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The 'coconut' hate crime investigation that shows NOBODY can escape Britain's Thought Police

By [Polly Dunbar](#)

Last updated at 10:55 AM on 12th June 2011



Convicted racist: Former Liberal Democrat councillor Shirley Brown faced a three day trial after calling a colleague a 'coconut' during a heated council meeting

Shirley Brown was so lost in thought that, at first, she did not notice the figure approaching her on the street near her

home in Bristol.

She heard her name and, looking up, recognised an Asian woman she'd met through her voluntary work in the local community.

'I saw you across the road and I had to come over,' said the woman, touching Shirley's hand.

'I wanted to say how sorry I am about what's happened to you. You of all people don't deserve it.'

It was a small act of kindness which has stayed with Shirley, whose eyes fill with tears at the memory.

It came during her lowest ebb last year, a time of such great stress for the 49-year-old mother of three that she collapsed and was admitted to hospital with a suspected stroke, subsequently diagnosed as exhaustion.

'Knowing that some people supported me, that not everybody believed I was what I'd been branded, meant so much,' she says.

That period of her life may be over, but its legacy is an epithet which continues to cling to her and makes moving on impossible. To her deep shame, Shirley is a convicted racist.

Last July, magistrates in Bristol found her guilty of racially aggravated harassment under the Public Order Act for using 'threatening, abusive or insulting words, with intent to cause harassment, alarm or distress'. In March, she lost her appeal against the conviction.

The court case followed a heated city council debate that Shirley, who was then a Liberal Democrat councillor, had with an Asian Conservative opponent. The public row culminated in Shirley calling the other councillor, Jay Jethwa, a 'coconut'.

The word is used as slang to describe someone who is believed to be betraying their ethnic roots by pandering to white opinion – referring to a coconut being brown on the outside but white on the inside.

It is, without doubt, a crude term that many would find offensive, and one Shirley regrets using. Although she insists the remark was not intended to be taken in the way it was, she now realises it was unacceptable.

But what she still cannot comprehend is the lengths to which the legal system was prepared to go to ensure that she was punished.

The police investigation involved no fewer than four officers from the specialist hate crime unit. Her trial lasted three days. It came after a council inquiry and another by an independent appeals panel that took 15 months and cost tens of thousands of pounds of taxpayers' money.



Upset: Councillor Jay Jethwa made a formal complaint about the comment

To Shirley, who has a track record of working to help ethnic communities in Bristol stretching back decades and is an ordained Pentecostal minister, the response has been totally out of proportion to her offence.

Speaking for the first time about her ordeal, Shirley says: 'I am sorry for using the word coconut. It was said in the heat of the moment, when I was upset, and I know I shouldn't have said it. It was offensive and I wish more than anything I could take it back.'

'It was a mistake. Everybody makes mistakes though, and I feel the price I've paid for mine has been too great. I've been publicly humiliated and my reputation has been ruined. I'm devastated that after all my hard work for the community I've got a criminal record for racism.'

'When I think of all the time and money spent on my case, which could have been spent elsewhere, I just feel so sad. I've always been proud to be British but I feel that something has gone very wrong in this country when political correctness comes ahead of basic common sense.'

At the time that 'Coconutgate' – as it came to be known – began, Shirley had been a councillor for Ashley ward, an area that includes some of Bristol's most ethnically diverse neighbourhoods, for six years.

When she was elected in 2003 she was the first black councillor to win a seat on the authority. She was already known for her work in the local community, which included setting up projects to help young people, the homeless and victims of domestic violence, as well as a high-profile campaign against knife crime.

The row happened on February 24, 2009, during a Bristol City Council budget debate. Top of the agenda was the city's Legacy Commission that had been granted £750,000 of taxpayers' money to fund ethnic minority projects and was created in part to atone for Bristol's historic role in the slave trade.

Shirley, the daughter of Jamaican immigrants, believed passionately in the initiative.

During the debate, Mrs Jethwa, who moved to Britain from India 24 years ago and whose husband Nick is of Ugandan origin, stood up to say she did not agree with spending public money 'righting the wrongs' of past centuries.

'When Jay spoke against it, I was upset,' says Shirley. 'She said that she didn't receive any special help when she moved here, and didn't need it, but just got on with things. I was shocked. I thought that as an immigrant herself she would have had more empathy with other ethnic minorities and more understanding of the issues that they're facing.

'When I stood up after her, I said, "In our culture we have a word for you, and I am sure many in this city would understand 'coconut'." I hadn't planned to say it – it just came out in the heat of the moment. Council meetings are often very heated, with insults flying around.

'Of course I shouldn't have used that word, but to me it meant that she was denying her cultural roots, rather than anything racial. It wasn't about the colour of her skin, or about her behaving in a white way.'



Bristol Magistrates Court, where Brown was found guilty of "racially aggravated harassment"

Despite Shirley's protestations, when used as a derogatory term, the word coconut does have racial implications and it is little surprise Mrs Jethwa was offended.

However, she did not actually hear the insult at the time because of the din in the chamber – she watched the incident later on the council's webcam footage.

Two days on, Shirley received a call informing her that a formal complaint had been made against her. She responded by sending Mrs Jethwa an email apologising unreservedly for her comment, but did not get a reply.

Following an official complaint from the Conservative Party, Shirley was told there would be an internal council investigation.

'I was very upset when I realised Jay was going ahead with the formal complaint,' she says.

'What saddened me most of all was that I'd been delighted when she was elected to the council four years after me, because another woman from an ethnic minority was joining me. Now the only two female ethnic minority councillors were having this very public row. It wasn't what I'd envisaged at all.'

The findings of the internal investigation were published four months later.

Senior council solicitor Shahzia Daya wrote: 'My conclusion is that although the term "coconut" undeniably has a racial element to it, its use in this particular context does not constitute racial abuse.'

She went on to say it was 'offensive and insulting' and that Shirley should be suspended for a month, but no further action should be taken. That August a local government tribunal overturned her suspension.

'I breathed a sigh of relief and thought the incident was over,' says Shirley. 'It had been very stressful, but I thought I could

put it behind me. When I received a call that November from the police saying I was being investigated, I couldn't believe it. I didn't understand it at all. There was no need to take it that far when I'd already apologised.'



Legacy: Brown had spent a decade working with deprived young people in Bristol - but now worries she will only be remembered for her coconut comment

A complaint had been made by a member of the public, Christopher Windows – a Conservative activist who is now a Bristol councillor. Shirley was interviewed under caution by the Avon and Somerset Police hate crimes unit on December 7, 2009.

Under the Public Order Act 1986 – established to prevent the incitement of racial hatred, whether by Islamic fanatics preaching hate or marches by the far Right – she was charged with racially aggravated harassment.

Last July, after being found guilty, she was given a 12-month conditional discharge and ordered to pay £620 costs. 'I was devastated by the verdict but I wasn't surprised,' she says. 'I had the feeling the judge wanted to make an example of me.'

'Appearing in court was the most horrible thing that's ever happened to me. Before that, I'd kept telling myself that surely it would be dropped, but in court it hit me that it was real – I was really being accused of being a racist. When the verdict came, it was official. The feelings of sadness and shame and humiliation overwhelmed me.'

'I've never been in any kind of trouble before and for someone who's spent decades working to make a difference to ethnic minorities it's especially hurtful. I used to spend all day every day going to people's houses, listening to their problems and trying to help. It makes me feel like it was all for nothing.'

'The saddest thing is that I've met people who have experienced racial violence and verbal abuse, and I feel my punishment diminishes what they've been through.'

Shirley believes her experience illustrates that a dangerous emphasis has been placed on political correctness in modern Britain.

'I understand that the law is there to protect people from prejudice but I feel we've reached a point where people are terrified to say anything at all if it involves another culture or race for fear it is misinterpreted. If people don't feel they can speak out, it is dangerous.'

'I think my punishment was so extreme because the case was public, so the police and the Crown Prosecution Service felt they had to respond in a way that proved they were taking it seriously. But the wrong people are being prosecuted just to make a point.'

'I also worry that what happened to me will set a legal precedent that will pave the way for more of these sort of cases.'

The incident also led to Shirley being subjected to a barrage of racist abuse.

'I received letters calling me a wog and the n-word and I had to remove my website from the internet as people posted vile comments on it, one of which said I was a monkey,' she says.

'My solicitor gave all the material to the police but nothing was done about it.'

Shirley credits her daughter, who is 27, and two sons, aged 22 and 18, with keeping her going, along with support from friends and strangers.

'I received a lot of messages from people saying how silly the case was, which helped when I was at my lowest,' she says.

She plans to continue with her community work as a church minister but she is despondent that her career as a councillor, her proudest achievement, is at an end, as she decided not to stand in last month's elections.

'I was proud to be a member of the council because I wanted to be a role model to young people from minority backgrounds,' she says. 'Now, my biggest fear is that, in spite of everything I've done, the only thing I'll be remembered for is the coconut comment. I just hope people forgive me and allow me to move on.'

The CPS said: 'In this case, we determined that a prosecution was in the public interest because it alleged an offence where the suspect demonstrated hostility towards the victim based on discrimination against the victim's ethnic origin.'

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Whats wrong with being White on the inside?. their acting like its some sort of insult...Cheek!.

- Paul, West Riding, 12/6/2011 23:59

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Tis but thy name that is my enemy; Thou art thyself, though not a Montague. What's Montague? it is nor hand, nor foot, Nor arm, nor face, nor any other part Belonging to a man. O, be some other name! What's in a name? that which we call a rose By any other name would smell as sweet;

- John, Bucks, England, 12/6/2011 23:23

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'What saddened me most of all was that I'd been delighted when she was elected to the council four years after me, because another woman from an ethnic minority was joining me" Yeah you were delighted up until the moment she disagreed with you. Then she 'magically' stopped

being a BME person and was suddenly 'acting white'. Since when is calling someone a coconut (or a Magnum as they say at my son's school) acceptable? Sounds pretty racist to me; you just got too big for your boots and thought you were untouchable.

- Isadora, London, 12/6/2011 23:16

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She's made a racist comment, she's a racist. End of.

- Maggie, Reading, UK, 12/6/2011 23:15

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Although I believe she should be free to say what she did, there is no doubt that she was using a racist term of abuse and intended it as such. We should reinstate freedom of speech in this country, with the only limitations being those of threatening violence.

- Kimjongil, Inverness, Scotland, 12/6/2011 23:13

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Not seen that band called Kid Creole and the -----s for a few years now. I guess the Kid is serving time now for naming his baking singers by that terribly offensive name that cannot be mentioned and has probably been deleted from the English Dictionary. Welcome to stupid Britain with its stupid so called Judges and Lawyers, who will take on any case so the can make a nice little earner at the tax payers expense. I feel a compo claim looming, hey! Just had a thought I went to the Docs last week and he said I was looking a little pale. Should I call the cops and get a dodgy solicitor to claim compensation as he mentioned the colour of may skin and I have been so upset since.

- Bill, Manchester, 12/6/2011 22:57

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Part of the Daily Mail, The Mail on Sunday & Metro Media Group

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