

**CROWN PROSECUTION SERVICE NOT TO PROSECUTE PRISON  
OFFICERS FOLLOWING UNLAWFUL KILLING OF BLACK PRISONER  
1<sup>st</sup> JUNE 2001**

The Crown Prosecution Service (CPS) announced today (1 June 2001) that they will not prosecute any prison officer in connection with the restraint related unlawful killing of Alton Manning in Blakenhurst Prison on 8 December 1995. This is the fourth time they have come to this conclusion. The jury at the inquest into his death in March 1998 reached a unanimous verdict of unlawful killing and that he died of asphyxia as a result of a neckhold applied by prison officers.

Deborah Coles Co-Director of INQUEST who has worked with Mr Manning's family since his death said:

“The evidence which emerged at the inquest established that Alton Manning died a brutal, inhuman and violent death as a direct result of the unlawful and excessive violence used against him by prison officers and yet nobody is to be held criminally responsible or indeed accountable for this appalling death. This decision once again brings the entire criminal justice system and the role of the CPS into disrepute. The family of Alton Manning has been utterly failed. This death and its investigation have revealed corporate culpability that will go unpunished.

Raju Bhatt, a partner at Bhatt Murphy Solicitors and the solicitor acting for the family of Alton Manning said:

“The reasons now given by the CPS and the DPP for their continuing refusal to prosecute appear to be those that have already been considered and rejected by all those who have previously been asked to examine the case. In the eyes of Mr Manning's family, this can only signify their continuing determination to avoid the implications of the available evidence at, it would seem, any cost to the credibility of the criminal justice system and the rule of law.

It is clear that the CPS and the DPP have yet to recognise the lessons of their previous failures in their handling of cases of deaths in custody or the consequent burden borne by families who have lost their loved ones in the arms of those responsible for upholding law and order.

All options available to the family will be considered, but in the first instance they will seek to bring under scrutiny the reasons given for the continuing refusal to prosecute by the CPS and the DPP”.

Note to Editors

This is the fourth successive occasion on which senior lawyers within the CPS have looked at the case and declined to institute any prosecution:

# n q u e s t

- Twice in 1996, on the basis of a flawed initial investigation by West Mercia Police which remains the subject of an outstanding formal complaint on behalf of Mr Manning's family;
- Then in 1999, following a unanimous verdict of unlawful killing returned by the inquest jury in Kidderminster on 25 March 1998, and the ensuing referral of the case back to the CPS by the presiding Coroner;
- And now, in 2001, following the ruling of the Divisional Court on 17 May 2000 upon an application for judicial review on behalf of Mr Manning's family, that the explanation proffered in 1999 for the refusal to prosecute was unsustainable in law.