

# Bhatt Murphy Solicitors

## PRESS RELEASE

### TSG OFFICERS ACQUITTED

Fiona Murphy, solicitor for Mr Ahmad of **Bhatt Murphy** said:

“The criminal proceedings have taken their course and the jury has returned its verdict. We now call upon the IPCC to put its abject failures in relation to this case to one side and to give proper consideration to the misconduct aspects.”

#### **The criminal proceedings**

The jury’s verdict is acknowledged and accepted. The care taken by the prosecution team in presenting this challenging case is also acknowledged.

#### **The civil proceedings**

On 18 March 2009, the Met Commissioner made an unprecedented admission in Mr Ahmad's civil litigation. He admitted that his officers had subjected Mr Ahmad to a violent, sustained and unprovoked assault and that he had twice been placed in a life threatening neck hold in the back of a TSG carrier. He paid Mr Ahmad £60,000 including exemplary damages intended to punish him for the brutal actions of his officers.

#### **Pattern of similar complaints**

In those civil proceedings we learned that the 4 officers in the dock at this trial had a total of 58 complaints against them: 31 complaints against PC Jones (including 26 complaints of assault on detainees of whom 60% were black or Asian and 17 complaints against PC James-Bowen including 14 complaints of assault upon detainees of whom 64% were black or Asian).

The civil proceedings also revealed that Inspector Paul Davis, who was the most senior TSG officer present on 2 December 2003 had 15 complaints against him, 11 of which concerned allegations of assault of which at least 7 (64%) concerned black or Asian men.

#### **The MPA review**

On 26 March 2009 the MPA told the Commissioner that they were astonished that several TSG officers, including Inspector Davis, had refused to give evidence on the Commissioner’s behalf. The Commissioner ordered an immediate review and the MPA imposed independent oversight by Sir Geoffrey Grigson.

The terms of reference:

- The adequacy of the response to the arrest and circumstance of Babar Ahmad’s detention and allegations of misconduct by the arresting officers
- The oversight mechanisms employed throughout this case
- The effectiveness of the Complaints Intervention Scheme
- The circumstances surrounding the refusal of the arresting officers to give evidence in the civil proceedings to the High Court and the issues arising from this refusal.

That review was completed in April 2010. The review declined to meet Babar Ahmad or Bhatt Murphy. We now call for the MPA to publish that review without delay.

**Next steps – IPCC**

Save for the botched and misguided misconduct proceedings initiated by the IPCC against PC James-Bowen alone in 2004 no officer has faced internal disciplinary proceedings in relation to these events.

We call upon the IPCC to undertake an urgent review of the scope of the 2004 misconduct proceedings and to initiate effective misconduct proceedings against these 4 officers and to include those officers who turned a blind eye. In those proceedings, the tribunal should be able to consider the pattern of similar complaints that have not been considered by any previous tribunal of fact and in addition, new evidence emerging from this trial.

Further, Mr Justice Rivlin's ruling of 13 January 2011 (no longer subject to a press embargo) reveals that despite advice from prosecuting counsel Jonathan Laidlaw QC and a request from the CPS, the head of the Metropolitan Police Directorate of Professional Standards, Commander Simmons refused to interview PS Davis as a suspect in respect of the events of 2 December 2003.

In the context of its review of the misconduct aspects we call upon the IPCC to conduct the first ever interview of Inspector Davis in relation to his role in these events.

**For further information, please contact:**

Fiona Murphy, partner  
Tel: 020 7729 1115 and 07931 545673  
Email: f.murphy@bhattmurphy.co.uk

**Note to editors**

On 3 November 2009 PC Mark Jones of 1 Area TSG at Paddington was also acquitted of racially aggravated assault, assault and misfeasance in public office following an incident in the Edgware Road on 1 June 2007.

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