

# Another cover-up of the police killing of Jean Charles de Menezes

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The second report by the Independent Police Complaints Commission on the killing of Jean Charles de Menezes is yet another sordid episode in the cover-up of the brutal state execution of an innocent man.

Jean Charles, a Brazilian, was shot at Stockwell underground station on July 22, 2005. The young electrician was on his way to work when he was surrounded by plainclothes armed police on a train and shot without warning, seven times in the head and once in the shoulder.

In the immediate aftermath of his slaying, the police mounted a campaign of disinformation to back up their claim that de Menezes was a suicide bomber—connected with the failed plot the previous day, July 21. Reports claimed that he had been wearing bulky clothing to disguise a suicide belt, and that when challenged by police officers, had sought to evade arrest by jumping a ticket barrier at the station and running on to a train.

This story was kept up, even after the police were fully aware that they had killed an entirely blameless man. Only later were police forced to admit that none of their accounts of the events leading up to de Menezes's death were true.

Jean Charles had been wearing light summer clothes, and had walked leisurely into the underground station—even stopping to buy a newspaper—unaware that he was being followed by armed police. It was not until he had boarded the train that de Menezes would have had any inkling of what was to befall him. Having taken his seat, he was suddenly seized by one plainclothes officer, whilst another proceeded to shoot directly into his head. A total of eleven bullets were fired, to the horror of other passengers.

It subsequently emerged that de Menezes was the victim of a shoot-to-kill policy—Operation Kratos—secretly adopted by the police and the highest echelons of the government more than two years before.

There was never any chance that the IPCC would reveal the truth of the events surrounding de Menezes's death. Its earlier inquiry cleared the police officers involved in his shooting, and Police Commander Cressida Dick, who was in charge of Gold Command—the body responsible for identifying and pursuing de Menezes—has subsequently been promoted. To add insult to injury, the Metropolitan Police face only token charges under the Health and Safety at Work Act 1974 for “failing to provide for the health, safety and welfare” of Jean Charles—which at the most will result in a paltry fine, to be borne by the taxpayer.

The IPCC's second investigation followed complaints by Jean Charles's family over false claims circulated by police in the wake of his murder. Even this report has been subject to alteration following threats of legal action by the officers criticised.

The IPCC makes clear that these claims were indeed fallacious. It

finds that de Menezes “did not refuse to obey a challenge prior to being shot and was not wearing any clothing that could be classed as suspicious.” But it says these false reports were primarily the result of operational failures.

The IPCC's own 139-page report, however, disproves such assertions. It shows that less than five hours after Jean Charles was shot, leading Metropolitan police officers had “strong suspicions” that an innocent man had been killed.

A wallet found on the deceased contained documents of the identity of de Menezes as a Brazilian national, which were consistent with names listed in his mobile phone, also recovered from the scene.

At 3:30 p.m. that day, Deputy Assistant Commissioner Brian Paddick told the IPCC that he was informed by Chief Superintendent Stewart, “We've shot a Brazilian tourist.” At approximately the same time, following a meeting of Gold Command, a government liaison team officer told the Home Office, “There is a strong suspicion that the victim was not one of the four suspects for the failed [July 21] bombings.”

One hour later, Assistant Commissioner Andy Hayman—Britain's senior anti-terrorist officer—“briefed the Crime Reporters' Association [CRA] that the deceased was not one of the four sought” for the failed bombing attempts the previous day.

Notes from a meeting of the police management board held shortly after the CRA briefing—comprising senior Metropolitan police officers, Metropolitan Police Association members and Home Office representatives—record Hayman advising that the press were stating that the dead man was not one of the suspects, but that it was “important to present that he was.”

Just before midnight the same day, the police issued another press release, which still insinuated Jean Charles may be one of the suspects. “The man shot is still subject to formal identification, and it is not clear whether he is one of the four people who attempted to cause explosions...his clothing and behaviour at the station added to their [police's] suspicions,” it claimed.

It is Hayman that is singled out for criticism in the report for placing wrong information in the public domain. The IPCC raises “serious concern” that he briefed the CRA one thing whilst agreeing to press releases that stated another.

The evidence shows that Hayman set out to deceive. Even in this instance, it is up to the Metropolitan Police alone to decide what disciplinary action if any is to follow. Just as importantly, the admission of Hayman's deceit is intended to present the campaign of disinformation as an individual failing rather than deliberate political policy.

It was Metropolitan Police Commissioner Sir Ian Blair who, just

hours after the shooting, led a press conference in which he claimed the killing was “directly linked to the ongoing and expanding anti-terrorist operation,” and that “the man was challenged and refused to obey.”

The IPCC claims that Blair was “unaware” of questions over Jean Charles’s identity for almost 24 hours and that he had been misled by Hayman.

This statement requires the suspension of all rational faculties. The IPCC gives numerous accounts in which individuals working closely with the commissioner and other senior figures told of rumour being rife that an innocent man had been killed. By the afternoon, these had even reached senior police officers enjoying a cricket match at Lord’s and one police officer who had been told there had been a “massive cock-up...involving a Brazilian tourist.”

Blair was present at the Management Board meeting where Hayman made his recommendation on presentation. It is claimed that Jean Charles’s name was not mentioned at the meeting, and that no discussion was held on the recovery of his wallet and mobile phone. Notes from the meeting, however, record Blair stressing public statements should make clear “the man shot today at Stockwell was under police surveillance after he left the house under observation as a result of our inquiries following the incidents yesterday.”

The Metropolitan Police’s Director of Public Affairs, Dick Fedorcio, responsible for drafting the press statement, concurs, “I will craft something for the public.”

This is followed by Hayman’s statement: “There is press running that the person shot is not one of the four bombers. We need to present this that he is believed to be. This is different to confirming that he is. On the balance of probabilities, it isn’t. To have this for offer would be low risk.”

The IPCC notes, “There is no indication that anyone at the meeting challenged AC Hayman when he referred to presenting the deceased as a wanted bomber although it was likely he was not. It would follow that if those at the meeting understood what was proposed and agreed with this course of action then those present were party to an agreement to mislead the media and the public.”

But it continues, “All deny that there was any suggestion that the media should be misled, and all state that they would not have been party to any such agreement.”

It concludes, “There is insufficient evidence to substantiate that all present at the 17:00hrs 22 July 2005 Management Board sub meeting jointly agreed to mislead the media and public. Accordingly, with the exception of AC Hayman, no criticism is levelled at any of the attendees.”

On Blair, the IPCC states, “When the commissioner left New Scotland Yard mid evening on July 22 2005 he was almost totally uninformed.”

It claims he “did not know of the considerable information within the MPS in relation to the emerging identity for Mr de Menezes and the likelihood that he was not involved in terrorism. Numerous others within the MPS did know.”

Britain’s leading police officer, in the midst of a major incident, was unaware of “considerable information” relating to that incident? The IPCC and its political masters clearly believe the public to be stupid.

What of the next day? The IPCC records that at 8 a.m. on July 23, “DCI Evans states that he received a telephone call from D/Supt. Levett who informed him that he had viewed the CCTV footage of Mr de Menezes entering the underground station. The footage showed that Mr de Menezes had walked to the barrier, picked up a newspaper,

used his Oyster card to go though the barrier and had then gone down an escalator and out of sight. DCI Evans states he recalled speaking to the Coroner and Pathologist and advising them that it would appear the MPS had shot an innocent man who was not involved in terrorism.”

Yet that morning, the police released a statement admitting that they knew the identity of the dead man and were “now satisfied” he was not a terrorist, but reiterating that his “clothing and behaviour” had caused suspicion.

The IPCC report also shows that even by 11:05 a.m. on July 23, an instruction had gone out from Gold Command that “no further next of kin enquiries were to be made until a press strategy had been agreed at Gold level.” In other words, the police were still trying to whitewash events and work out what new line could be taken to deceive the public.

Writing in the *Guardian* newspaper, August 1, David Mills gave some indication of just how far these efforts extend.

“For the uncovering of what really happened we have to thank Lana Vandenberghe, who paid the price for revealing the truth, as her leak formed the basis of an ITV News investigation into the shooting of De Menezes,” Mills wrote. “She lost her job at the IPCC, was evicted by her landlady, arrested and treated harshly by the police. The harassment caused by the whole episode turned her into a recluse. She wasn’t the only one. ITV News producer Neil Garrett and his girlfriend—the link between Vandenberghe and Garrett—were arrested.

“They both spent hours in a cell and were bailed on a few occasions. While inside, Garrett’s pregnant girlfriend was deprived of food and drink, and given a blanket full of lice. Unknown to him at the time, Garrett’s flat was raided and turned upside down.”

Jean Charles de Menezes’s family has expressed astonishment at the IPCC’s findings. Their lawyer, Harriet Wistrich, said it was inconceivable that Sir Ian did not know anything about the victim’s identity until the next morning.

Once again, however, the media is playing its role as chief political apologists for the police and government. The *Guardian* leader, August 3, stated that the police were “too quick to put out information that it could not know to be true” and “too slow to put out more accurate facts,” but attributed this to the understandable pressures arising from a heightened security scare.

Similarly, the *Independent* complained that Hayman was a “scapegoat,” the result of a “culture that demands personal accountability when something serious goes wrong. This is understandable and usually justified. But it is not always the appropriate response,” it stated, again with reference to the terror threat.

Such calculated indifference to the truth confirms the utter perfidiousness of Britain’s media. Ultimately, it is not simply about protecting one man—Sir Ian Blair—or even the Metropolitan Police as an institution. It is about justifying the imposition of draconian legislation and policies—not least that of shoot-to-kill—in the name of the war on terror.



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