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# PRIVATE EYE



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## IN THE BACK

### PRISON DOESN'T WORK

A WHEELCHAIR-bound man in the advanced stages of a rare degenerative disease and who needs 24-hour care was jailed for three years this month and sent to Wormwood Scrubs – an overstretched jail that cannot cope with someone who has such severe disabilities and, at best, ten years left to live.



GARBLED SENTENCE: Daniel Roque Hall, who despite needing intensive 24-hour care because of his disabilities has just started a three-year jail term in overstretched Wormwood Scrubs.

Daniel Roque Hall, 29, suffers from Friedreich's ataxia. He has little movement in his upper limbs, his speech is severely impaired and he has difficulty swallowing. He also has curvature of the spine. This puts pressure on his already damaged heart and causes breathing difficulties and severe back pain.

He needs 24-hour care, including toileting, repositioning to avoid pressure sores and manipulation and exercise to maintain as much muscle activity as possible. Yet, shackled in his wheelchair to security guards and described by a judge as naïve and vulnerable, he was still sent to the Scrubs to start his sentence earlier this month.

#### Home curfew

Daniel, who had never been in trouble before, was arrested at Heathrow airport with 2.8kgs of cocaine in the cushion of his wheelchair when he returned from a trip to Peru last November with one of his carers. Although probation reports found Daniel had been "groomed and manipulated", he pleaded guilty and told customs investigators his carer had not been involved. His family accepts this.

While awaiting sentence Daniel was put under home curfew because of the severity of his condition. Nothing has changed in his condition; but Wormwood Scrubs staff reassured the court that the jail could meet his needs.

#### Fears for his mental and physical wellbeing

He had only been in the Scrubs' health wing for two hours when, left alone on a trolley, an involuntary muscle spasm caused Daniel to tumble off and hit his head. Instead of taking him to hospital, Scrubs staff for some reason decided to send him to a care home for the elderly and those with dementia. No one told the staff there that he had hit his head, or that he was taking blood-thinning medication. Instead security staff sat chained to him (how they thought he might escape is a mystery) until the care home later arranged a transfer to hospital. Discharged a day later, he is now back at the Scrubs where his mother, Anne Hall, fears for his mental and physical wellbeing.

No one is claiming that Daniel should evade justice; but for someone of his vulnerability, the effects of jail are degrading, inhumane and manifestly disproportionate. Until last week when the high court intervened, prison governors had also been refusing to allow him access to his new solicitor, Adam Tear.

#### Inappropriately handcuffed

Along with claims of neglect and inappropriate treatment after his fall, among the litany of concerns are that in the two weeks since his imprisonment Daniel was denied pain relief and mobility help; spent five days in an old people's home inappropriately handcuffed despite his immobility and propensity to injury and infection; had no access to his usual exercise equipment, including his standing wheelchair; was offered inappropriate food; and needed another urgent hospital admission to control thyroid problems.

Dr A Dornhorst, a consultant endocrinologist at Hammersmith Hospital, wrote: "It would be difficult to think that Daniel would be able to survive any period of incarceration unless he was to have appropriate one-to-one 24-hour care to prevent bed sores, recurrent hypoglycaemia and infections."

Meanwhile his consultant neurologist, Dr Paola Giunti, of the National Hospital for Neurology and Neurosurgery, warned that: "If the appropriate support is not put in place, Mr Roque Hall can deteriorate quite rapidly."

Daniel's mother says she fears for his safety at the Scrubs – not unreasonably perhaps

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given the recent report on the London jail by the prisons inspectorate. This found there was little support or help for prisoners with disabilities, and that the jail's inpatient unit was more suited to inmates with mental illness.

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Why the money-laundering abuses at HSBC land firmly on the doorstep of ex-bank boss (and current trade minister) Lord Green.

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