

**Prisons &  
Probation**

**Ombudsman**  
Independent Investigations

# Independent investigation into the death of Mr Robert Cook, a prisoner at HMP Holme House, on 14 April 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 Robert Cook died on 14 April 2021 of lung cancer at HMP Holme House. Mr Cook was 77 years old. We offer our condolences to Mr Cook's family and friends.
4. The clinical reviewer concluded that the clinical care Mr Cook received at HMP Holme House was equivalent to that which he could have expected to receive in the community. She said that his 'care was planned and executed to a very high standard at all times' and an example of best practice. She made no recommendations.
5. We found no non-clinical issues of concern. We make no recommendations.

## The Investigation Process

6. NHS England commissioned an independent clinical reviewer to review Mr Cook's clinical care at HMP Holme House.
7. The PPO investigator has investigated non-clinical issues, including Mr Cook'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 Cook's next of kin, to explain the investigation. She did not respond to our letter.

### Previous deaths at HMP Holme House

9. Mr Cook was the 15<sup>th</sup> prisoner to die at HMP Holme House since April 2019. Of the previous deaths, ten were from natural causes, three were self-inflicted, and one is awaiting classification.
10. There are no similarities between our findings in the investigation into Mr Cook's death and our investigation findings for the previous deaths.

## Key Events

11. On 9 July 2008, Mr Robert Cook received an Indeterminate Sentence for Public Protection (IPP) for sexual offences. He received a tariff of two and a half years. Mr Cook was released from prison in August 2015. He was recalled to HMP Northumberland in November 2018 for breaching his licence conditions. In January 2019, he was sentenced to eight months in prison.
12. Mr Cook had a number of significant pre-existing conditions including severe arthritis, diagnosed in 2008. He had a heart attack in 1990, and a stroke in 2009. He was also diagnosed with prostate cancer, ischaemic heart disease, angina and depression in 2012.

### 2020

13. In January 2020, X-ray results indicated the possible presence of lung cancer. A prison GP referred Mr Cook to respiratory specialists under the two week wait referral process. An appointment was arranged for him to see the respiratory team on 30 January but he refused to attend the appointment because he did not want to be restrained using handcuffs. He signed a disclaimer to confirm that he was fully aware of the reason for the appointment. He also saw the mental health team about his decisions not to attend these appointments and was assessed as having the mental capacity to make decisions about his care and treatment.
14. A senior manager said that Mr Cook was too high a risk to attend appointments unrestrained. Mr Cook refused to attend a further two appointments to avoid being restrained and he was discharged from the two week wait appointment system. He was re-referred on 21 February and attended an appointment on 10 March.
15. On 17 March, Mr Cook had a CT scan but he refused to attend his appointment in April due to not wanting to be restrained again. The hospital wrote to him on 23 April and informed him that the CT scan results indicated the presence of lung cancer.
16. On 28 May, Mr Cook was diagnosed with lung cancer. He underwent an intensive course radiotherapy between June and July but was advised that all further treatment would be palliative only.
17. On 27 October, Mr Cook said that he did not wish anyone to resuscitate him if his heart or breathing stopped and signed an order to that effect.
18. On 18 November, an advance care statement was completed with Mr Cook's participation. This said he would like to apply for early release on compassionate grounds if he was well enough. Otherwise he would like to transfer to HMP Holme House and to die in a nursing home.

### 2021

19. On 17 February 2021, Mr Cook was admitted to Wansbeck General Hospital after a series of falls, increased confusion and shortness of breath. Hospital

tests showed that the cancer had spread to Mr Cook's brain, and that it was terminal.

20. On 5 March, Mr Cook transferred from hospital to the palliative care suite in the enhanced primary care unit at HMP Holme House for end of life care. (HMP Northumberland did not have the 24-hour healthcare that Mr Cook needed.) Healthcare staff at Holme House put care plans in place to manage Mr Cook's palliative care. He was monitored at two hourly intervals during the day and night and healthcare staff completed daily observations.
21. Mr Cook was tested for COVID-19 and the result was negative.
22. On 26 March, his advance care plan was discussed with him again. Mr Cook said he would like to be released early on compassionate grounds and to die in a hospice or nursing home.
23. On 7 April, the prison submitted an application for early release on compassionate grounds to the Public Protection Casework Section (PPCS) of Her Majesty's Prison and Probation Service (HMPPS). Mr Cook died before a decision was made.
24. On 13 April, Mr Cook's health began to deteriorate rapidly. His next of kin agreed with the medical assessment that he was too ill to be moved from the prison. A nurse sat with Mr Cook throughout the night and provided support and made him as comfortable as possible.
25. At 7.11am on 14 April, it was confirmed that Mr Cook had died in the palliative care suite at Holme House.

### **Inquest**

26. An inquest into Mr Cook's death took place on 5 July 2021. The Coroner gave Mr Cook's cause of death as advanced lung cancer with metastasis.

**Lisa Burrell**  
**Assistant Ombudsman**

**December 2021**

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