



The circumstances of Sean
Rigg's death, and the
history of the IPCC and
IOPC involvement

Over fifteen years ago, on 21 August 2008, Sean Rigg, aged 40, was experiencing mental ill health when he was detained by four Metropolitan Police officers from Brixton Police Station. He was restrained by those officers and put in the prone restraint position for between seven to eight minutes; his chest and face were facing the ground with his arms cuffed to the rear. During the period of restraint, officers applied pressure to various parts of Sean's body including his back, arms and legs to keep him in that position.

He was rushed to Brixton Police Station in the back of a caged police van. CCTV shows that, after approximately ten minutes he was heavily assisted and brought into the caged area at the entrance to the custody suite and Sean immediately slumped and slid onto the floor, with his eyes shut. Officers can be heard saying he was "faking" or "feigning" unconsciousness. The officers did not immediately seek medical help. He never entered the custody suite of the police station.

The investigation by the Independent Police Complaints Commission (IPCC), the Independent Office for Police Conduct's (IOPC) predecessor, into Sean's death concluded in February 2010, with no recommended disciplinary action against any of the officers involved.

Following a seven-week inquest that heard from more than 60 witnesses, on 1 August 2012, a jury found that after he was restrained Sean was placed in a V-shaped position in the well of a cage in a police van at about 19.50. He was transported to Brixton police station where he died at 20.24 on 21 August 2008 of a cardiac arrest following restraint in the prone position. The jury also found that the length of that prone restraint (and their actions at the station) was 'unnecessary' and 'unsuitable'; and that it more than minimally contributed to Sean's death.

In light of the jury's conclusions, the IPCC commissioned an independent review of its 2008-2010 investigation into Sean's death by Dr Silvia Casale. The [Casale Review](#), published in May 2013, identified several failings in the first investigation.

The Casale Review also found that officers should avoid using the prone restraint position unless it is proportionate to the threat and necessary in the circumstances and, when using it, keep the period to a minimum. The report concluded that after one minute, due to the pressure on the detainee's lungs, serious damage was at risk. This is exacerbated after four minutes causing serious and significant damage and risk of death.

Following the Casale Review, the IPCC conducted a second investigation, which concluded in February 2016. The IPCC was of the view that five officers should face gross misconduct allegations. Each officer faced allegations relevant to their involvement. These included the failure to identify and treat Sean as a person with mental ill health, use of excessive restraint, and false evidence given to the IPCC and on oath at the inquest.

In September 2016, the Crown Prosecution Service decided there was insufficient evidence for a successful prosecution against any officers in relation to the events surrounding Sean's death. In November 2016, a custody sergeant was acquitted of perjury charges arising out of his evidence to the inquest.

There were lengthy delays between March 2016 and March 2018 when the IOPC directed the MPS to bring disciplinary proceedings.

Following a six-week hearing which concluded on 1 March 2019, over 10 and a half years after Sean's death, a police misconduct panel determined that none of the gross misconduct charges were proven against the five police officers. The hearing reached this conclusion having rejected submissions that the charges should be dismissed due to delay.

Subsequently, three officers pursued a civil claim against the IOPC arising from the length of the investigation faced by them. The claim was settled on agreed terms earlier this year, but without notifying Sean Rigg's family of the claim or the settlement. It came to their notice via a public statement published by the Police Federation on 15 May 2023, the facts of which in the view of the IOPC and Marcia Rigg clearly indicated that it related to the investigation into Sean's death, even though neither he nor the police officers were named.

It is in this context that, on the fifteenth anniversary of Sean Rigg's death, 21 August 2023, Acting Director General of the IOPC, Tom Whiting, wrote to Marcia Rigg in the terms set out in the IOPC's apology.

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