



Global Afrikan Congressuk (GACuk)

Shadow Report to UN CERD July 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' an 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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Introduction

While the government report names a number of reviews, few have been fully implemented.

3(b) The McGregor-Smith Review

The government response was to hope that "reasonable employers in the UK will rise to the challenges". A review in 2018 showed they had not.¹

3(c) The Lammy Review

The 2014 'Race and the Criminal Justice System' publication reports that 'the Black ethnic group had the highest rate of prosecution'. However the analysis does not tell us whether this is down to the number of people being arrested or whether it is driven by charging decisions after arrest.' Black people are more likely to enter a 'not guilty' plea but 'those who plead guilty can see their sentences, if convicted, reduced by a third or gain access to alternatives to custody.'²

A 'MoJ study of Crown Court sentencing showing higher odds of imprisonment for defendants from black, Asian and Chinese or other backgrounds compared to white defendants. In particular, the odds of receiving a prison sentence for drug offences were 240% higher for BAME defendants.Clinks is disappointed that a finding as glaring as this does not illicit a recommendation for immediate action. The judiciary must now respond, in the spirit of the Lammy Review's explain or reform principle, to the association between ethnicity and the likelihood of receiving a custodial sentence. When launching the Ethnicity Facts and Figures website Theresa May adopted this principle as a challenge to government departments. Clinks suggests that the judiciary should take up this challenge also, despite its independence from government'.

In March 2023 the Prison Reform Trust found no progress on 6 of the 14 recommendations. 'Despite repeated assurances – including in response to a judicial review backed by the Equality and Human Rights Commission – regular statistics on the use of force are still not published, and there is no available evidence of performance in the application of the use of force policy. What data are available confirm that Black prisoners are more likely than other ethnic groups to have force used against them, are far more likely to be subject to the use of batons and PAVA incapacitant spray.'³ 'The Ministry of Justice has, in some places, stated that some recommendations have been "completed", even where they have rejected them on cost grounds or feasibility.'⁴

We would suggest that the government should be working with civil society to look at the findings of this Review alongside those of the 'Young Review: Improving outcomes for young black and/or Muslim men in the Criminal Justice System.'⁵

3 (e) The Angiolini Review

'In July 2021, the United Nations High Commissioner on Human Rights, Michelle Bachelet, published a damning report calling on states including the UK to "end impunity" for human rights violations against Black people by police officers and reverse the "cultures of denial" towards systemic racism, particularly in the context of policing and deaths in custody.'⁶

No disproportionality was found in arrests but it was found in Afrikan deaths where there was use of force.⁷

¹ <https://www.bbc.co.uk/news/53053661>

² https://www.clinks.org/sites/default/files/2018-09/lammy_review_briefing_final.pdf

³ <https://prisonreformtrust.org.uk/little-progress-in-improving-outcomes-for-black-asian-and-minority-ethnic-prisoners>

⁴ <https://www.bbc.co.uk/news/53053661>

⁵ https://www.clinks.org/sites/default/files/2018-10/clinks_young-review_report_final-web_0.pdf

⁶ <https://www.inquest.org.uk/news-un-racism-report>

⁷ <https://www.bbc.co.uk/news/53053661>

There have been 49 deaths in police custody since 2016. These include:

1. Dalian Atkinson, kicked to death by a police officer called out because Mr Atkinson was having a mental health episode in 2016. The officer was sentenced to 8 years. His colleague remained in the police force.⁸
2. Darren Cumberbatch died in hospital in 2017 nine days after being restrained and tasered during an arrest in Nuneaton.... an inquest jury concluded that police restraint contributed to his death. Unlike many incidents, some of what happened was captured on CCTV.⁹
3. Kevin Clarke 'was a 35 year old Black man, who was experiencing a mental health crisis when he died following prolonged restraint by Metropolitan Police officers in South London on 9 March 2018'¹⁰
4. Chris Kaba, shot dead with a single gunshot while driving a friend's car in 2022. The officer responsible has been named and is being charged.¹¹

In most cases no action is taken against officers. The potential for racism in these interactions needs to be properly examined.¹²

3 (f) The Wessely Review

'Black people are four times more likely to be detained under the "outdated" Mental Health Act.....It also said there is a need to challenge attitudes and – largely unconscious – biases towards ethnic minority patients which leads to excessive use of restraint and "community treatment orders". Black patients are subjected to these orders at nearly ten times the rate of white patients, and required to keep to strict medication and assessment meetings – and even certain living arrangements – or risk being returned to hospital.'¹³

Despite extensive consultations, research and recommendations the review to the Act was dropped.¹⁴ Matthew Smith, Professor in Health History, University of Strathclyde looked at the Party Manifestos for the recent General Election. 'Despite extensive evidence illustrating how socioeconomic problems, lack of access to nature and diet all impact upon our mental health, none of the manifestos directly address these issues.'

We call on the new government to review the findings of the groups which aimed to update this legislation and work with civil society to achieve that.

3 (g) The Timpson Review

Findings include that:

1. 'More than one third of Black Caribbean pupils receive at least one exclusion between year 9 and year 11 – which obviously impacts on GCSEs. (Gilborn, 2019)
2. Black Caribbean pupils are permanently excluded from school at three times the rate of white British pupils. (DfE Timpson review, 2019)
3. Low educational attainment and progress is closely associated with economic disadvantage and there is a disproportionate number of Black children living in poverty (Timpson 2019)¹⁵

⁸ <https://news.sky.com/story/dalian-atkinson-death-police-officer-jailed-for-8-years-for-manslaughter-of-former-football-star-12343781>

⁹ https://www.facebook.com/watch/?v=346049802755082&extid=NS-UNK-UNK-UNK-AN_GK0T-GK1C&mibextid=2Rb1fB&ref=sharing

¹⁰ <https://www.inquest.org.uk/news-un-racism-report>

¹¹ <https://www.bbc.co.uk/news/uk-england-london-68502539>

¹² <https://www.bbc.co.uk/news/uk-64703648>

¹³ <https://www.independent.co.uk/news/health/mental-health-act-detained-sectioned-ethnic-minority-bme-report-nhs-a8669246.html>

¹⁴ <https://www.independent.co.uk/news/health/mental-health-bill-act-kings-speech-b2441071.html>

¹⁵ <https://neu.org.uk/latest/library/racism-excludes-why-schools-need-make-difference#:~:text=The%202019%20Timpson%20review%20acknowledged%20that%20children%20from,groups%20but%20concluded%20that%20the%20trends%20are%20complicated>

The NEU, the uk's largest education union believes that the 'focus needs to be on the issues that provide barriers to learning for Black students; the role of stereotypes and how they create barriers to high expectations; the way racism is internalised by students; and the lack of professional development for staff about responding to the differences in children's lives. Stereotypes around race and stigma around poverty are part of this discussion.'

The government should work with civil society organisations providing supplementary schools; organisations developing anti-racist curriculum materials; trade unions with resources such as the NEU Anti-Racist Framework and other interested parties to develop policies and resources to address the causes.

3 (h) The Williams Review

The Home Office Scandal, commonly called 'the Windrush generation scandal', saw British citizens who arrived from the British Commonwealth before 1973 not told that laws had changed and they needed to apply for British citizenship. The so called 'hostile environment' to illegal immigration was supposedly announced in 2012 but long before then people had been denied their legal right to return to the UK; lost jobs; were denied free NHS treatment; lost their home; were denied their pension and social welfare benefits; were threatened with deportation and were unable to access services.¹⁶ Dexter Bristol collapsed and died in the street. 'Professor Jaswinder Gill, consultant cardiologist at Guy and St Thomas' Hospital, told the court the prospect of Mr Bristol losing his income and home as he struggled to prove his citizenship "would have contributed towards his demise".¹⁷

As British citizens, many arrived legally as babies and children on an older relative's passport so had never had a passport of their own, the most common document called for to prove their status. The hostile environment meant untrained landlords; NHS staff and employers asked for proof of the right to be in the uk from people who had never been given any such documents. The law put the burden of proof on the citizen rather than allow the tax; employment; education or other government departments to use the records they held¹⁸. People in their 60s were asked to provide at least 3 documents for every year they had been in the UK. Parents were asked to provide DNA tests to prove their children were theirs.¹⁹

Although all 30 recommendations were accepted by the Home Secretary at the time, her successor refused to act on 3 of them, namely 'to hold reconciliation events; increase the powers of the independent chief inspector of borders and immigration (ICIBI); and a commitment to establish a migrants' commissioner.'²⁰ In the High Court 'Mrs Justice Heather Williams ruled dropping two of the recommendations - the migrants commissioner role and the ICIBI - had a "disproportionately prejudicial effect upon Windrush victims" and indirectly discriminated against them' so were unlawful. We would argue that this makes reconciliation events even more important.

Those affected by the Home Office Scandal have seen how differently they have been treated compared to those affected by the Post Office Scandal²¹. In that case a computer system was known to be faulty but postmasters were accused of theft so lost their homes; businesses; were imprisoned; used their savings and sold their home to pay a debt they did not owe and in some cases committing suicide.

¹⁶ <https://lordslibrary.parliament.uk/research-briefings/lln-2018-0064>

¹⁷ <https://www.bbc.co.uk/news/uk-england-london-49966380>

¹⁸ https://www.huffingtonpost.co.uk/entry/windrush-compensation-beyond-reasonable-doubt_uk_5efcaf12c5b612083c55c7cf

¹⁹ <https://www.bbc.co.uk/news/articles/c97z6dgjey9o>

²⁰ <https://news.sky.com/story/government-dropping-windrush-review-recommendations-unlawful-high-court-rules-13155432>

²¹ <https://www.bbc.co.uk/news/articles/c0d7n20dpm2o>

1. the government will overturn convictions for more than 900²² while children of victims of the Home Office Scandal who receive more than a 12 month sentence are still being deported although the Lammy Review shows disproportionality in sentencing to the disadvantage of Afrikan people.
2. those Post Masters who have had their convictions over turned can apply for £600,000 compensation.
3. Interim Payment of £450,000. The starting point for the Home Office Scandal is £10,000 for Impact on Life.
4. Group Litigation Order Scheme starting at £75,000 to compensate for paying court fees for a 2019 settlement.
3. more than 4,000 have been told they are eligible for compensation while it is still a guessing game and a fight for victims of the Home Office Scandal.

People are still 'locked out' of the UK and some have died from the stress of Home Office Scandal, some before they have received any compensation²³. 'Windrush campaigners are calling on the next government to grant citizenship to all victims of the immigration scandal in the first 100 days after the election.'²⁴ Many have come together and created a Windrush Manifesto²⁵ which the government needs to discuss with the various Windrush campaign groups to ensure recommendations can be adopted and acted upon ASAP. These include calls to:

1. 'Transfer the Windrush Compensation Scheme from the Home Office to a neutral government department.
2. Ensure fair compensation payouts to reflect the true scale of harm caused.
3. Launch a statutory inquiry into the Home Office Scandal.
4. Implement all recommendations from Wendy Williams' Lessons Learned Review.
5. Establish a Windrush covenant for Mental Health.'

Global Afrikan Congressuk (GACuk) member organisations include Windrush campaign groups and campaigners. Our Sunday International Solidarity anti-racist Zoom and other international work shows us that little information is provided on the Windrush Compensation Scheme in Commonwealth countries.

1. We believe that the government must do more to raise awareness that people living in the UK and in the Commonwealth may have a right to claim.
2. Claimants should not have to return to the UK to apply for citizenship rights and some parts of the Scheme.
3. We believe Legal Aid and free legal advice and advocacy should be provided to all potential claimants so they can exercise their right to citizenship and compensation.
4. Children who were in social care; did not have their citizenship applied for and were deported under the uk Borders Act 2007 12 month prison sentence rule should be brought back to the uk at the government's expense; receive citizenship and be eligible to apply to the Windrush Compensation Scheme.
5. Anyone deported as part of the Home Office Scandal or losing their Right to Remain because they were 'locked out' of the uk should be brought back ASAP the uk at the government's expense.
6. Grandchildren, great grand children and others should be eligible to apply to the Windrush Compensation Scheme where elders caught up in the Home Office Scandal were their carers and it affected their ability to care or otherwise negatively impacted the young person's life.
7. Windrush campaigners are calling for the current barriers be removed to receiving pensions with the contributions they would have made 'if it were not for' the Home Office Scandal and In

²² <https://www.bbc.co.uk/news/uk-67942935>

²³ <https://www.independent.co.uk/news/uk/home-news/windrush-compensation-scheme-victims-die-b2481224.html>

²⁴ <https://news.sky.com/story/windrush-scandal-campaigners-demand-citizenship-for-all-victims-in-first-100-days-of-new-government-13156915>

²⁵ <https://www.voice-online.co.uk/news/uk-news/2024/06/22/manifesto-launched-demanding-reforms-for-windrush-scandal-survivors>

Laws; family members of those deceased and other close family members claiming Compensation and Windrush campaigners must be involved in any reviews of such policies.

8. We join the call for all payments so far to be reviewed to ensure people were not beaten down by a complex system into taking less compensation than they were entitled to receive.

Windrush Day was introduced on 22 June 2018, to celebrate the contribution Caribbean migrants and their families have made to the UK. The Windrush Day Grant Scheme was introduced the following year and 'provides funding to communities looking to commemorate, celebrate and educate about the Windrush Generation and their contribution'. It perpetuates the myth that the Windrush Generation only came from the Caribbean despite Websites like Windrush 75²⁶ showing otherwise. While there is a requirement that local authority bids must clearly demonstrate 'that the proposal has been developed with the Windrush generation and their descendants and local community organisations'²⁷ it is unclear how this is monitored by a national panel making decisions, especially when organisations can bid who have no involvement with Caribbean communities.

We would suggest initiatives such as this consider:

1. the impact of this type of misinformation and the need to correct it;
2. how data on the local Windrush generation can be used to ensure their involvement in developing local bids and
3. monitor who actually receives grants.

Commission on Race and Ethnic Disparities (CRED - also known as the Sewell Commission)

This document has been widely discredited²⁸, including by people who sat on the Commission. 'The Race Report produced by the Stuart Hall Foundation and CoDE reveals the 589 different recommendations made by previous race and inequality reports and commissions since the 1980s, many of which have yet to be taken up.'²⁹ The CRED recommendations were taken up for a showcase Inclusive Britain strategy that failed to engage with Black communities or activists. It was also criticised for its recommendations being less than challenging or already in train³⁰.

Both these initiatives have failed to address the need to tackle racial discrimination by including representatives of those being discriminated against and civil society in the development, delivery and monitoring. The government needs to go beyond engaging with people who are experts in a particular field and happen to be Black and actually engage with those with 'lived experience' of the discrimination which can happen. They must learn that sometimes people become experts because they have learnt to ignore racial discrimination as being 'unfair'.

COVID-19

It would have been helpful if the government had given more examples of its better 'understanding of the risk factors driving the disproportionate impact of COVID-19'. We have been told that Black people were more likely to die because of poverty and over crowding³¹ despite early deaths of doctors. Three of those first 4 doctors were Afrikan with no hint of poverty or overcrowding.³² Many of our members and colleagues work or have family who work in the health and transport services so they have seen how white staff, in order to protect their own lives, pushed their Black colleagues into frontline services.³³

²⁶ <https://windrush75.com/pioneers>

²⁷ <https://www.gov.uk/government/publications/windrush-day-grant-scheme-2024/windrush-day-grant-scheme-2024-guidance-for-applicants#project-specifications>

²⁸ <https://www.bbc.co.uk/news/uk-56592331>

²⁹ <https://www.stuarthallfoundation.org/projects/shf-race-report>

³⁰ <https://www.bigissue.com/news/10-things-you-should-know-about-the-governments-new-race-equality-strategy>

³¹ <https://www.bbc.co.uk/news/uk-52894225>

³² <https://www.bbc.co.uk/news/health-52152375>

³³ <https://www.itv.com/news/2020-05-13/discrimination-frontline-coronavirus-covid19-black-minority-ethnic-bame-deaths-nhs-racism>

We believe the government needs to demonstrate that their better understanding includes understanding the need for anti-racist training so this does not happen in any future health crisis.

Racist hate speech and hate crimes

The government must do more to rebuild confidence in police officers and the criminal justice system. We have mentioned before how rarely deaths in police custody result in prosecution. In recent years we have also seen hate crimes committed by police officers:

1. police failing to look for 2 Afrikan sisters missing after a birthday party in a park. When their family found the bodies, 2 police officers were assigned to guard the crime scene. Instead they took pictures of the sisters and shared them on WhatsApp. They were jailed for 33 months.³⁴
2. an off duty police officer kidnap, rape and murder a woman that he stopped for breaking the pandemic curfew.³⁵ It is unlikely that he knew that her grandmother was an Afrikan woman. He is serving a full life term sentence.
3. his phone was examined during the investigation and a WhatsApp group was found where he and other serving police officers shared racist, sexist and disablist messages.³⁶ Two officers in the group were jailed for 12 weeks.
4. six former police officers found guilty of sharing racist messages on a WhatsApp group where the members had all been in the Diplomatic Protection Group. None of them were jailed.³⁷

The government and political parties do not themselves have a good track record:

1. 'A senior cabinet minister has denied the Conservative Party has a problem with race after accepting at least £10m from a donor who is accused of racism.'³⁸ The donor had said that Diane Abbott MP should be shot.
2. Dawn Butler MP was told she should not be in a lift for MPs as she was a cleaner.³⁹
3. The Labour Party has yet to implement the recommendations of the Forde Report in full and in consultation with it's Black and Minority Ethnic (BAME) members.⁴⁰
4. Independent Group MP Angela Smith said that 'it's not just about being black or a funny tinge...' when discussing racism on a tv programme hours after leaving the Labour Party.⁴¹
5. The Home Office gave the example of telling someone to 'go home' as a racist yet used that slogan in a government 2013 immigration campaign.⁴²

Funding and public awareness

The Hate Crime Campaign link did not appear to work and our members who sit on various police scrutiny panels around the uk did not recall a communications campaign. The government fails to mention that the Faith, Race and Hate Crime Grant Scheme appears to have only existed 2020/2021. Funding of £1.8million was provided to 9 projects.⁴³ It is unclear how any of these linked with, for instance, police scrutiny panels such as Stop & Search; Taser; Use of Force or with community led initiatives such as racial harassment forums.

Protecting people online

The 'draft Online Safety Bill was presented to parliament on the same day as the Inclusive Britain strategy was published. However, the newly published bill makes no reference to "racism" or "racist

³⁴ <https://www.bbc.co.uk/news/uk-england-london-59474472>

³⁵ <https://www.jamaicaobserver.com/2021/03/15/kidnapped-slain-british-woman-has-jamaican-heritage>

³⁶ <https://www.bbc.co.uk/news/uk-england-62995926>

³⁷ <https://www.independent.co.uk/news/uk/crime/met-police-whatsapp-racist-sentence-b2460377.html>

³⁸ <https://www.bbc.co.uk/news/uk-politics-68590969>

³⁹ <https://www.bbc.co.uk/news/uk-england-london-35685169>

⁴⁰ <https://labour.org.uk/resources/the-forde-report>

⁴¹ <https://metro.co.uk/2019/02/18/former-labour-mp-apologises-using-words-funny-tinge-describe-bme-people-8663359>

⁴² <https://www.independent.co.uk/news/uk/home-news/home-office-go-home-vans-racist-hate-crime-campaign-a9161196.html>

⁴³ <https://www.gov.uk/government/news/faith-race-and-hate-crime-grants-scheme-announces-1-8-million-in-project-support>

abuse”, and as Seyi Akiwowo, founder of online safety charity Glitch has pointed out, nor does it acknowledge the misogynistic and racial nature of abuse online.⁴⁴

The government should perhaps learn from others and stop marking their own homework.⁴⁵ We would expect initiatives like this to be developed by engaging those with lived experience who have a better understanding of the issues and of what good practice and so what improvements look like. Our government needs to get to the stage of developing the National Race Action Plan they committed to in the Durban Declaration and Programme of Action with a wide range of civil society and anti-racist organisations. That way we can have strategies which meet community needs and that tackle issues of racism more effectively.

Reviewing the legislative framework

It is not clear why the government has still not responded to the Law Commission review in full. ‘Racist chanting’ at football matches and booing at people taking the knee can be an indication of worse behaviour in other situations which the government needs to address.

The UK government could perhaps learn from the Welsh government community focus groups and their quarterly Hate and Community Tension Board Cymru.

Tackling Health Disparities

Office for Health Improvement and Disparities (OHID) appears to have started as a Public Health England team. Even with that head start it is hard to find evidence of what they have been doing since their relaunch other than guidance issued a year later.⁴⁶ Delivery is at a local level where resources, training and commitment need to be focussed with clear roles and engagement with communities. Unfortunately, there have been so many changes to NHS structures that many people struggle to understand them so are not as engaged as the system need them to be.

We note Jabeer Butt of Race Equality Foundation’s concern at the language. “Disparities and inequalities are not interchangeable. We hope that OHID remains focused firmly on inequalities, and persuades the Government to take action which address the structural factors, such as racial inequality, that drive the differences in health outcomes for so many communities.”⁴⁷

Mental health policies and legislation

It would have been useful to have an update on the ‘Advancing Mental Health Equalities Strategy’. It was launched more than 2 years before the government submitted its report to CERD so good practice would suggest at least 2 reviews of progress, uptake and any issues which needed addressing. Providers of mental health services

‘Formally known as the Mental Health Units (Use of Force) Act 2018, the law is named after Olaseni ‘Seni’ Lewis. Seni was a 23 year old Black man from South London. He died as a result of prolonged restraint by Metropolitan police officers at Bethlem Royal Hospital in Beckenham on 31 August 2010⁴⁸. Guidance on Seni’s Law was not published until December 2021 and did not come into force until March 2022.

We appreciate the need to get laws, guidance and implementation right but government must also bear in mind that this is nearly 12 years of grieving and campaigning for his mother, Aji, and for

⁴⁴ <https://www.bigissue.com/news/10-things-you-should-know-about-the-governments-new-race-equality-strategy>

⁴⁵ <https://www.independent.co.uk/news/uk/government-kemi-badenoch-prime-minister-anneliese-dodds-equalities-office-b2320874.html>

⁴⁶ <https://www.gov.uk/government/publications/health-disparities-and-health-inequalities-applying-all-our-health/health-disparities-and-health-inequalities-applying-all-our-health>

⁴⁷ <https://raceequalityfoundation.org.uk/press-release/race-equality-foundation-responds-to-launch-of-new-office-for-health-improvement-disparities>

⁴⁸ <https://www.inquest.org.uk/senis-law-law-to-protect-mental-health-patients-commences-today-with-new-guidance>

their family and friends. It retraumatizes others who have lost family members in similar ways, all too many of them Afrikan people.

We are not clear why the government has not used this CERD submission to give some indication of the CQC findings as they relate to different ethnic groups in their 'Out of Sight – Who Cares?'. We would have expected them to share their response to the findings and progress reports, not refer the committee to a link that does not appear to work.

Mental Health Services

It would have been helpful if the Scottish government had shared a link to the Mental Health Equality and Human Rights Forum and explained which of the members represent race equality organisations.⁴⁹ It is unfortunate that it refers to the 'Equalities Act 2010' rather than the Equality Act 2010' and 'Equalities Impact Assessments' but its contents, layout and analysis are accessible and informative.

Articles 2 and 3

Legislation

The government report does not explain why Section 14 of the Equality Act has not been brought into force.

Multiple discrimination is still far too common in the uk. 'A black woman applying for a position at the high-end department store Harrods was told by an external agency to chemically straighten her hair if she wanted the job' in 2017.⁵⁰ A Rastafarian woman bus driver was threatened with dismissal for wearing a head scarf with Rastafarian colours in 2018.⁵¹ A Rastafarian man was not allowed to travel on a coach with his valid e-ticket in 2019.⁵² In all of these cases the Afrikan person was discriminated against not because of their ethnic origin or faith and because of their gender but because of the 2 elements combined.

Bill of rights

Implementation of the Convention

The government commitment to its international obligations does not seem to extend to:

1. Producing their report to CERD with civil society and anti-racist organisations.
2. Creating a National Race Action Plan with civil society and anti-racist organisations.
3. Creating a programme or policies for the International Decade for People of African Descent.
4. Funding Afrikan civil society organisations to attend UN events such as the CERD examination or the Permanent Forum on People of African Descent (PFPAD).
5. Organising uk delegation meetings at and after the PFPAD to take forward work.

National human rights institutions

Spending cuts to the Equality and Human Rights Commission (EHRC) budget means that the uk has lost the network of around 100 Racial Equality Councils which they funded for public education, policy development, community development and casework. The Commission for Racial Equality (CRE) being subsumed into the EHRC with other equality issues but no specific committee means Afrikan communities feel there is nowhere addressing their issues. It 'has been unable to adequately provide leadership and gain trust in the protection and promotion of Black

⁴⁹ <https://www.gov.scot/binaries/content/documents/govscot/publications/strategy-plan/2023/11/mental-health-wellbeing-delivery-plan-2023-2025/documents/mental-health-equality-evidence-report-2023/mental-health-equality-evidence-report-2023/govscot%3Adocument/mental-health-equality-evidence-report-2023.pdf>

⁵⁰ <https://www.independent.co.uk/news/business/news/sexist-workplace-dresscodes-high-heels-row-women-dye-hair-blonde-revealing-outfits-female-employees-offices-a7544736.html>

⁵¹ <https://www.dailymail.co.uk/news/article-6183955/Rastafarian-bus-driver-threatened-sack-wearing-headscarf.html>

⁵² https://www.huffingtonpost.co.uk/entry/rasta-man-seeking-legal-action-against-bus-company-after-being-thrown-off-and-discriminated-against_uk_5c58071be4b087104754f9f5

human rights' according to parliament's Joint Committee on Human Rights in 2020.⁵³ Afrikan and other Black communities experienced the same thing in the UK many years ago when local authorities created equality committees rather than have separate committees for race, gender, disability and sexual orientation.

The government needs to ensure that the EHRC has sufficient funds for the issues for each equality strand to be addressed and resolved.

Article 4

Data collection and policies to tackle racial discrimination

It would be useful to know which stakeholders the government works with. GACuk met with government officials at the Durban Review Conference and has attended PFPAD; CERD examinations and other UN events but is not aware who has been invited to engage as stakeholders.

It would have been useful if the government had given examples of some of the cases which Ofcom dealt with; the outcomes and the learning. For instance, Ofcom:

1. 'received over 270 complaints about Channel 4 News' *'Undercover inside Reform's campaign'*.⁵⁴ They did not believe there was a need for further investigation of complaints about racist comments in the political Party's meeting during the recent General Election.
2. In 2021 they rejected a record 58,000 complaints, all about broadcast Piers Morgan saying that he did not believe he Duchess of Sussex when she said 'that an unnamed member of the Royal Family had queried "how dark" their son Archie's skin might be.'⁵⁵
3. In 2020 they declined to formally investigate a dance routine on Black Lives Matters on tv which received about 24,500 complaints.⁵⁶

Large numbers of the population were concerned enough to complain so it would have been useful to understand why no further action was taken and if this was because of a failure in Ofcom guidelines or in legislation.

Article 5 (a-d)

Access to justice

'Race 189. The Law Commission stated, "we have repeatedly heard concerns that there are likely to be particular impacts on black and minority ethnic communities as a result of the loss of immigration advice from legal aid."⁵⁷

'190. Unite asserted that, "[the legal aid reforms] have hit minority ethnic communities disproportionately, and there are no alternative sources of funding to assist these groups."

The Race Disparity Audit should mean that ethnic origin data is collected routinely. Instead the report cites lack of data as a reason not to be able to identify and so address potential racism. Ethnic monitoring data missing for between 25% and 33% would seem to make the data they do have meaningless. The government should be giving us some comment on these issues with some indication of how they intend to address the gaps to answer CERD's concerns.

⁵³ https://www.huffingtonpost.co.uk/entry/equalities-commission-ehrc-failing-black-people_uk_5fab2a3c5b6d647a39a5650

⁵⁴ <https://www.ofcom.org.uk/tv-radio-and-on-demand/broadcast-standards/update-complaints-channel-4-news-undercover-reform>

⁵⁵ https://www.bbc.co.uk/news/entertainment-arts-58354662?at_medium=RSS&at_campaign=KARANGA

⁵⁶ <https://www.bbc.co.uk/news/entertainment-arts-54188788#:~:text=Broadcasting%20watchdog%20Ofcom%20has%20said%20it%20will%20not,issues%20which%20warranted%20investigation%20under%20its%20broadcasting%20rules>

⁵⁷ <https://assets.publishing.service.gov.uk/media/5c5b3b2b40f0b676c362b4e0/post-implementation-review-of-part-1-of-laspo.pdf>

We would suggest that a 44 page Windrush Compensation Scheme for a Primary Claimant. The Guidance is another 29 pages.⁵⁸ The Representative of an estate form is 46 pages.⁵⁹ 'The Home Office estimated that caseworkers would take 30 hours to assess cases at the outset of the Scheme although in practice the average is 154 hours, reflecting the complexity of the Scheme.'⁶⁰ Successful appeals against Home Office decisions are also an indication of a need for Legal Aid and advocacy for potential applicants.

It would be useful to know if the uncapped Legal Aid Fund in Scotland is better at ethnic monitoring.

Discrimination against persons of African descent

Government support for the International Decade for People of African Descent is meaningless when nothing is done to mark it or to use it to engage with Afrikan civil society so they can raise issues that we can resolve.

The government has failed to apologise for its role in the enslavement of Afrikan people as others have, let alone acknowledge the calls for Reparations from civil society and CARICOM.⁶¹

The Education, Skills and Training Website shows that 'black Caribbean, and mixed white and black Caribbean ethnic groups made lower than average progress', were more likely to be suspended and more likely to be excluded. 'Teachers' unconscious bias against black pupils – in terms of having lower expectations for them and putting their behaviour under added scrutiny – is a key factor in lower attainment and a higher rate of exclusions, researchers tell Irena Barker.⁶² This cannot be addressed if the government does not provide data for CERD to ask questions about the causes of disparity.

It would be useful to know the findings from the African Council of Scotland and Intercultural Youth Scotland consultation.

The Home Office Scandal is a continuation of generations of discrimination against Afrikan people. As enslaved people they were more likely to be on the Caribbean plantations than in the uk. As British citizens they were allowed to live and work in the uk but "the mother country" did not see them as citizens. After World War II, living conditions and job prospects in the Caribbean islands were poor. Service people had experienced living in the uk so when a ship, The Empire Windrush, had stopped on it's way to the uk they took the opportunity to return. The captain had realised he did not have to return with an empty ship and could make money charging fares.

Many of the 1,027 passengers were white.⁶³ They included the mother of William Whitelaw, a future Home Secretary and Lady Ivy Woolley, the wife of the governor-general of British Guiana. That meant that the uk government's plan to send the ship to Afrika for the passengers to pick peanuts couldn't happen. It was held at sea over night and docked on 22nd June 1948.

It was not the first ship to arrive but subsequent changes to uk immigration laws largely came about to stop Afrikan Commonwealth immigration because they were not seen as British like people from the white Commonwealth like Australia and Canada. Many people did not realise that when the Caribbean country they came from got independence it meant they lost their British citizenship and had to apply to get it back. Some knew but couldn't afford the money. The hostile

⁵⁸ <https://www.gov.uk/government/publications/windrush-compensation-scheme-claim-forms-and-guidance>

⁵⁹ <https://assets.publishing.service.gov.uk/media/65e5f8ae3f69457ff103604d/WCS+data+-+January+2024.ods>

⁶⁰ Page 3, <https://files.justice.org.uk/wp-content/uploads/2021/11/12142211/JUSTICE-Report-Reforming-the-Windrush-Compensation-Scheme-Press-Copy.pdf>

⁶¹ <https://www.commonwealthroundtable.co.uk/general/eye-on-the-commonwealth/sorry-is-not-the-hardest-word-reparations-is>

⁶² <https://www.tes.com/magazine/teaching-learning/general/how-teacher-bias-affects-black-pupils-attainment>

⁶³ <https://windrush75.com/pioneers>

environment introducing immigration checks by untrained people meant elders started to find they were denied rights. It took years for solicitors to notice a pattern. In the meantime some people had been deported, others died.⁶⁴

Stop and search

We assume that 'Mixed ethnic background' is the same as 'people with mixed ethnicity' but it needs to be disaggregated. In the Census it can mean white and Afrikan, white and Caribbean, white and Asian, etc.

It would also be useful to break the figures into regions and indicate the areas with the greatest disparity. We understand that the government undertook to do this after it's 2021 report showed the greatest disparity was in 'Dorset, where the stop and search rate for Black people was 23 times the rate for White people'.⁶⁵

While around 1 in 8 stop and searches result in an arrest, our member's who sit on various police force's Stop and Search Scrutiny Panels tell us this does not mean the arrest is for the item the officer was looking for. We note that the government does not tell us the ethnic origins of those arrested. It still leaves 7 out of 8 (87.5%) of people stopped who are not arrested with the resultant damage to community relations with the person stopped, witnesses, friends and family members.

Criminal justice

Former police officer, Leroy Logan, says 'one cannot support children and young adults in the criminal justice system without being uncomfortably aware of the deep-seated racial disparities that exist. According to the Ministry of Justice's statistics over 40% of 18-24 year olds in custody are young Black and minority ethnic adults.'⁶⁶

While there is a requirement for police forces to have community members sit on scrutiny panels⁶⁷, Independent Advisory Groups⁶⁸ and other community advisor bodies these are often hand picked and untrained people. The uk is long overdue a national conference of these advisors so they can see what others are doing, share good practice and support each other in making improvements.

Many face automatic forced repatriation after being given a prison sentence of 12 months or more. It does not necessarily happen on release so in some cases people have gone on to have children. The Human Rights Act giving the right to a family life is not seen as sufficient grounds to stop the forced repatriation. Even with the Home Office Scandal the government denies that any may be British citizens who have not normalised their status. Full flights were regularly booked with only a dozen actually on board when they take off. In most cases they have been removed from the flight list because they obtained legal support which they were not able to access earlier.⁶⁹

There is concern that Afrikan people are being targeted. 'One pressure group said the high percentage of Jamaican nationals deported was particularly glaring given their greater likelihood of having family ties in the UK, and warned that it could further erode the trust of people affected by the Windrush scandal.... Nationals from Ghana and Nigeria are also removed significantly more often than the overall average, the figures show.'⁷⁰

⁶⁴ <https://www.thelondoneconomic.com/news/exclusive-our-community-has-been-traumatised-mp-calls-on-windrush-scheme-to-be-widened-urgently-136618>

⁶⁵ <https://www.gov.uk/government/publications/stop-and-search-data-and-the-effect-of-geographical-differences/stop-and-search-interpreting-and-describing-statistics>

⁶⁶ <https://barrowcadbury.org.uk/news-and-opinion/news/whats-changed-five-years-after-the-lammy-review>

⁶⁷ <https://www.stop-watch.org/news-opinion/bringing-fairness-and-impartiality-to-community-scrutiny-panels>

⁶⁸ <https://www.college.police.uk/app/major-investigation-and-public-protection/hate-crime/community-engagement-and-tension>

⁶⁹ <https://www.bbc.co.uk/news/uk-58177487>

⁷⁰ <https://www.theguardian.com/uk-news/2021/jul/25/disproportionate-targeting-of-jamaicans-for-deportation-from-uk-data-suggests>

Chevon Brown was deported for speeding and driving without insurance. He had spent 7 months in prison but it was 3 years after his release when he was detained. He had not committed a serious crime, was not a persistent criminal and had not reoffended.⁷¹ The Lammy Review raised concerns about Afrikan people receiving harsher sentences. There is also concern that this means people fail to meet the 'good character' requirements for gaining British citizenship⁷², including children⁷³.

Osime Brown is a vulnerable adult as he is autistic. He received a prison sentence of 5 years for a robbery the victim said he wasn't involved in. The Home Secretary decided he should be deported even though Osime believed that he could get a bus from Jamaica to visit his mother in Dudley.⁷⁴ She is now struggling to get his sentence overturned in case another Home Secretary tries to deport him.

It is unclear if Osime was charged or sentenced using the Joint Enterprise law. This discredited law allows more than 1 person to be prosecuted for a crime if they all knew there was a possibility of a crime being committed. With social media that can mean bravado and threats in WhatsApp messages; 1 person attacks or perhaps kills the target of the abuse and everyone on the WhatsApp group is charged with the same offence even if they were not there at the time. It is believed to be disproportionately used against Afrikan men. 'One study found that, of young male prisoners serving 15 years or more for joint enterprise convictions, 38.5% were White and 57.4% were BAME, and 38% Black.'⁷⁵

This law has been widely discredited and should be repealed, with all those convicted under it released.

The Police and Crime Commissioners (PCCs); Crown Prosecution Service (CPS); Courts and Tribunal Services are also part of the UK criminal justice system but their roles are often overshadowed by public concerns about policing practices. The report is silent on their work, eg do PCCs fund racial harassment or other community led bodies addressing issues for Afrikan people? Are there meetings where CPS explain their decisions on prosecuting and not prosecuting? What are the ethnic origins of Magistrates and judges?

Article 5 (e-f)

Employment

We could provide any number of articles and reports showing that the problem with employment is discrimination by trainers and employers such as:

1. A Manchester University 'report has found that the majority of ethnic minority workers have experienced racial harassment at work in the last five years, and have been subjected to unfair treatment by their employer because of their race.'⁷⁶
2. A Fawcett Society report found '48% of women of Black African heritage stated that they had been criticised for behaviours other colleagues get away with at work, compared to 29% of White British women.'⁷⁷

⁷¹ <https://atlantablackstar.com/2020/02/16/jamaican-man-deported-from-britain-for-traffic-offense-even-though-hes-been-there-since-his-early-teens-ive-been-labeled-as-a-murderer>

⁷² https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/631625/A-short-inspection-of-the-Home-Office---s-application-of-the-good-character-requirement1.pdf

⁷³ https://cdn.prod.website-files.com/61488f992b58e687f1108c7c/61d6cc6f9d3fd94960928464_briefing_good-character_updated-17-jan-2019.pdf

⁷⁴ <https://www.independent.co.uk/news/uk/politics/mp-deportation-osime-brown-home-office-b1761585.html>

⁷⁵ <https://www.libertyhumanrights.org.uk/issue/5-things-you-need-to-know-about-joint-enterprise>

⁷⁶ <https://www.manchester.ac.uk/discover/news/racism-is-still-a-huge-problem>

⁷⁷ <https://www.fawcettsociety.org.uk/news/landmark-report-reveals-75-of-women-of-colour-have-experienced-racism-at-work>

3. 'Black and ethnic minority children's social workers face disproportionately high rates of failure in the assessed and supported year in employment'(ASYE), Skills for Care figures have revealed.'⁷⁸
4. 'At least 75% of ethnic minority doctors experienced racism more than once in the last two years, while 17.4% said they regularly faced racism at work' according to a British Medical Association survey.'⁷⁹
5. The Trade Union Congress (TUC) reported last November that Afrikan, Asian and minority ethnic women were nearly 3 times as likely to be on zero hour contracts than white men.⁸⁰

'Black and minority ethnic people are disproportionately falling faster and further below the poverty line amidst the cost of living crisis.'⁸¹ A UCL report in 2022 found that Afrikan, Asian and minority ethnic staff earned less than their white counterparts in the same company. It had previously been assumed lower pay was because they were in companies which paid less.⁸² The TUC has called on the government to bring in mandatory ethnic pay gap reporting which would help highlight these issues. The government believes that this would be a burden on businesses but we believe it is necessary to make employers consider their actions.⁸³

It would have been useful if there was a link to Scotland's Minority Ethnic Recruitment Tool and some explanation of its content.

The government needs to address discrimination in the workplace and not assume that training Afrikan, Asian and minority ethnic people will somehow mean they avoid discrimination at work.

Education

We are hampered by some who deny history, eg 'The UK's economic success is the result of "British ingenuity and industry", not colonialism'⁸⁴ according to Kemi Badenoch in May 2024 when she was Business Secretary. Luckily bodies such as The Black Curriculum⁸⁵, The Guardian⁸⁶ and the BBC⁸⁷ provide educational materials that show otherwise.

Also:

1. We are concerned at teachers searching children. The case of Child Q, a 15 year old girl strip searched while she was on her period, highlighted appalling bad practice by teachers and police.⁸⁸ Children's Commissioner Dame Rachel de Souza's report 'showed that black children are up to six times more likely to be strip searched when compared to national population figures.'⁸⁹

⁷⁸ <https://www.communitycare.co.uk/2021/06/04/black-ethnic-minority-social-workers-disproportionately-high-asye-o-of-it-s-contentfailure-rate-figures-show>

⁷⁹ <https://www.bbc.co.uk/news/uk-60208523>

⁸⁰ <https://www.independent.co.uk/news/uk/home-news/black-asian-women-zerohours-contracts-b2440470.html>

⁸¹ <https://www.runnymedetrust.org/publications/falling-faster-amidst-a-cost-of-living-crisis-poverty-inequality-and-ethnicity-in-the-uk>

⁸² <https://www.ucl.ac.uk/news/2022/aug/analysis-ethnic-minority-workers-earn-much-less-white-counterparts-within-same-firm>

⁸³ <https://www.bbc.co.uk/news/uk-politics-65315793#:~:text=The%20Trades%20Union%20Congress%20%28TUC%29%20is%20calling%20on,mandatory%20ethnicity%20pay%20gap%20reporting%20for%20large%20companies>

⁸⁴ <https://www.independent.co.uk/business/british-ingenuity-not-colonialism-drove-uk-growth-says-kemi-badenoch-b2537530.html>

⁸⁵ <https://www.bbc.co.uk/newsround/53109038>

⁸⁶ <https://www.theguardian.com/news/series/cotton-capital>

⁸⁷

https://www.bbc.co.uk/history/british/abolition/building_britain_gallery.shtml#:~:text=The%20profits%20built%20ofashionable%20townhouses%20and%20rural%20stately,to%20reap%20the%20benefits%20of%20this%20lucrative%20trade

⁸⁸ <https://news.sky.com/story/child-q-metropolitan-police-officers-who-strip-searched-girl-15-to-face-misconduct-hearing-12961067>

⁸⁹ <https://www.itv.com/news/2023-03-27/police-strip-searches-of-children-are-racist-and-traumatising>

2. 'RACISM IN education is the single biggest factor holding back Black educational achievement'⁹⁰ a Black British Voices survey has found.
3. 'YMCA's Young and Black report found that 95% of young Black people in the UK have heard or witnessed racist language at school, with 51% of males saying they heard it "all the time".⁹¹
4. A number of Afrikan children were excluded from school and threatened with expulsion for having natural hair styles.⁹² The EHRC has now issued guidance to schools reminding them they cannot ban hair styles that are part of Afrikan culture.⁹³

It would have been useful if the government had reported on the findings from applying the OFSTED Education Inspections Framework and named the antibullying groups. Since they include groups that are not Afrikan, Asian or minority ethnic it would have been useful if the government names those that are.

It would have been useful if the government explained why they do not publish pupil premium eligibility by ethnic origin. It would be useful to know if what level of government monitors who local partners are. From experience they are rarely Afrikan, Asian or minority ethnic community activists and in some areas local authorities do not have a good record of working with them.

It would be useful to know who the panel of experts are supporting the Inclusive Britain Action Plan.

The Welsh government work on developing a curriculum which teaches different perspectives on history and would like to now what resource materials are made available for teachers to do this.

Immigration detention

The hostile environment led to many Afrikans being wrongly detained and threatened with deportation during the Home Office Scandal:

1. 'Anthony Bryan had lived and worked in Britain for 50 years when he was suddenly detained and almost deported. His brother has now told his story in a feature-length TV drama that brings home the impact of the Windrush scandal.'⁹⁴ Anthony was detained twice.
2. 'A Jamaican great-grandmother who has terminal cancer in the UK has begged the Home Office to resolve her immigration status before she dies, but it has reportedly refused to expedite the case.'⁹⁵ Eulalee Pennant spent her 60th birthday in detention. They only relented when her story hit the media in 2022. She died in 2023.
3. Paulette Wilson came to the uk as a child and did not leave it for nearly 50 years. She was detained in the Yarl's Wood immigration removal centre for a week In October 2017.⁹⁶ She died in 2020 aged 64. She had not completed a Windrush Compensation Scheme claim.
4. Glenda Caesar was originally offered proportionately more for being detained at Gatwick airport for a few hours (£1,500) than for being sacked and not being allowed to work or claim benefits for 10 years (£13,764).⁹⁷ Her £800 a month salary would equate to £96,000 plus NHS annual increments.

⁹⁰ <https://www.voice-online.co.uk/black-british-voices/2023/10/03/racism-the-biggest-barrier-to-achievement-in-education>

⁹¹ <https://www.weforum.org/agenda/2020/11/racism-united-kingdom-schools-black-children-inequality>

⁹² <https://www.bbc.co.uk/newsround/58971403>

⁹³ <https://www.equalityhumanrights.com/guidance/public-sector-equality-duty/preventing-hair-discrimination-schools>

⁹⁴ <https://www.bbc.co.uk/news/entertainment-arts-52743684>

⁹⁵ <https://radiojamaicanewsonline.com/local/uk-home-office-refuses-to-expedite-immigration-application-of-terminally-ill-jamaican-woman>

⁹⁶ <https://www.bbc.co.uk/news/uk-53521408>

⁹⁷ https://www.huffingtonpost.co.uk/entry/windrush-compensation-scheme-glenda-caesar_uk_5df92573e4b0ae01a1e90911

5. The government has been trying to deter migrants by sending them to Rwanda to have any asylum claims assessed, despite this being against international law⁹⁸. "Removal was not imminent at the time of detention and certainly not imminent after the Prime Minister's announcement, calling for a General Election. The detrimental impact that unnecessary and prolonged detention has had on our vulnerable clients is yet to be fully assessed."⁹⁹

It is hard to understand how people in their 50s and 60s, arguing that they were British and had a right to remain with their family were seen as some sort of flight risk. They were dependent for food and shelter on their adult children or partner who could barely sustain them all so how did the Home Office think they would or could afford to abscond?

We wonder what monitoring is done, eg unaccompanied minors were found to be housed in hotels without the knowledge or support of local children's services¹⁰⁰. Would these be recorded as detentions? Are records kept of when and how detainees are informed of their right to legal advice? Is there data on the attendance at advice surgeries and how many times a detainee attends to not only ensure the system works but to learn about possible improvements?

Forcible eviction of Chagossians from Diego Garcia

'Britain's foreign secretary, David Cameron, has provoked fury by abruptly ruling out the resettlement of former inhabitants of the Chagos Islands, months after his predecessor revealed that the UK was discussing their potential return.'¹⁰¹

'The deportations were based on lies and driven by racism. As descendants of enslaved people brought to Chagos by French and British colonial rulers from East Africa and Madagascar, as well as of indentured labourers from South Asia, the Chagossians had lived on the islands for centuries. Over the past 50 years, they have fought for recognition and the right to return home. They have achieved significant legal victories but the UK, which still maintains control over Chagos, continues to deny them their rightful return.'¹⁰²

GACuk has been involved in a number of meetings with Chagossian people recently, concerned that their elders are passing away before they return home and ancestral graves on the islands are not being looked after. Many are taking up the offer of uk citizenship only to come to the uk and find they are no better off.¹⁰³

'There are a range of job opportunities on Diego Garcia open to British, Mauritian and Seychellois citizens. People in these jobs live on the island and support the US Navy base operating there by managing facilities, maintaining vehicles, and providing administrative support.'¹⁰⁴ There is a Chagossian Support Package grant but Chagossian organisations do not seem to have received any of the £1,343,151 awarded as of 3rd April 2024 and are not involved in the body which makes these awards.

'The UK and US owe reparations to the Chagossians, which must be adequate and immediate. They need to ensure the unconditional right of every Chagossian to choose to return to their

⁹⁸ <https://www.bbc.co.uk/news/uk-61122241#:~:text=Plans%20to%20send%20some%20asylum%20seekers%20from%20the,he%20believes%20the%20scheme%20complies%20with%20international%20law>

⁹⁹ <https://www.independent.co.uk/news/uk/rwanda-rishi-sunak-government-prime-minister-african-b2561280.html>

¹⁰⁰ <https://www.bbc.co.uk/news/uk-63231470#:~:text=BBC%20News%20has%20discovered%20that%20116%20children%20disappeared,to%20use%20hotels%20while%20long-term%20accommodation%20was%20found>

¹⁰¹ <https://www.theguardian.com/global-development/2024/jan/26/chagos-islanders-stunned-as-david-cameron-rules-out-return>

¹⁰² <https://www.hrw.org/news/2023/06/21/let-chagossians-go-home-decide-their-future>

¹⁰³ <https://www.itv.com/news/meridian/2024-06-14/history-is-repeating-itself-dozens-of-displaced-islanders-without-home-in-uk>

¹⁰⁴ <https://www.gov.uk/government/collections/uk-government-support-for-chagossians>

homeland, including Diego Garcia and the Chagos archipelago in its entirety. Both the UK and the US should restore the territorial integrity of all the islands to ensure the dignity and prosperity of the Chagossians, and provide guarantees that such crimes can never happen again.'

Haitians in the Turks and Caicos Islands

It would be helpful to have data on any criminal or other cases taken in defence of the Haitians as these can focus the minds of perpetrators and bring allies to the fore.

Other recommendations

Declaration under Article 14 of the Convention

We believe uk citizens should have the option of using uk laws or ICERD as they see fit. The government has failed to produce statistics in their report on cases in uk courts or tribunals to indicate that individuals are successfully gaining remedies through those mechanisms.

Consultations with civil society

It would be useful for the government to name which NGOs they maintain regular engagement with on CERD issues and which of them are Afrikan. It would be useful to know which of the uk organisations that have submitted reports to UN bodies or attended UN events they engage with.

Ratification of other instruments

It would be useful for the government to say what international human rights instruments they have not ratified and their reasons why.

Follow-up to the Durban Declaration and Programme of Action

The government fails to openly engage with civil society on CERD or other UN processes coming out of the DDPA and Durban Review. For instance, we now have a report from the Working Group of Experts on People of African Descent (WGEPAD)¹⁰⁵ but no attempt by the uk government to meet with Afrikan organisations to address the issues raised.

The government fails to engage with civil society Reparations organisations to take forward issues agreed in the DDPA, eg

'Declaration 13. We acknowledge that slavery and the slave trade, including the transatlantic slave trade, were appalling tragedies in the history of humanity not only because of their abhorrent barbarism but also in terms of their magnitude, organized nature and especially their negation of the essence of the victims, and further acknowledge that slavery and the slave trade are a crime against humanity and should always have been so, especially the transatlantic slave trade and are among the major sources and manifestations of racism, racial discrimination, xenophobia and related intolerance, and that Africans and people of African descent, Asians and people of Asian descent and indigenous peoples were victims of these acts and continue to be victims of their consequences'¹⁰⁶ and

'Declaration 108. We recognize the necessity for special measures or positive actions for the victims of racism, racial discrimination, xenophobia and related intolerance in order to promote their full integration into society. Those measures for effective action, including social measures, should aim at correcting the conditions that impair the enjoyment of rights and the introduction of special measures to encourage equal participation of all racial and cultural, linguistic and religious groups in all sectors of society and to bring all onto an equal footing. Those measures should include measures to achieve appropriate representation in educational institutions, housing, political parties, parliaments and employment, especially in the judiciary, police, army and other civil services, which in some cases might involve electoral reforms, land reforms and campaigns for equal participation.'

¹⁰⁵

https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fwww.ohchr.org%2Fsites%2Fdefault%2Ffiles%2Fdocuments%2Fhrbodies%2Fhrcouncil%2Fsessions-regular%2Fsession54%2Fadvance-versions%2FA_HRC_54_67_Add.1_AUV.docx&wdOrigin=BROWSELINK

¹⁰⁶ https://www.ohchr.org/sites/default/files/Documents/Publications/Durban_text_en.pdf

It would be useful to know where the government makes reference to the DDPA and other UN documents or mechanism in their policy documents, legislation or delivery mechanisms so we can see how they are used.

Submitted on behalf of GACuk membership organisations and individuals

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