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INQUET
Sisters Inside Is Prison Obsolete Conference 2014

I am deeply privileged to be here and want to acknowledge the traditional custodians of the land on which we are gathering, and pay my respects to the elders, past and present. Thank you to Aunty Valda Coolwell and the dancers for such a warm welcome and for the welcome by the fire in Musgrave Park. I also want to acknowledge the importance of protests that placed issues like land rights, the stolen generations, and Aboriginal deaths in custody onto the agenda.

INQUEST is an independent NGO that works with the families of those who have died whilst in the custody and detention of the police, prisons, immigration removal centres, and in psychiatric detention or following contact with state agents. We also work on deaths where there been multi agency failings, for example domestic violence homicides, corporate crimes like Hillsborough football disaster.

Working alongside families INQUEST has been instrumental in drawing national and international attention to the issues arising from deaths in custody and their investigation. Supporting families and enabling their involvement in the investigation and inquest process has been critical in ensuring a more challenging series of questions have been raised about custodial deaths. It is clear that understanding why deaths in custody occur requires an examination of their broader social and political contexts. Many of the deaths are part of a pattern which impact on policies on mental health, drug and alcohol use, sentencing, policing practices, racism, and domestic violence. Deaths in custody cannot be considered in isolation from issues of poverty and inequality

The close relationship between families and INQUEST and the evidence based casework creates the springboard for the lobbying, campaigning, legal advice and intervention evidenced based policy and research. We have worked to ensure that the collective experiences of bereaved people underpins that work. The struggles and campaigns of bereaved families provide a counterweight to state secrecy and a lack of formal accountability and have resulted in a number of reforms to the investigation and inquest process.

  Families have demonstrated, attended parliamentary meetings, given evidence to inquiries, conducted media work, arranged private vigils, –a coalition of families and supporters organise an annual deaths in custody march on Parliament the last Saturday in October, all in their own individual ways ‘protesting’ to uphold the civil liberties of their relatives and them as bereaved people and raising social injustices. We are also involved in a network of groups working around anti racism, police monitoring, violence against women prisoner rights/abolition groups and civil rights .

INQ has been at the forefront of the monitoring of deaths in custody, historically shrouded in secrecy and silence and placing them in the public domain via our website and reports. in the last 10 years (2004 to - 2014) 2,110 men, women and children died in prison and in police custody. Of these, 268 died following contact with the police (19 shot dead) and 1,842 died in prison, 704 self inflicted, 18 homicides, 2 restraint. What this monitoring shows is that custodial deaths deaths are not rare or isolated events and raise critical questions about state power and accountability.

The integration of evidence based casework and policy work has enabled us to take a thematic view of cases which highlight recurring issues. This has been crucial to identifying trends and patterns emerging and by situating them in a broader social and political context is crucial to an understanding of issues re inequality and discrimination.

Many of the deaths raise issues of:

* neglect and indifference;
* systemic failures to care for the vulnerable;
* institutional violence, racism, sexism and inhumane treatment;
* abuse of rights; and a lack of state and corporate accountability.

We’ve monitored how a disproportionate number of people from black and minority ethnic communities die after the use of excessive and unlawful force by police officers , police killings that have caused considerable anger and disquiet in over policed black communities resulting in mass disturbances in August 2011 following the police shooting of Mark Duggan.

We've seen the consequences of the criminalisation of children and the shocking systemic failings that have resulted in 33 children die in child prisons since 1990, 31 killing themselves, the youngest just 14 years old, another Gareth a 15 year old mixed race boy dying as a direct result of the brutal force used him after being restrained to his deaths in a G4S run child prison using a similar technique to the one used against Jimmy Mubenga , a man asphyxiated by G4S guards whilst being deported on a plane to Angola. Recent deaths in immigration removal centres have focused on concerns about the impact of detention on physical and mental health - the death of a 40 year old Jamaican woman resulting in widespread protests.

This monitoring role was crucial in identifying the sharply upward trend of women’s deaths between 1998 and 2003. in 2003 women represented only 6% of the total population and 15% of all self inflicted deaths and this prompted our campaign and research work in this area.

Deaths represent the extreme end of a continuum of near deaths, suicide attempts and self-mutilation. The statistics barely scratch the surface of a picture of the harms done to women in prison which emerges through the investigations and inquest evidence and continues as a permanent and enduring feature of prison life.

On average there are just under 4000 women in prison in England every year about 5% of the overall prison system. There is a proliferation of academic research, official reports, NGO research about the multiplicity of disadvantage and damage women prisoners have experienced and we know class, gender, race, poverty and disability plays a major part in their criminalisation.

Many women are themselves victims of crime, nearly half reporting childhood physical or sexual abuse and a history of domestic violence. Serious mental health problems are endemic and 80% of women in prions in England suffer from one or more mental health disorders linked to abuse, domestic/ family violence, homelessness and drug dependency.

Law breaking by women differs from that by men:it is less common, and less serious. 83% of women in prison in 2013 had committed a non-violent offence. Women bear the brunt of social, health and economic inequalities and this is reflected in the fact that the majority commit offences of theft and handling, drug related or sexual offences. Most women in prison serve very short sentences, 60% serving 6 months or less.

The majority of women in prison are mothers with over 17,000 children affected by imprisonment impacting on childrens human rights who will experience a variety of alternative care arrangements and who may be unable to visit if women are imprisoned a long distance from home. 1 in 5 are foreign national women, many who have been coerced or trafficked, serving very long sentences and then being moved to immigration removal centres awaiting deportation.

Just a few weeks inside can mean a woman loses her children, her home, and her job - even her life.

as Chris Tchaikovsky - Former prisoner and founder of Women in Prison said:

*"Taking the most hurt people out of society and punishing them in order to teach them how to live within society is, at best, futile. Whatever else a prisoner knows, she knows everything there is to know about punishment because that is exactly what she has grown up with. Whether it is childhood sexual abuse, indifference, neglect; punishment is most familiar to her."*

Between 2000 to date 129 women have died in prison s in England and Wales. 78 have taken their own lives. of the other 42 many raised concerns about mental and physical health care and the impact of the prison environment.

Through our advocacy service we have worked with and supported the families of many of the women who have died. INQUEST has ensured that understanding why deaths in custody occur requires an understanding of the interconnectedness of social, legal economic and political decisions that result in women being sent to prison.

Despite the deaths of women in prison being a serious human rights issue it is a hugely under researched area and INQUEST’s publication ‘Dying On the Inside: Examining Deaths of Women On the Inside’ was the first analysis of the deaths of women in prison and examine deaths from 1990 to 2007 enabled a more systematic review of the deaths to document families experiences and brought their voices and concerns into the discussion. The research highlighted how prison exacerbated those very disadvantages that led women into crime in the first place and provided incontrovertible evidence about serious human rights abuses and preventable tragedies. By an examination of the individual womens deaths in prison we saw the indignities, the humiliation, the casual acts of inhumanity and indifference and the suffering that propelled women to despair and ultimately death.

Families told us about women's lives prior to being criminalised and how many women had been failed by other welfare, health and social agencies. This was an important voice and and reinforced what we knew about prison being used as the default method for dealing with social problems and failings in support services for addictions, mental ill health,trauma, and the failure to protect women from violence and abuse. As a result many women had developed their own coping strategies that have led to criminality - often not serious or violent - but in the need for money or sanctuary.

as one mother said Following the death of her 19 year old daughter,

'my daughter was a heroin addict, all she could think about was her next fix, thus ending up shoplifting to fund her habit. this is what made her a criminal in the eyes of the law. If she had overcome her drug dependency she would not have ended up in prison.'

We have also seen the criminalisation of mental ill health with women sent to prison by judges “for their own good”, or in the misguided assumption they will get help for their problems. Ultimately prisons are places of punishment, control and containment. They are not places of rehabilitation or healing nor can they deal with the wider social challenges women face.

Petra was a 19 year old young woman with a childhood of abuse and institutional care where she was abused and raped. As a result she would frequently self harm. On a day when she had tried to get mental health services to support her she set fire to a bed, put it out and rang the fire service. She was arrested and charged with arson and endangering life - the only life in danger being in danger was hers. she had no previous convictions. In prison she self mutilated overdosed, tried to strangle herself. Some attempts were so severe she was hospitalised. She had never ligatured before going into prison, saying something about the prison culture , finally she ligatured and died. Not surprisingly the consultant psychiatrist told the inquest that in a civilised society someone as severely ill as Petra should not have been in prison and the coroner recommended that appropriate health facilities should be provided.

Petra's twin sister with a similar childhood background had gone down a social justice route into a therapeutic community and told us of the impact of prison on Petra.

"You've got your time in a cell that was lie a shoebox, you"ve got no one in there really who gives a shit, some people might but if you're locked in your cell for 23 hours, what support have you got. All you've got is your bad thoughts going through your head and stuff like that and isolation is not a very good thing and if your forced into it its worse. "

Following every death in prison there is an investigation and an inquest with a jury is held and we have fought for families rights to effective involvement in this process, now recognised as being a human right enshrined in law. The inquest is the only public forum where a death is subjected to public scrutiny and can play an important preventative role. The emotional impact of a death in custody on families should not be forgotten nor the way it is exacerbated by state secrecy, insensitivity, delays and funding problems. It is bereaved families, rights lawyers, NGO’s who have placed state agencies under public scrutiny and focused on the responsibility and culpability of custodians. Properly conducted inquests where families have been represented by legally aided specialist lawyers have been crucial in shining a spotlight on the closed world of custody and detention. They have enabled an alternative narrative to the state official version of events, an alternative truth. Lawyers representing custodial institutions (with unlimited public/private or union funds) are there to defend their polices, procedures and practices and often take a defensive approach to the proceedings, treat it as a damage limitation exercise attempting to close down questioning and narrow its remit, trying to shroud what happened in secrecy, to attack the character of the deceased and their community or to try and explain away the death through pathologising the individual or her psychiatric disorder rather than the actions or omissions of state agents or the environment in which they’re incarcerated. Without the scrutiny afforded by representation the abuses of power and neglect, racism and indifference uncovered at many of these inquests would remain unchallenged and hidden from public view.

Evidence from inquests into women's deaths demonstrates that the same issues emerge with depressing regularity year after year including: appalling conditions; systemic neglect of women’s physical and mental health; inadequate health care; use of segregation and isolation for suicidal women, over-use of force; staff abuse and coercion, failure to implement suicide prevention guidelines; repressive regimes and systems of punishment, lack of staff training, and poor communication. Inquests into these deaths frequently comment that prison was an entirely unsuitable and inappropriate environment to place the women who died and the dearth of community based alternatives.

A graphic example of institutionalised neglect and fundamental systemic failings were the six deaths of women in a 13 month period in Styal prison in the North of England. Six of the women, who died were poly drug users, 5 of the six had mental health problems. All died within a month of being in prison, two within 24 hours. I attended a lot of the inquest evidence which was appalling, and exposed punitive, brutal treatment, isolation and segregation for women suffering painful drug withdrawal.

Pauline was the mother of one of these young women 18 year old Sarah and she became a formidable campaigner committed to exposing the injustices and inhumanity of the treatment of women in prison as a result of her experience of the death of her daughter. Each time an apparently self-inflicted death was reported Pauline organized and led a demonstration outside the prison. She held sixteen protests and was arrested on ten occasions, handcuffed, locked in police cells, and put before the criminal courts. She was never convicted.Every demonstration received media coverage, raising important public awareness.

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The inquests into these Styal deaths heard evidence that repeated warnings were given to the prison authorities about the problems at Styal prison. The coroner at an inquest into another young woman's death in Styal had recommended in 2001 that a methadone programme be set up. Nothing happened. The Independent Prisons Inspectorate,and Prison monitoring board reported its concerns about deficiencies in the treatment and care of women. These concerns focused on the inadequacy of mental health care and the treatment and care of women withdrawing from drugs and the lack of a detoxification program. These warnings were never acted upon and we described the complacency and inaction of the Prions Service and those Ministers who presided over it as a clear example of corporate manslaughter, ignoring clear health and safety risks to the women held there.

INQUEST’s critical intervention at a legal level saw highly critical inquest jury findings and our intervention resulted in a strong statement from the Coroner about the need for a broader inquiry. Our associated campaigning at a parliamentary and policy level alongside grass roots protests of Pauline and others exerted considerable political pressure and finally saw the setting up by Government of the Review of women in the criminal justice system by Baroness Corston, on which I was on reference group. We facilitated a meeting for Baroness Corston to hear directly from families etc. and she described the sadly familiar patterns of their stories. We also submitted the findings of our evidence research and its central conclusion about the need for abolition of prison for women and the need for alternative social justice strategies.

Corston was a pivotal moment and added another body of evidence about the reality of the lived experiences of imprisoned women. This evidence informed its most radical and fundamental recommendation - the dismantling of the women's prison estate and its replacement with small geographically dispersed custodial units for the very small number of women requiring containment.

This presented a real opportunity to embrace a more abolitionist agenda and undertake a fundamental overhaul of the existing system. By rejecting this key recommendation Government squandered a unique opportunity with the inevitability that there would consequently be piecemeal reforms only thus subverting the core objective of the report.Such a policy shift required political will and leadership, alongside a change in sentencing guidelines and policy. The pursuit of a more limited reformist agenda meant there was no substantive structural change and 7 years on this has proved to be the case.

Instead the Government focused on the less radical and reformist recommendations. One key achievement was the end to mandatory strip searching and now it must only be carried out if intelligence led. Whilst there was welcome investment in women centred community based projects and there are some projects doing some fantastic work some criminal justice interventions and support services have served to replicate and reinforce unequal gender relations rather than tackle the root causes.

Since Corston reported in March 2007 the rate and demography of the women imprisoned and the same structural problems remain almost untouched.

Deaths of women reduced largely as a result of the introduction of detoxification programmes, however medication rates generally in women’s prisons are very high, used as a process of control and with limited and restrictive regimes too often a crisis management approach, to contain and control deeply destructive and disturbed behaviour, with Staff in some prisons using force on a daily basis to remove ligatures.

 Despite detox programmes there are still concerns about the treatment and care of women with drug problems as illustrated by the deaths of two women in the space of a year at Bronzefield prison, both mothers, drug dependent and imprisoned as a result of drug possession and theft. One woman was on remand, the other serving a 14 week sentence. Both inquests held last year severely criticised the private contractors administering the health care. Both women had histories of domestic violence and had sought help in the community for their drug dependency. As a result of their deaths 11 children were motherless

Women have continued to die, women like Melanie, a 34 year old mother of two children who committed an offence of fraud against local citizens advice bureau, to pay back a loan after she had got into debt after her business failed. A first time nonviolent offender, mother, with known mental health problems, and had been recognised a serious suicide risk. Despite being her first offence she received a 9 month prison sentence, the sentencing Judge warning the prison she presented a high suicide risk. Once in prison her prolific self-harming began and mental health deteriorated, and she made an attempt to kill herself with a ligature. On release she was subject to a confiscation order and told she had to pay back the money within 6 months or serve another 12 months in default. Not prepared to make her children homeless meant that a highly vulnerable women was returned back to prison, her mental health deteriorated, she desperately missed her children and began seriously self harming. on the day of her she was found motionless and unresponsive i her cell, and taken by prison guard she was taken to hospital because of concerns about her behaviour and where she repeatedly wrapped the escort chain around her neck. Diagnosed high risk of suicide by the Accident and emergency doctor she was discharged with staff warned that she needed constant observation and mental health input. Returning to the prison this warning was ignored on the basis that she was ok. Later that night she asked to speak to a Listener, a prisoner trained in suicide awareness. she was told to wait, less than an hour later she was found hanging from her shoelaces she had made into a ligature. The Prison Ombudsman who investigated the death told the inquest last year that what the Corston report had found was true of Melane Beswick.

Already this year three women have taken their own lives, two of the three were under suicide prevention monitoring at the time of their deaths. One woman had been imprisoned for arson, was in segregation despite the fact she had told the prison she would not be able to cope.

There is a degree of complacency around deaths of women, often dismissed as being such a small number as to be statistically irrelevant, however What is so shameful is the shocking degree to which the pattern of deaths with disturbingly familiar themes and critical systemic failures repeats itself. Through working with families and mobilising around the inquest and associated media and policy work we have raised the broader questions about why the woman was ever in prison in the first place, questioned the legitimacy of the prison and addressed the broader social issues.

 Through their own traumatic bereavement families have become engaged with the abolition debate and using their own personal experiences and desire to prevent other families going through a similar experience have spoken out against the use of prison and the need for more resources and support services in the community.

INQUEST has been frustrated by the failure to implement change and take action as a result of the deaths that have occurred. Despite Inspectorate of Prisons reports, other official reports, academic research and critical verdicts and recommendations by coroners and inquest juries there has been no coherent policy and change in practice and the same systemic issues repeat themselves, reproduced by the very process of incarceration. The phrase ‘lessons will be learned’ is increasingly devalued and is becoming a normal part of bureaucratic and political language in response to criticisms. Ministers and senior management have never been brought to account for individual and collective failures which highlights the inability of the prison system to learn or to reform itself. Inquests have highlighted the abuses of power of institutions/state agents over the powerless indicating cultures of violence, neglect, racism and indifference which continue because of inadequate individual and corporate accountability.

 The deaths of women are situated within the roots of inequality and injustice that characterise women’s lives and penal and social policies that imprison women because of their attempts to survive addictions, mental ill health, violence, poverty, and homelessness. Our work in this area for over 30 years led us to the inevitable conclusion that there is the need for the abolition of prison for women and a radical reallocation and redirection of criminal justice resources invested into refuges, rape crisis centres, drug and alcohol support services, housing, child care support,therapeutic services jobs etc.

This is a social justice issue.

Yesterday I was immensely moved by the panel of women with lived experiences, inspired by what they said about the brilliant work of Sisters Inside and so I wanted to briefly tell you about a few projects I know are doing similar great work in UK. Women In Prison was set up to address the injustices faced by women prisoners which works with women affected by the criminal justice system in and outside prison, providing advocacy and holistic and individualised support on a range of different issues -are involved in running a womens centre and working in the run up to election on raising awareness on the need for abolition and a social justice approach women involving women in develop recently helped set up a Hub outside of Holloway prison for women.

Clean Break theatre company, set up by two ex prisoners runs theatre and education projects for women both inside and outside prison and uses theatre to inform public about reality of prison for women. Powerful advocates for change are the collective experiences of imprisoned women who have spoken out and challenged their treatment .

Conclusion

The political context is bleak however, with the deepening impact of austerity which is impacting disproportionately on women , and with cuts to front line social services, refuges, welfare provision and mental health services, and restrictions on legal aid to challenge treatment mean it is likely more women will be incarcerated because of poverty and inequality. Prison building continues and we are involved in a broad based campaign to stop the building of Europe's biggest child prison at a cost of 85 million. , Alongside this are the new criminal justice policies which mean anyone serving over a day will be on supervision for a year with the risk of prison if breached. These supervision services are also being outsourced. The long term sustainability of women centred, culturally sensitive safe support is at risk as they are forced to submit tenders competing alongside other mainstream organisations and increasingly the private sector. Cuts to prison staffing and resources for interventions is also impacting on regimes and conditions with warnings from the HMIP about the risks to prisoners with increased suicides and assaults. Our work has revealed a serious lack of legal and democratic accountability exacerbated with the increasingly privatised prison, detention and deportation system providing services that were previously the sole responsibility of the public sector.

**Conclusion**

Bereaved people have played critical role in challenging the inequality discrimination and unacceptable practices of the state and their resilience and determination in the face of state attempts to deny truth and justice has played a key role in working to prevent current injustice and I owe a great debt to them all. Deaths in custody are a global human rights issue and we must work together to stop the catalogue of deaths that occur. I will leave the last word to Pauline Campbell spoken at the last of her prison protests. She never came to terms with her daughters death and the inhumanity of her treatment and took an overdose of tablets at her daughters grave, highlighting the emotional impact on a family of a custody death.

**“*My message to ministers is: stop the rhetoric, and get on with the action. Stop the shilly-shallying, and show some moral leadership for once. Implement the Corston recommendations, and then perhaps young mothers like Lisa Marley wouldn't die.*"**