

Jean Charles de Menezes Shooting

Driver – Social

Related Drivers –Counter Terrorism, Equality, Diversity & Human Rights, Increasing Accountability, Neighbourhood Policing, Victim & Witnesses, CCTV, Incident Management, Information Sharing, 2012 Olympics, Race & Crime, Public Perceptions of Crime, Public Confidence in Policing, Stop & Search

Background

On the 22 July 2005, Jean Charles de Menezes was fatally shot at Stockwell Tube Station by Metropolitan Police Service (MPS) Officers.¹ There was public outrage over the incident followed by a lack of confidence in police firearm operations. The Independent Police Complaints Commission (IPCC) carried out an investigation into the tragic occurrences of that day.² The IPCC submitted its evidence to the Crown Prosecution Service (CPS) whose decision was that no individual should face criminal proceedings but the Office of the Commissioner of the Metropolis should face a criminal charge for breaching the 1974 Health and Safety at Work Act. The trial concluded on 1 November 2007 and the jury returned a 'guilty verdict' with a rider that no personal culpability attached to DAC (then Commander) Dick, the officer who led the operation.³

The Independent Police Complaints Commission (IPCC), the Health & Safety trial, and a following Coroners' Inquest⁴ into the death of Mr de Menezes all sought to establish and understand whether those in command on 22 July 2005 fulfilled the requirements of their roles, whether command facilities and communications were adequate for them to exert control, what the operational units on the ground understood their mission to be, and whether they worked effectively together.

The IPCC found 19 key failings during the incident in July 2005 and which included a critical breakdown in communications. Sixteen of the recommendations made were addressed to Her Majesty's Inspectorate of Constabulary (HMIC), Home Office, ACPO and the MPS. On request of the Metropolitan Police Authority (MPA), HMIC was to review progress on the recommendations specifically focusing on Command & Control and the closely related issues of 'inter-operability'⁵ – how different units and personnel work together operationally, because these are the issues that lie at the heart of the tragic incident and are matters of public confidence.

The first published review looked at progress up to January 2008 found that progress had been made by the MPS. Of the 16 recommendations, five had been met and completed and 10 were in progress and one was not measured by HMIC.⁶

The third review, which looked at progress from January 2008 – April 2009, found that the MPS has continued to make progress since January 2008. In the past 18 months a new counter-terrorism control room has been completed though it is not yet fully operational. Further IT support has also been introduced. Communications have been significantly strengthened by the roll out of the Covert Airwave capability, and the National Police

Improvement Agency (NPIA) has extended communications within the London Underground network. Together, these enhancements meet a number of the criticisms that have been made by the IPCC and the Coroners' Inquest. At the same time, new training for commanders, surveillance officers, firearms officers and control room staff has increased awareness and operational competence.

Since May 2008, the MPS Management Board has introduced a smaller team, or cadre, of Firearms Commanders who will cover the whole force rather than the present 'in house' system where each department has its own commanders.

HMIC comments that whilst there has been considerable commitment and energy applied to taking initiatives forward, some of them, including projects that would improve effective cooperation, have lacked clear deadlines not only for the completion of the work but when the results will be fully operational. These include:

- The single Surveillance Command was formed on 6 April 2009 but requires further development
- The new counter-terrorism control room known as 1600 was due to start in December 2008 and has only partially opened
- No date is yet available for the purchase or operational delivery of a new secure photo-imagery system for transmitting images of suspects and other data. Budgetary support has only recently been identified and implementation and delivery will take 9 months following initiation of the procurement process.

Other work is progressing but there is no identified date for completion or operation in the workplace. They include:

- Clarity on the roles and responsibilities of control room staff
- A structured approach to organisational learning – embedding lessons learnt into operational practice
- Standard terms (a glossary) for operational use in communications by firearms and surveillance officers which all understand and will prevent mistakes or misunderstandings.⁷

HMIC stated the rest of the recommendations need to be completed as expeditiously as possible. The Commissioner, Sir Paul Stephenson, has given an undertaking the above areas will have clearly defined target dates for completion within the next 12 months.

The MPS plays an important role in contributing to national policy including guidance for officers controlling operations, policy on police use of firearms, national firearms command training, and through its own Counter Terrorism Command (SO15), to the development of the national counter-terrorism network. These improvements have important implications for the Police Service's general ability to make operations safer and reduce risk and to work seamlessly in preparation for and during the 2012 Olympics, general public safety and public confidence.

Potential Skills Needs

Analytical skills – to visualize, articulate, and solve complex problems and concepts, and make decisions that make sense based on available information

Change management skills – manage cultural shift to new Command and Control management system (introduction of cadre of Firearm Commanders); and to disseminate lesson learnt and embed them in working practices of operational units

Collaborative working skills – working effectively with colleagues and other law enforcement agencies to protect UK borders.

Communication skills - particularly providing commanders with real time information; improved communication between surveillance and firearm teams; and establishing a common language between firearms and surveillance officers

Intelligence gathering skills – to scan multiple data sources and follow leads

IT skills – work with new secure photo-imagery system for transmitting images of suspects and other data;

Risk assessment skills – assess the risk in firearm operations

Risk management skills – manage and mitigate risk

Strategic leadership and management skills – effective leadership and management in command and control firearm operations by strategic and tactical firearm commanders

Surveillance skills – ensure evidence gathered during the course of surveillance is robust and processes demonstrate integrity with particular attention paid to continued utility of surveillance logs

Team working skills – between surveillance and firearm teams; seamless working relationship between different units and personnel ('inter-operability')

Technical skills – in the use of new covert radio capability and manage communications between MPS and other forces / units across the UK with this capability

¹ [BBC News Online, 25 July 2005, 'Police shot Brazilian eight times'](#).

² [Independent Police Complaints Commission \(2007\) Stockwell One: Investigations into the shooting of Jean Charles de Menezes at Stockwell underground station on 22 July 2005.](#) London: IPCC.

³ [NPIA \(December 2007\) NPIA Digest.](#) London: NPIA p 44.

⁴ [Wright, Sir Michael \(2009\) Inquest into the death of Jean Charles de Menezes, Rule 43 Report.](#) London: H.M. Coroner for the Inner South District of Greater London.

⁵ HMIC has chosen to adopt a simple working definition for 'Inter-operability' – 'a seamless working relationship between different units and personnel' – that would meet the public's

expectations of police capabilities, and addresses the themes emerging from the IPCC, HMIC, MPA and Coroner's reports.

⁶ Note: Technically this is the second report although the first one was confidential and not released to the public. [HMIC \(2008\) Review of MPS Response to IPCC Report Stockwell 1b supplied to MPA Scrutiny 29th January 2008.](#) London: HMIC.

⁷ [HMIC \(2009\) Stockwell One – Progress Report January 2008 – April 2009.](#) London: HMIC.