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Major breakthrough for inquest law Sacker and Middleton - House of Lords Ruling Returned

Today's ruling in the House of Lords signifies a major breakthrough for inquest law. The essence of these decisions is that they require an inquest to return verdicts which properly reflect (a) whether a person takes their own life in part because the dangers of their doing so were not recognised by the prison authorities and (b) whether appropriate precautions could have been taken to prevent the death. These two judgements have the power to open up the inquest system.

The family of 22-year-old Sheena Creamer who died in HMP New Hall on August 7th 2000 today expressed their relief at the ruling that a new inquest would be held.

The coroner had neglected to leave a verdict of neglect in the original inquest even though the evidence heard was indicative of neglect by the Prison Service. The legitimacy of the original inquest was then challenged by the family solicitor, Peter Mahy, Howells.

The House of Lords were also examining the death of 31 year old Colin Middleton who died on 14th January 1999 at HMP Bristol. Colin Middleton's first inquest was quashed for want of sufficient enquiry, and a second inquest was held over three days in October 2000. However the Coroner failed to leave a neglect verdict and the jury was forced to hand a note to the coroner communicating that the Prison Service had failed in its duty of care for the deceased.

As a result the House of Lords examined these cases and the way that the law was applied in each one and also where the responsibility lay with regard to care.

Deborah Coles co-director of INQUEST says: "INQUEST commends the decision made by the House of Lords and hopes that this will result in a more meaningful inquest system where the Prison Service is held accountable for its actions. No family should have to endure a death that does not result in thorough scrutiny of individual and systemic failings."

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