

Roger Sylvester: Jury rules London police unlawfully killed black man

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The jury at the inquest into the death of Roger Sylvester, who died while detained by London's Metropolitan Police in 1999, took just two hours October 3 to return a verdict of unlawful killing. The foreman of the jury said, "Roger Sylvester was lawfully detained, except more force was used than was reasonably necessary, causing a significant contribution to the adverse consequences of restraint. He was held in restraint too long, there was lack of medical attention and no attempt was made to alter the position of restraint. Roger Sylvester was killed unlawfully."

Sylvester's cousin, Shirley Sylvester, said, "Roger was restrained dangerously. That was what the jury concluded. They said it was unlawful and we agree."

His brother, Bernard, said the long wait for justice had put enormous strain on the family: "It's been a very difficult fight for justice. There's been lots of ups and downs. At last we have got some truth and justice. We've been vindicated."

Eight police officers have been suspended, six of whom could now face manslaughter charges. The jury's verdict is a damning indictment of the Crown Prosecution Service (CPS), which refused to prosecute the officers. In May 2001, the High Court blocked the family's attempt to gain a judicial review of the CPS's decision.

Roger Sylvester was 30 years old when he was killed. By all accounts he was a healthy and fit man. He worked as an administration officer in a mental health drop-in centre in Tottenham and was popular with work colleagues and had many friends. Although he had suffered mental health problems in the past, his family said for the last two years of his life he had not been unwell and was looking to the future.

While many things are still unclear as to what happened on the night Sylvester died, it has been

established that a little after 9.30 p.m., on January 11, 1999, police arrived outside Sylvester's house as a result of a 999 emergency call. Two officers came to the house initially and found him naked in his front garden. Within minutes another six officers had arrived. The eight officers put Sylvester to the ground where he was handcuffed.

He was detained under Section 136 of the Mental Health Act. Police officers told his family that he was restrained "for his own safety." But they admitted that he had not been violent or aggressive towards the police or anybody else.

According to one witness, Sylvester's body was already limp when it was placed in the police van. He was taken to St Ann's hospital and carried from the van to a private room where, still restrained, he was put on the floor by upwards of six police officers for nearly 20 minutes before being seen by a doctor. While the doctor left the room to get some medication, Sylvester went limp and collapsed.

The officers, with the assistance of medical staff, tried to resuscitate him but he had sustained numerous injuries and remained in a coma at the Whittington hospital until his life support machine was switched off seven days later.

From the outset every attempt was made by the authorities to blame Sylvester for his own death and so exonerate the police from blame.

On January 14, 1999, the police issued a press release while Sylvester lay in a coma, claiming that when they arrived he had been hitting a neighbour's door in an "aggressive and vociferous manner." It was soon established that he had been banging on his own door and that the police had no independent evidence that he been behaving in an aggressive manner.

A complaint to then Assistant Chief Commissioner

John Stevens resulted in a begrudging apology, but the police later insisted that they had evidence to back up their story and did not retract the press release.

The pathologist for the St Pancras Coroner, Dr Freddie Patel, also made unprofessional and inaccurate statements regarding recent drug abuse in an “off the cuff” briefing to journalists outside the coroner’s court. This unsubstantiated statement was reproduced in many newspapers. The Sylvester family complained and Dr Patel was removed and another pathologist appointed. The family said they had received no evidence that Sylvester’s death was drug related.

The damage had already been done, however. On January 30, 1999, the *Times* newspaper devoted a whole page to an article reporting that police officers thought Sylvester’s death was the result of his heart being “swollen by crack cocaine.” The article also said that he was “flinging himself to the ground” when police called for reinforcements. None of this was found to be true.

Despite this police at the inquest continued to claim that Sylvester’s death was the result of “excited delirium” brought on by drugs. This was rejected by the coroner who challenged the police’s submission that there was evidence that Sylvester had died of natural causes. He did not recognise that excited delirium as a condition by itself could kill someone. The coroner believed that all reported cases showed that death involved unnatural substances such as cocaine or restraint.

Deborah Coles, co-director of the civil rights group Inquest, spoke to the *World Socialist Web Site* about the verdict:

“What the jury decided was the police used excessive force and acted unlawfully. The jury did not believe the police officers’ story. The evidence should be reviewed and manslaughter charges should be brought against the police officers. All along the police have attempted to demonise Sylvester.

“There are still no guidelines on restraint of prisoners and in many ways this fight has just begun.”

The Sylvester family has called for changes in the way police officers restrain people in custody. They are considering legal action against the police officer involved. Mrs Sylvester said, “There needs to be a reassessment. Lessons have not been learned. Roger would not have died if lessons had been learned.”



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