

Prisons &
Probation

Ombudsman
Independent Investigations

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PRISONERS are dying preventable deaths, particularly as a result of the alarming levels of drug abuse in jails, and some prisons and their health providers struggle to learn from investigations into deaths, according to Acting Prisons and Probation Ombudsman (PPO) Elizabeth Moody.

Publishing her annual report for 2017-2018, Ms Moody said she was gravely concerned about the destructive impact of synthetic ‘psychoactive substances’ (PS). Another major concern is the absence of a strategy to deal with the rising number of elderly and infirm prisoners.

The evidence from death investigations by the PPO in 2017-2018 underlined the urgent need for national strategies and support for struggling prisons:

- **Drug-related deaths.** Her report says: “We have continued to see a significant number of deaths where illicit drug use played a role. This includes accidental or deliberate overdoses, suicides precipitated by drug-related mood changes or in response to drug-related debts and bullying, and heart attacks and respiratory failure in apparently fit individuals. All kinds of drugs are involved in these deaths – from heroin and cocaine, through illicitly traded prescription medications, to psychoactive substances (PS). The ease with which prisoners are apparently able to obtain these drugs in prison is truly alarming... Prisons are struggling with the consequences of bad batches of PS which can result in simultaneous multiple collapses of prisoners, unsustainable demand on prison resources, ambulances queuing up at the

prison gate and, all too often, death. This destructive epidemic of PS use has become the 'new normal' in prisons.”

- **Suicide and self-harm.** There was an overall fall in self-inflicted deaths in prisons last year but Ms Moody said that while some jails “appear to have learned the lessons from previous self-inflicted deaths, others are still repeating the same failings – with tragic consequences. We are still seeing the same failings all too often in these establishments: failures of management, weak procedures, poor information-sharing, a lack of joined up working, gaps in training, and poor emergency procedures.” Ms Moody warned against complacency over the fall from the record high of 2016-17, as the rate of self-inflicted deaths has been rising again in the first six months of the 2018-19 year.
- **Mental Health.** As in previous years, many of the prisoners whose deaths the PPO investigated suffered from significant mental health issues. “The availability of suitably skilled healthcare professionals in prisons remains an issue, as does the ability to transfer acutely mentally unwell prisoners to more appropriate clinical settings.”
- **Deaths from natural causes.** Ms Moody renewed the call, made over many years by the PPO, for a “properly resourced older prisoners’ strategy” to address healthcare needs among the relentlessly growing population of older prisoners. Prisons and health care partners are currently left to deal with these problems on “a piecemeal basis.” PPO fatal incident investigations have also raised concerns about the treatment of dying prisoners. Ms Moody said: “Prisoners should be able to die with dignity. Unfortunately, we continue to see cases in which very elderly, frail and/or very unwell prisoners with limited mobility were routinely escorted to hospital in handcuffs and some remained restrained until shortly before they died...It is simply unacceptable that such inhumane practices are allowed to continue.”

The PPO also investigates complaints that have not been resolved within the prison service and other areas of detention. Ms Moody said an effective and fair internal complaints process and independent oversight by the PPO provided “an essential pressure valve” in prisons.

Complaints had fallen slightly from 2016-2017 but remained high. While complaints about staff behaviour remained a small percentage of those investigated by the PPO, 2017-2018 saw 71 allegations of the inappropriate use of force by staff, compared with 53 the previous year. “These complaints are among the most serious we receive,” Ms Moody said. “Levels of violence in prisons are at an all-time high...In an increasingly volatile and violent environment, the use of force must be available to staff as an option. However, quite rightly, the use of force by staff is subject to stringent conditions and must only be used when strictly necessary.”

Many complaints were about lost property. Ms Moody said: “HMPPS must get a grip on the way prisoners’ property is managed. The method of recording property needs to be brought into the 21st century; staff need time to follow the proper procedures; and prisoners’ property needs to travel with them when they transfer between establishments (instead of following on weeks or months later).”

- End –

Notes to editors

1. The year in figures:

In 2017-2018, the PPO started investigations into 316 deaths, a 12% decrease on the previous year. The majority of these deaths were of prisoners (93%). There were:

- 180 deaths from natural causes, 15% fewer than last year
- 74 self-inflicted deaths, 37% fewer than last year
- Seven apparent homicides, an increase from 4 last year
- 23 ‘other non-natural’ deaths, a slight decrease from 28 last year
- 11 deaths of residents in probation-approved premises, no change from last year
- 5 deaths of residents of the immigration removal estate, 2 more than last year
- 1 discretionary case – the death of an individual who died in custody before a scheduled court appearance

There were no deaths of children in secure accommodation in 2017-18 compared to the previous year, when the PPO began two investigations into deaths in secure children’s homes.

In 2017-18 the PPO received 4,790 complaints, a decrease of 4% compared to last year. Of these:

- 46 were about immigration removal centres, 8 more than last year
- 310 were about probation services, 5 fewer than last year – of these 55 were accepted for investigation

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 its 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 Justice Board for England and Wales, and those local authorities with secure children's homes. It is operationally independent of, but sponsored by, the Ministry of Justice (MoJ).

3. The PPO has two main investigative duties:
 - Complaints made by prisoners, young people in detention, offenders under probation supervision and immigration detainees
 - Deaths of prisoners, young people in detention, probation approved premises' residents and immigration detainees
4. Please contact John Steele on *020 3334 0357* or *07880 787452*, or at john.steele@justice.gov.uk if you would like more information

