

**Prisons &
Probation**

Ombudsman
Independent Investigations

Independent investigation into the death of Mr Lance Winkle, a resident at Elm Bank Approved Premises, on 5 December 2023

A report by the Prisons and Probation Ombudsman

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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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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.

If my office is to best assist His Majesty's Prison and Probation Service (HMPPS) in ensuring the standard of care received by those within service remit is appropriate, our recommendations should be focused, evidenced and viable. This is especially the case if there is evidence of systemic failure.

Mr Lance Winkle was found hanging in a cemetery in Bradford on 5 December 2023, after failing to return to Elm Bank Approved Premises (AP) on 4 December. He was 53 years old. I offer my condolences to his family and friends.

On 1 December, Mr Winkle was released on licence from HMP Wealstun and arrived at Elm Bank AP later that morning. Staff completed Mr Winkle's induction and he agreed to the conditions of his licence and rules of the AP. He raised no concerns with staff, he had no history of attempted suicide or self-harm and denied any such thoughts when asked.

At 1.10pm on 4 December, Mr Winkle signed out of Elm House, and was required to return to the AP by 7.00pm. However, he failed to return, and staff completed an out of hours recall and notified the police. On 5 December, West Yorkshire police found Mr Winkle's body.

My investigation found that there was nothing in Mr Winkle's behaviour while he was in prison, or after he had arrived at the approved premises to indicate that he would take his life.

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

Adrian Usher
Prisons and Probation Ombudsman

June 2024

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Summary

Events

1. In May 2022, Mr Lance Winkle was charged with racially aggravated harassment towards his neighbour and was placed on an electronic tag until his court appearance on 10 March 2023. During the compilation of court reports, Mr Winkle said he was anxious and worried about the prospect of losing his home and threatened suicide if he received a custodial sentence. The comments were recorded and flagged on his probation record.
2. On 10 March 2023, Mr Winkle was sentenced to six months in prison. However, as he had spent 149 days on HDC, he was automatically released from court on a four-year restraining order. He immediately breached his restraining order and was charged with further offences and remanded to HMP Leeds.
3. On 6 April 2023, Mr Winkle was sentenced to 16 months in prison for stalking. On 15 May 2023, he was transferred to HMP Wealstun.
4. During his time in prison, Mr Winkle was never subject to suicide and self-harm monitoring and staff did not record any concerns about his risk to himself. He knew he had lost his home as a result of his offence, but staff did not have any concerns about him.
5. On Friday 1 December 2023, Mr Winkle was released from HMP Wealstun on conditional licence to reside at Elm Bank Approved Premises (AP). He received an induction and denied any thoughts of suicide or self-harm. Over the following few days, staff had no concerns about Mr Winkle.
6. At 1.10pm on 4 December, Mr Winkle left Elm Bank. He gave staff no cause for concern. When Mr Winkle had not returned by the 7.00pm curfew, AP staff began the process to recall him to prison.
7. On Tuesday 5 December, a member of Mr Winkle's family phoned AP staff and told them that the police had found Mr Winkle hanged in a cemetery in Bradford earlier that day.

Findings

8. Mr Winkle had no recorded history of suicide attempts or self-harm in prison or in the community. He had threatened suicide in 2023, during the court process, but once in prison, staff recorded no concerns about him.
9. In the few days he was at Elm Bank AP, Mr Winkle gave staff no cause for concern. We found no evidence that staff should have considered his risk of suicide to be raised during the short time he was there.

The Investigation Process

10. HMPPS notified us of Mr Winkle's death on 6 December 2023.
11. The investigator issued notices to staff and prisoners at Elm Bank Approved Premises informing them of the investigation and asking anyone with relevant information to contact him. No one responded.
12. The investigator obtained copies of relevant extracts from Mr Winkle's prison and probation records.
13. The investigator interviewed a Senior Probation Officer and a manager at Elm Bank through Microsoft Teams on 26 January 2024.
14. We informed HM Coroner for West Yorkshire (Western) of the investigation. The Coroner gave us the results of the post-mortem examination. We have sent the Coroner a copy of this report.
15. The Ombudsman's family liaison officer contacted Mr Winkle's sister to explain the investigation and to ask if she had any matters, she wanted us to consider. Mr Winkle's sister raised no questions about her brother's care but asked for a copy of our report.
16. A copy of the initial report was made available to Mr Winkle's sister, but she did not comment on our findings.
17. An inquest was concluded on 31 October 2024, and gave cause of death as suicide by hanging.

Background Information

Elm Bank Approved Premises

18. Approved premises (formerly known as probation and bail hostels) mostly accommodate offenders released from prison on licence and those directed there by the courts as a condition of bail. Their purpose is to provide a supportive and structured environment. Residents are responsible for their own healthcare and are expected to register with a GP.
19. Elm Bank Approved Premises is a 22-bed residence for men, providing one double room and the rest single rooms. Elm Bank is an enhanced Approved Premises and accommodates those who pose a higher risk to the public. Elm Bank only accepts those who are subject to licence conditions and not those on bail. It is one of four Approved Premises operated by the West Yorkshire Probation Area.

Previous deaths at Elm Bank Approved Premises

20. Mr Winkle was the second resident to die at Elm Bank since December 2020. The previous death was drug related. Up to the end of February 2024, there has been one self-inflicted death at Elm Bank since Mr Winkle's death. There are no similarities with findings from the previous investigations.

Key Events

21. In May 2022, Mr Winkle was charged with racially aggravated harassment towards his neighbour. This resulted in Mr Winkle being placed on Home Detention Curfew (HDC - an electronic tag and curfew) prior to his court hearing.
22. During a pre-sentence report interview on 14 February, Mr Winkle said that he was anxious and worried about the prospect of losing his home and threatened suicide if he received a custodial sentence. His comments were recorded and flagged on his probation record.
23. On 10 March 2023, Mr Winkle was sentenced to six months in prison. However, as he had spent 149 days on HDC he was automatically released from court on a four-year restraining order.
24. That day, Mr Winkle returned to his home address and continued to harass his neighbour. He breached his restraining order and received further criminal charges and was remanded to HMP Leeds.
25. On 6 April 2023, Mr Winkle was sentenced to 16 months in prison for stalking. On 15 May 2023, he was transferred to HMP Wealstun.
26. While in prison, Mr Winkle received favourable comments about his attitude and behaviour. He had no history of poor mental health, substance misuse or attempted suicide or self-harm in prison or in the community and reported no thoughts of suicide or self-harm to staff. Mr Winkle knew that he had lost his home due to his offences, but he had not repeated any thoughts of suicide or self-harm.

Elm Bank Approved Premises

27. On Friday 1 December 2023, Mr Winkle was released on conditional licence from HMP Wealstun to reside at Elm Bank AP.
28. Mr Winkle's appointed probation practitioner was absent from work and his case was allocated to another probation practitioner on the day of his release.
29. Due to Mr Winkle's offences, his licence conditions included an imposed exclusion zone, to ensure he stayed away from his victim, and which prevented him from entering certain areas of Bradford. This meant Mr Winkle was unable to report to his allocated probation office (as it was inside the exclusion zone) and arrangements for reporting elsewhere had yet to be arranged. As such, he reported directly to Elm Bank AP.
30. On his arrival at Elm Bank AP, a residential worker spoke to Mr Winkle and completed the first stage induction with him. He agreed to comply with the premises rules. He was allocated a single room.
31. Along with standard licence conditions and the exclusion zone, Mr Winkle was also required to sign in daily at Elm Bank at 1.00pm and was required to be in the AP between the hours of 7.00pm and 7.00am daily.

32. On Saturday 2 December, a residential worker completed the stage 2 induction and a Support and Safety Plan with Mr Winkle. AP staff are required to complete a Support and Safety Plan (SaSP) to assess and manage residents who might be at risk of suicide and self-harm. The SaSP was introduced to all Approved Premises as part of the Collaborative Approach to Risk and Emotion (CARE) approach. All residents who arrive at an AP receive a welfare assessment and an individual support plan. This is completed by the residents and their keyworker within one day of arriving at the AP.
33. Mr Winkle said he felt 'good' about being at Elm Bank. The residential worker asked him to rate his mood from zero (low) to 10 (the best possible), and Mr Winkle said he felt his mood was eight. When asked how he would deal with things over the coming days, Mr Winkle said that he would speak with staff.
34. The residential worker asked Mr Winkle whether he had anyone he could speak with, but Mr Winkle said that he did not need anyone. He denied any thoughts of suicide or self-harm, and the residential worker recorded that Mr Winkle had no history of suicide attempts or self-harm either in the community or while in prison.
35. In concluding his interview with Mr Winkle, the residential worker recorded that Mr Winkle did not want to be in an AP and that he intended to speak with his supervising officer the following week about moving on. He said that Mr Winkle's engagement throughout the interview was poor, but he made good eye contact throughout. Mr Winkle again said that he had never had any suicide or self-harm issues, had no substance misuse or alcohol problems and declined to be registered with a doctor.
36. The AP manager told the investigator that, while the residential worker checked Mr Winkle's probation records for relevant information when completing the Support and Safety Plan, the flag relating to his threat to take his life in 2023 would not have triggered any further consideration in the absence of any additional concerns about his risk to self.
37. Over the following two days, Mr Winkle left Elm Bank AP for short periods to go to the local shop. AP staff did not report any concerns about his behaviour and Mr Winkle raised no issues during his time at the AP.

Events between 4 and 6 December

38. During the morning on Monday 4 December, Mr Winkle remained in the AP and signed in as required by conditions of his licence at 1.00pm. At 1.10pm, Mr Winkle signed out of Elm Bank and indicated to staff that he planned to go to Dewsbury. He did not appear upset or give staff any cause for concern.
39. Mr Winkle was required to return to Elm Bank by 7.00pm. When he did not do so, staff completed the Out Of Hours recall paperwork and waited an hour to see if he returned. When Mr Winkle had still not returned, staff contacted local hospitals and police, and after confirming that Mr Winkle had not been admitted to hospital and was not in police custody, staff submitted the out of hours recall application.
40. At 9.20pm on Tuesday 5 December, a residential assistant received a telephone call from Mr Winkle's niece. She said that Bradford police had found the body of a

male at a cemetery in Bradford earlier that day, and they believed it to be Mr Winkle.

41. At 9.35pm, the on-call manager advised the AP staff to contact the police to obtain further information.
42. At 11.18pm, two police officers from West Yorkshire police attended Elm Bank and confirmed that Mr Winkle had been found hanged at 12.30pm that day.

Contact with Mr Winkle's family

43. On 6 December, Mr Winkle's sister visited Elm Bank and met with the AP manager. The manager offered her condolences and support. Mr Winkle's property was handed back to the family.
44. The Probation Service contributed towards funeral expenses in line with national policy.

Support for residents and staff

45. After Mr Winkle's death, the AP manager debriefed the AP staff to ensure they had the opportunity to discuss any issues arising, and to offer support. She also directed them to other workplace support services.
46. The AP manager posted notices informing other residents of Mr Winkle's death and offering support. She held a meeting with the residents to provide an opportunity to talk.

Post-mortem report

47. A post-mortem gave Mr Winkle's cause of death as hanging. Toxicology tests indicated no illicit substances in Mr Winkle's blood.

Findings

Assessment of risk

48. Mr Winkle had no recorded history of suicide attempts or self-harm, mental ill-health or substance misuse. The only reference to harming himself was during a pre-sentence report meeting in February 2023, when he said that he was concerned about losing his home and if was to happen, he would hang himself. The comments were recorded in the report and noted as a 'flag' on his probation record and no further action was taken.
49. At the time of the pre-sentence report, Mr Winkle was on remand at HMP Leeds and during this period there were no concerns raised about his well-being or potential risk to himself. Following sentencing, he was transferred to HMP Wealstun. Throughout his time at Wealstun, staff recorded no concerns about his behaviour or well-being. Mr Winkle was aware that he had lost his home due to his offending, but never raised any other concerns about this.
50. When Mr Winkle arrived at Elm Bank AP on 1 December 2023, staff carried out the induction and completed the Support and Safety Plan appropriately. Mr Winkle denied any thoughts of suicide, or any history of suicide attempts or self-harm. Staff did not have any concerns about him.
51. We found nothing to suggest staff at Elm Bank should have identified that Mr Winkle's risk of suicide had increased in the short time he was at the AP.

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