



Independent investigation into the death of Mr Ian Stokes, a prisoner at HMP Rye Hill, on 27 December 2021

A report by the Prisons and Probation Ombudsman

OUR VISION

To deliver high quality and timely independent investigations and work closely with partners to achieve tangible benefits for the safety and confidence of those in custody and under community supervision.

WHAT WE DO



WHAT WE VALUE



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Summary

1. 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.
2. We carry out investigations to understand what happened and identify how the organisations whose actions we oversee can improve their work in the future.
3. Mr Ian Stokes died in a hospice on 27 December 2021 of pneumonia while a prisoner at HMP Rye Hill. He also had squamous cell carcinoma nasal septum (skin cancer on his nose) which did not cause but contributed to his death. Mr Stokes was 55 years old. I offer my condolences to Mr Stokes' family and friends.
4. The clinical reviewer concluded that the clinical care Mr Stokes received at HMP Rye Hill was of a very good standard and equivalent to that which he could have expected to receive in the community. She made three recommendations about record keeping and medication risk assessments, which the Head of Healthcare will need to address.
5. We make no recommendations.

The Investigation Process

6. NHS England commissioned an independent clinical reviewer to review Mr Stokes' clinical care at HMP Rye Hill.
7. The PPO investigator has investigated non-clinical issues, including Mr Stokes' location, the security arrangements for his hospital escorts, liaison with his family and whether compassionate release was considered.
8. The PPO family liaison officer wrote to Mr Stokes' next of kin, his son, to explain the investigation. He did not respond to our letter.
9. We shared the initial report with HM Prison and Probation Service. They identified one factual inaccuracy, which we have amended.

Previous deaths at HMP Rye Hill

10. Mr Stokes was the 14th prisoner to die at HMP Rye Hill since December 2019. Of these deaths, all were from natural causes. There are no similarities between our findings in the investigation into Mr Stokes' death and our investigation findings for the previous deaths.

Key Events

11. In March 2016, Mr Ian Stokes was sentenced to 23 years in prison for rape. He was transferred to HMP Rye Hill in August 2016.
12. On 28 July 2020, Mr Stokes saw a prison GP because he had an abscess in his left nostril. The GP recorded that Mr Stokes had a lesion, with bleeding when touched and mucus that dripped. He prescribed antibiotics and referred Mr Stokes to an ear, nose and throat (ENT) consultant and the Arden Centre for cancer.
13. On 19 August, Mr Stokes had a fiberscope (a flexible instrument used to look down difficult to reach places with a camera) which identified a mass. He was referred for a CT scan (a computerised moving x-ray).
14. On 15 September, Mr Stokes had a biopsy taken of his nasal lesion.
15. On 1 October, Mr Stokes was diagnosed squamous cell carcinoma nasal septum and premaxilla, (extensive skin cancer of the nasal cavity and involving the cheek bones).
16. On 5 November, Mr Stokes was told that his cancer was not curable and given a life expectancy of between six months and two years. He started chemotherapy and was offered support from the Macmillan nursing team.
17. On 3 December, an application for Mr Stokes' early release on compassionate grounds (ERCG) was submitted to the Public Protection Casework Section (PPCS) of Her Majesty's Prison and Probation Service.
18. On 12 January 2021, Mr Stokes' ERCG application was refused because he was still capable of reoffending and there was no medical evidence that his life expectancy was three months or less.
19. On 24 May, Mr Stokes signed a form setting out his end of life care wishes that he did not wish anyone to resuscitate him if his heart or breathing stopped.
20. On 26 July, after discussion with his oncologist, Mr Stokes' chemotherapy was stopped.
21. On 4 August, Mr Stokes started immunotherapy (medicine to stimulate the immune system and to help it recognise and destroy cancer cells), which he received every two weeks.
22. On 10 August, Rye Hill decided, for medical reasons, not to cuff Mr Stokes when escorted to appointments.
23. On 22 December, Mr Stokes was admitted to a hospice.
24. The next day, Rye Hill resubmitted an ERCG application to PPCS.
25. On 26 December, Rye Hill contacted Mr Stokes' son, to arrange for him to visit him at the hospice.

26. Mr Stokes' health deteriorated further, and he died on 27 December of pneumonia. Mr Stokes also had squamous cell carcinoma of the nasal cavity, which did not cause but contributed to his death.

Inquest

27. At an Inquest hearing on 6 June 2022, Mr Stokes' cause of death was determined to be natural causes.

Caroline Mills
Assistant Ombudsman

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Third Floor, 10 South Colonnade
Canary Wharf, London E14 4PU

Email: mail@ppo.gov.uk
Web: www.ppo.gov.uk

T 020 7633 4100