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# #BlackLivesMatter: Remembering Mark Duggan and David Oluwale in Contemporary British Plays

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**Abstract:** This paper examines two British plays that respond to cases in which the police have been implicated in the deaths of black men. Gillian Slovo's *The Riots* (Tricycle Theatre, 2011) uses interviews from witnesses and politicians to dissect the events leading up to and during the Tottenham riots that followed in the wake of the fatal police shooting of Mark Duggan by police on 4 August 2011 and spread to other inner cities in England over the following five nights. I examine how the first half portrays the local community's concerns and locates the breakout of riots within a longer history of tense police-community relations in Tottenham, whereas the second half focuses on the political rhetoric surrounding the spread of rioting throughout England, which means that Mark Duggan disappears from the narrative. Oladipo Agboluaje's adaptation of Kester Aspden's *The Hounding of David Oluwale* (Eclipse Theatre, 2009) effectively uses dramatic strategies to remember the life of 38-year old Nigerian David Oluwale whose body was retrieved from the River Aire in Leeds on 4 May 1969 after allegedly last seen being chased towards the river by two police officers two weeks earlier. I explore the effectiveness of both plays as memorializations of black lives and consider how they contribute to ongoing debates about the relationship between black men and the police in Britain. #BlackLivesMatter #BlackPlaysMatter

**Keywords:** 2011 riots, black men, British police, institutional racism, race relations, memorializing black deaths in custody, Mark Duggan, David Oluwale, Kester Aspden, Oladipo Agboluaje, *The Hounding of David Oluwale*, Gillian Slovo, *The Riots*

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This article is dedicated to the memories of Mark Duggan, David Oluwale, Cynthia Jarrett, Joy Gardner, Shiji Lapite, Brian Douglas, Wayne Douglas, Roger Sylvester, Azelle Rodney, Sean Rigg, Smiley Culture, Edir (Edson) Da Costa, Rashan Charles and the many other black people who have prematurely lost their lives during or soon after being in custody or contact with the police.

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## Black characters and the police on the British stage

Relations between black men and the British police have remained historically fraught with tensions and mistrust that are compounded by how endemic institutional racism has manifested itself in discriminatory policing practices, such as the disproportionate stop and search of young black men, and the use of excessive force in arrest and detainment procedures.<sup>1</sup> Questions about whether black people are treated equitably by the British police continue to be raised by the number of black deaths during or soon after being in custody with the police, and the police's investigation of race hate attacks and racist murders have also been subjected to scrutiny, most prominently in the blundered investigation into the racist murder of teenager Stephen Lawrence by a group of five white youths in 1993.<sup>2</sup> Sir William Macpherson of Cluny's *The Stephen Lawrence Inquiry* report concluded that the investigation into the murder was marred by entrenched "institutional racism" within the Metropolitan Police, which he defined as

the collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture or ethnic origin. It can be seen or detected in processes, attitudes and behaviour which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness, and racist stereotyping which disadvantage minority ethnic people. (Macpherson 321)

Incidents in the UK are echoed by similar occurrences in the USA, such as the release of video footage of police officers brutally beating Rodney King in Los Angeles in 1991, which led to riots in 1992 when the officers involved were acquitted. Since 2013, The #BlackLivesMatter campaign has created a wider public recognition of these issues by posting images and recordings of police violence towards black people on social media.<sup>3</sup> Such incidents form part of the

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**1** Black men are between five and eight times more likely to be stopped and searched as white men.

**2** After almost two decades of his parents Doreen and Neville Lawrence's determined fight for justice, two of the original five suspects, Gary Dobson and David Norris, were convicted for the murder on 3 January 2012.

**3** These include the deaths of Martin Brown, whose fatal shooting by a police officer led to civil unrest in Ferguson in 2014, Eric Garner who died after a police officer allegedly put him in a chokehold during an arrest on Staten Island, New York City in the same year, and #BlackLivesMatter activist Sandra Bland, who was found dead in a police cell in Texas on 13 July 2015 after being arrested during a routine traffic stop.

historical footprint of black cultural experiences, which continue to shape and affect our perceptions of and trust in the police.

The Institute of Race Relations (IRR) keeps a record of the deaths of people from black communities that happen during or soon after being in custody of the state in Britain, whether that is in police custody, in prisons, in immigration detention centres or in mental health facilities. Counting deaths is a way of formally recording them, remembering those who have lost their lives, and of highlighting patterns as a way of providing a framework through which to understand how and why such deaths occur, and therefore galvanize towards ways of addressing them within anti-racist activism. Harmit Athwal suggests that keeping a tally of such deaths is a way of highlighting the racism in the systems and practices that govern our lives by drawing attention to how authorities have historically treated black lives as disposable because of the colour of our skin, and of exposing the injustices suffered by bereaved families (Athwal).<sup>4</sup>

The continued topicality of these issues is reflected in the portrayal of black characters' encounters with the police in a number of British plays that have been staged since 2000, coinciding with an increased engagement with concerns about race, human rights and social justice in twenty-first century British playwriting. These include a 2010 revival of Barrie Keefe's 1979 play *Sus* (Revived by Eclipse Theatre/Young Vic, 2010, directed by Dawn Walton), which was one of the first plays to portray how stereotypical attitudes can be manifested in the police's treatment of black men during arrests and questioning; two scenes in Bola Agbaje's *Gone Too Far!* (Royal Court, 2007, directed by Bijan Sheibani) show two Nigerian brothers encountering a pair of stereotypically racist police officers on the streets of their local housing estate; in debbie tucker green's *random* (Royal Court, 2008, directed by Sacha Wares) a Mum, Dad and Sister react with hostility and suspicion when police officers arrive on their doorstep with the news that Brother has been fatally stabbed to death during a random altercation in the middle of his school day. Roy Williams portrays black encounters with the police in three plays: *Kingston 14* (Theatre Royal Stratford East, 2014, directed by Clint Dyer) depicts a Metropolitan Police officer going to advise the Jamaican police on best practice, policy and procedure; *Advice For the Young at Heart* (Theatre Centre, 2013, directed by Natalie Wilson) contrasts riots in Notting Hill in 1955 and in Tottenham in 2011; and *Wildefire* (Hampstead Theatre, 2014, directed by Maria Aberg) explores the challenges of policing multi-racial London. The preponder-

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<sup>4</sup> See *Deadly Silence: Black Deaths in Custody* (1991) and Harmit Athwal and Jenny Bourne, eds. *Dying for Justice* (2015). Further statistics and analysis of patterns of black deaths in prisons and police custody 2006–2015, are available on <http://www.inquest.org.uk/statistics/bame-deaths-in-police-custody> (Accessed 14 Jan. 2016).

ance of such plays suggests that the theatre can play a role in exploring and questioning police-community relations.

In the introduction to the revised published playtext of *Sus* Keefe writes:

I'm surprised and rather saddened that a play I wrote thirty-one years ago and thought then was as one critic described it, a piece of 'instant political theatre' [...] actually still does have a painful resonance and not just to theatre audiences. (Keefe 5)

Such 'painful resonances' can be seen even more clearly in a raft of contemporary plays that respond to real-life cases in which the police and/or the state are either implicated directly in the deaths of black or Asian men, or in marred investigations of black men who are murdered. Richard Norton Taylor's tribunal play *The Colour of Justice* (Tricycle Theatre, 1999, directed by Nicolas Kent) is constructed from edited transcripts of the Stephen Lawrence Inquiry that exposed the finding that the Metropolitan Police force was institutionally racist. Roy Williams' *Fallout* (Royal Court, 2003, directed by Ian Rickson) was written in response to the collapse of the Damilola Taylor murder trial, which happened in the shadow of Macpherson's report, and explored claims that the police were so eager to prove that improvements had been made to the force in light of Macpherson's findings that they pursued a prosecution case without securing adequate evidence. Tanika Gupta's *Gladiator Games* (Sheffield Crucible and Theatre Royal Stratford East, 2005, directed by Charlotte Westenra) examines failings in the prison service after Asian inmate Zahid Mubarek was placed into the same cell as a known neo-Nazi racist, Robert Stewart, who clubbed him to death in the middle of the night hours before his release from Feltham Young Offenders Institution for a petty crime. Urban Wolf and Tom Wainwright's *Custody* (Oval House, 2017, directed by Gbemisola Ikumelo) portrays a family coming to terms with the death of a loved one in police custody, and uses words taken from speeches made by Sean Rigg's sister.<sup>5</sup>

This paper focuses on how the deaths of black men in which the police are implicated are portrayed in two British plays. Gillian Slovo's *The Riots* (Tricycle Theatre, 2011, directed by Nicolas Kent) is a verbatim production that responds to the August 2011 riots that broke out after Mark Duggan was fatally shot by police on 4 August 2011.<sup>6</sup> Slovo's play is written from eyewitness accounts of the riots, taking in the views of community activists, police, politicians and some rioters; but it is concerning that Duggan's death is somewhat overwritten by a focus on the spread of the disorder throughout England. The 2011 riots were not so clearly

<sup>5</sup> Sean Rigg died at the entrance to Brixton Police Station on 21 August 2008.

<sup>6</sup> Arinze Kene's monologue *Good Dog* (Tiata Fahodzi 2017, directed by Natalie Ibu) and Alecky Blythe's *Little Revolution* (Almeida, 2014, directed by Joe Hill-Gibbins) also respond to the 2011 riots.

identified as race riots, or as confrontations against the police, and Slovo's determination to account for these so-called 'wider concerns' somewhat erases the black angles of the story. Oladipo Agboluaje's *The Hounding of David Oluwale* (Eclipse Theatre, 2009, directed by Dawn Walton) arguably gives greater agency to the dead black man by keeping his story central to the narrative. David Oluwale was a Nigerian immigrant who arrived in Britain as stowaway in 1949 and after several incarcerations in mental asylums and prisons over the next twenty years was found drowned in the River Aire in Leeds in May 1969, following a campaign of harassment by two Leeds police officers. Agboluaje deliberately decided against using a verbatim-based approach and instead employs dramatic devices and includes scenes that give the dead black man a voice and endow him with the right to respond to the police mistreatment that he was subjected to by explaining the circumstances surrounding his death in powerful and poignant ways.

As pieces inspired by the violent and untimely death of black men in Britain at the hands of the police, these plays arguably function within documentary practices as memorializations of black lives, and make distinct contributions by examining the main concerns raised by the cases while adding to the ongoing narrative about police-community relations. They can therefore be inserted into conversations about how British playwrights have treated issues of race and racism as manifest through the long-standing issue of historically tense relations between black men and the British police, pre-and post-Macpherson. The effectiveness of their approaches can be assessed through an examination of how each of the plays responds both to the specific incidents portrayed in each case and in the extent to which the black men who have died are given agency within the representations. These plays can contribute to collective memories, which leads to inevitable questions about how the playwrights remember, what parts of the incidents are remembered over others, and how these plays might contribute to shaping cultural understandings of these deaths in custody cases.

## **Protesting for Mark Duggan: policing the frontline in Gillian Slovo's *The Riots***

When 29-year old Mark Duggan was fatally shot during a police Trident operation in Tottenham on 4 August 2011, it was not completely surprising when two days later riots broke out at the end of a peaceful protest against his death. The police's delay in informing Duggan's family about his death combined with local dissatisfaction about news reports that described him as a gun toting 'gangsta' who was involved in a shootout with police officers led to his family and friends fronting a

peaceful protest outside Tottenham Police Station on 6 August 2011 where they were demanding to be given more information about unanswered questions surrounding the circumstances of his death. According to local community activist Stafford Scott, the police refused to speak to the waiting crowd to provide the answers that they sought, and informed them that the case had been referred to the Independent Police Complaints Commission (IPCC). As the evening drew on, and the vigil was winding down, rioting broke out, first in Tottenham, which spread through London (Wood Green, Enfield, Brixton, Walthamstow, Hackney, Peckham, Clapham Junction, Ealing, Camden, Eltham) and into other cities in England (Birmingham, Manchester, Nottingham, Liverpool, Bristol) over the following five nights.

When black people die in incidents involving the police or the state, they have no voice, no recall, no way of telling what happened, and it is friends, family and community activists who take up the fight for justice.<sup>7</sup> Riots, or uprisings, are one of the ways in which the community expresses anger towards the police and the state and respond to the ongoing issue of discriminatory police practices. Duggan is one in a long line of black people in Britain who have lost their lives during or soon after contact with the police or the state and riots have ensued in several cases. Riots broke out in Brixton on 28 September 1985 after Cherry Groce was shot and paralyzed during a police search of her home. Just a week later, there were riots on The Broadwater Farm Estate in Tottenham on 6 October 1985 after Cynthia Jarrett died during a police raid on her house the previous day. The Broadwater Farm riots became notorious when Police Constable Keith Blakelock was surrounded, set upon and stabbed to death. Rioting broke out again in Brixton on 13 December 1995, following a protest about the death of Wayne Douglas in police custody at Brixton Police Station on 5 December 1995.<sup>8</sup> The shooting of Mark Duggan compounded what David Rose refers to as “a lengthy history of mutual hostility between Tottenham’s black community and the police” (Rose 39) because Duggan was from the Broadwater Farm Estate, the same location as rioting in Tottenham in 1985. As such, the riots must be seen through connections to the longer history of animosity between the police and the black community in the area.

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<sup>7</sup> Ken Fero’s documentaries *Injustice* (2001), *Who Polices the Police?* (2012) and *Burn* (2014) show instances of police brutality and the families’ and communities’ determined quest for justice.

<sup>8</sup> While I was preparing this paper, twenty-five year old Edir (Edson) Da Costa died six days after being detained by the police in Newham and protests were held on Sunday 25 June 2017 with some confrontations with the police. On 22 July 2017, twenty year old Rashan Charles died after being chased and tackled to the ground by a police officer in Dalston, East London.

Gillian Slovo's *The Riots* (Tricycle, 2011, directed by Nicolas Kent) opened on 17 November 2011, just three months after the riots, and was publicized as a 'theatrical inquiry' that asked urgent questions in lieu of a formal public inquiry. The riots were widely reported in the news at the time, with debates focusing mainly on the widespread looting and criminal damage as they spread throughout England over the following five nights, and these concerns are also predominant in Slovo's play. The first half of *The Riots* acknowledges the ongoing friction between the police and the black community in Tottenham, reflecting upon the build up towards initial bouts of rioting through the testimonies of black people who were present at the protest, and with knowledge of the latent historical tensions between the police and the black community in the area. Central to this perspective is the commentary from community activist Stafford Scott and Martin Sylvester Brown, whose accounts of the events leading up to the outbreak of rioting highlight the historical racial and social contexts of the riots, and contextualize how the police's responses to the gathering crowd and to initial bouts of violence on the first night of rioting led to the escalation of events that could be seen as a reaction to the longer history of tested relations between the police and the black community in Tottenham that stretch back to local collective memories of the 1985 Broadwater Farm riots when PC Blakelock was killed. The local context is imperative for thinking about the breakout of the riots in Tottenham within a framework that places the shooting of Mark Duggan within the history of three other black people who died during or following contact with the police in a three-mile radius of the area – Joy Gardner, Cynthia Jarrett and Roger Sylvester.<sup>9</sup> Tottenham thus becomes a 'symbolic location' in relation to a history of rioting and of troubled relations between the police and the black community. As Rachel Clements writes in her cogent analysis of *The Riots*, Slovo presents the 2011 riots as a response to the

complex and specific 'geographies of grievances' of Tottenham [including] the recurring spectres of past clashes between the police and communities: the multiple unexplained and untried deaths of black people while in police custody, and PC Keith Blakelock's death during the 1985 Broadwater Farm riots. (Clements 159)

Within such a backdrop, Stafford Scott explains how the older people present were trying to prevent the situation from escalating: "a riot in those situations is the worse thing that can happen for justice. [Tottenham] is one of the last places in London that can afford something like that to happen" (Slovo, *Riots* 15).

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<sup>9</sup> Joy Gardner died on 1 August 1993, four days after police and immigration enforcement officers had forcibly bound her in yards of tape and gagged her mouth while attempting to remove her from her house in Crouch End for deportation. Roger Sylvester died in The Whittington Hospital on 19 January 1999 a week after being restrained by eight officers outside his home in Tottenham.

Stafford Scott and Martin Sylvester Brown highlight concerns about a lack of respect being shown towards Duggan and his family. In particular, they stress that the vilification of Duggan in initial media reports shows an attitude towards the victim that reflects attempts to discredit him as a way of covering up police behaviour by moving the focus away from the police and onto the supposed crimes of the victim. However, they explain why people with knowledge of the longer history of the local police-community relations in Tottenham refused to believe the press information that was released about Duggan being involved in a shootout with police: “[M]ost young people, regardless of lifestyle, are not going to get themselves in a situation where they’re involved in a shootout with trained, armed, heavily armed, police officers so we knew that that just didn’t ring true” (8).

Even if you didn’t know him [Duggan], you know nobody shoots at the police in Tottenham. You know, we’ve got, we’ve got a history. There’s been a history of, of gun offence and even more importantly a history of death by the police, you know, that go way back. You know, there, there’s a furious relationship there. There’s a long history. (8)

These perspectives of Tottenham’s black community gives some credence to alternative viewpoints to those that were dominating media reports about the riots.

A key stated aim of the Metropolitan Police Mission Statement is “to serve and protect the people of London by providing a professional police service” (Metropolitan Police). Bylines such as ‘total policing,’ and ‘working together for a safer London’ are used to create an impression of the police as those who have a professional duty to ‘protect the good people from the bad people,’ to ‘risk their own lives for the sake of ours’ and to ‘run towards danger when we are running away from it,’ which is the kind of media rhetoric often disseminated about the police force. However, questions have been raised about how the police carry out their duties and particularly about the extent to which the ‘serve and protect’ mantra is applied equally across community groups, especially black communities. The police’s reaction to initial bouts of disorder in Tottenham seemed to go against the ‘serve and protect’ protocol, as vandalized police cars and properties were left to burn, as notoriously captured in an image of the police in full riot gear standing by and watching as the iconic Carpetright shop was engulfed in flames. Tottenham Labour MP David Lammy suggested that “[t]he police response was leaden-footed and hesitant in parts. People felt abandoned rather than protected in their shops, their homes and their neighbourhoods” (Lammy 49). The police seemed to be more concerned about protecting the police station from attack and ensuring that officers were safe. Hackney North and Stoke Newington Labour MP Diane Abbott also questioned whether the police might have been more proactive in a more affluent area when she asked “Do you think people would be allowed to loot for five minutes in South Kensington? No, but they were allowed to loot for



five hours in Wood Green” (Slovo, *Riots* 36). Such reticence goes against the usual deployment of stop and search where young black people are “used to getting stopped before they do something” (14).

Slovo includes police officers’ accounts that respond to the express criticism that was levied towards them as inactive in their responses to the riots by registering the pressure that they felt and the challenges that they faced in having to make split second decisions about suitable courses of action as the events quickly unfolded. The police officers’ accounts demonstrate that their hesitance and decision-making was informed by an awareness of the historic tensions in their relations with the Tottenham community, and by memories of the past, particularly of the Broadwater Farm riots and the death of PC Blakelock. Inspector Winter explains that as the numbers of rioters grew relative to the amount of police that could be present, that his biggest priority was ensuring that all of the police officers were safe and that events did not escalate as they had done during the Broadwater Farm riots of 1985:

If I send five of my officers in to arrest someone who’s thrown a brick at us, then either they’re going to be surrounded and overwhelmed and it’s going to be a more resource-intensive operation to try and bring them back, or y’know, s-someone’s gonna get very badly hurt so. F-Foremost in my mind is what happened to PC Keith Blakelock [...] I don’t want anybody to get killed. (Slovo, *Riots* 21)

Speaking as a representative of the Black Police Association, Superintendent Leroy Logan links the police perspectives to the idea that “historical baggage [...] may have been a factor for them to hold back [...] not to be seen to be too heavy handed in a very sensitive area” (37). As Nadine Holdsworth argues, acknowledgement of the “historical baggage” between the Tottenham community and the police is one of the ways in which Slovo’s play responds to some of the reductive political rhetoric that surrounded the riots.

Much of the political discourse about the 2011 riots focused on the idea that the national spread of rioting throughout England and the scale of the looting compared with previous confrontations against the police was evidence that Duggan’s death was not the biggest factor in their escalation. His family had distanced themselves from association with or sanctioning of the riots in a television interview: “We do not condone what happened. We are peaceful people... We are grieving and just trying to come to terms with everything that has happened. We do not want this happening in his name” (qtd. in Lammy 12). The second half of Slovo’s play centres on views of the riots from the few actual rioters that she was able to make contact with, and primarily on politicians’ reflections about the reasons for the riots, such as then Prime Minister David Cameron’s claim that the riots were “criminality, pure and simple” or Conservative MP and

then Education Secretary Michael's Gove's view that "the rioters were a vicious, lawless and immoral minority" (Slovo, *Riots* 45). Such views separate the riots from the Mark Duggan context by promoting the idea that there was a lack of political anger underpinning the riots and that the rioters were driven primarily by opportunistic consumerism, evidenced by the scale of the looting in this case when compared with other similar disturbances and explicit confrontations against the police. Consequently, Mark Duggan all but disappears from the second half of *The Riots*, as Slovo was more interested in examining the supposedly broader range of perspectives that could account for the spread of the riots throughout England:<sup>10</sup>

*The Riots* is essentially about a confused situation in which anger against the police in Tottenham, which seems to me to be pretty rightful, turned into something completely different in other parts of London and then throughout England. I'm fascinated by the complexity of such a situation. The rioting certainly has something to do with what's happening politically in this country, but it's not exactly clear what. There isn't a single cause and that makes it an interesting challenge in terms of structuring a play. (Slovo, "Writing the Riots")

As Sian Adiseshiah argues, "[t]his demonstrates a liberal approach to the subject matter" (Adiseshiah 162–3) that tries to be inclusive of all the possible causes of the riots – race-related and otherwise. Within such perspectives, it is important to recognize Black Labour MP Diane Abbott's testimony as categorically resituating the 2011 riots within a framework that understands them through hallmarks of the classic race riots of the eighties:

Starts with a black person dying at the hands of the police, Cherry Groce, Mrs Jarrett. The police showing insensitivity, obduracy. The community feelings starting to run high. Rumours, heightened rumours about how and why the black person died. A demonstration which tips into a riot. That's a classic race riot. It's the profile [of] the Brixton Riots, it was the profile right up to the Broadwater Farm [riots]. (Slovo, *Riots* 35)<sup>11</sup>

By placing Abbott's opinion at the opening of the second half of the production, these observations fulfil an important function of framing the subsequent politicians' commentary in response to a black perspective, and connecting the views

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**10** Indeed, in Slovo's evidence-based exploration of the riots, Duggan disappears halfway through the first half as the narrative is taken over by those who were affected by the riots on the night, notably, Mohamed Hammoudan, who escaped his home above the burning Carpetright store leaving all of his possessions behind.

**11** Cherry Groce was paralyzed by the police shooting, although her death in 2011 was reported to have resulted in part as a longer-term effect from the injuries that she sustained from being shot.

seen in the first half of the play to those that will come. Nonetheless, although Duggan's death is figured as a crucial "tipping point" (Slovo, *Riots* 45) for the outbreak of the riots, the emphasis on the host of other issues of young people's feelings of anger and disenfranchisement in local and national contexts renders them more importance than the death of the black man. Such a decision might well reveal something about what was perceived to be of most interest to spectators at the Tricycle Theatre, a venue versed in a tradition of evidence-based tribunal and verbatim plays where a range of contrasting perspectives are aired with a view to the audience acting as arbitrators of their own understanding. Contrastingly, Oladipo Agboluaje's *The Hounding of David Oluwale* was produced by black theatre company Eclipse Theatre and does an altogether more effective job of keeping the experiences of the dead black man at the centre of the narrative.

## Remembering David Oluwale: police brutality in Oladipo Agboluaje's *The Hounding of David Oluwale*

On 4 May 1969 the body of 38-year old Nigerian David Oluwale was retrieved from the River Aire in Leeds after he was last seen alive two weeks earlier on 18 April 1969. Some reports of a last sighting claimed that he was seen being chased towards the river by two police officers, which raised suspicions about the extent to which they were implicated in his death. Did they see him accidentally falling into the river and leave him to drown when they should have been protecting him, or worse still did they push or force him to jump in? In November 1971 Sergeant Ken Kitching and Inspector Geoffrey Ellerker were acquitted of manslaughter at the judge's recommendation and found not guilty of ABH (Actual Bodily Harm) on 18 April 1969, the last night that David Oluwale was seen alive. However, they were found guilty of a number of instances of assault against Oluwale in the months leading up to his death, making it the first case in British history for which police officers thought to be implicated in the death of a black person have received criminal sentences.

Oladipo Agboluaje's *The Hounding of David Oluwale* (Eclipse Theatre, 2009, directed by Dawn Walton)<sup>12</sup> is one of a number of literary, theatrical and filmic

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<sup>12</sup> The national tour opened with a three-week run at the West Yorkshire Playhouse, followed by shorter four to six night runs at the Birmingham Rep, the Liverpool Playhouse, the New Wolsey in Ipswich, the Hackney Empire, the Northcott Theatre in Exeter and the Nottingham Playhouse.

memorialisations of the David Oluwale case, alongside Jeremy Sandford's radio play *Smiling David: The Story of David Oluwale* (1974), Caryl Phillips' *Foreigners: Three English Lives* (2008) and Corinne Silva's short film *Wandering Abroad*. The anthology *Remembering Oluwale* (2016), named after the campaign in his name, collates poems and extracts responding to the case.<sup>13</sup> Agboluaje's play is based on information about the case as detailed in Kester Aspden's *The Hounding of David Oluwale* (2008), which charts key moments in Oluwale's life from his arrival as a stowaway on a ship from Nigeria to Hull on 3 September 1949 over the subsequent twenty years, during which he is incarcerated in prisons and psychiatric hospitals, and lives homeless on the streets of Leeds where he is subjected to a campaign of sustained police harassment in the last few years of his life.<sup>14</sup> Aspden's account balances between giving a detailed account of Oluwale's time in Leeds, portraying the attitudes of the police officers who were charged with his manslaughter against the backdrop of the changes that were being wrought by the project to regenerate Leeds City Centre. Aspden highlights the contradictory opinions that circulated about Oluwale, who was portrayed by those defending the police officers as feral and fearful, whose very existence ran counter to ideas of an image of building a cleaner Leeds. However, it is the opposing view of him as a harmless and vulnerable 'lonely wanderer' who struggled to make a home for himself in the face of the racist hostility and police persecution that is focused upon in Agboluaje's version of the story.

Oluwale's family name was misspelled in Aspden's book, as the correct Nigerian spelling should have been "either 'Oluwole' or 'Olawale'" (Agboluaje n. pag.). This was not due to a sloppy error on Aspden's part but rather was how the spelling of Oluwale's name had become altered within the official records; according to Agboluaje, "there were other more egregious versions" – Uggy, Allywally, Allywalla, Ussywally. Agboluaje states that "The misspelling of David's name became the point of attack [...]. My task was to rediscover David, to recuperate him as a person" (n.pag.). David Oluwole had disappeared and it was David Oluwale who was persecuted, mistreated and humiliated by the police and whose life needed to be recuperated. Agboluaje took on the challenge to ask "How could a dead man who was kicked about in his life become an active agent in his

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**13** See Max Farrar, "Remembering Oluwale: Re-presenting the life and death in Leeds, UK, of a destitute British Nigerian" (2015) for further analysis of "how memories of David Oluwale have been transposed into texts of various kinds, and how the vexed issue of whether or not David was murdered is treated in these texts."

**14** The first edition hardback of Aspden's book used the title *Nationality: W\*g: The Hounding of David Oluwale* in reference to the fact that some of the police charge sheets documenting Oluwale's arrests had logged his nationality as "w\*g" instead of British.

narrative? Putting David centre stage has been the most significant part of the process to bring the story to life” (n.pag.). Consequently, Agboluaje decided against using verbatim material or the court case transcripts to create a tribunal play because he wanted to keep Oluwale central to the story rather than prioritizing the views of the institutions and authorities that had failed him.

What is known of David is gleaned mainly from his records: court appearances, his stays in mental institutions and in hospital, his charge sheets and periods of incarceration. There were interviews by Kester with people who knew him. They gave conflicting reports of his character and of what happened to him. A verbatim account would mean David’s story being told by others. (n.pag.)

While black men are often the voiceless victims of police brutality, Agboluaje gives Oluwale a posthumous agency to narrate the story of how police brutality shaped the latter stages of his life and may have led to his death.<sup>15</sup> Agboluaje recuperates the voice of the dead black man by bringing Oluwale back to life and placing him at the centre of the play to guide the investigation into the circumstances surrounding his death. Agboluaje’s play starts where Oluwale’s life ended, with his body being fished out of the River Aire by police divers, before flashing back to document some of the key incidents that preceded this moment. DCS John Perkins has been brought in from Scotland Yard to investigate the case because he is from a different police force to the officers under investigation, and the expectation is that he would be more objective and avoid conflicts of interest. Within moments of Perkins’ arrival, Oluwale stirs from the dead to claim his place centrestage as a key narrator of the story of his life and death, responding to the police mistreatment that he was subjected to, and steering DCS John Perkins’ investigation into exactly how his body ended up in the River Aire. As Victor Ukaegbu notes, Oluwale’s presence is “dramaturgically and ideologically significant” (Ukaegbu 200): “His voice is important as his story is the signpost DCS John Perkins requires to recreate the circumstances surrounding his death rather than rely on official records (and histories) produced by the officers responsible for his death” (200). Oluwale is given a voice to respond to the mistreatment that he was subjected to in a more overtly racist post-war Britain. His presence works to contradict the officers’ versions of events, pointing Perkins towards the concrete evidence, such as bruising on his body, that could resolve some of the ambiguities

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<sup>15</sup> The Remember Oluwale charity was established in 2007 and mounts David Oluwale memorial events to campaign for social justice and help the plight of rough sleepers in Leeds. Remember Oluwale takes its name from a graffiti slogan that that was painted onto a wall in Chapeltown around the time of the trial of the police officers in 1971. <http://www.rememberoluwale.org/about/about-doma/> (Accessed 20 Feb. 2016).

surrounding his death. Through Oluwale's perspective, instances of the police misusing their power are emphasized, and they are depicted as inherently implicated in the downturn in his life in the UK.

Imagined scenes show how Oluwale's decision to leave Nigeria to come to Britain in the post-war years was premised on hopes for a better life in the Mother Country that were not borne out in reality, and highlight his struggles to become accepted as a Nigerian living within the British nation. In Act 1, Scene 7, Oluwale is in a café proudly waving a Union Jack flag in celebration of the Coronation of Elizabeth II when he is wrongfully accused of not paying for a cup of tea. It is after a police officer becomes involved in the dispute that Oluwale is hit over the head with a truncheon before being arrested, charged with assaulting the police officer and sentenced to two months in Armley prison where "[a]ccording to the prison medical officer's report David began to behave in a strange manner which prompted his admission into St James Hospital Psychiatric Unit. [...] David Oluwale was transferred to Menston asylum where he was diagnosed with schizophrenia" (Agboluaje 46). The truncheon blow becomes symbolically important when the café scene segues into Oluwale being strapped onto a trolley by a nurse, suggesting that the blow to the head caused some brain damage that led Oluwale to experience the hallucinations, which resulted in his repeated sectioning in psychiatric hospitals over an eight-year period, and being subjected to drug therapy (Largactil) and electric shock treatment before being released to homeless hostels in Leeds, where difficulties settling led to him living as a vagrant on the streets of Leeds city centre.

Discussions of the police treatment of Oluwale were complicated because he was known to the police as a vagrant who roamed the streets in Leeds and slept rough in shop doorways. Agboluaje's version highlights how being 'known to the police' resulted as much from them selecting Oluwale as a target for harassment as from any criminal activities that he may have been involved in. Act 2, Scene 3 reconstructs one of the documented instances of police harassment, where Kitching and Ellerker find Oluwale sleeping in the doorway of The Bridal House, which was his makeshift 'home,' and assault him before driving him to Bramhope – eight miles away from the city centre – and leaving him in the middle of nowhere. Surprised to see him having found his way back they drive him further outside the city to Middleton Woods – seventeen miles away – and abandon him again, and again in Robin Hood Forest – fifty-six miles away. These depictions of Kitching and Ellerker humiliating and assaulting Oluwale, and using unnecessarily excessive violence to remove him from the City Centre, illustrate that although they were acquitted of manslaughter, their actions had impeded on the quality of the latter stages of his 38-year life. Kitching and Ellerker maintained that their determination to keep moving Oluwale out of the city was primarily because he was breaking vagrancy laws by living on the streets and in shop doorways in

Leeds City Centre. Moving him on from his sleeping place was intended to have the overall effect of cleaning Leeds City Centre up of vagrancy problems, which would help the regeneration project, and had nothing to do with his race. In fact, Aspden reports “a complete silence around the subject of racism” (Aspden 211) during the trial: “The prosecution [...] didn’t choose to highlight racial prejudice as a motivating factor in the vendetta against Oluwale” (211). The issue of police racism remains implicit in Agboluaje’s version, but the police officers’ violent mistreatment of Oluwale, nonetheless, reflects unchecked, pre-Macpherson, police corruption and brutality towards black men.

The Oluwale case is particularly significant because of his low status as a rough sleeper and questions that surround the consequences of exposing the police’s mistreatment of him, questions of whether unsettling police-community relations is “really worth it for a man like David Oluwale” (Agboluaje 29). In Act 2, Scene 4, Oluwale’s attempt to make a case for police harassment is rejected and he is told that “[i]t’s nearly impossible to make a case of harassment against the police, especially a man with your record” (89) and informed that there are charges against him for assaulting a police officer: “They claim you were violent and that they used reasonable force to restrain you” (90). Such responses raise ongoing concerns about the extent to which a case can successfully be brought against the police. It is rare for police officers to be found culpable in cases of deaths in custody charges or for complaints to the Independent Police Complaints Commission (IPCC) to be upheld.<sup>16</sup> Athwal and Bourne report troubling statistics that “reveal that force or other form of restraint contributed to the deaths in police custody or in contact with the police of least thirty-nine BME individuals” (Athwal and Bourne 5) between 1991 and 2014.<sup>17</sup> Yet, “[a]lthough inquest juries have delivered verdicts of unlawful killing in at least twelve cases, no one has been convicted for their part in these deaths over the two and a half decades” (2).

Much of the outcome of the Oluwale case hung on the individual behaviour of the police officers rather than on the force as a whole, and their individual morals are reflected in their professional attitudes towards policing in Leeds and their responses towards the Oluwale case. Perkins’ personal investment is evident in his determination to seek a fair trial despite the mounting pressure to uphold unofficial codes of loyalty by shrouding the truth to maintain a healthy view of the police. Significantly, it was a young police probationer and an ex-police

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<sup>16</sup> The IPCC has been criticized for a lack of objectivity and for predominantly concluding on the side of the police.

<sup>17</sup> Athwal and Bourne’s tally records “509 cases of BME deaths in custody in suspicious circumstances between 1991 and 2014, [of which] the majority, 348 took place in prison, 137 in police custody and twenty-four in the immigration detention estate” (4).

officer who broke ranks to testify against their colleagues. Although Kitching and Ellerker are identified as “two bad apples” (Agboluaje 28) who deliberately set out on a sustained campaign of harassment against Oluwale, the institutional ramifications of their behaviour are alluded to in the judge’s summing up of the potential wider resonances of the case in tainting the overall view of the police: “By your wicked misbehaviour you have brought disgrace to our noble force and given ammunition to those who are critical of the police” (109).<sup>18</sup> As the judge presiding over the case sums up in his concluding remarks, regardless of whether Oluwale was breaking the vagrancy laws, he nonetheless retained the right to be protected by the law:

No doubt David Oluwale was an undesirable character. He was filthy, violent and a repeat offender beyond the pale of civilised society. He was the type of person you’d cross the street to avoid. But under the law he was entitled to your protection. (Agboluaje 109)

Agboluaje’s adaptation of the David Oluwale story has a contemporary social relevance that connects individual police corruption of the past to ideas about institutional racism and discrimination that have been brought to the forefront of public consciousness in the early twenty-first century through Macpherson’s report on the Stephen Lawrence Inquiry, to the 2011 shooting of Mark Duggan and the other reported black deaths in custody cases that have occurred since David Oluwale died. While the mistreatment of Oluwale is a reflection of the particular context of a racist Britain in the 1950s and 60s, and is indicative of Oluwale’s struggles to fit in as a Nigerian man in Leeds during this period, retelling the story in 2009 inevitably locates the concerns within the ongoing contemporary resonance of instances that have been exposed as part of the #BlackLivesMatter campaign.

## Life, death, theatrical legacies

The plays discussed in this paper are important as forms of cultural memory that have a significant topical resonance beyond the theatre. These incidents have shaped black cultural history and have informed my sense of the importance of staging these stories as a way of documenting and memorializing past injustices, and giving voice to marginalized groups. Both plays raise important state of the nation questions about how tendencies to perceive black men within stereotypi-

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**18** Oluwale was also failed by other institutions, notably mental health and social services in Leeds, which saw him separated from his support community and therefore susceptible to the vagaries of the police officers’ misdemeanours.



cal notions that associate them with criminality leaves them susceptible to inequitable treatment, open hostility, harassment and state violence. The retelling of these stories is significant for foregrounding particular viewpoints on the police-black community dynamic, exploring the complexities of race relations and (institutional) racism while also acting as a form of memorialization for the stories of the young black men who have lost their lives on the streets. As tools of social engagement, these plays can be used to assess and evaluate the issues surrounding the respective deaths, and demonstrate the ways in which British playwrights contribute to showing that black lives matter.

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## Bionote

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