Bhatt Murphy Solicitors

PRESS RELEASE

22 January 2009

CORONER OVERRULED IN CHILD DEATH CASE

The Administrative Court has found that a Coroner acted unlawfully when conducting an inquest into the death of Adam Rickwood, a 14 year old boy who died in Hassockfield STC. The Coroner for the North and South Districts of Durham and Darlington refused to rule on the legality of the force used on Adam shortly before his death and Mr Justice Blake considered that this resulted in a flawed inquiry and verdict. A new inquest will now have to be held.

Adam was 14 years old when he found hanging in his cell at the privately run Hassockfield STC on 8 August 2004. It was Adam's first experience of custody. In his cell after his death were found two documents: a farewell letter to his family and a statement complaining about his treatment at Hassockfield STC earlier in the day, where he had been restrained by staff for refusing to go to his room. In his note he indicated that:

> "My nose started bleeding and swelled up it didn't stop bleeding for about one hour and afterwards it was swelled badly and really sore and hurting me a lot when I clamed down I asked them why they hit me in the nose and jumped on me they said it was because I wouldn't go in my room so *I said what gives them the right to hit a 14 year old child in the nose and draw blood* and they said it was a restraint." (emphasis supplied)

Mr Justice Blake has ruled that the force used against Adam amounted to an "assault on him", was in breach of the relevant Rules and breached Article 3 of the European Convention on Human Rights. He commented that:

> "There was no right to hurt such a child in these circumstances. In my judgment it is fanciful to suppose that such an answer could have had no impact on the jury's consideration of factors contributing to the death." [para 71]

He went on to hold that the treatment of Adam was not unique, but was a persistent practice in Hassockfield which breached the law.

Carol Pounder, Adam Rickwood's mother commented that;

> "Nothing can bring Adam back. All I have ever wanted is to find out the full truth about what happened to Adam and for those with responsibility to be held to account and to try and ensure that other families do not have to go through what my family has. "

……..

Mark Scott, of Bhatt Murphy solicitors who act for the family of Adam Rickwood commented that;

> "It appears that many children have been assaulted over the course of many years in privately run STCs. It is impossible to understand how this state of affairs could have taken place and been allowed to have continued by the YJB and those with responsibility for overseeing the acts of the private companies who have been entrusted to detain vulnerable children. It is my client's hope that a fresh inquiry can lead to a proper and full investigation so that lessons can be learned."

For further information, please contact:

Mark Scott
Bhatt Murphy Solicitors
Tel 020 7729 1115