

**Prisons &  
Probation**

**Ombudsman**  
Independent Investigations

# Independent investigation into the death of Mr Mark Forbes a resident at The Pines Approved Premises on 25 April 2016

**A report by the Prisons and Probation Ombudsman  
Nigel Newcomen CBE**

## Our Vision

To carry out independent investigations to make custody and community supervision safer and fairer.

## Our Values

**We are:**

**Impartial:** *we do not take sides*

**Respectful:** *we are considerate and courteous*

**Inclusive:** *we value diversity*

**Dedicated:** *we are determined and focused*

**Fair:** *we are honest and act with integrity*



© Crown copyright 2015

This publication is licensed under the terms of the Open Government Licence v3.0 except where otherwise stated. To view this licence, visit [nationalarchives.gov.uk/doc/open-government-licence/version/3](http://nationalarchives.gov.uk/doc/open-government-licence/version/3) or write to the Information Policy Team, The National Archives, Kew, London TW9 4DU, or email: [psi@nationalarchives.gsi.gov.uk](mailto:psi@nationalarchives.gsi.gov.uk).

Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned.

The Prisons and Probation Ombudsman aims to make a significant contribution to safer, fairer custody and community supervision. One of the most important ways in which we work towards that aim is by carrying out **independent** investigations into deaths, due to any cause, of prisoners, young people in detention, residents of approved premises and detainees in immigration centres.

We carry out investigations to understand what happened and identify how the organisations whose actions we oversee can improve their work in the future.

Mr Forbes was found hanged in a shower room at The Pines Approved Premises on 25 April 2016. He was 47 years old. I offer my condolences to Mr Forbes' family and friends.

While I do not think that staff at the approved premises could have predicted or prevented Mr Forbes' actions on 25 April, I am concerned that they did not properly consider his risk factors when assessing his risk of suicide and self-harm a month earlier. They did not follow local procedures for managing a resident identified as at risk of suicide and self-harm, and therefore, did not offer Mr Forbes the targeted support he might have benefitted from.

I am concerned that no one from the approved premises contacted Mr Forbes' family until the day after he died and not in person, as national guidance requires.

This version of my report, published on my website, has been amended to remove the names of staff and residents involved in my investigation.

**Richard Pickering**  
**Deputy Prisons and Probation Ombudsman**

**December 2016**

**Contents**

Summary ..... 1  
The Investigation Process ..... 3  
Key Events ..... 5  
Findings..... 9

# Summary

## Events

1. On 7 March 2016, Mr Forbes arrived at The Pines Approved Premises after being released from HMP Coldingley where he had served a 40 month sentence for armed robbery. Mr Forbes had a history of depression and substance misuse and was taking antidepressants.
2. On 29 March, Mr Forbes told his offender manager that he was feeling very low and had suicidal thoughts. She phoned staff at The Pines, who said they would speak to their manager and monitor Mr Forbes' low mood. No measures were put in place to monitor Mr Forbes.
3. On 6 April, 11 April, 14 April and 15 April, Mr Forbes did not take his antidepressant medication. On 19 April, he saw his offender manager, who encouraged him to discuss his medication with his GP.
4. On 23 and 25 April, staff found alcohol in Mr Forbes' room and in his backpack, which was against the approved premises' rules. On 25 April, staff reassured Mr Forbes, but told him that he should not go out that afternoon as his offender manager might want to speak to him. Mr Forbes' offender manager arranged to meet Mr Forbes the next day, with The Pines' operations manager, to discuss his alcohol use. The operations manager told staff working the late shift to complete welfare checks on Mr Forbes for the rest of the day.
5. At around 4.00pm, an approved premises assistant checked Mr Forbes, but he was not in his room. He found Mr Forbes in his shower room, hanging from a belt tied to the shower fitting. Staff and paramedics tried to resuscitate him, but paramedics recorded that Mr Forbes had died at 4.50pm.

## Findings

6. We consider that staff at The Pines could not have predicted or prevented Mr Forbes' actions on 25 April. However, we are concerned that when Mr Forbes' offender manager told the approved premises that Mr Forbes was having suicidal thoughts several weeks earlier, staff did not follow local procedures to support and manage him and that staff relied on his presentation rather than his identified risk factors when assessing his level of risk. We are also concerned that news of Mr Forbes' death was broken to his next of kin by the police, rather than a member of the approved premises staff.

## Recommendations

- The manager of The Pines Approved Premises should ensure that staff understand the procedure for identifying residents at risk of self-harm and suicide and for managing and supporting them. In particular, they should ensure that staff:
  - Assess the risk of suicide or self-harm based on all available information and known risks factors and not on a resident's presentation.

- Commence local suicide and self-harm prevention procedures, or ACT if relevant, whenever a resident has recently said they are having thoughts about suicide.
- The Manager of The Pines should ensure that national guidance about contacting families after a death is followed.

## The Investigation Process

7. The investigator issued notices to staff and residents at The Pines Approved Premises informing them of the investigation and asking anyone with relevant information to contact her. No one responded.
8. The investigator visited The Pines on 5 May 2016 and obtained copies of relevant extracts from Mr Forbes' probation records. She interviewed six members of staff at The Pines on 16 June with her colleague. On 1 August, the investigator interviewed Mr Forbes' roommate by video link.
9. We informed HM Coroner for Bournemouth of the investigation who sent the results of the post-mortem examination. We have given the coroner a copy of this report.
10. One of the Ombudsman's family liaison officers contacted Mr Forbes' step-father and former partner to explain the investigation and to ask if they had any matters they wanted the investigation to consider. They did not raise any issues to be considered as part of the investigation but requested copies of the report. Mr Forbes' former partner felt she was not in a position to comment on the factual accuracy of the report, and Mr Forbes' step-father did not provide any comments on the report.

# Background Information

## The Pines

11. Approved premises (formerly known as probation hostels) mostly accommodate offenders released from prison on licence. Their purpose is to provide an enhanced level of residential supervision in the community as well as a supportive and structured environment to reduce the likelihood of further offending.
12. The Pines Approved Premises in Bournemouth can accommodate up to 16 men. Every resident attends an induction session and signs to say that they understand the rules, including that they must not bring drugs or alcohol into the approved premises. Each resident has a key worker to oversee their progress and well-being, and that they adhere to their individual licence conditions and the premises' rules. All residents will also have an offender manager (probation officer).
13. The Pines operates a curfew between 11.00pm and 6.00am or 11.00pm and 7.00am, when all residents are expected to be on the premises. Residents who are considered to be at risk of drug or alcohol misuse are routinely tested.
14. Residents are responsible for their own health. Mr Forbes was registered with a GP and was receiving treatment for depression.

## Assessment, Care in the Community and Teamwork (ACT)

15. According to National Offender Management Service (NOMS) policy, each approved premises must have a strategy for managing and supporting residents considered at risk of suicide and self-harm. Assessment, Care in the Community and Teamwork is a national system used in some approved premises to identify, monitor and support residents at risk of suicide and self-harm. The Pines uses the ACT system. In theory, any member of staff can start the ACT process but, at The Pines, ACT procedures are normally started by a manager, who completes an Immediate Action Plan. Within 24 hours, an ACT assessment is carried out by an appropriately trained member of staff.
16. After the ACT assessment has taken place, an ACT case review is held to determine what measures should be taken to monitor and support the resident effectively. The resident attends the case review and is encouraged to contribute to the decisions being made. An ACT care plan is drawn up detailing the actions required to keep the resident safe and identifying who is responsible for carrying out each action. Case reviews are held at regular intervals to review the actions and the resident's level of risk.

## Previous deaths at The Pines

17. We have investigated one previous death at The Pines Approved Premises. There are no similarities with the circumstances of Mr Forbes' death.

## Key Events

18. On 7 July 2014, Mr Forbes was charged with robbery and remanded to HMP Winchester. He told an offender supervisor that he had used a knife in the robbery because he wanted to go to prison as he had just become homeless. The day before he was arrested, Mr Forbes took an overdose. On 7 March, he was released on licence from HMP Coldingley, after serving 20 months of a 40 month sentence.
19. The day he was released from prison, Mr Forbes met his offender manager. She explained the conditions of his licence. He was required to stay at The Pines, not have contact with the victim of his offence, and to comply with measures to address his alcohol misuse, including completing alcohol awareness work, reporting his alcohol use and discussing the impact that alcohol could have on his offending behaviour and emotional wellbeing. Mr Forbes also had to report to her on a weekly basis. During his first appointment, Mr Forbes told her that he had a history of depression and was prescribed 30mg of mirtazapine (an antidepressant), which he said had really been helping him.
20. That afternoon, Mr Forbes arrived at The Pines and an approved premises assistant completed his induction paperwork. Mr Forbes signed a compact agreeing to abide by the premises' rules, including that he would not bring alcohol into The Pines. Mr Forbes was allocated a room, sharing with another resident. The next day, Mr Forbes met one of his key workers at The Pines, who noted that he had settled in well.
21. The Approved Premises Manual requires all residents to collect any prescribed medication from reception each day. Staff can assess whether it is safe to for residents to keep their medication in their room, which includes considering the type of medication, whether the resident understands how to take their medication and any history of self-harm. As Mr Forbes had not yet had a risk assessment, it was his responsibility to collect and take the prescribed dose of his antidepressant medication each day. Staff told investigators that if a resident did not collect their medication, they notified The Pines' manager and the resident's offender manager, so that they could discuss it with the resident. On 25 and 26 March, Mr Forbes did not collect his daily mirtazapine tablet. An approved premises assistant noted in Mr Forbes' records that he would speak to day staff about this, but that he had not been able to speak to Mr Forbes.
22. On 27 March, Mr Forbes asked to keep his medication in his room. Another approved premises assistant completed the risk assessment. Mr Forbes told her that he had never self-harmed in the past and did not have a problem with alcohol misuse. Another member of staff checked Mr Forbes' records and found that he did in fact have a history of self-harm and alcohol misuse. She emailed the operations manager, noting that Mr Forbes wanted to keep his medication in his room but had been dishonest about his history of self-harm.
23. On 29 March, Mr Forbes told his offender manager that he was feeling very low and had suicidal thoughts, but would not provide any further information. Mr Forbes said that he was taking his antidepressant medication but that he had missed a few days because he could not keep his medication in his room. She

told Mr Forbes that she would contact The Pines to tell them how he was feeling so they could support him.

24. The offender manager phoned The Pines and told them that Mr Forbes was having suicidal thoughts and that she had concerns about him keeping his medication in his room. She recorded in Mr Forbes' offender management records that the member of staff she had spoken to had told her that the operations manager would talk to Mr Forbes about his medication and that staff would monitor his low mood. She did not record who she had spoken to and we were unable to identify them. There is no record that any staff member spoke to Mr Forbes about his mood or suicidal thoughts or that any additional measures were put in place to monitor him. There is no record of her phone call at the approved premises.
25. When interviewed, the operations manager said that he did not remember being told that Mr Forbes was feeling low and having suicidal thoughts. The approved premises assistant said that she knew that Mr Forbes had told his offender manager that he was feeling low and had suicidal thoughts, but could not remember how she was told about this. She told investigators that she had been trained in the ACT process but that, at The Pines, only a manager or probation officer could start ACT procedures. She said that she did not think that Mr Forbes was at risk of suicide or self-harm, based on his presentation. She did not think that the offender manager's request to monitor Mr Forbes' mood meant that staff needed to start welfare checks. At The Pines, welfare checks are used as a less formal process for staff to monitor a resident's mood by recording regular interactions, and noting their behaviour, actions and conversations.
26. On 30 March, an approved premises assistant noted that the operations manager had reviewed Mr Forbes' file and decided that Mr Forbes needed to collect his medication more regularly before he could keep it in his room.
27. On 3 April, an approved premises assistant saw Mr Forbes for a key worker session. He noted that Mr Forbes' mental health was his main concern, and that he continued to be depressed and spent a lot of time sitting in the lounge or in his room. He noted that Mr Forbes wanted to speak to his GP about community mental health services. He did not ask the operations manager to begin ACT procedures or welfare checks. This was the last time anyone recorded any concerns about Mr Forbes' mood or vulnerability.
28. On 6 April, the offender manager met Mr Forbes and noted that he was in quite good spirits. He said he was feeling much better and more positive about everything and that he had spent the morning with his step-father. He also said that he had made an appointment with mental health services for the following week.
29. On 6 April, 11 April, 14 April and 15 April, Mr Forbes did not take his antidepressant medication. On 13 April, the offender manager met Mr Forbes and discussed the missed doses of medication. Mr Forbes said that missing his medication every so often was not affecting his feelings. On 15 April, one of Mr Forbes' key workers asked him why he had not taken his medication as prescribed. Mr Forbes said that he did not need it every day and did not take it at night if he was already feeling sleepy.

30. On 19 April, the offender manager met Mr Forbes. He said that he wanted to see a GP to talk about his antidepressant medication. Mr Forbes said that he felt no different, even though he had not taken his medication regularly. She explained that not taking his medication would affect his mental health over time and he might not notice it immediately. She noted that Mr Forbes did not present in a low mood, but still required a lot of guidance to tackle problems. The next day, an approved premises assistant made a GP appointment for Mr Forbes for 26 April. (Approved premises staff said that while they encourage residents to make GP appointments themselves, they will make appointments for them, particularly where they need to see a GP at relatively short notice.)
31. On 23 April, an approved premises assistant searched Mr Forbes' room after staff noticed that he smelled of alcohol. She found an open three litre bottle of cider in his backpack and Mr Forbes tested positive for alcohol. Mr Forbes asked her for his medication, but she told him that he should not take it with alcohol. Mr Forbes said that he wanted to take it anyway, so she asked him to sign a disclaimer that he was taking his medication against staff advice. Mr Forbes signed the document, took his medication, and returned to his room. She emailed the offender manager about Mr Forbes' alcohol use.

#### Events of 25 April

32. Between 5:30am and 6.30am on 25 April, Mr Forbes' roommate spoke to Mr Forbes as he was getting ready for work. He said that Mr Forbes was happy because he was going to visit his step-father that day.
33. At 1.30pm, the offender manager emailed the approved premises assistant to say that she had an appointment with Mr Forbes the next day and that he also had an appointment with his GP. She said that she would speak to Mr Forbes about his drinking, and would also tell his GP about her concerns so he could talk to Mr Forbes.
34. At 2.54pm, an approved premises assistant noted that he had searched Mr Forbes' room again and found more bottles of cider. He noted that Mr Forbes had seemed surprised when he had told him that residents were not allowed to have alcohol on the premises. He told the operations manager what had happened, and the operations manager emailed the offender manager and asked her to call him urgently.
35. At around 3.00pm, Mr Forbes came to reception and asked the approved premises assistant what would happen now that more alcohol had been found in his room. He said that his offender manager would want to speak to him and that it was not the end of the world. He told Mr Forbes that, under his licence conditions, he was allowed to drink alcohol and that he could drink reasonably outside the premises.
36. The approved premises assistant asked to check Mr Forbes' backpack and found three new bottles of cider. He took the bottles of cider and advised Mr Forbes to stay in that afternoon, in case his offender manager wanted to speak to him. He noted that he did not want Mr Forbes to go out in case he started drinking outside and that he wanted to keep an eye on him to make sure he was okay. Mr Forbes

left the office and he emailed the offender manager to tell her what had happened.

37. At 3.10pm, the operations manager emailed the offender manager and spoke to his area manager about finding alcohol in Mr Forbes' room. He recorded that they had agreed to inform staff on duty and staff coming in to work the late shift to do welfare checks on Mr Forbes.
38. At 4.05pm, an approved premises assistant went to find Mr Forbes because he had not completed his meal form. He could not find him, so went back to the office to check if he had signed out of the approved premises, but he had not and no one had seen him leave. He checked upstairs and saw that the shower room next to Mr Forbes' room was locked. He knocked on the door and there was no answer. He got a knife from the staff office to open the shower room door. He told Mr Forbes' keyworker to stay in the office and watch the CCTV cameras because he thought there might be a problem.
39. The approved premises assistant went back upstairs and managed to open the shower room door. He saw Mr Forbes hanging from the shower fitting by a belt tied to a shoelace. He motioned to the keyworker on the CCTV camera to come upstairs. As the keyworker ran upstairs, he heard him say 'he's hanged himself', so he went back downstairs to get the anti-ligature knife.
40. The keyworker arrived in the shower room and cut the belt, while the assistant supported Mr Forbes' weight and they put Mr Forbes on the floor on his back. The keyworker ran downstairs to call an ambulance and the assistant checked Mr Forbes for a pulse but could not find one, so started resuscitation. Paramedics arrived at 4.20pm, and continued resuscitation, but at 4.50pm, they recorded that Mr Forbes had died.

### **Contact with Mr Forbes' family**

41. When Mr Forbes arrived at The Pines, he named his step-father as his next of kin. After he had died, approved premises staff told the police, who said that they would break the news to Mr Forbes' step-father, and they did so later on 25 April. On 26 April, the probation area manager phoned Mr Forbes' step-father and passed on his condolences and offered his support. He also contacted Mr Forbes' ex-partner and offered support. The Pines contributed to the cost of Mr Forbes' funeral, in line with national instructions.

### **Support for residents and staff**

42. After Mr Forbes' death, a manager chaired a meeting with staff and residents and offered ongoing support. The Pines posted notices informing residents of Mr Forbes' death, and reminded them how to access support.

### **Post-mortem report**

43. The post-mortem report noted that the cause of Mr Forbes' death was hanging.

## Findings

44. Although we have some concerns that staff at The Pines did not properly consider Mr Forbes' risk factors when assessing his risk of suicide and self-harm in March, we do not consider that staff could have predicted or prevented his actions on 25 April.

### Assessment and management of risk of suicide and self-harm

45. The Approved Premises Staff Guidance 'Care of At Risk Residents' outlines factors that indicate a resident may be at a raised risk of suicide, including depression and a previous suicide attempt. Anyone working in the approved premises who has concerns about a resident must talk to the person about their concerns, listen to what they have to say, and if still concerned, request that the local procedures for managing someone at risk of suicide and self-harm are begun. At The Pines, staff should tell one of the managers, who should begin ACT procedures.
46. On 29 March, the offender manager contacted The Pines to tell them that she was concerned about Mr Forbes because he was feeling low and had thoughts of suicide. A member of staff told her that they would discuss this with the operations manager and monitor Mr Forbes' mood. However the operations manager said that he did not remember staff discussing this with him. There is no record that anyone raised any concerns with The Pines' managers or spoke to Mr Forbes to assess his level of risk. No one began ACT procedures or welfare checks.
47. An approved premises assistant said that based on Mr Forbes' presentation at the time, she did not think he was at risk of suicide or self-harm. She said that she would have only carried out regular checks on Mr Forbes if she was told to do so by a probation officer or manager.
48. We are concerned that there is no record that staff spoke to Mr Forbes after his offender manager told them that he was thinking about suicide, or that staff considered starting ACT procedures or welfare checks for Mr Forbes. Staff relied on his presentation rather than his identified risk factors in assessing his level of risk. We do not know whether Mr Forbes would still have been subject to ACT procedures or welfare checks when he died, nearly a month later, but it would have given staff an opportunity to explore his concerns and offer support. We make the following recommendation:

**The manager of The Pines Approved Premises should ensure that staff understand the procedure for identifying, managing and supporting residents at risk of self-harm and suicide. In particular, they should ensure that staff:**

- **assess the risk of suicide or self-harm based on all available information and known risks factors and not on a resident's presentation.**
- **Commence local suicide and self-harm prevention procedures, or ACT if relevant, whenever a resident has recently said they are having thoughts about suicide.**

## Family liaison

49. The Approved Premises Manual sets out the expected procedures and standards for notifying a resident's family of their death. It says that a representative of the approved premises should contact the resident's family immediately, usually face to face, except where a GP has certified death, in which case it is done by the police. There should be ongoing contact, with timely information about the circumstances of the death, both verbally and in writing.
50. The police contacted Mr Forbes' step-father after his death and a representative of The Pines telephoned him the next day. We consider that someone from the approved premises should have contacted Mr Forbes' family the day he died and gone to see them in person. We make the following recommendation:

**The Manager of The Pines should ensure that national guidance about contacting families after a death is followed.**

**Prisons &  
Probation**

**Ombudsman**  
Independent Investigations