

End of mission statement by the United Nations Working Group of Experts on People of African Descent following its country visit to the UK (18-27 January 2023), containing its preliminary findings and recommendations.

London, 27 January 2023

1. The United Nations Working Group of Experts on People of African Descent thanks the Government of the UK for its invitation to visit the country and for its cooperation. The Working Group thanks the Foreign, Commonwealth and Development Office and the Department for Levelling up, Communities and Housing (DLUHC), for organizing the visit. The Working Group also thanks the many Government officials who generously shared presentations, references, reports, and other materials during this visit.
2. The views expressed in this statement are of a preliminary nature. Our final report on the visit will be presented to the United Nations Human Rights Council in September 2023.
3. During the visit, the Working Group assessed the human rights situation of people of African descent in the UK and gathered information on their lived experience. The Working Group studied measures and mechanisms to prevent systemic racial discrimination and to protect victims of racism, as well as responses to multiple forms of discrimination. They also followed up on implementation of its recommendations made following the Working Group's first visit to the UK in 2012.
4. As part of its fact-finding mission, the Working Group visited London, Birmingham, Manchester and Bristol. It met with senior officials of the UK Government including the Minister of State for the Middle East, South Asia and the United Nations and the Minister for Women and Equalities. It met with officials from across the Devolved Administrations including representatives from the Welsh Government, the Scottish Government and the Northern Ireland Civil Service. It met with representatives of Birmingham, Manchester and Bristol city councils, the Mayor and Vice Mayor of Bristol, the Metropolitan Police and officials from the Equality and Human Rights Commission. The Working Group also met with Members of Parliament and the Parliamentary Joint Committee on Human Rights. It visited HMP Birmingham. It also held meetings at the British Broadcasting Service, Salford, Goldsmiths University of London, Jesus College University of Cambridge, Birmingham City University, the University of West London, the Isaac Paulos Centre for Education and Well-being, the Black Cultural Archives, and Fairfield House in Bath.
5. The Working Group received written submissions from many parts of the UK and met with civil society representatives in London, Birmingham, Manchester, Bristol, Bath and held virtual meetings with civil society in other locations including Scotland, Wales and Northern Ireland. The Working Group thanks all the people of African descent, human rights defenders, lawyers and academics across the UK, including victims and their families, communities, and individuals who shared their experiences. The Working Group thanks the group of former UN fellows based in the UK who organized several large civil society meetings for the Working Group during its visit. The Working Group welcomes civil society's efforts to promote and protect the human rights of people of African descent in the UK.

6. The Working Group's visit to the UK was undertaken 10 years after its first country visit in 2012 to assess the current human rights situation of people of African descent in the UK. The Working Group has actively followed the situation in the UK since its 2012 visit and has issued Special Procedure communications to the Government on cases of deaths in custody (police/prison/mental health centres), the Windrush scandal, the Government "hostile environment" policy and other human rights concerns.

Good Practices

7. The Working Group recognizes the diversity in approaches across the UK, including the adoption of the Inclusive Britain Action Plan, and welcomes the good practices and positive actions taken to eliminate racial discrimination and guarantee the human rights of people of African descent, including the following:
 - a) The Government's efforts to strengthen protection measures and help the public understand discrimination under the law in England, Scotland and Wales, through the Equality Act 2010, in which race is a protected characteristic, and which obligates public sector entities, and private sector entities and charities when they carry out public functions, to comply with the public sector duty;
 - b) Existing and emerging strategies and action plans at various levels of government and public administration, and in various sectors of society including: the Racial Equality Strategy 2015-2025 (Northern Ireland), the Race Equality Framework for Scotland, 2016 – 2030, the Anti-Racist Employment Strategy and Fair Work Action Plan, Scotland, the Race Equality Immediate Priorities Plan (Scotland), and the Anti-racist Wales Action Plan, 2022.
 - c) The [Lammy Review](#), 2017 and its scrutiny of the treatment and outcomes for Black, Asian and Minority Ethnic individuals in the criminal justice system, as well as its recommendations to the Government;
 - d) The [Race Disparity Audit](#), 2017 and its role in prioritizing disaggregated data in identifying disparities in outcomes for ethnic groups; as well as the mandate to "explain or change" racial disparities explicitly referenced in equality efforts of public agencies, including a prison visited by the Working Group. The Ethnicity Facts and Figures website that offers publicly available data, including raw data, and reflects best practice.
 - e) The Angiolini [Report](#) and recommendations of the Independent Review of deaths and serious incidents in police custody, 2017, and its unfolding of a culture of police abuse and violence and the vulnerabilities that lie at the intersection between race and gender;
 - f) The Windrush Lessons Learned Independent [Review](#) by Wendy Williams, 2018 and its recommendations and contribution to understanding the factors that led to the Windrush scandal;
 - g) The Parliamentary Joint Committee on Human Rights 2020 [report](#) on Black People, Racism and Human Rights, which concluded that the Government must urgently take action to protect the human rights of Black people, including within healthcare, criminal justice, nationality and immigration and democracy; and its leadership in articulating the concerns, progress, missteps, and a way forward on human rights including in providing scrutiny of Government Bills for compliance with human rights;
 - h) Advancements by local authorities to dismantle systemic racism and implement reform, including the Birmingham and Lewisham African and Caribbean Health Inequalities Review (BLACHIR); the Atonement and Reparation for Bristol's role in the Transatlantic Traffic in Enslaved Africans (TTEA), the gender and race pay audit conducted in Bristol, the Identifying Disproportionality in the Avon and Somerset

Criminal Justice System report; the Project T.R.U.T.H report; and efforts on COVID-19 racial inequalities.

- i) The adoption of child-friendly strategies and programmes in schools and cities that promote respect for human rights, acceptance, and celebration of diversity, and inspire positive development at all levels.
- j) The collaboration, cooperation and co-production between city councils and community organisations, whether civic, cultural or religious, in designing, developing and delivering tailored and responsive services to disadvantaged communities.
- k) The explicit acknowledgment of racism – embedded, institutional, structural, systemic – by government officials at the level of the ministerial, executive and technical levels, and the use of relevant data to reconceptualise and develop relevant strategies and programmes.
- l) Research and reports into racism faced by people of African descent in the UK including the following: [Racial bias and the bench](#) 2022 and [Race and Racism in English Secondary Schools](#) 2020.
- m) Vibrant civil society and African and Caribbean heritage-led initiatives to support community and protect the human rights of people of African descent in the UK.

Normative Frameworks and Institutional Structures

8. The UK's constitutional order consists of statutes, judicial precedents, principles, policies, and practices. Statutes that embody human rights imperatives include the Human Rights Act, 1998, which incorporated the European Convention on Human Rights (ECHR) into law, and the Equality Act 2010. There is concern that changes affecting the Human Rights Act 1998 would have adverse effects on both law and practice. The Equality Act creates a public sector duty to reduce inequalities of outcome, which result from socio-economic disadvantage except for persons subject to immigration control measures. It provides for the public sector equality duty obliging public authorities in England, Scotland, and Wales to advance equality of opportunity and eliminate discrimination, harassment, and victimisation. Race, as a protected characteristic under the Act, includes colour, nationality and ethnic or national origin. Race-based crime is subject to prosecution under various hate crime statutes. The UK has ratified key international human rights instruments including the International Covenant on Civil and Political Rights (ICCPR), the International Convention on Economic, Social and Cultural Rights (ICESCR), the Convention on the Rights of the Child (CRC), the United Nations Convention on the Rights of Persons with Disabilities (UN CRPD), the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment (CAT) Convention against Torture and Other Cruel, Inhuman or Degrading Treatment (CAT) and the International Convention on the Elimination of all forms of Discrimination (ICERD). The Scottish Ministerial Code requires ministers to comply with international law and treaty obligations.
9. UK institutions with a human rights mandate include the Equality and Human Rights Commission, the Scottish Human Rights Commission, and the Northern Ireland Human Rights Commission. These entities have powers to get involved in cases but do not have jurisdictional competence to adjudicate matters. Jurisdiction over human rights cases is vested in the courts.

10. Despite the positive measures referred to above, the Working Group is deeply concerned about the human rights situation of people of African descent in the UK. In particular, the Working Group is concerned about the stark and unsustainable inequalities underpinned by systemic racism, judicial bias, and disproportionate and discriminatory policing of people of African descent, as indicated by existing data shared in government and city council presentations, documented in numerous reports and research findings, and the testimonies provided to the Working Group by people of African descent about their lived experiences across the country.
11. The Working Group heard reports in every city and observed data to indicate that concerns raised in its prior visit to the United Kingdom in 2012 had persisted or worsened. The prior concerns and recommendations of this Working Group, and their relevance to the human rights protection of people of African descent, do not appear to have informed State policy since 2012. There is a general concern at the lack of implementation of key recommendations made following national and international reviews that could address the human rights situation of people of African descent.

History and Legacy

12. The UK's significant role in the social construct of race continues to inform national identity. The introduction of racial hierarchy by way of enslavement and colonialism legitimised profound exploitation and licensed systematic atrocity, including *inter alia* routinized rape, murder, family separation, and intentionally deployed a culture of fear. The uprising of over 10,000 enslaved persons in the Demerara Rebellion of 1823, in modern-day Guyana, as well as 1816 rebellion in Barbados and the Sam Sharpe rebellion in Jamaica in 1831, forced many to confront shocking truths of the trade and trafficking in enslaved Africans, catalysing legal abolition in 1833. Yet, long trajectories, like the invitation and recent planned discard of the Windrush generation or the vaccine trials on babies of African descent in state care in Ireland, reflect the absence of a recognition and explicit renegotiation of expectations grounded in racial hierarchy, including the availability and disposability of people of African descent.
13. The United Kingdom's stated policy that its racial equality work will focus on equality of opportunity, rather than equality of outcomes, ignores persistent evidence that opportunity is eroded for people of African descent by way of legacy mindsets of racial hierarchy, imposed precarity and inequities, and complex financial and administrative barriers. As stated by a woman of African descent, 'the door opens and the barriers remain'. Even where attainment gains exist, for example in some educational contexts, they are not durable gains translated into commensurate employment, and racial disparity reappears.
14. One legacy is that, across generations, geographies, income levels, and residency status, people of African descent in the UK are living in fear. From the Windrush generation to the Grenfell Tower fire victims to Black youth experiencing abusive over policing to parents subject to racialized and ethnocentric scrutiny to naturalized citizens to asylum seekers fearing deportation to Rwanda, arbitrary and/or capricious state action continues to exploit rather than protect people of African descent. If this racialized outcome is the object

of State policy and practice, even as a deterrent, it is a clear human rights violation. If it is not the intended consequence, structural change is required immediately across sectors.

15. The ongoing valorization of the legacies of the trade and trafficking in enslaved Africans violates human rights in everyday ways. For example, despite recent commitments on reparations, the Church of England has declined to remove or relocate the Rustat Memorial prominently sited inside the chapel at Jesus College at Cambridge University. The right to worship freely for people of African descent in that space and others is constrained by this ongoing use of religious structures to morally offset racial atrocity.
16. The restitution of a Benin bronze held by Cambridge University has offered important leadership on how state and private institutions may meet their history. There, a student-led conversation exposed deeply problematic cultural rationales underlying delays and denials of restitution and how, in the words of one leader in the field, the ongoing inertia of the restitution discourse throughout the United Kingdom and beyond, was a form of cowardice.
17. In this regard, the UK's statement in the U.N. Human Rights Council in October 2022, that the trade and trafficking in enslaved Africans and colonialism "caused great suffering to many but were not, at that time, violations of international law" evidences a shocking example of a culture of denial, given the UK's role in these crimes against humanity and the ongoing legacies of systematized racial atrocity, as well as the UK's award of very substantial reparations to enslavers at the time of abolition, totalling 20 million pounds at the time – a loan refinanced over a 181-year period and repaid by the UK taxpayers until 2015 by the very descendants of enslaved Africans.

Administration of Justice

18. Generally, the use of discretion by public officials toward people of African descent, and particularly young people, routinely involves a systematic stripping of dignity, invasion of their right to bodily integrity, and a disregard of their right to be free from degrading and inhuman treatment. The Working Group heard many credible reports of abuse of authority, strip searches, police deliberately marooning young people in remote areas, systematic targeting and harassment of groups of youth of African descent, searching of a young girl's mother's ashes, and other hostile behaviour. Mothers grieving the loss of their children at the hands of police were met by dismissive and unkind behaviour by police, even in initially informing their children's death. A young adult boy of African descent equated the police to 'gangs' because of the way they operate.
19. The widespread exercise of discretion to target ordinary conduct of adolescents, in charging, prosecuting, and incarcerating young people of African descent for long periods under "joint enterprise" and conspiracy theories lies squarely at the intersection of systemic racism and human rights. The overboard exercise of these laws, despite official guidelines, has inappropriately recast expressions of Black culture, including drill or rap music, mere presence in digital or physical community forums, the use of Black British English, and expressions of adolescent joy as markers of criminality. Rights protected under the CRC, CERD, ICCPR and other instruments are squarely implicated by the unfettered discretion

of public officials in this regard. The Working Group heard of very concerning cases including those of Ademola Adedeji and Yaseen Bullock.

20. The gang narrative pervasive in the policing and prosecution of adolescents of African descent openly relies upon racial tropes and stereotypes and is not well-established in fact. Instead, a false, racialized narrative of ‘necessity’ has given rise to distinct policing, prosecution, and policy strategies in Black communities, and feeds convictions in cases with questionable evidentiary basis. This narrative disregards the greater propensity for youth violence in non-racialised communities, and the prevalence of youth violence across a wide range of communities. Yet, 2011 legislation to target gang and youth violence disincentivized scrutiny and facilitated complicity by public and private stakeholders at local levels facing austerity considerations.
21. Despite decades of data and reports challenging its application and design, stop and search continues to target young people of African descent without clear evidentiary basis, routinely assaulting their dignity and degrading their liberty and public life and traumatizing a community. Even the men of African descent the Working Group met in high-level positions cited stops and searches by the police in their youth and its impact to their dignity. Incremental reform, research, or good intentions have not improved this policy and the recovery of actual contraband or dangerous weapons, like guns, remains minimal when compared to the number of searches.
22. Many people reported strip searches by police, a direct violation of dignity that frequently included sexual assaults and abuse by the police. The Working Group heard of punitive strip searches, strip searches by transit/train police, strip searches by police in schools, strip searches by police in social housing communities conducted on boys, girls, and trans and nonbinary youth. The case of Child Q has shocked the British public, but the experience of humiliating and degrading strip searches in public areas appears to be far more common than acknowledged. Yet, these constitute precise examples of the degrading and inhuman treatment prohibited by the UN Convention Against Torture, Article 3 of the European Convention for Human Rights, and local law. Nor do they comply with existing police guidance in the PACE.
23. The Working Group has serious concerns about the unwarranted use of force against people of African descent, including in police-involved killings of people of African descent and deaths in custody. The Working Group met with the families of Chris Kaba, Oladeji Omishore, and Sean Rigg, among others, and followed the cases of Sheku Bayoh and Kevin Clarke, and learned about persistent structural barriers to the access to justice over the course of many years, including untenable delays in investigations, dismissive and callous treatment of families, misinformation, and the necessity for significant financial outlay by victims’ families to compel meaningful investigation. Notably, although much time has passed between these specific deaths, the same frustrations, obstacles, and intransigence persists according to accounts.
24. Children of African descent are overwhelmingly and increasingly overrepresented in prisons, and more likely to experience victimization by staff, use of restraints, and long periods of isolation in cells.

25. Many people of African descent incarcerated in the UK spend 22-23 hours per day isolated in a single cell, face food shortages, and experience abuses of authority by prison guards, including failures to open cell doors to allow access to meals or showers, and failure to facilitate their attendance in court. People of African descent and their lawyers reported racial slurs, hate speech, and misconduct by prison personnel in some prisons. The Working Group met one man whose legal documents indicated that he was entitled to release, that he was not eligible for deportation (suggesting he should not be held under the immigration regime), but who remained in prison on the stated basis that a suitable housing was unavailable to facilitate release.
26. A particularly powerful culture of denial appears to accompany institutional racism in the courts. Lawyers of African descent report being interrogated as to their purpose for being in courtrooms, subject to inferences that they were non-legal personnel or intruders, and subject to professionalism and credibility challenges when discussing racism, even where race was directly at issue in a case.
27. The bench has also shown limited capacity or intention to influence the degradation of the evidentiary burden of proof for joint enterprise prosecutions, despite guidelines to both the prosecution and the bench, that could deter its racialized application. By many accounts, judicial guidance in the *Jogee* case (2016) appears to have failed to bring the use of joint enterprise into compliance with international standards. A lawyer described the justice system as a treadmill to a conviction for a person charged under joint enterprise legislation.
28. There has been a degradation in focus on race specifically that has increased risk to people of African descent. For example, the Equality and Human Rights Commission, the UK's NHRI, has the same amount of staff as the now-defunct Racial Equality Commission. A wealth of issues disparities and injustice to people of African descent receive less focus, attention, and resources as a result.

Leadership, Representation, and Media Portrayals

29. Some vanguard leaders have rejected the culture of denial and are engaging race, racism, and institutional racism in British society in their complexity, including legacy mind sets of racial hierarchy across the political spectrum. In Bristol, the Mayor and Deputy Mayor, people of African descent, have directly engaged the culture of denial and developed interventions specific to systemic racism in partnership with impacted communities.
30. Bolstered by freedom of information, the media and social media are instruments for advocacy and visibilisation of violations from minority populations. On the other hand, the media have spread extremist ideology and often portrayed stereotypical imagery of boys, women and men of African descent as dangerous. In certain cases, the police have used social media to radicalize victims of police brutality as 'gangs' or highly threatening criminals.
31. People of African descent report that they are routinely subjected to racial stereotyping, manifested by labeling and racial profiling on social media, in the media and in person, the latter at school and at work, and when they try to access basic social services.

Education and Employment

32. Many families of African descent have been able to take full advantage of the education opportunities in the UK. Consequently, many children, young people and adults continue to do relatively well academically and professionally. However, there is a significant proportion of Black children falling far behind their peers, in part because of the limited social capital at their disposal. Many parents, including second and third generation UK citizens, are not able to navigate the complex social relationships, processes, or procedures of school. The disjuncture between various Black cultures and mainstream British culture is mistaken for disinterest when parents who have been socialised to see teachers and headteachers as ‘authority’ are unable to represent their children’s interests; or as irresponsibility when parents who are unfamiliar with the procedures, who have language and literacy barriers, and who are themselves coping with multiple challenges are unable to fully engage and respond to school requirements, for example.
33. For the majority of students and families with whom the Working Group engaged, pursuing an education, at all levels, is at great psychological cost to students and families who reported having to deal with the continual and continuous racial prejudice and discrimination in the education system.
34. Prejudice and discrimination were reported to limit access to quality education, where race has depressed socio-economic status, dictated the quality of housing, access to other basic services, and the location and resourcing of schools.
35. Students reported that teachers are one of the greatest stressors, expressing in diverse ways low expectations of academic performance from their Black students, labelling, racial slurs, adultification and little effort to bridge the social divide expressed in speech patterns, the use of Black British English, Black hairstyles, dress, and other cultural expressions.
36. Students reported that repeatedly when Black students socialise in groups of threes and fours, they are perceived as gangs while their peers of other races are seen as groups of friends, and consequently they are often asked not to congregate in these formations in classrooms, shared spaces and in the playground.
37. Disproportionately high numbers of young people, particularly males, are excluded from school permanently or for periods sufficiently long to render the return to school psychologically and socially difficult enough to engender poor attendance and/or learning acquisition. The Working Group has learned that exclusions are predictable only in that they are most likely to disproportionately affect Black students, with causes so diverse as to find no other discernible pattern. In the words of a retired educator, ‘It is not the children that disengage, it is the schools that disengage them’.
38. Limitations in the curriculum content and delivery, through limited representation, positive portrayal, and the systematic streaming of Black children into certain subject areas were cited as significant constraints to learning achievement. Several students reported a spike in racial slurs and bullying *after* positive efforts such as Black history month.

39. Policing of schools was cited as directly linked to the presence of Black students and a practice that intimidates, stigmatises, and criminalises Black children and young people.
40. The excellence achieved by many students, including those pursuing higher education, masks the loss of opportunity for a growing number of children and young people for longer periods, the latter unable to pursue higher education or secure decent work, and ultimately unprepared for contributing to their families, communities, and the society.
41. The Working Group heard repeatedly from people of African descent, as acknowledged by the data and information shared by officials, of the prejudice and discrimination in the workplace, and about the barriers to work commensurate with qualifications and experience manifested in recruitment, promotion and compensation.
42. There is a noticeable absence of Black professionals contributing to policy formulation and decision making, in advisory and executive contexts, unless it is considered a Black issue.

Housing and Health

43. The health and wellbeing of people of African descent in the UK is predicated on their race more than on any other demographic factor. People of African descent expressed concern about maternal and infant mortality, non-communicable diseases, and mental illness, the latter particularly evident among young men, and about the inadequacy of early detection of diseases like sickle-cell.
44. Racial stress, inadequate, unsafe, and inhumane housing, the policing of Black communities, difficulties in accessing health care services, food and nutrition insecurity, and limited food and health literacy are major determinants of the health of people of African descent in the UK. Black women, in large numbers, have cited discrimination in treatment and care, manifested in inadequate response to their concerns about the forms of treatment, about their pain threshold, and the vilification of their body types. Black women have expressed particular concern about the inadequacy of care and treatment in pre-natal and post-natal services, and particularly through the delivery process. And finally, Black health care professionals have cited the pervasive racism and discrimination across maternal and infant childcare.
45. COVID 19 revealed and exacerbated the compromised situation of Blacks in the UK. Severe racial disparities were revealed in illness and mortality throughout the first waves of the pandemic. The disproportionate deaths, the loss of income coupled with precarious employment conditions, the exposure to health risks on the job, the limited capacity of families to cope with complex and digital information even when mediated through religious and community organisations, revealed the barriers and limitations in the health sector and the negative intersections of race, socio-economic status, language and literacy, and geographic location.
46. The housing afforded many Black persons in the UK is inhumane, sub-standard, and counterproductive to personal, community and social development because of the presence of mould, the lack of maintenance, and the limited safety and security features.

Overcrowding, access to housing suitable for people with disabilities, and the limited access to non-policed/non-paying green spaces, community and social recreation areas (particularly for young people) commutes are inimical to the well-being of increasing numbers of black families, including second and third generation UK residents, in some instances because they were never available and others because of increasing regeneration or so-called gentrification.

47. The role of landlords in the implementation of immigration policies is particularly detrimental to the well-being of Black families.

Sport and Leisure

48. Concerns were expressed about racism in sports, manifested in relatively frequent use of racial slurs and online bullying. In the arts, the Working Group was advised that there is an expectation that Black children would excel in some areas but seem less welcome in areas that traditionally have been the 'domain' of other demographic groups.
49. In integrated urban spaces, Black music, poetry, food, design and other expressions of arts, and the integration of athletes and artists is very positive. In addition, within Black communities, particularly among young people, Black culture is flourishing and taking on new forms. However, many young people, parents, academics, advocates, and professionals expressed that Black music forms, particularly, drill and rap, have been criminalised and weaponised.

Family and Cultural Rights

50. People of African descent expressed high consideration for their culture and pride in Black History month, the Black curriculum; academic anchors of research on Africa in the UK; community organisations and activities in spaces that uplift their way of life such as youth centers, the Fairfield House in Bath, and Kuumba Center in Bristol. There is concern that many community and youth centers are being closed and others are in a state of disrepair. Community organisations are not meaningfully recognised, and they are inadequately resourced.
51. The devaluation of family bonds, violent supervision, and forcible separation of enslaved families during the trade and trafficking in enslaved Africans remains evident in the conduct of racialized family separation and child removals today in the United Kingdom. 'The trajectory is from birth to prison' according to a woman of African descent. Parents of African descent cited living in fear, capricious punitive action of social care workers, and ethnocentric and culturally biased assumptions about their parenting.
52. The separation of children from their parents by child protection services has generated a level of ambient fear within the Black community that is alarming. Parents report that they live in constant fear that anything they do or say however innocuous, whether to a health professional or a child care professional, that any request for support to social services, can be and has been used as a basis for taking children away from their parents. The instances cited relate to the inability of parents to express themselves appropriately, to understand mainstream British norms and mores, and to find parallels in their own

language and cultures. And finally, the intrusive approach of many childcare professionals, under the guise of child safeguarding, has been cited as undermining a much needed service, given that these professionals display very little understanding of the diversity in norms and standards about child-rearing in Black cultures.

53. Children and young people of African descent/heritage in the UK face a growing level of racial stress, isolation, prejudice and discrimination in their daily lives. Many report dehumanising and degrading treatment, manifested in racial animus, racial slurs, bullying (all online and in person), repeated strip searches, isolation, policing and exclusion from school and society.
54. Children and young people face considerable dissonance in their identity. Whether new immigrants or second or third generation citizens, their identity formation is a difficult individual, familial and peer group journey, with multiple narratives to navigate and a sense of being in the UK but not of the UK.
55. Many young people of African descent/heritage are not treated as children or young people, and are forced to accelerate through their developmental phases without cushion or cover for making mistakes which are quickly characterised as anti-social, punished in school or public spaces and often escalated to accusations of criminality.
56. The concerns expressed about Black elderly persons in Britain lie within the mainstream of their family and social circles. Rent increases, displacement from homes and communities, and the increasing complexity of accessing social services in an online environment have been the most cited concerns.

Windrush

57. The treatment of people of African descent among the Windrush generation has caused irreparable harm to many and has left a deep vein of disaffection and disappointment within this community. The efforts deployed by the UK are of no value to those who have died with their status unresolved. For those still living, and who came as ‘subjects’ of the Empire, all the reports and the experiences shared with the Working Group indicate confusing requirements. The emotional trauma for this generation cannot be quantified. Some of the Windrush Generation and their descendants remain hidden, unable to even enjoy pensions having paid their taxes and contributions throughout their working lives.
58. The situation of descendants of the Windrush generation is appalling. The Working Group has been advised that many only ‘discover’ that they are not UK citizens when applying for a passport or to university, and many are not aware that they could be deported. Usually, identities are formed in the late teens. Many adults among the Windrush generation and young descendants have been forced to start the psychological, intellectual and emotional process of trying to determine who they are, where they belong and why, and to deal expeditiously with the consequences.

Grenfell Tower

59. The victims of the Grenfell Tower Fire experience multiple and intersecting forms of discrimination and disregard before, during, and since the fire. At the same time, the community reported denials of requested comprehensive health scans and express particular concerns at recent information that over half of fire brigade workers responding to the fire have been diagnosed with cancer and other illnesses. The Coroner echoed these concerns in August 2018 with the Regulation 28 Report to Prevent Future Deaths, which indicated that specific actions to mitigate the impact of smoke and dust inhalation and asbestos exposure, among other things, must be undertaken to prevent future deaths. The tragedy of the Grenfell Tower fire has been prolonged by inadequate government responses that appear to dismiss or disregard community concerns. Some residents of the community referred to government engagement with the community as gaslighting and retraumatizing. Despite specific requests, racial discrimination was not included in the terms of reference for the Grenfell Tower Inquiry.
60. The absence of engagement with issues of race and socio-economic inequality was raised throughout the Grenfell Tower inquiry by bereaved families, residents and survivors and remains a source of concern as these issues persist in social housing and the authorities' treatment of residents. The failure of the Inquiry to properly acknowledge and examine the impact of institutional racism was a missed opportunity to enact substantial and long-lasting change. The Working Group heard that 85% of the residents that died in the Grenfell Tower fire were non-white and the people living in the highest floors were also disproportionately elderly and disabled.
61. Residents of Grenfell Tower were ignored when raising fire safety concerns; during the fire in the delayed emergency services response, and received instructions not to evacuate; or after the fire in the failed response from the authorities. The Working Group met with community residents in the Isaac Paulos Centre, named after a 5-year-old child of African descent who died in the fire after his family was initially instructed not to evacuate. Another child, whose family was killed in the fire, faced residence status challenges as proof of his registration was lost in the fire. Residents noted a lack of urgency and a failure to prioritise the needs of those affected by the fire.

LGBTQI+

62. The State appears to ignore urgent intersectional concerns faced by people of African descent, including LGBTQI+/SOGI persons, in its policy. LGBTQI+ persons of African descent experience exclusion and isolation, high rates of homelessness and invisibility, and struggle to access culturally competent health and mental health resources, even in queer spaces. Aging LGBTQ populations struggle to access services, stability, and enhanced care.
63. Intersectional considerations are absent in curriculum content and pedagogy in relationships and sex education in many schools. The hypersexualisation and adultification of children of African descent, as well as heteronormative, homophobic, or transphobic approaches in this pedagogy may create risk or shame or lack of safety.

64. Some women, LGBTQI, youth and other people of African descent also face diminished sexual and reproductive health and rights as a result of inappropriate shaming behaviours by health staff, lack of culturally competent health care workers, and under-provisioned clinics in their communities. Access to medications like PrEP or injectable anti-retrovirals appears inequitable and also underutilized among women and people of African descent.

Migrants and Asylum Seekers

65. The Working Group notes that fundamental human rights are entitlements of all persons irrespective of migrant status. There are barriers to accessing asylum in advance of arrival by people of African descent. Many asylum seekers of African descent often find themselves subject to punitive migration controls such as detention, denial of benefits, deportation, sometimes in error, and externalization. Their state of precariousness is exacerbated by restriction of the right to work and basic needs such as health care, housing, and adequate food. Many of them reside in overcrowded, isolated facilities, unable to afford transportation to meet their reporting and signing requirements at the Home Office.
66. Migrants of African descent and organisations supporting them narrated their plight in trying to meet requirements for regularizing their stay such as frequent applications due to short term visas that attract exorbitant fees, often requiring the assistance of lawyers; exclusion from state facilitated visa schemes, loss of their documents by the Home Office, dysfunctional fax facilities at critical moments such as impending deportation, indeterminate migrant detention, among other challenges.
67. The citing of deterrence rationales as a basis for policy burdening the rights and denying social protection to asylum-seekers who arrive by irregular means is particularly concerning given there are no regular means to seek asylum in advance of arrival for many people of African descent. This includes detention, denial of benefits, and “externalization” of asylum obligations to Rwanda or other states, which may involve additional human rights violations. The United Kingdom’s treaty obligations require international cooperation in the protection of refugees and asylum-seekers, including with UNHCR, which it cited directly as the authoritative voice in refugee and asylee protection to the Working Group.
68. Deep concerns have been raised with regards to asylum-seekers and migrants of African descent in the LGBTQI+ community facing deportation to Rwanda under externalization policies, for example, may be placed at additional risk based on their identity. The UK’s own travel advice¹ acknowledges a lack of legal protection and discrimination and abuse, including by local authorities.
69. The communities and concerns of people of African descent in the UK are diverse. The significant culturally competent role of community-based organisations in addressing the specific concerns of people with African heritage is evidently recognized by both government and civil society but not resourced.
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Reparations

70. People of African descent perceive reparation for both legacies of the past and present injustices as essential. Certain situations such as the Tobias Rustat monument in the Chapel of Jesus College, University of Cambridge, raise closure concerns. The Working Group commends the city of Bristol for passing a motion on atonement and reparation for Bristol's role in the transatlantic trafficking in enslaved Afrikans. It also welcomes the Church of England's decision to establish a fund to address its links to enslavement.
71. The African diaspora in the UK is seized with the progression of the debate on the return of cultural artifacts. The Working Group has learned that the manner in which African artifacts and human remains are exhibited and explained, or even not exhibited but simply stored in basements of museums, in certain instances perpetuates the idea of racial hierarchies.

RECOMMENDATIONS

1. The Working Group recommends the following measures and approaches to assist the UK in its efforts to combat all forms of racism, racial discrimination, xenophobia and related intolerance faced by people of African descent:
2. Take action to implement the UK's international commitments and the specific recommendations of the UN Working Group of experts on people of African descent, UN Committee on the Elimination of Racial Discrimination, the Special Rapporteur on Racism, the Universal Periodic Review, and other recommendations made by international and national institutions and experts to address racial discrimination faced by people of African descent. Submit its overdue periodic report to the CERD.
3. Ensure that the Equality and Human Rights Commission have sufficient human and financial resources to enable it to fulfil its responsibilities for the promotion and protection of human rights and specifically to address racial discrimination in all its manifestations and access to justice concerns faced by people of African descent in the UK.
4. Implement existing recommendations to address human rights concerns of people of African descent set forth in the reports, inquiries, and investigations referenced herein.
5. Resources and funding be urgently provided to address the racial disparities' already identified in existing reports and data. While the collection of more nuanced and intersectional data in the future should inform gaps in areas like domestic violence and sexual abuse, qualitative data and lived experience can support inferences from existing data sets in piloting necessary reform. No further research, study, or analysis should delay implementing any recommendation in this report, or of improving compliance with human rights, dignity, and fundamental fairness for people of African descent
6. Public and private institutions immediately account for and publicly declare what items exist in their collections and their stores, including all items of contested provenance and all human remains irrespective of age. Accountings to inform Holocaust (Return of Cultural Objects) Act, insurance coverage, the 2022 Charities Act, or accounting or de-accession

policy should be used in parallel to offer visibility and locations of existing relevant items, including cultural production and human remains.

7. Across the cultural sector, institutions actively confront how cultural assumptions, legacies of racial hierarchy, and even ancillary concerns about preserving legacy may stall conversations about restitution or foreclose opportunities to “meet their history” and make repair. The return of the Benin bronze by Cambridge University may present a blueprint for these endeavours.
8. A public conversation about race, legacy, repair, and reform in British public and private institutions should directly confront how existing research can inform policy reform with respect to race, including demonstration or pilot projects. Laudable resources exist to inform such conversations, like the November 2020 Joint Committee on Human Rights Report, the October 2022 Racial Bias on the Bench Report, research of the Runnymede Trust, and more.
9. Reparations are an internationally recognized human right.² Focus on combating contemporary forms of racism need not preclude attention to the legacies of the trade and trafficking in enslaved Africans and colonialism, and the right to repair in this regard. In addition, the United Kingdom’s responsibility for reparations extends beyond its borders and must have global reach.
10. Oversight authorities must confront the role of race in the actions and misconduct of public officials. The role of race and systemic racism should be added to the terms of reference of all inquests, investigations, and other reviews of misconduct where race or systemic racism is a prominent issue and/or should specifically inform inquiries in areas with even the appearance of disproportionate impact to people of African descent or where there is a request for a review into race by a relevant stakeholder.
11. However, the legitimacy of policing in the UK relies on transparent, swift investigations of misconduct and abuse of authority, deterrence of the use of force and de-escalation, ensuring protection of the dignity of those subject to stops, and measures to ensure police are not the first responders to mental health crises or other situations where nuanced understanding of the needs of disabled, mentally ill, or neurodivergent persons is required. The Working Group was informed of policing reforms underway, including abolition of the Gang Matrix by London Metropolitan police, widespread disproportionality review, the implementation of algorithm-based risk assessments, community panels, Race Action Plan, and more, each of which should be evaluated according to feedback from the communities facing over-policing themselves.
12. The use of joint enterprise as a theory of policing or prosecution deploying the use of ordinary adolescent conduct for children of African descent, including cultural expressions and language use, should be ceased. Even if the State is disinclined to limit the discretion of the police and prosecution to bring charges, or the imposition of mandatory sentencing, under joint enterprise and conspiracy theories should be subject to an immediate, unconditional moratorium pending heightened scrutiny, including specific review of the racialized use of these policies. For example, charges as serious as murder should not be

² U.N. G.A. Res. 60/147, annex, Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law (Dec. 16, 2005)

expanded to large groups of adolescents without clear and specific evidence of criminality and knowing or deliberate intent on the part of all alleged to be involved.

13. Conviction Integrity Units should have the specific purpose of reviewing and ensuring that stops, arrests, detentions, convictions and sentences, including on joint enterprise theories, do not rely on racialized decisions, in adequate evidence, or otherwise disregard the rights of all persons subject to criminal supervision.
14. Targeting the effects of racial bias and institutional racism in the administration of justice cannot occur in the absence of acknowledgment and discourse to evolve understandings and visibilize the manifestations of systemic racism for the judicial bench. For example, while 95 per cent of lawyers believe racial bias plays some role in judicial processes and/or outcomes, and over half have observed this, one-quarter of lawyers and judges have seen anti-racist adjudication, suggesting best practices could be identified and disseminated, and adopted more broadly.
15. Ensure that bereaved families of victims of police violence and deaths in custody receive adequate practical, emotional and financial support to engage in the complex inquest and investigation system
16. Solid blueprints for beginning to confront and dismantle systemic racism and legacy in policy, practice, and operations exist in the UK. The wealth of data disaggregated by race can adequately inform human rights efforts targeted at systemic or individual racism directly or by inference where necessary. In addition, the issues set forth herein are well-defined and well-articulated, including by people of African descent themselves. No further research, study, or analysis should delay implementing any recommendation in this report, or of improving compliance with human rights, dignity, and fundamental fairness for people of African descent.
17. Remove police from schools. The Working Group has observed no jurisdictions where police in schools did not feed the arrest rates and enhance the criminalization of youth. Many schools have found that the use of daily mindfulness and other practices reduce discipline concerns while improving student attendance.
18. Dismantling the gang narrative that drives decision-making in the community in favour of evidence-based policing requires strong leadership, organizational culture change, incentives for compliance, and swift discipline for misconduct. In London, the Metropolitan Police informed the Working Group that it is abandoning the Gang Matrix. Even so, the legacy mindsets of 45,000 police personnel must be meaningfully addressed
19. Institute an immediate moratorium on strip searches by police during stops, searches, and in searches incident to arrest. Credible reports of abuse of authority, ongoing racial disproportionality, and findings of sexual abuse by police officers in the United Kingdom indicate that there is no use of strip searches that can adequately ensure the safety and dignity of community members in the current culture of policing.
20. The UK recognize its obligation to support children's right to family life with their parents under the Convention on the Rights of the Child. Parents facing investigations, child removals or termination of parental rights should have access to culturally competent, free counsel from the earliest contact with State personnel. Children of African descent should have access to law guardians from their own culture as a matter of course in these cases. Clear, articulated measures for the return of removed children must be available to families.

Care and strength-based interventions should support parents, and communities and recognize States' obligation to support the preservation and reunification of families.

21. Determines and explicitly address the underlying factors for the relative high levels of maternal and infant mortality.
22. The history of illegal and unethical corporate practice, including the role that British corporation, GlaxoSmithKline (GSK), played in illegal vaccine trials in Irish childcare institutions, requires the UK government to exercise oversight with respect to ethical corporate practices. States have an obligation to ensure corporations comply with international human rights law.
23. That the Government and City Councils take additional measures to ensure availability of decent social housing, and due regard to adequate inspection and maintenance, for housing provided by the private sector.
24. That explicit attention be given to the design and delivery of relevant curriculum content, the eradication of streaming, inter-cultural teacher preparation, the use of racial slurs, bullying and addressing complaints of anti-Black prejudice and discrimination in all schools.
25. That the Government and City Councils engage more Black professionals in advisory committees, councils and decision-making bodies in areas that are not just 'Black issues'.
26. That an independent inquiry be conducted into the causes and consequences of the removal of children of African descent, their placement in circumstances not in harmony with their family religious and cultural traditions, and the impact on children and their families.
27. That explicit attention be given to identify, locate and support all the Windrush Generation and their descendants, with urgency to the elderly and infirm, and to restoring social benefits like pensions to those who have not been able to access these because of fear or non-regularisation of their status.
28. That the Government take appropriate measures of reconciliation with the Windrush Generation and their descendants.
29. The invitation of the Windrush generation involved clear and simple language and guarantees. Reparations and restoration of rights to Windrush claimants should be equally simple, without complex application and reporting requirements and with all uncertainty resolved in favour of the claimant. The complexity associated with Windrush compensation claims and status requirements is unnecessary and creates undue burden and social risk.
30. Comprehensive health assessments, including lung scans, have been denied to Grenfell Tower residents but should be conducted immediately and as part of ongoing health monitoring, as indicated by the August 2018 Coroner's report. The role of race and systemic racism should be added to the terms of reference for the inquiry. The report finding institutional racism in the Westway Trust must be addressed.
31. The Working Group encourages the promulgation of the Online Safety Bill intended to make social media companies responsible for the safety of their users.

32. The interpretation and application of the Online Safety Bill centers the view that freedom of speech or expression is not freedom to spread racial hatred on social media.
33. The significance of communal spaces for people of African descent be considered from the perspective that many of these communities have limited green spaces and inadequate housing. Community centers are contributors to wellbeing and social order and should be protected for people of African descent to use.
34. The state and local authorities' approach of working with community-based organisations can only be completed by facilitation of the organisations in concrete terms by way of funding, recognising their status and allowing them representation in decision making processes. The Working Group requests Bath City Council to approve the business plan of Fairfield House.
35. Human remains of Africans that are held in museums around the UK should be returned.
36. The United Kingdom's treaty obligations require international cooperation in the protection of refugees and asylum-seekers, including with the United Nations High Commissioner for Human Rights (UNHCR).
37. Where migration policies conflict with clear guidance from this authority, as is the case with respect to externalization policy to Rwanda, the UK should affirm its commitment to international community and abandon such policies.
38. The UK embrace reparation for the trade and trafficking in enslaved Africans and colonialism with decisive determination and unequivocal commitment to guarantees of non-repetition, restitution, compensation, rehabilitation, and satisfaction.
39. Quasi-judicial jurisdictional competence is necessary to enhance access to justice and remedies for human rights violations.
40. An intersectional impact analysis should publicly accompany policy that may create risk or precarity for people of African descent, who may be implicitly subject to racially and culturally-biased legacy mindsets, including that the idea of a home and anchor is not something that people of African descent are entitled to in the United Kingdom. This includes in the areas of policing, asylum, health, and housing.
41. Inclusion requires an intersectional approach to relationships and sex education, including to address root causes and cultures of sexual and gender-based violence in schools and among youth, where framed through an equity and rights lens. Research supports positive impact beyond the capacity to reduce unwanted pregnancy and sexually-transmitted infection, to include improvements to mental health, student safety, and reductions in victimisation and bullying.
42. Where cultural or community norms may impact access to sexual or reproductive health and rights, equitable considerations require the State to resource impacted communities first, ensure culturally competent staff, ensure swift inquiries into misconduct by health professionals, and explicitly consider intersections of race, sexuality, gender to avoid perpetuating barriers to accessing these rights.

43. Have community-based interventions intended exclusively for people of African descent led by people of African descent, and consequently, funds directed at interventions among communities of people of African descent be exclusively allocated to them.
44. The Parliamentary Joint Committee on Human Rights conduct a human rights audit of prisons to identify and reconsider all joint enterprise convictions.
45. Long delays cited for certain types of care at the NHS should be immediately addressed. Patients in need of mental healthcare, treatment for specialised health conditions, or other conditions should benefit from policies to encourage health personnel into the system. These personnel should also be required to understand the critical role of research and development, including being up to date on existing research, for people of African descent.
46. Increase government's provision of affordable and adequate housing and regulate the private housing sector to eliminate racial discriminatory practices.
47. Establish the necessary institutional framework and adopt a model similar to report on pay equity and the number of people of African descent employed in several sectors.
48. The effectiveness of policing can only be accurately measured by local feedback and community sentiment, including from the specific communities of adolescents of African descent whose liberty is heavily impacted. All matters not related to policing, including mental health responses, school security, and more, should be delegated to appropriate authorities rather than expanding the role and the footprint of the police. Police should keep data as to all public encounters and record them, including the race of the person encountered.
49. A commitment to human rights for LGBTIQI persons entails an intersectional commitment wherein the particular issues facing LGBTIQI persons of African descent who also have intersectional identities as immigrants, refugees, youth, religious persons, and more.

Appreciation

50. The Working Group would like to reiterate its satisfaction at the Government's willingness to engage in dialogue, cooperation and action to combat racial discrimination faced by people of African descent. The Working Group hopes that its report will support the Government in this process and expresses its willingness to assist in this important endeavour.