

Barry Goldson and Deborah Coles, **In the Care of the State?: Child Deaths in Penal Custody in England and Wales**, Inquest, London, 2005, pb 0 9468 5819 5

The death of 28 Young people in penal custody in England and Wales between 1990 and 2005 provides the context of and focus of this book that is based on a historical analysis of youth penal policy, case studies of deaths of children in penal custody and analysis of post-death investigations and inquests. The book begins with a historical analysis of changes in policy and legislation which have had the effect, since 1994, of increasing the numbers of young people detained in penal establishments. This includes young people detained under sentence and on remand, with England and Wales imprisoning a higher proportion of young people in comparison with other Western European Jurisdictions. Although young people sentenced to Detention and Training Orders can be detained in a Young Offenders Institution, a privately-run Secure Training Centre or Local Authority Secure Children's Home, placement allocation tends in practice to be determined by availability and the majority of places are available in YOIs. The increase in the child custody population has not reflected increases in the incidence or seriousness of offending by children and young people, though new provisions have been introduced through the Criminal Justice Act 2003 for young people considered to be dangerous to be detained for longer periods of time. Other trends worthy of note include the increasing length of custodial sentences imposed on children and young people, the increase in the custodial sentencing of girls and the over-representation of black children at every stage in the criminal justice process.

The primary focus of the book, however, is upon the deaths of children and young people who have been detained in custodial settings. It benefits from collaboration between an academic and a practitioner with the result that it is accessible to a range of audiences without compromising on depth of analysis. It also contains a detailed chapter summary that presents the main findings and recommendations arising from the analysis. However it is the detailed analysis in the main chapters themselves that is particularly compelling, especially the case studies that serve to illustrate both the individual circumstances of the young people who, in most cases, took their lives while in custody and the worrying similarities in their biographies and in the circumstances of their deaths. The former include multiple disadvantage and the failure of state agencies to adequately support young people in need. The latter include the amplification of harms perpetrated by imprisonment and the lack of effective communication between those charged with these young people's care.

The following chapter considers the adequacy of formal procedures that are instigated following a self-inflicted death in custody. Experiences of parents suggest that parental notification of a child death in custody is often dealt with ineptly or insensitively, including the imparting of inaccurate information and provision of inadequate follow-up support. Until 2004 deaths in custody were investigated by the prison service calling in to question the independence of such investigations. This has been addressed to some extent by the transfer of responsibility to the Prisons and Probation Ombudsman, though this function was not formalised on a statutory basis. Following the investigation an inquest will be conducted. However the principal functions of the coroner in these circumstances

are narrowly defined, with proceedings focusing on the facts surrounding the death. The inquisitorial rather than adversarial approach to inquests does not allow for the wider circumstances of deaths in custody to be explored. For many parents, the procedures following the death of their child in custody therefore provide an inadequate account and leave many questions unanswered.

The authors could be criticised at times for conflating trends among adult prisoners and children – for example, it is important to note that the rise in adult prison suicides has not, thankfully, been mirrored in the child custody population though this may partly be accounted for by the low base rate and may increase with the inexorable rise in the use of custodial disposals with children. However, this is an interesting, thought-provoking book that addresses an important and hitherto little explored issue. The repeated failure to learn from experience and the apparent ineffectiveness of successive and well-intentioned policy and practice initiatives to prevent child deaths in custody should be of serious concern to policy makers and practitioners alike. Hopefully this book, by highlighting these shortcomings and setting out a range of policy and practice recommendations (including the abolition of the use of penal custody for children and a comprehensive review of the context and circumstances of child deaths in custody) may encourage a more co-ordinated approach to the care of young people in custody. Ultimately, however, the key challenge rests in convincing the courts that detention in secure facilities is unlikely to be effective but almost certain to inflict further harm upon already vulnerable and damaged young people.

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