

Institution: Liverpool John Moores University (LJMU)		
Unit of Assessment: UOA20		
Title of case study: Researching Deaths in Prisons: Impacting on State Policy and Supporting Bereaved Families		
Period when the underpinning research was undertaken: 2014-present		
Details of staff conducting the underpinning research from the submitting unit:		
Name(s): Professor Joe Sim	Role(s) (e.g. job title): Professor of Criminology	Period(s) employed by submitting HEI: September 1985 - present
Period when the claimed impact occurred: 2014-present		
Is this case study continued from a case study submitted in 2014? N		
1. Summary of the impact		
<p>Deaths in prison have become a major social and political issue. Between 2014 and October 2020, there were 598 self-inflicted deaths and 1986 deaths overall in prisons in England and Wales (inquest.org.uk). Beyond the controversial issues surrounding these deaths, there is the issue of the treatment of the families of the deceased particularly in relation to their lack of access to non-means tested legal aid. Through his role as a trustee of the highly regarded charity INQUEST, and his own research, Professor Joe Sim has focussed on impacting on this debate through providing evidence to official inquires and Parliamentary Committees; suggesting alternative policies to prevent these deaths; supporting the families of the deceased and establishing mechanisms to hold to account those involved.</p>		
2. Underpinning research		
<p>Professor Sim's research has focussed on health care for prisoners, which has provided the overarching framework within which his research on deaths in prison has been conducted. Since 2014, his work has increasingly focussed on the issue of prison safety and the link between the lack of safety inside prisons and self-harm and prison deaths (UR 1-5). This, in turn, has raised further questions about structures of democratic accountability and holding to account those involved in preventable deaths (UR4, UR5). The narrative, which has developed in the publications below, is built around addressing these issues and has become part of the conversation with the staff at INQUEST. In other words, it is a dialectical process where ideas are exchanged between INQUEST and Professor Sim in order to develop a set of theoretical arguments, and policy prescriptions, designed to ensure that the preventable deaths that have occurred can be avoided in the future (UR 1, UR2, UR4).</p> <p>Central to Professor Sim's research, and the work of INQUEST, has been the demand for social justice in a landscape where social inequality prevails both inside and outside the criminal justice system (UR1-5). This includes the gendered experience of imprisonment (UR1) and the experiences of BAME groups who disproportionately die in the custody of the state (UR2). The impact of Professor Sim's work around social inequality is outlined by Dr Jamie Bennett, Deputy Director for Security, Order and Terrorism in HM Prisons and Probation Service, who said:</p> <p>“At the heart of Professor Sim's work is a critique of how prisons function to maintain structures of power and inequality. As well as powerful theoretical dissections, he has also been able to empirically expose this in work such as his chapter in the book <i>Why prison?</i>, which showed that people in prison in Liverpool and the North West came from the most deprived areas. While this is a much broader critique of social structures, Professor Sim has played a role in sensitizing prisons to these issues, which became more responsive, particularly after the landmark Social Exclusion Unit Report published in 2002, which highlighted the impact of poor housing, education and unemployment. Subsequently it has become an integral part of institutional and government policy to seek to ameliorate these impacts.”</p>		

The issue of social justice is reflected in the radical policy alternatives proposed by INQUEST including applying the Corporate Manslaughter and Corporate Homicide Act to prisons and establishing a central oversight mechanism to monitor the implementation of official recommendations (**UR 1**, **UR 4**). As noted below, social justice also extends to ensuring that the subjugated voices of families are heard in the debate about deaths in custody (**UR 4**) and that they have equal access to legal aid. This is a central concern of INQUEST which Professor Sim has supported via his involvement in the charity's evidence to the Ministry of Justice's call for evidence on legal aid for inquests in 2018. This demand for 'equality of arms' includes not only the families of prisoners but also the families of those who died in 2017, at Grenfell. This is discussed further in Section 4 below. And while this is an ongoing issue, the charity has impacted by bringing this neglected issue into the public and political domain as a social justice issue.

3. References to the research

- **UR1.** Sim, J. (2020) 'Challenging the Desecration of the Human Spirit: An Alternative Criminological Perspective on Safety and Self-Inflicted Deaths in Prison' in Carlen, P. and Franca, L. A. (eds) *Justice Alternatives* London: Routledge pps 237-250 ISBN 978-1-138-60533-6 Book Chapter
- **UR2.** Sim, J. (2018) 'Deaths in Sites of State Confinement: A Continuum of Routine Violence and Terror' in Read, S., Sotirios, S. and Wright, A. (eds) *Loss, Bereavement and the Criminal Justice System: Issues, Possibilities and Compassionate Potential* London: Routledge (with Carlton, B) pps 54-63 ISBN 9781138283572 Book Chapter.
- **UR3.** Sim, J. (2018) 'Malignant Reality: Mental Ill-Health and Self-Inflicted Deaths in England and Wales' in Kendall, K. and Mills, A. (eds) *Mental Health in Prisons: Critical Perspectives on Treatment and Confinement* Basingstoke Palgrave Macmillan pps 235-258 ISBN 978-3-319-94090 Book Chapter.
- **UR4.** Sim, J. (2019) 'Aching desolation: Liverpool prison and the regressive limits of penal reform in England and Wales' in *Critical and Radical Social Work* 7, 1, March pps 41-58 ISSN2049 8608 Accepted for publication 18 December 2018, Online ISSN 2049 8675. Journal Article.
- **UR5.** Sim, J. (2018) 'We Are All (Neo) Liberals Now: Reform and the Prison Crisis in England and Wales' in *Justice, Power and Resistance* 2, 1 pps 165-188 ISSN 2398-2764 Journal Article.

UR1-3 went through a rigorous editorial review process prior to publication. **UR4** and **UR5** were subject to a rigorous peer review process prior to publication in line with the requirements of these journals.

4. Details of the impact

As a Trustee of INQUEST since 2008, Professor Sim has used his knowledge and expertise to support with embedding research within the core aims and objectives of the charity. This includes '*advancing education of the public by, in particular, research into and publication and dissemination of information concerning sudden or unexplained death or deaths which are or may be subject to a coroners inquest*' and '*research informed policy and parliamentary work.*' (INQUEST annual report 2018). There are four dimensions to his impact.

1. Influencing INQUEST's Policy Work

As a trustee of INQUEST, Professor Sim was, and is, heavily involved in the charity's work across a range of areas. The charity's impact is built around campaigning, parliamentary, policy and media work and is grounded in the day to day experience of working with bereaved people. Employing an integrated model, this brings together casework support, family participation [and] identification of thematic trends, statistics and analyses that feeds into the organization's work on campaigning, information sharing and policy and parliamentary work' (**Source 1**).

Professor Sim's involvement in this integrated model in terms of encouraging positive policy changes is highlighted by Rebecca Roberts, the former Head of Policy at the charity. As she notes, 'Professor Sim made a significant contribution to our research and policy work' and that his contribution included 'commenting, editing and helping to shape a number of government consultation responses, parliamentary inquiry submissions and research reports' (**Source 2**). These included: Deaths in Prison: A National Scandal, 2020 (Report), Deaths of people following release from prison, 2019 (Report), Now or Never: Legal aid for inquests, 2019 (Briefing) and, Still Dying on the Inside: Examining deaths in women's prisons, 2018 (Report).

He was also involved in submissions to: House of Commons Justice Select Committee inquiry on Prison Governance, 2019, House of Commons Health and Social Care Committee inquiry on Prison Healthcare, 2018, House of Commons Justice Select Committee inquiry on Transforming Rehabilitation, 2018, House of Commons Justice Select Committee inquiry on the Prison Population, 2018, House of Commons Justice Select Committee session on HMP Liverpool, 2018, and, Ministry of Justice call for evidence on legal aid for inquests, 2018.

He also supported INQUEST in drawing up its evidence to the Independent Review of Deaths and Serious Incidents in Police Custody chaired by Dame Elish Angiolini which was published in October 2017 and submitted his own evidence co-authored with Dr David Baker of Coventry University and Professor Steve Tombs of the Open University. The review made a number of positive recommendations which echoed a range of concerns raised by INQUEST and bereaved families. He was also involved in helping to draft INQUEST's briefing paper on women's deaths in prison entitled Still Dying on the Inside which was launched on May 2nd 2018 in Parliament at an event chaired by Baroness Helena Kennedy. As noted above, he was involved in helping INQUEST submit evidence to the Health and Social Care Committee inquiry into prison health care (**Source 3**). This evidence is referred to on pps 14 and 29 of the report while on page 31 the Committee noted that:

"Analysis by INQUEST of official data from the MoJ showed the increase in deaths post-release (274%) has been far in excess of the increase in caseloads (62%). We share INQUEST's concern that "there seems to be a complete absence of any form of investigation and follow-up when something happens to somebody on post custody supervision."

The report echoed INQUEST's concerns about 'natural' deaths in prison and argued that 'so-called natural cause deaths too often reflect serious lapses in care'. The recommendations from the Committee also reflected INQUEST's long-running concerns around prison health care including calling for an independent review regarding the implementation of inspection recommendations, improved health screenings and access to appointments, quicker transfers to mental health settings, and clarity on measures to improve standards of healthcare more generally. This was also the first time a committee had made recommendations to address the alarming number of deaths of people after release from prison, again a major concern of INQUEST.

2. Influencing Official Policy Debates

In July 2015, with Professor Steve Tombs of the Open University, Professor Sim submitted evidence to the independent review conducted by Lord Toby Harris into the self-inflicted deaths in custody of 18-24 year olds (The Harris Review). This evidence was cited in Paragraph 3.73, page 71, of the final report which noted that "In their submission to the Review, Professors Joe Sim (Professor of Criminology, Liverpool John Moores University) and Professor Steve Tombs (Professor of Criminology, The Open University) pointed out the disparity in the length of time officers are trained in England & Wales, as compared to their continental counterparts, quoting from an article published in July 2011 in Inside Times "...training for prison officers in Norway took

two years, while in England and Wales it was eight weeks, which was 'perhaps the shortest of all staff training in Europe....' (**Source 4**).

Dr Jamie Bennett, Deputy Director for Security, Order and Terrorism in HM Prisons and Probation Service, provided the following perspective, "One of Professor Sim's most important contributions was in challenging the state of medical services in prisons, particularly in the book *Medical Power in Prisons*. When he started to write about this in the 1970s and 1980s, a separate Prison Medical Service was in place. By the early 2000s, this was disbanded and responsibility transferred to the National Health Service. The persistent and determined resistance of Professor Sim was an important part of the movement that saw the abolition of the Prison Medical Service. He continues to highlight the high number of people who die in prisons and the inadequacies of mental health support. This work has been part of pressure that has led to more independent scrutiny through the Prison and Probation Ombudsman" (**Source 5**).

Dr Bennett has also pointed to how Professor Sim directly engaged with practitioners via his engagement with the *Prison Service Journal (PSJ)*, which he edits. and the impact on him as a senior prison manager in terms of self-reflecting on his own everyday practices working in prisons: "The fact that Professor Sim engages with practitioner publications such as *PSJ*, and is willing to engage in debate with people in prisons shows a personal and intellectual courage. It also shows an activist's desire to not simply critique from the outside but to directly get into the belly of the beast. I myself can personally attest to how his work has led me to question what I do professionally and has encouraged me to challenge and change my practice". (**Source 5**).

3. Shaping Public Debate

INQUEST casework is substantial. For example, between 1 September and 30 November 2018, the charity had 1051 new and ongoing cases. During that time, the charity sent out 35 press releases. It has always been a central feature of Professor Sim's work with INQUEST to follow this example and disseminate his work to the widest possible official, activist and popular audiences. To that end, he has published nine single authored and one co-authored blog since January 2018 (S). A central theme in the majority of these blogs is the issue of prison safety, which underpins the question of self-harm and self-inflicted deaths in prisons.

He was interviewed for the University of Sheffield's Massive Open On-Line Course in July 2015 on Prison Abolition (**Source 6**). He also took part in a documentary *Injustice: A Documentary on Prisons, Crime and Us* that was screened in 2017 (<https://www.injustice-film.com/>). He participated in an on-line interview, which is part of a series entitled *Critical Perspectives*. A comment left by Dr David Scott said that 'this is a brilliant interview with one of the leading critical thinkers on crime and punishment in the last four decades' (**Source 7**).

In February 2018, he was consulted by the production company Wall to Wall for a proposed three part series for the BBC entitled *History of Crime* and for another series by the same production company on the history of the prison system. He was also consulted for a programme on BBC Radio 4's *File on Four*, which was broadcast on 13th March 2018 on the subject of *Squalid Prisons: Who's to Blame?* He was interviewed on the independent radio station, Bliss, in February 2019, which covered deaths in prison and the prison crisis more generally. In August 2020, he was interviewed by Black Lives Matter Merseyside Alliance (**Source 7**).

Overall, Professor Sim's research has been concerned with influencing public attitudes towards, and understanding of, the criminal justice system in general, and prisons. This sentiment was alluded to in the following quote from Dr Jamie Bennett "For almost half a century, Professor Sim has been a credible, persuasive and persistent advocate of prison abolitionism. At times, this must have felt like a lonely and fruitless task. Yet this work has paid dividends. Following the death of George Floyd at the hands of the police in Minneapolis, part of the subsequent public response

included more mainstream openness to radical critique, discussion of police and prison abolitionism and articulation of utopian alternatives. This has only been possible because of the long-term work of those, such as Professor Sim, who has made a consistent stand and developed a clear intellectual foundation" (**Source 5**).

Between May 2014 to August 2020, he had 20 letters published in the Guardian, The Observer and The Times, a number of these were jointly authored with Deborah Coles, Dr David Scott and Prof. Steve Tombs. From May 2014 to August 2020, the average circulation per issue ranged between 186,931 to 109,533 for the Guardian, 143,764 to 210,308 for The Observer and 392,743 to 365,880 for The Times. Circulation figures sourced from: <https://www.abc.org.uk/data/national-newspapers>.

4. Supporting Bereaved Families

A central concern of INQUEST is to put the experiences of bereaved families at the centre of its work. This includes not only the families of prisoners who have died in the custody of the state but also the families of those who died at Hillsborough and at Grenfell. As a trustee, Professor Sim has been involved in the debates within the charity as to how to support the families of the bereaved in these cases.

In terms of Grenfell, INQUEST's casework team have been working with the bereaved and survivors, providing assistance 'with navigating the complex issues around the Inquiry'. INQUEST has also been involved in coordinating meetings with the Grenfell INQUEST Lawyers Group who have been representing those bereaved by what happened at Grenfell. (**Source 8**).

INQUEST's focus has been to ensure that the voices of the families have been heard. After the first phase of the inquiry, the charity convened a Family Consultation Day for the bereaved. It has also produced an evidence-based report containing personal testimonies of bereaved families and recommendations to avoid future disasters such as Grenfell (**Source 9**). A bereaved family member summed up INQUEST's contribution: "INQUEST is giving people who are challenged, an opportunity to regrow their wings" (**Source 10**).

5. Sources to corroborate the impact

Source 1: Evidencing Truth to Power THE WORK AND IMPACT OF INQUEST 2016 – 2018 MAY 2019 <https://www.inquest.org.uk/Handlers/Download.ashx?IDMF=6aadd1b3-0be6-4d4b-8de1-34b16faf1860>

Source 2: Rebecca Roberts, former Head of Policy, INQUEST

Source 3: House of Commons Health and Social Care Committee Prison health Twelfth Report of Session 2017–19 <https://publications.parliament.uk/pa/cm201719/cmselect/cmhealth/963/963.pdf>

Source 4: The Harris Review - Changing Prisons, Saving Lives Report of the Independent Review into Self-inflicted Deaths in Custody of 18-24 year olds https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/439859/moj-harris-review-web-accessible.pdf

Source 5: Dr Jamie Bennett, Deputy Director for Security, Order and Terrorism in HM Prisons and Probation Service

Source 6: Does prison work? <https://www.futurelearn.com/courses/crime-justice-society/0/steps/10849?main-nav-submenu=main-nav-categories>

Source 7: Class and criminal justice <https://www.youtube.com/watch?v=j-oZFX5G3M> ; Black Lives Matter Merseyside <https://youtu.be/Qt6soEBFAMc>

Source 8: <https://www.inquest.org.uk/pages/category/grenfell>

Source 9: Family reflections on Grenfell: No voice left unheard INQUEST report of the Grenfell Family Consultation Day May 2019 <https://inquest.eu.rit.org.uk/Handlers/Download.ashx?IDMF=47e60cf4-cc23-477b-9ca0-c960eb826d24>

Source 10: Deborah Coles, Director, INQUEST