



Roger Sylvester Justice Campaign

PO Box 25908; London N18 1WU

Telephone: 0793 197 0442

Email: RSJC@hotmail.com

www.rsjc.org.uk

Newsletter 5

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“Police Officers Have A Licence To Kill”

On night of 11 January 1999, Roger Sylvester, a 30-year-old black man, was restrained on his doorstep by eight police officers from Tottenham Police Station. He sustained numerous injuries, fell into a coma and was put on a life support machine. Seven days later, Roger was pronounced dead.



Roger Sylvester

SYLVESTER FAMILY PREVENTED FROM CHALLENGING THE CPS DECISION

It is now over 30 months since Roger Sylvester died after he was illegally detained on his own doorstep by 8 police officers.

In February the family applied for permission to challenge the CPS decision by way of a Judicial Review.

The 8 officers took the unusual step of applying to the High Court for anonymity. This was a crude

attempt to evade accountability by claiming that there was risk to the officers who have remained silent and nameless.

The family's application was successful; in April they were granted permission. A directions hearing was set for the 21st May to discuss the anonymity issue and disclosure. Disclosure was required to support the family's application to judicially review the CPS decision not to prosecute.

Days before the hearing the Solicitors of the 8 officers withdrew their application for anonymity. It was agreed that the hearing should still go ahead to consider their application for disclosure. Lord Woolf decided that the judicial review should be postponed until after an inquest and that disclosure would be obtained through the inquest process.

Roger's family's attempt to establish why and how Roger died by challenging the CPS decision was scuttled by Lord Woolf's decision.

IMPLICATIONS OF LORD WOOLF'S DECISION

Lord Woolf must know that the

inquest is not the forum for establishing why Roger died and uncovering new evidence. Its purpose is for a jury to help the Coroner fill out a death certificate.

It will give the officers the unfair advantage of hearing the evidence against them. This will seriously undermine the chance of securing any prosecutions in future. The inquest uses evidence selected by the police who have already shown unacceptable bias in this case. The Coroner will then use the police evidence to select what is required to lead the jury to a particular verdict.

STILL NO DISCLOSURE

After all this time Roger's family still do not know the names of the 8 officers. An inquest date is not set; and the family continues to have problems with pre-inquest disclosure despite Lord Woolf's suggestion that those in charge of disclosure should be "generous".

The problem is that the Met Police paid to have

themselves investigated, and as a result they claim ownership of all evidence. They are therefore acting in their interest and not in interest of the people they serve. Openness, transparency and accountability are the victims in this process. How can lessons be learnt?

FLAWED ARCHAIC PROCESS

After over 1200 custody deaths during the last 30 years, the system has yet to tackle these deaths head-on.

Families who lose their loved ones in custody are denied justice. The police investigate themselves and the officers involved are encouraged to say no Comment in interviews. Therefore they succeed in frustrating the investigation process.

Victims' families are not allowed to steer the process towards a 'path of truth and justice' and attempts to do so by challenging decisions not to prosecute are frustrated.

SIMILARITIES OF POLICE CUSTODY DEATHS:

Families who have lost their loved ones in custody share concerns about:

- The excessive use of force by officers.
- Police attempts to blame the victims for their own death by demonising them.
- The police investigate themselves
- Vital evidence goes missing.

- The failure of the CPS to prosecute,
- Not having their case heard in a law court; all roads lead to an inquest – which for families is a path of injustice.

WHAT CAN YOU DO

Visit/write your MP stressing your concerns, ask your MP to sign the Early Day Motion to have deaths in custody discussed in Parliament.

Call for a public inquiry with judicial powers into Roger's and all other deaths in custody

DAIRY OF EVENTS

January 2001:

Vigil at Tottenham Police Station.

Memorial service.

February 2001:

Family writes to all MPs requesting their assistance in obtaining full disclosure and a public inquiry into Roger's death

Formal application made to challenge the CPS's decision not to charge any of the 8 police officers involved.

Police officers apply for anonymity.

March 2001

Meeting held between the family, Home Secretary, David Lammy MP and Jeremy Corbyn MP to call for a public inquiry, full disclosure and access to public funds

The family writes to all

Metropolitan Police Authority members.

April 2001

High Court Judge Justice Newman gives family leave to challenge the CPS decision.

Hearing set for the 21st May to discuss anonymity and disclosure.

May 2001

Police officers withdraw application for anonymity a week before directions hearing.

Lord chief Justice Woolf ignores normal procedures and halts the family's challenge.

June 2001

Family writes to the Chairman of the MPA requesting a meeting.

July 2001

The family has not received any disclosure. They still do not know the names of the 8 policemen. A coroner is not available for an inquest nor has a date been set.



OUR DEMANDS:

- Police officers involved in custody deaths are suspended until investigations are completed.
- Officers responsible for deaths should face criminal charges even if retired or otherwise.
- All deaths in custody should be investigated independently.
- Police Complaints Authority (PCA) to be replaced by a body independent of the police.
- Police forces are made accountable to the communities they serve.
- Legal aid and full disclosure should be made available to the relatives of the victim(s).
- Where an unlawful killing verdict is returned, a prosecution should follow automatically.