

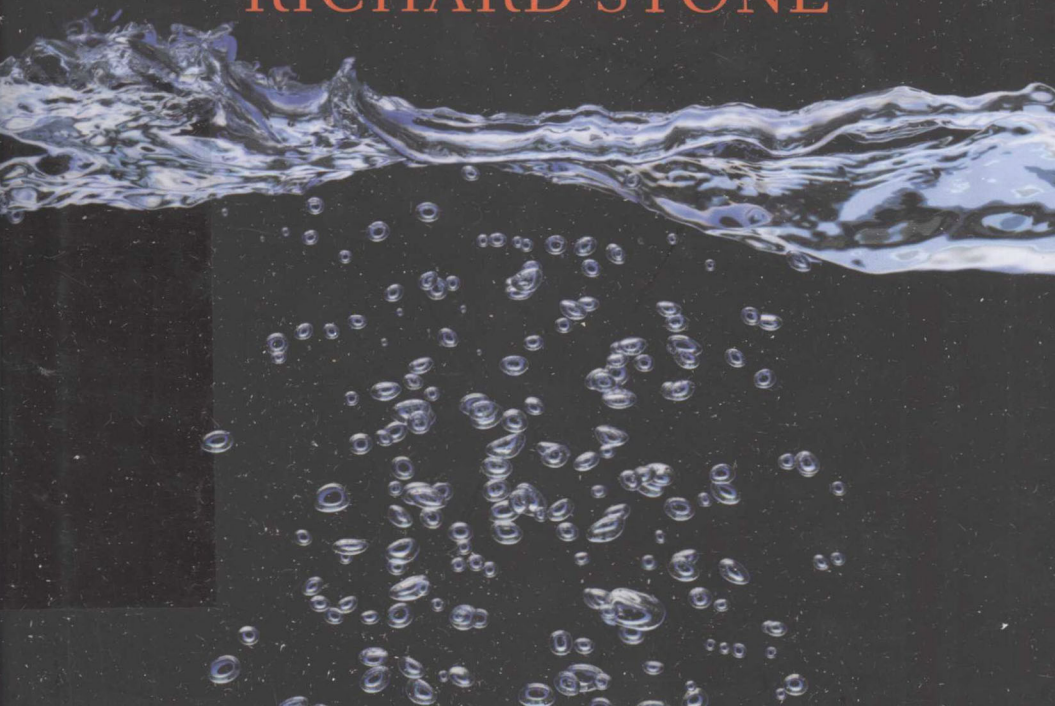
HIDDEN STORIES

of the

STEPHEN LAWRENCE
INQUIRY

Personal Reflections

RICHARD STONE



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A note on the typography

The following typographical styles have been used for displayed/block quotations.

Quotations from the Stephen Lawrence Inquiry Report:

Stephen Lawrence had been with his friend Duwayne Brooks during the afternoon of 22 April. They were on their way home when they came at around 22:30 to the bus stop in Well Hall Road with which we are all now so familiar.

Extracts from transcripts of the Inquiry:

THE CHAIRMAN: Please, please, be quiet. I know how difficult it is for you but let me see what is being said – let me hear what is being said.

Paraphrased accounts:

"It's a crime isn't it? Wasting police time? 'Cos that's what they're doing. Instead of winding us up they should be off following up crimes. Why don't they get prosecuted for wasting police time?"

Transcripts of the Inquiry (Appendix C):

P-324

- < 1> MR COOK: I think it is the clarity of the message is
< 2> important. It needs to be a little less equivocal.

Quotations from all other sources:

Violent scenes erupted as the five principal suspects in the Stephen Lawrence killing left the inquiry into his murder.

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This book is dedicated to Stephen Lawrence, who in the words of his mother to the Stephen Lawrence Inquiry:

“Had he been given the chance to survive maybe would have been the one to bridge the gap between black and white, because he didn’t distinguish between black or white. He saw people as people.”

About the author

Dr Richard Stone was a panel member of the Stephen Lawrence Inquiry into racism in policing (1997–99) as Adviser to the Judge, Sir William Macpherson. At the time he was Chair of the Jewish Council for Racial Equality.

His *Independent review of the Stephen Lawrence Inquiry 10 years on* (<http://richardstonesli.wordpress.com>) was launched by the Secretaries of State for the departments of Justice, Home Office, and Communities and Local Government in February 2009.

For 20 years Dr Stone was senior partner of a general medical practice in London. For 14 years he worked with British Muslims as chair of the Runnymede Islamophobia Commission, and in 2004 he founded Alif-Aleph UK (British Muslims and British Jews). In 2010 he was awarded the OBE for public and voluntary service.

He is an Honorary Fellow of the Cambridge Centre for Muslim-Jewish Relations and an Honorary Research Fellow in the Department of Criminology at the University of Westminster.

In 2009 Richard Stone closed his grant-making Stone Ashdown Trust (formerly the Lord Ashdown Charitable Settlement) following a structured ‘spend down’ strategy over a five-year period.

Acknowledgements

I make no apology for thanking above all others, my Ruth. She is my mentor-in-chief and my sparky much-loved wife of 42 years. Our three children and two sons-in-law, have been immensely supportive and also given me wise counsel. I have benefited enormously from the support and advice given generously to me by Doreen Lawrence. I thank her for the photo of her son Stephen with which this book opens. We have, I think, both enjoyed our occasional lunches together in town. I have been immensely fortunate to have gained emotional as well as modest financial support from Juliet Prager at the Joseph Rowntree Charitable Trust. Behind her has been the overall director of the Trust, Steve Pittam. He and I were colleagues in Notting Hill in the 1980s, and we struggled with issues of equality in funding in the 1990s at the Association of Charitable Foundations. Juliet and Steve moved on from the Trust in December 2012.

In the delicate field of race relations I have never led a project without a close multicultural group of trusted advisers, some of whom have mentored me on more than one project over the years. This time Nathalie Stewart and Yvette Williams have kept me rooted in the black experience. In addition my dynamic, thoughtful team has been Urmee Khan, Nadine Dinall, Maqsood Ahmad, Nadia Habashi, Veenal Raval and David Muir. Each of those brought invaluable expertise and understanding, without which I could easily have fallen into traps for the unwary. I will miss them all when this is over.

I am grateful to The Policy Press for supporting me to publish my book. They have enabled me to tell my personal story from my unique position within the Inquiry. I have not been an easy author for The Policy Press, but Karen Bowler, my editor, valiantly reordered my first thoughts into eight short and well ordered chapters. Kathryn King and Alison Shaw have kept my wilder fantasies at bay. This may not have been a simple task. I am grateful to them all.

Preface

Publication of this book takes place within weeks of the 20th anniversary of the death of Stephen Lawrence on 22 April 1993. Alas, today there is still too much of the negativity that was felt 20 years ago by the Lawrence family and other black families towards the police. The black experience in the UK is now shared by many British Muslims. I have found anger and disappointment to be even greater now than it was then, which are justified by the lack of progress in achieving equality of treatment and equality of opportunity in policing.

Stephen would have been 38 now. Would he have become the established architect that he wanted to be? Perhaps with the help of an organisation like the Stephen Lawrence Trust he might have got there. The Trust was set up in his memory, and is in crisis now after three major central government grants have not been renewed. Even with outside help I fear the obstacles for Stephen may have been too many.

And what would Stephen have made of the legal action that his younger brother has felt it necessary to take against the Metropolitan Police this year for what he feels were 25 unwarranted stops and searches?¹

It is now 14 years since the Stephen Lawrence Inquiry produced 70 recommendations,² yet racism is still evident in our policing. The Report recommended wide-ranging changes in police practice and processes, including openness and accountability, and in reporting, recording, investigation and prosecution of racist crimes.

The Inquiry found the Metropolitan Police guilty of professional incompetence and a failure of leadership by senior officers;³ the previous recommendations of the 1981 Scarman Report⁴ into the race riots in London, had been apparently ignored.

Damningly, the Inquiry found and defined a culture of institutional racism within the force.

With such a catalogue of carefully constructed exhortations for so many years – Scarman was published over 30 years ago – I feel

justified in shouting from the roof tops “A plague on all your houses!” Enough of definitions. Enough of thick volumes of reports and plans for the future. Enough of promises. Enough, too, of process. Positive outcomes are what are needed, preferably verified by quantitative and qualitative data.

There has been so much written, so much discussion, so much analysis, so much training. No police officer, no doctor (my profession), nor anyone older than about 20 for that matter, can justify not knowing what ‘institutional racism’ is or how to tackle it. The time has come for leaders of institutions, heads of businesses and activists to take sustained action and tell everyone just to stop doing it. The hopes of commissioners to be the instruments of transformational change will be wiped away if the roots of racist attitudes within the institution are not addressed.

To think that disparities in stop and search for black people have rocketed from 3–5 times in 1999, to 8–10 times in 2009, to 28 times in 2012!⁵ That can only mean that the brakes demanded by the Stephen Lawrence Inquiry are now completely off.

Involvement in this case has joined me with white, as well as black, police officers who see ourselves as critical friends of police services. After 15 years it all seems eminently sensible and perfectly plain to me. There still exists a deep streak of racist attitudes and behaviour among some police officers. It has to be dealt with from the top, with sustained leadership and total commitment to address the attitudes and practices of the police, and that is what this book is about.

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Introduction

Until January 2012 the murder of Stephen Lawrence in 1993 remained one of the most high profile unsolved cases of recent years. The investigation into Stephen Lawrence's death was, from the very beginning, marred by accusations of poor police work and racism in the Metropolitan Police.¹ After two investigations and two internal reviews into what had gone wrong, there were still no convictions for the murder and a great deal of discontent within the black and minority ethnic communities in London and across the UK.

In 1997, a public inquiry into the investigation of the murder was launched; an inquiry that would take 15 months and would cover thousands of pages of submissions. The conclusions of the Inquiry were unequivocal in their condemnation for the poor policing that occurred and in the conclusion that this was as a result of institutional racism from within the police force.² The Inquiry made 70 recommendations intended to improve policing and eliminate racism from public institutions.³ This book looks back at the Inquiry from my perspective as one of three appointed Advisers to the Chair Sir William Macpherson, and thus from a privileged position I witnessed the Inquiry unfold. It also looks at how the police have responded to those recommendations. It commends police services for successful implementation of some of the recommendations; sadly, too many of them have been undermined and destined to fail. Racism continues to be a problem within the British police forces and until strong leaders are in place across the force who are committed to addressing the issue, it is likely to continue to be so.

Why write about the Stephen Lawrence Inquiry now?

After several years of being high profile in the media, from the time of Stephen Lawrence's murder in 1993 and during the Inquiry in 1997–99, the Stephen Lawrence case and the Inquiry largely disappeared from public consciousness. February 2009 saw the 10th anniversary

of the Stephen Lawrence Inquiry, and a new revival of interest. Three Secretaries of State – for Justice, Home Office, and Communities and Local Government – held a joint conference to mark the anniversary. Joint activities of three government departments at such high levels are incredibly rare. It is significant that the Justice Secretary in 2009 was Jack Straw who, as Home Secretary in 1997 had set up the Stephen Lawrence Inquiry in the first place. He has frequently been reported as saying that the Stephen Lawrence Inquiry has been his most significant political achievement.⁴

At the anniversary conference, Jack Straw (Justice), Jacqui Smith (Home Office) and Hazel Blears (Communities and Local Government) launched two reviews of the Inquiry carried out by the Runnymede Trust⁵ and by me.⁶ Speaking at the conference, the Metropolitan Police Commissioner, Sir Paul Stephenson, told the audience that “all the recommendations of Stephen Lawrence Inquiry have been implemented”. He added:

The label of ‘institutionally racist’ no longer applies after 10 years of race reform.... Pockets of ‘stupidity and bigotry’ remain in the police 16 years after the racist murder of Stephen Lawrence.

Stephen’s legacy is that equal treatment for all, whether within or outside the force, has become a yardstick for success.... We must move on from an obsession with race. Diversity is no longer an end in its own right. I do not want the Met to be distracted by the debate about institutional racism. That label no longer drives or motivates change as it once so clearly and dramatically did.

What matters to the people of London is that we continue to change. It is actions, not definitions, that solve problems. The racist murder of Stephen Lawrence was a transformational moment, not just for the Met, not just of the service but for society. We have changed but I do not hide the fact that there is much more to be done.⁷

My report and the Runnymede report strongly disagreed with both of his statements. Both reports found that there had been a welcome improvement in professionalism in all areas of policing, *except* in those that had negative impacts on people from black and minority ethnic backgrounds. The tide of change built up by the Stephen Lawrence Inquiry had by then not just slowed, but turned backwards, as tides do. Although the Commissioner had been sent advance copies of both reports, from his totally positive take on policing 10 years on, I believe that he had either not read them or chosen to disagree with them. His remarks were not welcomed by the National Black Police Association members present at the conference.⁸ Even worse for me, was to hear Jack Straw following the lead of the Commissioner, attempting to dump the label of institutional racism for which the Inquiry had fought so hard (see Chapters Four and Six).

Less than a year later, Sir Paul Stephenson left the Metropolitan Police in something of a hurry, resigning amid speculation about a connection to the News International phone hacking scandal.⁹ In 2011 he was replaced as Commissioner by Bernard Hogan-Howe whose policing career was previously outside London except for a three-year spell as Assistant Commissioner for Human Resources. For those hostile to previous police attitudes his arrival does feel like fresh air flowing through Scotland Yard.¹⁰ When asked about allegations that the Metropolitan Police was still institutionally racist, Hogan-Howe said “I hope we are not but it is a bit like asking someone if they are a nice person. Are we the best people to ask?”¹¹ That is in itself, a major step forward for an organisation that has been primarily self-policing for so long. Let us hope that Commissioner Hogan-Howe will continue to provide the strong positive leadership required for overcoming the deep-seated and poorly addressed issues of racism inside the Metropolitan Police Service (see Chapter Seven).

The issues raised by the Stephen Lawrence Inquiry continue to be relevant for policing. Hogan-Howe has said that the police force is “hugely different from where we were” at the time of Stephen Lawrence’s death. However, he described stop and search as still “a real challenge” for the force and recognised concern at figures which show more than 90% fail to lead to arrest.¹² A radical overhaul of controversial stop and searches in London was announced in

January 2012 which hopefully will now reduce the racial disparities in stop and search, given the very slow progress since the Inquiry's recommendations 14 years ago (see Chapter Seven).¹³

The Metropolitan Police Service considers itself to be the most respected force in Britain, if not in the world. Yet this was, and regrettably still is, not the view of Stephen Lawrence's parents.¹⁴

In October 2010, two of the original five prime suspects were arrested: Gary Dobson and David Norris. Dobson had been acquitted of the murder in 1996 and until 2003 was immune from further prosecution for the same offence. Perhaps to Dobson's chagrin, the Criminal Justice Act of 2003 implemented recommendation 38 of the Stephen Lawrence Inquiry: that the ancient protection of double jeopardy could be removed in very exceptional circumstances, such as the development of new DNA techniques (see Chapter Six). The Inquiry gained a small kudos from the successful implementation of its recommendation 38 on double jeopardy, and I believe that the public recognised that Gary Dobson could not have been charged had it not been for the Inquiry's recommendation. The successful trial of Dobson and Norris in 2012 and their convictions for the murder of Stephen Lawrence has also revived interest in the Stephen Lawrence Inquiry's agenda.

But, by the time that the conviction and sentences were handed down on Gary Dobson and David Norris in January 2012, Neville and Doreen Lawrence had endured 19 years in which:

- two separate police investigations of the murder failed to find any significant evidence;
- an official trial was discontinued by the Crown Prosecution Service;
- a second trial brought privately by Mr and Mrs Lawrence also failed due to the lack of evidence;
- a harrowing inquest failed to get the 'prime suspects' to answer any questions, replying even to "Is your name David Norris?" with "I claim privilege";
- a Police Complaints Authority (PCA) inquiry made significant criticisms of the police, but denied any contribution of racism;

- the exhausting one-and-a-half year Stephen Lawrence judicial inquiry, which was more robust than that of the PCA, continued to face challenges and obstacles;
- their hopes that the recommendations of the Inquiry would significantly reduce racist outcomes of police activity have been dashed;¹⁵
- they have been, and are still, liable to meet those suspected of the murder of their son in their neighbourhood; the gang who murdered Stephen Lawrence were five men; only two of them are now in prison.

The hidden stories

There is a convention whereby people inside an inquiry do not tell people outside about anything that was said or is being done. This is important; while an inquiry is under way its members must be able to speak freely with one another knowing that their discussions will not be leaked to anybody outside. During the Inquiry I kept my lines of communication open to a number of key black individuals and organisations, since I saw that as part of my ‘community’ role on the panel (see Chapter Two), but I had no difficulty in doing this while maintaining complete silence on internal matters of the Inquiry.

Once the Inquiry was over I kept to the convention of silence for many years; the final text of the Report was the definitive view of the Inquiry, and that was that. But it has become increasingly obvious to me that my silence has been counter-productive when it comes to pushing the agenda set by the recommendations of the Inquiry itself.

A few years ago it dawned on me that, once the internal discussions had been translated into the text of the final report, the process of how we reached our conclusions could be helpful for people who want clarification, especially about contentious issues discussed in the Inquiry, such as the definition of institutional racism. The ‘hidden stories’ of the Stephen Lawrence Inquiry presented in this book are therefore mainly about what happened inside the Inquiry, by means of information that has hitherto been unavailable and inaccessible (see Chapter Five). Some stories are about external events that had an impact on the Inquiry while it was operating, or events in the

following years that relate to the conclusions and recommendations of the Inquiry Report.¹⁶ Various oddities have been revealed when examining these stories; many show how the Inquiry's conclusions and recommendations, in my opinion, have been undermined in both subtle and more overt ways.

The stories focus on those areas where my experience of sitting on the panel as one of the three Advisers to the Judge offers insights that cannot be gained from other sources. I have also obtained a copy of the transcripts and scoured the documents held at The National Archives at Kew. Reading the transcripts is a fairly new pleasure, since they only became officially available in 2005 – six years after the end of the Inquiry. I wish I could have also consulted, during the years since the end of the Inquiry in 1999, the notes I took at the time of the discussions held within the Inquiry, as well as the memos I sent to and received from the Chair. I expected within months to be able to access the archive where my notes, as well as the correspondence files, were stored by the Home Office. Only in 2012 (after this book was started) was I given access to the correspondence, yet my own notes were still not to be seen. There are other papers of the Inquiry that are still not available today, 13 years since the Inquiry took place. These delays are in themselves one of the more bizarre of the oddities surrounding the Stephen Lawrence case and Inquiry; this is explored in Chapter Five

When I set out on the journey of exploring the uncomfortable stories and conspiracy theories of the Stephen Lawrence Inquiry I became anxious about the direction in which some of the facts appeared to be taking me. These doubts have been dispelled by confirmation of my conclusions when more evidence came my way. For example, my suspicions that there was something more sinister behind the attempt to cancel the Inquiry's visits to Birmingham in 1998 (see Chapter Three), was a view backed up by other sources.

First, letters in the correspondence files which only saw the light of day in 2011, 12 years after the end of the Inquiry, the most dramatic of which was a letter from a Birmingham Councillor that confirmed that the Secretary to the Inquiry had not made the rigorous search for venues in Birmingham that was claimed.¹⁷