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LORDS URGED TO AMEND CORPORATE MANSLAUGHTER BILL TO INCLUDE DEATHS IN CUSTODY

INQUEST is today urging members of the House of Lords to support amendments put forward by cross-bench peers including former Chief Inspector of Prisons, Lord Ramsbotham, to ensure that deaths in custody are covered in the Corporate Manslaughter Bill 2006.

INQUEST's independent casework and monitoring service has found there were 560 deaths in police custody and 1644 deaths in prison between 1996-2006 (correct as of 31 January 2007). INQUEST is deeply disappointed that the government has excluded public bodies such as police forces and the Prison Service from the scope of the Bill. The exemption creates an anomalous situation which fails families who have been bereaved by a death in custody. The exemption would mean that it would be a criminal offence if someone were to die as a result of gross negligence management failures by a corporation but not a criminal offence if someone were to die as a result of gross negligence management failures by police or the Prison Service.

Lack of accountability

There are currently serious shortcomings in the mechanisms of accountability following a death in custody. Investigations and inquest findings are not monitored or published publicly and there is no statutory requirement for public bodies to act on the findings of these investigations. This is exemplified by the fact that of the 10 unlawful killing verdicts returned by juries at inquests into deaths in custody since 1990, none have led to a successful prosecution.

Existing mechanisms for accountability such as the Independent Police Complaints Commission, the Prison and Probations Ombudsman and the inquest system are not concerned with determining liability and it is disingenuous to present them as being so.

Deborah Coles, Co-Director of INQUEST said

“The number of custodial deaths is a public scandal. Too many men, women and children are dying. Many of INQUEST’s cases have revealed a catalogue of failings in the treatment and care of vulnerable people in custody and raised issues of negligence, management failings and failures in duty of care. A corporate manslaughter offence could go some way in challenging this and could have a deterrent effect, preventing future deaths. It could also have a key role in maintaining confidence in public bodies”

Notes to editors:

1. 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 and conducts policy, research and parliamentary work on the issues arising from the deaths and their investigation.
2. A full briefing on the Corporate Manslaughter Bill 2006 is available on our website

Further information	www.inquest.org.uk
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