

PRISONS AND PROBATION OMBUDSMAN PUBLISHES ANALYSIS OF SECOND WAVE OF COVID-19 DEATH INVESTIGATIONS

Sue McAllister, the Prisons and Probation Ombudsman (PPO), has published a 'Learning Lessons Bulletin' analysing investigations into 107 deaths related to COVID-19 between 8 October 2020 and 20 April 2021.

This analysis of the second wave of COVID-19 related deaths in prisons¹ in England and Wales follows [a bulletin published in February 2021](#) which reviewed 26 deaths in an early, shorter wave between 18 March and 27 May 2020.

Sue McAllister said: "When compared to the first wave of COVID-19 related deaths, the second wave saw a higher number of deaths and lasted longer.

"We recognise the considerable pressures that COVID-19 brought for both prisoners and staff. The deaths investigated during the second wave have continued to show the care and compassion that prisoners and their families and friends have received from prison and healthcare staff. However, we have also found cases where the correct procedures were not followed and where care was not good enough."

Of the 107 COVID-19 related deaths investigated by the PPO in the second wave, 106 were prisoners and 1 was a resident at a probation Approved Premises. 104 were men and 3 were women. The youngest was 36 years old and the oldest was 98 years old.

The PPO categorises a death as COVID-19 related if COVID-19 is listed on the individual's death certificate, or the post-mortem report, as either the cause of, or contributory factor to, the death. It is not always possible to know where or how the deceased caught COVID-19, however, of the 78 cases with an initial or final report, some had likely caught COVID-19 in prison. Others had caught COVID-19 in hospital and in some cases, it was impossible to tell.

¹ There was one death of an Approved Premises resident.

The second wave bulletin recommends that Her Majesty's Prison and Probation Service (HMPPS) and healthcare providers should ensure that:

- All prisoners at high risk of becoming seriously ill if they contract COVID-19 are identified and are given appropriate advice about shielding
- Prisoners at high risk of becoming seriously ill if they contract COVID-19 are formally assessed to check they have the mental capacity to understand the risks of not shielding, and this is recorded
- Prison and healthcare staff are made aware of prisoners who are shielding and/or self-isolating due to COVID-19
- Positive COVID-19 tests are recorded in individuals' medical records
- All prisoners with suspected or confirmed COVID-19 are regularly monitored by healthcare staff through clinical observations (including NEWS²), and these are recorded
- All prisoners with suspected or confirmed COVID-19 have an appropriate clinical management plan that reflects their individual needs
- Prisoners suspected of having COVID-19 are given the opportunity for a relative or friend to be notified
- The risk of staff exposure is considered when prisoners with suspected or confirmed COVID-19 are restrained.

The bulletin also contains a number of anonymised case studies which capture the evidence underlying the recommendations.

Overall, Sue McAllister said: "We know that the impact of COVID-19 will continue to present a risk to safety in prisons, and that its effects will be felt across the prison estate well into the future. We hope this bulletin will provide useful learning that can play a part in supporting the ongoing response to COVID-19."

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² National Early Warning Score (NEWS) is a tool used to assess clinical deterioration in adult patients.

Notes to editors

1. The report is available at www.ppo.gov.uk
2. The Prisons and Probation Ombudsman (PPO) is appointed by and reports directly to the Secretary of State for Justice. The Ombudsman's office is wholly independent of the services in remit, which include those provided by Her Majesty's Prison and Probation Service (HMPPS), the National Probation Service for England and Wales, the Community Rehabilitation Companies for England and Wales, Prisoner Escort and Custody Service, the Home Office (Immigration Enforcement), the Youth Custody Service, and those local authorities with secure children's homes. It is also operationally independent of, but sponsored by, the Ministry of Justice (MoJ).
3. The roles and responsibilities of the PPO are set out in the Terms of Reference (ToR), the latest version of which can be found in the appendices.
4. The PPO has three main investigative duties:
 - complaints made by prisoners, young people in detention (prisons and secure training centres), offenders under probation supervision and individuals detained under immigration powers (detained individuals)
 - deaths of prisoners, young people in detention, approved premises' residents and detained individuals due to any cause
 - using the PPO's discretionary powers, the investigation of deaths of recently released prisoners
5. Please contact John Steele on 07880 787452, or at john.steele@justice.gov.uk if you would like more information