

Worcestershire Coroner's Court
24th February 06

The Edita Pomell Inquest
(Death in custody at HMP Brockhill on 5th May 00)

Jury Verdict

Conclusion of the Jury: **Open Verdict**

Questions

A Are you satisfied that death was suicide? / **NO**

B Are you satisfied that death was accidental? / **NO**

C Conclusion / **Open Verdict**

1. Was there misconduct directed at Edita Pomell between the 3rd and 5th May 2000 by prison officer(s) (unnamed)? / **YES**

An officer [who must remain unnamed] went out of his way to move from the Gate. Very coincidental to move. Edita Pomell, from evidence from the family, saw him when she was arriving. Gate Officer would know that Edita would be arriving. He turned the TV in her cell off at 11.30pm. There was no evidence of juveniles being in the cell [which would justify switching TV off]. [Night Officer in charge] Barnett phoned him. Edita's comments were corroborated by inmates and phone calls to her mother. WE ALL AGREE

2. If so, did that misconduct adversely affect her state of mind? / **YES**

Edita and the officer had had run-ins before. Serious run-ins. If she got moved out of the prison again, she would not see her daughter. Against bail. Would the officer be back in three nights? Mum said she was ‘still a child’.

3. Was there adequate supervision of and accounting for the inmates on D Wing on the day of her death? / **NO**

Wing diary suggests numbers were inconsistent. Patrolling did not find her. Why phone visits? White out windows [of some cells and not others]. Lack of supervision. [Officer] Quirke did not walk into the cell recess. Mobile board [monitoring system] not very good.

4. Were the suicide awareness arrangements at Brockhill in and around May 2000 adequate?

Adequate awareness. [Then foreman added verbally in court] ‘Only adequate – not good’. But info did not get to Brockhill from the Police on the PER form.

5. Was there an adequate level of staff training in suicide awareness at Brockhill in the same period? / **NO**

Winkley [HMPS internal investigator] picked it up. The actual number trained is not adequate. [Then foreman added verbally in court] ‘Less than 50% trained is not good enough’.

6. Did the symptomatic treatment regime operated in and around May 2000 provide an adequate system for the care of prisoners withdrawing from drugs? / **NO**

A professional who treats them (with 20 years experience) said no. Based on evidence we heard it was not adequate. Not giving the same treatment as NHS in accordance with Prison Service Guidelines. There was no tie up with local [Drug Dependency] unit.

7. Were there other incidents, actions or attitudes that in some way (or in part) influenced, triggered or contributed to the relevant circumstances (such as you find them) leading up to the death? / **YES**
8. If so, what are they? (without naming names)

- a) worried that not going to get bail
- b) No interaction – left on own – (Dr Badcock)
- c) Personal issues: a/ boyfriend b/letter c/family

9. Did the Prison Service adequately investigate Edita Pomell's complaint of being racially abused and assaulted by a prison officer in October 1998? / **NO**

Evidence by Winkley states not carried out properly. Flo Herbert's investigation was not transferred to other prison officer – Complaint should have been passed up to other, more senior, person.

Rule 43 recommendations

The Coroner for Worcestershire, Mr V Round, also announced that he would be writing to the Secretary of State to make recommendations under Rule 43 of the Coroner's Rules ('action that should be taken to avoid similar deaths'). His recommendations would take into account in modified form those suggested by Edita's family, which are as follows:

1. HMPS should ensure that there is an adequate system for investigating prisoners' complaints, especially where they touch upon the suitability of staff to have direct prisoner contact.
2. HMPS should ensure, as far as practicable, that all prison staff who have direct prisoner contact are trained in suicide awareness.
3. HMPS should ensure that systems for the supervision of and accounting for inmates on residential wings are both in place and properly used.