

**Prisons &
Probation**

Ombudsman
Independent Investigations

Independent investigation into the death of Mr Kenneth Sibbald, a prisoner at HMP Wymott, on 22 June 2021

A report by the Prisons and Probation Ombudsman

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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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 Kenneth Sibbald, who was 75 years old, died in hospital of lung cancer on 22 June 2021, while a prisoner at HMP Wymott. We offer our condolences to Mr Sibbald's family and friends.
4. The clinical reviewer concluded that the clinical care Mr Sibbald received at Wymott was of a good standard and equivalent to that which he could have expected to receive in the community.
5. We did not find any non-clinical issues of concern. We make no recommendations.

The Investigation Process

6. NHS England commissioned an independent clinical reviewer to review Mr Sibbald's clinical care at HMP Wymott.
7. The PPO investigator has investigated the non-clinical issues in Mr Sibbald's care, including his location, the security arrangements for his hospital escorts, liaison with his family and whether compassionate release was considered.
8. One of our family liaison officers wrote to Mr Sibbald's next of kin, his son, to explain the investigation. He asked for a copy of our report but raised no issues for investigation.
9. Mr Sibbald's family received a copy of the initial report. They did not raise any further issues, or comment on the factual accuracy of the report.
10. The initial report was shared with the Prison Service. The Prison Service did not find any factual inaccuracies.

Previous deaths at HMP Wymott

11. Mr Sibbald was the 13th prisoner to die at Wymott since June 2019. Of the previous deaths, 11 were from natural causes and one was drug related.

Key Events

12. In March 2009, Mr Kenneth Sibbald was sentenced to life imprisonment for murder with a minimum term of 12 years. In March 2018, he was moved to HMP Wymott.
13. Mr Sibbald had several long-term health conditions including high blood pressure, heart disease and depression. He was prescribed appropriate medication for these conditions. Mr Sibbald had also been treated for bowel cancer in 2014.
14. In December 2020, Mr Sibbald had a heart attack and underwent emergency heart surgery. While Mr Sibbald was in hospital, he had a chest X-ray which showed that he had a shadow on his lung. The hospital arranged for a Computerised Tomography (CT) scan (uses X-rays and a computer to create detailed images of the inside of the body).
15. On 31 December, Mr Sibbald was discharged from hospital. He was told his heart condition would be followed up with the hospital cardiology team.
16. When Mr Sibbald returned to prison, he was located on I Wing, which was the COVID-19 shielding wing. On 1 February 2021, Mr Sibbald received his first dose of AstraZeneca COVID-19 vaccination.
17. On 17 February, Mr Sibbald was taken to hospital for a CT scan. On 25 March, he was told that he had lung cancer and would need a Positron Emission Tomography (PET) scan (an imaging test that helps reveal how the tissues and organs are functioning). Mr Sibbald went to hospital for this procedure on 8 April.
18. On 15 April, Mr Sibbald received his second dose of AstraZeneca COVID-19 vaccination.
19. On 24 April, a nurse took Mr Sibbald's observations and recorded that he had a National Early Warning Score (NEWS) of 9. (NEWS is a tool used to assess clinical deterioration in adult patients – a score of 9 indicates high clinical risk.) She sent him to hospital, where he was later admitted and treated for pneumonia. While in hospital, Mr Sibbald had another scan and a biopsy. It was noted that the tumour on his lung had increased in size.
20. On 28 April, the prison appointed a prison officer as the family liaison officer. He contacted Mr Sibbald's son and told him that his father was in hospital.
21. On 6 May, Mr Sibbald was discharged from hospital and taken back to Wymott. He was told that he would have a follow up appointment with the chest clinic. On 27 May, it was noted that Mr Sibbald said that he did not want chemotherapy treatment, so he was referred for an urgent oncology review to discuss other treatment options.
22. On 4 June, a nurse saw Mr Sibbald and noted that he appeared to be confused, weak and dehydrated. He took Mr Sibbald's observations and documented that he had a NEWS score of 5. Healthcare staff called an ambulance and Mr Sibbald was taken to hospital, where he was again admitted.

23. While Mr Sibbald was in hospital his health deteriorated. On 12 June, hospital staff discussed a Do Not Attempt Cardiopulmonary Resuscitation (DNACPR) order with Mr Sibbald who agreed that if he stopped breathing, he did not want to be resuscitated.
24. On 15 June, Mr Sibbald was given a life expectancy of 3-6 months. The following day, the prison started an application for him to be released on compassionate grounds.
25. Over the next two weeks Mr Sibbald's health deteriorated further. He died in hospital on 22 June.

Cause of death

26. The coroner accepted the cause of death provided by the hospital and no post-mortem examination was conducted. The hospital recorded Mr Sibbald's cause of death as a chest infection caused by lung cancer. Ischaemic heart disease was listed as a contributing factor.

Louise Richards
Assistant Ombudsman

October 2021

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