causing the gravest concern is the capping of public funding for asylum and immigration appeals. According to the consultation paper put out by the Department of Constitutional Affairs (DCA, formerly the Lord Chancellor's Department), each asylum seeker will be eligible for a maximum of five hours' legal help in making the initial claim, while other immigrants can have three hours' legal help in making their applications. Both groups will be eligible for a further four hours' legal help in preparing an appeal against a refusal. Once applicants

have used up their allocation, they will not get any further funding.

Making claims and preparing appeals take far longer than the maximum hours allotted. The presentation of an asylum claim involves taking a very detailed statement from someone who probably does not speak English and is likely to be frightened or traumatised. It is

generally impossible to get all the details of an asylum claim in one sitting, and sometimes it needs three or four sessions before sufficient trust is built up for the asylum seeker to confide in the solicitor – particularly if sexual torture was involved. Then there is the need to obtain corroborative evidence – such as medical evidence, party cards, newspaper cuttings, death certificates, letters and statements from witnesses.

Many, if not most, asylum claimants need to be accompanied to their Home Office interview, partly because the experience is so intimidating – immigration officers frequently adopt a bullying, disbelieving or dismissive manner and it is vitally important to have someone there as a witness and protector. Often, Home Office interpreters are inadequate or inappropriate, speaking the wrong dialect, while some have been known wilfully to misinterpret through political enmity. The DCA says that the solicitors' clerks who generally attend interviews don't intervene enough to protect their clients' interests, so they shouldn't be paid to attend. If they don't do enough, it's because, unlike criminal suspects, asylum seekers have no right to a legal representative, so immigration officers require legal reps to keep quiet as a condition of allowing them to be present. The solution is not to prevent them from being there, but to train them to be more assertive in defence of their clients' rights, and insistent about their right to intervene.

As for appeals, generally even more work is involved on the part of conscientious representatives. The massively increased volume of appeals has led to demands for more and more written preparatory work by representatives. So, bundles of documents, neatly paginated and indexed, must be submitted by a certain time; a chronology of events and a 'skeleton argument' – a summary of the legal arguments which will be deployed – must also be submitted in advance. Appeal statements and witness statements must be prepared to deal with the reasons for refusal. Expert reports frequently need to be commissioned to put the claim in the context of political, religious or ethnic persecution in the country concerned, and detailed research may have to be done on the internet to rebut the Home Office's easy assumptions of safety.

The vulnerable will suffer most

The government justifies the capping by the argument that there are still too many 'cowboy' firms working in the immigration and asylum fields. But it's not the cowboys who'll suffer. They will thrive, doing as little work as possible and claiming the maximum fee. The firms which would give their clients the care and attention they need will go under, unable to survive if they're paid for only a fraction of the work they actually do. It's the most vulnerable and most traumatised asylum seekers who will suffer. They'll find it virtually

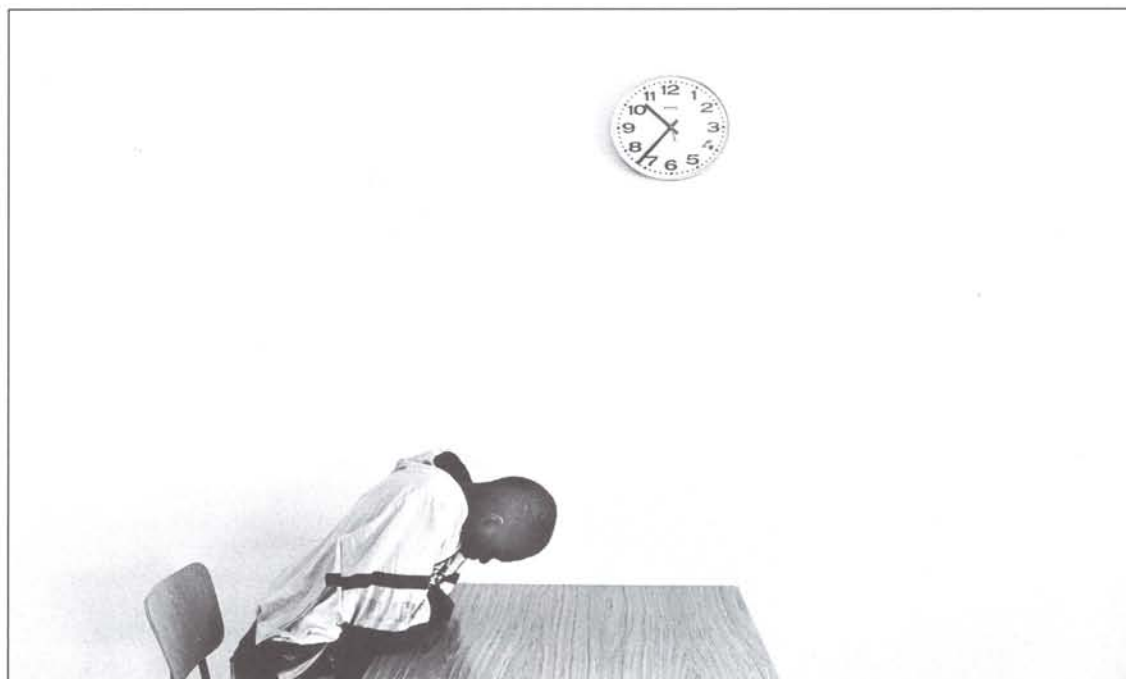
Protest outside the Court of Appeal against Section 55 of the Nationality Immigration and Asylum Act 2002 which denies all support to asylum seekers who don't claim asylum at the port of entry



S. O'Neill

JUSTICE DENIED

CUTS FOR REFUGEES



impossible to get legal help – since their cases are the ones which will take the longest to prepare, they will either be turned away, or their cases simply won't be prepared properly.

Worse, each claimant will have a 'unique file number', and the cap on legal help applies not to the representative but to the client. This means that an asylum seeker who has the misfortune to be 'represented' by a crook, or by an incompetent representative on appeal, won't be able to go to a decent firm to salvage the case – the legal help 'pot' will be empty. The proposals open the door to massive exploitation of immigrants and asylum seekers by unscrupulous representatives, who will be able to demand money from them to continue representation – a situation we thought we had seen the last of in 2000, when legal aid became available for asylum appeals.

Money is not squandered

The government says the legal funding bill for immigrants and asylum seekers is too high – it has more than doubled in the last three years. Of course it has – the numbers of asylum seekers have more than doubled in that period, and the number of appeals. Add to that the effects of dispersal, the costs of extra appeals necessitated by daft Home Office decisions, ignorance of basic legal tenets by poorly trained immigration adjudicators and Home Office appeals of virtually every positive decision, the increased legal, bureaucratic and administrative demands on representatives, and it's not too hard to see where the

money's gone. Very little of it has been wasted, in fact – at least not by representatives.

The government also refers to the need to use taxpayers' money for other purposes such as schools and hospitals. Strangely, no mention is made of the taxpayers' subsidies to arms exporters through government agencies such as DESO, which consumes vast quantities of taxpayers' money making the world a less safe place to live and ensuring a constant stream of asylum seekers from repression, war, civil war and armed insurgency in Africa, Asia and the Middle East.

No entitlement to justice!

The truth behind the proposals for funding cuts is the government's decision that immigrants and asylum seekers are not entitled to the same basic right of access to justice as the rest of us – or that their rights are less important than further appeasement of tabloid racism.

The results are not hard to predict. As the good immigration and asylum solicitors' firms close or begin turning clients away, voluntary organisations providing free legal help and MPs' surgeries will be completely overwhelmed with immigration and asylum problems (leading, no doubt, to further tabloid accusations). The rate of successful appeals will drop because of the poor standard of preparation of cases (statistics which will be used to justify removal of any residual rights asylum seekers and immigrants might have). Lower standards of legal protection will be further institutionalised, and more rejected asylum seekers will be returned to war and repression. ■

DEATH AT THE BORDER

Research by the Institute of Race Relations has found that in the last 18 months at least 742 lives have been lost on Europe's militarised borders. The actual number of deaths is certainly much higher, as only officially verified deaths have been counted in this figure. In spite of the vast human tragedy taking place on Europe's periphery, the total number of people dying is not known, as no EU body takes responsibility for monitoring these deaths.

The deaths have taken place by air, sea and land. There are those who have frozen in the wheel-bays of aeroplanes. There are those who have drowned as their rickety, overcrowded vessels attempted to escape detection. And there are those who have trekked across perilous land routes, falling victim to landmines or suffocated in the back of sealed containers.

European governments' policies of deterrence, which assume that tougher penalties and tighter border controls can reduce the movement of people, do not work. Instead, such policies effectively create a market for the services of traffickers and smugglers, which are now essential for refugees who want to

enter the EU.

The result is that, every time the authorities close off one route of entry, the traffickers open a new one elsewhere – one which is more circuitous and hazardous than before. EU policy is thus funnelling people to their deaths.

The example of Spain

Nowhere is this clearer than on the southern tip of Spain, where Africa's desperate and displaced peoples attempt to seek entry to Europe. At first, sub-Saharan Africans would trek across the Sahara to Morocco and then on to the Spanish North African enclaves of Ceuta and Melilla. Then Spain, aided by the EU, responded with a £24.5 million programme to prevent them crossing from Morocco to Spanish territory. But still the desperate came, only now in the boots of cars, or hidden under life-rafts, or in the narrow pipes and drains that carry waste into Bomba gully, the natural frontier between Morocco and Spain.

But, more often than not, they sought to enter by crossing the Mediterranean Sea to mainland Spain, or crossing from the African coast to the Canary Islands. Again, Spain responded by installing an expensive surveillance system and deploying the military to patrol the seas for clandestines. And, again, the death toll rose – almost daily, bodies are washed up on Spain's holiday coastline. ■

For further details contact the Institute of Race Relations, 2-6 Leeke Street, London WC1X 9HS. Tel: 020 7837 0041. Web: www.irr.org.uk Email: info@irr.org.uk



WALLS IN THE WATER

At a memorial service organised by Algeciras Welcomes, for yet another young man whose body was washed up on Tarifa's east coast in mid-August, Tereixa Constenla, an El País journalist, spoke about her harrowing discovery that so many gravestones in the Algeciras cemetery were without a name.

'There were those, "the D's" [the deceased, difunto] who died in the sea and who died forgotten because here no one knew who they were, and, as if that were not enough, no one knew where to go to try and find someone who may have known who they were.

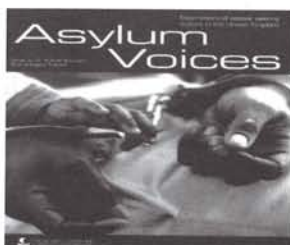
They suffocated in the water and drowned in anonymity. We do not know whom to weep over when we have gathered here. Their relatives, on the other side, do not know that we are weeping for them. They died in the sea, but politics, outlined in dispatches sent from the West, murdered them: They built walls

in the water, they demanded that visas should appear out of thin air; politics assured that persons would be moving on from one place to another... Behind each padlock are the dead in never-ending numbers.'

We do not know who we are crying for today, but I have decided to weep for Abdellah, the son of the elder Abdesalam Chamrki, who came to see me in Tangiers to tell me that his son had gone away on the 7th of December 1991 and since that day he has had no news of him. Nine years have passed and each day the old Abdesalam has scoured the Spanish television channels looking for his son's name. He is "D", a deceased man. We do not know where he is, just as we do not know this African man whose face is disfigured and whose identity is lost.' ■

Translated by Virginia MacFadyen

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Asylum Voices tells the harrowing stories of the unseen and unheard people seeking asylum in the UK. It examines, at every level, the experiences of those seeking asylum.

Testimony from 146 asylum seekers from 37 different countries is interwoven with statistics and the facts on the issues surrounding asylum. ■

Asylum Voices: experiences of people seeking asylum in the United Kingdom, edited by Dr Andrew Bradstock and Revd Arlington Trotman, is published by Churches Together in Britain and Ireland (CTBI) and costs £6.95. *Asylum Voices* is available from CTBI Publications, 31 Great Smith Street, London SW1P 3BN. Tel: +44 (0)20 7898 1300, email: orders@ctbi.org.uk. Or order online at www.chbookshop.co.uk

DEATHS IN CUSTODY

RICKY BISHOP INQUEST VERDICT



In July, the inquest into the death of Ricky Bishop recorded a verdict of death by misadventure. Ricky died on 22 November 2001 after being restrained by police officers in Brixton police station. He had been arrested earlier in the evening after officers allegedly found a crack pipe in the car in which he was travelling. He was taken to the station, where he was restrained by eight police officers so that they could search him, because he was suspected of having drugs in his mouth. A struggle ensued, during which officers suspected that he might have swallowed drugs, but an ambulance was not called immediately. Only later was he taken to Kings College hospital where he died the same night.

At the inquest, it was revealed that there were delays in getting Ricky to hospital and staff at Kings College Hospital were criticised for delays in treating him. (His pulse was not taken until 45 minutes after he was admitted. At the end of the inquest, the coroner, Selina Lynch, announced that she would be writing to the Metropolitan police, London Ambulance Service and to the Department of Health about training and

policy issues when dealing with people who have swallowed drugs.

Even before the inquest began, five officers had been disciplined for 'failings' identified during the investigation into Ricky's death. One officer received written warnings for failing to brief the paramedics that Ricky might have swallowed drugs, for inaccuracies and omissions on the custody record and for sealing the wrong detention room where Ricky was supposedly held. Another officer who called the ambulance, received a written warning for failing to brief paramedics properly and also received 'advice' for failing to rectify the mistake concerning the detention room. An inspector received 'advice' for failing to rectify the mistake concerning the detention room. A constable received two written warnings for attempting to conceal a baton from the investigation team and making 'inappropriate comments' about Ricky that were recorded on CCTV. 'Advice' was given to a constable who attempted to conceal from the investigating team a pouch (to hold CS spray).

Ricky's family are considering civil actions against the Metropolitan police and Kings College and have called for a public inquiry into his death. ■

OTHER NEWS

● ANOTHER BLACK DEATH

On 7 September, 38-year-old Michael Powell died after collapsing at Thornhill Road police station in Birmingham. He was arrested outside his mother's house in the Lozells area, where, according to a neighbour, police officers used batons and CS spray to restrain him. The neighbour was so concerned at what he saw that he made notes and sketches. Michael died just the day before the inquest into another very similar death of a black man. Roger Sylvester died after being restrained by police officers in Tottenham in 1999. His inquest opened at St Pancras coroner's court on 8 September 2003.

● ROGER SYLVESTER INQUEST

As CARF goes to press the inquest into the death of Roger Sylvester is due to finish. Evidence at the inquest included one officer saying 'I placed my right knee on his face and took control of his head'. Another seven officers helped restrain

Roger outside his home. He was then taken to hospital where officers continued to restrain him. Roger became unconscious after the doctor left the room and he died eight days later. The CARF website will feature a full report on the inquest.

● REPORT INTO IRISH PRISONER DEATHS

The Irish human rights organisation, CEART, has recently published a report into the deaths of seven Irish prisoners at Brixton prison between December 1999 and May 2002.

● CONTACTS

Roger Sylvester Justice Campaign, PO Box 25908, London N18 1WU.
www.rsjc.org.uk/ RSJC@hotmail.com

INQUEST, 89-93 Fonthill Road, London N4 3JH. Tel: 020 7263 1111.
www.inquest.org.uk

CEART: PO Box 29644, London E2 8TS. Tel: 07931 944 969 Email: ceartuk@hotmail.com



UNITED FAMILIES AND FRIENDS ANNUAL DEMONSTRATION



for justice!

NO MORE DEATHS IN CUSTODY!

NATIONAL DEMONSTRATION

Saturday 25th October 2003

Assemble at Trafalgar Square, London W1 at 1pm (nearest tube: Charing Cross) for March to Downing St
Further info: contact UFFC on 0845 330 7927 or 07770 432 439 or see www.uffc.org



ALL WELCOME
PLEASE WEAR BLACK
ADD YOUR ORGANISATION'S
NAME TO THE LIST OF SPONSORS

The United Families and Friends campaign (UFFC) will be holding its international day of protest and remembrance on 25 October 2003 for the relatives and family members of those who have died in police, prison and psychiatric custody. ■

Details: Please wear black. Assemble at 1pm at Trafalgar Square, London W1 (nearest tube: Charing Cross) for march to Downing Street.

UFFC: c/o INQUEST, 89-93 Fonthill Road, London N4 3JH. Tel: 07770 432 439 /or 0845 330 7927
www.uffc.org

REDEFINING ANTI-



This book is a bit of a con. It asks, via nineteen Jewish contributors, if there is a new anti-Semitism in Britain and then answers in the affirmative because it has redefined what anti-Semitism is. There are only two chapters here which are about anti-Semitism as it is traditionally understood: one by Michael Whine of the Community Defence Trust on levels of attacks and desecration and one by Kate Taylor of Searchlight which examines the BNP. The rest of the book goes in quite another direction. Essentially it says that there is a new, somewhat covert, anti-Semitism, which perhaps deserves a new term, Judeophobia, (because it operates, like xenophobia, at the level of ideas and attitudes). This anti-Semitism does not find expression in physical attacks or traditional fascist ideology and is based in the salons of the chattering classes and sections of the media, and expressed as anti-Zionism and anti-Israelism.

Defensive about Israel

Most of the authors go out of their way to preface their critiques with the shibboleth that, as Israel is a democracy, is a nation state like any other, it must be open to criticism. And then comes the 'but', a variety of buts. First, the criticism of Israel is so 'obsessive', 'systematic and systemic' (Douglas Davis on the BBC) that it spills over into anti-Semitism. Second, to attack Israel as a Jewish nation state is to subscribe to the philosophy that only the Jews, of all peoples, are denied the right of self-determination. This is discriminatory and therefore evidence of anti-Semitism (Geoffrey Alderman on the British

Left). Third, a discriminatingly high standard of behaviour is being expected of Jews (because they have suffered) which is not expected of any other

people (Melanie Phillips, Iganski and Kosmin). Fourth, using the language and imagery of Jewish Holocaust history against Israel, its policies and politicians, is anti-Semitic (Howard Jacobson, Winston Pickett). Fifth, any form of anti-Zionist sentiment is tantamount to wishing the extermination of Jewry.

Every one of these assertions would require a full, reasoned and rounded discussion. But, instead, what we get from most of the authors, is a range of claims, complaints, scolds, rants and harangues. Antony Lerman, a former editor of *Patterns of Prejudice* and Anthony Julius, lawyer and writer, stand out for the restraint of their language and argument: respectively, that to overlay the current new anti-Semitism is to sully the memory of the millions who died and that anti-Semitism, if it is on the rise, can be neutralised as Jews are now that much better prepared to deal with it.

Does anti-Zionism equal anti-Semitism?

A key problem with the book is that, with the exception of the chapter by Jonathan Freedland (*Guardian* reporter), there is no attempt to distinguish between anti-Zionism or anti-Israelism and anti-Semitism. He tries, in devil's advocate style to give the anti-Zionist some benefits of the doubt. And yet even his contribution cannot stop short of special pleading. The use today of a boycott against Israel (a basic campaigning tool long familiar in Europe, and especially effective against apartheid) he condemns as anti-Semitic because it is reminiscent of Nazi-orchestrated boycotts of Jewish businesses 70 years ago. The farthest he will go along the anti-Zionist road – and he is the most open-minded of all the contributors – is to concede that it was wrong to create a state through the dispossession of another people and that Israel has to find a way of treating all its citizens equally.

Despite the fact that most of the contributions here were solicited from prominent Jewish writers who seem to be only too aware that Israel, particularly post-September 11, has been losing the propaganda war and earning international opprobrium, it is amazing that there is not one critical evaluation of the Israeli state. If something has indeed changed in the UK in terms of the discourse around Israel, doesn't it require some evaluation of the contentious issues that make up that discourse: non-compliance with UN resolutions, development of weapons of mass destruction, anti-terror tactics including the creation of an occupying wall – to weigh up just how sinister the discourse actually is? But this is Hamlet without the Prince. (And I would say The Merchant of Venice without Shylock, except that's exactly the kind of quip that, according to this book, reveals my self-hating Jewish anti-Semitism.) Israel is absent.

-SEMITISM



Pictures of protests organised by Jewish organisations in the UK

No context for Islamic reaction

The second new strand of anti-Semitism that the book covers is that emanating from Islamic fundamentalists. Admittedly, most of the contributors (save Robert Wistrich who writes that 'the sickness of anti-Semitic fascism has returned with a vengeance and seized hold of the body politics of Islam') appear to sense they are on less sure ground and the tone on this subject is worried rather than scurrilous. (Some even concede that there has been no history of anti-Semitism in the Middle East.) While it is, of course, abhorrent to see traditional fascist tracts like the Protocols being reproduced in the Arab world and intolerable that mosques should be used to foment hatred against Jews, these are very recent moves that make absolutely no political sense unless they are set in their international context.

mutates' is how Rabbi Jonathan Sacks describes it. And it appears not to be generated by larger structural forces but simply by human nature.

People carry the virus. And the book provides a very ugly 'hit-list' of anti-Semitic carriers. This includes, not just obvious targets like Steven Rose, who called for an academic boycott of Israel, and Tom Paulin, who wrote pro-Palestinian poetry, but a host of people, from Archbishop Tutu to Milan Kundera, who have expressed disquiet at the treatment of the Palestinians.

The whiff of Atlantic McCarthyism is augmented with a whiff of Macphersonism. According to editors Iganski and Kosmin, borrowing from the 'official' and flawed definition of institutional racism, which includes the idea of 'unwitting prejudice', anti-Semitism need neither be overt nor intentional. Thus anti-Semitism is reduced to a catch-all phrase to cover anything from views on international politics to the innocent use of words or images. Such a simplification, alas, blunts our capacity to take on a complex issue.

What anti-racists have to do in this fraught post-September 11 world is to go in the opposite direction – to refine the distinctions between and our understandings of fascism, fundamentalism and anti-Israelism. And, ironically, one of the most positive things to emerge in the last few years is a clutch of Jewish groups determined to do just that; to stand up for justice for Palestine, to fight fascism and racism, while still maintaining an identity as Jews. But there is no room, in a book which fuses Israel with Jewish identity, for such voices – although those are the voices which are getting louder in every public debate, at every picket, on every demonstration. ■

Jenny Bourne

A New Anti-Semitism: debating Judeophobia in 21st century Britain, edited by Paul Iganski and Barry Kosmin, Institute for Jewish Policy Research, 2003, £14.99



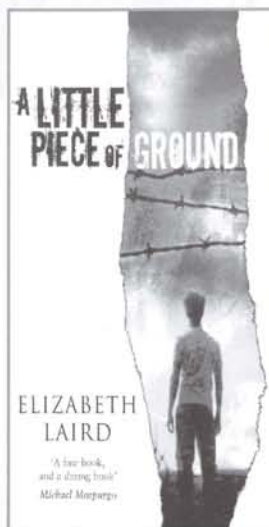
Anti-Semitism: a virus that mutates

One of the most troubling aspects of this book is that most contributors make no distinction between the anti-Semitism of fascists, the rhetoric of Islamists and the alleged anti-Israeli Judeophobia of the media. That means that we have no way of assessing the actual danger posed by each or of finding ways of tackling each in its specificity. But the contributors are not able to make these distinctions precisely because they hold a very fatalistic (and very reactionary) view of anti-Semitism: it is eternal and it is protean – 'the virus that

A LITTLE PIECE OF TRUTH

The battle to redefine anti-Semitism has gone so far that, in August, publishers Macmillan came under pressure from Jewish organisations to suppress one of its children's books, *A Little Piece of Ground*, because of its portrayal of Israelis. Fortunately the publishers refused to be intimidated and this excellent and uncompromising story by Elizabeth Laird about life today for Palestinian children under Israeli military occupation in Ramallah is still in a bookstore near you. It is an extremely powerful and honest book which should appeal to children aged 11 upwards. ■

A Little Piece of Ground by Elizabeth Laird, Pan Macmillan, £8.99



diary of race and resistance

JUNE–SEPT 2003

RACISM & FASCISM

6 JUN 10 asylum seekers in Southampton escape injury after arson attack on their home

22 JUN 45-year-old Awais Alam, a father of three, kicked to death in racist attack by two white men in Walthamstow, London

17 JUL Stoke on Trent magistrates ban 21-year-old Sean Ratcliffe from football grounds for three years for racist chanting after High Court ruled that he should be convicted and sent his case back to the magistrates

2 AUG Four Asian men attacked by a racist gang in Plumstead, south-east London, one man suffers facial injuries

7 AUG Manchester magistrates serve 31-year-old Michael Guilfoyle with a lifetime ban on using the word 'paki' under an anti-social behaviour order

14 AUG BNP David Exley wins a seat in council in Heckmondwike, Kirklees, west Yorkshire

21 AUG Two 18-year-old men, from Falkirk, who admit behaving in a racially aggravated are sentenced to 240 hours community service and 18 months probation and ordered to attend a group for racist offenders

22 AUG Luke Smith, a BNP Councillor for Burnley, resigns after admitting fighting at the BNP's annual festival

2 SEP Pregnant Cherelle Francis is racially abused and threatened with CS spray by a white woman in Kettering

4 SEP Nicholas Geri wins 18th seat for BNP in Grays Riverside Ward in Thurrock, Essex

11 SEP 37-year-old David Jenkins jailed for 18 months for using racially threatening words or behaviour after racially abusing two black police officers who were called to a disturbance at his home ■ Arson attack on home of Patel family in Cheltenham, Gloucestershire

13 SEP Customers and owners of a fish and chip shop in Birmingham are forced to barricade themselves in the shop when they are racially attacked by four white men

14 SEP Four men jailed for a total of 65 months after pleading guilty to racially aggravated harassment of 31-year-old Rudolph Watson, who was stabbed with a chisel, punched, kicked and tied to a fork lift truck at Bruce Transport services in Sheffield

ASYLUM & IMMIGRATION

5 JUN Disturbance at Campsfield House after detainees protest at the removal of another detainee, Group 4 bring in 60 extra guards ■ Up to 20 asylum seekers begin a hunger strike at Nayland Rock Induction Centre in Margate, Kent, in protest at Section 55 which leaves them destitute

18 JUN 25-year-old man from the Ivory Coast drowns in the English Channel after jumping from a ship, he had been under arrest for stowing away on the container ship

30 JUN 40 asylum seekers stage a sit-down protest at Oakington Reception Centre

7 JUL Immigration Service Operation Platinum begins – asylum seekers living in emergency accommodation will be taken to Platinum House, Gatwick for Section 55 decisions in attempt to clear a 2,000 backlog. Those denied support will be detained under

immigration powers ■ Foreign agricultural workers, Satish Kumar (28), Islam Uddin Ahmed (46) and Soran Karim (23), die after their minibus is hit by a high speed train in Worcestershire, five others are seriously injured

23 JUL Six month Home Office trial begins in Sri Lanka of all UK visa applicants who will now be fingerprinted

25 JUL Twelve people arrested in Hull after fighting breaks out between locals and asylum seekers

27 JUL Three asylum seekers picked up 10 miles from Dover coast after attempting to reach the UK in a rubber dinghy

31 JUL Judge rules that human rights of three asylum seekers were breached after they were refused support under Section 55 and forced to beg for food and sleep rough

6 AUG 28-year-old Mark Matthews appears in court charged with arson after allegedly burning down a centre that was to be used to house asylum seekers

7 AUG Iranian asylum seeker Mohammed Rezza Solymanyzadeh detained overnight under the Mental Health Act in Blackburn after going on hunger strike to protest at Home Office refusal of his asylum claim

10 AUG 12 asylum seekers escape from Oakington

12 AUG Judge orders that 16-year-old Veli Bacari must be 'returned' from Albania whence he was deported, so that he can fight the decision not to grant him asylum in person

15 AUG HM Inspector of Prisons (HMI) report into Dungavel Removal centre recommends, for the second time, that children should not be locked up for more than seven days, and criticises the 'serious shortfalls' in the standard of education ■ Jury convicts two men of violent disorder in connection with fire at Yarl's Wood in 2002 and two men pleaded guilty to charges earlier in the trial

17 AUG 29-year-old Iraqi Kurd Hekmat Karim Salih, a stowaway, is crushed to death by metal containers, two other men are found uninjured in the lorry in Poole, Dorset after it arrives from France ■ Four Sri Lankan asylum seekers escape from Haslar removal centre in Gosport, Hampshire

18 AUG Up to 30 staff from Yarl's Wood detention centre initiate civil claims against Group 4 for post-traumatic stress disorder

19 AUG John Prescott, deputy PM, approves planning permission for first accommodation centre for asylum seekers in Bicester, Oxfordshire

20 AUG Immigration officials attempt to deport Mercy Okolo and her one-year-old daughter to Uganda despite her daughter being an Irish-born citizen; Mercy becomes so distressed the deportation is stopped

23 AUG Lithuanian asylum seeker arrested after jumping 70 feet from a boat into Tynemouth harbour

27 AUG 33-year-old Somali Fatima Muse fined by staff at Dungavel Immigration Removal Centre after hiding food in her room to feed her two children

30 AUG High Court rules that Hillingdon council must pay for the care of four lone child

asylum seekers after they reach 18

3 SEP Iranian Israfil Shiri dies five days after setting himself alight in the offices of Refugee Action in Manchester; his claim for asylum had been rejected, he was homeless, destitute and suffering an illness for which he could get no treatment ■ Home Secretary David Blunkett announces citizenship 'tests' for would-be citizens of the UK

4 SEP Seven men escape from Dover Immigration Removal Centre

7 SEP Two detainees escape from Oakington Reception Centre in Cambridgeshire

15 SEP 23-year-old Ben Povey charged with the attempted murder of an Iraqi asylum seeker in Hull

23 SEP Court of Appeal rules that Home Office was right in denying support to asylum seekers under Section 55

CRIMINAL JUSTICE

3 JUN HMI report criticises Wandsworth prison for 'underlying racist issues' and recommends that prisoners be moved to ease overcrowding

4 JUN At Parkhurst, HMI, Anne Owers, finds that racial incidents have not been investigated for six months and that black prisoners feel 'powerless'

24 JUN Police disciplinary hearing clears the officers involved in the death of Christopher Alder of any wrongdoing

30 JUN Black man Patrick Petrie awarded £39,750 compensation after civil action against the Home Office for assault, malicious prosecution and misfeasance (deliberate wrong doing of public officials) after a series of beatings by prison officers in the segregation unit of HMP Parkhurst in 1997; two other men also receive payouts

1 JUL Report by Prison Reform Trust reveals that prison population has risen by 71 per cent since 1991

7 JUL Inquest records a verdict of death by misadventure into the death of Ricky Bishop who died in Brixton police station in November 2001

16 JUL Protestors launch legal action alleging their human rights were breached when police stopped and searched them under anti-terrorism powers near RAF Fairford earlier this year

31 JUL 24-year-old RAF reservist Moshin Khan disciplined for refusing to fight in the Iraq war

12 AUG Taser gun used for first time in UK by Northampton police who 'stun' a 29-year old man resisting arrest

15 AUG BBC reporter arrested after working undercover in Manchester police to expose racism

31 AUG *Sunday Mirror* reveals government plans to electronically tag asylum seekers; secret testing is allegedly underway

19 SEP 42-year-old teacher Hazel Dick appears in court charged with racially aggravated assault after allegedly forcing a 15-year-old Muslim pupil to remove her headscarf at Bretton Woods Community School in Peterborough