

## POWERFUL CALLS FOR A PUBLIC INQUIRY INTO THE DEATH OF JOSEPH SCHOLES AT PALIAMENTARY BRIEFING ON CHILD DEATHS IN CUSTODY

### Report of INQUEST's parliamentary briefing on Child Deaths in Custody 4 July 2006

The briefing meeting was hosted by the Scholes family's constituency MP, Chris Ruane and chaired by former Chief Inspector of Prisons, Lord Ramsbotham GCB, CBE. It was addressed by Joseph's mother Yvonne, Deborah Coles, co-director of INQUEST, and Baroness Stern. The meeting was well attended and also heard powerful testimony from the families of children who have died in custody on the urgent need for a public inquiry.

Speaking at the meeting Yvonne Scholes said:

*Since 2002, while Home Office ministers have been preoccupied with ensuring that they evade accountability for Joseph's death, a further five imprisoned children have lost their lives. Home Office ministers and their cohorts demonstrate callous indifference to the grief of bereaved families and force them to suffer years of agonising psychological torture in the legal arena.*

*I am appalled that the tragic deaths of Ian Powell, Gareth Myatt, Adam Rickwood, Gareth Price and Sam Elphick, which have brought the awful toll of death to 29, have not been sufficiently shocking to finally force through a public inquiry encompassing all the deaths. Instead their families too face many years of distressing delays before any kind of public scrutiny of the circumstances which led to the loss of their children. I think you will all agree that to delay justice is to deny justice.*

Jean Elphick, mother of Sam Elphick who died in Hindley YOI in September 2005, said:

*We are going to fight this all the way and we will get a public inquiry at any cost. It's not going to bring him back, it's not going to bring any of them back. But we want and we need peace of mind and we need closure. We need to know that it is not going to happen again to somebody else's son. That's all we are asking for.*

Carol Pounder, mother of Adam Rickwood who died in Hassockfield Secure Training Centre in August 2004 said:

*They had restrained Adam during the day [of his death] that caused Adam to bruise and bleed. If 'd have done that to my son I would have been locked up, but they are allowed to do it. Why won't they allow public inquiries into these children's deaths?*

Zahid Mubarek's uncle Imtiaz Amin spoke in support of the struggle for a public inquiry, drawing from his families' own experience:

*I've been in contact with a number of victim's families whose hopes are also expressed in [the Mubarek Inquiry]. With such families we have a common aim: that is, the culpability of the prison service in the tragic deaths of our loved ones and the difficulty faced in finding out the tragic facts. Our legal challenge in the House of Lords gave us the victory which resulted in a public inquiry. This highlights the need for victim-lead campaigning.*

Baroness Vivien Stern, member of the Parliamentary Joint Committee on Human Rights, said:

*This is a human rights issue because everyone has the right to life and when the state takes away liberty it has a duty to protect life. What you have all said today makes it very clear how grossly the state has failed. It is also a duty whenever there is a death in the care of the state that there should be a proper and prompt investigation. Those who attack the human rights framework of this country should bear in mind that it protects everyone's right to life and everyone benefits. This could be anyone's child. A lot of people get sent to prison who clearly and manifestly should not be there. Sending them there is not only a lack of normal human empathy, but in some cases it is an act of gross cruelty.*

INQUEST's co-director Deborah Coles said:

*The closed world of penal custody means that it is absolutely vital it is open to independent inspection and investigation and held to account when human rights abuses occur. What greater abuse of human rights can there be than a child dying in custody? Investigations and inquests into deaths in custody are subject to appalling delay, are limited in remit and cannot deal with the thematic issues that these deaths raise. The case for a public inquiry is as urgent and pressing as it was when the coroner at the inquest recommended such an inquiry at the conclusion of the inquest into Joseph Scholes.*

In his concluding remarks, Lord Ramsbotham said:

*I have noticed that the Prime Minister wants to rebalance the scales of justice in favour of the victims. If he really means this, what better illustration could he give than announcing that he is going to allow a public inquiry and press for it as soon as possible?*