

**Prisons &
Probation**

Ombudsman
Independent Investigations

Independent investigation into the death of Mr Roger Lee, a prisoner at HMP Risley, on 26 May 2020

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 Roger Lee, who was 78 years old, died of carcinomatosis and carcinoma of the left lower lobe on 26 May 2020, while a prisoner at HMP Risley. We offer our condolences to Mr Lee's family and friends.
4. The clinical reviewer concluded that the care Mr Lee received at HMP Risley was of a good standard, and equivalent to that which he could have expected to receive in the community. She made no recommendations.
5. We did not find any non-clinical issues of concern.

Investigation Process

6. NHS England commissioned an independent clinical reviewer to review Mr Lee's clinical care at HMP Risley.
7. The PPO investigator has investigated non-clinical issues, including Mr Lee's location, the security arrangements for his hospital escorts, liaison with his family and whether compassionate release was considered.
8. The PPO family liaison officer wrote to Mr Lee's next of kin, his daughter, to explain the investigation. She did not respond to our letter.
9. The initial report was shared with HM Prison and Probation Service (HMPPS). HMPPS did not find any factual inaccuracies

Previous deaths at Risley

10. Mr Lee was the fifth prisoner to die from natural causes at Risley in the last two years. There has been one further death from natural causes since Mr Lee's death.
11. There are no similarities between our findings in the investigation of Mr Lee's death and the other deaths.

Key Events

12. On 19 April 2016, Mr Roger Lee was sentenced to eleven years in prison for sexual offences. He was sent to HMP Liverpool. On 16 May 2018, he transferred to HMP Risley.
13. At an initial health assessment, a nurse recorded that Mr Lee had type 2 diabetes and that in 2017, he had been diagnosed with carotid artery stenosis (the narrowing of the arteries, which carries blood from the heart to the brain) and that he received medication for his conditions. Mr Lee's prescribed medications and care plans were reviewed and updated.
14. Mr Lee was regularly reviewed by healthcare staff, but they recorded in his medical records that he had often failed to monitor his blood sugar levels despite being repeatedly told about the importance of doing so. Mr Lee had little significant contact with healthcare staff over the years that followed.
15. On 21 January 2020, Mr Lee was seen by a prison GP after he reported experiencing severe recurring back pain. He told the GP that he suspected the pain was the result of an injury he had sustained in a road traffic accident, four years earlier. The GP referred him for an ultrasound scan to try and establish the cause of his pain.
16. The scan was carried out at Warrington Hospital on 19 March. The results showed that Mr Lee had an enlarged liver and a five-centimetre mass in the lower lobe of his left lung. A two week wait referral was made to the respiratory clinic at the hospital.
17. On 31 March, Mr Lee was admitted to Clatterbridge Cancer Centre, Liverpool, as an inpatient to undergo a series of tests and a lung biopsy. The procedures were carried out on 2 April. Mr Lee was moved to Warrington Hospital and admitted as an inpatient to await the outcome of the test results.
18. The results showed that Mr Lee had metastatic cancer, which had spread from his lungs to his bones, kidney, spleen and liver. Hospital staff told him that palliative care was the only treatment option open to him, and that his prognosis would be a matter of weeks.
19. On 10 April, Mr Lee was discharged from hospital and returned to Risley. Following his arrival at the prison, he was provided with a hospital bed and a wheelchair. His prescribed medications and care plans were regularly reviewed and updated.
20. On 24 April, a prison GP discussed Mr Lee's prognosis with him. Mr Lee said that he did not wish to be resuscitated if his heart or breathing stopped and signed a do not attempt cardiopulmonary resuscitation (DNACPR) order to that effect.
21. Mr Lee's condition continued to worsen and on 5 May, he was transferred to St Rocco's Hospice to receive end of life care.
22. At 7.50am on 26 May, it was confirmed that Mr Lee had died.

Post-mortem report

23. The Coroner concluded that Mr Lee died of carcinomatosis (cancer that spread to other parts of the body) caused by carcinoma of the left lower lobe (lung cancer).

Lisa Burrell
Assistant Ombudsman

January 2021

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