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UNITED KINGDOM: QUESTIONS STILL REMAIN UNANSWERED FOLLOWING
VERDICT OF MISADVENTURE AT THE INQUEST INTO BRIAN DOUGLAS'S DEATH

Following today's verdict of death as a result of misadventure at the inquest into Brian Douglas's death, Amnesty International is concerned that several questions surrounding the circumstances of his death -- allegedly due to ill-treatment by police at the time of his arrest -- still remain unanswered.

"More than a year has passed since the death of Brian Douglas and his family still do not know the full truth about the circumstances that led to his death," Amnesty International said today.

"Brian Douglas died as a result of the skull injuries sustained at the time of his arrest. In the light of today's verdict the question of whether the force used by police was excessive still needs to be addressed."

Amnesty International is calling on the authorities to order a full judicial examination of all the available evidence concerning the alleged ill-treatment by police at the time of Brian Douglas's arrest and the adequacy of the treatment he received while in police custody.

Brian Douglas, a 33-year-old Afro-Caribbean man, was arrested by two police officers in Clapham, south London, on 3 May 1995. Eye-witness testimonies indicate that -- contrary to what Amnesty International believes to be training instructions -- the police officers involved resorted to an unauthorized use of newly-introduced long baton by hitting Brian Douglas on the head. As a result of the skull injuries sustained, Brian Douglas died in hospital five days after his arrest from a massive brain haemorrhage.

At the inquest eye-witnesses alleged that at the time Brian Douglas was hit on the head he was walking backwards from a police officer with his hands empty and not posing any threat. The jury heard from forensic pathologists that Brian Douglas suffered six hairline fractures emanating from the upper right side of the skull, consistent with his being struck with a baton. PC Harrison and PC Tuffey told the jury that Brian Douglas had dropped a lock-knife on the ground but was still holding a CS gas canister. The police officers maintained that they hit Brian Douglas to ensure their own safety although they both denied striking him on the top of the head.

Brian Douglas was arrested and taken to Kennington police station, where he was held in a cell for 14 hours. During his detention he was examined four times by police doctors who failed to notice Brian Douglas's skull injuries. Amnesty International is concerned about the adequacy of the treatment that Brian Douglas received between the time of his arrest and the time of his transfer to hospital.

An investigation, conducted by the Metropolitan Police's Complaints Investigation Bureau, was referred to the Police Complaints Authority (PCA) for supervision. The PCA eventually submitted a report to the Crown Prosecution Service (CPS) in December. In April the CPS announced that the two arresting police officers, PCs Harrison and Tuffey, would not face criminal charges because of "insufficient evidence" to secure a conviction. The CPS's decision not to prosecute came nearly one year after Brian Douglas's death.

The police have never explained how Brian Douglas received such injuries nor have the results of the PCA's investigation been made public. Reportedly, the two police officers involved were given compassionate leave in the aftermath of Brian Douglas's death although they have since returned to desk duties.

Amnesty International has been urging the authorities to carry out a prompt, thorough and impartial investigation into the disputed circumstances that led to the death of Brian Douglas, allegedly due to ill-treatment by police, at the time of his arrest. The organization has also urged the authorities to make public the results of the PCA's investigation in accordance with international standards for such investigations

Amnesty International believes that denying the family's counsel, and thus the jury, access to the PCA's report is a major obstacle to establishing the truth. The inadequacy and non-compliance with international standards of the inquest system is illustrated by the fact that crucial evidence is not at the coroner's disposal. The PCA's report, for instance, remains property of the police and falls under the Commissioner's jurisdiction.

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