

**Prisons &
Probation**

Ombudsman
Independent Investigations

Independent investigation into the death of Mr David Wilson a prisoner at HMP Featherstone on 3 March 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*



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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.

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

Mr David Wilson was found hanging in his cell at HMP Featherstone on 2 March, and died in hospital the following day, never having regained consciousness. He was 32 years old. I offer my condolences to Mr Wilson's family and friends.

After Mr Wilson died, a picture of debts and threats emerged. There is some evidence that staff at Birmingham, where he was until two weeks before he died, and Mr Wilson's family, knew something of his predicament, but staff took no action to investigate or support Mr Wilson. Their inaction meant that staff at Featherstone had no knowledge of his situation and had never considered him to be at risk of suicide.

Although I am not satisfied that the first night process at Featherstone was adequate, it is not possible to conclude that Mr Wilson's death was either foreseeable or preventable. Had staff at Birmingham acted more effectively, the position might have been different.

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

Nigel Newcomen CBE
Prisons and Probation Ombudsman

November 2016

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Summary

Events

1. On 22 March 2011, Mr David Wilson was sentenced to eight years imprisonment for robbery and burglary. This was not his first time in prison. He served the sentence at different prisons and, on 27 February 2015, was released on licence. On 19 November 2015, Mr Wilson was charged with assaulting his partner and children. As he had breached one of the conditions of his licence, his licence was revoked. He was arrested on 9 December and arrived at HMP Birmingham on 11 December.
2. Mr Wilson told reception staff that he had no thoughts of suicide or self-harm and did not use drugs. In fact, Mr Wilson had a history of substance misuse, particularly cannabis. Reception staff recognised that, having been recalled to prison, he was at a raised risk of suicide, but did not consider that he needed to be supported by suicide and self-harm prevention procedures.
3. On 5 February 2016, Mr Wilson fought with his cellmate and was moved to a different residential wing. On 9 February, Mr Wilson was seen punching another prisoner. He was charged with a disciplinary offence and punished with the loss of some privileges, but staff did not investigate either incident any further.
4. On 10 February, an officer noted that Mr Wilson was under threat and would be transferred to another prison. The officer could not remember why he had made the entry. There is nothing else in Mr Wilson's file to explain why he might be under threat.
5. On 18 February, Mr Wilson transferred to HMP Featherstone. The reasons for his transfer were not recorded and staff at Featherstone did not know that Mr Wilson might have been threatened at Birmingham. On his arrival at the prison, Mr Wilson said he had no concerns and no thoughts of suicide or self-harm. An officer responsible for conducting the first night interview saw Mr Wilson at the same time as three other new prisoners, and did not ask any questions about his welfare. Mr Wilson shared a cell with another prisoner who had also transferred from Birmingham. The prisoner had no concerns about Mr Wilson in the days leading to his death.
6. In the early hours of 2 March, Mr Wilson spoke to his partner using an illicit mobile phone. The conversation was normal and his partner had no concerns about him. Later that morning, while his cellmate was at work, Mr Wilson hanged himself. An officer found him at 11.18am, and staff attempted to resuscitate him. The paramedics transferred Mr Wilson to hospital but he did not regain consciousness and, sadly, he died the following day.
7. After Mr Wilson's death, the police found a number of unsent letters in his cell in which he wrote that he had been in debt and under threat since 2013, and the debt had followed him to different prisons, and again since his recall to prison. Mr Wilson wrote that he had told staff at Birmingham that he was in debt, and that he had tried to hang himself, but that staff had ignored him.

Findings

8. Mr Wilson had a number of risk factors for suicide and self-harm, including that he had only recently been transferred to Featherstone, had been recalled from licence, had been charged with violent offences against close family members and had a history of substance misuse. Reception staff at Birmingham and Featherstone had some understanding of Mr Wilson's risk. However, it is unacceptable that Mr Wilson's first night interview at Featherstone, in part designed to identify concerns and risk, was carried out in front of other prisoners, and the officer did not ask Mr Wilson any questions about his welfare.
9. We are concerned that staff at Birmingham may have known that Mr Wilson was in debt and under threat but did not take any action to investigate further or support him appropriately. The lack of action or recorded information in Mr Wilson's prison file meant that staff at Featherstone had no idea that he might be at risk of suicide or self-harm.

Recommendations

- **The Governor at HMP Featherstone should ensure that first night and induction procedures are delivered in line with PSI 7/2015 and that staff have training and guidance to help them identify and record the known risk factors of newly arrived prisoners.**
- **The Director of Birmingham should ensure that allegations of violence, bullying, or intimidation are taken seriously, investigated and dealt with in line with local and national policies. Prisoners identified as at risk of violence from other prisoners should be effectively protected.**

The Investigation Process

10. The investigator issued notices to staff and prisoners at HMP Featherstone, and HMP Birmingham where Mr Wilson was until 18 February 2016, informing them of the investigation and asking anyone with relevant information to contact him. No one responded.
11. The investigator visited HMP Featherstone on 7 March 2016, and obtained copies of relevant extracts from Mr Wilson prison and medical records.
12. NHS England commissioned a clinical reviewer to review Mr Wilson's clinical care at the prison.
13. The investigator interviewed 16 members of staff and two prisoners at HMP Birmingham and Featherstone between March and July 2016. He and the clinical reviewer jointly interviewed four members of staff and a prisoner.
14. We informed HM Coroner for South Staffordshire District of the investigation who sent the results of the post-mortem examination. We have given the coroner a copy of this report.
15. One of the Ombudsman's family liaison officers contacted Mr Wilson's partner and mother to explain the investigation and to ask if they had any matters they wanted the investigation to consider. Mr Wilson's partner wanted to know why there were burn marks on Mr Wilson's body.
16. Mr Wilson's partner and mother received a copy of the initial report. Mr Wilson's partner made a number of comments which do not impact on the factual accuracy of this report and have been addressed in separate correspondence.
17. The service also received a copy of the initial report.

Background Information

HMP Featherstone

18. HMP Featherstone is a medium security prison holding nearly 703 men. It holds only convicted prisoners and is served by local prisons including HMP Birmingham and HMP Hewell as well as other Category C prisons. At the time Mr Wilson died, Staffordshire and Stroke on Trent Partnership NHS Trust provided healthcare services at Featherstone. On 1 April 2016, healthcare services transferred to Care UK.

HM Inspectorate of Prisons

19. The most recent inspection of Featherstone was in October 2013. Inspectors noted that although the prison was generally safe, debt to other prisoners was a clear problem for a significant minority of prisoners, which was linked to the availability of drugs and tradable medicines. This was partly responsible for many of the violent incidents and bullying in the prison. Investigations into incidents of violence and bullying were not always recorded well. Support for victims was inadequate and they accounted for a significant proportion of those who self-harmed. Inspectors found that safer custody arrangements were good. Staff identified prisoners at risk of suicide and self-harm and appeared caring. Most prisoners reported feeling safe on their first night in the prison, and all prisoners underwent a first night risk interview.

Independent Monitoring Board

20. Each prison has an Independent Monitoring Board (IMB) of unpaid volunteers from the local community who help to ensure that prisoners are treated fairly and decently. In its latest annual report, for the year to October 2015, the IMB was concerned about the extent of the availability of illegal substances and, in particular, new psychoactive substances (NPS). They noted the effect of these substances on prisoners' behaviour and health, and that debt and consequent bullying were ongoing issues.

Previous deaths at HMP Featherstone

21. Mr Wilson's was the third self-inflicted death at Featherstone since April 2014. In a previous investigation into the death of a man in 2015, we found that Featherstone did not investigate fully or adequately address violence and substance misuse issues.

HMP Birmingham

22. HMP Birmingham is a local prison, principally serving the West Midlands courts, which holds up to 1,450 men. G4S Care and Justice Services manage the prison. Birmingham and Solihull Mental Health Foundation Trust provide 24-hour health services at the prison. Birmingham Community Healthcare NHS Trust are subcontracted to provide primary care services

HM Inspectorate of Prisons

23. The most recent inspection of HMP Birmingham was in February and March 2014. Inspectors noted that prisoners often arrived late in the evening, which put first night and induction procedures under strain and meant some important actions were missed. They reported that most prisoners felt safe on their first night, that levels of self-harm were low and support for those at risk of suicide and self-harm was good. Inspectors found that a common feature of the four self-inflicted deaths since its last inspection was that the prisoners had only recently arrived at Birmingham and the safety of newly arrived prisoners was a significant risk that required attention. Healthcare provision, substance misuse support services, and mental health support were good. Inspectors did not highlight any concerns about the prevalence of debt related issues at the prison, but concluded that the tackling antisocial behaviour process needed improvement and effective management oversight.

Independent Monitoring Board

24. Each prison has an Independent Monitoring Board (IMB) of unpaid volunteers from the local community who help to ensure that prisoners are treated fairly and decently. In its latest annual report, for the year to June 2015, the IMB was generally pleased with the prison's violence reduction processes but was concerned about the predictability of observations of prisoners who were monitored under suicide and self-harm prevention procedures.

Recall to Prison

25. When prisoners are released on licence, they are required to keep to certain conditions while serving the remainder of their sentence in the community. Released prisoners on licence are supervised by probation services. When released, the prisoner is given a copy of their licence with all of the conditions they must follow.
26. If they do not keep to the conditions of their licence, are charged with another crime, or behave in a way that causes their probation officer concern, the licence can be revoked and the offender recalled to prison. The recall can be for 28 days (known as a fixed term recall) or to serve the remainder of the original sentence (known as a standard recall).
27. Prisoners are given the reasons for their recall and can make written appeals to the Parole Board.

New Psychoactive Substances (NPS)

28. New Psychoactive Substances (NPS) are an increasing problem across the prison and immigration detention estates. They are difficult to detect, as they are not identified in current drug screening tests. Many NPS contain synthetic cannabinoids, which can produce experiences similar to cannabis. NPS are usually made up of dried, shredded plant material with chemical additives and are smoked. They can affect the body in a number of ways including increasing heart rate, raising blood pressure, reducing blood supply to the heart and vomiting. Psychological effects can include psychosis and hallucinations,

depression and suicidal thoughts, antisocial or paranoid behaviour and emotional and erratic behaviour.

29. As well as emerging evidence of dangers to both physical and mental health, there are other links to suicide or self-harm. Trading in these substances, while in custodial settings, can lead to debt, violence and intimidation.
30. In July 2015, we published a Learning Lesson Bulletin about the deaths associated with use of NPS. We identified dangers to physical and mental health, as well as risks of bullying and debt and possible links to suicide and self-harm. The bulletin identified the need for better awareness among staff of the dangers of NPS; the need for more effective drug supply reduction strategies; better monitoring by drug treatment services; and effective violence reduction strategies because of the links between NPS and debt and bullying.

Key Events

31. On 22 March 2011, Mr David Wilson was sentenced to eight years imprisonment for robbery and burglary, and was sent to HMP Birmingham. It was not his first time in prison. He moved between a number of prisons during his sentence. On 7 June 2013, he was sentenced to an additional six months in prison for escaping from HMP Sudbury.
32. On 27 February 2015, Mr Wilson was released on licence from HMP Oakwood. His licence conditions included being well behaved and not committing any further offences. His licence was due to expire on 26 May 2019.
33. On 19 November 2015, Mr Wilson was arrested on suspicion of assaulting his partner and children, apparently while under the influence of New Psychoactive Substances (NPS), and he was charged with two offences of battery. On 21 November, Mr Wilson's offender manager revoked his licence and, on 9 December, the police arrested him.
34. A nurse reviewed Mr Wilson at the police station and recorded that he was calm and cooperative. He said that he smoked cannabis daily. He did not reveal any NPS use. In a self-assessment form, Mr Wilson wrote that he did not have any mental health problems and had never tried to harm himself. However, a caseworker noted in the recall documentation that Mr Wilson had felt suicidal in 2010, when his relationship with his partner (who he had now been charged with assaulting) had broken down. There is no evidence that Mr Wilson had ever been monitored under suicide and self-harm prevention procedures (ACCT) during his prison sentence.

HMP Birmingham

35. On 11 December, Mr Wilson arrived at HMP Birmingham. The police recorded on Mr Wilson's Person Escort Record (PER, a document that goes with prisoners when they move between police stations, courts and prisons) that he had been recalled to prison and that he used drugs. It did not contain any information about his risk of suicide and self-harm.
36. At an initial health assessment, Mr Wilson told a nurse that he did not have any suicidal thoughts. She did not record that she knew the nature of Mr Wilson's new alleged offences and that they involved violence against his family, or that he had been recalled from licence. She could not remember which documentation she had read before speaking to him. She told the investigator that she had no concerns about Mr Wilson. She asked Mr Wilson if he had taken any drugs in the month before arriving at the prison; he said that he had not and so she did not refer him to the substance misuse team. Mr Wilson was given a shared cell on the First Night Centre.
37. The next day, an officer carried out Mr Wilson's first night interview. Mr Wilson said that he was not a drug user and did not need any substance misuse support. He also said that he had never self-harmed and had no thoughts of self-harm at the time. The officer noted that Mr Wilson had been recalled to prison for breaching his licence and the interview form noted that prisoners who had been recalled to prison were at a raised risk of suicide and self-harm. The

officer noted that Mr Wilson's original offence was robbery, but did not record any details of the new domestic violence charges he faced. (Being charged with a violent offence against a close family member is also a recognised risk factor for suicide.) The officer recorded that he had no concerns about Mr Wilson. Mr Wilson remained in the First Night Centre for another two days and, on 14 December, moved to a standard prison wing.

38. On 17 December, Mr Wilson met his offender supervisor and discussed the reasons for his recall to prison. Mr Wilson said that he wanted to challenge the recall, but otherwise raised no concerns with him.
39. Between 31 December 2015 and 29 January 2016, Mr Wilson attended a mentoring course every week day morning, to prepare him for becoming a peer mentor in prison. The course leader told the investigator that Mr Wilson was quiet and polite, participated well and completed his work. She said that during one session (she could not recall the date) Mr Wilson passed her a note saying that he would not return to his unit but he did not explain why. She alerted officers, who escorted Mr Wilson back to his unit without any problems. There is no record of this event in Mr Wilson's prison file or the unit's observation book, and nobody submitted an intelligence report.
40. On 29 January, the Parole Board considered Mr Wilson's case and deferred the review until the 8 March to wait for some outstanding reports from his offender supervisor and manager, and for confirmation of the outcome of the battery charges.
41. On 1 February 2016, Mr Wilson moved to L Wing, another standard residential wing, and, four days later, he had a fight with his cellmate. A nurse recorded that Mr Wilson had suffered minor injuries and was fine. Staff did not record any details of the incident in Mr Wilson's prison file, investigate it under the prison's local violence reduction policy or submit a security incident report. On 7 February, Mr Wilson moved to M Wing, another standard residential wing.
42. On 9 February, an officer saw Mr Wilson punching another prisoner in the face. Officers physically restrained Mr Wilson, charged him with a disciplinary offence and referred the incident to the police. Mr Wilson received a warning under the Incentives and Earned Privileges (IEP) scheme, and the officer downgraded Mr Wilson's IEP status to basic. (Each prison has an Incentives and Earned Privileges scheme which aims to encourage and reward responsible behaviour, encourage sentenced prisoners to engage in activities designed to reduce the risk of re-offending and to help create a disciplined and safer environment for prisoners and staff. Under the scheme, prisoners can earn additional privileges such as extra visits, more time out of cell, the ability to earn more money in prison jobs and to wear their own clothes. There are three levels, basic, standard and enhanced.)
43. An operational manager told the investigator that any incident of violence should be investigated and both the alleged perpetrator and victim interviewed. The investigator asked Birmingham to provide further information about any investigation carried out after the incident and the disciplinary hearing. The prison had not provided anything before the initial report was published.

44. The next day, 10 February, an officer recorded in the wing observation book that Mr Wilson was on basic level. As part of the same entry, the officer wrote the word 'threat', and that staff were hoping to transfer Mr Wilson to another prison. The investigator asked the officer about the entry, but he could not remember writing it and did not remember Mr Wilson. He thought that a manager had asked him to make the entry.
45. The M Wing manager on 10 February told the investigator that he did not remember Mr Wilson saying that he was under threat. He said that, if a prisoner told him that he was under threat, he normally kept the prisoner locked in his cell for his own protection, and submitted an intelligence report. No one submitted an intelligence report about Mr Wilson and no other action was taken following the officer's entry.
46. The investigator reviewed the activity on Mr Wilson's prison bank account from 11 December 2015 to 18 February 2016. There was no unusual activity or anything to indicate that Mr Wilson was in debt. There is nothing in Mr Wilson's prison file to indicate that he had ever told staff that he was in debt or under threat at Birmingham.

HMP Featherstone

47. On 18 February, Mr Wilson transferred to HMP Featherstone. An officer at Birmingham recorded on Mr Wilson's Person Escort Record that he posed a risk of violence to others and that, because he had previously absconded from prison, he was an escape risk. The officer noted that Mr Wilson had a history of drug use, but did not record anything to suggest Mr Wilson was at risk of suicide or self-harm.
48. Managers at Featherstone thought that Mr Wilson had transferred as part of his standard sentence progression. There was nothing noted in his file to suggest that the move was a result of him being in debt or under threat.
49. An officer saw Mr Wilson when he arrived at Featherstone. He said that he had met Mr Wilson before. He checked Mr Wilson's prison records and PER and knew that Mr Wilson had been recalled from licence. He said that Mr Wilson did not raise any concerns about being in debt or under threat. He said that Mr Wilson seemed fine and so he did not think that he needed any specific support. He said that part of his role was to identify signs of risk of suicide or self-harm in new prisoners. He did not consider that Mr Wilson was at risk. Mr Wilson was made standard level on the IEP scheme when he arrived at Featherstone.
50. At an initial health assessment, Mr Wilson told a nurse that he was feeling fine and had no thoughts of suicide or self-harm. She said that she did not know that Mr Wilson had recently been recalled to prison, or the nature of the additional charges he faced. She did not consider him to be at risk of suicide or self-harm. She told the investigator that she reviewed Mr Wilson's electronic medical record but did not find anything concerning.
51. An officer completed Mr Wilson's cell sharing risk assessment (CSRA - which is designed to assess the risk of violence a prisoner poses). He said that he knew Mr Wilson's initial offence of robbery and recorded it on the CSRA form,

but did not know the exact circumstances or further offences that had led to his recall to prison. The officer said that he knew that being recalled to prison was a risk factor for suicide and self-harm. However, he said that Mr Wilson did not seem anxious and did not raise any concerns. He assessed him as suitable to share a cell. Staff placed Mr Wilson in the First Night Centre, where he shared a cell with another prisoner who had also transferred from Birmingham that day. The prisoner told the police that he did not know Mr Wilson before they travelled to Featherstone together.

52. Mr Wilson also spoke to his offender manager via video-link. In an email to the investigator, she wrote that Mr Wilson knew that the battery charges had been dropped (we have not been able to establish the date that the charges were dropped or when Mr Wilson was told). She told Mr Wilson that she would recommend to the Parole Board that he be released on 8 March. She told the investigator that Mr Wilson seemed positive during the conversation and that she had no concerns about him.
53. At around 5.00pm, an officer completed Mr Wilson's first night interview. He told the investigator that he did not have time to do a thorough interview with Mr Wilson, and that he had completed Mr Wilson's interview at the same time as three other prisoners. He said that he did not have an opportunity to ask Mr Wilson how he felt to be at Featherstone, or whether he had any concerns. He recorded in Mr Wilson's prison record that Mr Wilson did not have any issues or concerns.
54. Later that evening, Mr Wilson phoned one of his brothers, using the prison telephone system. The call was recorded and the investigator listened to it. There is no evidence that any staff had listened to the call before Mr Wilson died as part of routine phone monitoring. Mr Wilson told his brother that he was in debt, that he had been involved in 'lots of fights' because of it, that the debt had followed him to Featherstone and he was 'fucked'. He said that a prisoner wanted him to pay £200. Mr Wilson did not tell his brother why he was in debt. He said that he had had an illicit mobile phone while at Birmingham. Mr Wilson's brother did not contact the prison after the call, or raise any concerns about Mr Wilson.
55. On 23 February, a Violence Reduction Peer Representative (a prisoner who helps other prisoners to deal with issues such as victim support, debt and bullying) spoke to Mr Wilson as part of his prison induction. He asked Mr Wilson if he had any problems or needed any support with issues of violence, debt or bullying. Mr Wilson said that he did not have any problems. He declined to be interviewed for this investigation and told prison staff that he could not remember speaking to Mr Wilson.
56. There are no entries in Mr Wilson's prison or medical record over the following few days. His cellmate told the police that he got to know Mr Wilson a little while they shared a cell. He said that they had talked as normal on 1 March and he had no concerns about Mr Wilson. He said that Mr Wilson never mentioned feeling low or depressed, or that he was in debt or being threatened.

Wednesday 2 March

57. Mr Wilson's partner told the police that she had spoken to Mr Wilson often while he was in prison this time, normally from an illicit mobile phone that he had. She said that they last spoke at about 12.30am on 2 March, and that the conversation was normal. She said that she knew he had been in debt in prison before and had asked her to transfer money to his prison account, but had not asked her to do this recently. She said she was not worried about Mr Wilson after the conversation.
58. According to CCTV (closed-circuit television), at 8.23am, the prisoner left the cell he shared with Mr Wilson to go to work in the kitchen. At 8.49am, another prisoner went into Mr Wilson's cell. The prisoner told the investigator that Mr Wilson asked him for a cigarette and when he returned to Mr Wilson's cell, they did not talk for long. Mr Wilson asked him to come to see him again after lunch. He told the investigator that he did not know that Mr Wilson was in debt, and had no concerns about him that morning.
59. At 8.59am, an officer opened Mr Wilson's cell door and saw him sitting on his chair watching television. He told the investigator that Mr Wilson did not raise any concerns and he closed the door again.
60. At 11.16am, the cellmate returned to the First Night Centre from work. An officer walked him to his cell and opened the door. Both men saw Mr Wilson with a piece of sheet tied around his neck and to the window bars. The officer cut the sheet from around Mr Wilson's neck and, according to prison logs, at 11.18am radioed a code blue (indicating that a prisoner is unconscious, not breathing or is having breathing difficulties). The communications room officer called an ambulance immediately. Staff responded to the code blue call. The officer told the cellmate to leave the cell.
61. Four minutes later, a nurse arrived at Mr Wilson's cell. Two officers had already begun cardiopulmonary resuscitation. The nurse checked and found that Mr Wilson was not breathing and had no pulse. Two more nurses, who arrived shortly after, helped with the resuscitation efforts.
62. According to the Ambulance Service records, the paramedics arrived at the prison at 11.26am and at Mr Wilson's cell at 11.30am. They took over the resuscitation attempt and found that Mr Wilson had a faint pulse. At 11.59am, the paramedics took Mr Wilson to hospital.

Contact with Mr Wilson's family

63. At around 12:00pm on 2 March, the Governor phoned Mr Wilson's partner, who he had named as his next of kin, and told her that Mr Wilson had been taken to hospital. He and another prison manager met Mr Wilson's partner at the hospital shortly after. An officer was appointed as the prison's family liaison officer later that day.
64. At 10.40pm, Mr Wilson's mother and brother also arrived at the hospital. Mr Wilson's family were with him when he died at 1.25pm on 3 March, never having regained consciousness. The prison contributed to the cost of Mr Wilson's funeral, in line with national instructions.

Support for prisoners and staff

65. After Mr Wilson's death, the Governor debriefed the staff involved in the emergency response to ensure they had the opportunity to discuss any issues arising, and to offer support. The staff care team also offered support.
66. The prison posted notices informing other prisoners of Mr Wilson's death, and offering support. Staff reviewed all prisoners assessed as at risk of suicide and self-harm, in case they had been adversely affected by Mr Wilson's death including his cellmate, who was monitored under ACCT procedures for a time after Mr Wilson's death.

Post-mortem report

67. A post-mortem examination established the cause of Mr Wilson's death as cerebral anoxia (the absence of oxygen in the brain), as a result of hanging. Toxicology analysis revealed that Mr Wilson had not consumed any drugs, including New Psychoactive Substances (such as Spice) before he died.
68. The post-mortem examination found two areas of burns to Mr Wilson's buttocks and lower legs. The pathologist concluded that the burns were consistent with Mr Wilson's suspended body resting on the hot water pipes in his cell.

Information discovered after Mr Wilson's death

69. After Mr Wilson died, the police searched his cell and found a number of letters he had written, but not sent, to various members of his family. It appears that Mr Wilson wrote the letters between 4 and 15 February 2016, while at Birmingham.
70. Mr Wilson wrote that he had been in debt since 2013, and that the debt had followed him as he moved to different prisons. He said that he had told staff at Birmingham about his debts and that he was under threat, but that staff had ignored him. Mr Wilson wrote that he had told two officers. He also wrote that on 3 February 2016 he had told an officer (whose name he could not remember) that he wanted to hang himself. He wrote that he had tried to hang himself and that he had had a dark ring around his neck. The investigator found no record in Mr Wilson's prison file, or wing observation books of him expressing suicidal thoughts or of staff noticing a mark around his neck while at Birmingham.
71. The investigator spoke to the two officers who Mr Wilson referred to in his letters. Neither could remember speaking to Mr Wilson or him telling them he was in debt. As noted earlier, an officer could not recall why he had made the entry in the wing observation book noting that Mr Wilson was under threat and might be transferred to another prison.
72. The police concluded that Mr Wilson was in debt at Birmingham, and that he had asked his family to transfer monies into an account linked to another prisoner at Birmingham.

Findings

Identifying Mr Wilson's risk of suicide

73. Prison Service Instruction (PSI) 64/2011, covering safer custody, lists a number of risk factors and potential triggers for suicide and self-harm. These include early days in custody and following each transfer, licence recall, being charged with a violent offence, particularly against a family member, violence, intimidation or fear of these, a history of self-harm and suicide attempts, and a history of substance misuse. All staff should be alert to the increased risk of suicide or self-harm posed by prisoners with these risk factors and act appropriately to address any concerns, including beginning suicide and self-harm prevention procedures if necessary.
74. Mr Wilson was a licence recall, he had been charged with assaulting his partner and children, had considered suicide before, and had a long history of substance misuse in the community including cannabis and, lately, New Psychoactive Substances (NPS). He was also in debt, and being threatened, which we discuss in more detail in the next section.
75. On his arrival at Birmingham, staff recognised that having been recalled to prison placed him at a raised risk of suicide and self-harm, although they did not identify the nature of the new domestic violence charges he faced. As part of his reception screening, staff asked him if he had any thoughts of suicide and self-harm, and he said he did not. Mr Wilson said that he did not use drugs, and so he was not referred to the prison's substance misuse service. (There is no evidence that he took drugs while in prison this time.) Reception staff at Birmingham did not consider him to be at risk, and did not consider beginning suicide and self-harm prevention procedures. We consider that this was a reasonable decision.
76. There is nothing in Mr Wilson's prison file at Birmingham to suggest that staff had any concerns about his risk after the first few days. However, in one of the letters found in Mr Wilson's cell after his death (apparently written between 4 and 15 February), he wrote that he had told an officer that he wanted to hang himself. Mr Wilson could not remember the officer's name, and there was no corresponding entry in his prison file. We are concerned that, on several occasions, staff at Birmingham did not make entries in Mr Wilson's file when we would have expected them to (and we discuss this further in the next section). We are not reassured that the lack of an entry in this case means that Mr Wilson did not express suicidal thoughts to someone at Birmingham.
77. When Mr Wilson transferred to Featherstone on 18 February, he repeated that he did not have any concerns or any substance misuse issues and that he did not have any thoughts of suicide and self-harm. Again, some staff interviewed recognised that prisoners who had been recalled from licence were at greater risk of suicide and self-harm, but they did not assess Mr Wilson as at risk.
78. PSI 07/2015, which covers early days in custody, highlights that prisoners transferring between prisons are at an increased risk of suicide in the early days and weeks in a new prison. The PSI instructs that staff conducting initial

interviews must take time to listen to prisoners and offer them help and support in resolving or managing their most urgent issues.

79. We are concerned that the officer who carried out Mr Wilson's first day interview on 18 February, spoke to Mr Wilson at the same time as three other new prisoners and did not ask him any specific questions about his welfare, although he recorded that he had. The officer said that he had not received any ACCT training for a long time, and used his intuition to identify risk of suicide or self-harm. The first day interview is an important opportunity to identify prisoners' concerns and risk factors and we make the following recommendation:

The Governor at HMP Featherstone should ensure that first night and induction procedures are delivered in line with PSI 7/2015 and that staff have training and guidance to help them identify and record the known risk factors of newly arrived prisoners.

Identifying that Mr Wilson was in debt

80. In the letters Mr Wilson wrote, he revealed that he was in debt, and had been for some time, preceding his most recent recall to prison and again since his recall. (His security intelligence file contains no information suggesting that staff at other prisons had been aware of any debt or intimidation issues during his last period in prison.) Mr Wilson wrote that he had told officers at Birmingham that he was in debt but there are no entries in his file to support this.
81. We are particularly concerned about the lack of security intelligence and investigation following the events on 5 and 9 February at Birmingham, when Mr Wilson was involved in violent incidents. According to Birmingham's violence reduction policy, both incidents should have resulted in an investigation and, at least, an informal meeting with the prisoners involved. There is no evidence that either of the incidents resulted in an investigation or that staff discussed them with Mr Wilson or the other prisoners involved.
82. On 10 February, an officer recorded in the unit's observation book that Mr Wilson was under threat and that the prison hoped to transfer him. No one could explain this entry and there is no evidence that staff took any further action to investigate whether Mr Wilson was under threat, contrary to the local violence reduction policy. Mr Wilson wrote that he had told two named officers (including the officer) that he was being threatened. Neither officer could recall such a conversation with Mr Wilson and neither had made any entries in his prison file.
83. The lack of further investigation meant that, when Mr Wilson transferred to Featherstone, staff there had no idea that he might have been being threatened or intimidated and he was not offered any additional support. Mr Wilson apparently chose not to reveal to staff or other prisoners at Featherstone that he was in debt and under threat. Although his family knew that he had been in debt, they did not raise any concerns about this with Birmingham or Featherstone.

84. In our Learning from PPO Investigations analysis of self-inflicted deaths in 2013-14, we highlighted that debt can leave prisoners vulnerable to pressure and bullying from other prisoners. We found that staff often did not consider that bullying, drug and debt issues made prisoners more vulnerable. They rarely noted that a prisoner feeling under threat from others was at increased risk of suicide and self-harm. There is no evidence that, having noted Mr Wilson was under threat, staff at Birmingham took any meaningful action or explored whether he might be at a higher risk of suicide or self-harm. We are not assured that staff at Birmingham took sufficient action to support Mr Wilson and we make the following recommendation:

The Director of Birmingham should ensure that allegations of violence, bullying, or intimidation are taken seriously, investigated and dealt with in line with local and national policies. Prisoners identified as at risk of violence from other prisoners should be effectively protected.

**Prisons &
Probation**

Ombudsman
Independent Investigations