

3 April 2023

Reference: FOI 457 Freedom of Information request

Thank you for your emails, which we received on 7 March 2023. Your request has been handled under the Freedom of Information Act 2000.

You asked us:

For information on what investigation has been taken into the fatal incident report published on 6 March 2023 on the PPO website of the death of a man at HMP Parc in December 2009. You also asked for information on how this happened.

Our response:

We have searched our records and we hold the requested information on the above questions. A copy of the information that you requested is enclosed with our response, in the email thread titled "FW: Error in Fatal Incidents report database [REDACTED]" [REDACTED]

As we explained in our response to FOI 303, during 2010-2017 the PPO changed the process of publishing fatal incident reports on our website and case management system. This means that there are some potential inaccuracies as to which fatal incident reports have been published on our website. Without manually checking every case there still may be a small number of inaccuracies.

You asked us:

To provide full details of all the investigations held into the discovery of non-published historic reports, including when held and what the outcomes were.

Our response:

We have searched our records and we hold the requested information on the above questions. A copy of the information we hold is attached with our response.

You asked us:

For information as to why these previous investigations fail to identify this current report?

Our response:

Please see our response to your first question.

You asked us:

To provide details of steps now taken to ensure this wholly unprofessional behaviour is never repeated.

Our response:

We do not hold a record of this information.

You asked us:

For information on the death of a man at HMP Durham, who died on 9 January 2011, and whose report was published in February 2021, ten years later.

Our response:

We have searched our records and we hold the requested information on the above question. A copy of the information that you requested is enclosed with our response, in the email thread titled "FW_ Freedom of Information request - Delayed publication of Fatal Incident Reports".

You have the right to appeal against our response if you think it is incorrect. Details can be found in the 'How to Appeal' section attached at the end of this letter.

Email: PPOMailFreedomofInformationRequests@ppo.gov.uk

The Prisons and Probation Ombudsman (PPO) carries out **independent investigations** into complaints and deaths in custody. The detailed role and responsibilities of the PPO are set out in our office's Terms of Reference. The PPO has three main duties:

- to **investigate 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)
- to **investigate deaths** of prisoners, young people in detention, approved premises' residents and detained individuals due to any cause, including any apparent suicides and natural causes
- to **investigate deaths** of **recently released prisoners** that occur within 14 days of release from prison (except homicide)

The purpose of these investigations is **to understand what happened, to correct injustices** and **to identify learning** for the organisations whose actions we oversee so that the PPO makes a significant contribution to safer, fairer custody and offender supervision.

We may use or share your data only to the necessary extent when conducting our independent investigations in the exercise of our official authority. We will share your data with third parties (e.g. the prison) in order to make sure the information is accurate; to prevent or detect failings; and to identify lessons learnt. We may sometimes need to share your data with third parties if required by law. We only keep your personal data for as long as it is needed, as set out in our data retention policy. If you need any further information about how your data is used, please contact us.

How to Appeal

Internal Review

If you are not satisfied with this response, you have the right to an internal review. The handling of your request will be looked at by someone who was not responsible for the original case, and they will make a decision as to whether we answered your request correctly.

If you would like to request a review, please write or send an email to the Prisons and Probation Ombudsman's office **within two months of the date of this letter**, at the following address:

Prisons and Probation Ombudsman
Third Floor
10 South Colonnade
Canary Wharf
London
E14 4PU
E-mail: Mail@ppo.gov.uk

Information Commissioner's Office (ICO)

If you remain dissatisfied after an internal review decision, you have the right to apply to the Information Commissioner's Office. The Commissioner is an independent regulator who has the power to direct us to respond to your request differently, if he considers that we have handled it incorrectly.

You can contact the ICO at the following address:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Internet address: <https://ico.org.uk/>