

26 June 2008

News release

Chair of public inquiry into the right to life quits at “unwarranted and unacceptable attempt” by Prison Service to fetter independence

Stephen Shaw, the Prisons and Probation Ombudsman, has resigned as chair of the SP public inquiry.

This public inquiry was investigating the treatment of SP, a young girl whilst in prison service custody between 2003-2005. SP was aged 17-19 in the period under investigation, after being remanded into custody as a child in care aged 16.

SP repeated tried to take her own life and injured herself whilst in prison but was placed in solitary confinement, prison cells usually used for punishment. The right to life inquiry would be the first time such inquiry could hear from the person concerned. She has been represented by the Howard League for Penal Reform for four years and is expected to give evidence at the inquiry's public hearings.

In a letter to Treasury Solicitors, the Ombudsman has given his reasons for withdrawing as chair of the inquiry, including:

- Terms of reference agreed by all parties at the end of 2007 are now being “challenged” by the Prison Service
- The Prison Service is seeking to “control what other parties can and cannot see”, including preventing the Ombudsman “unfettered access” to all documents and staff as part of his investigation
- The Prison Service’s “inconsistent approach to this inquiry, by the attempt to dictate how I should conduct the investigation, and by the lack of focus on the core issue: life-threatening self-harm amongst so many young women prisoners”

Director of the Howard League for Penal Reform, Frances Crook, said today (Thursday, 26 June): “It is unacceptable for an independent inquiry to be interfered with and clearly the Prisons and Probation Ombudsman has had enough at attempts to undermine his authority.

“The show must go on however, and given the difficulties Stephen Shaw encountered, it is imperative that the inquiry should be placed on a statutory footing with an independent legally qualified chair. The inquiry must also be properly funded so that there is an ‘equality of arms’ and SP can be fully engaged and represented.

“The SP inquiry is now all the more important given the government’s pitiful response to the Corston recommendations that would have changed the system of dealing with women offenders. The likelihood is that more women will die in prison as an immediate result of the government’s cowardice in resiling from these sensible reforms.

“This public inquiry will reveal the miserable and barbaric way that women have been treated in prisons that leads directly to self-injury and suicide. The testimony of SP herself shows she was failed by social services as a child in desperate need of protection and then failed by the Prison Service when her abject misery became life threatening.”

Further information

Thomasin Pritchard 020 7249 7373 ext. 104
Andrew Neilson 020 7249 7373 ext. 119 07918 681 094

ISDN line available on 020 7923 4196 – uses a G722 system

Stephen Shaw’s letter can be found at www.howardleague.org

The decision to conduct an inquiry into SP’s treatment results from the government’s acceptance of the argument put by the Howard League that the level and seriousness of SP’s life threatening self harm whilst in prison service custody triggered the state’s investigative obligations under Article 2 of the European Convention on Human Rights.

The Howard League for Penal Reform first acted on behalf of SP in 2003. She was then a 17 year old girl with severe mental health problems and a history of neglect and abuse. SP was transferred to an adult women’s prison from a local authority secure children’s home on her 17th birthday. In prison SP was placed on suicide watch due to her persistent and shocking self-harm and held in solitary confinement for several months. While on solitary confinement SP was often locked in her cell for 22 hours per day, eating meals on her own and taking her only exercise in a metal cage. SP’s self-harm was so serious whilst in prison that she had to be taken to hospital for blood transfusions.

After two years of pressure and a high court injunction the Howard League’s lawyers succeeded in getting SP moved from prison to a secure psychiatric environment. SP has since responded well to care and treatment and her condition has stabilized.