

PRESS RELEASE 9th FEBRUARY 2006

FOR IMMEDIATE ATTENTION

- **STANLEY FAMILY DISGUST AT DECISION NOT TO DISCIPLINE POLICE**
- **PUBLIC CONFIDENCE IN ACCOUNTABILITY OF POLICE UNDERMINED**

Irene Stanley is appalled that the police officers who killed her husband on 22nd September 1999 will not face disciplinary charges even though the Independent Police Complaints Commission (IPCC) has today accepted that their *'detailed and consistent accounts lack credibility'*. From the beginning, a search for the truth has been obscured by the police officers *'pooling their recollections'* and writing their notes up together on the night of the shooting. Irene Stanley doesn't want other families whose loved ones die at the hands of the police to feel deaths are 'covered up' from the start: the police service must put an end to this discredited practice. Today's decision that the officers should not face disciplinary charges is therefore bitterly disappointing.

Having been denied justice for Harry Stanley, all Irene Stanley can hope for is that lessons really will be learned for the future. Recent police shootings and the police response to them do not give her much hope, but things could change now if the police implement the strong recommendation of the IPCC to end the discredited police practice of 'pooling recollections' after deaths in custody.

Irene Stanley said today:

"I am bitterly disappointed by the IPCC decision. I am very angry that these officers have walked away untouched. This isn't justice. My fear is that this decision means the police will see this as a green light for their 'shoot to kill' policy and that innocent people are at greater risk from armed police after today's decision."

Deborah Coles, co-director of INQUEST who has worked with Irene Stanley since 1999 said:

"The Stanley family have been utterly failed by the criminal justice system. This decision follows a pattern of cases where police officers have escaped criminal and disciplinary charges following controversial deaths. The officers' accounts of the events surrounding the shooting of Harry Stanley were not accepted by two inquest juries and the credibility of their evidence has also been questioned by the IPCC. The fact that these officers can shoot dead an unarmed man and walk away untouched is abhorrent. The rule of law must apply equally to all citizens including those in police uniform and where they are suspected of a criminal offence they should be treated like any other suspect."

INQUEST calls on the Home Secretary to ensure that the strong recommendation of the IPCC to end the discredited police practice of ‘pooling recollections’ after deaths in custody is implemented immediately. Public confidence in the criminal justice system as it relates to the police has been severely undermined by this decision. At a time when there is a massive increase of the number of armed police on our streets, it is imperative that the public have confidence in their ability to act professionally and safely and that they are properly held to account for their actions. While these officers can get on with their lives the Stanley family have lost a much loved husband, father and grandfather forever.”

For more information or comment please contact:

Deborah Coles, Co-Director, INQUEST	07714 857 236 (mob) 0207 263 1111
Daniel Machover, solicitor, Hickman and Rose	020 770 2211 & 07773 341096 (mob)
Terry Stewart, Justice for Harry Stanley Campaign	07931 844969
	www.inquest.org.uk

Background

Since the death of Harry Stanley there have been 17 fatal shootings by the police of which 7 were by Metropolitan police.

Harry Stanley was a 46-year-old Scottish painter and decorator. He was recovering from a successful cancer operation. On 22nd September 1999 he left his home in Hackney telling his wife he was going to visit a friend. He wanted to collect a table leg from one of his brothers who had fixed it after it had been damaged earlier in the year. On his return home he visited a public house. Another customer, mistaking Mr Stanley’s accent for Irish rather than Scottish and noticing that he was carrying something long in a bag, telephoned the police to say that a man with an Irish accent was leaving the pub with a sawn-off shot gun in a plastic bag.

Within a few minutes PC Fagan and Inspector Sharman, an armed response unit from the Metropolitan Police service specialist firearms unit SO 19, arrived in the area. The officers approached Mr Stanley from behind. They shouted, “Stop, armed police!” Mr Stanley (who had no reason to imagine that the police wanted him or that they were indeed police officers) did not stop at that command. The police say that they shouted again, to which Mr Stanley responded by turning around. The police officers opened fire, with one shot hitting him in his head, the other hitting him in his left hand. In the bag was the repaired two-foot table leg, which he had collected from his brother.

Surrey Police carried out a criminal investigation under the supervision of the Police Complaints Authority (which was replaced in April 2004 by the IPCC). In June 2002, after the CPS decided the officers should not face criminal charges, an inquest jury returned an ‘open verdict’, but this was quashed by the High Court and a second inquest was held in October 2004. The second inquest jury returned a verdict of unlawful killing, but this was also quashed by the High Court last year.

However, the officers were arrested by Surrey Police in June 2005, after new forensic evidence emerged. The damage caused to the rear of the left shoulder of Harry Stanley’s jacket indicated that the fatal shot DID come from behind him before entering the left side of his head, above his ear.

When Surrey Police and the officers obtained expert opinions about the new forensic evidence a reasonable doubt was nevertheless raised that the officers and Harry Stanley both had time to perceive a threat to each other before the fatal shot was fired. Therefore, in October 2005, the CPS announced that they had advised Surrey that there was insufficient evidence to charge the officers with any criminal offence, including perjury.

The very specific accounts of *both officers* about Harry Stanley pointing the table leg at PC Fagan in a threatening manner, which neither inquest jury accepted, still 'lack credibility' even according to the IPCC, who have seen all the new evidence.