

## PRESS RELEASE

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### CORONER OVERRULED IN CHILD DEATH IN CUSTODY CASE

The Administrative Court has found that a coroner acted unlawfully when conducting an inquest into the death of Adam Rickwood, a 14 year old boy who died in Hassockfield Secure Training Centre (STC). The Coroner for the North and South Districts of Durham and Darlington refused to rule on the legality of the force used on Adam shortly before his death and Mr Justice Blake considered that this resulted in a flawed inquiry and verdict. A new inquest will now have to be held.

Adam was 14 years old when he was found hanging in his cell at the privately-run Hassockfield STC on 8 August 2004. It was Adam's first experience of custody. In his cell after his death were found two documents: a farewell letter to his family and a statement complaining about his treatment at Hassockfield STC earlier in the day, when he had been restrained by staff for refusing to go to his room. In his note he indicated that:

*"My nose started bleeding and swelled up it didn't stop bleeding for about one hour and afterwards it was swelled badly and really sore and hurting me a lot when I clamed down I asked them why they hit me in the nose and jumped on me they said it was because I wouldn't go in my room so I said what gives them the right to hit a 14 year old child in the nose and draw blood and they said it was a restraint." (emphasis added)*

Mr Justice Blake has ruled that the force used against Adam amounted to an "assault on him", was in breach of the relevant Rules, and breached article 3 of the European Convention on Human Rights. He commented that:

*"There was no right to hurt such a child in these circumstances. In my judgment it is fanciful to suppose that such an answer could have had no impact on the jury's consideration of factors contributing to the death." [para 71]*

He went on to hold that the treatment of Adam was not unique, but was a persistent practice in Hassockfield which breached the law.

Adam Rickwood's mother Carol Pounder commented that;

*"Nothing can bring Adam back. All I have ever wanted is to find out the full truth about what happened to Adam and for those with responsibility to be held to account and to try and ensure that other families do not have to go through what my family has."*

continues...

# Inquest

Mark Scott, of Bhatt Murphy Solicitors who act for the family of Adam Rickwood, commented that;

*" It appears that many children have been assaulted over the course of many years in privately run STCs. It is impossible to understand how this state of affairs could have taken place and been allowed to have continued by the YJB and those with responsibility for overseeing the acts of the private companies who have been entrusted to detain vulnerable children. It is my client's hope that a fresh inquiry can lead to a proper and full investigation so that lessons can be learned."*

Deborah Coles, Co-Director of INQUEST, said,

*" This judgement confirms the grossly inadequate response at all levels – the Youth Justice Board, government, and the inquest system to the death of a 14 year old child in state custody following the use of unlawful painful restraint. That serious questions remain about the safeguarding of children's human rights in custody highlights the utter inadequacy of the current investigation and inquest system in these highly complex cases. It is imperative that the new Coroners and Justice Bill currently before Parliament addresses these problems."*

## Notes to editors:

INQUEST is the only non-governmental organisation in England and Wales that works directly with the families of those who die in custody. It provides an independent free legal and advice service to bereaved people on inquest procedures and their rights in the coroner's courts and conducts policy work on the issues arising.

INQUEST is campaigning to ensure that the Coroners and Justice Bill 2009 results in fundamental reform of an inquest system currently hampered by delay, inconsistency of approach and lack of resources and unable to fulfil its vital function of preventing unnecessary deaths.

The government must also make changes to ensure that bereaved families can participate effectively in inquest hearings by having equal access, alongside the police and Prison Service, to non means-tested public funding for their legal representation.

Further Information	<a href="http://www.inquest.org.uk">www.inquest.org.uk</a>
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<a href="#">Full text of the judgment</a>	
<a href="#">INQUEST's briefing on the death of Adam Rickwood</a> (PDF)	
<a href="#">INQUEST press release on original inquest verdict</a> (PDF)	
<a href="#">The Coroners and Justice Bill 2009</a>	