

Policemen cleared of manslaughter

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Five police officers accused of standing by while a black prisoner choked to death were cleared of manslaughter and neglect of public duty yesterday on the orders of a judge.

After hearing evidence for more than three months a jury at Teesside crown court was instructed to acquit the sergeant and four constables who were filmed by their own security camera as they chatted and joked next to former paratrooper Christopher Alder at Hull police station four years ago.

The jury was told for the first time that an inquest had returned a verdict of unlawful killing. But Mr Justice Roderick Evans told them that medical evidence was contradictory and the burden of proof required in a criminal trial was more demanding than at an inquest.

He dismissed the case against Sergeant John Dunn, 40, and constables Matthew Barr, 38, Neil Blakey, 42, Nigel Dawson, 39, and Mark Ellerington, 36. The officers, who have been suspended for four years and disciplined by Humberside police, will be reinstated but are unlikely to return to operational duties for some time.

Judge Evans said that medical evidence was crucial to the claim that the officers' action or inaction contributed to Alder's death. The victim, who was decorated in Northern Ireland, had been arrested and manhandled after becoming aggressive at Hull royal infirmary, where he was taken for treatment in April 1998 after a fight outside a nightclub.

Expert evidence had been contradictory and could not be reconciled. The prosecution had failed to establish beyond reasonable doubt that the officers were wilfully guilty of neglect.

The chairman of Humberside Police Federation, Stuart Downes, said: "They have maintained from day one that it was nothing more than a tragic accident."

Christopher Enzor, head of the crown prosecution service's casework directorate in York, said: "We stand by the decision to prosecute in what was always going to be a difficult case. The key problem was proving that the actions and omissions of the five police officers contributed more than minimally to the tragic death."

Ruth Bunday, solicitor for the Alder family, compared the case to that of the murdered black teenager Stephen Lawrence, and called for a public inquiry.

"There is a parallel in terms of missed opportunities, of evidence not collated, of evidence destroyed, of evidence not followed up."

Christopher Alder's sister Janet, 40, said: "After four years of setbacks, this is not such a shock. We are not deterred in our fight for justice."

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