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UNITED KINGDOM

Ill-treatment of David Adams in Northern Ireland

Amnesty International is concerned about the ill-treatment suffered by David Adams and urges the government to carry out an investigation into his case and examine the systemic faults that his case underlines.

On 18 February 1998 David Adams was awarded £30,000 by the Northern Ireland High Court in damages for the assaults and injuries he received by police officers in February 1994. David Adams claimed that on arrest he was put on his knees, handcuffed, and when he gave a false name one of the officers grabbed his head and pounded it off the ground a number of times. He stated that his face was scraped along the ground, that he was kicked, punched, and beaten on the head and back with weapons. He was punched in the right eye which caused his eye to swell and almost close. At one point the blows to his body resulted in a very sharp pain which caused his breathing to be suddenly impaired. He stated that throughout the beating officers shouted sectarian verbal abuse. Eyewitnesses claimed that they heard sounds of someone being beaten and heard someone shout "I hope he chokes on his own blood" and "fenian bastard". By the time he was taken to Castlereagh police interrogation centre, he was breathing painfully and his face and head were covered in blood.

At Castlereagh he was taken straight to the Scenes of Crime room, where he alleged that he was further punched in the area of the head and neck. At one point police officers performed running kicks on David Adams' left leg below the knee. A short time later, the police doctor arrived and stated that he was not fit to be detained and should be taken to hospital because of his breathing difficulties. When the doctor left, Adams was given a detailed forensic examination before being transferred to hospital.

The duty sergeant stated that when David Adams first came into Castlereagh, the sergeant did not see the injuries to his face because Adams had his head down. Yet the doctor stated that he noticed blood on his face and head. Normally injuries should have been recorded on the custody form but this was not done. The duty sergeant also stated

that he was in the vicinity of the Scenes of Crime room for 99% of the time, and that he had not noticed or heard anything untoward happening. He denied that the doctor had implied that Adams should have been taken to hospital immediately.

David Adams was in hospital for three weeks, receiving treatment for his injuries. The more serious injuries included: a punctured right lung due to fractured ribs; a fracture of the left leg; and a wound at the back of the head which required stitches. In addition he had bruising on his face and body; injuries to the forehead, temple and nose; grazing of the cheek, lower lip and chin; and an injury to the right eye.

The police officers denied that David Adams had been assaulted or subjected to verbal abuse. However, the High Court judge stated that the medical evidence was consistent with the plaintiff's account and could not be explained by the police account. The judge concluded "at least most of the injuries suffered by the plaintiff were more likely to be the result of direct, deliberate blows", which he referred to as "illegal behaviour"; and that he had been subjected to sectarian verbal abuse.

The judge's conclusions led him to question the truth and accuracy of the evidence of police officers at the scene; he stated that one officer's evidence was unconvincing and unworthy of belief and that his claim to have come down on Adams' back with his knee was made in a futile attempt to explain injuries inflicted by himself and other officers. The judge also stated that the duty sergeant's claim that he was unaware of the injuries was impossible to accept, especially in view of his duty to record the condition of a detainee on arrival. He also criticized the duty sergeant for not transferring David Adams to hospital promptly.

Amnesty International believes that the ill-treatment of David Adams raises serious questions about the accountability of the police force and about decisions taken by the prosecuting authorities. The organization urges the government to ensure that an independent and thorough investigation takes place into all the circumstances of David Adams' ill-treatment and into the issues raised by the consequent court judgment:

- * the failure of the investigation into David Adams' complaints to be thorough and impartial;
- * the failure by the prosecuting authorities to bring criminal charges of assault;
- * the failure of the duty sergeant to fully protect a detainee's rights;
- * the need for video-recording and audio-recording in the Scenes of Crime room.