

PRESS RELEASE

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INQUEST INTO THE DEATH IN WEST MIDLANDS POLICE CUSTODY OF MIKEY POWELL TO OPEN AFTER A SIX YEAR WAIT

10am Wednesday 4 November 2009

before HM Assistant Deputy Coroner for Birmingham, Stephen Campbell,
sitting at Sutton Coldfield Town Hall, Upper Clifton Road, Sutton Coldfield, Birmingham,
B73 6AB (close to Sutton Coldfield railway station)

The inquest into the controversial death in police custody of Michael Lloyd Powell (known as Mikey) opens on Wednesday 4 November 2009, and is expected to last for six weeks. Mikey was a cousin of the renowned poet and writer, Benjamin Zephaniah, a patron of INQUEST.

Mikey Powell was a fit and healthy 38 year old black man and a father of three young children. He had suffered several short episodes of mental illness in the past from which he had recovered. One of these episodes occurred on 7 September 2003. Police had previously dealt appropriately with Mikey and were called again on this occasion by concerned family members. During the incident in which Mikey was detained outside his mother's house in the Lozells area of Birmingham, officers drove a police car at Mikey, hitting him, then used CS spray and a baton while restraining him. Even though Mikey was injured, rather than taking him to a hospital the officers drove him instead to Thornhill Road Police Station where he died at some point during his detention.

It has taken six years for Mikey's case to reach a full public inquest.

In 2006, there was a three-month Crown Court trial of ten West Midlands Police officers, eight of whom faced charges of misconduct in public office and two of charges of dangerous driving. All were subsequently acquitted. The verdict was met with dismay by the family and their supporters.

After arguing successfully for a jury inquest into Mikey's death, the inquest was further adjourned from March 2009 because of the family's legal challenge of the failure of the coroner and the investigating force (Northamptonshire Police) to provide the family with access to 4,000 documents relating to the police investigation into Mikey's death. The High Court ordered that the family be granted access to these and the new inquest date was set.

Tippa Naphthali, Mikey Powell's cousin said:

Such deaths in custody like Mikey's frequently fade from public interest while the grief and anguish of affected families can continue for many years. We have only ever wanted answers to the many questions as yet unanswered, and hope that this inquest

Inquest

will mark an important stage in our continued quest for truth and accountability for Mikey's death.

Deborah Coles co-director of INQUEST said:

The truly shocking circumstances of this death will finally be subjected to proper public scrutiny. It is profoundly disturbing that a black man in need of medical treatment and care died following contact with the police and the issues his death raises about the use of force and the care of vulnerable detainees in police stations are as pertinent today as they were six years ago.

The Powell family will be represented at the inquest by INQUEST Lawyers Group members barristers Rajiv Menon of Garden Court Chambers and Henrietta Hill of Doughty Street Chambers, instructed by Jane Deighton of Deighton Guedalla Solicitors.

Notes to editors:

The Friends of Mikey Powell Campaign for Justice was established his family and has received considerable support both nationally and from the local community. The campaign has established a website for the duration of the inquest www.mikeypowellinquest.wordpress.com

INQUEST is the only organisation in England and Wales that provides a specialist, comprehensive advice service on contentious deaths and their investigation to bereaved people, lawyers, other advice and support agencies, the media, parliamentarians and the wider public. Its casework priorities are deaths in prison and in police custody, in immigration detention and in secure training centres. INQUEST develops policy proposals and undertakes research to campaign for changes to the inquest and investigation process, reduce the number of custodial deaths, and improve the treatment and care of those within the institutions where the deaths occur.

INQUEST is campaigning to ensure that the Coroners and Justice Bill 2009 results in fundamental reform of an inquest system currently hampered by delay, inconsistency of approach and lack of resources and unable to fulfil its vital function of preventing unnecessary deaths.

The government must also make changes to ensure that bereaved families can participate effectively in inquest hearings by having equal access, alongside the police and Prison Service, to non means-tested public funding for their legal representation. [INQUEST's briefing on the Coroners & Justice Bill](#)

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