



The Sheku Bayoh Public Inquiry

Witness Statement

Marcia Rigg

**Taken by [REDACTED] via Microsoft Teams
on 21 and 22 May 2024**

Witness Background

1. My full name is Marcia Rigg. My date of birth is in 1964. My contact details are known to the Inquiry.
2. My brother, Sean Rigg, died in police custody on 21 August 2008, following a mental health crisis. I will first summarise about what happened to my brother on the night he died, to give some context to the reader. Sean suffered with mental health issues for 20 years but lived an independent life when well, a talented musician, healthy and likeable man. He was just 40 years old. He was not a criminal and did not take drugs. I was his primary carer as his eldest sibling. Sean was living in assisted accommodation, a hostel in Brixton, South London at the time of his death. On 21 August, the staff there were extremely concerned about his psychotic behaviour and deteriorating mental health. He had relapsed because he was overdue his medication by

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two months. Staff made several desperate 999 calls over a period of about 3 hours to the police asking for them to attend the hostel to take Sean to a place of safety, a hospital, as he was vulnerable and extremely unwell. His name and mental health condition was given to the call handler and a police CAD record was opened. Police refused to attend saying it was not a police matter. Sean eventually left the hostel at about 7.05 p.m. and went out into the streets actively psychotic. It was blatantly obvious that he needed urgent medical assistance and care. Members of the public saw that he was unwell and called the police too. He was dressed inappropriately, naked from the waist up, erratic, doing martial art kicks towards the public and walking in and out of traffic. These were clear indications of a mental health crisis. Sean was subsequently detained and handcuffed to the rear by four Metropolitan Police officers at about 7.40 p.m. for a public order offence, (alleged) assault on an officer, and theft of his own (cancelled) passport claiming that they did not think the photo looked like the man detained. No checks were made for the passport by any of the officers. The handcuffing took about 30 seconds. He was searched and restrained face down throughout in the prone position using 'unsuitable' and 'unnecessary' force for 7-8 minutes whilst one officer pinned down his legs and the other at the top of his shoulders near his neck. A witness took two photos of the restraint on her mobile phone while looking out of her window. Multiple witnesses say Sean was struggling but not resisting. He was eventually brought to his feet and assisted to the back of a perspex 'caged' police van, where the officers say that from the seat, he slipped down into the footwell of the cramped cage, still restrained with handcuffs to the rear, and was allegedly on his back/bottom spinning 360 degrees whilst walking his feet around the caged walls. This action sounds implausible. He was then driven at speed on blues and twos to Brixton police station, not a nearby hospital.

3. They arrived at the station at 7.53 p.m. Sean was kept in the van due to the arresting officers' claim that Sean was violent and had kicked off inside the van. The custody suite was subsequently cleared at the request of the

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Sergeant, who said that the custody suite was busy and that a violent man was coming in. The Sergeant also claimed that he went outside to the van and looked at Sean directly into his eyes and Sean was just staring, that he was sitting up on the seat with his head leaned on his left shoulder, he shouted at Sean, but he did not respond and that he had no concerns with Sean's health. CCTV proved that this was not true, and his account was a complete fantasy. After about 11 minutes, Sean was removed from the van in a collapsed state heavily assisted by two officers under each shoulder, with a very short walking distance, a few steps, to a 'caged' holding cell outside in the yard at the entrance to the custody suite at about 8.03 p.m. It can be seen on CCTV footage from inside Brixton police station that on entering the cage, Sean immediately collapsed to the ground. Officers claim that he wanted to sleep (which means his eyes were shut) and that he never spoke once throughout. One officer said he thought Sean was mute. Sean is sat up with his back propped against the wall of the cage clearly collapsed, including his legs and head, with officers propping his legs up with their feet, claiming that he was in the way of people coming through the cage to enter the custody suite. He collapsed over again on to his right side at 8.06 p.m. and is put into the prone position, still cuffed. There were multiple officers inside the cramped cage throughout, about 5 or 6, including the arresting officers who were periodically in and out of the cage into the custody suite speaking to the Sergeant and other officers. No doctor was called to attend to Sean, at this time, although there was a forensic medical examiner (FME) on duty. The Sergeant in charge checks on Sean for the first time, who has now been put in the recovery position. The Sergeant can be heard saying at various times that Sean was 'faking fitting and unconsciousness', that custody should be cleared as a 'violent man was coming in' and 'if he dies in here, we're all in the shit'. At about 8.11 p.m. Sean was stood up and held by two officers, which was completely inappropriate. The officers claim that Sean just suddenly stood up by himself. After a minute or so, the officers let go and Sean collapses again to the floor and was assisted and put into the recovery position. Only one hand of the cuffs was released, but they were

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not totally removed. The FME is only now called and attends at 8.13 pm and says that Sean is having a heart attack; should be covered with a blanket and to call an ambulance. Sean is now partially obscured from the inside cameras, and only his legs can be seen. One of the arresting officers, the one that was at Sean's neck whilst being restrained, can be heard telling the Sergeant that he had Sean's 'blood on him' and 'I hope he (Sean) ain't got nofink'. He also said, 'Oh Christ, he's faking it!'

4. The truth is that Sean was 'fatally' unwell and died shortly afterwards on the cold ground, practically naked wearing only speedos (his trousers had been cut off) at the feet of multiple police officers who claim they had been monitoring him. Sean never ever enters the custody suite and was dead within an hour of being arrested no later than 8.24 p.m. when officers shout for defib as they suddenly realise that Sean was not breathing. Officers commenced CPR at about 8.25/6 p.m. The defibrillator machine can be heard advising 'no shock' since there was no heart rhythm. No emergency 999 call was made until 8.33 p.m. when an Inspector in the building telephoned down to custody telling them to call 999 directly. Paramedics arrived at 8.36 p.m. Sean was asystole and CPR was continued by the paramedics and taken to Kings College Hospital at 9.04 p.m. He was pronounced dead at 9.24 p.m.

5. Mysteriously, two officers were deployed at 8.00 p.m. to the hostel where Sean lived saying they were responding to the earlier 999 calls made earlier that evening by the hostel staff. They arrived at the hostel at 8.12 p.m. and can be seen arriving on CCTV. Both officers gave identical time of arrival in their witness statements saying that they both arrived at 7.30 p.m. (before Sean had been arrested). Their police notebooks on the night were never found though it can be seen on CCTV that they were on their police radio and writing in a notebook.

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6. A jury found that the actions or in-actions of the officers 'more than minimally' contributed to Sean's death at the Coroner's Inquest four years later, on 1 August 2012, including that his 'basic human right' was ignored. Neither neglect nor gross negligence manslaughter was allowed by the coroner and directed the jury to give a narrative verdict. The findings of that jury's narrative were highly critical of the metropolitan police and mental health services. The Coroner, Dr Andrew Harris, wrote a Rule 43 Report (now called a Prevention of Future Deaths Report) giving vital recommendations. No other family should have to go through this, but sadly, it does because Sean's case is not isolated, and too many have died since, and before. See Rule 43 and responses.

7. The night Sean died, it has ever since been over-whelming grief, trauma and anger for me and my family, double dosed with years and years of unnecessary lengthy delays, unethical tactics and cover-ups, a distressing inquest listening to lying officers, challenging judicial reviews, flawed investigations, independent reviews, a failed criminal prosecution for perjury, police gross misconduct hearing and compensation payment to the arresting officers. This August makes the 16th year since Sean's death. Ultimately, the arresting officers and sergeant were all found to have done absolutely nothing wrong by the British state. No family could ever make this up because an '*Injustice anywhere, is a threat to justice everywhere*' - *Dr Martin Luther King*.

8. I truly believe that Sean's race and gender greatly contributed to the way in which he was treated by the arresting officers - an uncaring, immoral, and inhumane manner, including the numerous investigations that followed from there on, institutional racism and corporate manslaughter.

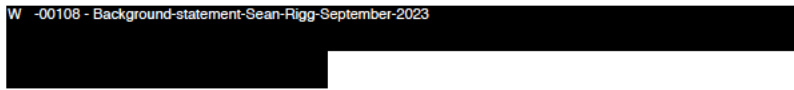
9. I have spear-headed a successful strong media campaign, Sean Rigg Justice & Change, because of my family's personal experience right at the beginning of the investigation into his death by the Independent Police Complaints

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Commission (IPCC), now called the IOPC, the Independent Office of Police Conduct. The family campaign began because of our immediate concerns at the outset in terms of having access to the body and to get an understanding of how and why he died. The case finally concluded on 1 March 2019 following a gross misconduct hearing chaired by then Commander, Julian Bennett. Not one single officer was made accountable for Sean's death and was given complete impunity. It was one of, if not the, longest Metropolitan Police investigation into a death in custody, which lasted for almost 11 years.

10. And then there is more. I found out on 15 May last year that the IOPC in secret paid three of the arresting officers earlier that year a total sum of £65k compensation, plus legal costs, and a personal apology, for the lengthy delay of the Rigg investigation to be completed by them, which in turn caused the officers trauma and affected their human right to private life. The IOPC did not tell either myself or my family. I found out by sheer luck. It was infuriating, and still is as I write this statement. The IOPC gave an unprecedented apology to me and my family on 21 August 2023, exactly 15 years to the day that Sean died. I am currently still in discussions with the IOPC.

W -00108 - Background-statement-Sean-Rigg-September-2023


Wider Campaigning and Contribution to Reviews and Reports

11. I have been asked about my wider campaign work, for example, my involvement and roles with INQUEST. INQUEST and their Inquest lawyers have been priceless and crucial support in navigating and challenging the inquest system, judicial processes, commissioned reviews and the wider media. I became involved with them the next morning after Sean died. From early on it was obvious we needed a fearless legal team and strong media family campaign alongside the investigations, so using the media to ultimately keep Sean's case alive and firmly in the public domain has been a

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strategic and impactful weight. It is also important to solidly continue highlighting the historic thousands of deaths in state custody here in the UK, to keep pointing at the government and its agents who have been unwilling so far to effect implementation and change for our future generations. The deep systemic patterns over the decades seem to me to be of no coincidence and is a deliberate sophisticated structure set up for families to fail and ultimately denied justice. The bar standard for police officers is set so high it is not realistically attainable. There is seldom a conviction. A complete waste of unlimited public money. This is unfair and unjust to families and their communities and only serves to exacerbate unnecessary pain.

12. A month or so after Sean died, I came across a campaign called the United Families and Friends Campaign, a small grassroots non-profit organisation of a coalition of family campaigns whose loved ones have died at the hands of the state, predominantly in police custody and mental health services. It was set up in 1997 by a coalition of black families following the deaths of Joy Gardner, who was restrained with handcuffs, leather straps and 13 feet of adhesive tape wrapped around her face and head in 1993, Brian Douglas, who was struck with a metal baton over his head in 1995 and Roger Sylvester in 1999 who was excessively restrained in the prone position. Roger Sylvester's family were represented by INQUEST, and was a case similar to Sean's. INQUEST introduced my family to them and we spoke to a family member to understand their lived experience of the inquest process, as my family were completely oblivious as to what the next stages and experience would be.

13. I have voluntarily worked with INQUEST not only in their capacity as my legal team, but also in joint collaborations and contributions to very crucial campaigning and governmental reviews for what is right and just and to make a difference. Sometimes, giving up is not an option and it is important for the family voices to be heard, as they are the most powerful. They are the voice of the voiceless. The lack of accountability and repetitive systemic failures by

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governmental bodies in policing, mental health, and prisons with predominantly black men still disproportionately dying in police custody today, is a continuous colonial and racist attitude dating back to slavery. All governments have been slack and unwilling to properly ensure the implementation of endless past recommendations by not effecting and ensuring real change so lives can be saved, instead of destroying them. This is jarring. I have learnt that the inquest and criminal justice process in the UK is lined with obstacles, lies and cover-ups. The insulting injustices to families only serve an ongoing negative impact within communities, with no real redress or sanction to the culprits. Families are indefinitely left grieving for justice, with their well-being and pain left unnoticed. Where is the human heart in this, why is it of a devilish nature?

14. I often sit on panels with Deborah Coles, Director of INQUEST, senior case workers and policy staff, so the audience can get a full and proper timeline of the legal challenges together with the family's lived experience. I consult and engage in INQUEST family connection cafes, forums and listening days for commissioned government officials to meet, greet, and hear from real families their stories for input into those reviews and recommendations. I talk to and support families in whatever way I can really, which in turn helps me too, to learn and share our experiences in a comfortable space, explore new ideas, care and well-being and feedback. Occasional blog writing, short online documentary films, press conferences, podcasts, news and radio bulletins, and short campaign video clips for social media purposes, more recently the 'No More Deaths Campaign for an independent National Oversight Mechanism' into governmental bodies conducting investigations in the deaths and ensure the recommendations are fully implemented and lessons learned once and for all, and UFFC's annual memorial procession every October.

<https://www.inquest.org.uk/no-more-deaths-inquest-launches-its-campaign-for-better-follow-up-to-life-saving-recommendations>

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<https://www.memorialfamilyfund.org.uk/uffc-rally>

15. I successfully campaigned, as did other campaigners, for cameras and audio in police vehicles and body worn cameras, which were non-existent within the Met in 2008. A 'visual' timeline is important evidence for a more accurate account of what really happened when interacting with the police.

<https://www.inquest.org.uk/sean-rigg-family-response-to-camera-in-police-vans>

<https://www.independent.co.uk/news/uk/crime/police-vans-to-be-fitted-with-cctv-to-uncover-hidden-abuse-8082536.html#>


16. I am a member of the INQUEST Family Reference Group (FRG) which is a small group of post INQUEST and UFFC families who continue fighting for justice for all families, by bringing more public awareness, protesting, and using social and media platforms. Lobbying parliament and consulting with ministers and MP's. Determination in challenging the criminal justice system about the bottomless recommendations and enduring consistent patterns. To talk and share experiences so they no longer feel isolated by listening and sharing love with other families who know the impact on their pain and wellbeing.

INQUEST Film trailer - The UK is not innocent:

<https://www.youtube.com/watch?v=DR2bECqvdS8>

17. The Souls INQUEST Exhibition, a collaborative implementation named by the INQUEST FRG with photographer Sarah Booker. We all felt that visual photos and the family voice was a personal and emotive way that can be displayed to the public to highlight the grave injustices families encounter, using art, and a visual reminder of when the state kills, state denial and impunity. 'The soul of our loved one lives forever in our hearts and memories, which will never die' – Marcia Rigg:

<https://www.youtube.com/watch?v=dO4prRQ4xvE>

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Giving evidence from a family's lived experience and perspective to various state commissioned reviews, panel discussions and students, such as:

- a. Home Affairs Select Committee report on the IPCC
<https://publications.parliament.uk/pa/cm201213/cmselect/cmhaff/494/121023.htm> with Deborah Coles of INQUEST, Doreen Lawrence, and others. The Select Committee basically found that the IPCC lacked resources to carry out their duties robustly and effectively and should reduce the dependence of former police officers to be more independent and transparent. I gave evidence to the Select Committee on two occasions, before and after the Inquest into my brother death.
- b. Dr Silvia Casale report <https://www.inquest.org.uk/sean-rigg-family-response-to-ipcc> who was commissioned by Dame Anne Owers, the new chair at the IPCC in 2012 because of the damaging jury's narrative verdict, which was in stark contrast to their first investigation and findings in the Rigg case. Dr Casale recommended, amongst other things, that the case be reopened as a criminal investigation.
- c. The Lord Victor Adebawale Review commissioned by Sir Bernard Hogan Howe, Commissioner of the Metropolitan Police at the time, on Mental Health and Policing following the Inquest jury findings into the death of Sean Rigg. Sir Bernard also commissioned a second investigation into perjury and perverting the course of justice following false evidence given on oath at the inquest. Three officers, including a federation representative, were later arrested, and investigated by the IPCC. <https://committees.parliament.uk/work/3091/policing-and-mental-health/publications/>
- d. Elish Angiolini report
<https://inquest.eu.rit.org.uk/Handlers/Download.ashx?IDMF=7f46fc5a-b4be-4873-9a05-e186d2cfc0a9> commissioned by the then Prime

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Minister Theresa May, which was commissioned directly because of the Sean Rigg and Olaseni Lewis cases and sat on the press conference panel of the publication of the report.

<https://www.youtube.com/watch?v=QmqOMBPNjQc>
<https://www.youtube.com/watch?v=9kqaOuxPL6Q&t=48s>
<https://www.youtube.com/watch?v=ohmbS55xTjg&t=358s>
<https://www.youtube.com/watch?v=3NAIUULGkRo>

e. The recent Baroness Casey Review

<https://www.met.police.uk/SysSiteAssets/media/downloads/met/about-us/baroness-casey-review/update-march-2023/baroness-casey-review-march-2023a.pdf> following the tragic death of Sarah Everard asked INQUEST and families at a roundtable discussion to meet and input to the inquiry and to feedback our experiences of the investigation process and the issue of race. Unfortunately, our honest and strong evidence was omitted from the final Casey report, but we were told that our evidence had been handed to the Met as background material. It is a mystery to me as to why.

f. Consulting on Seni's Law on the Mental Health Use of Force Act in mental health settings <https://www.gov.uk/government/news/new-law-to-prevent-use-of-force-in-mental-health-settings> following the death of Olaseni Lewis, where the INQUEST FRG consulted together with Ajibola Lewis, the mother of Seni, with the Ministry of Health on the guidelines. <https://www.youtube.com/watch?v=H3ye4Cvjexo>

g. Engaging together with Aji Lewis and Deborah Coles with various Mental Health NHS services such as the South London and Maudsley (SLaM) by contributing to online panel discussions to improve the experiences of vulnerable service users to prevent deaths when in contact with the police by using less physical interaction and more de-escalation by using their training when attending a medical emergency mental health incident. The end of face down police prone and prolong

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restraint and excessive use of force, including the use of tasers.

Challenging the stigma of mental health.

<https://www.youtube.com/watch?v=yVHk9HEpbPI>

<https://maudsleylearning.com/courses/seni-s-law-detention-and-race-interrogated/>

- h. Engaging with the Equality and Human Rights Commission with INQUEST and families on preventing deaths in detention of adults with mental health conditions.

https://www.equalityhumanrights.com/sites/default/files/adult_deaths_in_detention_inquiry_report.pdf

- i. Speaking together with Deborah Coles at Mental Health and Policing Conference in Wales with their police federation, police force and various practitioners on lessons to be learned and the families experience of their employees and practitioners following a death in police custody or in mental health services.

- j. Speaking at the International School of Geneva and give interview engaging with aspiring young students about race, my family campaigning, deaths in custody in the UK and the Black Lives Matter (BLM) movement and the disproportionate police deaths of black men and people of colour. <https://www.youtube.com/watch?v=Fy5rJX1eo-l>

- k. The growing concerns of the young future generations at home and abroad. Networking with UFFC families and students and journalists, podcasts, such as

<https://uffcampaign.org>

<https://www.youtube.com/watch?v=vnL-ZYywSyQ&t=7s>

<https://omny.fm/shows/a-hundred-types-of-human/marcia>

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<https://www.elle.com/uk/life-and-culture/a32742001/marcia-rigg-anti-racism/>

<https://journals.sagepub.com/doi/pdf/10.1177/09646639221094149>

UFFC also engage with grassroots activists and families, including France, Germany, the US. Speaking at Harvard University and International School of Geneva and universities and criminology students across the UK, such as:

<https://cpb-eu->

w2.wpmucdn.com/blogs.lincoln.ac.uk/dist/9/7856/files/2019/07/BSC2019ConferenceProgramme_FINAL_3rdJuly.pdf

- I. Engaging with INQUEST and families and giving evidence to the United Nations post the murder of George Floyd and meeting with the UN High Commissioner with other global black families affected by deaths by law enforcement officers during the lockdown period, including the brother of George Floyd and the mother of Breonna Taylor.

<https://www.ohchr.org/en/stories/2023/10/participation-key-ending-systemic-racism>.

https://www.youtube.com/watch?v=2wbnNer6_1U

<https://www.inquest.org.uk/news-ohchr-evidence>

- m. Speaking in Geneva at the United Nations on the global use of force by law enforcement officers on people of African descent following the murder of George Floyd, the outrage and global impact during a worldwide pandemic and the opportunity to highlight similar deaths in the UK. <https://www.youtube.com/watch?v=x4RkzuLpkTI>

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- n. Speaking with Deborah Coles on symposiums and panels at various universities across the UK with criminology students and practitioners.
- o. Speaking with Deborah Coles and the play writers, on a panel discussion at the critically acclaimed play called '*Accidental Death of an Anarchist*', at the Theatre Royal Haymarket, London. A play about a true story of the fallen death of a man from a police station window in Italy - did he jump or was he thrown? - to highlight the number of deaths in the UK and the work of INQUEST and UFFC.
- p. Speaking at various universities with young students including during the UK Black History Month, such as Oxford, Goldsmiths, SOAS, Greenwich and Kingston universities and others, and at public community events
- q. The INQUEST 'I Can't Breathe Report' on black men disproportionately dying in police custody following a mental health episode, excessive restraint, use of force and the lack of race being investigated and blinded in terms of references in cases involving the death of black men. An extraordinary finding and very telling.
<https://www.youtube.com/watch?v=SIB6klu9V7I>.
<https://www.inquest.org.uk/police-racism-report-2023>
- r. I also now sit on the INQUEST Board as a family Trustee. It is important for the board to have the lived experience, and skills, of family input, who are the heart of the organisation they advocate for.

I am known as one of the faces of UFFC, a non-profit grassroots organisation of a coalition of family campaigns where we organise and gather affected families as much as we can across the UK, every October, in Trafalgar Square for our Annual Memorial Procession in remembrance of our loved ones who have died at the hands of the state. Together with our supporters we march to No. 10 Downing

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Street to hand deliver a letter to the resident Prime Minister with our demands and to tell our stories publicly. This October will be the 25th year of the annual Memorial March.


<https://www.youtube.com/watch?v=w3uNqKx6kY8>

Initial Information given after Sean's Death

On the night of Sean's death, my life changed overnight. My family were contacted by police liaison officers on the telephone in the middle of the night at around 2.30 a.m. who wanted to come and speak with us face to face. It was my brother and sister as I was out of London that evening, so my sister telephoned me. When the two female liaison officers arrived, they told us that Sean had died in Brixton custody but didn't have much information in terms of how he died, just that he became unwell and suddenly collapsed in Brixton police station. We were not allowed to see or identify Sean's body. That was our first concern. When can we actually see him? Is it Sean? Is he really dead? But to our surprise, we were told that his body was 'sealed off' in a body bag, that his body belonged to the state, and so therefore we couldn't see him. They showed and offered his cancelled passport as a way for us to identify him. We found that difficult to comprehend and understand because it did not prove that he was dead. I don't recall if they said if Sean was carrying his passport at the time of arrest. They then handed us a bunch of leaflets because they were asking so many questions, one of which was an INQUEST leaflet, with a quote from the Roger Sylvester family saying along the lines of "If it wasn't for INQUEST, we don't know how we would have been able to get through the inquest process." From then on, we just didn't trust what the police were telling us. We couldn't access the body. They wanted us to sign a medical release form because the police wanted access to his medical records and they were asking questions like, was he ill? Was he suffering from any illness such as, his heart or anything like that? We contacted INQUEST by telephone and left a voicemail, which they picked up first thing in the morning at 9 a.m. and contacted us.

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18. That was really a saving grace because I now understand by liaising with many other families over the years that they don't know how to navigate the inquest process following the death of their loved one and quite often have never heard of INQUEST. INQUEST told us that there was going to be an investigation by the IPCC and a Home Office autopsy that morning (22 August), something that the police liaison officers did not tell us about. INQUEST helped us try to find an independent pathologist and contacted the IPCC and was able to postpone the autopsy that morning for us to find an independent pathologist. We now had the name of the IPCC investigator, Christopher Patridge, and INQUEST put him in contact with us. We were trying to obtain Professor Nat Cary as we were advised by INQUEST to instruct a trusted independent expert because of the scanty information that we were given at that time. We didn't know Sean had been restrained. We didn't know how he came to his death. The police liaison officers said they would drip feed us with any information when they knew more, but we never heard from them again.
19. Sean died on the Thursday evening before the Notting Hill Carnival bank holiday weekend, and it was difficult to find a pathologist. The Home Office autopsy went ahead later that afternoon without any independent family representative in attendance. The IPCC and police were in attendance, but our family had not been given the opportunity to first see and identify our beloved Sean and the state autopsy went ahead regardless.
20. At the time I was a senior legal secretary, working for a high-profile, niche firm of libel lawyers in the City. I went to work on the Tuesday morning and explained to my boss that my brother had died in police custody over the weekend, and I needed good legal advice. I told him the little that I knew. He mentioned to me about the Christopher Alder case which at the time, I had never heard about, presumably because it happened in Hull. I was advised to meet somebody at Hickman & Rose, Daniel Machover, whose offices were just around the corner. I met with Daniel that afternoon and he explained that

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he was happy to take on the case and to meet the rest of my family. We instructed him within days. He advised that we needed a strong campaign alongside the legal investigation, and we started campaigning the first week.

Identification of Sean

- 21. The autopsy went ahead on Friday 22 August, but we had not yet identified Sean. The IPCC lead investigator at the time, Christopher Patridge, didn't want us to see Sean until six days later, arguing that it was bank holiday weekend. Our argument was, when does a mortuary close, because obviously people die every day.

- 22. After overnight discussions, the IPCC finally agreed and we were able to gain access to Sean's body the next morning, Saturday 23 August 2008, at Greenwich Mortuary. Sean was seized behind a locked room. We were not able to touch or hug him and we could only view him through the glass window once they pulled back the curtain. I became overwhelmed and suddenly fainted. My family helped me back to my feet and I was brought some water. We were only able to see one side of Sean's face, which was the left side, and his body was sealed off in a body bag from the neck down. We have never seen his body to this day, and of course he'd already had the autopsy.

- 23. We couldn't see any significant injuries to the left side of his face that was visible, but nor could we see the right side of his face at all. We asked for the room to be opened so that we could go inside to see the other side of his face. The IPCC family liaison officer was present, Richard Omotosho together with Christopher Patridge, our first time meeting the IPCC, and somebody, I think her name was Geraldine, from the coroner's office. They were all very reluctant to unbolt and open the room. Their excuse was because of Sean's dignity, and we felt they just didn't want us to see his body. Eventually, because of our categorical insistence, they reluctantly agreed, unbolted then removed the rod and opened the room. We all went

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inside, squeezing around Sean to the other side of the bed. There were injuries on the other side of Sean's face that we had not been told about by the IPCC, which was absolutely horrific for all my family. At some point at the mortuary, I can't remember if it was before or after we went inside the room, I was given a temporary death certificate as Sean's next of kin, so that we could start making funeral arrangements.

24. From that moment we knew that something was untoward because the night before, we'd been speaking with the IPCC on the telephone, regarding the autopsy findings. The Home Office pathologist was Professor Nicholas Hunt, but he was unable to ascertain the cause of death at that time.
25. At the time, we did not know what information was given to the pathologist. We later found out that there were numerous gold meetings that had taken place during the night at Brixton police station, with the Department of Professional Standards (DPS), the IPCC, Colin Reynolds, lawyer for the Met and the arresting officers: PCs Forward, Haratt, Birks, and Glasson, and the sergeant, White. The IPCC should have been aware of the officers having restrained Sean hours before and to furnish this information to Professor Hunt, but I think we later found out that he wasn't aware of the restraint at the time of the autopsy, but I am not certain.
26. They wouldn't allow us to see Sean before the autopsy, which is what we wanted to do. Then they said his body was seized and belongs to the state. It was our brother, it was our mother's son, and we wanted to see him. I think any family, any human being, if their loved one dies in whatever circumstances, the first thing they want to do is to see them.
27. When we did see him on the morning of 23 August at Greenwich Mortuary, we were horrified that we were not informed about the full injuries. On the telephone the night before to Christopher Patridge, he told us that the autopsy had taken place that afternoon, and so we were speaking to him that evening until quite late, in terms of how he died and when we could see him

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and identify him. He basically told us there were grazes on his elbows and around his wrists, consistent with handcuffing, and I think an injury to his foot. I can't fully remember exactly, and that was more or less it really, quite superficial injuries, none of which caused his death. His brain and heart had been removed for testing and toxicology swabs were taken. They didn't know how he died. They didn't know anything else, but the next morning when we saw the injuries on Sean's face, we asked, "Why didn't you tell us about those injuries?" They didn't have a proper answer for us. They had only taken scanty statements from the officers on the night, and PC Glassen was advised to make no statement that night. We were very angry and upset. We suspected that something was very untoward, and my regret, is that we never saw Sean's body. The only reason at the time why I didn't pull the zip back from the body bag was because he'd had an autopsy.


28. We asked questions: "Were photographs taken at the autopsy?" and they said, "Yes,". I wanted to take photographs at the time with my family, but the IPCC said that the photographs were taken, so we left it at that. Our investigations and campaigning started immediately after that. We went straight to Brixton Police Station; we knew he died at the station following our own investigations as a family. He never entered the custody suite at any point. He entered the station in a van, but he died at the entrance to the custody suite on the floor in the station yard about 20-25 minutes later at least certainly by 8.24 p.m.
29. We later found out that the IPCC had put out a press statement on 23 August saying that Sean had subsequently died at the hospital, but he was pronounced dead at King's College Hospital at 9.24 p.m. on 21 August.
30. We hadn't had an official meeting with the IPCC yet. Our first meeting with them was mid-September 2008. Our IPCC family liaison officer, Richard Omotosho visited us at home the Saturday afternoon after identifying Sean earlier that morning and we had a meeting. He was asking the family lots of questions about Sean but couldn't answer much of ours really. Arrangements

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were made soon after to view the Brixton police station CCTV footage at the IPCC's offices, which we did, accompanied by our solicitor.

Early days following Sean's Death.

31. In terms of campaigning, what our family decided to do immediately was to hold a candlelight vigil directly outside Brixton Police Station. We did that for one year, once a week every Thursday because Sean died on a Thursday. We attended between 7 - 9 p.m., which were around the times of Sean's interactions on the street, inside the van, and at the station, until he left the station in an ambulance to the hospital, dead. We handed out leaflets and interacted with the community to alert them about the death and that we were trying to find out what happened. We came across people who also told us their own personal stories with the police dating back from the 1970's, predominantly black men – a quagmire of injustices.
32. We had left the mortuary, heartbroken and grieving, straight to Brixton Police Station to put flowers on the steps, and tied flowers on the railings. We were desperate to find out what the officers had done to him. Somebody came outside the station, an Inspector called Suzanne Wallace. She invited us into the station because people were gathering outside also wanting to know what happened. We were all shocked and upset, praying and crying. The police invited the family and a few of our friends that were with us into the station at that time. There was an IPCC investigation, but the police invited us into the station to talk to the family. I think they were trying to find out what we knew at that time, and I since learnt that they were concerned about community unrest, such as a riot.
33. Sean suffered with his mental health, and I had a very close relationship of 20 years with his mental health team, SLaM in Brixton. We contacted his social worker by telephone and visited the hostel where Sean lived, which was an assisted hostel for service users in Brixton. He wasn't under any sections and lived a relatively independent life. We went there to speak to

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the staff to find out what happened, because we still didn't know why Sean was arrested. We wanted to know everything leading up to his arrest and why I was not contacted to let me know that Sean was relapsing.

34. We went to the hostel on the afternoon of Friday 22 August. They told us there had been emergency 999 calls made to the police because Sean was relapsing, psychotic and hallucinating, aggressive to staff, doing karate moves in and out of the garden and not recognising the staff. I can't remember all the exact details without referring to my old notes, but they told us the above, including after he left the hostel and went on to the streets, that they were frantically contacting the police for help, the time Sean left the hostel. The police came to the hostel that evening Sean died but did not tell the staff that Sean had been arrested or was dead.
35. We became investigators ourselves overnight and were firing questions trying to find out everything that happened. We couldn't understand. If he'd been arrested by the police and taken into custody and apparently just suddenly collapsed out of the blue, why couldn't the IPCC or the police tell us what happened?
36. When invited into the police station by Inspector Wallace - her title was Ma'am - she went around the table to ask us individually our names, bearing in mind - we're upset because we've just visited his body, but we were calm and dignified. Ma'am didn't write any handwritten notes. We were asking a lot of questions most of which she said she was unable to answer and commenting that we knew more than she did. She said she was present at the station on the night. After a while, we asked if she could take us to the exact spot Sean died, to which she agreed. She radioed the sergeant downstairs in the custody suite and arranged with him for us to go down to the caged holding cell and inside the custody suite. We were looking everywhere in the yard and custody suite, and I think one of our friends was taking notes. Police officers were in the custody suite too.

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37. We asked Ma'am if we could video record the caged area, the spot where he died. She allowed us to do that if we didn't record any officers' faces. In the end, that evidence was used four years later as an exhibit at the inquest into Sean's death. This was extraordinary because, within months, Brixton Police Station had got rid of the original cage that Sean died in, and it was a completely different measurement and cage. So, it was a good job we'd actually taken that video, but there was also photographic evidence of the cage and police vehicle when we finally started receiving disclosure documents.
38. So, we knew by the Saturday that Sean died at the station and that the IPCC's press release that day was not all factually correct. The press release said that Sean had assaulted an officer, not "alleged assault," and that he was 'pronounced dead' at the hospital at 9.24 p.m. where he had "subsequently died," which was not true. I don't believe we knew about the press release before it went out and what it said.
39. I'm not sure if Patridge realised I worked for a niche libel and litigation firm at the time in the city of London. At our first official meeting, I threatened him and the IPCC with a libel action, because some of the information was not true. They subsequently apologised publicly and agreed to remove and correct the mistake with a public apology. They amended their statement on their website. Within days of learning about Sean's death, we faced numerous obstacles, but these are just some of the initial ones. It became worse as time went on, so our campaigning and the charity INQUEST was even more vital.
40. Our case became a *cause célèbre*, early on because our family were the first to put out a photo of Sean, and not the police or the IPCC. We had our first media interview with the BBC on Saturday 23 August outside the police station during the time of our meeting with Ma'am. Someone had called the BBC, I'm not sure who, but my sister gave an interview to them during the time Ma'am escorted us all down to the custody suite. Ma'am was caught

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unawares when she received the call that a reporter was outside the station and wanted to speak to the Rigg family. We already had INQUEST on our side. We were a family to be reckoned with and we were determined to find out the truth. We asked a lot of questions via our solicitors. I think within weeks we had about a hundred questions, most of which the IPCC did not have the answer. Our burning question was why they were not interviewing the arresting officers or any officer that was in the custody suite when Sean arrived. They were treating the arresting officers as witnesses rather than suspects, Why? We couldn't fathom their reasoning, which was to interview all the hostel staff first, and any potential witnesses that saw the arrest and restraint, including members of the public that made 999 calls. They would only interview the arresting officers and the sergeant once all these were received. It was extremely frustrating when we should have been grieving.

- 41. We were aware of the police attending the Fairmount Road hostel early the following morning to take detailed statements from the staff who had been making the 999 calls about Sean.
- 42. I can't fully remember the exact sequences of events because I was so distraught, but we had other friends with us that were taking notes to make sure that we got all the information.
- 43. On the night, the officers had been allowed to be put in one room together, which gave them the opportunity to collude. They were advised by their lawyers and a federation representative. The IPCC did not take an initial statement from Glasson, who was the officer restraining Sean's neck area, and only took scanty initial statements from the other arresting officers.
- 44. Reversing the scenario: had ordinary citizens encountered Sean, restrained him using excessive force, put him in the back of a vehicle and driven at speed somewhere and he suddenly collapsed and died, we know that they would be interviewed immediately. They would not be put in one room

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together but kept separately. So, we couldn't work out, understand, or fathom why the police, weren't doing the same with the arresting officers.

45. The IPCC began interviewing the officers under caution seven months later. My family had made an official complaint two months after Sean died to the Met Commissioner and the IPCC to interview them. The officers had not been suspended, even though we were insisting they should be. The officers were instead put on desk duty and had seven months opportunity to collude and prepare their witness statements. Other officers' accounts who were present in the custody suite on the night were, in parts, identical accounts, but not factual, such as timings. And other officers present were not interviewed at all in the first investigation by the IPCC, such as an officer who can be clearly seen and heard on the CCTV telling the officers who stood Sean up that 'You can't get a dead man standing' whilst in very close proximity to the officers and Sean in the cage. Why on earth was this witness not interviewed? I was later told by the Crown Prosecution Service (CPS) in a private meeting with my legal team and INQUEST present after they decided that there was 'insufficient evidence for a successful prosecution', that they did not know the context in which that officer had made the comment, which was utterly unbelievable to me because there was only one dead man in the custody suite that evening and the officer was looking at him when he said it. Incidentally, the CPS's findings or decision not to prosecute any of the officers have never been publicised, (nor the second IOPC report for that matter) which I believe is unusual, but they did write me a letter explaining the reasons why they decided not to prosecute the officers. I can't remember the full contents without finding and checking the letter, but it was ridiculous to my mind.


Family Campaign

46. We put out the first photograph of Sean into the public domain, which was iconic, because usually it would have been the IPCC, or the police would have put out a photo first. We were acting very fast, within days. That is the

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photograph that everybody sees today, our beautiful brother. As mentioned, our first public interview was on Saturday 23 August. We didn't want to give them the opportunity to find and use a picture of Sean that perhaps appeared menacing, because Sean was not a criminal. He was a vulnerable person, and he had not hurt anyone.

47. We set up the Sean Rigg Justice and Change Campaign and a family website, and were engaging with the media and the public. We were meeting other historic families and members of community who shared their stories. We made hand leaflets and printed photos and arranged public meetings in a hall opposite the police station.
48. We were told by the IPCC that we couldn't talk about the investigation to anyone, because they didn't want us to jeopardise their investigation. We was very strategic in our campaigning in terms of telling the public who Sean was and how lovely he was, and that he wasn't a criminal, he was just vulnerable.
49. When we met with Brenda Weinberg, the sister of Brian Douglas, and went to the UFFC March in October 2008, we was horrified to see the list of names of previous deaths before Sean and so many families. It was shocking. It was going to be the last March because Brenda was tired, but she handed her baton to me to keep UFFC going there and then. I have never stopped since.
50. There is information in the public domain and photos of our campaigning. We started having public meetings in Brixton, opposite the police station. We put the flowers on the tree, which was directly out the station, to which Ma'am agreed. It became the memorial tree. We put pictures and covered it with lanterns and candles every Thursday for a solid year and also on his birthday and anniversary of his death. The photos and flowers would always mysteriously go missing shortly after on that day or apparently stolen, but we kept putting photos and flowers back anyway. We also reported as a crime the 'theft' of the memorial flowers etc. to Brixton police but could never see

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clearly who stole them with the CCTV cameras directly outside their station, which again was absolutely bizarre and nonsensical. Even to this day it still happens, but that's a very long and frustrating story. As a family, we had no choice but to channel our grief into a campaign because we were so frustrated and angry with the IPCC investigation.

51. We were also attending other family campaigns, funerals, vigils, protests and inquests to get a feel of what ours would be like when the time came, such as Cristopher Alder, Smilie Culture, Roger Sylvester, Mikey Powell, Paps Ullah, Demetre Fraser, Kingsley Burrell, Olaseni Lewis, Adrian McDonald, Jack Susianta, Oladeji Omishore, Marc Cole, Darren Lewis, Jason McPherson, Ian Tomlinson, Jean Charles de Menses, Azelle Rodney, Jermaine Baker, Harry Stanley, Blare Peach, Rashan Charles, Edson de Costa, Mzee Mohammed, Mouayed Bashir, Mohamud Hassan, Mark Duggan, Joy Gardener, Cynthia Jarrett, Leon Patterson, Kevin Clarke, Leon Briggs, Darren Cumberbatch, Sheku Bayoh. The list is endless but the aim is to bring families together for a collective and stronger campaign. The BLM movement was born, and we were making international links too.

Return of Sean's body

Another thing that was very upsetting is that, following the autopsy, the IPCC wanted to return Sean's body to the family for burial a week or so later, but we refused. We were able to finally instruct Professor Peter Vanezis as our independent pathologist about 5 weeks after Sean died. We learned Sean's heart and brain had been removed during the first autopsy, but this was the first time we knew about that, 5 weeks later. We were very upset that the IPCC hadn't told us, and we wanted to ensure that Sean's body was intact before burial. We had asked the IPCC for any swabs to be kept back at the beginning when we couldn't have a representative at the HO autopsy. We had also written to the Coroner's office, and instructed them to do the same, but he IPCC had thrown them away without our consent. We found out years

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later near the time of the inquest. They didn't think there was any relevance for them for the case, or something like that.

52. When Sean's body was eventually returned to us seven weeks later for burial, we were given a seriously decomposed body and completely unrecognizable. We'd learned from other families as well that this was something that happened to them. For us, we couldn't understand why the body wasn't stored properly.

53. We prepared Sean's beautiful blue velvet suit and all his clothing to take to the funeral parlor to dress him, but the undertakers tried to encourage us not to look at him. I'm going to be graphic because this is what we went through. We couldn't dress him. When we went to look at him, he didn't look like the first time we saw him with the family. I was with my sister. Our mum does not live in this country, so she hadn't seen Sean when we first identified him. We were expecting to see Sean looking more or less the same as when we saw him first, and for mum to see her son the way that she knew him, but that, sadly, was not going to be the case.

54. I have been asked if there was any explanation from the IPPC or any person as to the condition of Sean's body. There was no explanation from the IPCC that I recall. It was the undertakers that had told us and telling us what to expect because they knew that he was seriously decomposed, but we insisted that we needed to see Sean and we wanted to try and dress him. They told us that there was deteriorating skin on his face and leaking body fluids and that they had to put on a special bodysuit. I watched them do this from a short distance in the same room. My sister was fainting and I had to stand firm and hold her up because I'm the eldest. My parents weren't there. My father sadly had already died. My mother had just arrived from the US, where she lives for the funeral on 9 October. She had not yet seen Sean and so we wanted to present him as best we could for when mum saw him. We bought a shimmery cream piece of material to cover across his face to soften the shock of seeing him close-up.

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55. It's our culture to dress our loved ones if we can personally or to be present at the time. The undertakers had to dress him. They had to put a special bodysuit on Sean to eliminate the body fluids leaking into his clothing and the casket. That was horrific and a memory I cannot forget. After he was dressed, I went near to Sean because I wanted to touch him. He was unrecognizable by face and was only recognizable by the shape of his fingers across his chest. I vowed again, at that point, that I would not stop fighting. It was devastating because my mum only saw a decomposed body of her son's face. We told the undertakers to put make up on him because his skin was falling away. He was completely discoloured and looked burnt because I guess that's what decomposed bodies looks like. Some families don't get to see the body because the Home Office might keep it for up to 6 months, 12 months, 18 months. Some families have told me that they were given back their loved one in a sealed casket for burial, so they never got to see their loved one, which is so sad and heartbreaking for anyone. Brenda told me that her brother Brian Douglas was returned for burial without his brain, which she found out later at his inquest. She ordered the coroner to find her brother's brain and arranged another burial to put it on top of Brian's coffin. This is so hurtful and unforgivable. Black bodies are often left beyond recognition, and I believe it is done to destroy medical evidence. Why?

56. This was something I said to Theresa May, when years later I had the opportunity to meet with her when she was Home Secretary, the start of which would later become the Angiolini Review. I said to her, "Theresa, every human being loses a loved one at some point in their life. Can you imagine if they are told that they can't see the body to hug them, to kiss them, or to say goodbye?" She understood that. Anybody can relate to that. But when there's a death in state custody, they seize the body literally, and all the family's rights to their loved one's body are taken away. She understood that too. She shortly ordered her officials into the IPCC's offices to look into the way that they conduct death in custody investigations.

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57. We were there with INQUEST and our solicitors and three other families: the Seni Lewis family, who was also a black man, and two other white families, the parents of Thomas Orchard and James Herbert. All with mental health issues and restrained by the police to the point of death. It is important to note that not only black people are killed by the police, which is why we campaign as the 'United' Families and Friends campaign, but it's obvious that black men are disproportionately affected by use of force and dying in police custody, particularly with mental health. So, that became another campaign collectively with the four families as the patterns and failures of the judicial process were the same, black, or white, on mental health and policing.
58. Another thing that was happening at the time is that our family were being surveyed, presumably because the police wanted to know what we were doing in our campaign. They were concerned about "community unrest" meaning riots. We were finding out these bits of information scantily. We were privy to early documents of disclosure, but little bits of information. They were concerned because Sean died the Thursday before the bank holiday weekend of Notting Hill Carnival. The Metropolitan Police had deployed officers away from Notting Hill to be around the Brixton area hours and days after Sean's death, because they were concerned about rioting in the Brixton area. I think I saw this in early disclosure documents that were hand-written notes taken in gold meetings.

Campaigning Issues

59. At the time of Sean's death, there were no CCTV cameras in any Met police vehicle or body-worn cameras. It was only the accounts of the officers themselves and any witnesses, if any, of the arrest and restraint, but the voice of a loved one is silenced and cannot speak for themselves. Families have to be their voice. Footage often go missing in such cases. That's what happened in our case. There was CCTV at the police station and the cameras outside the hostel building where Sean lived and on the high street.

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We were first told by the IPCC that the two cameras we were asking about outside in the yard did not exist, but we knew when we visited the station after identifying Sean on 23 August, when Ma'am invited us into the station yard and custody suite, we saw and knew those cameras existed, and she told us that they had been seized on the night by the IPCC.

60. There were two cameras that would have captured what was happening to Sean whilst parked in the station yard, in the van, and in the spot where he died. We were told that those cameras did not exist, but we told them that Ma'am Suzanne Wallace showed us them. They were shocked that we had even met her. "How do you know that?" We said, "You do your job and we will do ours." "We're 10 steps ahead of you." This was a big brother state there are cameras everywhere, in the streets, on the buses, in taxis, everywhere - except a police vehicle, which we found extraordinary because that's where a lot of police brutality and deaths occur, behind closed doors in a police vehicle or police station. CCTV cameras benefit both the officers and the detainee as a real timeline of what happened.
61. My campaigning expanded – I'm sure other people were campaigning for it too – for cameras in police vehicles, which we got following my campaigning in July 2012. Sean's inquest was four years later after his death, in June 2012. I was invited - I think it was the first week of the inquest to meet with Sir Bernard Hogan-Howe, the Met Commissioner. He invited myself and my solicitor, Daniel Machover, to Scotland Yard for a meeting. I had met the Commissioner a few times at public events that I attended. At this meeting, he announced that he was going to put cameras in police vehicles and body-worn cameras on police officers. He gave us the costs breakdown to roll them out. I can't remember the figures.

It was very important to campaign for this because now we don't just have the accounts of police officers but you can actually see what happened at the point of restraint or leading up to the death in real time. For instance, the death of Kevin Clarke, who died in 2018. In that inquest, they were able to

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show body-worn footage of the restraint where Kevin can be clearly heard saying, "I can't breathe. I can't breathe." All the officers, I think about nine of them, claimed that none of them heard Kevin say that at the time, yet they were right next to him, dragging him, because he could not walk. He was dying. But officers are still today obscuring the cameras or switching them off.

<https://www.bbc.co.uk/news/uk-england-london-66395242>

<https://www.inquest.org.uk/kevin-clarke-misconduct-announced>

<https://www.inquest.org.uk/kevin-clarke-close>


62. The other issue is the fact that officers were allowed to retire. We were concerned during our investigation that the officers could retire before the end of the investigation. In my brother's case, it got to a stage in the investigation, when it became a criminal investigation, and likely that the arresting officers would attempt to retire at some point. We found out that one of the officers was allowed to retire, PC Andrew Birks, to be ordained as a priest in the Church of England. He was the senior arresting officer and the driver of the police van. We became aware that he was going to be ordained. We confirmed this by asking the IPCC whether any of the officers had retired and they came back and told us that the Met had allowed PC Birks to retire. He was on about 4 weeks' notice, or 28 days, I can't remember, but his notice period was still remaining five days. I said to my solicitor let us try to overturn it, which was unprecedented, as he was still effectively employed by the Met. We put in an emergency submission and had discussions with the Met and/or the IPCC that the Met should withdraw this retirement. After overnight discussions, it became the first time in history that an officer had their retirement reversed by the Met. After discussions with my solicitor and I think the Met and/or the IPCC, there was the introduction of a register whereby police who had retired and were still under investigation would be named and recorded in the register. I am not sure if it is still in operation. The concerns was that officers were using this as a loophole - officers were allowed to retire without facing accountability for their actions or inactions and

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join another police force. That was another important part of my campaigning - even if it did not help my family.


63. We were also campaigning for the IPCC to do a thorough, transparent, and robust investigation, which I used the media to do - the news, the radio, public meetings, and private meetings with agents of the state, be it the Met, the IPCC, the Home Office, Parliamentarians. That was all part of my campaigning, where I wasn't talking about the facts of the case, the bit that where we would jeopardise the case, but I realised strategically that I could still talk about my experiences, obstacles, and challenges from the officers and the IPCC as the case continued. Birks went on to judicial review the Met, of which I was an interested party, but in the end, he was still not allowed to retire and was suspended on full pay. He still had to face the allegations he was trying to avoid by retiring. So I kept that in the public domain, and made press releases with INQUEST, who have a pathological timeline of the case on their website. So, it was all official, and it was all in the open. It was a force to be reckoned with. Birks was later ordained by the Church of England after the decision of the CPS not to prosecute any of the officers for the death of Sean, even though he was still under investigation for misconduct.

64. It is vital that families' campaign if they can. Most families cannot. It's too emotional. It's difficult to keep it going. I found that there was a gap in the system that did not afford the wellbeing of families - in stark contrast to police officers. That's why Sean's case is quite extraordinary, I think. It's because I've kept it alive. Even when they weren't doing anything or we were waiting on the IPCC for reports, which took years and years, it was vital that I kept the case alive, so he was not forgotten. That's why I do it. He's still alive to this day so to speak. I wanted the officers, the actual police officers themselves, to know that I wasn't going away and that I wanted justice, and I wanted the truth.

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The Inquest into Sean's Death

65. Following the inquest in 2012, there was stark contrast between the IPCC's investigation and the findings of the coroner's inquest. The inquest jury, 11 ordinary members of the public, looked at the same evidence that the IPCC did and they came up with a completely different finding. The coroner directed the jury that they couldn't give an unlawful killing verdict. They couldn't on a technicality due to the issue of causation. Did the restraint cause the death? He didn't die on the spot. Did he in the van? He didn't die in the van, but we don't know fully what happened in the van because we only had the accounts of the police officers and there was no CCTV. Those accounts were implausible accounts, which was found by Dr Silvia Casale in her report following the inquest.
66. There was a build-up, the restraint, the journey in the police vehicle and the time that he was kept in the yard, on camera, when he is brought - heavily assisted - into the entrance of the custody suite and he's on the floor. After the restraint, there would have been a lack of oxygen going to his brain. I doubt he would have had the strength to do what the officers claimed he was doing. In summary, they said that he was upside down in the back of the vehicle on his bottom or back, handcuffed to the rear, in the cramped footwell, spinning and walking his feet around the walls of the cage inside the van, which sounds implausible, and I doubt happened. If we had cameras in vehicles back then, we would have known exactly what happened in the van, and not just hear the accounts of the officers. That is still their evidence today.
67. The coroner, Dr Andrew Harris, he was quite thorough at the inquest, I liked him, but he didn't allow unlawful killing or neglect at the end after hearing all the evidence, which was disappointing and upsetting. We could have judicially reviewed that decision and halted the inquest, but we had already waited four years. The jury were exceptional and intelligent. The coroner

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allowed them to cross-examine, verbally, all the witnesses, and not just handwritten notes for the coroner to read and ask himself. That was unusual. The jury, ordinary members of the public, asked questions that nobody else asked. They were extraordinary because they could see the footage and ask all the questions they wanted. At the end of the inquest, when they gave their verdict, they received a more than deserved standing ovation by the packed public gallery. The coroner felt that they were also extraordinary, and his words were something like: 'If he had the jurisdiction to choose a jury, it would 'always' be this jury because you were like having two extra barristers for the family'. They were brilliant, impartial, which is something that all families may not have. Sometimes I think it is the luck of the draw with the jury. So, to the jury in my dear brother's case, thank you, again!

68. Though the jury were not allowed to give an unlawful killing or neglect as a verdict, the coroner directed them to give a narrative verdict of their findings. The narrative verdict was basically an unlawful killing verdict by the way it was worded I feel, and I believe they would have given an unlawful killing verdict if they could. They could use words like, 'more than minimally contributed to his death,' (on more than one occasion), 'unsuitable' and 'unnecessary'. That's a public document, which said that they didn't believe the officers, basically, and that they caused the death. The IPCC had conducted their first investigation back in 2010. It was not a public document at that time, the family and our legal team had seen it two years before. The IPCC found basically that the officers adhered to policy during the journey inside the van from the arrest scene to the police station, and that there was no misconduct for the restraint or the way he was treated throughout his detention. That was their conclusion in a hundred-and-odd pages, and that the officers did absolutely nothing wrong. It's still a mystery to me.


The Casale Review

69. The Dr Silvia Casale Review was the first of its kind in that the IPCC commissioned a review into themselves into the way their first investigation

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was conducted in Sean's case and the way they conduct deaths in police custody investigations generally. Her investigation was concluded in about six months and found, in a nutshell, that the first IPCC investigation was fundamentally flawed, that they didn't investigate certain things properly, that the spinning action in the back of the van was implausible, the issues about what happened at the point of restraint and the use of force, the issue about interviewing the officers and allowing them to collude. When the officers were interviewed finally under caution, the fact that the Police Federation representative was interrupting the interviews and speaking for the officer, was totally inappropriate. The IPCC agreed, in the end, with those findings and reopened the investigation for a criminal investigation into Sean's death. I call this pocket of justice because there's so many loopholes that police officers have, and you have to try to tackle them all.

70. So, the investigation was reopened. There was another delay of about nine months because the original investigation had to be quashed because their first report was what stood legally, because after the inquest, they had to publish it. We were happy that now we were given another chance to have a thorough investigation, 5 years after his death. The first investigation had to go through a judicial review process to quash the first investigation so they could start the second criminal investigation. That was another delay to endure, all the bureaucracy within the system.
71. Another extraordinary thing, it was found that officers lied on oath. Sergeant White claimed that he went to the van while Sean was kept in the yard before being brought to the holding cell. White did not record this in his first account on the night whilst completing the custody records on his computer. PC Haratt, corroborated his story at the inquest before White gave evidence. The truth was that the original investigators gave us a compilation CD of the custody CCTV to be played at the inquest, but it was 'missing' 29 seconds of the footage, the bit where Sergeant White didn't go to the van. So, the IPCC likely knew White didn't go to the van, I believe. I think this was a conspiracy

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to make the jury believe that Sean was fit and well in the van and that he just suddenly collapsed out of nowhere 20 minutes later and died.

72. The IPCC arrested three officers, a Police Federation welfare officer, one of the arresting officers and the sergeant, because it was found that White and Haratt were communicating by text messages, during the time that they were still under oath, and when the lie had been exposed at the inquest. We've never seen the contents of those text messages, which is something that I still want to try and get but, due to the passage of time, we were told they were no longer available but, there was categoric evidence that they were texting each other. The IPCC may know what was said, but they've never given us that information. Eventually the CPS charged White with one count of perjury but was later acquitted at trial.

We had three reviews going on at the same time after the Inquest verdict. The police officers were judicially reviewing the Met and the IPCC. I attended every hearing, which was exhausting and added more delays.


Criminal Prosecutions

73. The perjury trial of Sergeant Paul White was a 'kangaroo' court as far as I am concerned. We had appealed the first CPS decision to prosecute White or Haratt using the Right to Review process that Keir Starmer had put in place before leaving the CPS. Finally, Sergeant Paul White was charged for one count of perjury. We had the first perjury trial in history in the UK of a police officer involved in a death in custody.
74. The sergeant went to trial, but unbelievably he walked away a free man. It's very rare to get a prosecution of a police officer in a death in custody and we felt that if we can't get him for the death, let's try and get him for lying, perjury, which was another precedent. We had a trial, but my experience was that it no longer became an investigation that the family had control over. It was now a prosecution case, and the evidence that was given to that criminal

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jury was biased because they had not been furnished with the findings of the inquest jury. The inquest process is not a criminal jurisdiction.

75. That's where families are set up to fail from the very beginning, we feel. The IPCC - we were not able to depend on them, even though they're supposed to be independent. We couldn't depend on them to do a thorough investigation, and so we believe that whilst the inquest system is important for families to get answers as to how their loved came to their death, we've only got the inquisitorial jurisdiction which is who, how, where and when, and most inquests, unless there's any criminality found in the inquest, which is very hard to ascertain properly.
76. White walked away unpunished on the basis that he had now added to the evidence that he suffered with 'memory loss'. He thought he went to the van, but he realises now that he didn't go to the van - "In my mind, I thought I went to the van." He had changed his evidence and there were new statements. The prosecution case was only a 10-minute slot of the timeline, the time in which Sean was in the van in the yard before being removed. I don't recall the criminal jury were made aware by the Judge of the restraint and the condition that Sean would have been when he arrived and what happed in the holding cell. I don't think they were aware that he died either. I can't be certain right now. But I do remember how unfair it was and there was nothing I could do about it. The fact that White, was not sat in the dock like any other defendant during his trial was odd. He came to the hearing on crutches and said that he needed to stretch his leg out and required a table inside the dock to write his notes on. The judge allowed him to sit outside the dock with his legal team under the jury to write his notes because White could throw the table around in the dock and hurt the jailer! Again, he was treated differently than any other defendant would have been in similar circumstances where he was allowed to actually sit outside the dock with his lawyers and all I could see him do was write, and the jury were right there under his nose. Other things happened too with one juror coming and sitting where the family were having lunch on the last two days. After the not guilty verdict, and the jury

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were dismissed by the judge, that juror winked whilst giving a thumbs up to White as he was leaving. I saw him do it. He was the same juror that was under White's nose while he wrote throughout the 6-day trial and was sitting having lunch with us just arm's length away on another table. Is that allowed? I was absolutely furious.

77. After that, I learnt the fact that even if you are lucky to get a criminal prosecution, you may not get the right outcome and the evidence can be portrayed in a bias fashion to a jury, which the family can do absolutely nothing about, bar from being threatened to leave the court by a judge. It was so distressing. I had to listen to the lies again, and I was crying and felt as if I was being treated like a criminal and the judge, who was Asian wearing a turban, was accommodating the officer. Let me be clear so that there is no room for misunderstanding, but I am not making a racist remark, I simply felt he would have been fairer because he was a person of colour. I was wrong.
78. The IPCC sent their criminal investigation file to the CPS for six charges. But again, the CPS said there was insufficient evidence for a successful prosecution – I think the charges were for perjury, perverting the course of justice, gross negligence manslaughter, unlawful act manslaughter, health and safety and misconduct in public office. We had forced the IPCC to do a proper investigation which was, by this time, almost nine years down the line. Their final report has never been published, the reason given that a gross misconduct hearing exonerated all the officers in 2019, which found that the officers did absolutely nothing wrong. It is interesting that the two IPCC/IOPC reports after Sean's inquest were never published, because at the end of the case, the 'police' gross misconduct hearing said that the officers did nothing wrong and that the 7 minutes prone restraint was not excessive. I branded the finding a 'licence to kill'.

<https://www.theguardian.com/uk-news/2019/mar/01/sean-rigg-five-officers-cleared-of-misconduct-over-death-in-custody>

<https://www.bbc.co.uk/news/uk-england-london-66404342>

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<https://www.inquest.org.uk/sean-rigg-miscondcut>

79. I appealed it again using the Right to Review Scheme, and the CPS reviewed the file all over again but still found insufficient evidence for a successful prosecution for any of the officers, even though the evidence is more than ample. Evidence in terms of the restraint, the fact that there was deep bruising in the medical evidence at the top of his shoulders near his neck, the witness accounts, the medical accounts, the CCTV footage at the station. It was blatantly obvious. The jury could see it at the inquest, but the CPS didn't. For example, on the CCTV there is a point where the officers clearly stand Sean up, a dying man or a dead man. They claimed in their evidence he stood up by himself, but it was proved on the footage at the inquest that he was stood up by the officers. They bent down to pick him up and needed officers to hold up his dead weight. It's all on CCTV and the cameras were not lying that night. The officers let go and he suddenly drops, as he is unconscious. He suddenly became unwell, collapsed and died - the same narrative in all these cases, and Sean's was no different.
80. On the actual footage on the night, there's plain clothed officers in the custody suite, one of them says, when they stand up Sean, to those officers, "You can't get a dead man standing," as clear as day. I said at my final meeting with the CPS with INQUEST and my solicitor, "But can you hear that, the person that said, 'you can't get a dead man standing'?" The woman (sorry, I cannot remember her name) replied to me, "Yes, we can hear that, but we do not know in what context it is being said." I replied to her, "That's BS because there could only be one context he could be speaking about as there is only one dead man in the building, or certainly a dying man, and he is looking at him when he makes the comment'. Sean did die shortly after. So what else and who else could he be speaking about? I said to her, "You have now become part of this conspiracy," because the whole thing was a conspiracy from start to finish. She just went red and held her head down because she could not say anything. Silence sometimes speaks volumes.

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81. The CPS has never published their report in Sean's case - the State's finding of 'insufficient evidence'. It's a war-like battle, cutthroat, but the battlefield is certainly not level and there is nothing more so far that I can do about it. I have exhausted all the appeal processes. But how much did Sean's case cost the public purse to allow those wretched officers to walk away freely? Maybe hundreds of thousands, or more.

The Gross Misconduct Proceedings

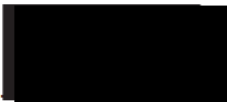
82. We had one more avenue to go down, which was gross misconduct, but now the officers argued 10 years down the line, that they couldn't remember anything that happened on the night that Sean died, and so it would be an unfair hearing for them. We can't remember, because it was so long ago. I felt that it should be scorched on their memories, like it is mine, and I wasn't even there. The IPCC and the Met's case was that the officers were lying and there was a cover-up and they had a case to answer for more perjury, misconduct in public office and perverting the cause of justice. But it's the case of a police tribunal, and we have no input, but I was an interested party, which was very important for me because I could make submissions and plead on behalf of my family for the misconduct hearing to go ahead. The officers made submissions for the tribunal to be thrown out after I had come this far, almost 11 years later.

83. I had a strong media campaign. There was a film called "Who Polices the Police?" by Ken Fero about our family campaign and the first IPCC investigation, which was put online on the same day as the inquest verdict. I was in the news regularly at every stage of the proceedings and campaigning generally talking about the case and photos of the restraint and Sean is often showed, even just last month. There is CCTV of the custody suite on the night which shows exactly what happened. How can you forget something so high profile? How could you forget the fact that somebody had died in your

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custody? How often did this actually happen that you couldn't remember such an extraordinary thing that doesn't happen in everyday life to a person? The officers lost their argument and finally the gross misconduct hearing went ahead, well over 10 years later in January 2019. The tribunal was set for six long weeks. Again, I sat in on every day of the hearing. I have never missed a hearing throughout the entire case. I want to hear every word that is being said, and the things they don't want me to know about.

84. Astoundingly, after 6 weeks of listening to more lies, all five officers walk away unpunished by Commander Julian Bennett. It was a police tribunal, and I had no control in how the evidence was being portrayed. I thought we could never lose with all the overwhelming evidence. Yet, the way the family were treated was abominable. There was security presence by my side at all times during the entire misconduct hearing. On the first day, I was followed into the ladies' toilets right outside the cubicle door! The officers were close enough to touch their shoulders, and listening to them lying again, and crying, and all that kind of stuff, whereas the family were treated so badly. If we uttered anything we'd be escorted out the room by security.
85. It was supposed to be a public hearing. There was nothing much public about it. One of the things was that the public and the press could only sit in a separate room in another building across the street and watch the hearing on screen. The technology was outrageous because people couldn't see properly as it kept breaking down. I was in the main room and, for me to see the footage, I'd have to get up in the middle of the room to put myself in a position that I could see the screen properly, and I would be followed by security that would stand in front of me. It was outrageous.
86. The fact of the 'spinning' in the back of the van - the IPCC, in the second report, had produced a 3D model video of what could have happened inside the van. It showed the various positions that Sean could have made in the cramped footwell (the inquest jury found that Sean was in a 'V' position the

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whole time in the footwell) and that there is no way that Sean could have span in the van in the way those officers said. The officers and their barristers were able to rubbish that evidence of the IPCC, calling it “the cartoon”, and the expert, Professor Hunt who had conducted the HO autopsy, had been re-interviewed for the criminal investigation for the medical evidence pertaining to this supposed spinning action. There was no medical evidence to prove that Sean span.

87. We had never seen his trouser. It was never physically shown as part of the evidence in any court hearing, even though it was an exhibit. I recently got his clothes and shoes back from the IOPC last year. The trousers' condition is very important evidence because it shows that he never span otherwise his trouser would have been torn at the buttocks. His back, because he was bare chested from the waist up, would have had injuries if he could have spun in that way, because the flooring was rough, like sandpaper. There was none that could show that he spun. The trouser is not torn. The trouser was cut from the inside leg at the ankle up to the waist, and the whole trouser was removed when the police cut them off whilst in the holding cell at the station where he died. The buttocks of the trouser is intact. The crotch of the trouser is missing and is again, another mystery. When the paramedics arrived, Sean was only wearing his black speedo pants.

88. Other evidence never came out in court. The officers claimed that he had an offensive weapon in his shoe at the point of arrest, and they were removed, along with his passport. It can be heard on the custody CCTV audio on the night when an arresting officer (I can't remember who) says 'arrested for an offensive weapon, all the evidence is there' whilst at the custody desk speaking to the sergeant. The weapon has never appeared anywhere in any court proceedings in the Rigg case, and we have never physically seen it. However, it was an exhibit and we have seen a photo of what is supposed to be a 'weapon' (a black and white photocopy of a black rectangle shaped object). When I asked the IOPC for the return of the 'weapon' when giving Sean's belongings back to me at a meeting with my solicitor in his office, the

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exhibit bag with the so-called weapon was cut open by someone at the IOPC who removed the content, so the exhibit bag was empty! The IOPC's lawyer told both me and my solicitor that he will investigate as to who took the 'weapon' and find it. I have not heard anything back yet.


- 89. Professor Hunt did not end up giving evidence at the misconduct hearing on the basis that he was unfit to give evidence due to a family bereavement, and therefore could not be cross examined. The officers argued that it would not be fair to them if they could not have Hunt cross-examined. Julian Bennett threw the spinning action issue out of the proceedings, on the basis that the evidence was tenuous. The Casale report found that the officers gave an implausible account of the so-called spinning action.
- 90. PC Forward produced brand new evidence that we have never seen before of footage that he had on his own mobile phone, depicting himself as to what he claimed he watched Sean doing through the perspex door inside the van. I think the video was 30 seconds long when we saw it at the misconduct hearing, I can't fully remember. Forward was only able to turn once slowly, whereas he said that Sean was doing it non-stop while he was in the back of the vehicle driven at speed to the station, which would have been extremely dangerous, would it not? Not only is it very unlikely that Sean span, I believe that he would have had to have been on his 'head' doing a handstand, spinning, with his feet walking around the caged walls 360 degrees, and cuffed to the rear. Casale hired a break dancer, to see if a break dancer could do it. They could not, I don't believe.
- 91. Lots of things happened at the gross misconduct hearing. At the inquest in 2012, the jury found that Sean was in the prone position the whole time with excessive force on the back of his neck for up to eight minutes. The criminal investigation found it was about seven minutes, which is still too long for somebody to be face down with excessive use of force. He could have died on the spot. It's very similar to George Floyd.

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92. So, 10½ years later, on 1 March 2019, the findings by the gross misconduct panel were that the officers did nothing wrong and the fact that seven minutes prone restraint is not excessive, even though Sean is dead. So, basically, even if a person dies because of that restraint, or partially, It is not deemed to be excessive, according to the findings in the Sean Rigg case.
93. Seven minutes prone restraint is very dangerous and can cause serious injury or death, and so therefore I am still not satisfied with the findings by the State into the death of my brother Sean, and there's nothing I have been able to do about it, thus far, in terms of the officers being made accountable. Trust me, I have tried my best at every juncture, but I know for sure now, that there is no justice. This is something that I've found with every single family, black and white, no accountability of any wrongdoing.

IOPC Apologising and Paying Officers Compensation

94. Last year, the IOPC paid three of the arresting officers that killed my brother compensation, collectively, to the tune of £65,000. This was in secret sanctioned by the Home Office, the parent company of the IOPC. This was because of the length of the case and the trauma that it impacted on them and their private lives. I found out by sheer luck because the Police Federation were 'boasting' and put it out on their website, where I saw it on the same day it was published, 15 May 2023. It was a confidential agreement with the officers and the IOPC. Whilst they did not mention the case and/or name the officers, it was obvious to me that it was the Sean Rigg case. They used the words "11 years" and other clues, for me to realise immediately as I read it, that it was definitely Sean's case, and of course I was furious. I straightway shared the Federation article on my twitter page letting them know that I had found out the secret. How dare they. My solicitor and I met with the IOPC and asked for a public apology in return, which they gave. The Fed removed the article from their website, but of course I kept a copy for myself before it was removed.

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<https://www.policeconduct.gov.uk/publications/iopc-letter-apology-marcia-rigg>
<https://www.policeconduct.gov.uk/publications/background-circumstances-sean-riggs-death>

95. The fact that police officers are entitled to compensation from the IOPC for the length of the delays (which the officers and the investigators themselves caused in the first place) and the trauma impacted upon them is unbelievable because the families get nothing. It is re-traumatising for families. One wonders how many times this has happened before?

Relationship with the Family of Sheku Bayoh

96. A large part of my campaigning is to meet with other families, old and new, including Sheku's family. When I heard about the death, I and other campaigners went down to Scotland to meet Sheku's family to support and introduced ourselves at a public community meeting the family were having. I like to offer the same comfort to other families like my family had from Roger Sylvester's family. Part of my campaigning is to physically introduce myself to family members, to support and tell them what they're going to be up against, and to tell them about INQUEST and UFFC. I know that Scottish law is different from British law but, in essence, it's the same thing.
97. Sheku's family have also in turn travelled to London to attend our UFFC annual memorial procession. I came to the opening of this Inquiry to support the family together with one of their cousins, [REDACTED]. Support for families is vitally necessary so they can be comforted with the knowledge that they're not alone, and that it's not personal to them or their loved one, it's the whole wretched system, and that there will be obstacles and long delays along the way to try to find out how Sheku died. I also met their solicitor.
98. I once spoke on the panel at one of their public meetings and met more of the family. I recall there being a BBC documentary about Sheku's death that I

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appear in. I don't remember if Deborah Cole's from INQUEST was there the first time I went, but she was there the other times, and INQUEST have been supporting the family ever since from the beginning.

99. I have been asked if I have ongoing contact with the family of Sheku Bayoh. Yes, I do have some contact as we have a WhatsApp group with other families. We have the United Families and Friends campaign; the family have come down to London to join other families across the country where we gather yearly. I have more contact with one of their cousins in London, rather than with the family in Scotland.

100. It is important that families like Sheku's connect with other families, because most families are unaware, and don't even know about deaths in custody until it happens to them personally, so that's why it is very important that we link with families, speak with them, trust them, answer any questions that they will inevitably have from the family's perspective, advise them that they need a good solicitor etc. I still do this to this day. It's what I do, but don't get paid for it. It's a passion, because we don't want it to happen to another family, and we want to stop deaths in custody for a better future. For there to be a fair and just process in order for families to be able to get to the truth of what happened to their beloved. The physical impact on families is heartbreakingly painful, such as PTS, anxiety, and depression. There is no bereavement counselling service offered by the state for families like ours.

Race

101. What is extraordinary, talking with all black families, is the issue of race. In Sean's investigation the matter of race was not addressed in any part of the investigations or in any of the terms of reference, but I strongly believe that Sean's race played a detrimental part in the way that he was treated by the officers on the night that he died.

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102. Black people cannot fathom why it is that the colour of our skin can cause a death by using excessive use of force to the point of being choked to death and the perpetrator/s can get away with murder. This is nothing more than modern day lynching. Apparently, we're stronger than white men, and we're more violent than white men. Black men are all apparently, big, bad and dangerously violent, carry weapons and a dangerous threat to all police officers. And so, nine officers', or four officers', or however many, their collective body weight can be justified being on one black person's body, causes death, and nothing happens to them in terms of them being made accountable. We are always said to be faking being unconscious or dead and that we can breathe if we can speak. How come? Is being black a crime?

Black Men Wanted for Restraint and Research?

By Aji Lewis and Marcia Rigg – The Lancet

[https://doi.org/10.1016/S2215-0366\(22\)00030-X](https://doi.org/10.1016/S2215-0366(22)00030-X)

103. Nine times out of ten, the person's not been violent at the point of restraint or they're under control when somebody's handcuffed. Why are you still restraining them, face down so they can't breathe? They're of no threat to any of the officers when they are cuffed or have leg restraints.

104. The truth is that black man are afraid when in contact with police officers because he knows they can kill him with no consequence, which is our experience since the Windrush generation in the UK, and globally. They can literally get away with blue murder. This is illegal, yet the state has effectively legalised it. We have had reports and recommendations after recommendations bearing the evidence, and facts, bearing the systemic patterns, showing the fact that black men are disproportionately affected, and excessive use of force used on them. The fact that in the terms of reference the issue of race never comes up following a death in custody, is telling. However, the state does not care and have not been willing to end these horrific tactics of what I describe as genocide, since we were enslaved.

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105. For the first time in the UK, we saw a police officer go to prison for a whole life sentence for the murder of a white woman, Sarah Everard, which was the absolute right decision. It showed the concern across the country, black and white, of all generations as well, particularly the younger generation, who are our future and our only hope to make a difference. We saw a police officer go to prison, which also opened a can of worms in terms of misogyny within the Metropolitan Police and police generally, rape and all these unacceptable atrocities. The police are meant to be there to serve the public, and the public expect the police to do that in the right and proper manner without lies and cover up. But the police are like a massive gang, the biggest gang on the streets. They do whatever they like. Not all cops are bad, but the good ones suffer because of them.

106. The second officer ever to go to prison in the UK was following the death of a black man, Dalian Atkinson, where an officer went to prison for manslaughter for 'only' eight years. Again, a mental health crisis where the officer's boot shoe string was on Dalian's head, which shows the force used.

<https://www.bbc.co.uk/news/uk-england-shropshire-57603091>

107. Hopefully, it is the climate now that issues of police use of force and the issue of racism is relevant in all these cases and all the past recommendations, such as the Scarman report and the Macpherson report following the death of Stephen Lawrence, and the patterns that continue to this very day. So that's why I say it is important to look at the past in order that we can understand the present circumstances regarding the issues of racism and the use of force used on particularly young black men, so we can change the 'future'.

108. I have been asked about the issue of race not being within the scope of investigations following a death in police custody. I have been asked if there are any factors that limit its examination. My personal experience, from the early days of Sean's investigation, my family knew that the elephant in the

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room was racism, and I think that is the first thing that perhaps comes to most families' thoughts. We know it, given, the patterns in the UK from back in the 1950s. Initially, my family felt that it was obvious racism was there, but we decided not to raise the issue of racism because we didn't want to be labelled with a chip on our shoulder and to be using the race card as we are often accused of. We thought it would be obvious, and we didn't want that to jeopardise the investigation or thought that we were being hostile to the investigators (the IPCC). In fact, I don't think race was in the terms of reference, but it was not addressed anywhere in the inquest, unless our barrister brought it up, but I don't recall. It was not something that was ever looked at in our investigation. Speaking with other families, they experienced the same thing.

109. As I have said throughout this statement, I with the charity INQUEST, and participated in their report called the "I Can't Breathe" report, where it looked at five particular high-profile cases, Sean Rigg, Seni Lewis, Leon Briggs, Darren Cumberbatch and Adrian McDonald. INQUEST and their lawyers, have worked on cases like these every day for over 40 years. It was important for the voices of families to be heard. To speak truth to power. The first independent report bearing the truth about corporate racism on deaths in police custody. The government was never willing to do it. None of the five cases, or any other case involving the killing of Black men by police officers had raised the ugly head of racism in any of the cases, which was extraordinary when you see it all in one place. So, whether racism contributed to the treatment of a loved one is invariably in the mind of many black families. In the absence of direct, racist verbal abuse or messages, investigators never admit that race influenced the actions of the officers.


110. Most families felt that raising racism would be used against them and injure their prospects of getting to the actual truth, so families conclude that investigatory processes are designed to protect the police and not to deliver justice. Those were some of the findings that were found in the "I Can't

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Breathe” report and in the executive summary, so the role racism in these deaths is not substantially scrutinised. The report found that black people are seven times more likely than white people to die following police restraint. Officers are not held accountable, and there is no systemic change or learning about these issues. This equals discrimination is institutional, and its offensive language is merely a symptom..

Media


111. I have been asked for my evidence on how the state bodies, such as the police, the police investigating body and the Crown, interacts with the media following a death in custody. My experience is that journalists generally are cautious of the comeback from the police and/or governmental bodies. So using social media and mobile phones as a platform where we ourselves can highlight to the public our concerns is important because we are restrained by the media as to what we can actually say in the public domain because of the backlash that they will inevitably receive from the governmental bodies, such as the police and/or the mental health services, or the response services like the London Ambulance Service. All these people are involved in restraint and CPR, and so it’s all the stakeholders that all gang together. For instance, in an inquest setting, you will find that the family may have one barrister and solicitor, if they do have representation, and we have a sea of barristers on the other side that refute everything that the family tried to advocate through their barrister in courtrooms. When press is there and when they report the findings, the issue of racism is never reported either, so for me personally, when I speak live, I can use the word “racism” because they can’t cut my words. If I make a press release or a public statement, I can allude to that fact as well, where they can’t cut my words because usually when I do give evidence to the media, if is not always live, it’s usually recorded and so they can cut it. So, everything that you wanted to be in that bulletin will not be there, and so for me I’ve always taken the opportunity when I’m being

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recorded live to try to use the word racism, if it is appropriate with what we are speaking about.”

112. Particularly now that the Black Lives Matter issue is globally visible to everyone, including in the United Kingdom, there is more opportunity to highlight the issues of racism, but the backlash that we get at the moment is, “It’s unconscious, unconscious bias.” Even when it’s obvious that racism is the elephant in the room, including the Metropolitan Police, and these are all the findings in all these reports, including the most recent, which is the Casey Review on the issue of racism. The word racism is still being denied by state bodies because it’s an ugly word to them and opens a can of worms.

113. I think that if they admit that there is racism, the domino effect will happen. So, the words “unconscious bias,” are used, they don’t realise or they are not aware that they’re being racist. Unconscious bias is both laughable and insulting to black people because it’s so obvious that racism plays a big part in the way that people are treated. What other reason could it be? The working class and the vulnerable are treated differently and disproportionately. I don’t want to eradicate the fact that working class white people who are vulnerable do not receive the same injustices because they do, absolutely, but it’s important to name the level of force used particularly with black people. Black men with mental health are disproportionately affected and die in police custody. They are affected within the mental health system where they’re over-medicated, and that’s because they’re black, because the statistics show that. If they are “unconscious”, they need to wake up. It’s time to wake up and admit it. I think we’re at a stage now that racism is quite embarrassing for the rest of the population and prefer not to talk about it. I speak to many of my white friends, and they’re embarrassed by the obvious racism, and they also feel it themselves because they have mixed-race children who are also affected. This affects everybody, absolutely everybody. That cannot be right because everybody has a basic human right to life.


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114. The state tends to fail to protect us, and we're always in a vulnerable situation because of the colour of our skin. It's not a crime to be black, but we are criminalised initially because of the colour of our skin, and so the use of force, excessive use of force, is used on us. The truth is constantly being hidden in this hostile environment, and black people are fed up of being targeted because of the colour of their skin. They have had enough, and it is affecting our younger generations. Is it realistically possible for justice if the elephant in the room, racism, is never addressed and is always hidden?

115. We have a right to life without dehumanisation because it appears to black people that the system is built on mass genocide, which comes from colonialism, and the criminalisation of black people by the state generally. There's a systemic pattern that there seems to be no state of law because the law that they should abide by - their own laws that are put in place - they don't act upon them. They find loopholes. There's always the loophole, the get out of jail card, which is unjust and immoral, totally immoral.

Family Liaison

116. I have been asked for my evidence on the family liaison services provided by the police, the police inspectorate, and the Crown – in terms of my experience and what I have witnessed for other families. On the night that Sean died, it was police family liaison officers that came to tell us of the death. So, our first interaction when we heard about the death was police liaison officers that came to the house. It was two women. They handed us a little red notebook because we were asking them so many questions. They wrote in the book a few details in response to some of the questions. Possibly the mortuary's contact number as we needed to know where Sean was. I can't remember exactly what they wrote, but it was scanty. They came in the middle of the night to my sister's house. It was about 2.30 a.m in the morning. I was not in London that night but returned first thing the next morning. I spoke with my family on the telephone throughout the rest of the night.

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117. I was Sean's next of kin, and I understand the liaison officers went to my house first, but I was not in. Nobody rang my phone. I think the staff at the hostel told us that the police had attended the night before and went into Sean's room. I can't remember all the details but I think I recall them saying that they were not aware of Sean's death until early the next morning. The police searched Sean's room and took his mobile phone. I think that's how they got my sister's number, from Sean's mobile phone, because it was only my number that the mental health team had on their files because as Sean's next of kin.

118. My sister told me that she had called Sean at 8.13 p.m that evening so they must have seen her number and rang her, and they said they needed to come and speak to her. She asked them what about and they said it was about Sean but need to come and speak to her face to face. My sister knew instinctively that they were coming to tell her bad news. She just knew instinctively that Sean may be dead and she rang me and then my brother to come over to her house. It was my brother and sister that were there at the time when they came to tell the family. They had no further information on how he died apart from that Sean had suddenly collapsed and died in police custody and that they would drip feed further information when they knew more.

119. They were asking if Sean had been ill. "Was he sick?" They wanted them to sign a medical release form at that time to get access to Sean's GP medical records. So that was the first thing that they wanted because in hindsight they wanted to know if Sean had any underlying health issues. The initial reports that went out in the media was that Sean had had a heart attack. Where did they get that information from? Only the police could have given them that and/or the IPCC, but we think it was the police because I understand that, when there's a death, the police are the first ones to put out a press release and a photo or something like that, or the IPCC. It's usually a

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story that sticks into the minds of the public, so he was being violent and attacking people and he had a heart attack.

120. That's usually what happens, and it happened in Sean's case too. I think sometimes you still see the words "heart attack" and I have to correct journalists because that he did not die of a heart attack. He died of a cardiac arrest, which meant that his heart stopped. The findings in the inquest is that due to the restraint, there was partial positional asphyxiation, this caused an arrhythmia to the heart because of the lack of oxygen, ischemia. It was the Inquest's jury's finding of the cause of death, because of the arrhythmia of the heart, if it was slowing down or beating too fast, but I am not a medical expert. The heart stops because that's what happens when you die, right? You have a cardiac arrest. The heart stopped. They kept saying in the media that he had a heart attack. He did not. This was proved in the inquest because there was a lot of evidence, medical evidence they were trying to find out about the heart, was it enlarged and all sorts, but Sean had a normal heart. There was medical evidence of ECGs. They were looking for all of that, but there was nothing wrong with his heart. He was a fit and healthy man who only suffered with mental health, schizophrenia, which doesn't kill you. Restraint does.

121. So, the liaison officers were trying to get us to sign a medical release form at that moment of shock and grief. Ironically, my brother had seen on the news about the death of somebody called Frank Ogboru, who had been restrained by Met officers. He was from Nigeria, and the police restrained him on the pavement outside in the street. I think he died on the spot. I'm not certain about the facts in that case. My brother had seen it on the news, and then suddenly police officers were there in the house, and saying that Sean just became unwell and suddenly collapsed in police custody. My brother thought "People don't just die in police custody just like that and collapse." Regarding the medical release form, he was asking, "If we sign this, does this mean the police can get hold of Sean's medical records?" This is not the family liaison

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officers of the IPCC. This is the police themselves, and my brother refused to sign it at that time because we didn't want the police to have access to his medical records without us having them too. As far as the family were concerned, we were the custodians of Sean's medical records because we were his family and his next of kin.

122. There was going to be an investigation, I think they said, and will drip feed with more information when they knew more. They didn't tell us about the IPCC. INQUEST had told us the next morning there was going to be an IPCC investigation and introduced us. We didn't sign the medical release form, and that was the last we ever saw of them or heard from them.

123. The next family liaison officer that we had dealings with was from the IPCC, Richard Omotosho, who was Nigerian. We first met him at the mortuary on the morning of Saturday 23 August. I think it was later that evening that he came to the house to meet the family and to tell us he would be our family liaison officer, what the next steps would be, that the IPCC was going to do an investigation and we would find out what happened to Sean. He was our point of contact. I think sometimes they send a person of colour to black families. He said they would be investigating the police and would update us periodically. I think it was once a month we would get updates, but every time we got the updates, there wasn't much information because they would not interview the officers. He seemed quite nice and more helpful than the police family liaison officers. But as times went on, there wasn't much information at all. That was the thing. Initially, they wanted more to know about Sean and the family and come into our house.

124. The commissioner was Amerdeep Somal, who was Asian, and she was the Commissioner overlooking the entire case. Christopher Patridge was the lead investigator at that time. There were other investigators working with Patridge on the case too, who were ex police officers if I remember rightly. They all retired from the IPCC early on in the investigation.


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125. I have been asked about my evidence that black families tend to be allocated a black family liaison officer. I have been asked if I have a view on this practice. Richard was a nice person but couldn't tell us much about how the investigation was progressing. Other families told me about another IPCC investigator who was also black from the Midlands. I've met him a few times at the IPCC where I have consulted with them with INQUEST and other families over the years. Coincidentally, I went to school with him, we were in the same year. I thought he would make a difference for families, but families have told me otherwise. There were a few other black lead investigators, who tried to make a difference maybe, but ultimately they didn't make a difference to the IPCC's behaviour, from what families tell me, because we all had identical complaints, such as treating officers as witnesses and not suspects, and in turn, taking months and months to interview them, and so on.

Racism and Recommendations

126. I have been asked about recommendations from the reports I have contributed to and if lessons are learned. Once the reports and the evidence are laid out bare, from Scarman to Macpherson to Casey, nothing changes, about racism. It's just repetitiveness and business as usual because what we see is that government officials just keep changing seats, like musical chairs. They just keep swopping around and we're back to square one. Then there's yet another investigation paid by the taxpayers' pocket while the injustices just keep on keeping on, and the previous ones shelved, accumulating dust underneath the cobwebs, and the lessons are never learnt. Denial and business as usual, their musical showcase in a circus full of chairs and benches. But what will the next government do?


127. But my issue is this: what more training does a person need to understand the fact that if you restrain somebody like that, suffocate them, what training do you need to know that that person can die after? You're going to prison for murder, but not if you're a police officer. What amount of training do you

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actually require? The issue is, "Oh, they need more training." They have been trained. They're trained to de-escalate the situation. Give the person space, a vulnerable person space, but they all jump in. Now, it may be that initially the person does need to be restrained. They may be a threat to the public or themselves. We understand that, but it's the method of restraint that is used all the time, particularly on black men, the excessive force. I hear Officer's give evidence, how they were sweating because this person was so strong. It took X number of officers on one person. We're not badder or stronger or madder than anybody else, but the perception of us is that we're dangerous and we've got superhuman strength.

128. That's their excuse in evidence all the time, repetitively, or they can't remember, or, you know, "In my mind," they just use these little words. For instance, CCTV footage where you can see the person restraining them, their argument will be you can't see the weight by the footage, so the footage can't show you the amount of weight put on them. So, you have to break down the evidence and use the weight of the officers, the length of time used. It's uncalled for. These people are handcuffed. They're probably very scared because they know - black men will be very scared because they know what police officers do to us. They're very scared. They're not going to go all hands in to try and beat up four officers that's got a gun at them or has got a taser at them or on top of them. How can they lift? I've heard officers give evidence that they were so strong they could lift all the officers up or throw the officers across the room. That happened in the Joy Gardner case. She was so strong she could throw the officers around the room. Hello? These people are scared that the police will kill them, and that's what happens sometimes, and the sad thing is that a dead person can't speak.

129. So, it takes people like me for the families to be their voice, to have reputable lawyers that we can depend on, which are few and far between, that are passionate and probably experience racism themselves. Independent lawyers, black independent lawyers, some families would like to have a black

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person because they would understand the issues that they want them to bring out in court and to highlight a person of colour, like Sheku Bayoh's family's lawyer, but has the same understanding of what racism is about, so they can advocate for you well. But the police liaison officers and the IPCC liaison officers who are black, we've not been able to depend on them, and that's because they're part of the system. Now, they may try to change it from within. We have to be there, to be within, but as we've seen, including in the police, there's lots of racism within.

130. How do we really make effective change? It's to change the mindset of the upcoming future officers, hopefully, to understand the fact that no amount of training and recommendations that are laid out bare could or would make a difference if you don't have morals yourself as a human being.

131. There's no accountability, there needs to be consequences for that. I am the consequence by my voice. The tongue is a great whiplash, and it echoes, and we have to keep repeating it over and over again, but a lot of people have given up. The Windrush generation, for instance, they've lived it and they've given up because they just want to get on with their life and somebody in their family will have experienced being brutalised by the police. If I talk to people of my generation, men, all they remember is seeing a police officer's metal boot cap in their heads and stuff like that. They stay away from them as much as they possibly can. The problem is they're doing it to our youth and so, the injustice, it's never ending. I hope that this Inquiry will again highlight that issue unequivocally so that we can have real change. As a black person, I don't think it will ever change, because it's just business. That's how they perceive us, but we're great, phenomenal people with a long history, and that's what they're trying to quell for some reason. I don't know. I'm not white, so I don't understand why because we can't do anything about our colour.

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132. I usually explain racism like this: flowers are so beautiful and there's so many different flowers, the rose, the tulip. They're different colours; they're pretty; they're great. Some prettier than others, but they're still a flower, and so are human beings. The world would be boring if every flower was the same, a red rose and nothing else. How boring is that? But the variety of flowers makes the world more interesting and beautiful, and that's the same with human beings. The world would be ugly if everybody was tall and fat and blonde hair with blue eyes. How boring is the world? So, we are still human, even though we are black, white, Asian, mixed, whatever. We're still human beings, but for some reason we're not seen as human beings. We're treated as animals, in many cases, particularly our black men, and I can't fathom that.

133. All these reports have shown it, time and time again, for decades, and yet they keep saying, "Lessons will be learnt," and, "We need more training." It's time to learn the lesson. I know it's hard to hear sometimes but it's the truth. The truth will set you free. The truth is like oil on top of water. You can try to muddy the waters up, but oil and water doesn't mix. So, the truth will always prevail, always, but they just deny it and ignore it and stay unconscious. It's time to wake up.

134. It has to be done. It's important to be done because it's important to record it. It's important for the future generations. It's important to make change. It's corporate institutional racism because they just won't do anything about the recommendations. They keep saying, "Well, what can we do?" Make people accountable. That's it. That is the answer.

135. Achieving Racial Justice at Inquests: A Practitioner's Guide

This unique and practical independent report is a self-explanatory guide by expert barristers and lawyers, who advocate for the voiceless, and will be helpful to those who are serious about making real change.

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“Though we cannot change that the role of racism was sadly overlooked by the courts in our loved one’s deaths, we greatly hope that this guide will remedy this injustice so other families will not suffer as we did. Whilst the guide in and of itself is significant, the real power will be in its implementation” - The voice of families.

<https://www.inquest.org.uk/achieving-racial-justice-at-inquests-guide>

<https://files.justice.org.uk/wp-content/uploads/2024/02/22174259/Feb-2024-Achieving-Racial-Justice-at-Inquests-1.pdf>


Impact on bereaved families

136. I would like to add something about the trauma and the impact on families.

The impact on families is indefinite. The trauma of losing a loved one is something that everybody will understand, but what people don’t understand is that we’re bereaved again by the state by the fact that we are not afforded justice, the fact that we have been forced to keep reliving that trauma, the fact that we see other families being traumatised, which triggers our trauma, and having to learn to balance it with life, because life still goes on.

137. I remember an IPCC investigator in the documentary that we did, “Who

Policies the Police?”, she said most families want us to bring their loved ones back. Hello? We know that our loved one is not ever going to come back. What we want is justice and accountability. The impact: it causes post-traumatic stress, depression, it makes people ill. Particularly mothers find it extremely difficult. This is their child. To witness the evidence of what took place to their child is outrageous and unforgivable.

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138. People should be as outraged. The NHS blood scandal is disgraceful, and Hillsborough and Grenfell too. These atrocious deaths that the agents of the state cause to members of the public is a scandal. Deaths in custody is also one of the biggest scandals in this country because it involves murder and manslaughter and gross negligence. It's corporate manslaughter because the state has allowed it to continue which is immoral and illegal. The impact is never-ending, and families are forced to live with their crime, but why should we?

139. Take the Post Office scandal. Its big news today. And the infected blood scandal. It's big news today that families have had to fight 30, 40, 50 years. How dare they do this to people? How dare they? The impact is excruciating, and it's totally unacceptable for any human being to do that to another human being. Why does the government, why does the state allow these atrocities to happen, these immoral things to happen? But it just goes to show that campaigning is vitally important, and collectiveness of families is the most powerful weight and the pressure, because the struggle is real, and the trick is to never give up. Our ancestors never did, so why should we? We are seeing racism laid out bare, still, today and it is time now for deaths in custody to receive the equal attention that we deserve. Everyone deserves justice. That's why I and other families, do the work that we do. We are not unconscious, nor bias. No Justice. No Peace. No Hatred.

140. I believe the facts stated in this witness statement are true. I understand that this statement may form part of the evidence before the Inquiry and be published on the Inquiry's website.

Signature of Witness.....  Date..... June 14, 2024 | 3:42 PM BST