Britain: Letters reveal police cover-up over Menezes shooting

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The release of an exchange of letters between Metropolitan Police Commissioner Sir Ian Blair and the Home Office has shed further light on the cover-up of the events leading up to the July 22 police killing of Brazilian Jean Charles de Menezes in London.

The 27-year-old electrician was shot dead by police, who fired eight bullets at close range in an underground rail carriage at Stockwell station. The murder occurred one day after the bombing attempts at a number of London tube stations on July 21.

No one has yet taken responsibility for wrongly identifying de Menezes as a terrorist during the period from when he left his house to the moment that he was killed. Neither has anyone taken responsibly for the brutal execution of an innocent man whose misfortune was to live in a block of flats that were under surveillance.

The letters were released just days after police officers admitted that they knew within hours of the killing that de Menezes was not a terrorist and that he was not connected in any way with the attempted London bombings the previous day. Nonetheless, senior police officers, including Sir Ian Blair, publicly maintained for nearly 24 hours that the shooting was "directly linked" to the ongoing London bombs inquiry.

Blair has claimed that he was not told of the innocence of de Menezes until 10:30 a.m. the day after the shooting. A scenario in which senior police commanders at Scotland Yard, the headquarters of the Metropolitan Police Service responsible for policing Greater London, knew within hours that an innocent man had been shot dead but that the Commissioner of the Metropolitan Police did not hardly appears credible.

On September 30, the Home Office released the letters under the Freedom of Information Act. They confirm the suspicions of the de Menezes family that the Metropolitan Police were aware from the very beginning of their son's innocence and immediately mounted a cover-up.

The first letter from Blair was written just hours after the shooting and reveals that Blair sought to prevent an investigation by the Independent Police Complaints Commission (IPCC) into the killing. Since 1985, police shootings had been referred on a discretionary basis to the Independent Police Complaints Authority. In 2002 this became mandatory.

In his July 22 letter, Blair wrote that the "anti-terrorist" operation being carried out by the Metropolitan police meant that they were in a "unique" situation that negated the need for the IPCC to hold any independent investigation. He wrote that an investigation "will be carried out by the Met's own Directorate of Professional Standards." On this basis, the IPCC would have "no access" to the scene of the shooting. He added, "This investigation will be rigorous, but subordinate to the needs of the counter-terrorism operation."

Blair argued that "prosecuting authorities" should "take cognisance of the pressures under which the service operates in terrorist scenarios," and that certain legal structures holding the police accountable and requiring it to pass on information to an appointed police regulatory body should be abrogated.

Blair continued, "In a fast-moving, multi-site terrorist situation, in which suicide bombers are clearly a very strong possibility, a chief officer of police should be able to suspend [the part of the] Police Reform Act 2002 which requires us to supply all information that the Independent Police Complaints Commission may require."

The commissioner called for a change in legislation

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that would essentially end the UK police force's accountability before the law. Blair wrote, "Clearly, this is a developing situation but for the time being I seek your support for this measure, which may form the basis for amending legislation in the future."

While Blair was not able to prevent the IPCC from beginning its investigation, his initial opposition meant that the body was not allowed to visit Stockwell tube station—the scene of the killing—for three days. Such obstruction had a serious and detrimental impact upon the probe. Last month, IPCC lawyers announced that the police breached their statutory duty by not inviting the body to begin investigating immediately. They added that the delay of several days meant vital evidence could have been lost.

The IPCC is not due to report its findings until December and will not comment on its ongoing investigation. However, leaked documents made public on August 17 have contradicted official police announcements following the death of de Menezes. The documents include critical witness statements making clear that de Menezes did not leap over a tube station barrier and that he was not wearing a padded jacket that could have concealed a bomb.

It is not expected that the IPCC will recommend criminal proceedings against the individual officers who killed de Menezes, let alone against figures such as Sir Ian Blair, members of the security services or upper echelons of the state and government who authorised the shoot-to-kill policy. On the contrary, IPCC Chairman Nick Hardwick has said he hoped the investigation would strengthen police support for the body.

Since the murder of Jean Charles de Menezes, his family has demanded a full independent inquiry into the circumstances surrounding his death.

On August 17, a statement from the family called for the resignation of Sir Ian Blair. Lawyers representing the family condemned what they termed a "blanket of secrecy which has covered the true facts" and the "lies and scenarios" that have surrounded the shooting.

A significant passage from the Blair letter has received little attention in the British press. In it the police commissioner states, "This is clearly a fast-time decision-making process, in which officers cannot risk the kind of containment and negotiation tactics which would normally be the case. Put simply, the only choice an officer may have may be to shoot to kill in order to prevent the detonation of a device.

"In due course, I believe we need a document similar to the military rules of engagement, but time does not permit its creation at the present time."

Blair said that he had "raised the issue of maximising the legal protection for officers who had to take decisions in relation to people believed to be suicide bombers" with Prime Minister Tony Blair the previous day.

Blair now openly compares domestic policing with the situation facing the army during war, once again underlining the extent to which the ruling elite has abandoned any commitment to elementary democratic rights.

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