

# British police officer convicted of brutal assault released from prison after six days

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British police sergeant Mark Andrews, 37, convicted of the brutal assault of a 57-year-old woman, was released from prison after only six days. He had been found guilty at a magistrates court hearing in Oxford earlier in the summer and was sentenced at the beginning of September to six months in prison.

He was convicted of assaulting Pamela Somerville in the police station in the town of Melksham in Wiltshire, England. The incident took place in July 2008. The previous evening, following a row with her partner, Somerville had gone out in her car intending to drive to her daughter's house. Instead, feeling sleepy, she pulled over the car, parked up and slept till the following morning.

When she woke up, she was unable to drive off as the battery had gone flat because she had used the car heater. She came to the attention of police, who approached her and assumed she had been drinking. According to the police she was asked to give a breath sample (to test for alcohol consumption) and refused. However, Somerville disputes this account. According to her, she was simply handcuffed and then thrown over the back of a car.

On arrival at Melksham police station she was met by Andrews, who was the custody sergeant on duty. Somerville demanded to know why she had been arrested and brought to the police station. Her pleas were not answered, and she was put in a cell. She then slipped out of the cell to try to ascertain why she was under arrest.

The horrific events that followed were caught on the police station CCTV system. The CCTV footage was played on national television news, following the sentencing of Andrews in September this year. Andrews can be heard shouting at her, "Oh shut up. Listen to me. You are in my custody now and you will

be quiet and you will listen. Do you understand?"

The footage then shows Andrews, who is over six feet tall, dragging Somerville across the floor of the police station lobby and throwing her face down on the concrete floor of the police cell. Somerville, stunned by the brutal treatment, slowly comes to and gets to her feet. Blood can be seen gushing from a gash above her left eye. She then staggers around the cell calling out for help.

An ambulance was eventually called, and Somerville was taken to the Royal United Hospital in Bath. With blood spurting from her mouth, she reports fearing she was going to die when being driven to the hospital. At the hospital she received stitches for the gash above her eye. Photos taken at the time show her left eye almost completely closed, and her shirt covered in blood.

She was never charged with any offence.

Two years on Somerville is still traumatised by what happened. She may need an operation on her eye. She told the *Guardian*, "I still find it hard to watch the images of me staggering to my feet with blood pouring from a head wound.... I remember how terrified I was. It seems utterly barbaric that an innocent person could be treated in such a horrific and violent way.... I could have died. What happened to me was extraordinary.... My vision is still affected. It's as if I am looking through a cloud. And the whole of the left side of my face is now lower than the right, like a stroke victim".

It was only because Andrews's assault on Somerville was reported by another police officer that the Independent Police Complaints Commission (IPCC) became involved. The IPCC then referred it to the Crown Prosecution Service (CPS), who charged Andrews.

Even though convicted of a serious assault and sentenced to six months, he was released on bail after

less than a week pending an appeal at a hearing behind closed doors at Oxford Crown Court.

Given the publicity surrounding the case, the police authority had no option other than to dismiss him from the police service. But he is now back on full pay, pending the hearing.

An allegation of assault by police officers at the same station has been made by a 50-year-old man, suffering from cancer, who says was taken there after calling an ambulance because of a heart condition. He claims he was assaulted by police before being transferred to hospital.

Andrews's conviction was the exception, not the rule. Police carrying out assaults, in some cases resulting in death, usually suffer no consequences and remain on active duty.

Last year Ian Tomlinson, a newspaper vendor, died at the April G20 protest in London, after being struck and pushed to the ground by PC Simon Harwood of the Scotland Yard Territorial Support Group. Tomlinson was not part of the protest and had simply been trying to get home. He was walking away from the police line when he was attacked. Footage of the attack was taken by protesters at the demonstration and shown on national news.

The CPS did not charge Harwood because of disagreements by the coroner's service about Tomlinson's cause of death. Two experts had said his death was a result of internal bleeding. However, the pathologist Freddy Patel, who carried out the first post mortem, said death was from natural causes.

Patel's professional competence as a forensic pathologist has been brought into question over cases he has been involved in, including that of Tomlinson, and has now been suspended from the medical register.

According to a *Daily Mail* article of September 8, the results of a third post mortem on Tomlinson, carried out on behalf of PC Harwood, are being withheld from the coroner.

In March this year, police Sergeant Delroy Smellie of the Metropolitan Territorial Support Group was found not guilty of assaulting Nicola Fisher, a protester at last year's G20 demonstration. This was in spite of video footage showing him striking her head with the back of his hand and her legs with his baton. Fisher, a slight woman, was posing no physical threat to Smellie.



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