



Analysis

Nationwide vigils commemorate deaths in custody

Trevor Hemmings

Despite evidence of institutional and systematic failure and 11 verdicts of unlawful killing since 1990, no state official has been successfully prosecuted for a death in custody. On Father's Day, 17 June 2012, peaceful vigils were held across the UK in remembrance of those who have died in police detention.

In October 2011 the Independent Advisory Panel on Deaths in Custody published a report, *Statistical Analysis of all recorded deaths of individuals detained in state custody between 1 January 2000 and 31 December 2010*, which recorded the number of deaths in custody over a ten year period:

In total, there were 5,998 deaths recorded for the 11 years from 2000 to 2010. This is an average of 545 deaths per year. (p6) [1]

Despite inquests returning 11 unlawful killing verdicts on these deaths since 1990 there has never been a successful prosecution of a state official, as INQUEST has pointed out in a press release in relation to the police contact death of bystander, Ian Tomlinson, at G20 protests in London in April 2009.

Despite a pattern of cases where inquest juries have rejected the official version of events and found overwhelming evidence of unlawful and excessive use of force or gross neglect, no police or prison officer or nurse has been held responsible, either at an individual or senior management level, for institutional and systemic failures to improve training and other policies. [2]

In the face of these daunting statistics, particularly in relation to black deaths in custody, on Father's Day, 17 June 2012, peaceful vigils were held across the UK in remembrance of those who have died in various forms of state custody. The vigils were initiated by the family of Wayne Hamilton (24) who was found dead in a Sheffield canal on 16 June 2010. He had been reported missing by his family for five days before a friend contacted them to say that he had last seen Wayne running with police officers chasing him.

A number of campaigns and families of those who have died in custody also called events on the same day in a show of national solidarity. They were supported by the United Families & Friends Campaign (UFFC), the national coalition of families affected by deaths in police, prison, psychiatric and immigration custody or detention [3]. Peaceful vigils took place in: Manchester; Birmingham; High Wycombe, Buckinghamshire; Slough, Berkshire; Scotland Yard, central London and Brixton in

south London. The participants demand justice for all of those who have died in police and other custody.

The groups joined forces to launch a petition last January which called for an independent judicial inquiry into all suspicious deaths in custody and for major changes in the criminal justice system. The petition demanded the abolition of the misleadingly named Independent Police Complaints Commission (IPCC) and its replacement by a body genuinely independent of the police. It also called for the suspension of officers involved in deaths in custody for the duration of an investigation. Other demands include the automatic prosecution of officers following unlawful killing verdicts and the right to non-means tested legal aid for the bereaved families. [4].

The vigils held on 17 June all relate to families who have had a relative die in suspicious circumstances after contact with police, prison or medical agents, and have found their efforts to uncover the circumstances confounded by indifference, obfuscation and deception. A brief outline of the circumstances surrounding a number of these deaths in custody discloses similar acts of disrespect towards the victim's families, similar patterns of police stereotyping/profiling, inadequate training in restraint techniques, inaccurate or partial investigations and most recently attempts to hide the circumstances of a death through "secret" inquests.

High Wycombe, Buckinghamshire

The Justice for Habib 'Paps' Ullah campaign held a vigil outside High Wycombe police station in Buckinghamshire. [5]

Habib "Paps" Ullah (37) died in July 2008 after he was stopped for a routine drugs search by Thames Valley police officers in High Wycombe. His family are angry that they were not informed about the death until the day after it happened and are concerned that the police account of events may not be accurate. They allege that six police officers struggled with Habib for up to half an hour before he died and contest the police allegation that a substance was found in the car: the police retracted this "fact" after fellow passengers were released without charges. The family are also critical of an inaccurate and misleading police statement made to the local mosque. Four years on, the family continue to fight to get answers and remain hopeful of a criminal investigation against five officers at the scene.

Saqib Deshmukh, spokesman for the Justice for Habib 'Paps' Ullah campaign explained the impact on the family:

We have joined other campaigns...so people can understand what impact a death in custody can have on families and in particular children. Habib's own children and in particular his oldest daughter have been active in the campaign and we have worked hard to make sure that they are involved and they get the answers to why he died and see justice being done.

Slough, Berkshire

The Justice for Philmore Mills campaign held a vigil outside Slough police station. [6].

57-year old Philmore Mills was admitted to the intensive care unit at Wexham Park Hospital in December 2011, and was moved on Christmas Eve to a respiratory ward. In the early hours of 27 December, an incident occurred to which hospital security and then police were called. Mr Mills was handcuffed and restrained. He then became unresponsive and was pronounced dead shortly

afterwards after failed resuscitation attempts. The family have instructed solicitors to act for them during investigations and at the inquest and a second post mortem examination has been commissioned at their request. The family are looking to the Independent Police Complaints Commission (IPCC), the Health and Safety Executive (HSE) and Wexham Park Hospital to explain to them why and how their father died. Inquiries by the IPCC and HSE have begun, although Wexham Park Hospital has not told the family whether it will investigate, and if so on what terms.

The father-of-four's eldest daughter, Rachel Gumbs, told the *Slough Observer* (16.6.12.):

We decided to hold this vigil on Father's Day because there are so many families who have lost dads in custody or under restraint and we are still fighting for answers so we decided to get together and hold vigils on the same day. The main aim...is to fight for answers and to be able to have our own independent investigation. We need to fight for a change in law.

Manchester

The Justice4Grainger campaign held a vigil at Manchester Piccadilly Gardens, Greater Manchester that was joined by over 200 people. [7] Among those addressing the event was Janet Alder, whose brother Christopher suffocated on the floor of Hull police station while police officers directed monkey noises and other racist comments at him.

Anthony Grainger (36) died from a single gunshot to the chest after being shot by a police officer as he sat in a car in Warrington. The IPCC confirmed that Grainger was not armed at the time of the shooting in March 2012 and that no firearms were recovered from him or in the vehicle in which he was fatally shot. More than 16 armed police officers, as well as unarmed policemen were involved in the incident but no police surveillance footage is available, despite the hi-tech police vehicles and equipment at the scene. Gail Hadfield Grainger, Anthony's partner, has expressed concerns that there will be a cover up, The IPCC will pursue a criminal investigation into the Greater Manchester police officer who fired the fatal shot.

Ms Grainger said:

Father's day is for all the families to stand together and be counted as one, also to bring all the people who are fighting for their loved ones in the media to keep the momentum going in the public eye, and to help prevent things like this happening over and over again. We want to push to be the change in society that we all need. Justice for one, justice for all.

Birmingham

The Birmingham Strong Justice 4 All campaign held a joint vigil, remembering Kingsley Burrell, Mickey Powell, Alton Manning and Dimitri Fraser outside Birmingham West Midlands Police HQ, Lloyd House, Birmingham [8]. On behalf of the campaigns, Charlie Williams, said;

We will be supporting this event while we continue to support all families' campaigns across the UK by building the public awareness of deaths in custody.

Kingsley Burrell: Kingsley Burrell died at Queen Elizabeth hospital, Birmingham, shortly after being sectioned under the Mental Health Act. Burrell is reported to have called police to ask for help after he and his five-year-old son were intimidated by a group of youths. As a result he was arrested and then sectioned and taken to the Oleaster mental health unit. He was later transferred to the Seacole

unit. On 30 March, police were again called. Burrell was taken to Queen Elizabeth hospital for treatment to a cut to his eye and was discharged back to the Oleaster centre. He was transferred back to hospital after suffering from a 'serious medical condition' and died. His family allege that he had been beaten by police officers.

Mickey Powell: Mikey Powell, who suffered from mental health problems, was knocked down by a police car, and then restrained with batons and CS spray. He was taken to Thornhill Road police station where he died in September 2003. In 2009, an inquest jury found that Mikey died as a result of positional asphyxia after police officers had placed him in the van that transported him to the police station. In June 2011, the West Midlands Police Authority was directed by the IPCC to record a complaint by Mikey Powell's mother, Clarice, that its report into the death was "misleading."

Alton Manning: Alton Manning died of asphyxia in 1995 after eight prison officers restrained him at HMP Blakenhurst, using a dangerous neck-lock and kneeling on his back in contravention of restraint guidelines. An inquest jury returned a verdict of unlawful killing, but no prison officers were prosecuted. The family also claimed a gross neglect of duty by West Mercia police in its investigation into the death, which led to the appointment of Staffordshire police to investigate the family's complaint against the police, which found serious systemic failures in the case.

Dimetri Fraser: 21-year-old Demetre Fraser fell to his death from the eleventh floor of a Birmingham tower block during a visit by two police officers who were investigating an alleged breach of his bail curfew in May 2011. Fraser had been bailed to the address following an argument with his girlfriend which had resulted in an assault charge. The complaint had been withdrawn and he was awaiting confirmation from the CPS/police that he could return home to London.

New Scotland Yard, central London

The Azelle Rodney Campaign held a vigil outside Scotland Yard to remember Azelle Rodney [9].

Azelle Rodney (24) was shot six times by CO19 police officers as he sat in the back of a car with two friends in Edgware in April 2005, in circumstances that have been compared to the police shooting of Mark Duggan in Tottenham (in August 2011.) There was no evidence that Azelle was armed at the time of the shooting, but this did not prevent 14 police officers from surrounding the car and shooting out its tyres while another officer fired eight bullets into the vehicle. In 2006, the Crown Prosecution Service ruled that there was insufficient evidence to prosecute any of the officers involved and in 2007 the coroner announced that he could not proceed with a full inquest into Azelle's death due to redactions to police officers' statements. In March 2010, the government announced its intention to investigate the death under the Inquiries Act 2005. In October 2010, five years after his death, the inquiry opened. The family are still waiting to hear the circumstances behind his death, but they will not be able to see or hear all of the evidence because it is deemed too "sensitive." The police officers involved have been granted immunity from prosecution.

Susan Alexander, the mother of Azelle Rodney said:

It is now approaching eight years since my son Azelle Rodney was killed by the Met Police in April 2005, shot seven times in the face, neck and back. Over the years we have cried, campaigned, walked alongside hundreds of other bereaved families and often alone seeking answers, the truth and justice...The Father's Day Vigil is another opportunity to show a united front... we've got to keep moving on.

Brixton, south London

The vigil at Brixton police station was organised by the Ricky Bishop Campaign, which was joined by the Sean Rigg Justice and Change campaign [10]. Pictures of Ricky were hung on a memorial tree along with lanterns containing candles, and members of his family and campaign held a banner through the three hour vigil.

Ricky Bishop: In November 2001 police stopped the car in which 25-year old Ricky Bishop was a passenger during Operation Clean Sweep and, claiming that he had a small amount of cocaine, detained him at Brixton police station. He offered no resistance to his arrest but a few hours later he was dead. The family have complained at their treatment by the police, who failed to provide them with information, and at the inquest into his death the coroner denied the jury the option of a manslaughter verdict, ruling that his death was misadventure. The Bishop family continue to campaign for justice, demanding the arrest and trial for murder of a number of police officers they have named.

Sean Rigg: Sean was a musician who was determined not to be stigmatised by bouts of schizophrenia. His death in August 2008 came after he was arrested and restrained by police officers who took him to Brixton police station where he was held in a metal cage in the yard. What happened next is unknown as CCTV cameras were not working according to the police, but Sean was pronounced dead at hospital that evening. His family are seeking answers about his death in police custody and demanding justice. An inquest into Sean's death began in June at Southwark Coroner's Court.

Endnotes

1. *The Independent Advisory Panel on Deaths in Custody:* <http://iapdeathsincustody.independent.gov.uk/>

Independent Advisory Panel on Deaths in Custody "Statistical Analysis of all recorded deaths of individuals detained in state custody between 1 January 2000 and 31 December 2010":

<http://iapdeathsincustody.independent.gov.uk/wp-content/uploads/2011/10/IAP-Statistical-Analysis-of-All-Recorded-Deaths-in-State-Custody-Between-2000-and-2010.pdf>

2. *INQUEST "Jury's verdict of unlawful killing at inquest into death of Ian Tomlinson vindicates family and public concern" Press release 3.5.11.*

3. *United Families and Friends campaign:* <http://uffc-campaigncentral.net/>

The United Families and Friends Campaign can be contacted on 0843 289 4994 or email: info@uffc-campaigncentral.net.

See also Harmit Athwal's "Black Deaths in Custody": <http://www.irr.org.uk/news/black-deaths-in-custody/>

4. *UFFC e-petition:* <http://epetitions.direct.gov.uk/petitions/26276>

5. *Justice for Habib 'Paps' Ullah:* <http://justice4paps.wordpress.com/>

<http://www.facebook.com/events/363634190351546/>

6. Justice for Philmore Mills: <http://www.facebook.com/events/332553416818174/>

7. Justice4Grainger: <https://www.facebook.com/events/151386544984352/>

8. BirminghamStrong Justice 4 All campaign: <http://www.facebook.com/events/372705006109955/>

See also: Harmit Athwal "The spotlight is back on black deaths at the hands of police":
<http://www.irr.org.uk/news/the-spotlight-is-back-on-black-deaths-at-the-hands-of-police/>

Mikey Powell campaign: <http://mikeypowell-campaign.org.uk/>

9. Azelle Rodney campaign: <https://www.facebook.com/susiea81>

<http://azellerodney-campaigfojustice.moonfruit.com/>

10. The Ricky Bishop Campaign:

<https://www.facebook.com/events/250201918405339/>

Sean Rigg Justice and Change campaign:

<http://seanriggjusticeandchange.com/>

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