

Britain: second inquest held into police shooting of Harry Stanley

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A second inquest started last week into the shooting death of Harry Stanley by London police on September 22, 1999.

The 46-year-old father was returning home from the local pub in Hackney, east London and was just 600 yards from his home, when two armed policemen opened fire from a distance of 15 feet.

According to reports, a bystander in the pub had reportedly mistaken Stanley's Scottish accent, and rang police alleging to have overheard an Irishman, who they claimed was carrying a weapon. In fact, Stanley was carrying a wooden coffee table leg in a plastic bag.

After leaving the pub, Stanley was challenged by the police officers; he attempted to raise his hands, but was shot twice—once in the hand and once in the head—dying instantly. The police claim they thought Stanley was carrying a sawn-off shotgun.

Stanley had only recently been released from hospital after an operation for colon cancer.

The second inquest is the outcome of a protracted campaign by Stanley's family. At the first inquest held in 2002 an open verdict was passed by the coroner Dr. Stephen Chan. Chan had refused to allow the jury the possibility of returning a decision of unlawful killing, and had tried to direct the jury to find that it was a lawful killing. The jury rejected this option, resulting in the open verdict.

The family last year won a High Court battle which quashed the open verdict and the judge ordered a new inquest.

At the High Court, Justice Silber was heavily critical of Dr. Stephen Chan, stating that he had made several important errors. In particular, he had barred independent firearms experts from testifying at the inquiry and had allowed the jury to hear "irrelevant" evidence of Stanley's previous, spent convictions,

which could have influenced a jury to absolve the police from blame.

The judge also said it was wrong to allow the jury to hear about a "provisional" Crown Prosecution Service investigation that had ruled out charges being brought against the police because of lack of evidence. He said that on hearing this news a jury would have been "greatly influenced" in their decision.

The family has always maintained that Stanley was turning away from the police as he was shot. The family hope that the new inquest will be able to hear the fire arms experts prevented from giving evidence at the last inquest, who will show how Stanley was shot in the back of his head. Irene Stanley, Harry's wife, believes that this is the most important piece of evidence to be highlighted at the inquiry.

Mrs Stanley also opposes the police's version that her husband had levelled what they believed to be a shotgun at them. "Harry had 18 stitches in his stomach and was so weak he could not even bend down and tie his own shoelaces on the day he was killed", she said. "There is no way he would have had the strength or mobility to lift the table leg at them."

Speaking about the new inquest Mrs Stanley was positive about the outcome but spoke bitterly about the justice system. "Over the last five years I have lost faith in the justice system. I stormed out of the last inquest in disgust because it was full of errors," she said.

"Our family want the officers who shot Harry to be punished. To this day they haven't even been suspended and have remained in their jobs on full pay".

"My life and the lives of my three children have been torn apart. Harry was an ordinary, decent man who was recovering from colon cancer when he was killed. I wasn't prepared for him to die this way. I didn't even get the chance to say good bye. Sometimes I come

home and expect to see him in his favourite chair by the window.”

Speaking about the new inquest, a spokesman for Inquest, which campaigns over deaths in police custody said, “the Stanley family have already had to endure an inquest where the coroner behaved reprehensibly, denying the inquest jury the opportunity to hear from firearms expert and to consider whether Mr. Stanley had been unlawfully killed. We hope that this inquest will reveal the truth about how an unarmed man could be shot dead and hold those responsible properly to account.”

Daniel Machover, solicitor for the Stanley family said, “The family has a right to a fair inquest, which explores all the issues thoroughly and allows the jury a wide role. It is in the public interest for this inquest to help to reduce the likelihood of similar killings in future.”

Figures presented by Inquest on its website (www.inquest.gn.apc.org) show that even in cases where inquests into a fatality involving the police return an unlawful killing verdict, the police officers involved rarely face prosecution.



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