

**Prisons &
Probation**

Ombudsman
Independent Investigations

Independent investigation into the death of Mr Derek Osborne, a prisoner at HMP Littlehey, on 19 January 2021

A report by the Prisons and Probation Ombudsman



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Summary

1. The Prisons and Probation Ombudsman aims to make a significant contribution to safer, fairer custody and community supervision. One of the most important ways in which we work towards that aim is by carrying out independent investigations into deaths, due to any cause, of prisoners, young people in detention, residents of approved premises and detainees in immigration centres.
2. We carry out investigations to understand what happened and identify how the organisations whose actions we oversee can improve their work in the future.
3. Mr Derek Osborne died of bowel cancer on 19 January 2021 at HMP Littlehey. He also had Type 2 diabetes and heart disease which contributed to but did not cause his death. He was 79 years old. We offer our condolences to his family and friends.
4. The clinical reviewer concluded that the clinical care that Mr Osborne received at Littlehey was of an extremely good standard and was equivalent to that which he could have expected to receive in the community.
5. The clinical reviewer found that the palliative care that Mr Osborne had at Littlehey was of an exceptional quality and that the emotional support from the palliative care nurse and the palliative care consultant was of extremely high quality.
6. We did not identify any non-clinical issues of concern and we make no recommendations.
7. This version of my report, published on my website, has been amended to remove the names of staff and prisoners involved in my investigation.

The Investigation Process

8. NHS England commissioned a clinical reviewer to review Mr Osborne's clinical care at HMP Littlehey.
9. The PPO investigator has investigated the non-clinical issues in Mr Osborne's care, including his location, the security arrangements for his hospital escorts, liaison with his family and whether compassionate release was considered.
10. We shared the initial report with the Prison Service. There were no factual inaccuracies.

Previous deaths at Littlehey

11. There were nineteen deaths from natural causes (four of which were as a result of COVID-19) and one self-inflicted death at HMP Littlehey in the two years before Mr Osborne's death. Seven prisoners have died from natural causes at Littlehey since Mr Osborne's death (four of which were as a result of COVID-19). There are no significant similarities between our findings in this investigation and those of the other deaths.

Key Events

12. On 29 April 2014, Mr Derek Osborne was sentenced to 26 years in prison for sex offences. On 24 July 2014, he was transferred to HMP Littlehey.
13. Mr Osborne had hypertension (high blood pressure), atrial fibrillation (an abnormal and often fast heart rate) and Type 2 diabetes.
14. On 12 August 2020, a prison GP saw Mr Osborne because he said that he had abdominal pain. The GP referred him for an ultrasound scan.
15. On 31 August, a nurse saw Mr Osborne because he had severe abdominal pain. She sent him to hospital by ambulance. Hospital staff found and removed a tumour from Mr Osborne's bowel and confirmed that it was a stage three spindle cell carcinoma (a rare malignant cancerous tumour). On 16 September, Mr Osborne went back to Littlehey.
16. On 19 October, a palliative care nurse saw Mr Osborne and carried out a palliative care and end-of-life assessment. On 21 December, Mr Osborne told her that he did not want anyone to resuscitate him if his heart or breathing stopped and signed an order to that effect.
17. On 14 January 2021, Mr Osborne was transferred to St John's Hospice, where he died on 19 January. There was no post-mortem examination. The pathologist said that Mr Osborne died of metastatic spindle cell carcinoma of the bowel (bowel cancer). He also had Type 2 diabetes and ischaemic heart disease which contributed to but did not cause his death.

Caroline Mills
Assistant Ombudsman

July 2021

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