

PRESS RELEASE – 29 NOVEMBER 2005

**FAMILY OF 16 YEAR OLD CHILD WHO DIED IN PRISON TO
CHALLENGE GOVERNMENT'S REFUSAL TO SET UP A PUBLIC
INQUIRY**

Judicial Review

10.30 am 30 November 2005

High Court, London

On Wednesday 30 November and Thursday 1 December at the High Court in London, a Judicial Review is being held into the refusal of the Government to hold a public inquiry into the death in prison of 16 year-old Joseph Scholes. The family lawyers will argue that the failure to set up an inquiry is unlawful. At the end of the inquest into his death the Coroner wrote to the Secretary of State and recommended, under his powers to prevent further deaths, that a public inquiry be held into issues that were outside the remit of the inquest.

Yvonne Scholes, Joseph's mother said,

"I hope with all my heart that the Court will see sense and identify the urgent need for a public inquiry into my son's death and indeed the death of all children in penal custody. The fact that there has never been an inquiry disgusts me. If this was a death in social services there would be an outcry, the fact that my son died at the hands of a different State body, should pose no difference."

Mark Scott of Bhatt Murphy Solicitors said:

"My client has had the most dreadful of experiences and yet she has had the strength and courage to try and ensure that no other parent will endure this in the future. She is hopeful that the High Court will endorse the views of the coroner who heard the evidence in this case and concluded that a public inquiry is necessary to both uncover all of the matters relevant to Joseph's death and to prevent reoccurrences in the future."

Since the inquest the public inquiry has been supported by over a hundred MPs, many members of the House of Lords, the General Synod of the Church of England, the Parliamentary Joint Committee on Human Rights, other individuals including the former Chief Inspector of Prisons Sir David Ramsbotham and the Children's Commissioner for Wales, and a broad range of penal reform, child welfare and human rights organisations. The matter has also been debated on a number of occasions this year in both Houses of Parliament, most recently by the Home Affairs Select Committee in a special session on prison overcrowding and suicides on 8th November 2005.

Despite this overwhelming support and the fact that five more children have died in penal custody since the death of Joseph Scholes, the Government continues to refuse to set up an inquiry and does not consider any further inquiry is needed at all.

INQUEST has provided detailed evidence to the court about the issues of concern regarding Joseph's treatment and care and why a public inquiry into those issues could have a significant impact on the future safeguarding of children's lives.

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| Further Information | www.inquest.org.uk |
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Note to Editors

- On 24 March 2002 Joseph Scholes, a deeply vulnerable and disturbed boy with a history of self harm and suicide attempts hanged himself from the bars of his cell in Stoke Heath Young Offenders Institution. The inquest into his death heard very disturbing evidence about the treatment and care of Joseph while in Stoke Heath. Despite a well conducted inquest there were crucial issues that were outside the remit of the inquest including juvenile sentencing policy, pre sentence and placement procedures and the adequacy of the juvenile estate to accommodate vulnerable young people.
- Since 1990, 29 children aged 15-17 years old have died in penal custody, five of these dying after Joseph Scholes
- The Judicial Review, R (on the application of Mrs Yvonne Scholes v The Secretary Of State For The Home Department) will take place in the High Court 30th November at 10.00hrs. Counsel for the family are Tim Owen QC (Matrix Chambers) and Hugh Southey (Tooks Court Chambers) instructed by Mark Scott solicitor at Bhatt Murphy solicitors.
- Interviews with the family of Joseph Scholes can be arranged in advance of the Judicial Review hearing.