

British Home Secretary issues gagging order over Stephen Lawrence inquiry

Chris Marsden
23 February 1999

Home Secretary Jack Straw was forced to make a humiliating retreat when a judge relaxed a gagging order against the *Sunday Telegraph*. Straw had taken out an injunction preventing publication of leaked extracts from the public inquiry report into the murder of Stephen Lawrence, a 19-year-old black student who was killed by racists in 1993.

No one has yet been brought to account for the Lawrence murder and the case has provoked widespread criticism of the police and judicial system. In its first editions to hit the streets Saturday evening the *Sunday Telegraph* disclosed that Metropolitan Police Commissioner Sir Paul Condon could face dismissal this week unless he made a "humiliating public recantation and accepted the conclusions of the inquiry". The paper's political editor Tom Baldwin saw the report of the public inquiry, chaired by Sir William Macpherson, in advance of its Wednesday publication. According to the *Telegraph* the report "makes 70 recommendations aimed at fundamentally transforming Britain's race relations".

Without even having seen the story, Straw immediately authorised the Treasury solicitor to seek an injunction from Mr. Justice Rix--contacting him at his home--to prevent the newspaper from printing its report.

The court order was granted at 8.35 p.m. Saturday, forcing the paper to stop its presses. However, some 300,000 copies had already been printed and were on their way to Scotland, the North of England and abroad. The injunction sparked widespread protest among editors and opposition politicians. In response, Mr. Justice Rix partially lifted the injunction within 24 hours, ruling that extracts of the report that had appeared in early editions of the *Sunday Telegraph* could be republished and commented upon by other newspapers and broadcasters. Publication of further material from the report remains banned.

Denying any climb-down on the part of the government,

the Home Office said, "It is Mr. Straw's firm belief that the partial leaking of the report was unfair to the Lawrences, the police and to Parliament. Today's variation of the injunction represents no more than recognition of the practicalities of the situation, namely that some of the report's contents are now in the public domain. But clearly the principle that the report should not have been disclosed remains intact."

The peripheral reasons given for the injunction were quickly stripped bare. A representative for the Lawrence family told the *Sunday Telegraph*, "The family don't support the Government on this. Mr Straw did not consult the Lawrences or anyone close to them. It doesn't really make any difference to us whether it comes out on Tuesday or Wednesday or whenever. We just think, what a palaver."

Straw was left to make the central point at issue in his Commons statement on Monday the defence of the police service, which he said faced a "wholly unfair process of speculation to which they could not properly respond".

This is not the first time that a government has imposed an injunction against the media to prevent potentially damaging stories being reported. The Thatcher administration did so on several occasions. The excuse normally cited was one of protecting "national security", and such gags were aimed at preventing substantive facts being reported. (Thatcher acted most often on issues relating to Ireland.) This time, however, Straw cited not the factual content, drawn from a report to be published just days later, but a presentation deemed embarrassing to the police and therefore to the government itself.

So bare-faced was this political interference that newspapers supportive of the government, such as the *Guardian*, the *Independent* and the *Mirror*, queued up to register their opposition. The *Independent* said Straw's action was "heavy-handed, pointless and wrong. In no sense can early publication of the Macpherson report be

'profoundly unfair', either to the Lawrences or the police, as the Home Office claimed". The *Guardian* also voiced concerns about the issue of press freedom: "It's not a pretty sight watching the British right to free speech reduced to a prop in a Whitehall farce. It has exposed the frailty of what should be one of our most basic human liberties and supplied a glimpse of what seems an alarmingly authoritarian streak at the highest levels of government."

Even the Police Federation distanced itself from the actions of the Home Office. Its chairman, Glen Smythe, told BBC Radio 5 Live that the government was being inconsistent. "This report has been selectively leaked for months now. This is a government which wants to manipulate the media and is finding it is a little more different in government than in opposition."

As far as the government was concerned, the Lawrence inquiry was supposed to provide a safe outlet for the considerable animosity generated by the failure of the police to bring the murderers to justice. Instead, the government fears that its criticisms will act as a focus for this anger. According to the *Sunday Telegraph*, the report concludes that London's police service is riven by a "pernicious and institutionalised racism", which is said to be a key factor in its failure to investigate the murder and prosecute those responsible.

Straw's actions reveal the extent to which democratic norms have been systematically undermined during Labour's brief term of office. This is clearly the most authoritarian government in British history, a factor that cannot be explained in terms of the personalities of Blair, Straw or anyone else. Rather, it expresses the reactionary heart of the British establishment that exists beneath the media hype surrounding New Labour when confronted with extreme social and political polarisation.



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