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UK: The death of Jean Charles de Menezes: full and public scrutiny still needed

On 1 November 2007 a jury at the Central Criminal Court (the Old Bailey) in London reached the verdict that the Office of the Commissioner of the Metropolitan Police had been guilty of an offence under health and safety legislation, in relation to the policing operation which led to the shooting dead of Jean Charles de Menezes, an unarmed young Brazilian man, on the London Underground system on 22 July 2005.

These proceedings brought to light important and worrying new evidence about the events which led to the death of Jean Charles de Menezes. However, Amnesty International does not consider that this prosecution under health and safety legislation was enough for the UK to discharge its obligations, under international human rights law, to ensure full and public scrutiny of the actions of all state agents and agencies involved in the events leading to the death of Jean Charles de Menezes.

Amnesty International is continuing to call for the family of Jean Charles de Menezes to be provided with critical information about all the circumstances surrounding his killing. The provision of such information is a key component of the family's right to an effective remedy under human rights obligations, which includes the right to a prompt, thorough, independent and effective investigation into the death.

The proceedings which have concluded today were focussed on criminal liability, a focus which is, by definition, narrow. Moreover they did not focus specifically on the liability of any individual for the death of Jean Charles de Menezes himself, but on the liability under health and safety legislation of the Office of the Commissioner of the Metropolitan Police for exposing the public to a risk to their health or safety.

In this context, and in the interests of full and public scrutiny of all of the circumstances leading up to and immediately following the shooting, Amnesty International is also calling for the report of the first investigation into the incident carried out by the Independent Police Complaints Commission (IPCC), known as 'Stockwell 1', which has never been published, to be made available both to the family of Jean Charles de Menezes and to the public without further delay.

Amnesty International continues to have concerns about the conduct of the Metropolitan Police at the time of the shooting of Jean Charles de Menezes. In particular the organization is concerned at the fact, later confirmed by the Metropolitan Police, that, in the immediate aftermath of the shooting, it had sought to block the IPCC -- the body with overall responsibility for the police complaints system in England and Wales -- from conducting from the outset the investigation into the killing of Jean Charles de Menezes. The grounds given for this were that an IPCC investigation might obstruct the Metropolitan Police's ongoing anti-terrorist investigation. The fact that the Metropolitan Police retained control over the investigation at the crucial initial stage runs

counter to the need for such an investigation to be carried out independently of those responsible for the shooting.

For further information see *The Killing of Jean Charles de Menezes*, AI Index: EUR 45/015/2006 <http://web.amnesty.org/library/index/engneur450152006>

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