

A dramatic account of the death of Jean Charles de Menezes

Stockwell, by Kieron Barry

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There has been an interesting trend in British theatre in recent years. Starting roughly with the Stephen Lawrence Inquiry in 1999, the London stage has seen many dramatised re-stagings of inquests and inquiry proceedings. The latest is Kieron Barry's *Stockwell: The Inquest into the Death of Jean Charles de Menezes*.

An initial run at the Landor theatre sold out completely, and a short transfer was arranged to the larger Tricycle in north London, which has staged several such dramatisations. The transfer continued to pack the theatre, indicating a desire for a theatre dealing with serious contemporary issues. This is no small matter.

Barry and director Sophie Lifschutz last year produced a dramatisation of the inquiry into the deaths at Deepcut army barracks. They are clearly driven by a concern to expose the truth behind major injustices in their dramas. But the form they choose means that they only partly satisfy those concerns.

On 22 July 2005 Jean Charles de Menezes, a young Brazilian electrician, was reportedly mistaken by anti-terrorist police officers for Hussain Osman, wanted in connection with a failed bomb attempt from the previous day. De Menezes was trailed from his flat for 40 minutes before armed police officers burst onto a train at Stockwell tube, held him down and fired seven bullets into his head at point-blank range.

The police were aware shortly after the killing that de Menezes was wholly innocent, but continued to insinuate his guilt in press statements claiming he had behaved suspiciously. In fact he was the victim of a shoot-to-kill policy—Operation Kratos—which had been secretly adopted by the police in collaboration with the highest layers of government more than two years earlier.

There were determined efforts by the police and courts to prevent a wider consideration of these questions and limit criticism to operational shortcomings. A first inquiry by the

Independent Police Complaints Commission cleared the officers involved in the killing. The IPCC's second inquiry, into the false claims circulated about Jean Charles de Menezes immediately after his murder, blamed these reports on operational failures.

The only legal proceedings against the Metropolitan Police were brought under the Health and Safety Act. These specifically excluded consideration of the legality of the killing, and heard no evidence from either the officers involved or the witnesses to the killing. The Metropolitan Police was found guilty of "endangering the public" by allowing Jean Charles de Menezes's death. The police were fined £175,000, paid from the public purse. The action ruled that Cressida Dick, the officer in charge of operations on the day, bore "no personal culpability" for the murder of an innocent man. Since the killing, she has been promoted to Deputy Assistant Commissioner. Four other officers involved have also been promoted.

It was only through the persistence of the de Menezes family that a public inquest was finally held. Police were granted extraordinary protection, with coroner Sir Michael Wright unusually offering anonymity to any officer who requested it. In siding with the five legal teams representing police officers involved in the shooting, Wright instructed the jury that they could not return verdicts of unlawful killing (murder) against the officers who pulled the triggers, or unlawful killing (gross negligence, manslaughter) against senior commanders. He instructed the jury that he would not allow any verdict that might contradict the result of the Health and Safety case.

The family protested this. Wright took out a gagging order to prevent their appeal becoming publicly known. Rather than awaiting the judicial review, he proceeded straight to summing up. He also restricted the scope of the jury's narrative to a set of questions to which they could only answer yes, no, or cannot decide, thus making the family's appeal unlikely to succeed.

Under these circumstances the jury returned an 8-2 open verdict, the strongest available under Wright's ruling. In accepting eyewitness reports that Jean Charles de Menezes was given no warning by the police, the jury effectively rejected the evidence of firearms officers as lies. The inquest had heard that officers had written up their statements following discussions. The Crown Prosecution Service subsequently announced that no officer would face trial for their role in the killing of de Menezes.

It is the transcripts of Wright's inquest that Barry has adapted for his 90-minute play. Many inquest re-stagings simply follow the course of the inquiry, presenting a succession of witness cross-examinations. Such static interrogation scenes do not necessarily make good theatre. Theatrically, Barry's handling of the material is more successful.

The eight actors each play one main character, and also offer lines from other witnesses. Thirty of the participants in the inquest are thus quoted. This may intrude somewhat into the representation of the more important figures at the inquest, like Wright (Kevin Quarmby) and Michael Mansfield QC (Jack Klaff), but allows a great deal of information to be presented.

Rather than presenting each witness in turn, Barry also gives the events of the morning of July 22, 2005 in chronological sequence. Witness statements are quoted as they illuminate the course of those events, rather than when given at the inquest. Barry and Lifschutz further break the static courtroom feel by some clever staging. Sequences in the tube, for example, are presented by intercutting lines from the witnesses along the carriage with a stylised physical representation of the scene. It is possible to get some idea of the actual physical events in this way, and there is no doubt that it builds up an emotionally powerful picture of the murder.

Unfortunately, the successful theatrical device exposes the weakness in the form chosen for the play. The dramatisation works almost entirely within the limitations laid down by the inquest. Wright therefore comes across as some kind of objective inquisitor and there can be no exploration of his role in restricting the available verdicts of the inquest, and acting to undermine any possible challenge to that ruling by the family.

At the opening of proceedings Wright states briefly that, of course, de Menezes was completely innocent of any connection with terrorism. This is all well and good, but the police had worked might and main to continue tarnishing the reputation of an innocent man for as long as they could. That goes largely unmentioned here because it fell within the remit of earlier inquiries.

The play also ends up repeating Wright's contextual

arguments for the killing. Appeal is made throughout the piece to the heightened anxieties in the aftermath of the bombings of July 7, 2005, and the apparent attempted bombing of July 21. The police are shown as jittery and over-ready for an imminent attack. Although the adaptation acknowledges that firearms officers altered their statements, and made obstructive and misleading comments to the inquest, it ultimately accepts this (as Wright insisted the jury should) as a product of the chaos of that day. It does not deal with the fact that the jury rejected this testimony.

The picture presented at the inquest and in the play is of police doing their jobs under almost impossible circumstances. Their chain of command was weak, there were equipment shortcomings, and serious errors were made at an operational level. The whole thing was tragic.

These were not the more fundamental reasons for de Menezes's death. Under Operation Kratos, adopted as part of the "war on terror," Scotland Yard is authorised to deploy armed squads and, if necessary, deliver a "critical head shot" to suspected bombers using special ammunition. It emerged during the inquest that police were prepared to take the "critical shot" without the immediate authority of a senior officer "because of the structures that were in place." The authority already established at a higher level effectively ensured that somebody would die that day.

The highly circumscribed "docu-drama" presentation of the inquest offers Barry and Lifschutz little or no possibility of challenging the inquiry's remit. In treating the events of the inquest as the substance of the drama, the play cannot fully explore or depict the killing itself. It must not be forgotten that the inquest was not a challenge to the police cover-up of the killing, but part of that cover-up.

Stockwell poses not just the question of tackling serious issues, but of how to present and interpret them. Artists need to bring their own critical understanding to bear on such events, which cannot be met by a simple depiction of court proceedings that are themselves seriously flawed. It requires an independent critical artistic attitude that must find its own more developed means of expression and representation.



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