

Harry Dunn's parents take legal action against UK Foreign Office

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The parents of Harry Dunn have launched legal action against the Foreign and Commonwealth Office (FCO) over its granting of diplomatic immunity to US national Anne Sacoolas.

Harry, 19, died August 27 after his motorbike collided head-on with Anne Sacoolas' car, resulting in horrific injuries. Sacoolas had reportedly been driving on the wrong side of the road for up to 400 metres. The accident took place outside the Royal Air Force (RAF) base at Croughton, Northamptonshire in the East Midlands. The US Air Force runs a spy facility from the base known as the Joint Intelligence Analysis Centre where Sacoolas's husband Jonathan was employed by the US National Security Agency (NSA).

Harry's parents, Tim Dunn and Charlotte Charles, submitted a judicial review against Conservative Foreign Secretary Dominic Raab on November 27. This followed a legal claim made by the family against the FCO on October 25 that alleged giving Sacoolas immunity was "wrong in law."

Jonathon Sacoolas was initially described in the media as a diplomat, but his role as spy was soon revealed. Human rights activist and former UK ambassador Craig Murray, writing on his website October 8, explained, "Sacoolas does not hold, and has never held, a diplomatic rank. He has never been a member of a diplomatic mission."

Murray explained that in a reciprocal arrangement to circumvent legal restraints on US and UK intelligence agents, US agents spy on UK citizens from bases such as Croughton. He said, "What does apparently exist between the UK and the US is a secret, bilateral agreement to treat GCHQ and NSA staff *as if* they had diplomatic immunity."

Murray continued, "I am not at all convinced, as a matter of law, that the government has the power to

grant, by bilateral treaty or otherwise, immunity from criminal prosecution to foreign nationals ... outside the provision of the Vienna Convention (relating to diplomatic immunity). This should be tested by the courts."

Anne Sacoolas used her supposed immunity to leave the country in spite of empty assurances she was "fully engaged" in the police investigation. By the time local police requested a waiver to the immunity status to arrest her, which was refused, she had already left the country.

Subsequently, police have interviewed her in the US and prepared a file for the Crown Prosecuting Service (CPS). To date no decision to charge her has been taken.

The legal challenge by the Dunn family states the FCO had "no legal power to make such an agreement" to proffer immunity to Sacoolas. The FCO has stated it would appeal the challenge and that the case could go to the Supreme Court and would "seek costs," a punitive move that could leave the Dunn family with a debt upwards of £50,000. Speaking to Sky News, Raab callously and contemptuously declared, "We need to protect the taxpayers' money and the legal position that we set out, which is the correct one."

Harry's family has set up a crowdfunding campaign to finance a legal challenge with a target figure of £100,000. More than £90,000 has been raised so far, reflecting the outrage felt by millions of people at the arrogance of the government.

A Press Association report of November 28 stated, "The family have said they are concerned Raab was 'pressured by the United States to interpret the law in a way which allowed her (Sacoolas) to escape justice'."

Legal representative Radd Seiger explained, "The parents have done everything physically within their

power to avoid having to sue the FCO. There have been repeated public and private attempts on our part to engage with those in authority to resolve this dispute amicably.”

Tim Dunn and Charlotte Charles have pursued a principled fight to achieve justice for their son. Visiting America to publicise the case, they were unexpectedly invited by US President Donald Trump on October 15 to meet with him at the White House. Trump ruled out Sacoolas being sent back to the UK to face charges. Instead, he arranged for Harry’s parents to meet with Sacoolas who was waiting in an adjacent room. The parents refused Trump’s offer, warning of the potentially traumatic impact of such an encounter, including for Sacoolas.

A *Guardian* article November 7 reported the Trump White House had sought to buy off Harry’s parents. “Seiger told PA Media that their meeting at the White House on 15 October ended with the president saying the secretary of the treasury, Steven Mnuchin, was ‘standing by ready to write a cheque’.”

The article continued, quoting Seiger, “When he (Trump) said: ‘We’ve got the driver here’ he basically meant that we’re all going to have a big hug and a kiss, and I’ll get my treasury guy to write a cheque. That’s how it was. On the day it just didn’t register with me, but the more I think about those words, the more shocking it is.”

The UK government was aware Sacoolas was leaving the UK two days before she did so. Speaking in parliament in October, Raab said he had been informed by US officials that they would not be waiving immunity for her.

Labour Party Shadow Foreign Secretary Emily Thornberry asked him why Northamptonshire police had delayed telling Harry Dunn’s family that Sacoolas was due to leave the UK. Raab replied, “It was one or two days. The reason we asked for a little bit of time—and this was a request not made by me, I wasn’t aware of it, but by my officials—was to make sure we’d be very clear on what the next course of action would be.”

Harry’s family consider their feelings and rights have been marginalised. An open letter by Dunn’s parents to UK and US authorities including the UK Crown Prosecution Service was sent on November 23.

The letter states, “You have treated us like we are dirt

on the bottom of your shoes and we simply do not understand why. Anne Sacoolas should never have been allowed to leave and you have robbed us of our right to seek justice.”

Harry’s father Tim tried to attend a general election hustings meeting in Surrey at which Raab spoke on November 25. He and dozens of supporters were denied access on the bogus grounds that their attendance would have contravened fire safety regulations. Signs were put up by those outside asking to be let in.

Speaking to Sky News, Tim Dunn commented, “We’d come to Mr Raab ... [to] ask him some questions about how things are moving on ... I tried to speak to him a couple of times, but he wouldn’t speak to me at the start and he just ignored me as he left.”

Supporters of the family branded Raab a “coward” for refusing to speak to Tim Dunn. The death of Harry Dunn is viewed by the British state as collateral damage that must not be allowed to get in the way of cementing its “special relationship” with the United States.



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