



Global Afrikan Congressuk (GACuk)

Human Rights Committee - UK's compliance with the International Covenant on Civil and Political Rights (ICCPR)

February 2024

Global Afrikan Congressuk Official 2002 Ltd (GACuk) is the UK Chapter of Global Afrikan Congress (GAC), an international network of organisations formed after Afrikans at the UN World Conference Against Racism 2001 successfully encouraged nation states to recognise our enslavement as a crime against humanity. Our key objective is to achieve Reparations for these crimes which still continue today, including neo-colonialism, genocide and racism.

GAC organises from the grassroots offering local, regional and international community solidarity, co-operation and empowerment. It offers organisations and Afrikans across the world the opportunity to work together in a unified fashion to demand Reparations. We aim to mobilise the human, economic, political, spiritual and cultural resources of Afrika and the Afrikan Diaspora in the interest and to the benefit of Afrika and her people.

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The term 'Afrikan' in this document refers to the indigenous people of Afrika and their descendants throughout the Diaspora in all corners of the world. We spell Afrika with a 'k' based on the following insights:

- it is a Pan-Afrikan spelling which relates both to the Afrikan continent and the Diaspora;
- it reflects the spelling of 'Afrika' in Afrikan languages and
- it includes the concept of 'ka', the vital energy which both sustains and creates life, as expressed in ancient Kemetic (Egyptian) teachings

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B. Specific information on the implementation of articles 1–27 of the Covenant, including with regard to the previous recommendations of the Committee Constitutional and legal framework within which the Covenant is implemented (art. 2)

While the government report lists a host of bodies which receive training relevant to the Covenant, the general public and civil society organisations are conspicuous in their absence. Very little is shared about their commitments to the UN so when, for instance, Special Rapporteurs or the Working Group of Experts on People of African Descent report on findings from their visits the public is given the impression that they turned up uninvited and the timetable for their meetings were not mostly set by the government and civil servants.

Training has not stopped, for instance, cases of discrimination in the criminal justice system.

In our 2022 submission to you on Human Rights Council resolution 47/21 we reported on the case of Dalian Atkinson, a former professional footballer who died in 2016 after police were called to his father's home when he was having a mental health episode. He had made a successful complaint against the police a few years before his murder. He died after he was tasered for 33 seconds, more than six times the standard practice. One police officer denied kicking him in the head but his bootlace imprint was left on Dalian's forehead and blood on his laces. Although the maximum sentence available was 16 years he was found guilty of manslaughter but not murder and sentenced to 8 years in prison.¹ This is believed to be the first case since 1980 where a serving British police officer has been successfully prosecuted. The second officer was later found guilty of using excessive force but has not been dismissed from the service².

Chris Kaba 'was not a suspect and was being followed by a police car without lights or sirens before he was shot dead by a firearms officer, an inquest into his death has been told.'³

In March the Children's Commissioner looked into strip searching of children after concerns about the strip searching of a 15 year old Afrikan girl, Child Q, while on her period⁴. The Commissioner found 'evidence of widespread non-compliance with the statutory safeguards in place to protect children, including the lack of Appropriate Adults in more than half of searches and strip searches being conducted in schools, police vehicles, and within public view.'⁵ In 45% of cases the location of the strip-searches was not recorded.

She found that 2,847 children were strip-searched in England and Wales from 2018 to mid-2022. Afrikan children were 11 times more likely to be searched⁶. Afrikan boys accounted for more than a third (37%) of strip-searches. The youngest child was 8 years old. 51% of the searches led to no further action and only 31% led to an arrest. Only 39 of 43 forces responded. She has asked that 27 forces be referred to the police watchdog because of concerns about children's safeguarding or indicated breaches of the statutory code of practice.

'Insp Andy George, the president of the National Black Police Association, said of the new report: "It is yet another example of institutional racism which is adversely impacting children across

¹ <https://www.bbc.co.uk/news/uk-england-shropshire-57603091>

² <https://www.theguardian.com/uk-news/2023/mar/17/police-officer-faces-sack-excessive-force-dalian-atkinson>

³ <https://www.theguardian.com/uk-news/2022/oct/04/chris-kaba-was-followed-by-police-before-being-fatally-shot-hears-inquest>

⁴ <https://commonslibrary.parliament.uk/child-q-and-the-law-on-strip-search>

⁵ <https://www.childrenscommissioner.gov.uk/resource/strip-search-of-children-in-england-and-wales>

⁶ <https://www.theguardian.com/uk-news/2023/mar/26/race-disparity-police-strip-searches-of-children-england-and-wales>

England and Wales. Chief constables must be braver in acknowledging the existence of institutional racism if we ever hope to stop this cycle of low confidence with the Black community.’

A report commissioned after a serving police officer raped and murdered Sara Everard, a woman of Afrikan heritage, has found that the Met Police ‘force has institutional problems with racism, misogyny and homophobia.’⁷ Baroness Louise Casey’s ‘report laid bare a culture of "overt" racism within the force, where the N-word was used, (Black) officers were less likely to get promoted and were 81 per cent more likely to find themselves in the misconduct system.’⁸

The Racial Bias and The Bench report ‘surveyed 373 legal professionals and found that 95% of respondents said that racial bias plays some role in the processes or outcomes of the justice system....A further 63% said it played a significant role and 29% responded that it had a “fundamental role”..... Over half (56%) of people surveyed reported they have witnessed one or more judges acting in a racially biased way towards a defendant and 52% had witnessed one or more judges acting in a racially biased way in their judicial rulings, summing up, sentencing, bail, comments and/or directions..... (it) found young black male defendants were noted as still being the most targeted sub-group of judicial discrimination.’⁹

The Ethnic Inequalities in the Criminal Justice System report by EQUAL, an advisory group advocating for racial justice, found that ‘BLACK CARIBBEAN young males are more likely to be sentenced to jail time than any other ethnic group’.¹⁰

“There’s no safe place for young people,” (Catherine Namakula, UN WGEPAD) said at the end of an open public meeting in the BBC building in Salford, adding that children of African descent were overpoliced in their homes, schools and wider communities. “The law is in conflict with children of African descent, instead of the children being in conflict with it. They’re not breaking the law, the law is breaking our children.”¹¹

In 2020 thirteen year old ‘Huugo Boateng was taking part in a charity bike ride with his father along the River Lea in north London when he says he was grabbed from his bike by a plainclothes police officer, threatened with a stun gun and fell face first into thorny bushes.’¹²

In June 2020 Millard Scott, 62, fell down some stairs and lost consciousness after being shot with a Taser during an alleged drug raid by five officers on his home in Tottenham, north London. Part of the incident was captured on a short video that was put out by Scott’s son, the artist Wretch 32.¹³

The charity Inquest ‘found that racism was being ignored as a potential factor in the deaths of Black men by police by the Independent Office for Police Conduct (IOPC), coroners and the Crown Prosecution Service’¹⁴ even though Black people are 7 times more likely to die.

One of the biggest positive moves was the Nation of Islam case against a local council and the Metropolitan police¹⁵. The authorities had refused to allow Minister Louis Farrakhan to give a speech on screen at a major Afrikan community event after agreeing that he could. They also

⁷ <https://www.telegraph.co.uk/news/2023/03/21/met-police-casey-report-key-findings-racist-sexist>

⁸ <https://www.met.police.uk/SysSiteAssets/media/downloads/met/about-us/baroness-casey-review/update-march-2023/baroness-casey-review-march-2023a.pdf>

⁹ https://www.voice-online.co.uk/news/uk-news/2023/01/25/lammy-backs-report-which-finds-over-half-of-judges-seen-to-act-is-a-racially-biased-way/?fbclid=IwAR0sIAA51g7ohBpu8uf4NR_5hQQWlhN72ASyflAiQrxAFUN9_ttNRpZX2IU#.Y9fo0uUJ_8.facebook

¹⁰ https://www.voice-online.co.uk/news/uk-news/2023/01/23/uk-criminal-justice-anti-caribbean-racism-exposed/?fbclid=IwAR0tFP0pUOf7Pv_vKGhRCX408-u2f2qEqvwp-M3aJmofkq7UJgOZZwiwlg#.Y9GdGJLys3Z.facebook

¹¹ https://www.theguardian.com/world/2023/jan/27/black-people-in-uk-tell-un-of-daily-injustices?CMP=share_btn_fb&fbclid=IwAR11C1_t2_hBHdQFjIA6JhISdk6klqfluOi60WYzInrGwfoaWgf-0ZQbAA

¹² <https://www.theguardian.com/uk-news/2020/jun/28/black-teenager-on-family-cycle-ride-injured-during-aggressive-police-arrest>

¹³ <https://www.theguardian.com/uk-news/2020/jun/15/i-could-so-easily-have-died-wretch-32s-father-on-being-shot-with-taser>

¹⁴ <https://www.independent.co.uk/news/uk/home-news/black-people-deaths-police-restraint-racism-b2285665.html>

¹⁵ <https://www.independent.co.uk/news/uk/home-news/black-activists-lambeth-council-met-b1855916.html>

refused to allow anyone to speak in his stead. Our male Co-Chair was one of over 30 successful plaintiffs awarded a total of nearly £1,000,000.¹⁶

However, the 'National Black Police Association (NBPA) has called for ethnic minorities to boycott joining the Metropolitan police in protest at a "racist and vexatious" misconduct investigation into a leading officer.'¹⁷

Non-discrimination (arts. 2, 3 and 26)

There are regularly reports about racism in the health service¹⁸, even though it is an employer of large numbers of Afrikan people. Staff worry they will be labelled as trouble makers¹⁹ for reporting abuse.

In 2021 we heard of Osime Brown, a 22 year old who came to the UK from Jamaica when he was 4 years old. He was sentenced to 5 years in prison for stealing a friend's mobile phone although witnesses and Osime said he was trying to stop the theft. Receiving a prison sentence of more than 12 months means that he was automatically considered for forced repatriation. Osime is profoundly autistic. When he was told that he was going to be sent to Jamaica he asked his mother what bus he would have to get to come and see her. The year that this threat was hanging over him and being over medicated in prison means that his health has deteriorated so he now has a heart condition that almost killed him.²⁰ The deportation order is not being pursued but he still has a criminal record so the family has the stress of a campaign to clear his name in case the 'good character' law is used again.

In June 2022 Oladeji Omishore drowned in the River Thames running away from police officers who tasered him multiple times instead of assisting him during his mental health episode²¹.

A Black man whose neighbours had called the police because he was distressed, died after an officer 'discharged a Taser on the balcony of the high-rise building from which the man was threatening to jump.'²²

We now have a new All-Party Parliamentary Group (APPG) on Black Maternal Health²³ although APPGs "are informal cross-party groups that have no official status within Parliament. They are run by and for Members of the Commons and Lords, though many choose to involve individuals and organisations from outside Parliament in their administration and activities". The "Dispatches documentary 'The Black Maternity Scandal', (showed that) Black women are four times more likely to die in pregnancy and childbirth. The APPG aims to raise awareness of the issue of racial disparities within maternal healthcare and offer solutions to end this." In the uk Afrikan children "according to 2016 Office of National Statistics data, have a 121 per cent increased risk for stillbirth and are 50 per cent more likely to suffer neonatal death compared to white babies."²⁴

¹⁶ <https://www.independent.co.uk/news/uk/home-news/met-police-lambeth-activist-human-rights-b1844844.html>

¹⁷ <https://www.theguardian.com/uk-news/2024/feb/05/black-police-officers-group-calls-for-ethnic-minorities-to-boycott-joining-met>

¹⁸ <https://metro.co.uk/2020/03/10/racism-plagues-nhs-getting-worse-12294073>

¹⁹ <https://www.bma.org.uk/news-and-opinion/racism-an-issue-in-nhs-finds-survey>

²⁰ <https://www.theguardian.com/uk-news/2021/jun/15/home-office-abandons-plans-deport-osime-brown-jamaica>

²¹ <https://www.theguardian.com/uk-news/2022/nov/28/chelsea-bridge-death-oladeji-omishore-family-bring-test-case-against-police-watchdog>

²² <https://www.theguardian.com/uk-news/2023/apr/18/man-who-died-in-london-taser-incident-was-distressed-hours-before-police-called>

²³ <https://www.parallelparliament.co.uk/APPG/black-maternal-health>

²⁴ <https://archive.voice-online.co.uk/article/experienced-midwife-fights-tackle-health-inequalities>

Treatment of aliens, including migrants, refugees and asylum seekers (arts. 2, 9, 10, 13, 14 and 26)

Conventions such as the UN Convention on the Rights of the Child are not publicised by the government so are not used to ensure migrant families have enough money for food and other essentials.²⁵

We believe the Home Office Scandal, more commonly known as the 'Windrush generation scandal' is a prime example of how the 'hostile environment' has been used against migrants, causing British citizens to be told they were illegal immigrants²⁶ and needed to provide multiple forms of documentation for every year they were in the UK despite government departments having this data. Home Office staff have resigned "describing the scheme as systemically racist and unfit for purpose".²⁷

Some caught up in the Home Office Scandal have been denied citizenship by the Home Office because they were out of the UK too long even though it was the Home Office that they kept them out.²⁸ Their children and grandchildren are told because the elder was not a citizen, many of them are not citizens so they cannot go on to further education with their peers.²⁹ We believe that this is all part and parcel of decades of immigration laws passed to keep African people out of the UK even though they were British citizens³⁰ such as the 'good character' test.³¹ Even the risk of sending people with COVID-19 to another country³² did not deter the Home Office from organising forced repatriation flights.³³

The Home Office has now been found to be altering birth dates so children are put in detention centres with adults³⁴. The Home Office was also found to have put unaccompanied children into hotels. Local social service departments were not informed and around 200 of these children went missing³⁵. 'According to a report by the independent chief inspector of borders and immigration, David Neal, inspectors examined four hotels designated to house young people. Two of those were found to have staff living onsite who had not been cleared by the DBS (criminal record checking service).'

Many young people face forced repatriation when they reach 18. Although the UK is refusing to allow people to return home to the Chagos Islands, they also started refusing their descendants the right to remain in the UK.³⁶ Children in care do not have their citizenship applied for, despite the state taking them from their parents so the state can act as the guardian.³⁷

²⁵ <https://www.bbc.co.uk/news/uk-scotland-glasgow-west-53904251>

²⁶ <https://www.bbc.co.uk/news/uk-59385477>

²⁷ <https://www.theguardian.com/uk-news/2020/nov/18/black-official-quit-allegedly-racist-windrush-compensation-scheme>

²⁸ <https://www.theguardian.com/uk-news/2021/mar/05/windrush-victim-denied-uk-citizenship-home-office-admitting-error-trevor-donald>

²⁹ <https://www.theguardian.com/uk-news/2019/dec/18/three-generations-of-windrush-family-struggling-to-prove-they-are-british>

³⁰ <https://www.bbc.co.uk/programmes/m00068sk>

³¹ <https://www.theguardian.com/uk-news/2021/apr/23/home-office-handling-of-windrush-citizenship-claims-ruled-irrational>

³² <https://www.bbc.co.uk/news/uk-55197386>

³³ <https://scoop.company/uncovered-the-brutal-secrets-of-uk-deportation-flight-esparto-11-immigration-and-asylum>

³⁴ <https://www.theguardian.com/uk-news/2022/nov/27/child-asylum-seekers-detained-as-adults-after-uk-home-office-alters-birth-dates>

³⁵ <https://www.theguardian.com/uk-news/2023/jan/23/uk-minister-admits-200-asylum-seeking-children-missing-home-office>

³⁶ <https://inews.co.uk/news/uk/teenage-descendant-family-evicted-british-island-diego-garcia-faces-deportation-194172>

³⁷ <https://www.theguardian.com/commentisfree/2021/apr/11/new-windrush-is-in-making-its-victims-are-the-most-vulnerable-of-young-people>

Access to justice, independence of the judiciary, and fair trials (arts. 2 and 14)

Home Office Scandal victims are reported to have been deterred by paltry sums such as £8.92 a day while they were homeless; the lack of Legal Aid; not having pensions put back to the level they would have been at and awareness that other compensation schemes make initial payments of £100,000³⁸ compared to the Windrush £10,000. The scheme for postmasters, wrongly convicted of fraud when the technology was known to be at fault, will get an initial £600,000³⁹ and their legal fees.

In most cases victims have to take the government to court at huge expense and without the benefit of Legal Aid⁴⁰. Most cases mean the government have to change the rules but with people dying it is often their grieving families who then have to try to pursue Compensation claims with little information on the changes and no Legal Aid.

The Home Secretary is being taken to court for not reversing his predecessors decision to drop 'a commitment to establish a migrants' commissioner, increase the powers of the independent chief inspector of borders and immigration, and to hold reconciliation events'⁴¹

³⁸ <https://www.bbc.co.uk/news/health-62565747>

³⁹ <https://www.gov.uk/government/news/government-announces-600000-of-new-compensation-for-every-wrongfully-convicted-postmaster>

⁴⁰ https://www.opendemocracy.net/en/home-office-windrush-victim-reynold-simon-thompson-leave-enter-remain/?fbclid=IwAR0VyphVyd6d1SgBdgcX9NRhDjqt_CRCiDFudSbdIH85II9oqgFmim8d1wl

⁴¹ <https://www.mirror.co.uk/news/politics/home-secretary-james-cleverly-taken-31986935?fbclid=IwAR3XJfDjFNSsXLy8Bby-E8byYulE94cKqgJ1UbhkZD4gyGCW5kESFcf90U>