

PROSECUTION 19 ALLEGED FAILINGS

Allegation

1. There was a failure adequately to communicate Commander McDowall's strategy to the officers who took over the running of the operation on 22 July, the surveillance officers and the firearms officers.
2. There was a failure adequately to plan for or carry out Commander McDowall's strategy for controlling the premises.
3. The control room officers, the firearms officers and the surveillance officers had a confused and inconsistent understanding of what the strategy was Scotia Road.
4. *There was a failure to deploy officers to stop and question persons emerging from the Scotia Road premises, including Mr De Menezes.*
5. There was a failure to ensure that a CO19 firearms team was in attendance at Scotia Road when Mr De Menezes emerged from the communal doorway.
6. There was a failure to have a contingency plan for dealing with persons who emerged from the block of flats before CO19 arrived.
7. There was a failure to stop and question persons emerging from Scotia Road.
8. There was a failure to identify a safe and appropriate area where those leaving Scotia Road could be stopped and questioned.
9. The briefings given to firearms officers at Leman Street and Nightingale Lane were inaccurate and unbalanced and provided the firearms officers with inadequate and inaccurate information about the operation, including the operation at Scotia Road.
10. Information as to the identification of Mr De Menezes, his clothing, demeanour and likely level of threat was not properly or accurately assessed or disseminated to officers and in particular the firearms officers.
11. There was a failure to ensure that doubts about the correctness of the identification on Mr De Menezes as the suspect were communication to the control room at New Scotland Yard.
12. The control room officers failed to satisfy themselves that a positive identification of Mr De Menezes as the suspect had been made by the surveillance officers.
13. There was a failure to deploy firearms officers at relevant locations in time to prevent Mr De Menezes from getting onto the bus and entering Stockwell tube station.
14. The firearms officers failed to satisfy themselves that a positive identification of Mr De Menezes as the suspect had been made by the surveillance officers.
15. There was a failure to take effective steps to stop tubes or buses or take other traffic management steps so to minimise the risk to the travelling public.
16. Mr De Menezes was twice permitted to get onto a bus and to enter Stockwell underground station despite being suspected of being a suicide bomber and despite having emerged from an address linked to a suspected suicide bomber.

17. There was a failure to give a clear or timely order that Mr De Menezes be stopped or arrested before he entered Stockwell tube station.
18. There was a failure to give accurate information to Commander Dick as to the whereabouts of CO19 when she was deciding whether CO19 or SO12 should stop Mr De Menezes.
19. There was a failure to minimise the risk inherent in effecting the arrest of Mr De Menezes by armed officers whether in relation to the location, timing or manner of his arrest.