

REQUEST

I have another related requests. I refer to the above link.

Please confirm under FOI whether the IPCC was aware that none of the implicated officers (see report below) were ever called to account at the Health and Scare trial. Therefore, does the IPCC accept responsibility, that it should have never jumped to any conclusions until the evidence was provided by all the accused 'trigger happy' officers?

Does the IPCC agree with Lord Blair who said "I would suggest that those without knowledge of what they will say should think long and hard before making comment"?

I refer to the records that on 30 September his deputy, Steve Reynolds, submitted a report to the Commission under paragraph 21A of Schedule 3 to the 2002 Act, as inserted by paragraph 20 of Schedule 12 to the 2005 Act. His report indicated that the death or serious injury investigation identified that certain officers may have committed criminal offences or behaved in a manner that would justify the bringing of disciplinary proceedings. Those issues of performance of duties by the eleven officers that were the subject of that report are, in part, the subjects of this report. Subsequently 4 additional officers were added to this category.

<file:///C:/Users/nladult/Downloads/CBP-7449.pdf>

Stephen O'Doherty, a senior lawyer from the CPS Special Crime Division,

But I am satisfied that there is sufficient evidence to prosecute the Office of Commissioner of Police for an offence under sections 3 and 33 of the Health and Safety at Work Act 1974 of failing to provide for the health, safety and welfare of Jean Charles de Menezes."

Given the above statement and in the absence of any motive or possible evidence, does the CPS agree that the actions taken by the 'trigger happy' officers were w/o doubt unjustified and that excess force was not authorised. It appears from public records that commander Cressida Dick instructed 'warnings' to her officers "not to shoot" and "to keep him alive at all costs"? However, it is entirely unclear as to why she remained silent and failed to disclose this crucial evidence both at the Health and Safety trial and the subsequent Inquest?

"Excessive force must not be used: When an authorised firearms officer (AFO) decides to discharge a firearm, the number and sequencing of rounds fired will depend on the circumstances that exist at the time. Officers must constantly assess the threat posed by the subject and the continuance of that threat. Officers must be able to demonstrate that the degree of force used was absolutely necessary and relative to the threat posed. The use of excessive force is strictly prohibited".

If a commander decides that as a last resort a critical shot is absolutely necessary in self-defence, which includes the defence of another, a commander will communicate that decision to an AFO with the words, "critical shot authorised",

Post incident accountability rests with the commander for giving the authorisation, and the AFO for their response. For the use of force to be justified and lawful it must be in self-defence, or in defence of another and absolutely necessary.

Please forward info under FOIA as to whether MOPAC was aware of both the Blair letter and the contempt at court by commander Cressida Dick

RESPONSE

Thank you for your Freedom of Information request dated 15 November to the Mayor's Office for Policing And Crime (MOPAC). I confirm that your request has been handled under the Freedom of Information Act 2000.

You asked under FOI:

1. *whether the IPCC was aware that none of the implicated officers (see report below) were ever called to account at the Health and Scare trial. Therefore, does the IPCC accept responsibility, that it should have never jumped to any conclusions until the evidence was provided by all the accused 'trigger happy' officers?*

MOPAC does not hold any information relating to this request. Please refer your request to the IPCC: <https://www.ipcc.gov.uk/page/requesting-information-ipcc>

2. *whether MOPAC was aware of both the Blair letter and the contempt at court by commander Cressida Dick?*

MOPAC does not hold any information relating to this request.

The Metropolitan Police Service (MPS) may be able to assist you. You can send your FOI request directly to them, using this link: <http://www.met.police.uk/foi/>

If you are unhappy with the response to your Freedom of Information request, please see the MOPAC website on what the next steps are at:

<https://www.london.gov.uk/what-we-do/mayors-office-policing-and-crime-mopac/governance-and-decision-making/freedom-information>