

# Britain: Family win new inquiry into London police shooting

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The family of Harry Stanley have won the right to a fresh inquiry into his death at the hands of specialist armed police. A High Court ruling overturned a previous inquiry last June because it was an “insufficient Inquiry” and have ordered the case to be re-examined.

Stanley, 46, was shot dead by two armed police in Hackney, London on September 22, 1999. He was walking home from a pub after recently being released from hospital where he underwent a successful operation for colon cancer. Police shot him twice, claiming they mistook a table leg he was carrying for shotgun.

Police had said that they fired because Stanley had grabbed one end of the table leg into his body to make it look like it was gun. However at the June inquest last year, forensic evidence proved that this was false as Harry Stanley was facing away from the police when they fired two shots. The Crown Prosecution Service (CPS) has so far refused to press charges against the two officers, even though they have been found to be “negligent”.

On hearing the news of the ruling Harry’s widow, Irene, said, “I am just pleased that we have got a fresh inquest and we have a new coroner as well. We didn’t get justice last time. We should have had a verdict of unlawful killing. I just want a fair inquest. I want justice.”

Tim Owen QC, who is acting for the family and who has acted (largely pro bono) on behalf of bereaved families in over 30 inquests into deaths in prison and police custody, said that the coroner was wrong last time in not leaving an “unlawful killing” verdict as an option for the jury when there were grounds for one in the evidence supplied.

The family argued that the original coroner, Stephen

Chan, had stopped the jury from hearing expert witness supplied by their QC. The family had specifically been refused permission to call their own firearms experts.

While the Judge, Mr. Justice Silber, said the case was “disturbing” and said he was “deeply concerned” for the Stanley family, without the tenacity of the family this case would have been swept under the carpet long ago. It is very sensitive and has implications for other cases involving the use of deadly force by the police.

That is why in the last inquiry everything was done to exonerate the police. In an attempt to persuade the jury that Stanley was a dangerous man and had been in the past involved in armed robbery, Dr. Chan allowed his previous convictions to be read to the jury—something that is not allowed in a criminal prosecution. The convictions dated back to 1968 and were for possession of drugs and robbery. The police who shot Stanley would not have known anything of his background.

The decision caused uproar, provoking Irene Stanley to say, “This is outrageous. We never claimed that Harry was an angel. It’s bad enough that Harry, an innocent man, was shot by police, but then to blacken his name after he is dead is unforgivable.”

The coroner offered no reason for allowing the past convictions to be read and was challenged by Owen, who asked, “What is the relevance of this to what the jury have to consider here? How can this help the jury to decide the issues they have to decide?”

“There are guidelines and procedures concerning the relevance of spent convictions. The normal rules are for us to make submissions to you away from the jury and then for you to consider and make your ruling.”

As yet no date has been given for the new inquiry. The judge has called for both sides to present legal arguments in order for him to lay down guidelines on how a new inquiry is to be conducted.



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