

Vellino v Chief Constable of Greater Manchester Police [2002]

Evidence

The claimant's neighbors often called the police to arrest him, as Mr. Vellino constantly broke the law by causing noise after a late hour. When the police arrived, Mr. Vellino who dwelled in the apartment on the second floor, used to jump down from his balcony and run away. The same situation took place when this case was raised. The claimant had a party in his apartment and when the police arrived and after some fights, he jumped down from his balcony again. However, this time, this jump resulted in severe damages to the claimant's health, which made him bring action against the Chief Constable for negligence during the arrest.

Problematics

The plaintiff tried to persuade the court that the police had to take care of the suspect during the arrest. However, the legislation states that the police are liable for the suspect's health only when the arrest was prosecuted. The claim was denied.

Resolution

The police have no liability over the suspect during the arrest—only when the suspect is already arrested. The police did not force the suspect to run away and to risk his or her life. The claimant is the only one who is liable for his state as he knew that his acts were dangerous. Asking for a recover of damages after the escape attempt is a claim that is beyond public policy. The claimant submitted an appeal which was dismissed as well.

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