

NEWS FROM INQUEST

What INQUEST Wants from the Next Government

● For over twenty years INQUEST has campaigned tirelessly on reform of the inquest system focusing on contentious deaths, in particular deaths in custody. Proposals for reform in a white paper are promised shortly after the election on 5 May if the current government is re-elected. During the general election campaign let the candidates in your constituency know what you think about the inquest system and contentious deaths. INQUEST wants the next government to:

- Prioritise reform of the inquest system and make the necessary resources available;
- Hold a public inquiry into deaths of children in custody;
- End the use of penal custody for children;
- End the imprisonment of asylum seekers;
- Ensure a dramatic reduction in the whole prison population;
- Divert vulnerable people from prison and create more community based alternatives;
- Implement the recommendations of the parliamentary Joint Committee on Human Rights (JCHR) Inquiry into Deaths in Custody;
- Use the criminal courts to prosecute state agents whose actions or omissions have led to deaths in custody;
- Set up an independent body to investigate deaths of detained patients in psychiatric care;
- Ensure the proposed changes to corporate manslaughter become law and that prisons are included. ■

Joseph Scholes Public Inquiry: Government Says No

● In February the government published its response to the parliamentary Joint Committee on Human Rights report Deaths in Custody. In reply to their recommendation that there should be a public inquiry held into the death of 16-year-old Joseph Scholes, also supported by 111 MPs, peers and key children's rights and penal reform organisations, the government rejected the call and said that they had considered an inquiry but concluded that it was unlikely to bring to light any additional factors not already uncovered in the earlier investigations. This is unacceptable because many of the key issues were outside the remit of the only public hearing – the inquest. Despite the deaths of 28 children since 1990, three since the death of Joseph Scholes, there has never been an inquiry into the death of a child in penal custody. INQUEST is continuing its campaign for an inquiry alongside Joseph's mother Yvonne and the families of other children who have died in custody since his death.

On 15 March Yvonne organised a silent protest outside the court in which Joseph was inappropriately sentenced. The third anniversary of his sentencing was used to highlight the long term and ongoing systemic abuse and deaths of children in custody. She was joined by the mother of 14-year-old Adam Rickwood who died in August last year, becoming the youngest ever recorded death in penal custody. ■

Our Casework Service

● In the first three months of this year we have been contacted by 73 families. We are the only organisation in England and Wales to offer advice to bereaved people facing the inquest system, particularly around contentious deaths. Already there have been 43 deaths in prison and 9 in

police custody including those involving police vehicles.

INQUEST Cases 2005

CUSTODY:	
Prison	19
Police	3
Psychiatric	8
NON-CUSTODY	43

Campaign Launch – Prison is No Place for Children

● On April 7 INQUEST, Hilton Dawson MP and other voluntary organisations launched a campaign calling on all prospective parliamentary candidates to commit themselves to ending the use of penal custody for children and for an end to the deaths of children imprisoned by the state. Deborah Coles, co-director of INQUEST spoke at the launch in the House of Commons alongside Hilton Dawson MP and Frances Crook, Director, Howard League for Penal Reform.

Initial supporters of the campaign are: INQUEST, Barnardo's, Children's Rights Alliance England, The Children's Society, The Howard League for Penal Reform, Prison Reform Trust, Nacro and Voice for the Child in Care.

Please raise this with your prospective parliamentary candidates and add your/your organisation's support to the campaign. ■

Paul Day – Prisoner in Segregation Unit Driven to his Death

● 31-year-old Paul Day was found hanging from his cell window at HMP Frankland on 2 October 2002. The inquest into his death was held this year lasting for nearly five weeks and was one of the longest running inquests into a death in prison. Paul had been in the segregation block for his own protection after he had allegedly received death threats and been the target of bullying. Whilst in the segregation block he started a 'dirty protest' in relation to the treatment he was receiving from prison staff. Paul was an extremely vulnerable prisoner who was owed a particular duty of care and yet he was subjected to abusive, inhuman and humiliating treatment. In a highly damning narrative verdict returned at the end of the inquest the jury said that they believed Paul felt "abandoned, frustrated, depressed, helpless and defeated

and [had] lost any trust in the system and his carers" and concluded that Prison Service protocols on bullying, suicide prevention and dirty protests were not adhered to and the abuse he suffered drove him to his death. INQUEST has had longstanding concerns about the number of deaths in segregation units in prison and welcomes the announcement from the Prisons Inspector that she will include this case in her review of the treatment of prisoners held in segregation. ■

NICE Guidance on Restraint

● The National Institute for Clinical Excellence (NICE) guidelines for the short-term management of disturbed/violent behaviour in mental health settings were issued in February. The guidance was a profoundly inadequate response to

the death of David 'Rocky' Bennett who died in the Norvic Centre, Norwich in October 1998. Both the family and INQUEST were led to believe during the Independent Inquiry into his death that the

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INQUEST's Project on Deaths of Young People and Children

● In the early summer INQUEST will be launching the report of its two year project on the deaths of children in penal custody supported by the families of those who have died. We will also be holding a public meeting on the evening of the launch. Keep checking www.inquest.org.uk for more information. ■

NICE Guidance on Restraint

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guidance was to be the definitive statement on the dangers of control and restraint and would prevent further deaths occurring. But it says nothing new and does not draw practitioners' attention to the deaths that have occurred following the use of restraint. The guidance does not set a time limit for prone restraint in spite of the recent recommendations from the parliamentary Joint Committee on Human Rights' report, Deaths in Custody. "In our view use of the prone position, and in particular prolonged use, needs to be very closely justified against the circumstances of the case and this should be reflected in guidance. There is a case for guidance prescribing time-limits for prone restraint, departure from which would have to be justified by individual circumstances." INQUEST is currently working on a disturbing number of deaths that have occurred following the use of restraint in mental health services since Rocky died in 1998. ■

INQUEST and the Trade Unions

● In the last three months we have seen increasing support and interest in our work from the trade unions. Since December five branches in the London region of the National Union of Rail Maritime and Transport Workers Union (RMT) have joined as supporters as have the Fire Brigades Union at a national level. We also received a donation from the General Municipal and Boilermakers Union in response to our BBC Radio 4 Appeal. We have started discussions with the Public and Commercial Services Union (PCS) about working together following the death of one of their members in police custody. In January our co-director Helen Shaw spoke at a seminar on Criminal Justice at UNISON Black Members Conference. She addressed the issues arising from deaths in custody and what union members could do. We have also been working with UNISON on the death of one of their members, Roger Sylvester – one of the most contentious deaths in police custody. We will be launching a joint pamphlet in the next few months highlighting the appalling treatment of his family and the injustices they suffered following his death.

We are keen to work with trade union members and activists to both support individual family campaigns and work for reform of the inquest and investigation systems and for strengthening the law around corporate manslaughter. ■

Women's Deaths in Prison

● INQUEST continues its work on the disturbing number of deaths of women in prison. Already this year two women have died – 26-year-old Victoria Robinson on 2 February in HMP Newhall and 30-year-old Lindsey Wright on 8 March in HMP Holloway.

INQUEST has recently appointed a full time researcher to work on our Women's Deaths in Custody project. We have identified the need for this project as a result of the issues that have emerged from our monitoring and casework – we are currently working with the majority of the families of the women who have died in the last two years. The project will draw together the cases and extract the relevant policy issues both on the treatment of women in the criminal justice system and the treatment of bereaved people after the deaths. ■

The Styal Inquests

● Since January there have been inquests into four of the six deaths within a 12 month period at HMP Styal. On April 11 the inquest opened into the death of Julie Walsh, the last of the six women who died – all of whom were vulnerable with a history of mental health/drug problems. The inquests into the deaths of Sarah Campbell, Jolene Willis and

Anna Baker returned disturbingly similar verdicts finding insufficient and inadequate detoxification programmes exacerbated by low levels of staffing, poor training in relation to suicide awareness and insufficient management of the F2052SH (suicide and self-harm monitoring form). These deaths are harrowing examples of institutional neglect and complacency and the failure of the prison service to act on previous warnings. ■

Home Secretary to Consider Calls for Public Inquiry

● On 22 March INQUEST attended the launch of the One Year Review of the Fawcett Society's Commission on Women and the Criminal Justice System. We had briefed the Fawcett Society and their report highlighted concerns about women dying in prison and the need to act to prevent them. The launch chaired by Vera Baird QC, MP was addressed by Home Secretary Charles Clarke. When asked by INQUEST and the mother of Sarah Campbell if he would consider a public inquiry into the deaths of women in prison he replied, that if re-elected, he would give it serious consideration and also recognised that there were many other issues of concern regarding deaths in custody. ■

Deaths In Prison Not Included In Draft Corporate Manslaughter Bill

● The draft corporate manslaughter bill was published on 23 March. The long awaited bill is welcome but INQUEST is deeply concerned that the bill proposes that prisons will be exempt from prosecution for corporate manslaughter. This will mean that even if a death takes place as a result of gross failures on the part of the senior management of a prison, it cannot be prosecuted

for homicide. Deaths in prison, which can be the result of prison negligence, should be subject to police investigations and possible prosecutions in the same way as any other organisation. We will be working with others during the consultation period (until 17 June) to persuade parliament to make the necessary changes to the proposals. ■

Conferences and Meetings

● Since January INQUEST has spoken at the following: ● 25 January: Presentation on deaths in prison to the Parliamentary All Party Group on Penal Affairs; ● 29 January: Presentation on Black Deaths in Custody at UNISON Black Members Conference; ● 16 March: Led workshop on Black Deaths in Custody at

NACRO Race and the Criminal Justice System Conference; ● 18 March: Presentation at Prison Deaths Seminar at Coroner's Reform Training Day; ● 7 April: Spoke at Prison is No Place for Children Campaign Launch; ● 7 April: Chaired public launch meeting of ASBO Concern. ■

Parliamentary Concern About Deaths in Prison

● Since January there have been several key debates in parliament on women and children in custody. All the debates listed below have drawn on information provided by INQUEST.

- 14 January: Sandra Gidley MP on the suicides of women prisoners;
- 9 February: Hilton Dawson MP on young people in custody;
- 17 March: Baroness Thomas of Walliswood on what action the government were taking in response to the Sarah Campbell inquest;
- 23 March: Vera Baird QC MP on women and the criminal courts.

To read the full transcripts of the debates please visit www.parliament.uk ■

ASBO Concern – Campaign Launched

● INQUEST chaired the launch meeting of a new campaigning alliance of organisations and individuals concerned about the use of anti social behaviour orders. ASBOs are criminalising and jailing young and vulnerable people even when they have not committed any crime.

INQUEST is supporting this initiative because of our ongoing concerns about the increasing prison population and the need to divert vulnerable people from custody. The packed meeting of around 350 people heard from a range of speakers including Harry Fletcher, assistant general secretary of the National Association of Probation Officers, Shami Chakrabarti, Director of Liberty and Matt Foot, solicitor and co-ordinator, ASBO Concern. ■

Support INQUEST

● INQUEST needs your support to help us continue our work. For more details please call 0207 263 1111.

INQUEST's Annual Report for 2004 is now available – copies can be obtained from the office for £5 (INQUEST, Unit F10, 89-93 Fonthill Road, London N4 3JH) or downloaded from our website – www.inquest.org.uk ■

INQUEST INSTITUTE OF MENTAL HEALTH LAW **Deaths in Detention. The new approach for inquests**
Wednesday 8 June 2005 King's Fund, 11-13 Cavendish Square, London W1M 0AN. Guest Speakers: **William Armstrong** HM Coroner and MHRT President, **Deborah Coles** Co-Director for INQUEST, **Terry Munyard** Barrister, 2 Garden Court Chambers
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