

Innocent

A five part serial by Chris Lang and Matt Arlidge

On the 12th October 2013, after key forensic evidence was finally proved to be based on questionable science, the presiding judge at Preston Crown Court deemed David John Collier's conviction for the murder of his wife in November 2008, to be unsafe. Within minutes of the judge's verdict, a retrial had been ordered, and David, released now from custody, was ushered outside to face a press that had once labelled him a monster. And as his lawyer railed against one of the 'worst miscarriages of justice in British legal history', David stood quietly behind him, trying to absorb the implications of what had just happened.

That after five years in a high security prison, he was once again a free man. That after five years of protesting his innocence, he would soon be able to see his children again. That after five years of campaigning and petitioning, he could now start to try and repair the shattered relationships with *all* of his family and friends. And perhaps most importantly, that after five years of not being able to properly grieve, he could finally now join the ranks of legitimate mourners for his beloved wife, Tara.

This was what he hoped for as he stood on the court steps. 'Innocent' is the story of what *actually* happened over the next eighteen months.

Tara and David Collier were married in 1998, when he was a 27-year-old budding entrepreneur and she was 25 and enjoying her career in sales and marketing. Kids followed in 2000, firstly a girl, and then a year later a boy. At that point she gave up work, as David's company was doing well and she enjoyed being a full time mum. To most outsiders it would have seemed they had a pretty perfect life. The reality, as the trial revealed, was rather different. They both drank too much, and from 2005/6 were regularly rowing about her desire to return to work now the kids were both at school. In 2007 she did return, just as David's business began to falter, before it went down catastrophically in 2008, in the wake of the credit crunch. Luckily she was doing well, and they were not in trouble financially, but tensions ran very high between them (according to her sister) and David had apparently hit Tara on at least one occasion. A joint life insurance policy meant that each would benefit to the tune of half a million if either died.

On the 5th November 2008, Tara went out in Blackburn for a drink with her sister. The evening wrapped up at about 10.45, and Tara got the last train back to Preston. The last sighting of her alive, was walking out of Preston station at 11.38.

When she didn't return home that night, David immediately called the police, and over the next week the papers were full of the story and David's tearful television appeals for information leading to her safe return. Nine days after she disappeared her body was found in the estuary of the River Douglas. Forensic evidence suggested that she had been strangled with a ligature (which matched chord found in their loft) and that actually it was David who had transported her to the river in his car. He always vehemently denied this (although his alibi for the night was weak) but two weeks after the murder he was arrested and charged, and on the 13th of March 2009, he was convicted of his wife's murder and received a life sentence, with a recommendation he serve no less than fifteen years.

But then five years on, the evidence placing Tara's body in his car is found to be based on unproven science and with no other conclusive proof, David conviction is deemed to be unsafe, and he is

released, with as many questions ringing in his ears as there are on the lips of everyone who knows him. But the one question *everyone* is asking, and the one that forms the narrative backbone of the story, is did this man just get out on a technicality, or is he indeed an entirely innocent man?

Immediately following his release David takes refuge with his older brother, Gerry, one of the few who never stopped believing in him, and who campaigned alongside him, writing letter after letter to MPs and newspapers to have his brother's case re-opened. Gerry will, over the next year, be one of the constants in David's life, as he struggles to adjust to a life outside the confines of a prison cell, a cell where at least he could hide from a world who had judged him evil. David has no parole officer - the 'innocent' do not get parole - and he has no money. So it is Gerry who shops and cooks for him as David tries to deal with the stares and whispers of a community that still believes he did it. And even as he deals with this, even as waits for the retrial, even as he visits his wife's grave for the first time, and spends time with his own parents and the occasional old friend, he also starts to try and re-establish contact with his kids.

The children were taken on by Tara's sister and husband, Rob and Alice, after David was arrested, and then a special guardianship order sought and gained a few months in to David's sentence. The kids were old enough at the time (6 and 7) to have sort of understood what happened to mum and dad, but perhaps young enough to have now largely forgotten their life with them. Or so Rob and Alice would like David to believe. Unable to have kids of their own, in many ways their 'adoption' of Jack and Rosie, was the best thing that ever happened to them, and they absolutely do not wish to give them up. And nor are the kids desirous of leaving their school, their friends, their 'parents', to live with a man they hardly remember (he eschewed his brothers attempts to bring them for prison visits, for perhaps understandable reasons) and who they had always believed murdered their mother.

This also feeds in to David's relationship with Tara's mum and dad because even as he fights to regain the love, trust and ultimately custody of his kids, he must deal with in laws who still, perfectly understandably, believe he killed their daughter. So we will play their story too, as they struggle to find a way through, and as their certainty that David is simply a man who got away with it, is slowly eroded by the increasing possibility that the police have done him a terrible wrong.

So the custody battle is an ethical and legal minefield for the children's courts, and one that will be fought by a man who has no money, no confidence, and who at the same time is also desperately trying to push forward the police investigation in to Tara's real killer. And indeed the fallout of the failed case for the old investigative team, and the slow but determined construction of a new investigation and team, will form another of the key narrative thrusts of the serial.

In the immediate wake of David's release, D. Spt Bill Coulson, the original investigating officer, makes an announcement that 'no further suspects are being sought in connection with the case'. Shorthand for 'we still think he did it'. But Kathy Hudson, the D.I who will eventually take over a new investigation, was a junior detective on the original investigation, and had serious concerns about the line her boss took even back then - specifically Coulson's narrow focus on David Collier as the only credible suspect. In the years since David's imprisonment Kathy's doubts (and guilt) have only increased, as David continued to protest his innocence from inside his prison cell. She will take these concerns higher, and eventually, in the face of mounting public and political pressure, a re-investigation will be launched.

Coulson, now a desk jockey, remains a very popular officer and neither he nor a sizeable proportion of the C.I.D. team at Preston nick, are very happy about Hudson challenging what they still consider to be a safe conviction. But she *will* nevertheless challenge it and over the course of the serial, Hudson will throw out all of the received ideas about what happened on the night of Tara's murder, and start

to develop an entirely new theory about who might have actually killed her, that is as shocking as it is left of field. Neither Coulson nor Hudson are bad people (this is not 'hard bitten old pro' versus 'gung ho rookie') they're both just decent coppers who are struggling to keep their feet on shifting sands - it's the fact that they both *do* care, that makes it so hard. Matters are further complicated by Kathy Hudson's growing feelings for Collier. Is David Collier playing on her sympathy to help her clear his name or are his reciprocated feelings genuine? Is she driven by feelings of guilt, loneliness or something more meaningful? And what if she's got him all wrong?

And then there is Alan Rolfe, an old friend of Tara and David's, who had, it transpired during the investigation, borrowed ten thousand pounds for a business venture from Tara (without David knowing). Money he had then been unable or unwilling to pay back. In the end Alan was able to provide a seemingly watertight alibi for his whereabouts at the time of the murder, but not before he had alleged that his old school friend David had once told him he had often felt the impulse to strangle Tara when they were rowing. David denied he had ever said such a thing, but it was damning evidence. Nearly six years on, Alan's business venture is now extremely successful, but David's release will threaten everything. It will precipitate further investigation in to Alan's original alibi and will place intolerable strain on his marriage, as his work colleagues and wife are forced to consider what sort of a man could implicate a good friend, to save his own skin. It is a question David has been asking himself for five years in his tiny dank shit stinking prison cell. And now he wants the answer.

Playing alongside of this will be the story of Victoria Campbell, the pathologist who provided the evidence that largely convicted David. An eminent expert in her field, she is deeply affected by the unsafe verdict and also the press's ruthless recasting of her as a haughty incompetent, with David as a tragic victim of a miscarriage of justice. Several other cases she has worked on are questioned and she now faces professional ruin, which makes it all the more remarkable, when it is she who finds and presents to Kathy a breakthrough piece of evidence, that helps not her own case, but David's.

The piece will move toward a very defined conclusion, when against the odds, this new forensic evidence allows Kathy's team to turn their gaze toward a very surprising suspect, and ultimately, not only conclusively prove both that person's guilt, but also of course, finally and unambiguously exonerate David. That this will involve Tara's mother accepting that Tara was having an affair is excruciatingly difficult for her, her daughter having become something more than perfect since she died. That Tara's infidelity and weakness might have played some part in her own tragic brutal death, is almost too hard to bear.

That this information will turn out to have been known and then concealed by her sister is also deeply significant. Not only did Alice gain custody of the children when David was imprisoned, the estate's trustees granted her access to Tara and David's money and house to fund the raising of the children. That other significant testimony from Alice (that David hit Tara) will turn out to be untrue, will send further shock waves through this family and will ultimately compromise Rob and Alice's marriage.

That the real culprit had, in the intervening years gone on to attack other women, killing one of them, makes the failure of the original police investigation even more important. That this man will turn out to be David's brother, who had a brief liaison with Tara that she quickly tried to end, will stun everyone.

'Innocent' is the story of one man's fight to rebuild his shattered life in the face of almost insuperable odds, even as many in his own family and community continue to assert that there is no smoke without fire. It is about what it feels like to be labelled a monster when you know you have done nothing wrong, but also about how you can find love and inspiration in the most surprising places.

And ultimately, as David, Kathy and family move tentatively towards a brighter future, it is about how the love we have for our kids gives us the strength to persevere when all seems lost.