

**Investigation into the circumstances
surrounding the death of a man at HMP Sudbury
in September 2007**

**Report by the Prisons and Probation Ombudsman for
England and Wales**

April 2008

This is the report of an investigation into the death of a man who was a prisoner at HMP Sudbury. The man was found in his car in a country lane in Derbyshire, by a member of the public on 3 September 2007, having apparently taken his own life by asphyxiation. The man was 49 years of age.

I would like to express my condolences to the man's family for their loss. I hope that my report helps their understanding of the circumstances leading to his death and addresses any concerns they may have.

Although the man died after failing to return to Sudbury from weekend leave, I decided to investigate his death on a discretionary basis. I took this action because of the national publicity surrounding the man's death and because he had been in custody until very shortly before his death.

The investigation into the man's death was carried out by one of my investigators. I would like to thank the Governor of Sudbury and his staff for their co-operation and assistance.

A story about the man had appeared in a national newspaper on the weekend before he died. It may well be that this story and its consequences preyed on his mind and was a contributory factor in his death. However, from my investigation it is evident that no one at Sudbury could reasonably have foreseen the actions that the man was to take.

Stephen Shaw
Prisons and Probation Ombudsman

April 2008

CONTENTS

Summary	3
The investigation process	5
HMP Sudbury	6
Key Findings	7
Issues	15
Recommendations	17

SUMMARY

The man, a life sentenced prisoner, arrived at HMP Sudbury on 19 April 2005, having spent the previous nine years progressing through the prison system. On arrival at Sudbury, the man undertook the resettlement work required of a prisoner serving life. He was seen by staff at the prison as being a 'model prisoner' and for the past year had been working at the Prison Service Stores near Sudbury. The man, like a number of prisoners at Sudbury, was permitted the use of his own car.

On Friday 24 August 2007, the duty governor at Sudbury was informed by the Prison Service Press Office that a national newspaper was to publish an article about the man the following Sunday. The details and nature of the article were unknown. The man was considered to be at an increased risk of absconding and also vulnerable to the actions of other prisoners when the story became public. As a consequence, it was decided to transfer him temporarily to closed conditions at HMP Dovegate. However, the man's category D status remained unchanged.

During the reception process at Dovegate, the man complained of chest pains. He was located in the healthcare unit and a number of tests were completed, all of which proved negative. A Registered Nurse at the prison said that the man had expressed no self harm ideation at the time nor did he display any psychiatric or psychological symptoms.

On Sunday 26 August 2007, the newspaper published its story about the man. It reported that, on finishing work at the Prison Service stores, he had visited a local library and had eaten in a local pizza restaurant with friends.

On 27 August, security information obtained by Sudbury suggested that the man would be assaulted if he returned to the prison. However, on 28 August, staff took the decision that he could return to Sudbury if he wished to. Although apprehensive, the man confirmed with staff his wish to return to the prison. He said he wanted to face the situation head on, and with the support of his family who lived near by. The man returned to Sudbury from Dovegate that afternoon.

On his return to Sudbury a fellow prisoner spoke with the man at length in his cell. The man told his fellow prisoner how he wanted to "end it all" and that he would kill himself in his car. During their conversation, the man told the prisoner that he was not to tell anyone what he had said. The prisoner said that, over the following days, a number of prisoners made remarks about the man, but the man remained strong, ignoring the comments that had been made.

On Thursday 30 August, the man was informed that it would no longer be appropriate for him to keep his job at the Prison Service stores or have continued use of his car. However, he was allowed to seek alternative employment in the community. Because of this change in his circumstances, the man was given permission to return his car to his brother's house during

his weekend home leave. The man's time at Sudbury over the following days appears to have been unremarkable, with nothing of note recorded on his prison record.

On Sunday 2 September, the man left the prison at 8.05am, as authorised under the conditions of his day release. At 12.10pm, the man bought a number of items from a local hardware store, including piping and tape. At 1.30pm, the man's brother returned to his home to find that the man had left a number of items there, including his phone, personal papers and a computer memory stick.

Later that afternoon an Operational Support Grade (OSG), who was working on the gate at Sudbury, received a phone call from the man's father, questioning his son's state of mind. The OSG obtained the contact details of the man's brother and spoke with him at 5.10pm. She advised the man's brother that there was still time for the man to return to the prison, and he should ring again after 7.00pm for further news.

The man failed to return to Sudbury at his curfew time of 7.00pm and as a consequence staff implemented the prison's abscond procedures. At 8.30pm, the man's brother contacted the prison once again. He told the OSG that he had found a letter on the computer memory stick that his brother had left at his home. Derbyshire Police were informed of the situation immediately.

At 5.00pm on Monday 3 September, a member of the public came across the man's car in a deserted country lane with the engine still running. The man was found dead in the car. Derbyshire Police attended and subsequently informed both the man's family and Sudbury of his death.

THE INVESTIGATION PROCESS

1. The investigation into the man's death was conducted by one of my investigators. Notices were issued to staff and prisoners at HMP Sudbury informing them of the investigation, and inviting them to contact the investigator should they wish.
2. My investigator visited Sudbury and reviewed the man's prison records. These included his core prison record, medical records and a number of statements made by staff. A number of staff at the prison were interviewed.
3. My investigator contacted Her Majesty's Coroner to inform him of the nature and scope of my investigation and to request a copy of the Post Mortem report. Upon completion, this report will be sent to the Coroner to assist in his enquiries into the man's death.
4. One of my Family Liaison Officers contacted the man's family. This was to give them the opportunity to meet with the investigator, to discuss the purpose of the investigation and to raise any concerns they wished to be addressed. The man's family raised a number of matters which I address later in this report.

In their response to the draft report the man's family asked that it be noted that, although there had been previous articles about him in the media, none had impacted upon him as significantly as the one published before his death. Given that the man subsequently lost his job and use of his car the family feel that the article affected him greatly.

The man's family also suggested that it was possible that a further trigger could have been the pressure the man felt as a result of the ongoing impact his offence was having on other family members.

HMP SUDBURY

5. Built as a US Air Force hospital, HMP Sudbury was converted into a prison in 1948. Sudbury is a category D open resettlement prison, housing men who are nearing the end of their sentences. The regime is centred on re-establishing prisoners' links with the wider community. The prison has accommodation for 571 prisoners in single and double cell accommodation. Approximately 55 of the men at Sudbury are life sentenced prisoners.
6. About 200 of the prisoners at Sudbury are released into the community for the purposes of voluntary work/paid employment, education and training. Due to Sudbury's rural location and lack of public transport, some prisoners working outside the prison are permitted to use their own cars. However, only those prisoners who have been through a security and assessment procedure are given permission to do so, and the use of cars is governed by a number of rules and regulations.
7. All prisoners permitted to leave the prison are subject to risk assessments which are reviewed on a regular basis. During weekends it is not unusual for 300 prisoners to be released on temporary licence for employment and resettlement day release and including escorted/unescorted town visits at any one time. Sudbury lacks a secure perimeter fence and, like other open establishments, relies in part upon trust that prisoners will not abscond.

KEY FINDINGS

8. On 17 July 1995, the man was remanded into custody at HMP Norwich. It was recorded on his prison record that he had been charged with murder and had attempted suicide twice, once by asphyxiation whilst at large and once by biting his wrists in police custody. Staff at Norwich opened an F2052SH, recording that the man appeared very low, bewildered and confused. (The F2052SH was the document formerly used to assess and observe prisoners at risk of self harm. This has now been replaced by the Assessment, Care in Custody and Teamwork (ACCT) process.)
9. On 2 August 1995, the man was admitted to the Norvic Clinic, a secure psychiatric unit, under the Mental Health Act 1983. Whilst at the clinic, the man made some improvement, although his mood declined and in November 1995 he expressed ideas of suicide. In June 1996, after his trial and conviction, the man returned to HMP Norwich.
10. The man was sentenced on 3 July 1996 at Norwich Crown Court. Because of his vulnerability, staff at the prison opened another F2052SH. It was recorded that he had a history of depression and had maintained that, if convicted of murder, he would end his life. The F2052SH was closed during a case review on 11 August, staff recording that the man was feeling more positive and his mood had improved.
11. Between 1996 and 2005 the man made steady progress through the prison system, serving his sentence at a number of establishments. The last F2052SH to be opened was whilst he was at HMP Wakefield in 1997. The man told staff at Wakefield that he could not cope with what he had done. Following a Parole Board review recommending category D status, the man transferred from HMP Highpoint to Sudbury on 19 April 2005.
12. At Sudbury, the man undertook the resettlement work required of a life sentenced category D prisoner. As part of the resettlement process, and after a six month qualifying period, he was allowed on escorted town visits. These were followed by unescorted town visits and unpaid work in the community. More recently the man had been undertaking full time paid work at some prisoner property stores near the prison. The man had also begun making regular visits to a local hostel, lodging several nights over a weekend.
13. In both 2005 and 2006, articles about the man appeared in the press. A story appeared in a Nottingham paper in March 2006. It reported that the family of his victims were angry about him being released on unsupervised day release visits only ten years after his conviction.
14. The man's prison Probation Officer, told my investigator that in the months before his death he had been preparing for his release. She said that the

man was quite concerned by the views of the victims' family and the articles in the local press. During a risk assessment in July 2007 it was recorded that:

"The man had reported that he had sensed a change of attitudes with other prisoners towards himself and believes this may be because of press releases. The man has expressed his concerns for his safety and expects assaults from the victims' family members or associates of the family upon release."

15. The man's probation officer told my investigator that in recent years there had been nothing to suggest that the man had been at risk of self harm. (However, she also said that, on learning of his abscond, she believed that the man would kill himself. She said that he knew any future employment, relationships and life generally would be difficult upon his release, and he was becoming more aware of this as his contact with the community increased.) The man's personal officer, told my investigator that in the months leading to the story that appeared in a national newspaper on August 26 2007 there was no change in the man's behaviour. When prisoners had previously given him "problems", he "never rose to the bait."
16. The last risk assessment, approving the man's release on temporary licence, was completed on 20 July 2007. The man's resettlement activity or work risk assessment was approved on 27 October 2005.
17. On 21 August 2007, the man left Sudbury at 6.29am, returning to the prison at 7.04pm.
18. On Friday 24 August, the duty governor was informed by the Prison Service press office that a story about the man was due to appear in a national newspaper that weekend. The man was working in the Prison Service stores at the time and was asked to return to the prison immediately. The duty governor at the time told my investigator that, although the full details of the story due to appear in the newspaper were not yet fully known, the man had admitted attending the local library and eating in a local restaurant.
19. The core hours for prisoners working at the Prison Service stores are from 8.00am to 4.30pm between Monday and Thursday, with a 3.30pm finish on Friday. Prisoners who work at the stores are required to be present between these hours and are not permitted to leave before the 4.30pm finish. Should a prisoner undertake any overtime, contact is made with staff at the prison advising them of the extra hours to be worked. However, I understand that no overtime has been available to prisoner employees for a number of years.
20. The man's activity schedule, dated 4 July 2007, which formed part of his licence conditions, states that he was permitted to leave Sudbury after 6.00am and was to return by 8.30pm. The man was allocated an amount of time, not greater than 45 minutes, to travel either to or from work. My

investigator was told by a governor at Sudbury that the man's timings were introduced when he first started working at the Prison Service stores, at which time he was required to travel by public transport. She said that the facility to take a meal break was built in to the return time, as the man would not be back in time to collect a meal from the prison kitchen. The governor said that the man was only permitted to use his car earlier in 2007 and his licence should have been amended to reflect the reduced travel time.

21. Although staff at the prison are aware if a prisoner returns later than their licence permits, there are no procedures that enable staff to establish whether or not a prisoner has taken longer to travel from work than the time allocated for doing so. My investigator was told by a governor that staff had no reason to suspect that the man had breached the terms of his licence conditions and that the timings were reviewed once the newspaper story was published. Another of the man's licence conditions was that he was not to enter any betting shops, or other social venues, which were not necessary or related to the purpose of his release.

In their response to the draft report Sudbury said that if a prisoner breaches a period of temporary licence by returning later than his licence permits he may be subject to the Governor's adjudication. They said that this procedure would include investigation of the reasons for the late return. They said that staff had no reason to suspect that the man had breached the terms of his licence until the newspaper article was published. Sudbury said that the timings were reviewed once the newspaper article was published.

22. As a consequence of the allegations that were to be made in the national press, the man was placed on report (a process which marks the start of a prison disciplinary hearing known as an adjudication) for failing to comply with the conditions of his licence. The man was issued with the F1127A, Notice of Report at 3.55pm on 24 August. The notice alleged that, on 21 August, he had left the Prison Service stores at 4.30pm and in breach of his licence had failed to return to the prison immediately upon completion of his work.
23. The duty governor took the decision that the man should also be temporarily transferred to closed conditions at HMP Dovegate. The man was formally advised of this action, as were the other relevant authorities. The duty governor at the time told my investigator that this action was taken because of the man's increased risk of absconding and the possible danger he faced from other prisoners. However, it was decided that the man would not be reclassified and would remain a category D prisoner. A senior officer noted in the man's wing history sheet that he was being returned to closed conditions:

“... until a decision is made on his possible abscond risk and any adverse response from other prisoners about the newspaper article.”

24. On the afternoon of Friday 24 August, the head of operations at Dovegate spoke to the man during his reception at the prison. She wrote in a memorandum dated 6 September that, "The man expressed some concern for his safety if he was placed onto normal location, due to the nature of his crime." For this reason the man was located in the healthcare unit.
25. The man was also seen by a nurse at the prison. In an e-mail dated 6 September she said that a number of tests were taken in healthcare as the man had complained of chest pains. She said that, although the tests proved negative, the decision was taken to keep the man in the healthcare unit. The nurse said that the man told her he had no suicidal thoughts. There were no psychiatric or psychological problems to suggest to the nurse that the man was at risk of self harm.
26. Whilst in Dovegate, the man spoke with his brother on the telephone. The man's brother told police that the man had seemed very distressed and upset. He said that it was the last time that he spoke with the man.
27. On Saturday 25 August, the man's adjudication took place at Dovegate. The F256 Record of Adjudication Hearing recorded that he had failed to return from his resettlement workplace promptly. However, the adjudicator dismissed the adjudication on a technicality, believing that the F1127 Notice of Report form had not been issued to the man within the specified timescale. (This was an error on the adjudicator's part and the paperwork had in fact been issued in time.)
28. On Sunday 26 August, a national newspaper published an 'exclusive report' entitled, "Killer who massacred his family pops out of prison for pizzas." The paper reported that during the previous week the man had left work at 4.30pm, then attended the local library, where he used the internet, before meeting with friends in a pizza restaurant for a meal. The paper reported that the man returned to Sudbury for his 7.00pm curfew.
29. On 27 August, the man's personal officer went to the man's place of work and spoke with the foreman in charge of prisoners. The man's personal officer advised the foreman that it was unlikely the man would be returning to work at the depot. The man's personal officer told my investigator that whilst he was at the Prison Service stores he noticed the newspaper article "lying around", and there was a strange atmosphere with people obviously having discussed what had happened.
30. A Security Information Report was submitted by an officer on 27 August. It was recorded that a number of other prisoners had commented, to another prisoner, that if the man were to return to Sudbury he would be assaulted because of the nature of his offence. However, the information contained in the report was unsubstantiated and no names of those who had allegedly made the threats were given.

31. On Tuesday 28 August, the resettlement manager received a call from the lifer officer at Dovegate, asking what was to happen to the man. Following a discussion with the deputy governor at Sudbury it was agreed that the man could return to Sudbury providing that he wanted to. However, it was agreed that, should the man not wish to return, an alternative category D prison would be sought. The lifer officer at Dovegate spoke with the man that morning. She put several options to him, including returning to Sudbury or transferring to an alternative establishment. In a memorandum dated 4 September the lifer officer wrote:

“the man stated he was apprehensive about going back to HMP Sudbury. However, [the man] felt he had to face the situation head on if he had any chance of release, to which he stated he was due a hearing in 2008.”

She added:

“... he felt he must return to HMP Sudbury to enable [the man] to return to his usual routine. He stated his family were fairly local and HMP Sudbury meant he was able to see them more often.”

The lifer officer reported to the resettlement manager that the man was happy to return to Sudbury and, although apprehensive, he would overcome this in time with the full support of his family. The man was informed that he would be able to return to his old cell, which had a camera located outside, and was where he said he would feel safer.

32. The resettlement manager told police that he spoke with the man on his return to Sudbury. He said that the man appeared physically well, but described him as a little bit nervous. The man was anxious about how he would be received by other prisoners but had no concerns with regard to his safety and did not appear distressed.

In response to the draft report the man's family said they remained concerned that he was not assessed on his return to Sudbury. The man was given several options with regard to returning to Sudbury, and was offered the opportunity, during a meeting with the lifer officer at Dovegate, to be transferred to an alternative establishment should he wish. The man said that he wanted to return to Sudbury in order to be close to his family. The man was also seen by the resettlement manager on his return to the prison.

33. That afternoon, another prisoner spoke with the man. In a statement of 10 September, the other prisoner said that he spent quite a lot of time with the man talking through what had happened and trying to help him put things into perspective. The prisoner said that he hardly saw the man for the remainder of the week.

In their response to the draft report the man's family said they remained concerned that his change in behaviour was not picked up by prison staff.

(The day after the man had gone missing the prisoner had told staff in the lifer unit that the man had been the subject of name calling and bullying, and that he had stayed in his room and had not eaten.)

In open conditions prisoners have more freedom and personal responsibility, spending much of the time unsupervised. As a consequence of this, staff have limited opportunities for observing prisoners close at hand.

34. Another prisoner at Sudbury told police that he talked with the man for about an hour and a half that Tuesday afternoon. The man told the prisoner how "he felt crap and hated himself for what he had done". The prisoner said that the man talked about an attempt at suicide he had made in the past. The man told the prisoner how he wanted to end it all and that he was going to kill himself in his car. The prisoner said that the man asked him not to mention their conversation to anyone. The prisoner agreed that he would not. The prisoner said that their discussion then moved onto other topics. When he left, the man told the prisoner that he had been "cheered up".
35. In his statement to police, the prisoner said that over the coming days other prisoners had been making "snide" comments and saying "nasty" things about the man. However, the prisoner said the man remained strong, ignoring the comments. He told police that the man would not go running to staff, but would just "deal with it". He said that by Wednesday 29 August the man seemed better and was looking forward to his town visit. (The prisoner told police that, when he heard later that the man had not returned from his town visit on 2 September, he spoke with a senior officer, telling him of the conversation he had had with the man on the previous Tuesday afternoon.)
36. The man's personal officer told police that a few prisoners had tried to "wind the man up" in the dining hall. He said that the man had handled the situation well, wanting to face his problems head on and deal with them.
37. Probation records say that on 28 August, due to the publicity caused by the newspaper article, the man's planned release and stay at approved premises in Derbyshire was cancelled. However, it was decided that the man would be permitted day release on the following Sunday, 2 September. A senior officer completed the relevant paperwork which allowed the man to leave the prison between the hours of 8.00am and 7.00pm.
38. A principal officer, senior officer and personal officer met with the man on the morning of Thursday 30 August. In a memorandum of 4 October the principal officer wrote that:

"... it had been brought to my attention as principal officer of resettlement that the man had requested to continue with his outwork

placement at the Prison Service storage facility.”

39. A principal officer spoke with the man’s personal officer and another senior officer who both thought it inappropriate that the man should continue to work at the Prison Service stores. It was agreed that the man would be taken off the stores work placement and would no longer have use of his car. He would, however, be allowed to seek alternative employment. In his statement the principal officer said:

“It was clear from the newspaper reports that the man had abused this facility [use of car], so therefore he would not be allowed his car for his next work placement.”

40. The man was informed of the decisions that had been made. The principal officer said in his statement that the man “...asked whether he could take his car home on Sunday as he had a resettlement day release, this was agreed.” The man’s personal officer told my investigator that the man was not pleased with the decisions that had been taken, but accepted the reasons. The principal officer told my investigator that the man knew his behaviour was inappropriate and was not surprised that the privilege of using his car had been withdrawn.
41. On Friday 31 August, the man spoke with his sister. The man told her that his weekend hostel visit had been cancelled, but that a day release had been brought forward to Sunday 2 September. The man added that he had lost his job and would no longer have use of his car. The man’s sister asked him if someone had been “having a go at him”, but he said that he would rather not talk about it. The man’s sister told police that although her brother was “down” he was also slightly positive, never indicating that he wanted to take his own life.
42. On Sunday 2 September, the man left the prison at 8.05am. At about 12.10pm he bought tape and hose piping from a local hardware store.
43. At about 1.30pm, the man’s brother returned home, having not heard from his brother during the day. The man’s brother told police that a number of items had been left at his home by the man. These included a mobile phone, bank cards, insurance papers and a computer memory stick.
44. The OSG, who was on gate duty at Sudbury on the afternoon of 2 September, said that at approximately 4.50pm she received a call from the man’s father who expressed concern about his son’s whereabouts and his possible state of mind.
45. The OSG spoke to the man’s brother at about 5.10pm, having obtained his contact details from the man’s father. The man’s brother indicated that the man had visited his home, leaving a number of personal items, but was not there at that time. The OSG explained that the man was on licence until 7.00pm and might still return to the establishment.

46. The man's brother contacted the prison again at 7.20pm to see if the man had returned. The OSG said that he had not. At approximately 7.25pm, the OSG informed the duty manager that the man had failed to return from his day release. The duty manager in turn informed the duty governor at 7.40pm, at which time the prisoner abscond routine was activated.

47. At about 8.00pm, the man's brother checked the memory stick which had been left at his home. He found on it a letter of intent that had been written by the man at 11.00am. Part of the letter said:

"This recent event has made me realise that this will never go away, I am never going to get another chance to start again to have a normal life."

48. At 8.30pm, the man's brother telephoned the OSG once again, informing her of what he had found. The OSG contacted Derbyshire Police at 8.35pm.

49. On 3 September at approximately 5.00pm, the man's car was found by a member of the public in a country lane. A hosepipe was seen to run from the rear of the car and through an open window. The car's engine was still running. The man was found inside the vehicle and pronounced dead at the scene by paramedics. At 6.40pm, Derbyshire Police contacted the prison to report that a man, thought to be the missing prisoner had been found.

50. Having been informed of his death by Derbyshire Police, the man's brother and sister visited Sudbury on 4 September and collected his property. During their visit, the man's family met with the Governor and were introduced to the family liaison officer.

51. The man's psychologist and probation officer attended his funeral.

ISSUES

52. I am satisfied that staff at Sudbury could not have foreseen the actions taken by the man on 2/3 September. It is evident that, from the time the Prison Service were informed of the newspaper article, staff at both Sudbury and Dovegate took full consideration of the man's circumstances when making decisions about him. In the week after the newspaper story broke, the man met with staff on a number of occasions and was also offered the opportunity to transfer away from Sudbury to another category D establishment.
53. Although I am satisfied that staff at both Sudbury and Dovegate gave due consideration to the man's circumstances I do have one observation to make. When Sudbury became aware of the newspaper story, the reasoning behind the man's transfer to closed conditions was clearly recorded and relevant paperwork was completed. However, the reasoning and consideration behind the man's transfer back to Sudbury, also a significant event, was not clearly or properly recorded in his prison record.
54. Officers involved in the decision making process agreed with my investigator that an adequate note of the various meetings held with, and about, the man should have been made in his prison record. Due to a misunderstanding between staff, a full record was not made. I therefore recommend that:
- The Governor should remind all staff at Sudbury of the need to make a clear record of all significant events and decisions relating to prisoners.**
55. I appreciate that open establishments such as Sudbury have many prisoners who are temporarily released on a daily basis. I am aware of the operational difficulties involved in ensuring all return directly to the prison, and within specified agreed times, whilst at the same time striving to provide opportunities for prisoners in preparation for their release. My investigation has established that the man's temporary release times for working in the community were set when he was required to travel by public transport. It is unfortunate that when his circumstances changed, and he began driving to work, these timings were not reviewed until a story was about to be published in the media.
56. However, as a consequence of these events, I am aware that a Notice to Prisoners was issued on 30 August, and reissued on 5 September. The notice advised all prisoners that the practice of having a meal outside the establishment must cease, and that they must return from all work placements by 6.30pm in order that they can eat in the prison. The notice also said that up to date travel plans must be completed by all prisoners. I make the following two recommendations:

The Governor should complete a full review of resettlement and licence procedures ensuring that they meet the requirements of

relevant Prison Service Orders and practice.

The Governor should review the systems used to identify those prisoners who breach the terms and conditions of their licences.

57. During contact with my family liaison officer, the man's family questioned why he had been allowed to return to Sudbury following an incident with another prisoner, and after the publication of the story about him. My investigation has established that the man had previously been the subject of newspaper articles and of talk by other prisoners. However, given the choice of returning to Sudbury or to another prison, the man took the decision to return to Sudbury in order to continue with his normal routine and ongoing resettlement. The man told staff that, although he was apprehensive about his return, he would overcome any difficulties with the support of his family, wanting to face any issues "head on" himself. Sadly, and unbeknown to both staff at the prison and to his family, the man then confided to another prisoner his intention to take his own life.
58. The man's family was also concerned that he had been unable to talk with his probation officer around the time of the newspaper article. My investigator established that the man's probation officer was on holiday when the story broke. However, the man was seen throughout this period by officers and other prison staff whom he knew well and with whom he had worked closely during his time at Sudbury. There is no evidence to suggest that the man requested any additional support either from his probation officer or other members of staff at this time.
59. The man's family also questioned whether he should have been assessed prior to his temporary day release on 2 September, given what had happened and his history of depression. My investigator has established that the man was assessed by a nurse at Dovegate shortly before the newspaper article was published. At this time the man showed no psychiatric or psychological indications that he was at risk of self harm. Staff at Sudbury are all trained in the ACCT process (to assess, observe and support prisoners at risk of self harm). Although the man's state of mind was not formally assessed on his return to Sudbury, at no point did he express to staff either verbally or physically any intention of self harm, only confiding his intention to a fellow prisoner.
60. The newspaper story may well have been a major contributing factor in the man's decision to take his own life. He also seems to have felt that the grave offences that led to his imprisonment would continue to affect his life after release, and that it would be difficult for him to live unchallenged in the community.
61. The means the man used to kill himself were identical to those he had employed immediately before his arrest.

RECOMMENDATIONS

The Governor should remind all staff at Sudbury of the need to make a clear record of all significant events and decisions relating to prisoners.

Partially Accepted - In response to the draft report HMP Sudbury said that in the majority of cases records of significant events are recorded, it is accepted however that on occasion more detailed information is required that both shows the rationale behind some decision making processes and the resulting outcome. This to be raised with the Senior Management Team collectively and disseminated to all staff via a Notice to Staff.

The Governor should complete a full review of resettlement and licence procedures ensuring that they meet the requirements of relevant Prison Service Orders and practice.

Accepted – The Head of Resettlement is to be tasked with undertaking a formal review of the current procedures in place at Sudbury, the objective is to ensure we are fully compliant with the requirements of all relevant Prison Service Orders.

The Governor should review the systems used to identify those prisoners who breach the terms and conditions of their licences.

Partially Accepted – Systems are in place that identify any breaches of licence conditions and in the case of outworkers random unannounced visits are made on offenders to check compliance with their licence conditions whilst at work. Consideration is now given to the time it takes an offender to travel back from his place of work and this is now also reviewed if his circumstances change, i.e. improved transport. HMP Sudbury say that this recommendation will be included in the formal review of the resettlement and licence procedures.