

Injustice -- Pride Magazine September 2001

by Ewa Jasiewicz

6am on a warm July morning 1993 and Jamaican born Joy Gardner and her five year-old son Graeme are fast asleep. Their slumber is shattered by three officers from the Metropolitan Police Deportation Unit, two Haringey-based police officers and an immigration official forcing their way into their flat with the intention of deporting them back to where they came from. Squad cars full of officers await further instructions outside. The six agents use more than just their bare hands to restrain Joy; they tie her up with a body belt and ankle straps before winding 13 feet of surgical tape around her face. She dies from suffocation in front of her son. When the three officers finally prosecuted stand trial accused of Joy's murder, a verdict of Not Guilty is returned. None are convicted or even punished, infact, following their case at the Old Bailey the officers are promoted.

May 7th 1995 and Brian Douglas, dressed to impress and swathed in his favourite aftershave, is making his way home from a night out with friends. Turning into St Lukes Avenue, Clapham, South London, Brian and a friend are met by officers Mark Tuffy and Paul Harrison of Kennington police force. The uniformed two proceed to stop and search Brian - still a routine experience five times more likely to happen to Black men living in cities throughout the UK. Batons were brandished and used, and Brian, after spending a puzzling 15 hours in police custody, was finally rushed to intensive care suffering from a brain stem injury caused by a severe blow to the head. The poundage of the blow received was the equivalent to Brian falling 11 times his own height, directly onto his head. Five days after his approach by Tuffy and Harrison that fateful summer night, Brian is declared clinically dead and his life support machine turned off. His last words to his friends and family, all gathered to watch him breathe his last, were -- "Sort it." And this is exactly what the Douglas family and more recently the United Friends and Families Campaign (UFFC) have been fighting to fulfil, not just for Brian but for the 1000 people who have been killed in police custody since 1969, and for which no officer has ever been convicted. This is the story of their struggles for justice.

The UFFC is the brainchild of Brenda Weinberg - Brian's sister, Myrna Simpson mother of Joy Gardener, and radical independent film-maker, Ken Fero. Born one night in 1997 in Brenda's livingroom, the campaign was the culminative response to the "unremitting wall of silence" faced by families, black and white, who had been denied the truth about the factors leading to the violent deaths of their loved ones. Helping to consolidate the strength of the campaign are Ken Fero and co-film-maker Tariq Mehmood who recently released Injustice - a documentary charting the struggles of the united campaign in harrowing, historic detail. Fero and Mehmood interviewed Olamide Lapite, wife of Oluwashiji (Shiji) Lapite - killed in 1994, Kura Jagne, cousin of Ibrahima Sey - killed by Stoke Newington Police in 1994, Brenda Weinberg, and Myrna Simpson, following them from emotionally charged rallies and inquests through to desolate court rooms and police stations; omnipotent witnesses gathering footage for the incendiary testimony that Injustice is proving to be.

Eight years in the making, including two dedicated solely to editing, Injustice has been rapturously received by audiences throughout the world, from Jamaica to Brixton, earning it the reputation as "one of the most powerful and despairing films ever made in this country," according to The Guardian. However, the Police Federation - the equivalent of a Police Officers' union and bestowed with seemingly limitless funds for the legal defence of it's members', responded to Injustice by issuing warning letters to every cinema planning to show the film; in effect censoring it as picture houses throughout the country withdrew the film from their screens in fear of being sued by the mighty Fed. Declining to comment on the film or the controversial letters, the Fed agreed to issue a curt 8-line response and nothing further. Stating "Solicitors merely wrote to Cinemas and halls pointing out they may be liable to action should the film be found to be defamatory."

However, the Fed trying to paint the film as libellous would be just the publicity the UFFC need. The resurrection of the cases which officers thought had long been buried plus the burden of proof demanded from the prosecution, would force the officers in question back into the dock, the struggle back into the limelight and the politics of institutionalised racism in the police force back onto the public agenda, where they belong. The Metropolitan Police were equally reticent but declared "The MPS treats all deaths in custody extremely seriously. The number of deaths of deaths in police custody has fallen from 16 between 1999-2000, to five between 2000-2001, thanks to increased awareness and improved training. The importance of remaining vigilant will continue to be a key message in custody officer training." But the letters had done their job. The UFFC had been silenced again. But not for long. "You cannot ignore forty grieving families", says Brenda, one of the leading lights of the campaign. "They have taken lives and they have walked free, and they are hoping that we are going to just shut up and go away - we will never go away. You cannot reduce our loved

ones to statistics; these were living moving breathing people and then you get them back in bits". The police held onto Brian's body for two months after he died in order to conduct pathology tests. Because the police still investigate themselves, despite government claims to make the Police Complaints Authority independent - Northumbria Police force is currently investigating the recent killing of Derek Bennett in Brixton - Kennington Police technically owned Brian's body and medical records as parts of their "evidence". The family had to apply to the High Court just to see the report results. Brenda also had to ask police to return Brian's brain in order to complete his burial - a full year after his remains had been laid to rest. "Your emotions don't change", explains Brenda, "You continue to be upset and angry and mad. In fact, it's anger that fuels us". Myrna feels the same. "When you have lost someone the way I've lost my daughter, it doesn't go away. The pain doesn't ever go away. I've forgiven them (the police) but I'll never forget". It is this relentless anger and pain which fuels the UFFC, and which the families transform into collective resistance, self-empowerment and support for one another. Their unity is steadfast. "At first you have faith in the system", recalls Brenda, "you feel that this case will be the one to break the camels back, and then you find yourself faced with a conspiracy of silence; a blanket of institutionalised forgetting". The past six years of legal challenges, lobbying and protesting for Brenda have revealed a pattern of collusion between the main state apparatuses in "democracies" such as ours. The police, the judiciary, the government and to a certain extent the media, have consistently distorted and aborted the families struggle for the truth. "It has been a political decision for the Crown prosecution Service not to prosecute officers", she explains, "The police need to be seen as sacrosanct, and that allows them to kill with impunity. If there is a bad apple in a barrel of apples, for god's sake root it out! But they don't. They keep quiet". Asked how change in such a tangled and politically nepotistic system can occur, Brenda is blunt. "The only deterrent to killings in custody is if officers pay for their crimes and are punished. They need to do Hard Time".

Faith in the forces of law and order has disintegrated for the families. Myrna Simpson's underwent a demolition process in the wake of Joy's death. "I've got no trust in the government or the police or any authority, they have let me down so badly. I used to think I could rely on the police but I would never call them if I had a problem now. They might come and kill me or my children". Myrna has been campaigning tirelessly ever since her daughter's death; trekking between universities and conferences up and down the country to speak about the impact of Joy's killing and the lack of justice dealt for it. "Before this all happened I was okay. I didn't realise the wrongs and evils with the police, and when I heard news on the telly, I thought it was all true. But since my daughter died, I've learned that most of the news isn't true". Indeed the media furor surrounding the brutality of Joy's death was matched by an equally brutal character assassination. The Daily Mail, a one-time supporter of Oswald Mosley - leader of the British Union of Fascists, was reported to have paid an ex-partner of Joy's to claim she was violent, generating the implication that her death was somehow deserved. The experience staggered Myrna and her family. "The media treated my case terrible, they was crucifying me and my family instead of them who's doing the wrongs!"

Another woman fighting for the truth is Stephanie Lightfoot-Bennet, twin sister of Leon Patterson, who met his death at the hands of the Manchester Constabulary in 1992. Police alleged he tried to steal a till from a British Home Stores. BT phone records however, allegedly prove he was talking to Stephanie at the time of the robbery. When incarcerated, Leon weighed 14 and a half stone. When his body was released, he weighed 10 and a half; part of his nose was missing, he had severe bruising to his testicles and a total of 32 injuries covering his body. "He was no angel, I'll tell you now, he was a thief, but he was, for want of a better word, a raffles; he wasn't violent". Stephanie, once a keen forensics and pathology student, conducted the inquest into her brother's death herself. Upon entry into the office, the coroner, noting her books decorating the table commented, "You're very educated for a black woman". Stephanie had him sacked. "I will not be deemed an ignorant, thick black woman. I wouldn't take it", she asserts. The inquest - for which the second coroner tried to cram 31 witnesses into 2 days (under pressure, the final process was spread out to 5)- delivered a verdict of Hypomania, meaning Leon had "gone mad" and inflicted his injuries on himself. The second inquest saw the investigating toxicologist admit falsifying test results to substantiate police claims that Leon was a heroin addict. "The system works against you, not for you, not with you, but completely against you" explains Stephanie. Poor families can receive advice from a barrister but are not entitled to legal aid for inquests. For Leon's inquest, the Fed took no chances. They had no less than six barristers to represent the accused. The Patterson family had one.

Asked about the effects of the death on herself and her family, Stephanie sighs, "It's that pebble in the pond, you drop that pebble and the ripples just go on and on and on. My dad died 2 years ago and I think it was all this that killed him. He couldn't attend the funeral. It's hard watching your family just fall apart. They (the police/state) owe me. They owe me for my nightmares, they owe me for the loss of my fun, for that little ounce of craziness that only twins can have. I miss that little ounce. And they're gonna pay for that."

Injustice, for the families represents a touchstone, not just for Myrna but for all the families involved in the UFFC. With regards to its repression, Myrna is outraged, "It's reality, it's about things that are still happening, it's not make-believe, it's the truth!" And the truth hurts, especially when it's been silenced and suppressed with such systematic ideological and institutional violence. Injustice represents a powerful antidote to the institutionalised amnesia of the state with regards to the unresolved loss, grief and defiance of the families. It is both a timeless testament to their courage and

persistence as well as a catalyst for change, unifying the continuum of struggles into a tangible, memorable and hopefully, injustice-busting form. "The film has taken on a life of its own", explains Ken, the film's director. "The families see it as their loved ones' voices. An attack on the film is an attack on them. But it will be seen. There's no way they can stop it. They can kill a man or woman but they cannot kill a film".

"Rogue states" around the world are regularly condemned for their human rights abuses, yet here in the UK, the thousand custody killings over the past 30 years remain excused and defended by the police and CPS. Brenda is incredulous, "If those deaths happened all at once there would be an outcry. Well, for us, it is like they all happened on the same day. And we need that outcry. Until the public views deaths in custody like the Alder Hey scandal, things will not change". So what is to be done? The UFFC has drawn up a set of key demands capable of delivering the justice they have been denied for so long. They are as follows: All deaths in custody should be independently investigated; the Police Complaints Authority should be replaced by a body independent of the police; Prison deaths should not be investigated by the Prison Service - like the police service, it may be biased towards protecting its own authority and reputation; Officers involved in custody deaths should be suspended until investigations are completed -are suspected killers under investigation allowed to walk the streets unhindered?; Prosecutions of officers should automatically follow verdicts of "unlawful killing" at Inquests - if a death is ruled as a killing, why are the killers not brought to book for their actions?; Officers responsible for deaths should face criminal charges, even if retired; Police forces should be made accountable to the communities they serve - after all they are public servants, paid for by our taxes, and finally, Legal Aid and full disclosure of information should be made available to the relatives of victims - crucial evidence is frequently withheld by the CPS when deemed to be "not in the public interest".

The UFFC and Injustice represent the irrepressible organised truth in the face of the increasingly visible organised lie of the police and state. Support them and see it.

Injustice can be seen at the Black Filmmaker Magazine International Film Festival at 7.00pm on the 10th September at the Curzon Cinema, Shaftesbury Avenue, London, W1. Bookings: 020 7734 2255. The screening will followed by a forum including families and filmmakers. Contact UFFC on 07770 432 439. For further information regarding Injustice, email info@injustice.co.uk