



Race, Mental Health and State Violence

A Two-Day Symposium
9th–10th April 2018, Birkbeck College

Supported by the Wellcome Trust &
The Honourable Society of the Inner Temple

About our funders

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Academic Organisers

Eddie Bruce-Jones, Birkbeck School of Law

Monish Bhatia, Birkbeck School of Law

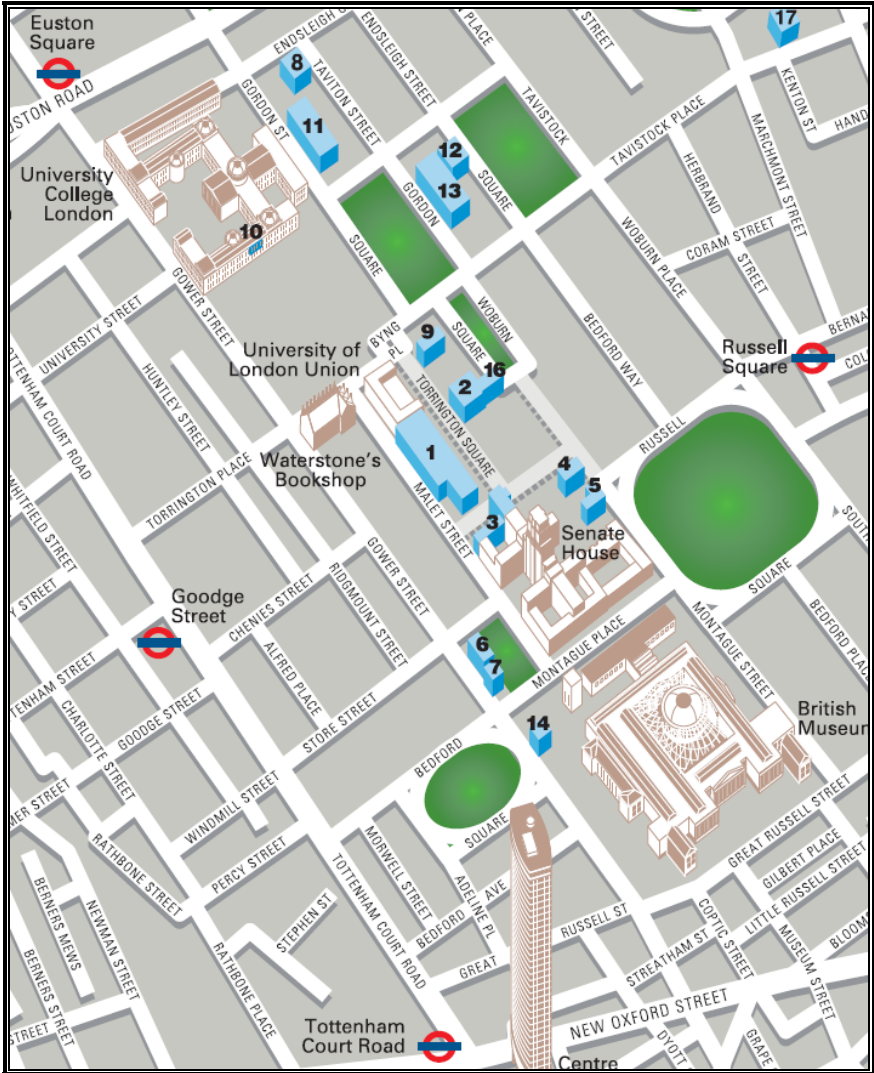
Administrative Organisers

Matthew Wicks, Birkbeck School of Law

Elisabeth Anna Walser, University of Sussex

Central London and Birkbeck College

All conference proceedings will take place in **Clore Management Building** (centre of map, labelled 2).



Directions

The conference proceedings will take place at Birkbeck College in the Clore Management Building, across from the Main Building (located at Malet Street WC1E 7HX, Bloomsbury, London). The closest underground stations are Russell Square (4 min. walk), Goodge Street (6 min. walk), Tottenham Court Road (8 min. walk), Euston Station (10 min. walk) and King's Cross (15 min. walk). The Clore Lecture Theatre is on the basement level.

Accommodation

There are a number of hotels in the Bloomsbury area. While hotels in central London can be pricey, some hotels offer reasonable prices. Birkbeck is very close to the following hotels:

- Imperial hotels www.imperialhotels.co.uk/
- Raddison Blu Edwardian 9-14 Bloomsbury Street, Bloomsbury, London WC1B 3QD, 0800 374411, www.radissonblu-edwardian.com/london-hotel-gb-wc1b-3lb/gbkenilw/home
- The Bloomsbury Hotel, 16-22 Great Russell Street, London WC1B 3NN, 020 7347 1000, www.doylecollection.com
- Myhotel Bloomsbury, 11-13 Bayley Street, Bedford Square, London WC1B 3HD, 020 3004 6000, www.myhotels.com
- Thistle Bloomsbury Park Hotel London, 126 Southampton Row, London WC1B 5AD, 0871 376 9007, www.thistle.com
- Holiday Inn London Bloomsbury, Coram Street, London WC1N 1HT 0871 942 9094, www.hilondonbloomsburyhotel.co.uk

London is big, easy to navigate by public transportation, and full of hotels. It is recommended that you visit the websites www.tripadvisor.com or www.hotels.com for finding good deals on hotels, locations, etc., within a reasonable distance from Birkbeck.

Cafés and Restaurants

For a quick interstitial coffee or pastry, there are a few places within 5 minutes of the Malet Street Main Building, you can try some favourites of the Birkbeck Law School locals: Gail's Bakery (Bedford Street), Store Street Espresso (Store Street), The Life Goddess (Store Street), Patisserie Valerie (Torrington Place) and Planet Organic (Torrington Place). There are also a number of restaurants on nearby Marchmont Street, close to Russell Square Station.

For dinner, there are a number of good restaurants in the Bloomsbury/Fitzrovia/Russell Square area, all within a 5 to 10 minute walk of the Main Building. For comprehensive listings, please visit:

<http://www.allinlondon.co.uk/regions/bloomsbury/restaurants.php>

and

<http://www.londontown.com/NearByRestaurants/Restaurant/Directory/Areas/Bloomsbury/Restaurant/Restaurant-near-Bloomsbury/>.

CONFERENCE PROGRAMME

Monday, 9th April 2018

Clare Management Building, Birkbeck College

- 11:00 **Registration**
Coffee & Tea
- 12.00 –12:15 **Welcome**
Monish Bhatia (Birkbeck Law)
Eddie Bruce-Jones (Birkbeck Law)
- 12:15–1:45 **Keynote 1: *The Death of Sean Rigg: 10 Years On Marcia Rigg***
(UFFC and Sean Rigg Justice & Change Campaign)
Discussant: **Deborah Coles** (Inquest)
Discussant & Chair: **Nadine El-Enany** (Birkbeck Law)
- 1:45 – 2:45 **Lunch Break**
- 2:45 – 4:15 **Panel 1: *Critical Intersections***

Fatima Rajina (SOAS University of London)
Intersections of Muslimness, Race, Gender & Mental Health

Vanessa-Eileen Thompson (Goethe University Frankfurt)
Arrested Safety: Intersectional Police Violence, Neoliberal
Securitization and Abolitionist Visions

Zin Derfoufi (University of Warwick)
Reinstitutionalization in an age of Deinstitutionalization

Dinesh Napal (SOAS University of London)
Law and Violence at the Intersection of Race and Mental
Health in the Custody Environment

Chair: **Monish Bhatia** (Birkbeck Law)
- 4:15 – 4:30 **Coffee & Tea**

- 4:30 – 5:30 **Panel 2: *Immigration Control***
Andreja Mesaric (The McPin Foundation)
Race, Mental Health and Immigration Control: Insights from
Community Based Peer Support
Monish Bhatia (Birkbeck Law)
Mental Health and State Violence in the Asylum Process
Skye Chirape (Independent Scholar-Activist)
“He was treated like a criminal”. Evaluating the impact of
detention related trauma in LGBTI refugees
Chair: **Eddie Bruce-Jones** (Birkbeck Law)
- 5:30 – 6:45 **Keynote 2: *Racializing Disability, Disabling Race***
Camille Nelson (American University)
Discussant & Chair: **Eddie Bruce-Jones** (Birkbeck Law)
- 6:45 **Reception**

Tuesday, 10th April 2018

- 11:00 **Registration**
Coffee & Tea
- 12:00 **Welcome**
Eddie Bruce-Jones (Birkbeck Law)
- 12:15 – 1:15 **Panel 3: *Detention***
Serene John-Richards (Birkbeck)
Risk-Assessments and Pre-Emptive Detentions: A
Genealogy of Institutional Racism
Kristine Harris (Medical Justice)
Mental Health and Immigration Detention
Chair: TBA
- 1:15 – 2:15 **Lunch Break**

- 2:15 – 3:15 **Panel 4: Coloniality**
- Leticia Paes** (Birkbeck Law) - The Colonial Logic of the
Mental Health System
- Eddie Bruce-Jones** (Birkbeck Law) - Returnees during
Indenture: Mental Health and Colonial Enterprise
- Chair: TBA
- 3.15 – 3.30 Coffee & Tea
- 3:30 – 4:30 **Keynote 3: *How to Go Mad Without Losing Your Mind:
Notes toward a Mad Methodology***
- La Marr Jurelle Bruce** (University of Maryland)
- Discussant & Chair: **Eddie Bruce-Jones** (Birkbeck Law)
- 4:30 **Closing**

SPEAKERS AND ABSTRACTS *(in order of programme)*

Marcia Rigg

Marcia Rigg is an activist and the sister of Sean Rigg, who died in Brixton police station in 2008. She has been a tireless organiser, advocate and campaigner on issues of mental health and deaths-in-custody for almost a decade. Her writings have appeared in The Huffington Post and elsewhere, and she has had enormous impact on the public discussion of the intersection of mental health, racism and policing in the UK.

Deborah Coles

Deborah Coles is the Director of INQUEST, a charity providing expertise on contentious deaths and their investigation with a particular focus on deaths in custody and detention and other deaths raising concerns about state or corporate accountability, including Hillsborough and Grenfell Tower. She leads its strategic policy, legal and parliamentary work and has considerable expertise in working to prevent death and ill treatment in all forms of detention and for more effective accountable learning.

She has been an expert advisor to numerous committees and inquiries including the *Harris Review on the self inflicted deaths of young people in prison*, the *Independent Police Complaints Commission review of the investigation of Article 2 deaths* and *Baroness Corston's review of women in the criminal justice system*. Deborah was a member of the cross government sponsored *Independent Advisory Panel on deaths in custody* and represents INQUEST on the Ministerial Board on deaths in custody.

More recently she was appointed as the special advisor to Dame Elish Angiolini, Chair of the *Independent Review of deaths and serious incidents in police custody*, and was on the expert advisory group on the establishment of a national *Healthcare Safety Investigation branch (HSIB)* and the *Care Quality Commission Review on how the NHS investigates deaths in NHS settings*.

She has expertise in specialist areas including coronial reform, policing, human rights compliant investigations, family engagement, traumatic bereavement, juvenile and youth justice, race and gender and criminal justice. She delivers conference papers nationally and internationally and is author of numerous articles and publications and is a regular media commentator. She is a trustee of *Clean Break* and an advisor to *Women in Prison*.

Nadine El-Enany

Nadine El-Enany is Senior Lecturer in Law at Birkbeck School of Law and Co-Director of the Centre for Research on Race and Law. Nadine teaches and researches in the fields of migration and refugee law, European Union law and criminal justice. She has published widely in the field of EU asylum and immigration law. Her current research project, funded by the Leverhulme Trust, focuses on questions of race and criminal and social justice in death in custody cases. Nadine has written for *the Guardian*, the *London Review of Books*, Media Diversified, Verso Blog and and Critical Legal Thinking. Her book, *(B)ordering Britain*, on the relationship between British immigration and asylum law, imperialism and Brexit is out with Hart next year. Twitter @NadineElEnany

Fatima Rajina

Fatima Rajina recently completed her PhD at the School of Oriental and African Studies, University of London, looking at British Bangladeshi Muslims and their changing identifications and perceptions of dress and language. She is currently a teaching fellow at the School of Oriental and African Studies, University of London. Along with Ahqib Hussain she is conducting a project called Lutonians which documents the every day lived-experiences of people from Luton. Prior to that she served as a research assistant at the Institute of Criminology, University of Cambridge, looking at police and counter-terrorism.

Intersections of Muslimness, Race, Gender & Mental Health

This paper examines the intersections of Muslimness, which is formulated in this paper through the lens of race, and the role of gender and mental health. This project's key focus was to observe and scrutinise the perceptions of police and the practice of counter-terrorism measures by British Muslims as well as a small sample of non-Muslim research

participants. Within the United Kingdom, and beyond, Muslim communities have come under scrutiny and have become a suspect community following the launch of the 'War on Terror'. Overall, the study's preliminary findings highlight the complex interplay between race, gender, social class and religious identity, which are entangled with the way some of the research participants manage their mental health.

Vanessa-Eileen Thompson

Vanessa Eileen Thompson, Dr. des., is a research associate at the Institute of Sociology at Goethe-University Frankfurt. She was previously a fellow at the Department of Black Studies at the University of California, Santa Barbara. Her research and teaching are focused on critical racism studies, post- and decolonial feminist theories and methodologies, Black studies, gender and queer studies, policing and critical security studies, transformative and abolitionist justice. She is also engaged in these fields as an activist.

Her recent publications include: Thompson, V.E. und V. Zablotsky (2017). Nationalismen der Anerkennung – Gedenken, Differenz und die Idee einer „europäischen Kultur der Erinnerung.“ In: *Decolonize the City! Zur Kolonialität der Stadt. Gespräche – Aushandlungen – Perspektiven*. Hrsg. Zwischenraum Kollektiv. Münster: Unrast, 156-177.; Thompson, V.E. (2015). "The Master's Tools will never Dismantle the Master's House." Frantz Fanon on the Politics of Recognition and Whiteness in Hegemonic Social Philosophy. In: *Unveiling Whiteness in the Twenty-First Century: Global Manifestations, Transdisciplinary Interventions*. Hrsg. von D. Howard-Wagner, V. Watson, L. Spanierman, Lisa. MD: Lexington Books, 171-192.; Thompson, V. E. (2015). *Black Jacobins in Contemporary France: On Identities on Politics, Decolonial Critique and the Other Blackness. Sociological Focus*, Special Issue on Black Movements, 49(1): 44-62.

Arrested Safety: Intersectional Police Violence, Neoliberal Securitization and Abolitionist Visions

Over the past ten years, episodes of "urban unrest" spread across European cities. These protests have shown how urban neoliberal restructuring and securitization have increased forms of social inequality. These confrontations – which were often also linked to the brutalization or tragic deaths of racialized people at the hands of police – have gained much media attention and have drawn the interest of many scholars. However, the

everyday injuries and humiliations through racial profiling that often precede these forms of “unrest”, have received surprisingly little attention. Moreover, the implications of policing at the intersection of race, gender, sexuality, migrant status and mental health are rarely addressed. How do racialized and gendered bodies maneuver post-colonial urban violations? How does racial profiling impact the lived experiences of policed racialized subjects and bodies? How do these modes of policing draw on gender, sexuality and mental health? What types of everyday urban survival strategies do policed subjects employ? What bodies disappear from view in struggles against policing? And, what kind of abolitionist visions and practices as well as intersectional solidarities do multi-marginalized collectives employ and put forward?

Through an intersectional analysis of policing in Europe which is grounded in an activist ethnographic engagement with policed subjects, this presentation interrogates forms of post-colonial urban policing and neoliberal regimes of securitization. It further challenges the under-theorization of colonial continuities within neoliberal policing regimes, complicating the analysis of neoliberal urban policing practices by paying attention to the foundational articulations of race, gender, class, sexuality, mental health and migrant status. Drawing on ethnographic activist research with copwatch collectives in Germany and France as well as remembrance initiatives, their interventions and marginalized archives, I discuss an intersectional critique of policing regimes in post-colonial European contexts. Finally, the presentation draws on modes of refusal and resistances against urban policing and neoliberal modalities of securitization and analyses alternative social warrants and practices of safety and awareness that allow us to imagine intersectional abolitionist justice.

Zin Derfoufi

Zin Derfoufi is a research fellow at the University of Warwick. He is currently funded by the Wellcome Trust to investigate ways in which the mentally vulnerable can be safeguarded during contact with the police. In addition, the research aims to improve our understanding of how relations between the police and the mentally vulnerable have transformed since the deinstitutionalization of mental health services.

Reinstitutionalization in an age of Deinstitutionalization

This paper locates discussions of race and mental health within the small but growing (and predominantly clinical) debate on reinstitutionalization across Europe. As such, it provides an important starting point for thinking about the way in which perceptions of 'risk' are constructed within 'the system' seventy years after deinstitutionalization in the U.K. It focusing on the role of the police in (re)producing ethnic disparities- something that mainstream debates on reinstitutionalization tend to ignore. An analysis of previously undisclosed data from police forces will be discussed and provides a survey of the scale of police encounters with the mentally vulnerable. This paper is based on the preliminary findings of research supported by the Wellcome Trust.

Dinesh Napal

Dinesh Napal is a current LLM in Law, Development and Globalisation student at SOAS and policy advisor in the Equality, Inclusion and Culture policy team at the British Medical Association. His research interests are in the colonial origins of law and legal theory, and the interplay of law, violence and law enforcement with race and racialisation. Growing up in Haringey, London and having studied his BA in Law and Sociology at Warwick, Dinesh developed a strong passion for racial justice issues, particularly at the intersection of gender, criminality, disability and mental health, and sexual identity. He has presented at previous conferences on post-colonial understandings of suicide in the writings of Chinua Achebe and Frantz Fanon, and hopes to complete a PhD in the areas of race and socio-legal studies in the near future.

Law and Violence at the Intersection of Race and Mental Health in the Custody Environment

This talk will look at psychiatric literature on race and mental health diagnosis and perceptions of sufferers of mental ill-health from non-white backgrounds. It will also delve into class dimensions and contrast stigmatisation of working-class people of colour with mental ill-health with those who are white of different class backgrounds. The research presented aims to create an account of the stigmatisation of people of colour, particularly Black people with mental ill-health, and identify the ways in which state violence may reify this stigmatisation within the custody setting. This will focus on three cases in particular on Sean Rigg, Kingsley

Burrell and Sarah Reed. In various cases including those to be covered within the talk, there has been a considerable lack of accountability of the organisations responsible for the care of these individuals while in their custody. In analysing this lack of accountability, the dissertation will set out whether the deaths in the specific cases may be looked at as extrajudicial killings. This here means where state organs act in breach of the law without being either held to due process or held accountable by the same standard as an ordinary person. The ambition is that through this analysis, new methodologies may be offered for legal activism or legislators for supporting families affected by deaths in custody.

Andreja Mesaric

Andreja Mesaric is a Senior Researcher at the McPin Foundation, a mental health research charity that places expertise from experience at the heart of research activities and the research agenda. Previously, she worked for a range of London-based refugee and migrant organisations including the Evelyn Oldfield Unit, Community Action for Refugees and Asylum Seekers, and the Lewisham Refuge and Migrant Network. She has also worked with Middlesex University researching community-based maternal mental health support, and with the University of Greenwich on a digital storytelling project focussing on polygamy in the UK. Her PhD in anthropology explored women's experiences of Islamic revival in Bosnia-Herzegovina.

Race, Mental Health and Immigration Control: Insights from Community Based Peer Support

The paper explores community-based mental health peer support and how different peer support contexts shape different intersectional configurations of peerness. It draws on data collected in projects that were funded to facilitate peer support in 'black and minority ethnic communities' as part of the Side by Side peer support programme coordinated by the charity Mind. The paper approaches peerness from the perspective of different aspects of lived experience that play a role in establishing peer relationships that extend beyond narrow definitions of mental health. Employing the concept of intersectionality, it looks at how ethnicity, gender, sexuality and migration status interact in shaping people's experiences of mental health, and consequently their negotiation of peer relationships. The paper pays particular attention to the mental health impacts of immigration control, which were highlighted as a crucial experience peers

shared in common in several of the projects. Our research found that many projects funded through the BME funding stream of Side by Side centred primarily on migration rather than working with a specific ethnic group. They were open to people holding particular immigration statuses (e.g. refugees and asylum seekers) or to anyone with first-hand experience of migration to the UK. The experiences through which people in these projects established peer connections, were often rooted in their negative interactions with statutory services and with the Home Office. The paper also cautions against conflating peer support projects working with ethnic minorities - whether migrant or British - with 'culturally specific' support. Many of the concerns raised within peer support addressed navigating British government systems relating to welfare benefits, employment, education and immigration rather than concerns stemming from peers' cultural backgrounds. The paper argues that conceptualising peer support among ethnic minority and migrant groups as culturally specific is not only analytically inaccurate but serves to depoliticise it. It stresses cultural barriers to seeking and receiving appropriate support that place responsibility on the individual over structural barriers located in state institutions and mainstream society. While the paper is based on a specific dataset focused on peer support, it raises important points that relate to wider concerns surrounding increased policing of immigration in the UK - for example, in the areas of healthcare and housing - and the potential mental health impacts this could have on migrants as well as British-born racialised ethnic minorities.

Monish Bhatia

Monish is a Lecturer in Criminology at the Birkbeck School of Law, University of London. He researches and teaches in the areas of race, migration and criminal justice, and asylum and state violence. In 2015, he was granted prestigious Carnegie Trust funding, to carry out a study on destitution, drug use and 'crimes' amongst asylum seekers. Monish's recent co-edited book volume called *Media, Crime and Racism* can be found here: <https://www.palgrave.com/gb/book/9783319717753#aboutBook>. Monish is currently working on solo-authored manuscript titled *Border Harms: Treatment of Asylum Seekers and Illegalised Migrants in Great Britain*, to be published by Palgrave in 2019. Twitter: @DrMonishBhatia. Webpage: <http://www.bbk.ac.uk/law/our-staff/monish-bhatia>

Mental Health and State Violence in the Asylum Process

In the context of United Kingdom's increasingly restrictive and harsh immigration and asylum measures, legal professionals, refugee charity organisations and human rights campaigners have suggested that "culture of disbelief" permeates within the border agency. This disbelief impacts all areas of policy and decision-making. Those seeking asylum are by default portrayed as individuals abusing the hospitality of 'soft touch Britain' and 'not genuine', as opposed to vulnerable individuals fleeing danger and threats to life. Racialized knowledge is constantly applied to dismiss their suffering and the genuine nature of their claims. This has serious consequences for those experiencing mental distress. In this paper, I will use Achille Mbembe and Johan Galtung's work to explain the state violence(s) directed against asylum seekers. The paper will bring narratives and experiences of this group to the forefront, and highlight some of the psychological impacts of neglect, denial, disbelief, surveillance and control measures. It will also outline their treatment by the criminal justice system. The aim of this paper is to show ways in which mental distress is created and exacerbated by the state, having serious (at times fatal) consequences.

Skye Chirape

Zimbabwean, and currently a local of England, Skye Skyetshookii is a queer visual activist, a self-identified 'ancestral wife' and a Forensic Psychologist In-Training. Often in collaboration with other artists and organisations, Skye uses visual art to examine geopolitical issues, drawn from personal experiences; 'the personal is political'. At present time, Skye places much focus on highlighting issues affecting LGBTIQ African asylum seekers and refugees across the borders, as well as interrogate the narrative of homosexuality/ homophobia on the continent of Africa.

"He was treated like a criminal". Evaluating the Impact of Detention related Trauma in LGBTI Refugees

The personal is political, the authors' own personal experiences of seeking refuge stimulated the research. Additionally, conversations with LGBTI asylum seekers highlighted the extent to which many asylum seekers feel criminalised by the UK asylum process. Past research has highlighted the complex nature of mental health issues for LGBTI refugees and the government policies and media rhetoric that imply asylum seekers as 'dangerous', of high 'risk' and 'criminal'

Research on the psychological impact of asylum seeking is widely still in its infancy, highlighting the importance of this study. Handling of LGBTI person seeking asylum in the United Kingdom has been the source of much criticism, attracting political, judicial and public concern. My paper will discuss the findings of an MSc in Forensic Psychology research, exploring factors that enable LGBTI asylum seekers to survive and cope with detention related trauma. The study sought to examine personal constructs developed by LGBTI refugees in resilience to the trauma of detention and criminalisation by media and government control policies. This was achieved through in-depth self-characterization analysis (Kelly, 1955) a technique within the Personal Construct Theory (Kelly, 1955; David, 2009), which aimed to tap into LGBTI refugees' personal construction system. Thus, exploring the ways in which LGBTI refugees understood and interpreted themselves (Kelly, 1991). This technique was purposely adapted and, instead of writing a personal account, participants responded to a structured interview. Participants were adults claiming asylum or already had a refugee status, in the UK, based on their sexual orientation and gender identification. The study sample (n = 9) comprised of five self-identified women and four self-identified men (mean age 33). The study results elicited fourteen common constructs. To name just a few, the study findings elicited common constructs such as, humiliation vs. dignity; disowned by culture vs. not being disowned by culture; identity vs. dissimilarity; belonging vs. not belonging; injustice vs. justice; in limbo vs. certainty; freedom vs. restriction. Research findings raised several questions such as; Does culture influence constructs and aids resilience in asylum seekers? Does suffering (from prior persecution and from experiencing asylum seeking process) enable refugees to construe the world in ways that encourages altruism (i.e. they become activists)? Or is it because they were activists already (therefore had begun to construe the world in a particular way) that they are now able to develop constructs that enable them to cope or be more resilient than those without experience of activism?

Camille Nelson

Camille A. Nelson is Dean and a Professor of Law at American University Washington College of Law. Prior to that, she served as Dean of Suffolk University Law School; a Professor of Law at Hofstra Law School, teaching transnational law and comparative criminal law; a Dean's Scholar in Residence and visiting Professor of Law at Washington University School of Law,

where she taught Contracts and Criminal Law; and a Professor of Law at Saint Louis University School of Law, where she was a member of the Center for Health Law Studies and the Center for International and Comparative Law. While in Canada, Dean Nelson practiced at McCarthy Tétrault, a national law firm, and clerked for the Honourable Justice Frank Iacobucci of the Supreme Court of Canada. Camille A. Nelson holds a B.A. with high distinction from the University of Toronto, a J.D., magna cum laude from the University of Ottawa Faculty of Law, and an LL.M. from Columbia University Law School.

Her scholarship focuses on criminal law and procedure, gender and the law, identity theory, health law and comparative law, through the lenses of critical race theory and cultural studies.

Dean Nelson is the author of several publications, including: “Frontlines: Policing at the Nexus of Race and Mental Health,” *Fordham Urban Law Journal*; “Racializing Disability, Disabling Race: Policing Race and Mental Status,” *Berkeley Journal of Criminal Law*; “Multicultural Feminism: Assessing Systemic Fault in a Provocative Context,” *University of Florida Journal of Law and Public Policy*; “Starting Anew: The ADA’s Disability with respect to Episodic Mental Illness,” *Mississippi Law Journal*; and “The Conflicting And Contradictory Dance: The Essential Management Of Identity For Women Of Colour In The Legal Academy,” *University of Ottawa Press*.

Racializing Disability, Disabling Race

Issues at the intersection of race, gender, mental health, and policing have become more acute over the last several years. The frequency and violent, often lethal, nature of these incidents is forcing an (inter)national conversation about matters, which many people would rather cast aside as volatile, controversial, or as simply irrelevant to conversations about the justice system. It seems that neither civil rights activists engaged in the work of advancing racial and gender equality, nor disability rights activists recognize the potent combination of negative racialization and mental vulnerability at this nexus that brings policing practices into sharp focus. Suspect Identity Construction (SIC) will be used as a frame through which we understand the triage modalities utilized by police in their encounters with suspects. In this way, the compounding intersecting dynamics and effects, of racism, sexism, mental health, and policing remain underexplored, and will be the foci of this presentation.

Serene John-Richards

Serene Richards is an Associate Lecturer and Ph.D. candidate at Birkbeck College, School of Law. She teaches on topics concerning theoretical approaches to migration and refugee law as well crime and policing. Her thesis entitled 'Life, language, law: The Invention of Dangerous Classes' is a theoretical and philosophical enquiry into the notion of exclusion.

Risk-Assessments and Pre-Emptive Detentions: A Genealogy of Institutional Racism

The advent of calculable probability in the 1650s had a profound effect on both the sciences and the human sciences. For the first time, the human being became a calculable 'object of science.' This paper will seek to uncover the dark obverse of statistical modelling and the effect of its proliferation in criminology and psychiatry. Statistical knowledge, as a precursor to the language of 'risk assessment,' has from its inception been tied to eugenics. Once Adolphe Quetelet, the founder of the Brussels Observatory, developed his thesis on the so-called 'average man,' a new object of study was produced therefore facilitating the objectification of the abnormal. The eugenicist and cousin of Charles Darwin, Francis Galton, is also known as the most influential early statistician, responsible for the notion of 'standard deviation.' Galton and his peers were able to construct social realities through the use of apparently objective statistical "facts." The invention of new rhetorical tools by this school of thought would then go on to shape the language and conceptual framework of decision makers in the twentieth-century, thus heavily influencing the parameters of political debates on poverty and its remedies. What is the relevance of this to criminology, race and mental health? This paper will seek to show how 'calculable probability,' precisely understood as the assessment of risk (as a way to render the future calculable in the present, in order to achieve a kind of "certainty") has come to dominate the management of crime in our contemporary society. The statistical concept of 'population' allows for the analysis of the part(s) of the whole. Criminologists have observed that there has been a decline in the concern for rehabilitation, in favour of incarceration. The idea that a 'criminal' can be cured, as such, has disappeared. Instead, deterministically, the assumption exists that within a given population a certain percentage of crime will occur. As a result, the emphasis shifts to one concerned with pre-emption, reducing the opportunity for criminal behaviour. This paper will show how through the

calculation of risk, the notion of pre-emption in policing and psychiatry has grown in influence. This legitimises a discourse of populations 'at risk' of committing future crimes, thus shaping policy interventions in the present targeting BME populations often portrayed as posing a 'risk' to the general population.

Kristine Harris

Kris Harris is a Research and Policy Worker with Medical Justice, the only organisation in the UK to send independent volunteer clinicians into Immigration Removal Centres to document detainees' scars of torture and challenge instances of medical mistreatment. She has a background in anthropology and public health with a particular interest in structural violence and access to healthcare. She carried out her doctoral work with leprosy affected people in urban India. Before starting work at Medical Justice she ran a clinic and health advocacy project in London to help migrants and vulnerable people access healthcare."

Mental health and the racialized subject in immigration detention

There is a long history in the UK of locking up those subject to immigration control in immigration removal centres despite unequivocal evidence that detention is harmful to mental health and particularly so to those with pre-existing mental health issues.

Medical Justice volunteer doctors frequently see people with mental health issues inappropriately detained without access to adequate mental health services. The Royal College of Psychiatrists have found that it would be largely counterproductive to attempt to provide mental health services in this context as it does not constitute a therapeutic environment. Left to linger in detention whilst their mental health deteriorates detainees are sometime placed in segregation, to deal with difficult behaviour which may in fact be a manifestation of unaddressed mental health issues, leading to the further deterioration of individuals. A recent court ruling, *VC v SSHD*, found that the Home Office acted discriminatorily by breaching their duty to make reasonable adjustments to assist mentally ill detainees to challenge the conditions and duration of their detention.

In recent years there has been a significant increase in the rate of self-harm and deaths among immigration detainees. In two of the deaths inquests

found that neglect contributed to their death. There have been 6 ruling of 'inhuman and degrading treatment' of detainees in breach of Article 3 of the European Convention on Human Rights. The majority of these have related to detainees with mental health issues.

The breach of Article 3 findings are unparalleled findings in the UK yet the absence of public outcry has been conspicuous and must be understood in relation to who is locked up in immigration detention. Immigration detention is the sharp end of an immigration system which explicitly aims to create a 'hostile environment' for migrants. Immigration detention disproportionately affects racialized subjects and relies on 'othering' and anti-migrant sentiments to justify a system which dehumanises those detained.

In the face of rising criticism, the government introduced a flagship "adults at risk" policy which purported to protect vulnerable people from the harmful effects of detention but in fact appears to have led to more vulnerable people being detained for longer. Immigration detention leaves some of the most vulnerable individuals in our society at risk of state sanctioned harm in immigration detention with little hope of finding protection in public outrage in the context of pervasive anti-migrant sentiments."

Leticia Paes

Leticia Paes is an Associate Tutor and Doctoral researcher at Birkbeck College, School of Law. Her research interests lie in critical studies, legal theory, institutional psychotherapy and psychoanalysis. She is also an honorary psychotherapist in Park Side Clinic (NHS) in Notting Hill which provides community mental health services to children, young people up the age of 18, with complex mental health difficulties.

The Colonial Logic of Mental Health System

In '*Colonial Violence and Mental Disorders*', Frantz Fanon shows the pathologies which result from colonial repression and recalls numerous example of mental disorders provoked by the trauma which was caused in first place by the colonial context. As a veritable clinician, Fanon perfectly understood that the symptoms during the colonial period were not only private but rather political, social and, for this reason, collective. Since

colonisation the everyday life and customs of minority groups had been frequently characterised by doctors as pathological in themselves. Through social control the same population experiences the harsher forms of interventions, that make us ask: social control of whom? by whom, for what end? This process is currently intensified by contemporary capitalism that not only preserves the pre-existing traumas but also creates new ones. What the old form of colonialism has in common with contemporary capitalism is that both function as a persistent effort to subjugate people to a mode of existence that is establish a priori. This paper will attempt to show how some mental health policies and institutions are related to the colonial period to today violence of capitalism. We will examine two different strategies used by the English government and the Brazilian government to control and restrict the movement of minorities through mental health policies and laws. Although the content of these examples is dissimilar, they both culminate in a very common dynamic: the long-standing injustice of discrimination against minorities in which the colonial past haunts the present.

Eddie Bruce-Jones

Eddie Bruce-Jones is Senior Lecturer and Assistant Dean for Recruitment at the University of London, Birkbeck School of Law, where he teaches European Union Law, Human Rights, Critical Migration Law, Equality Law, and Race, Law & Literature. He is the author of *Race in the Shadow of Law: State Violence in Contemporary Europe* (Routledge, 2016), a book about Black-led activism and the law in Germany. His current research examines the indenture of South Asians to Jamaica and the role of family narratives and fiction in recalling stories of colonialism. He is on the Boards of Directors of the Institute of Race Relations and the UK Lesbian and Gay Immigration Group as well as the Editorial Board of the *Journal of Immigration, Asylum and Nationality Law*. He is a member of the New York Bar and an associate academic fellow at the Honourable Society of the Inner Temple in London. He is also an Essays Editor at the literary magazine, *The Offing*.

British Indentureship in South Asia: Some notes on labour, disability and colonial logics

Over the past four years, I've visited archives in the UK, the US, Jamaica, and India in an effort to piece together various aspects of the indentureship

system, with a focus on the route between Kolkata and Kingston between the 1840s and 1910s. Although it was not initially within my frame of focus, a recurring theme in the archival material is the issue of state responsibility in the management of the labour economy as set against burgeoning concerns about proper medical care and humane treatment of the indentured labourers, both in colonial outposts as well as upon their return to Kolkata. This presentation briefly introduces the indentureship system and reflects on the tensions and competing interests involved in the treatment by the British colonial administration of mentally and physically disabled labourers.

La Marr Jurelle Bruce

La Marr Jurelle Bruce is an interdisciplinary humanities scholar, critical theorist, Afromanticist, and Assistant Professor of American Studies at the University of Maryland, where he is also faculty affiliate in African American studies, theatre and performance studies, and women's studies. He earned his B.A. in English and African American studies from Columbia University and his Ph.D. in African American studies and American studies from Yale University. Dr. Bruce's areas of interest and expertise include Africana literature and performance, queer theory, feminist theory, popular culture, mad studies, and what he calls "the art and aesthetics of quotidian black life."

Winner of the 2014 Joe Weixlmann Award from African American Review, Dr. Bruce has work featured or forthcoming in African American Review, American Quarterly, GLQ, Oxford Bibliographies in African American Studies, Social Text, and the anthology No Tea, No Shade: New Writings in Black Queer Studies. He is also co-editing a special issue of The Black Scholar on "Black Masculinity and the Matter of Vulnerability." Along the way, Dr. Bruce has gratefully received grants and fellowships from Beinecke Library at Yale University; the Carter G. Woodson Institute at the University of Virginia; the Ford Foundation; the Fund for Lesbian and Gay Studies at Yale; the Mellon Foundation; the Social Science Research Council; and the Summer Institute on Tenure and Professional Advancement at Duke University.

Dr. Bruce is currently completing his first book, *How to Go Mad without Losing Your Mind: Madness and Black Radical Creativity* (Duke University Press), a study of black artists who mobilize madness in radical literature and performance. His second project, *The Afromantic*, will generate a cultural history, critical theory, and existential expression of black joy and love amid antiblackness.



This event is part of the School of Law's 25th Anniversary celebrations. The School of Law, Birkbeck was founded in 1992 as a Department of Law with three members of academic staff. Over the last twenty-five years it has become a School comprising the Departments of Law and Criminology as well as the Institute for Criminal Policy Research, four research

Centres, 40 members of staff and an overall student body of over 1,000. The School is proud of being a pioneer in establishing and developing a hub for the field of critical legal studies. While our national and international reputation has been forged through critical legal research, more recently we have gained recognition for critical criminological and activist research, socio-legal scholarship and policy-engaged empirical research. In recognition of this the last Research Excellence Framework exercise ranked us as being in the top 10 law schools in the UK and in the top 3 in London, while our research environment was judged conducive to producing research of the highest quality.