

# Criminal prosecutions finally brought 28 years after 96 Liverpool fans killed at Hillsborough stadium

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It has taken 28 years for the first charges to be laid against any of those culpable in the killing of 96 Liverpool football fans. They were crushed to death on April 15, 1989 at Sheffield Wednesday's Hillsborough stadium, South Yorkshire.

On Wednesday, the Crown Prosecution Service (CPS) announced that four former police officers and two other people would be charged. Former South Yorkshire Police Chief Superintendent David Duckenfield, who was match commander on the day, is to be charged with manslaughter by gross negligence of 95 men, women and children. The CPS said Duckenfield's "failures to discharge his personal responsibility were extraordinarily bad and contributed substantially to the deaths."

Former leading police officer, Sir Norman Bettison, is charged with four offences of misconduct in public office. Another two ex-police officers, Chief Superintendent Donald Denton and former Detective Chief Inspector Alan Foster, are accused of perverting the course of justice.

Peter Metcalf, who acted as a solicitor for South Yorkshire Police, is also charged with perverting the course of justice. He is accused of making changes to witness statements.

Graham Mackrell, the former Sheffield Wednesday club secretary, is charged with breaching Health and Safety and Sports Ground Safety legislation.

However, despite the club having no valid safety certificate at the time, the CPS claimed that Sheffield Wednesday Football Club could not be prosecuted as "the company which was the legal entity of Sheffield Wednesday Football Club at the time...only now exists on paper."

Regarding the Football Association, the CPS said there was "insufficient evidence... to establish a due diligence."

The charges came a year after an inquest jury found the 96 victims were killed unlawfully. The verdict was a vindication of the heroic and unrelenting struggle carried out by the families and supporters of those who were killed, in the teeth of a state-organised cover-up imposed by

successive Conservative and Labour governments.

The charges were brought following referrals from an investigation into the causes of the disaster carried out by the police, and a probe by the Independent Police Complaints Commission. In bringing the charges, the CPS considered charging 23 suspects referred to them by these investigations.

These investigations were themselves the outcome of the Hillsborough Independent Panel's (HIP) report in 2012. The HIP was set up by the then Labour government in response to widespread anger at the cover-up, and the failure to hold anyone to account. It reviewed 450,000 documents, including some previously confidential, and demolished the official government version of events that had exonerated the police.

Just minutes before the 3PM kick-off in the 1989 FA Cup semi-final between Liverpool and Nottingham Forest, Duckenfield, the police officer in command, gave the order to open Hillsborough stadium's Exit Gate C. Several thousand fans waiting to enter the stadium were directed into two already dangerously overcrowded "pens." Many suffocated in the crush, whilst others passed away after escaping onto the pitch. The youngest victim was just 10 years old and the oldest 67.

Duckenfield, however, is not being charged with the manslaughter of one of the victims, Tony Bland, who was just 18 at the time. He suffered crushed ribs and two punctured lungs that interrupted the supply of oxygen to his brain. As a result Bland was left severely brain damaged, dying nearly four years later. At the time, the law prevented people being found guilty of homicide where the death occurred more than a year and a day after the injuries occurred.

Speaking on the decision not to charge Duckenfield, Tony Bland's family said, "Whilst we are hugely disappointed with the exclusion of Tony from the manslaughter charge against David Duckenfield by the CPS, our relief for the

families of the other 95 men, women and children outweigh our personal frustrations.”

The move to charge Duckenfield in particular and the others, long demanded by the Hillsborough families, is welcome.

Margaret Aspinall, the chairwoman of the Hillsborough Family Support Group, who lost her son, James, at Hillsborough said, “No one should have to go through what the families have gone through for 28 years to try to get to the truth and to get accountability. What has been achieved today will change things for the good of this nation and that’s the legacy of our 96.”

Aspinall pointed to the nearly three-decade-long struggle of the families, stating, “Every time we have been knocked down we have been determined to come back stronger.”

Following a private meeting with the CPS in Warrington, Barry Devonside, whose 18-year-old son Christopher was killed at Hillsborough, punched the air as he emerged to speak to the media. He said, “Everybody applauded when it was announced that the most senior police officer on that particular day will have charges presented to him.”

For the families to finally get to see Duckenfield in the dock is no small achievement, given that he—backed to the hilt by successive governments—did everything possible to evade justice. This included him taking retirement on a full pension in order to escape disciplinary action.

Five of those charged will attend Warrington magistrates’ court on August 8, as legal proceedings commence. However, Duckenfield will not appear, as it will be first necessary to overturn a stay ordered by a senior judge in 1999 on his further prosecution after a jury failed to agree a verdict in a private prosecution for two counts of manslaughter by gross negligence.

While these long overdue prosecutions are welcome, it has been so long since the terrible crime was committed that many of the guilty figures—who tried to shift the blame onto the Liverpool supporters for their own deaths and whose cover-up ensured that the police and other actors and institutions responsible evaded timely justice—are either dead or nearing the end of life.

This includes then Conservative Prime Minister Margaret Thatcher and Tory MP Irving Patnick, who was instrumental in spreading filthy lies—emblazoned as “The Truth” on the front page of the right-wing *Sun*—blaming Liverpool fans for the tragedy. Peter Wright, responsible for overall policing at the Hillsborough football stadium on the day of the disaster, is dead.

Thatcher’s then press secretary Sir Bernard Ingham evaded justice for his lies, which helped perpetuate a cover-up. He notoriously claimed, “[T]here would have been no Hillsborough disaster if tanked up yobs had not turned up in

very large numbers to try to force their way in the ground.” In a 1996 letter replying to Liverpool supporter Graham Skinner—whose friend was killed in the disaster—Ingham said the families should “shut up about Hillsborough.”

Given the role of the political establishment—which did all it could to ensure justice would not be served—Conservative Prime Minister Theresa May’s welcoming of the charging of the six and praise of the “absolutely exemplary” work of the Liverpool families is sickening. In 2012, as Home Secretary, May even went as far as to claim, “I ensured justice for Hillsborough families.”

This is another filthy lie as Phil Scraton, lead author of the HIP report whose diligence was essential in uncovering the truth about Hillsborough, has made clear. May had “no option but to initiate a new criminal investigation while the inception, process and outcome of the inquests had nothing to do with her,” he said.

“Establishing the truth of Hillsborough was conducted in a climate hostile to the truth and brought threats and disdain to those involved. No people know that better than the bereaved families, the survivors and all who have worked throughout to reverse the injustices of Hillsborough.”

Moreover, May is presently seeking to cover-up who is responsible for the many, possibly more than 100 deaths, in the June 14 Grenfell Tower fire. In an attempt to avoid the necessary criminal proceedings, May has called a public inquiry. There can be no doubt that the powers-that-be will—just as surely as they did over decades following Hillsborough—fight tooth and nail to prevent the truth from coming out about Grenfell, and the political and corporate figures responsible being brought to justice for their crimes of mass murder.

#### *The author recommends:*

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