RACISM

institutional

of

FEAR and

RISE

CAMPAIGN AGAINST
RACISM AND FASCISM

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WASTING THE MACPHERSON OPPORTUNITY

THE Macpherson report appeared to be a break with the past. But old ways are reasserting themselves.

The Macpherson report seemed to be a break with old ways of looking at racism and a break with old remedies. And it also signalled the acceptance by 'the establishment' of what 'the community' had been saying for years: racial violence was endemic and a serious problem, the police were part of the problem of racism (not its solution); miscarriages of justice were routinely being carried out against black people.

Government reluctance to tackle racism

But in many ways the opportunity afforded by Macpherson is being squandered. As Sir Herman Ouseley, outgoing chair of the Commission for Racial Equality warned at an important fringe meeting at the Labour party conference, part of the problem lay in the reluctance of government to put its stated commitment to racial justice into tangible, practical ways of tackling institutional racism. Everyone had expected that a minimum the government would do, in the light of Macpherson, would be to extend race legislation, in its full force, to cover the police and other government organisations. 'An insult to all anti-racist campaigners' is how, after the publication of the Queen's speech in November, Sir Herman characterised the failure of the government to extend the 1976 Act so that institutional racism could be addressed.

Racism and education

But in education policy too, the chances to fundamentally tackle institutional racism are being passed over. Why did the government not incorporate a strong commitment to anti-racist education (as recommended by Macpherson) in the changes to the National Curriculum announced this summer? Instead, there are vague statements about respecting cultural difference slipped in to the non-mandatory sections of new citizenship studies. Where are the programmes for reducing black exclusions from our schools? If black children are five times more likely to be excluded, ie, thrown out of education, very often on to society's scrap-heap and into a life of crime, should not a government so concerned to be socially inclusive begin with a strategy for them? And are black children suffering disproportionately when 'failing' schools (usually inner-city schools with large black populations), instead of being given more teachers, more resources and support services, are being placed outside of normal educational conventions with the suspension of the National Curriculum and the intrusion of private capital?

Racism and criminal justice

Ironically in the light of the Macpherson report's condemnation of institutional racism in policing, it is in the field of law and order that the government appears most obviously to be facing two ways at once. On the one hand it is trying to restore the black community's confidence in the police via racial training programmes and setting targets for ethnic recruitment and retention. On the other, it has done nothing to dismantle the most resented and most blatantly discriminatory policing practice - stop and search. What use extending the Race Relations Act to cover direct discrimination by a police officer, if he can justify any action, however racist or provocative, as necessary 'for the prevention and detection of crime'? And given that research shows a clear pattern of black people being discriminated against on arrest and over-charged by the police, it is amazing that the government is now considering taking
away the last protection that black people had against racism in the criminal justice system – the right (in some cases) to opt for jury trial.

Unfreedom of information

Such protection would not assume such importance for black people if it were not for the lack of accountability of the police and the secrecy within which they work. The Macpherson report acknowledged all the problems the Lawrence family had experienced in trying to find out about the investigation into Stephen’s murder and, later, the police’s internal examination of that investigation. The openness and disclosure that Macpherson recommended would certainly have benefited the family of Ricky Reel (see interview on page 5) and all those black families who try to establish each year exactly how their loved one died in custody. But the government, despite vaunting freedom of information as a key issue in its election platform, is insisting on a blanket ban on releasing information in cases involving criminal proceedings, a blanket ban on all advice and factual information given to ministers, and a wide degree of discretion over disclosure in other areas, if thought to be harmful, given to the new information commissioner. In other words, anything which looks too sensitive or too damaging would be kept secret.

Losing the spirit

If sections of government are countering the spirit of Macpherson and entrenching institutional racism, other agencies are entrenching it through a mechanistic rendering of anti-racism. The treatment of racial harassment and violence in the criminal justice system is a case in point. Because Macpherson received such overwhelming evidence that racial violence was not taken seriously enough or acted upon by the police, it was obviously important to relieve them of the assessment of when racial crimes had taken place. Hence the definition within Macpherson that ‘a racist incident is any incident which is perceived to be racist by the victim or any other person’.

But this, coupled with the coming into force of the ‘racially aggravated’ aspect to charging and sentencing in the Crime and Disorder Act and the duty on police authorities to report on racial attacks, has opened the door to a kind of racialised free-for-all. On the one hand you have police authorities which find that white people are in fact the majority of racial victims (see the statements from Oldham’s police chief reported in CARF 50). On the other hand you find the bandying about of any racial epithet as constituting a racially aggravated offence. Hence the charging and fining of a black man, who felt he was being picked on, for shouting ‘white trash’ at the police in July. All the good intentions are being undermined. Racism is being yanked out of context; anti-racism is being reduced to a set of procedures. But if we look closely we find that this is the rule rather than the exception when it comes to combating institutional racism today.

Formulaic anti-racism

First, institutionalised racism has become a new buzzword. Wherever the term discrimination or racism would previously have been used, people now say ‘institutional racism’. It is as though they think of it as some new politically-correct term that has now to be utilised, rather than a specific aspect of racism.

Second, those agencies which assert that they are concerned about tackling institutional racism are not examining racism in new ways to find radical cures but merely resorting to old-style palliatives (reminiscent of 20 years of equal opportunities programmes) – increasing ethnic recruitment of staff and providing more culturally-appropriate service delivery.

Thus the Crown Prosecution Service, one of the most contentious institutions in the whole Lawrence Inquiry and notorious for its non-prosecutions of those responsible for black deaths in custody, tried in October to head off an investigation into its institutional racism ‘as defined by the Stephen Lawrence inquiry’ by approving plans to appoint more ethnic minority prosecutors. And a special guide was created for the judiciary so as to prevent judges from making racial gaffes.

The idea of institutional racism is not being seen as a challenge to organisations to examine their particular role, the context in which they work and the way in which racism has developed in their field. Instead a definition of institutional racism is being used as a kind of universal blueprint. What we should be examining is not what institutional racism is but what institutional racism does.
SUHKDEV REEL INTERVIEW

INSTITUTIONAL RACISM IN PRACTICE

CARF spoke to Ricky Reel’s mother, Sukhdev, about the inquest into the death of her son (see CARF 42), which recorded an open verdict on 8 November.

CARF: Why were you so unhappy about the original police investigation?

Sukhdev Reel: In the initial investigation the police did not believe the family or Ricky’s friends. With us, you’ve got a fine example of what happens when reporting a racial incident. There was no investigation by the police as to how Ricky received the injuries on his back. It should have been investigated when the post mortem was carried out. They did not carry out any forensic testing or take any evidence from the site or from Ricky’s clothes; they did not take any notes when the post mortem was carried out, they did not take any close up photographs of Ricky’s clothes. No wonder, after two years we are still no nearer finding Ricky’s killers.

CARF: At the inquest did you discover anything new?

Sukhdev Reel: Yes, a couple of things. First, I wasn’t aware of the injuries to Ricky’s shoulder. We were given the pathologist’s report, but I didn’t want to read what they had done to my son. He also had injuries to his back, but to what extent I hadn’t realised. I need to know how Ricky received the injuries to his shoulder and how his new shirt was torn.

CARF: Were you happy with the open verdict?

Sukhdev Reel: All I can say at the moment is, it’s the right verdict, simply because the police did not carry out a proper investigation. Had they carried out an investigation we might have some answers. It might have been an unlawful killing verdict. The police tried everything in their power to ensure that the jury returned an accidental death verdict. In court, the police were saying that he went to the river, tried to urinate, fell in and died instantly. The senior investigating officer even said, before the jury reached a verdict, that it was just an accident. If the jury had listened to the police and come back with an accidental death verdict we would have been stuck. We are grateful to the jury for not agreeing with the police and leaving this door open to us.

CARF: What are the next steps for the campaign?

Sukhdev Reel: The campaign’s still gathering momentum. In fact we are getting letters from all over the world, people offering assistance. There is still the issue about the PCA report. It should be released to the public. The police are refusing to make this report public. We also want a public apology. In court the police put their hands up and acknowledged that they had made mistakes. They need to be more accountable, and accept their mistakes and offer an apology rather than excuses.

‘THE POLICE NEED TO BE MORE ACCOUNTABLE, AND ACCEPT THEIR MISTAKES AND OFFER AN APOLOGY RATHER THAN EXCUSES.’

Keep it Real, an 11-track CD, is available from the campaign. The CD features Asian Dub Foundation, Fundamental etc: only £10.

Justice for Ricky Reel, c/o TMG, PO Box 304, Southall, Middlesex, UB2 SYR. Tel: 0956 410773.
ADDING RACISM TO THE CRIMINAL JUSTICE SYSTEM

AFTER the Macpherson report, which found institutional racism running through policing and the criminal justice system, a clear commitment to tackling racism in this area was expected from the government. But the opposite has happened.

FREE SATPAL RAM CAMPAIGN

Celebrities from the worlds of music and comedy joined the family of Satpal Ram on 16 November to call for his conviction to be quashed. The event marked the thirteenth anniversary of the racist attack on Satpal which left him with a life sentence for murder after his attacker died. Writer Irvine Welsh, DJ Annie Nightingale and comedian Mark Thomas, alongside members of Primal Scream, Asian Dub Foundation and Chumbawamba, formed a human chain outside the Home Office to present a postcard to Jack Straw calling for Satpal's release.

The following day, campaigners gathered in the House of Commons to hear John McDonnell MP (who has also been leading parliamentary support for the Ricky Reel case) and others pledge their support for the Ram family and the campaign. At the meeting Satpal's solicitor, Gareth Peirce, described Satpal's case as a political self-defence trial, comparable to those of the Bradford 12, Newham 7 and Newham 8. She will be presenting evidence to the Criminal Cases Review Commission arguing that in the context of the racial violence Satpal had previously suffered and the climate of racial tension in Birmingham in the mid-1980s, Satpal's actions were in self-defence and he should not have been convicted of murder.

Limiting race legislation

Anti-racist campaigners were shocked to find that the Queen's speech, heralding the legislation for the next parliament, effectively went back on the government's promise (in the light of Macpherson) to extend race relations legislation to cover all public bodies, including the police and prison service. For the new bill will only relate to acts of direct discrimination and will not cover 'indirect discrimination' or allow the CRE to initiate investigations. This means that there are no powers to tackle exactly the kind of 'collective failure' identified in the Macpherson report as the basis of institutionalised racism.

Restricting jury trial

Other proposed pieces of legislation will also serve to entrench, rather than dismantle, racism. The proposal to take the right to choose jury trial from defendants accused of minor thefts, handling, criminal damage and assault and give the decision to magistrates will affect an estimated 18,500 defendants per year, a disproportionate number of them black.

Critics refer to home office research showing that a much higher proportion of black defendants choose jury trial than whites, believing that they have a better chance of acquittal there than in front of the magistrates, who are perceived to be on the side of the police. Research shows they are right, and that magistrates send a higher proportion of black defendants to prison than whites. A two-tier justice system will be created, which will ensure that poor, black
defendants have their cases tried by magistrates while middle-class whites can argue that because their reputation is at stake, they should be given jury trial for a minor offence.

**Entrenching over-charging**

There is already much evidence to show that black defendants are being consistently over-charged (by the police). Research shows that, on review, the CPS often reduce or drop charges faced by black defendants. But if cases no longer go to jury trial, the CPS will no longer be performing this review. The small safeguard against wrongful convictions for black defendants contained in committal for trial will be lost.

**Extending police powers**

There was much disappointment that the Macpherson report, although acknowledging the discriminatory nature of stop-and-search by the police and the way it contributed to black hostility towards the police, did not recommend its abolition. Instead it merely emphasised the need for a written record of each stop, including the reasons for it. Such records are a way of allowing post-hoc justification of wrongdoing, not a way of preventing it. But since then proposals have been announced to allow officers to take fingerprints on the streets and to subject arrested suspects to drugs tests. In both these areas there are fears that black people will be disproportionately targeted.

**New terror bill**

Sweeping new powers for the police, customs and MI5 to target individuals suspected of terrorism could also have an important impact on black people. For the first time a prevention of terrorism law will apply to domestic groups which threaten violence to advance a political, religious or ideological cause. Presumably members of anti-fascist or black nationalist groups could find themselves caught up under these provisions.

The bill will also affect representatives of foreign-based groups and dissidents campaigning from the UK, which could mean that a whole host of refugees and asylum-seekers could find their assets seized and their mail, faxes, phone-calls and emails intercepted. These provisions will legitimise and extend the scope for raids on community groups like those on Kurdish organisations in 1996.

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**CHRISTOPHER ALDER UPDATE**

In October, the trial of five police officers on charges of misconduct in public office, was adjourned for the second time until 11 January. The Hull police officers were all allegedly involved in the death of Christopher Alder who died last year. The adjournment comes as the courts decide whether or not to hold an inquest before proceeding with a criminal trial. Christopher died after being arrested for fighting at a night-club by police officers at Hull Royal Infirmary.

He was treated and discharged, but then arrested for being 'aggressive'. He was taken to Hull station. On arrival officers who claim he appeared to be 'asleep' allegedly dragged him from the van with his hands handcuffed behind his back, and placed him face down on the station floor where he died.

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**IMMIGRATION POLICY**

**A BRIDGE TOO FAR FOR JACK STRAW**

The government’s failure to extend the ban on indirect discrimination to the Immigration Service represents a blow to immigration and refugee rights activists in their efforts to challenge a branch of government policy which in many ways represents the distilled essence of institutional racism in the UK today. Don Flynn of Joint Council for the Welfare of Immigrants writes:

Every year the Home Office’s own abstract of immigration statistics throws out abundant evidence of discrimination against black and Asian people caught up in the web of British immigration policy. In 1998, one-third of Bangladeshis nationals wishing to join family settled in the UK were refused entry clearance by immigration officials abroad. US citizens coming for the same reason were refused once in roughly 240 applications. Nigerians wanting to come to Britain to visit or to study made a total of 48,810 applications for visas, and around one-fifth were refused – a total of 9,770 people. Australians on the other hand, fortunate in not actually having to obtain visas to visit the UK, saw fewer than 400 of their nationals being refused leave to enter throughout the year, and 450,000 being admitted without difficulty.

Concerns about institutional racism in immigration control procedures have been expressed on many occasions, perhaps most famously in the 1983 CRE report which was published despite intense opposition by the government, which attempted to ban it through the courts. The report's author, Navnit (now Lord) Dholakia, laid bare the existence of an entrenched culture of discrimination running through all levels of the immigration authorities, which presumed until proven otherwise that people from Africa, the Indian sub-continent and the Caribbean regularly engaged in subterfuge and deceit to settle in the UK.
Tackling institutional racism in the workplace was never going to be easy. The Stephen Lawrence inquiry is a timely signal for employers to face the fact that they are failing to meet the needs of Black, Asian and other minority ethnic workers, to identify problems and barriers and to take action for change.

The recent case of Mr Parmar at Ford in Dagenham highlighted his continuous subject to horrendous racial abuse, harassment, intimidation and victimisation in the workplace, and is an example of the sad, but all too common results of what can happen when institutional racism is not tackled effectively.

If we learn anything from the Ford case, it must be that the actions or inaction of management to tackle racism effectively makes a real difference to the outcome.

In focusing on ‘the collective failure’ element in the definition of institutional racism, it is clear that employers are not taking their role seriously enough. It also identifies the stark anomaly of having excellent equal opportunities policies on paper, but in reality, an extremely poor record on race discrimination and harassment.

Employers must assess the impact of their procedures in the workplace and ask themselves: are Black, Asian and other minority workers being recruited and progressing at all levels; are allegations of racism dealt with to the satisfaction of those making the allegations; are managers accountable and assessed on their actions in dealing with racism and other inequalities and is there a climate of tolerance and a positive approach to diversity by everyone in the workplace. If the answer to any of these questions is ‘no’, then the effectiveness of policies must be re-assessed.

Effective change will take honesty and commitment and the acceptance that racism is not just about violent racist attacks, but about preventing people from using their talents to the full; stereotyping and making assumptions; not challenging racism in the workplace and most importantly, being in a position to make a difference and not doing anything about it.

We can and must make a difference to ensure equality for all workers.

Bob Purkiss is national secretary for equalities of the TGWU.

THE RECENT CASE OF MR PARMAR AT FORD IN DAGENHAM HIGHLIGHTED HIS CONTINUOUS SUBJECTION TO HORRENDOUS RACIAL ABUSE, HARASSMENT, INTIMIDATION AND VICTIMISATION IN THE WORKPLACE.

RACIST VIOLENCE

RACIST REVENGE KILLING IN SALFORD

On 6 September, 28-year-old Fijian Ben Kamanalagi, a former paratrooper, died in hospital after being beaten by four men armed with baseball bats and fence posts in a quiet Salford street. Ben was punched, kicked, racially abused and beaten about the head in the vicious attack. It is thought the attack was motivated by revenge after Ben, who worked as a night club bouncer, had three days earlier thrown a young man out of the club. In the altercation the man, who is known to the police, racially abused Ben. He was later arrested by a plain-clothes Asian police officer, after he got into a fight outside the club. The police are appealing for information and witnesses to the attack but so far no-one has come forward. It is thought that local people know who the murderers are but are unwilling to come forward for fear of reprisals. Ben’s fiancée, who gave birth to their daughter four weeks after the murder, made a televised appeal for information. Police have not released names or pictures of the three white men and a mixed race man who are being sought in connection with the murder.
If New Labour had been prepared to act on institutionalised racism, then the British government could have sent out a powerful message to politicians on the Continent about the anti-racist values Europe should aspire towards. As racist and fascist politicians gain control of the state apparatus throughout Europe, using that state power to attack multiculturalism and promote discrimination, New Labour could have proudly promoted the most enlightened anti-racist legislation in Europe.

The traditional model of Continental politics, based on coalitions, ‘consensus’ and the dominance of two parties – social democrats and conservatives – is coming to an end. And the main beneficiaries of its collapse are far-Right anti-immigration parties. The Freedom Party, Vlaams Blok, Front National, Alianza Nazionale, Northern League, the Danish and Swiss People’s Party and the Progress Party in Norway, are all parties that command sizeable electoral support. And these anti-immigration parties are increasingly co-opting what was once the centre-Right of European politics and transforming it into the New Right (with social democrats falling over themselves to adopt New Right anti-immigration rhetoric too).

The rise in Austria of the fascist Jörg Haider, who once commended Hitler’s ‘decent employment policies’, and in Switzerland of the anti-immigration billionaire MP Christoph Blocher, who has endorsed a book that denies that six million died in the Nazi Holocaust, is indeed frightening. But what should scare us more is the fact that Haider and Blocher are part of a network of New Right politicians who have captured a spiraling number of power-bases at a regional and city-state level. Jörg Haider, the most popular politician in Austria today, is the state premier of Carinthia. Christoph Blocher, rated Switzerland’s most popular politician, heads the powerful Zurich branch of the Swiss People’s Party. Former police commissioner Johan Demol, who tops the polls in Brussels, heads the neo-Nazi Vlaams Blok in the city’s regional assembly. In Germany, the New Right rules in Bavaria, where CSU state premier Edmund Stoiber campaigns against a ‘mixed race’ society. In Italy, the fascist AN and the racist Northern League control many principal cities including Milan, and in France the FN still has its citadels of discrimination in Orange, Marignane, Vitrolles and Toulon. In Spain, Jesus Gil, ‘despotic and xenophobic’ billionaire leader of the Independent Liberal Group, is mayor of Marbella as well as president of the football team, Atletico Madrid.

Nor is the UK insulated from these trends, as the transformation of the Conservatives into the party of English nationalism portends. When William Hague remarks that more asylum-seekers in Westminster are now dependent on social services than there are old women in nursing homes, he is echoing Jörg Haider, who attacked the then Social Democrat government for giving foreigners, even criminals, more state support than that given to Austrian old age pensioners. From New Right to far-Right, the vocabulary is the same, reaching its apotheosis in Haider’s shameless popularisation of the Nazi term ‘überfremdung’, which was used by Goebbels to signify overpopulation by foreigners.

That the New Right now holds the reins of state power in many regions and cities of Europe is yet another reason why race laws must be applied not just to civil society but to all state institutions, as Sivanandan forcibly argues in this issue. But equally important, in a European context of aggressive New Right campaigning for a society based on one culture, one faith, one people, is Macpherson’s recommendation, downplayed by New Labour, for the active promotion by government of the values of multiculturalism and cultural diversity.

The battle-lines between anti-racists and racists in the Europe of the twenty-first century have already been drawn. As anti-racists we must ensure that politicians who claim to be of the centre-Left stop promoting policies and deploying language which belongs to the New Right and, instead, put anti-racism and the defence of a multicultural society at the heart of politics.
Taking the fight against institutional racism to Europe

After Tampere

European border network launched

As heads of EU governments prepared to meet at Tampere on 15 and 16 October to begin the process of globalising immigration controls by tying trade and aid firmly to readmission agreements, anti-racists throughout Europe were preparing for Europe-wide protest actions and for a demonstration and counter-summit in Finland. Representatives of refugee solidarity movements from across Europe organised protests in front of detention centres, airports and border police headquarters. The Tampere counter-summit on 16 October was followed by a demonstration through the city which was attended by around 800 activists.

The aim of the counter-summit was ‘to build a Europe-wide network of activists to fight the border regime and repression strategies of the EU governments and to monitor the situation at borders and in detention camps all over Europe’. A further meeting is to be held in Amsterdam on 10 December to work towards a common politics and coordination of anti-border actions. Plans are afoot to organise several border camps in the summer of 2000, modelled on the German international border camps near Poland and the Czech Republic over the last two years.

Anyone interested in participating in the network can contact it at border@temp.kaisma.fi or visit the website set up to coordinate the counter-summit, http://www.contrael.org/borders.

Institutionalised torture. Never again!

One priority for the European anti-racist network launched at Tampere is to draw up a pan-European strategy to prevent more deportation deaths. This year alone, three asylum-seekers died after suffocating during deportation attempts. On May Day, Nigerian Marcus Onofume died after Austrian border police bound him hand and foot, taped his mouth and tied his body so tightly to the airplane seat’s back rest that it restricted his breathing. On 30 May, a Sudanese deportee from Germany, Aamir Mohamed Ageeb, was likewise bound hand and foot and placed on a Frankfurt flight bound for Cairo with a motorbike helmet tightly strapped onto his head. Prior to this, on 3 March, Palestinian Khaled Abuazarfieh died in a lift at Switzerland’s Bern airport after suffocating in a panic attack while being taken for deportation restrained in a wheelchair and with his mouth sealed with adhesive plaster.

Salvi Pittà of Asylkoordination Schweiz told CARF that activists are considering a campaign to pressure airlines to stop transporting deportees. While this strategy has worked in France and Belgium (Swissair has also stopped cooperating with the Zurich border police), Pittà warns that there is a danger that states will respond by switching deportations to chartered flights, thereby avoiding bad publicity.

Justice sought for deportees’ families

Support must also be given to campaigners and lawyers seeking to bring actions against the police and state authorities for deportation deaths. In the last eight years, at least seven people have been killed in Europe during...
Around 25,000 people congregated in Vienna to protest the rise of Jörg Haider’s Freedom Party. As Austrian politicians enter negotiations to decide which parties will sit in the next government, protesters demanded ‘no coalition with racism’. At Stephen’s Square, demonstrators turned on bicycle torches as ‘warning lights’ against the growth of racism.

Boycott Berlin and Brandenburg

Racial violence in Berlin and Brandenburg, where the Algerian asylum-seeker Omar Ben Nouri was hounded to death in February, has reached epidemic proportions. In an impeccably researched report, Antifaschistische Aktion Berlin (AAB) accuses the police and regional authorities of doing all they can to ‘cover up the situation as quickly as possible so as to avoid bad international publicity’, and concludes that ‘an international boycott of Berlin and Brandenburg is the only way forward’.

In ‘Ethical displacements’, written in both English and German, AAB brings together details of hundreds of previously undocumented racist attacks. The picture that emerges of daily attacks on anyone deemed foreign is truly horrifying. Neo-Nazi inspired violence at campsites, attacks on mentally handicapped children, desecrations of Jewish and Russian cemeteries are added to this daily toll of violence. As educationalists instruct Berlin schools not to send children on day-trips to Brandenburg, visitors from abroad should also be warned: boycott Berlin and Brandenburg.

Since AAB’s report, regional elections in Brandenburg in October saw gains for the far-right Deutsche Volksunion, which scored 5.28 per cent of the vote and secured five seats in the state parliament. AAB also fears the rise of the CDU’s leading parliamentarian, Jörg Schönbohm, a former army general and now Brandenburg’s interior minister. In March, he gave his views on race relations to the neo-Nazi newspaper Junge Freiheit. The ‘basis of our coexistence’ is the German culture as ‘it has developed from Otto the Great until today’, he said. Schönbohm has also argued that areas like Berlin’s Kreuzberg, where there is a large Turkish community, should be ‘dissolved’ and that Christianity should be the only religion taught in state schools, for this alone is ‘our culture, the Christian-Occidental heritage’.

Doctors’ ethics questioned

Anti-deportation activists could also step up the pressure on the medical profession. The German Medical Association, citing resolutions passed by the World Doctors Association, has issued a statement warning doctors that those who sanction forced deportations are in breach of medical ethical codes (see CARF 52). Social workers had warned that Marcus Omofuma was suffering from an extreme sense of persecution as well as severe bronchial problems when he was gagged and passed by a doctor as fit for deportation. Khade Abuazirle was also passed ‘fit for travel’. By whom? asks Augenauf.

powers on board reside solely with the captain. And the 1963 Tokyo Agreement on Civil Air Traffic obliges every person on board a flight to intervene if there are violent attacks against passengers.

deportation attempts, yet no successful prosecution has ever been brought against a police officer involved. In Austria, where mounting public pressure resulted in the three police officers who escorted Marcus Omofuma being suspended from duty, lawyers have launched a compensation claim on behalf of the Nigerian’s 3-year-old daughter. And in Switzerland, the human rights group Augenauf has initiated legal proceedings for manslaughter against the Zurich cantonal minister for police as well as against the unnamed police officers involved in the deportation.

Other legal avenues for bringing prosecutions against police officers are also being explored. The Berlin-based anti-racist group FFMM believes that police officers who accompany deportees are acting illegally. Under international civil aviation law, police officers or border guards surrender sovereign powers the moment they enter an airplane, where
institutional racism to Europe

Justice for the Lübeck survivors

Once again the institutionalised racism of the German criminal justice system has been exposed. The Palestinian refugee Safwan Eid, himself a survivor of the 1996 Lübeck refugee hostel fire which claimed ten lives, was first acquitted of causing the fire in 1997. Yet, scandalously, he was recharged, only to be acquitted again in November 1999. From commentaries provided by Gegenwind in Kiel and Echos in Berlin, CARF can answer the following questions.

How did this second prosecution of Safwan Eid come about?

At the original trial, the judge said that, even though he was sure Eid was guilty, he had no choice but to acquit him as there was 'incomplete evidence' to secure a conviction. After Eid's arrest in 1996, the Federal Office of Criminal Investigation (BKA) bugged his prison cell, taping six conversations between Eid and his family. But when, at the initial trial, the prosecution attempted to introduce the tapes as evidence against Eid, the judge deemed the tapes inadmissible on the grounds that the taping had been carried out in contravention of German constitutional law.

Following the acquittal, a new law was passed granting the state powers to expand hitherto illegal surveillance measures in both public and private spheres. Thus, in 1998 the Supreme Court allowed a prosecution appeal to retry Eid on the previously inadmissible evidence.

So what did the tapes prove?

Eid's innocence, and the extremes to which the prosecution were prepared to go to frame Eid. In six poor-quality recordings, Eid and his family spoke to each other in an Arabic dialect from the Tripoli area. During the trial, the translator employed by the police, state and federal investigation bureau was exposed as an idiot who gave the police the answers they wanted by translating key sections inaccurately, interpreting phrases as incriminating when they were not and introducing phrases into his translations that did not exist.

So did the judge, in acquitting Eid, establish his innocence?

Not quite. The state's case has always rested on the false accusation that the refugees at the hostel were divided between black Africans and Arabs and that Safwan Eid's family had sought revenge for an earlier dispute. The prosecution deployed the New Right argument that it was natural for Arab families to stick together and protect their own. The judge used similar language throughout the trial to cast doubt on Eid's innocence, suggesting that he was covering up for a member of his 'clan'. Crucially, the judge refused to doubt the integrity of the key prosecution witness—a part-time medical orderly who escorted rescued victims to hospital, who only came forward to claim that Eid had confessed to him after a reward was offered. But at the initial trial it had emerged that the orderly enjoyed a close relationship with the police and prosecution and had most probably been coached by them as a witness.

Is the case now closed?

No. In his summing-up, the judge made serious criticisms of the inadequacies of the original investigators at Lübeck, and this has paved the way for Safwan Eid's lawyers to petition the authorities to reopen the case against the four neo-Nazis who were near the scene of the fire. If found to have freshly scorched hair, eyebrows and eyelashes, what German anti-racists have been up against over the last four years is a criminal justice system where victims become suspects and the real culprits are protected from prosecution. For justice to be secured, anti-racists in Europe must bring international pressure to bear on the German criminal justice system.
Asylum, welfare and the voluntary sector

Amongst grassroots activists and community-based refugee support networks there is growing concern that the independence of the refugee wing of the voluntary sector will be irreparably compromised by provisions of the new Immigration and Asylum Act.

In relieving local authorities of their duties under the National Assistance Act to provide accommodation and support for asylum-seekers, the legislation hands over these duties, as of April 2000, to a new Home Office body, the National Asylum Support Service (NASS). The NASS will contract out the provision of accommodation, vouchers and other services to consortia—partnerships between local authorities, the private and voluntary sector in ‘dispersal regions’ in England, Scotland and Wales.

Having coopted the voluntary sector into these new consortia, the government hopes to further institutionalise this sector’s cooperation in the administration of the Act’s welfare provisions. The NASS is already signing contracts with large refugee charities such as the Refugee Council, Refugee Action, Refugee Arrivals Project and Migrants Helpline, to provide reception assistance (including emergency accommodation while applications for NASS support are made). And the Home Office wants to use the Refugee Council’s ‘One Stop Shop’ as a model for similar schemes in dispersal areas to provide asylum-seekers with help and advice on making claims or obtaining support in the community. Finally, and this is an area of collusion that the refugee charities are currently resisting, the Home Office wants such charities to administer a hardship fund for asylum-seekers whose appeal has been dismissed, in effect doling out discretionary poor relief to homeless, cashless and starving asylum-seekers with no other means of support.

Surely, the ability of the refugee voluntary sector to voice the concerns and needs of refugees will be undermined by its administration of the government’s scheme? CARF intends to explore the role of the voluntary sector in administering asylum provision in future issues. But in order to further a much-needed public debate, CARF spoke to a number of key organisations about their fears for the future.

NOTES ON THE ACT

The Africa Centre Scotland, which first alerted CARF to the Act’s implications for the voluntary sector, asks: who will speak for asylum-seekers if refugees organisations are coopted into government schemes?

The Immigration and Asylum Act is of great concern to the Africa Centre Scotland for three reasons.

First, its impact will be felt much more widely than just within refugee communities. The whole black community will be affected through the government’s insistence that refugees first turn to their communities for support. The government is unclear about how this will be implemented but it will no doubt place an unfair burden on groups which already suffer from discrimination and marginalisation. The government’s continuation of policies like employer sanctions (which it had pledged to remove) and new duties on registrars to report marriages they suspect to be fraudulent have far-reaching consequences for black people in general. Policies like these further a climate of suspicion against ethnic minorities which can only worsen race relations.

The Africa Centre is also concerned about the way in which the policy-making process has taken place. We fear that the government effectively coopted some of its potential critics into the system via its process of ‘consultation’.

ALASTAIR MACKENZIE, ASYLUM AID

‘The dispersal programme will present enormous problems for the voluntary sector. Those already working with refugees will have to find ways of developing services in new parts of the UK and of locating people who have been dispersed and do not have access to advice or support… Government funding is unlikely to give organisations the resources to provide an acceptable service. The problem is that groups who do not take that funding — because they refuse to compromise over quality and confidentiality, or because they refuse to be involved in cutting off support to individuals at the end of the asylum process — may be left struggling to cope.’
Paradoxically, though the government has consulted refugee organisations, it will increase detention, strengthen visa restrictions and introduce draconian support arrangements which run fundamentally counter to the interests of refugees. There is little evidence that this consultation process has resulted in moderation of these policies or introduced adequate safeguards for the rights of refugees.

The support provisions - particularly the use of 'one stop shops' to be provided by refugee organisations - will decrease the ability of these organisations to effectively voice the concerns and needs of refugees. Refugee organisations may argue that they are best placed to operate a system which places the welfare of asylum-seekers first, but because of resources and procedural constraints, targets and other conditions placed on them by the National Asylum Support Service, it is unclear how much leverage they will have to do this. There are also very important questions about independence and confidentiality which must be seen to be maintained by their client group who are justifiably suspicious of any ties with the Home Office. We feel that this issue has not been discussed. The number of asylum-seekers expected in Scotland in the first year of the new system is between 2,500 and 4,000.

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ALISON HARVEY, MEDICAL FOUNDATION

'We are particularly concerned that support from voluntary organisations is to be taken into account when assessing the resources available or which could 'reasonably be expected to be available' to an asylum-seeker. The fundamental issue here is whether voluntary organisations and those who donate to them, are to have any freedom to provide food, clothing or payments, for example for travel. Their efforts to top up inadequate provision risk backfiring if their assistance, or even the possibility of their assistance, is used as a reason to bar their clients from entry into the support system, or to reduce the level of support it is deemed that the Support Service must provide.'

BRIAN MITCHELL, NOTRE DAME REFUGEE CENTRE

'We presume most people who are dispersed will filter back to London. We’ve had quite a few returning to London already. The organisation will have to take on a different role. People will be without entitlement to benefit…The government is sitting back and relying on us to help, presuming we’ll pick them up. There’s been no dialogue with us.'

DR SIGRI KABALLO, MIDLANDS REFUGEE COUNCIL

'The Refugee Council is telling us we must get a non-refugee chair, a non-refugee executive, if we want to carry on providing support and accommodation to asylum-seekers, to take them shopping … it’s taking over in the West Midlands and grass-roots groups like us are being squeezed out.'

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Interim 'support'

On 5 December local authorities will be giving hundreds and perhaps thousands of single refused asylum-seekers a fortnight’s notice to get out of their hostels. On that date the government’s interim support scheme comes in. Under its rules, local authorities will not be allowed to feed or shelter single people whose asylum appeals have been rejected - even if they are unable to return to their home country because of civil war or other disaster. Those likely to be affected include Bosnians, Algerians and Sierra Leonesians whom the Home Office will not remove but who do not qualify as refugees. On that date, London boroughs and Kent are declared 'full' and all new arrivals needing accommodation will be dispersed to the north unless they must stay in the south for eg specialist medical treatment. The Home Office will also be able to ban asylum-seekers from going to certain areas, for public order reasons - an exercise in victim-blaming which encourages and rewards racist attacks on dispersed asylum-seekers.

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Groups like the Refugee Council are at the centre of the debate.

The Refugee Council’s Imran Hussein explains its position.

'Why are we getting involved if we don’t agree with what the government is doing? For newly arrived asylum-seekers, vulnerable and trying to cope with a difficult system, it will be much easier for them to tell a Refugee Council worker about their experiences than to talk to someone with no real knowledge about what it’s like to be an asylum-seeker… if we weren’t doing it the most likely alternative would have been a company such as Group 4. The government is giving us money to help us do a job, not so that we will stay quiet. When we believe that the government is getting it wrong we will continue to say so... And we won’t take on areas of work that would compromise our independence or conflict with our objectives as a charity. We have already refused to be responsible for some parts of the new system because they would have meant we had to take decisions about who should receive support and who shouldn’t, and that’s not something we believe we should do.'

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REFUGEES AND PRESS STEREOTYPES

How to make a headline

Imagine the scene. A small village in leafy Hertfordshire built around its small neatly clipped green. A Daily Mail- and Telegraph-reading village where the most serious crime is vandalism of the station and parking on the pavement. An all-white village where a few ethnicities are tolerated. After all, without Mr Patel there would be no newsagent, without Mr Wu, no dentist and the Tamils at the nearby petrol pumps keep themselves to themselves.

Imagine the consternation in November at the newspaper hoarding: ‘Refugees begging at South Mimms homes’. The worst fears were being realised – hordes of illegal immigrants rolling on to the green and pleasant land, scrounging and harassing at the very gate of their commuter citadel.

So what lay behind that scary headline? You’d think that such a hoarding would presage a massive story. But no. Page one of the Barnet and Potters Bar Times of 4 November is about north London’s lack of fire cover. The actual story about begging illegal immigrants is on page three and takes up about a fifth of a page. Under a headline, ‘Elderly in fear of beggars: residents told to “slam their doors” on refugees asking for money’ was a tale about 21 Kosovan refugees arriving on 29 October at South Mimms service station on the M25 and, presumably, being hungry and destitute, calling at local houses for help. Ironically, on the facing page, and written by the same journalist, is a story about how Homeless Action in Barnet is looking for stories from refugees to celebrate refugee week.

Presumably, there are good refugees (the ones who are now settled) and bad refugees (the ones currently in need). The journalist, from her picture, looks much too young to recall the terrible racist coverage in the 1960s and 70s that greeted the fleeing East African Asians (many of whom settled in Barnet). But her name suggests that she might know more about Barnet’s other main refugee community – the Jews who arrived at the turn of the century, fleeing pogroms in Russia. Would that reporters’ training included such moral lessons as the contribution that the yellow press made to popular racism at the beginning of this century which culminated in racist ‘anti-Alien’ legislation.

When CARF spoke to the journalist, she was quite complacent about her stories. She had been called up by the local Neighbourhood Watch co-ordinator and, without needing to refer to her news editor, she realised she ‘had a story’. She did not, she said, consider the headline alarmist nor did she think it contradictory to run two stories with such opposing messages. She was, she kept assuring us, ‘quite neutral’. But, CARF suggested, wasn’t this rather blowing up one incident in quite a scaremongering way? ‘This is a big issue for a small community’, she justified herself. And clearly the news editor, who chooses which story to run on the hoardings, knew exactly what would sell papers to the nervous residents around South Mimms.

We talked to the Neighbourhood Watch Co-coordinator about the story. She told us that she had been warned by another co-coordinator nearby that refugees had been knocking on doors in their area. When it happened at homes in the bottom part of her village she decided to phone the paper. It had done a big write-up about Barnet’s refugees; she wanted to make sure that South Mimms did not get left out. Not taking in what CARF was, ‘have you got them too?’ she asked sympathetically, as the conversation ended. Six months ago, as NATO bombed Serbia into submission, our TV screens were full of images of lines of bedraggled, dispossessed families clutching a few cherished possessions and one another. Today they are a plague of locusts.

The hunt is on to find out who is behind a Rights for Whites-style broadsheet being distributed outside shopping centres in Tower Hamlets to white customers only. Nearly every article in East End View, which includes no details of printer, publisher and only a contact address at 3 Lilley Close, Wapping, has a race slant.

Hendon & Finchley Edgware & Mill Hill Borehamwood Barnet Potters Bar TIMES 4th November Potters Bar REFUGEES BEGGING AT SOUTH MIMMS HOMES

DECEMBER 99/JANUARY 00 CARF
RACISM
16 SEP 25-year-old Darren Shaw jailed for nine months after assaulting Praveen Gupta and his sister, Seema, outside a Sutton Coldfield pub. Shaw denied links with the KKK or C18 although evidence was found in his home... German exchange student, attacked by gang of racists, has swastika scrawled on her face... 22-year-old John Hudson convicted of racially aggravated harassment after three-year racist campaign against Asian family in Tony Blair's Sedgefield constituency 18 SEP Darren Mallet sentenced to two-and-a-half years after racist attack on Asian family in Bristol 21 SEP Five families evicted for 12-year campaign of harassment against east Belfast estate. east London 25 SEP 17-year-old Zairean student from France arrested in critical condition after being stabbed in racist attack by five white youths on Holloway Road, north London 30 SEP Allan Casey pleads guilty to manslaughter on grounds of diminished responsibility of Stelios Economou, a 20-year-old student who went to the aid of a black woman being racially abused... Jewish woman flees Tiptree estate, Redbridge after four-month terror campaign by anti-Semitic gang 9 OCT Indian shopkeeper Mal Hussain from Ryelands estate, Lancaster, to go to the European Court to try to get the perpetrators of violence against him evicted 19 OCT Alison Moore, black teacher, rehoused at a secret address after series of racist attacks, target of new arson attack... 35-year-old Ian Gaskell, who expected 10-year-sentence for repeatedly stabbing Asian taxi driver Zafar Ilobal in May 1998, receives life sentence in Manchester Crown Court after saying "You're joking aren't you? I'm not apologising to that "**ing Paki bastard." 21 OCT 18-year-old Thomas Loring and 18-year-old David Baldock jailed for racist attack on Ly Suong Minh, Chinese restaurant owner from Eltham, south London 22 OCT Police launch appeal for information on whereabouts of four racists; three white and one mixed-race suspected of the murder of 28-year-old Fijian Ben Kamanalagi in Salford, Manchester 26 OCT Asian shopkeeper Mohammed Bashir and his family shot in latest of a series of attacks; the family home and business was firebombed after Mohammed posed with a police officer and spoke out against racists 6 NOV 16-year-old black teenager walking with his white girlfriend beaten up by three white youths in Cardiff 30 NOV 43-year-old Abdul Raja, Asian shopkeeper, shot dead in Streatham, south London; police consider racism as a motive... Three white racists jailed for total of 18 and a half years for knife attack in March on Muslims outside a Southall mosque.

CRIMINAL JUSTICE SYSTEM
13 SEP Lord Chancellor to draw up new racial awareness guidelines to stop judges causing offence to black people 17 SEP Officers from Greenwich Community Safety Unit crack down on racially motivated crime; four charged with racially aggravated public order offences 21 SEP Prison Service appoints Judy Clements, former police officer, as first race equality adviser 28 SEP Police officers face disciplinary charges for mishandling racist attack on two black students in Cardiff 15 OCT Winston Silcott receives out of court settlement of £50,000 without admission of liability from the Met for false imprisonment and malicious prosecution after the death of PC Keith Blakelock 20 OCT Two of the M25 Three go to European Court of Human Rights on case claiming they received an unfair trial 1 NOV Inquest into the death of Ricky Reel opens 3 NOV Detective Inspector David Michael, senior black officer at Scotland Yard, receives anonymous racist hate mail, possibly from a colleague 5 NOV Home Office figures show a 50% rise in black deaths in custody in last year 8 NOV Trial of alleged murderers of Michael Menson, set alight by three racists in Edmonton in 1997, starts at Old Bailey. Inquest jury returns open verdict on death of Ricky Reel 12 NOV Leaked report by Her Majesty's Inspectorate is 'highly critical' of Met's efforts to fight racism 17 NOV New Race Relations Bill to extend provisions of existing Act to police and immigration service remains restricted to direct acts of discrimination and fails to cover indirect racism... Government unveils proposals to curb defendants' right to trial by jury 23 NOV 20-year-old Stuart Kerr jailed for 12 years after firebombing Asian owned shop in Donnington.

LAWRENCE INQUIRY
11 OCT Law Commission proposes changes to 'double jeopardy rule', allowing retrial of individuals involved in serious crimes where new evidence becomes available 26 OCT Detective Inspector Bullock, involved in the Stephen Lawrence's murder inquiry, gets lightest possible punishment from disciplinary tribunal for charges of neglect of duty 27 OCT Report by Her Majesty's Inspectorate links 75% increase in reporting of racist incidents to Stephen Lawrence Inquiry 5 NOV Attempted rape charge against Dwane Brooks dropped.

IMMIGRATION
27 SEP Number of decisions on asylum claims falls from 4,680 in June to 3,075 in August 30 SEP Jack Straw's appeal against decision not to deport Shafiq Rehman fails 15 OCT Kent council opens special camp for unaccompanied child asylum-seekers 16 OCT UK government signs up to EU commitment to harmonise national asylum policies in Tampere 22 OCT Home Office prevents 400 refugees from using empty Ministry of Defence homes because the accommodation is considered too superior 23 OCT Immigrants granted British citizenship will be able to attend a voluntary integration ceremony 24 OCT BBC Radio 4 documentary finds that 500 unaccompanied child asylum-seekers in Dover are without school places 31 OCT Confidential report into immigration services at Lunar House in Croydon shows that they fail required standard 10 NOV South Cambridge Council approves new detention camp at former Ministry of Defence barracks, Oakington, where asylum-seekers will only be let out 'under escort'.

FASCISM
18 SEP BNP urges members to infiltrate pro-hunting rally in Bournemouth 30 SEP Nick Griffin wins BNP leadership election 17 OCT German neo-Nazi Gerhard Rudolf, on the run from the German authorities, revealed to be hiding in UK 26 NOV 57-year-old neo-Nazi, James Shaw, jailed for 9 years for possession of explosive substances, racially inflammatory material and offensive weapons after he was arrested carrying two bombs during the Brixton, Brick Lane and Soho bombing campaigns; he allegedly planned to blow up trains.

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