

Welcome to the October issue of the INQUEST e-newsletter. This is a print version provided for those who may not have easy access to the email edition; however, more details and links can be accessed via INQUEST's website <http://www.inquest.org.uk> where you can also sign up for the email edition.

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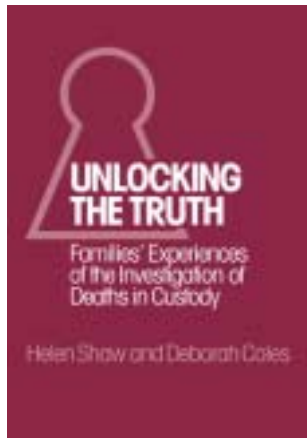
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NEWS

- INQUEST launches groundbreaking new book



On 27 September INQUEST published a groundbreaking new book *Unlocking the Truth: Families' experiences of the investigation in deaths in custody* (2007: INQUEST). The book describes the experiences of families bereaved by deaths in custody from the time of death to the conclusion of the investigation and inquest and situates them within the political, recent historical and legal context. It makes 80 recommendations covering how the post death investigation system could ensure better treatment of bereaved families in relation to

notification of the death, access to the body and the post mortem examination, provision of information about the investigation and inquest, the role of the voluntary sector, the conduct of the investigation, what a reformed inquest system should deliver, legal representation for families and the provision of support for bereaved families. It also makes two key overarching recommendations that argue for extensive improvements following the conclusion of the investigation and inquest to improve accountability, learning and preventative action, and for the creation of a Standing Commission on Custodial Deaths.

A review of the book in the Guardian can be found [here](#). Copies can be ordered from our [website](#) and an executive summary is available to download [here](#).

- Family of Nadeem 'Dean' Khan launch campaign for justice

On 30 June, 28 year old Nadeem 'Dean' Khan died after he was taken into police custody in Burnley following what officers described as a "violent struggle". Early press reports alleged that Dean was sprayed with CS and that restraint played a part in his arrest. Dean was taken to Burnley police station but became ill a short time later and was taken to Burnley General Hospital where he died. Dean's family is being represented by INQUEST Lawyers Group member Joanne Kearsley.

Over the summer Dean's family held a [demonstration](#) and [community meetings](#) in Burnley to raise awareness of his death. The family have expressed concerns about the independence of the IPCC investigation, as the individual in charge of the investigation had previously worked for Lancashire Constabulary for 27 years between 1974 and 2001 and for Greater Manchester Police between 2001 and May 2007. More details

on the family's complaint can be found in a [statement](#) published by their solicitors.

- **Health and safety trial of the Metropolitan Police begins over Menezes shooting**

On 1 October the health and safety prosecution of the Office of the Commissioner of the Metropolitan Police began over the killing of Jean Charles de Menezes. The trial raises interesting questions about the types of prosecution that can be brought following a death in custody although it has been heavily criticised by the Menezes family as no individuals will be held responsible through the prosecution resulting in no personal accountability for those who ordered and carried out Jean's killing. Furthermore the ultimate sanction is a fine paid by the taxpayer. INQUEST is monitoring the trial which is scheduled to last for six weeks.

- **Inadequate government response to deaths of children in custody**

In July, the government announced that it would be conducting a review of the use of restraint on children in Secure Training Centres. The parliamentary Joint Committee on Human Rights is currently conducting an [inquiry into the use of restraint](#) in Secure Training Centres. INQUEST has submitted [written evidence](#) to the inquiry and reiterated our call for a public inquiry into child deaths in custody which could holistically address all the issues concerned.

INQUEST believes that the governmental review is an inadequate response to the evidence which emerged from the Adam Rickwood and Gareth Myatt inquests that showed the dangers children are currently being exposed to in Secure Training Centres (STCs). In late October INQUEST will be accompanying the mothers of Adam Rickwood and Gareth Myatt and members of their legal team to a meeting with the Secretary of State for Justice, the Rt Hon Jack Straw MP to discuss our concerns further. We are also contributing to and supporting a judicial review of the Statutory Instrument which extended the use of restraint on children in STCs.

- **Police officers disciplined action for negligent behaviour following death of Tony Davies**

[Five police staff have been disciplined](#) for failing to care for a man who died after being left in a cell for ten hours without appropriate health checks. At the inquest into his death the coroner raised concerns about the failure of police officers to run checks on him while he was in custody. A police inspector, two sergeants and two detention officers

have now been disciplined. A custody inspector was fined 13 days' pay for neglect in the performance of his duties and two civilian police staff detention officers were found guilty of gross misconduct.

- **Inquest into the death of 18 year old Daniel Nelson demonstrates how current system is failing**

The jury at the inquest into the death of Daniel Nelson at Doncaster Young Offender Institution in September 2005 returned an open verdict into his self-inflicted death. At the inquest, the coroner refused to let the jury see the Prison and Probation Ombudsman's report into his death which raised concerns about the treatment Daniel received and found there should have been "more robust measures" to prevent his death.

INQUEST believes that this case demonstrates how the current inquest system is failing many families through unclear guidance over what investigations should cover and what kind of verdicts juries can deliver. After a two year wait for an inquest the family of Daniel Nelson are no closer to getting the answers they deserve about how he came to die. INQUEST's press release about the verdict can be found [here](#) and further press coverage on the case can be found [here](#) and [here](#).

- **Highly critical verdict at the inquest into the death of vulnerable teenager Steven Hart**

The jury at the inquest held at Harrogate Magistrates Court five years after the death of mentally ill teenager Steven Hart returned a narrative verdict on 15 October 2007. Their findings were critical of the way he was treated by those responsible for his care. Steven died when he was hit by a car on the A1, nine and a half hours after discharging himself from a psychiatric hospital and being left to wander the countryside penniless and lost, despite 999 calls to the police from members of the public concerned about his disturbed behaviour. More information on the background to his case and the inquest can be found [here](#).

- **IPCC fails to recommend disciplinary action in Roger Sylvester case**

The family of Roger Sylvester expressed deep disappointment at the decision of the IPCC in August not to recommend any disciplinary action for the police officers involved in Roger's restraint-related death. A copy of the family's press statement to the decision can be found [here](#). The decision by the IPCC follows a pattern of institutional reluctance by the body to recommend disciplinary action following a death in police custody. INQUEST believes the IPCC has increasingly been found wanting and lacking in the kind of decisive leadership needed to maintain public confidence in accountable policing.

- **Forum for Preventing Deaths in Custody publishes first annual report**

In September the Forum for Preventing Deaths in Custody published its first [annual report](#). INQUEST sits on the Forum as the only non-governmental organisation amongst representatives from across the penal estate including the Prison Service, the police, the Youth Justice Board, coroners, the IPCC and the PPO. Whilst INQUEST welcomes bringing individuals together from across agencies to discuss deaths in custody, we maintain that the way the Forum is organised and its lack of resources means it does not have the ability to effect change. We welcome the fact that the Forum is currently being reviewed and hope it is replaced with a much stronger body. INQUEST's response to the Forum's annual report can be found [here](#)

STATISTICS

- **Worrying rise of self-inflicted deaths in prison**

INQUEST is concerned about the worrying number of self-inflicted deaths in prison to the end of September this year. Already the number of self-inflicted deaths has overtaken the total for 2006. INQUEST believes these deaths must be seen in the context of the overuse of prison and overcrowding which reduces the Prison Service's ability to carry out its duty of care.

Deaths in prison 2007

<i>Classification</i>	<i>Number</i>
Self-Inflicted	70
Non-Self-Inflicted	68
Homicide	2
Awaiting Classification	2

Deaths in police custody 2007

<i>Type</i>	<i>Number</i>
Custody	19
Pursuit	8
Road Traffic Accidents	5
Shooting	4

Source: INQUEST casework and monitoring

ABOUT INQUEST

- **Staff changes**

We welcome a new addition to our casework team, Naomi Lumsdaine, who has just started working for INQUEST covering Scarlet Granville's maternity leave.

- **UFFC procession – 27 October 2007**



The annual [United Families and Friends Campaign](#) remembrance procession will take place in London on Saturday 27 October, assembling in Trafalgar Square at 1pm. Every year since 1999, relatives and friends of those who have died in custody march to remember their loved ones – and make sure the government does not forget them.