

Why they shout, 'Coconut! Black's no good in blue' -- Deborah Orr, The Independent 10 January 2003

The police care little for the deaths of black men whose encounters with them go tragically wrong

This year, young as it is, has already been billed as the year Britain woke up to black-on-black gun violence. Tough legislation on guns has been spewing out of the Home Office this week, including a mandatory - in most cases - five years for possession of a firearm, a crackdown on replica weapons, and a hike in the age for the legal use of airguns. All this may seem logical enough, but my own worry is that among the criminals which such legislation has been brought in to deter, logic went out of the window long ago. If their logic dictates that carrying a gun is brave and macho, didn't it just get more so? If their logic is that they'll make sure they won't be one of the ones to get caught, aren't they in a perfect position to ensure that they'd rather kill a police officer than go to jail for carrying a gun?

And it isn't just the gangs whose logic has become skewed. How logical was the young black man who stood on a south London street corner a couple of weeks ago, berating another young black man going about his business with the screaming cry of: "Coconut! Coconut! Black's no good in blue! Black's no good in blue!" What a nightmare it must be to be a black police officer in the inner city, hated by the very people you're there to carve out a fairer deal for.

The media has been doing much chest-beating too over its failure to get interested in black-on-black violence until young girls were killed. Yet it was a senior Metropolitan Police officer who spoke on the radio a year ago, saying that one of the problems with Operation Trident - the Metropolitan Police initiative designed to target black gun violence - was that the media weren't interested because the deaths of young black gang members were not news. Maybe that was one of the reasons. But while it may suit the police to accuse the media of being uninterested in the death of black gang members, it suits them rather better that it does not care much either for the deaths of perfectly amiable young black men whose encounters with the police go tragically wrong, even though the highly disproportionate number of black deaths with police involvement is undeniable.

Exactly four years ago tomorrow, Roger Sylvester was carried limp, naked and handcuffed from the doorstep of his north London home by eight police officers and driven to a local psychiatric unit for sectioning under the Mental Health Act. There, having sustained severe brain damage, heart failure, kidney failure and bruising to his body, he lapsed into a coma. His life support unit was switched off one week later.

Mr Sylvester, who was a care worker at a local mental health drop-in centre, was not under arrest. While the police claim he was restrained for his own protection, they also admit that he was at no time aggressive or violent towards them. Even so, no attempt was made at any point to dress him or cover his body. The police had Mr Sylvester's clothing with them at the hospital. The police say that they apprehended Mr Sylvester after a 999 call reported that he was banging on his front door, and rolling around on the ground, naked. None of the neighbours have publicly confirmed this, while one has confirmed that he greeted a good-spirited, fully-clothed Mr Sylvester not long before the incident. Also, a friend of Mr Sylvester's received a mobile phone call shortly before his detainment, during which Mr Sylvester claimed that the police were following him.

Beyond this scant, shocking and entirely inadequate information, little is known about the events of 11 January, 1999, and how they contributed to the death of this 30-year-old man. In the years since his loss, the family of Mr Sylvester have fought long and hard to obtain the small amount of information they do have. They still await a long-promised inquest. Hopes of a public inquiry into the death of their loved one have almost faded away.

It is quite a time too since the director of public prosecutions, David Calvert-Smith QC, ruled that there was insufficient evidence for the prosecution of any of the officers involved in the detainment of Mr Sylvester. Perhaps this lack of evidence is not surprising, as police officers questioned under the inquiry by Essex Police into the death all reserved their right to remain silent.

Three eventually - after much campaigning - faced internal discipline, although the disciplinary proceedings, and the nature of the punishment, were kept secret. What is known is that the proceedings centred on the officers' failure to preserve the scene of the detainment, to preserve the clothing and footwear they wore during Mr Sylvester's restraint, and a couple of pages, which were ripped from a police notebook, as evidence.

All these seem like points that ought to be taken seriously. And they are, but with a catch. The Lord Chief Justice, Lord Woolf, ruled almost a year ago that the family could be given leave to appeal against the decision not to prosecute, but he stipulated that this could not be set in motion until the results of the inquest - which four years on has not taken place - were known. He also asked that the Metropolitan Police be "generous" in the run-up to the inquest about disclosing information to the family of Mr Sylvester. This was a significant request, because the Metropolitan Police are the owner of all information gathered with regard to Mr Sylvester's death - even the findings of the inquiry into their officers, even the results of the post-mortem carried out on his own body. Yet this awesome protection, built in to the system that exists to protect the police, was not quite enough for the officers involved in this case. While the Roger Sylvester campaign struggles on with public donations and a small amount of funding from the Lord Chancellor's office, the police have unlimited access to public funds.

They have used this largesse to fight a legal battle for total anonymity, usually available only in terrorism cases or cases involving undercover officers, claiming that disclosure of their names would lead to reprisals from the family and the public. They eventually lost this battle, and the family were told the names of the officers involved. There have been no reprisals. Seven officers also brought and lost a defamation case against the BBC, while as many as 13 officers used the privilege of free legal redress in an attempt to censor Injustice, a 98-minute documentary film which investigates the experiences of the family of Roger Sylvester, and others who have lost relatives in police custody. Lawyers representing the officers repeatedly called cinemas shortly before the film was due to be screened, saying that they would be sued if the film contained "defamatory" material.

The cinemas were never given time to seek their own legal advice, and several screenings were cancelled in this way. So tiresomely anti-democratic were these interventions, that eventually the Metropolitan Police Authority intervened, told the Police Federation, which was orchestrating the campaign to censor the film, to "grow up", and organised a screening for family members, campaigners and journalists. The film will be screened tomorrow night, after a candlelit vigil outside Tottenham police station, and a memorial service for Roger Sylvester will be held at Finsbury Park Methodist Church on Sunday.

Trust between police and community is a two-way street. What Mr Sylvester's family want more than anything is to be told what happened to him, and why. Isn't it time that the police wanted disclosure too, with automatic channels of transparent, independent, investigation when things go wrong, instead of endless, obsessive, institutionalised secrecy? It's what they want from the communities they claim to serve, then wonder why they meet with such distrust and resistance.

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