



INDEPENDENT

# Mills acts to cool fears on police cases

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The Director of Public Prosecutions announced safeguards over its handling of complaints against the police last night after judges quashed a decision not to prosecute police officers already found by a court to have tortured a suspect.

It was the third judicial review case within a week in which the DPP, Dame Barbara Mills, and the Crown Prosecution Service have been found to have mishandled cases of death or ill-treatment in custody.

Lord Justice Rose and Mr Justice Jowitt said Dame Barbara's department had made a "flawed" decision not to prosecute four former members of the now disbanded West Midlands Serious Crime Squad.

The case was brought by Derek Treadaway, to whom Mr Justice McKinnon had already awarded pounds 50,000 in damages in a civil claim for battery.

Mr Justice McKinnon found "on a high degree of probability" that officers had obtained a confession to robbery by subjecting Mr Treadaway to torture through suffocating him with plastic bags.

The demand for a CPS rethink on the case follows similar orders last week regarding the handling of the deaths in police custody of Richard O'Brien and Shiji Lapite.

Dame Barbara announced last week an urgent, independent inquiry into decisions not to prosecute the officers in the cases. That inquiry, headed by Judge Butler, will be extended to cover the latest judgment.

The safeguard that decisions on deaths in police custody would not be taken by the CPS without independent advice will also be extended to cover possible charges of serious assault against the police.

The DPP and the CPS must reconsider whether to prosecute the four officers - Det Supt John Brown, Det Insp Timothy Russell, Det Sgt Alan Pickering and Det Insp James Price.

Raju Bhatt, Mr Treadaway's solicitor, said: "In Mr Treadaway's case, as in the case of Lapite and O'Brien, the decision-makers have appeared intent on seeking excuses not to prosecute."

The CPS decided in August 1995 that there was insufficient evidence to provide a realistic prospect of conviction but that approach was rejected as unreasonable and unlawful by the judges yesterday.

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