

Britain: Report into police killing of Ian Tomlinson handed to Crown Prosecution Service

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The family of Ian Tomlinson has accused the City of London police, Scotland Yard and the Independent Police Complaints Commission (IPCC) of trying to prevent them from speaking out about the circumstances of his death.

Tomlinson collapsed and died April 1, minutes after two unprovoked assaults from behind by a balaclava wearing police officer and member of the Metropolitan Police's Territorial Support Group (TSG).

Tomlinson, a newspaper vendor, was attempting to return home for the evening. His route took him through a police operation directed against demonstrators opposing the G20 summit of world leaders then taking place in London. The summit was the centre of a huge security operation, "Glencoe", involving up to 5,000 police and a number of police forces.

Tomlinson's wife Julia told the *Guardian* about how news of her husband's death was delivered:

"It was half past four in the morning—a knock at the door, and Stephanie, the second youngest daughter, answered the door..."

"There were two police officers standing there...they said, 'Have you heard about the G20?' I said, 'I don't know what you're talking about'.

"They said, 'If you'd like to sit down, then we'll explain to you. And they said, 'Your husband was caught up in the G20 riots, and he suddenly collapsed and died of a heart attack'.

"Six days later, I wasn't allowed to go and see him", she said. "I didn't understand why they didn't want me to go and see him—if someone dies of a heart attack, you get to go and see him. But they weren't letting me".

Only after eyewitness, photographic and video evidence began to appear describing Tomlinson's last minutes was the police version of events abandoned.

One of Tomlinson's sons, Paul King, told the same reporter, "Now we know that it wasn't a heart attack...that he died of internal bleeding".

A second postmortem was required to establish Tomlinson's cause of death, following questions raised about the first, which identified the cause of death as a heart attack. Pathologist Freddy Patel was not at the time even contracted to the City of

London or Metropolitan Police, and it is not clear why he was chosen to conduct such a sensitive piece of work.

Patel has subsequently been suspended from a Home Office register of pathologists, pending two investigations into his professional conduct.

The results of a third postmortem have not been published.

King said, "We've been confused by the City police, Metropolitan Police, IPCC and told, 'Don't say anything, because you'll jeopardise the case'".

"I think we've been so confused with all that—don't say this, don't say that, even down to don't talk to the media—they've made us quite scared to talk.

"The IPCC have finished their investigation, we haven't been able to talk, and we just want to let people know how we feel. We are grieving".

A great deal of information has subsequently come to light on the attack, exposing the authorities' attempts to present a false version of events.

Four hours after the attack, the Metropolitan Police released a statement claiming officers had tried to save Tomlinson's life, but had been pelted with bottles. Police initially told the family that Tomlinson had simply "run out of batteries".

Despite police being aware of evidence of an attack, this was not communicated to the family or the IPCC. On April 3, the IPCC was finally told that Tomlinson had been involved with the police before the attack, but even then the IPCC left matters in police hands.

Discrediting of the official version has been solely due to the number of submissions of video evidence by members of the public, both demonstrators and passers-by. One of the most crucial clips was taken by the manager of a New York-based hedge fund. It showed Tomlinson being hit from behind by a baton wielding police officer, then pushed viciously to the ground. This was corroborated by numerous eyewitness and video reports.

The IPCC were, until April 6, five days later, still recycling police assurances that there was nothing untoward about the death. Only after the *Guardian* broadcast the hedge fund manager's clip did the IPCC and a senior police officer visit

the newspaper's offices.

According to the *Guardian*, the IPCC demanded the video be removed from public view, claiming this would "jeopardise" the enquiry. The *Guardian* refused to do this, and the next day, the clip was played to members of the Tomlinson family.

At this viewing, a senior City of London police investigator suggested that the attacker was a member of the public "dressed in police uniform".

Only then did the IPCC finally announce a criminal enquiry into Tomlinson's death.

Some 40 investigators have been assigned to studying 1,200 hours of CCTV and evidence submitted from digital cameras and mobile phones. Two hundred members of the public have been interviewed.

On August 4, the IPCC submitted a report to the Crown Prosecution Service (CPS), raising the possibility of a manslaughter charge against the TSG driver, who has been suspended. The *Guardian* has reported that the same unnamed TSG driver had previously assaulted a man who had been spraying graffiti during the demonstration by smashing his head against a van. He is also alleged to have been involved in an off-duty road rage incident.

The IPCC has also reported to the CPS on a TSG sergeant seen in video clips assaulting two women over the course of 24 hours. This sergeant, who in one clip slaps one woman then seems to take up a martial arts position before opting to baton defenceless demonstrators, also has his identification number obscured.

In all, the IPCC has now received 277 complaints from the G20 demonstrations, many alleging police aggression and injuries, mostly arising out of the police "kettling" operation, where demonstrators and passers-by were penned in, sometimes assaulted and left without food or water until the early hours of the morning. One woman on whom the IPCC reported believes she may have suffered a miscarriage.

The IPCC has also launched a further enquiry into statements given by the City of London police, the Met and the IPCC's own press officers.

Two police and parliamentary reports have sought to exonerate the police, while noting the implications for the state of ordinary citizens being able to immediately report police offences that would at one time have been swept under the carpet. They warn that too much overly aggressive policing, particularly when it is instantly broadcast around the world, is counterproductive. One report, "Adapting to Protest" by Denis O'Connor, the chief inspector of constabulary, complained that officers must now understand that they work in an environment where there is an "instant visual record of police conduct".

The report makes a number of recommendations about police liaison with the organisers of proposed demonstrations, called for the use of short NATO riot shields to be "medically assessed", and warned that some senior police officers did not know the law with regard to kettling. O'Connor recommended

that the police should find ways to respond more speedily to an IT literate "protest community".

Parliament's Joint Committee for Human Rights under Labour MP Andrew Dismore took up the same issue in "Demonstrating Respect for Rights—Follow up".

Dismore called for the establishment of a liaison system to allow for "no surprises" to confront either the police or demonstrators. Protest organisers should, for example, have a designated contact police officer, and a system of arbitration, similar to the arrangements for industrial disputes, should be set up.

The committee refused to condemn kettling, describing it as a "useful and lawful tactic", arguing only that toilets should be provided, signs to inform people what is going on should be available, and passers-by, the sick and the infirm should be allowed out.

Only on the question of unidentifiable police officers whose badges were obscured was the committee unequivocal. The committee called for it to be made a legal requirement that police officers display a number to allow their identification. During the G20 protests a number of police, including the TSG member who attacked Ian Tomlinson, obscured their badges while others wore incorrect ones.

Even this was too much for the government. The then Home Office minister Vernon Coaker effectively upheld the right of the police to act illegally, stating that "you have to ask yourself, if you have got a very, very small number of officers who are determined to obscure their number, even if it is a legislative framework, whether it would make much difference to them".



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