
CAROLINE O'DWYER

It became the case that changed Britain, but it began life as the case that was most likely going nowhere. Not even those closely associated with the Stephen Lawrence case could have predicted that police failure to investigate properly the racist murder of an 18-year-old student would spark such widespread and profound changes, not just to the legal system but to society more generally. Here, Fiona Bawdon, a freelance journalist, discusses its legacy.

The Stephen Lawrence legacy

Speaking in 1999, after the Macpherson inquiry criticised his firm's failure to keep detailed notes in the earliest stages, the Lawrences' solicitor Imran Khan's candid response was: 'On a file that wasn't going anywhere at one point, which was done pro bono from day one, I'm amazed there was as much material there [in the file] as there was! Many times, I wouldn't make notes simply because we weren't preparing for trial.' Little did he know that some 19 years on from Stephen's murder, it would be difficult to think of an area of public life which the case that 'wasn't going anywhere' has not reached. The fallout from Stephen's stabbing at a bus stop in south London has spawned acres of media coverage, a play, multiple TV documentaries, various books, a public inquiry by Sir William Macpherson, far-reaching changes in legislation, developments in forensics, major reform of the Police Service and other public bodies, plus a national debate about the nature and extent of racism in this country. In the words of Paul Anderson-Walsh, chief executive of the Stephen Lawrence Charitable Trust, although Stephen's family was robbed of the chance to see him fulfil his ambition to become an architect, they have seen him become 'an architect for criminal justice change'.

Of course, the Lawrences had not set out to become a cause célèbre. Their achievements, remarkable as they are, were only ever proxies for what they really wanted: to see Stephen's killers brought to justice. Until January 2012, when two men, Gary Dobson and David Norris, were finally convicted of Stephen's murder, this was the one thing that had continued to elude them.

A sea change in policing and beyond?

It is one of the ironies of the case that the result which should have been most straightforward to achieve – convictions in a case where there was no shortage of evidence – has turned out to be the family's greatest victory, achievable only after a change in the law on double jeopardy and advances in forensic science.

Senior police figures insist that the Macpherson inquiry's finding that police handling of the case was blighted by institutional racism came as a shocking realisation and led to a transformation in the way racist crimes and victims' families are treated. Police attitudes to race are now talked about as falling into two distinct eras: the pre-Lawrence Dark Ages, which bear no comparison with the epoch of enlightenment that began post-Lawrence.

Nowhere is the sea change better illustrated than in the fact that the keynote speaker at the inaugural Stephen Lawrence Criminal Justice Lecture, held in February 2012, was Ian (now Lord) Blair, former commissioner of the Metropolitan Police, the very organisation whose bungling of the case had caused the family so much anguish. Speaking at the event, Doreen Lawrence explained how her feelings towards the police had changed: 'I remember saying at Stephen's funeral, a request came from the police to attend the service and be inside the church and my answer to that was 'No' … But things have changed. I have changed. To have partial justice for Stephen, that would not have happened without the dedication of a lot of police officers and I just wanted to say thank you to all of them.'

In his speech, Lord Blair accepted that initially the Met had 'catastrophically failed' the Lawrences, but added that subsequently it had responded with a 'complete overhaul' of its 'culture and leadership'. Aided by the Independent Advisory Group (IAG) set up in the wake of Macpherson (and later the Metropolitan Police Authority (MPA)), the Met had tackled the 'pernicious and non-overt forms of discrimination inherent in institutional racism'. Changes have been made to the system of recruitment, retention and promotion, he added, and 'to the nature of responses to critical incidents, handling grieving families and the approach to internal grievances'. The IAG and MPA had 'demanded that the Met had the emotional intelligence to begin to police not just in an unseeing one-size-fits-all way, but in a manner that demonstrates that it was interested in the experiences and expectations of policing held by different communities'.

Lord Blair cited the Met's Operation Trident and its 'Prevent' anti-terrorism strategy as examples of the new approach to 'solving crimes with communities', rather than 'doing detection to them'. 'It's a long journey, never completed, but the Met is a much better place for it,' he said.

For his part, Imran Khan is not quite so misty-eyed about the current state of

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Gary Dobson and David Norris were finally convicted of Stephen Lawrence's murder in January but the reverberations of the case are still being felt.

policing. Has there really been such a transformation in the way police deal with race issues? 'Well, yes and no,' is his measured response. 'No, in the sense that there are still lots of failures, still lots of racism, still lots of misconduct.' His own firm's actions against the police practice is 'flourishing', he says, adding that it was 'deluged with requests' after the convictions of Gary Dobson and David Norris this year.

The notion that police racism and misconduct has been done away with is 'fantasy', Imran Khan says. However, the legacy of the Lawrence case is that these are recognised as issues which need to be tackled and, crucially, there is now a legal framework, which those who have been wronged can use to remedy the situation and seek compensation. He says: 'In 1983, it was a case of trying to persuade a senior police officer to believe that a fellow officer might be racist or capable of misconduct, which was just impossible. It was a huge, huge struggle. You had to build a campaign around a case to expose that. Now, there is a mechanism in place

so you can make them do something about it. That is the change. It may seem like a small change, but it's a significant change.'

Jane Deighton, the solicitor who acted for Duwayne Brooks, Stephen Lawrence's friend who was with him when he died, agrees that the case has left a lasting legacy: 'It created national and international awareness of the extent to which racism operates within institutions,' she says. Not only has its impact spread beyond the police, but it has also 'infused' other areas of discrimination, she adds. 'Whereas before the inquiry, very few people who were needing the services of the police or other public bodies thought in terms of their right to be treated on the same basis as anybody else, that has now spread to areas like gender and sexual orientation.'

Recent failings

However, as Imran Khan himself is quick to point out, not everyone gets the kind of respectful treatment that the Lawrences have come to expect from the police. For all Lord Blair's talk of 'emotional intelligence', some grieving families are more equal than others. Nowhere is this demonstrated more forcefully than in the treatment of the parents of Mark Duggan after their son was shot dead by police last August. Ironically, Mark Duggan, whose death sparked widespread rioting, was shot by the specialist firearms unit accompanying officers from Operation Trident, the initiative which Lord Blair praised as an example of the Met's new collaborative approach to policing.

In February, the Independent Police Complaints Commission (IPCC) upheld a complaint that police had failed to inform Mark Duggan's parents of his death, causing them intense additional distress. As his mother told the IPCC: 'A mother's worst nightmare is the police coming to your door to tell you that your child is dead. Because this did not happen, I believed the worst had not happened.'

Nor did the IPCC itself fare much better (in fact, many commentators, including Imran Khan, believe that the IPCC is worse than the old Police Complaints Authority, the discredited body it was set up to replace). In her report, IPCC commissioner Rachel Cerfontyne concluded: 'What is clear from this case is that a grieving family, suffering from shock, felt badly treated by the police and the IPCC … I have told them how sorry I am that the IPCC did not provide more support, nor visit them the day after Mr Duggan's death.'

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However, this is not the only time the police demonstrated cack-handedness, rather than emotional intelligence, in relation to events in Tottenham last summer. More recently, Tottenham Borough Commander Sandra Looby (who went on holiday two days after the Mark Duggan shooting) failed to attend a public meeting at the town hall to discuss the findings of a community-led initiative into ways of rebuilding the area and improving relations with police. The meeting was attended by around 300 people, including residents, youth workers, charities, school children, local traders, politicians, media, and even representatives from Tottenham Hotspur, but no one from the police. Sandra Looby was unable to attend 'for operational reasons', and declined to send a representative.

The police absence was widely construed as a snub and condemned by local MP David Lammy, who said: 'It is with tremendous dismay and disbelief and huge disappointment that I express my sadness on behalf of the people of Tottenham that senior police officers have not come today. I believe that is a strategic mistake and is indicative of some of the strategic mistakes that have led us to this point.'

Calls for a second inquiry

Some 19 years on from Stephen's death, the final chapter on this remarkable case is still no closer to being written. As this article goes to press, it is in the news all over again. First, with the Leveson inquiry into press standards hearing testimony that a senior Scotland Yard officer was suspected of leaking information which could have jeopardised the renewed investigation (which led to Gary Dobson and David Norris's convictions this year).

Even more significantly, evidence that police corruption (not just racism and incompetence) may have blighted the 1993 investigation has emerged. The spectre of corruption has always hung over the case, despite Macpherson's conclusion that there was no evidence of it. Speaking in 1999, both Jane Deighton and Michael Mansfield QC, who acted for the Lawrence family at the inquiry, claimed that Sir William Macpherson had dodged the issue, not least by applying a higher standard of proof to allegations of corruption than he did to those of racism. Michael Mansfield criticised his two-tiered approach as 'not logical'. Jane Deighton insisted that it was 'wholly disingenuous' for the inquiry to say that it had found no evidence of collusion, when it refused to call witnesses who might have been able to furnish such proof.

It has taken another 13 years, but it seems that the likes of Jane Deighton may have been right all along. It is now being claimed that Scotland Yard withheld a report into the behaviour of one of the senior officers in the case from the Macpherson inquiry, an allegation which has prompted calls for a new public inquiry into the case. The idea of a second Stephen Lawrence inquiry nearly two decades after Stephen's murder might seem unthinkable. However, no one who has followed the twists and turns of this unique case would completely write it off as a possibility. More unlikely things have already happened, after all.

Currently, Fiona Bawdon is working as senior researcher on the *Guardian*/London School of Economics 'Reading the riots' research project into the disturbances in summer 2011. Visit: www.fionabawdon.com.