

Statement on Today's Release of the Coroner's Rule 43 Report

The Jean Charles de Menezes Family Campaign and the family's lawyers, Birnberg Peirce, issued the following statement on the Coroner's Rule 43 recommendations and response from the Metropolitan Police:

"At the inquest into the death of Jean Charles de Menezes, the legal team acting for the family raised a range of concerns about the police operation at every level, including in particular the lack of clarity and control in the command structure, the confusion over the role of the Designated Senior Officer, the lack of clarity over identification, the failure of communication between the different teams (control room, surveillance and firearms) and the inherent weakness in the MPS strategy to deal with failed suicide bombers. It was the family's position that the combination of these serious failings contributed directly to the death of Jean Charles and the jury at the inquest, insofar as they were permitted to, shared this view in their verdict.

The family regret that none of the officers giving evidence at the inquest, and in particular those in command of the operation, were prepared to accept responsibility for the failings, instead maintaining they had done nothing wrong. They note that the Rule 43 report of the coroner identifies many of the failings that the family's legal team sought to expose and welcomes the significant recommendations for improved practice many of which the Metropolitan Police have accepted, showing in their response a willingness to implement changes. They question why, if the raft of weaknesses identified are now accepted, it remains the case that no senior officer has accepted personal responsibility for such catastrophic failures or has been held to account. Instead many of the key officers have been promoted. When no-one is held to account, the family fear that any such changes will be cosmetic, with no stick to ensure a real commitment to reform.

One key area that the Rule 43 report and MPS response fails to tackle adequately goes to the heart of the 'shoot to kill' debate. If an armed officer has no intelligence or other information that tells him that the suspect has the means to detonate a bomb, he must issue a challenge or we risk repeat killings by the police.

A proper public debate about the 'shoot-to kill' policy is now long overdue. As Nick Hardwick, the chair of the Independent Police Complaints Commission, said after the inquest in December 2008, "The inquest and health and safety trial have necessarily focused on the specific events of 22 July 2005. They have not examined the broader issue of how the police should respond to the threat of suicide terrorism. I call again for this to have much broader debate and scrutiny by the public and their representatives."

The family remain determined that lessons should be learnt and officers held to account. To this end they welcome the Director of Public Prosecutions invitation to meet with him later this month, and the IPCC's willingness to consider representations from the family in respect of disciplinary decisions. They will continue to push for parliamentary accountability. It is now time for that debate to begin without delay. Jean's family in London has therefore written to Keith Vaz MP, the chair of the Home Affairs Select Committee, asking for a meeting to discuss what role his committee can have in ensuring this important public discussion starts as soon as possible."

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For press enquiries contact the Justice4Jean campaign on 07709 656 251