

## PRESS RELEASE

November 2nd 2004 for immediate attention

### JUDICIAL REVIEW OF THE UNLAWFUL KILLING VERDICT RETURNED AT THE INQUEST INTO THE DEATH OF ROGER SYLVESTER

November 3<sup>rd</sup> 2004  
High Courts of Justice  
The Strand  
London

On 3 November 2004 the High Court in London will hear a case brought by the police officers involved in the fatal restraint of Roger Sylvester in 1999 who now seek to overturn the verdict of unlawful killing returned by an inquest jury last year. Their application for judicial review, supported by the Metropolitan Police Commissioner and resisted by the family of Roger Sylvester, is expected to last for 3 days.

The submissions made on behalf of the officers and the Commissioner alike rest essentially upon the argument that the evidence heard at the inquest did not justify the unlawful killing verdict of the jury or, indeed, the decision of HM Coroner Dr Andrew Reid to allow the jury to consider the verdict in the first instance. The family of Roger Sylvester, for their part, will argue that the verdict was perfectly justified by the evidence heard at the inquest, and it is not open to the High Court now to undermine or usurp the function of the Coroner and the jury to assess that evidence for themselves.

The family are being represented by INQUEST Lawyers Group members Paddy O'Connor QC and Phillipa Kaufman of Doughty Street Chambers instructed by Raju Bhatt of Bhatt Murphy Solicitors.

Bernard Renwick, Roger Sylvester's brother said: "Where would be the justice if an unlawful killing verdict beyond reasonable doubt, reached by a jury of eleven is replaced with accidental death, or an open verdict by a single Judge?"

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#### Notes to Editors

## **Case**

Roger was a 30-year-old healthy black man who died after being handcuffed and restrained by 8 Metropolitan police officers in Tottenham in January 1999. INQUEST has been working with the Sylvester family since his death. We are particularly concerned about police restraint methods and the disproportionate number of black men who have died in police custody following the use of force. The investigation into his death carried out by Essex police under the supervision of the Police Complaints Authority was passed to the CPS in October 1999. 13 months later in November 2000 they announced their inevitable decision that no police officer would face criminal charges. When the family sought to challenge this decision Lord Chief Justice Woolf ruled in May 2001 that the challenge should await the outcome of the inquest. Some two years went by before the arrival of a new Coroner at St Pancras resulted the inquest being heard and an unlawful killing verdict being returned in October 2003. When news leaked out the Metropolitan Police Authority (MPA) had agreed to fund the police officers' challenge to the inquest verdict, INQUEST and the family successfully campaigned for similar funding for the Sylvester family.