

**Prisons &
Probation**

Ombudsman
Independent Investigations

Independent investigation into the death of Mr Kevin Morrison a prisoner at HMP Leyhill, on 15 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 Kevin Morrison died of cancer on 15 June 2021 at HMP Leyhill. He was 81 years old. I offer my condolences to Mr Morrison's family and friends.
4. The clinical reviewer concluded that the clinical care Mr Morrison received at Leyhill was equivalent to, if not better than, that he could have expected to receive in the community. He made no recommendations.
5. We found no non-clinical issues of concern. We make no recommendations.
6. 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

7. NHS England commissioned an independent clinical reviewer to review Mr Morrison's clinical care at Leyhill.
8. The PPO investigator has investigated non-clinical issues, including Mr Morrison's location, the security arrangements for his hospital escorts, liaison with his family and whether compassionate release was considered.
9. The PPO family liaison officer wrote to Mr Morrison's nominated next of kin, a probation officer, to explain the investigation. He responded to our letter but did not have any specific questions for us to consider.
10. Mr Morrison's next of kin was informed the draft report was available but did not wish to receive a copy or make any comment.
11. The initial report was shared with HM Prison and Probation Service (HMPPS). HMPPS did not find any factual inaccuracies.

Previous deaths at HMP Leyhill

12. Mr Morrison's was the fourth death at Leyhill since June 2019. All were from natural causes.

Key Events

10. In July 1999, Mr Kevin Morrison was convicted of murder and sentenced to life imprisonment. He was moved to HMP Leyhill on 16 October 2018.
11. On 16 October 2020, routine blood tests identified that Mr Morrison had abnormal liver function. He underwent a series of tests at hospital and in February 2021, he was diagnosed with adenocarcinoma of the ampulla of Vater (cancer within the digestive system). His life expectancy was estimated at several months to a year.
12. The same month, staff started an application for Mr Morrison's early release on compassionate grounds. However, on 25 March, the Governor rejected the application as Mr Morrison's life expectancy was not less than three months.
13. On 14 April, a nurse found that Mr Morrison had low blood pressure and appeared to be in severe pain. She requested an emergency ambulance and Mr Morrison was taken to hospital. He was discharged the same day.
14. On 7 May, Mr Morrison was given an updated prognosis that he was likely to have less than three months to live. Staff completed another application for compassionate release and on 21 May, it was submitted to the Public Protection Casework Section (PPCS) of HM Prison and Probation Service (HMPPS).
15. On 3 June, PPCS rejected the application for compassionate release as there were concerns that the prognosis was uncertain and could be up to six months. PPCS also assessed that Mr Morrison's risk was not minimal.
16. Mr Morrison died in the Palliative Care Unit at Leyhill on 15 June at 11.54pm.

Cause of death

17. A post-mortem examination was not conducted as the Coroner accepted the cause of death provided by a hospital doctor. The doctor gave Mr Morrison's cause of death as adenocarcinoma of the ampulla of Vater. The doctor listed chronic kidney disease, type two diabetes, atrial fibrillation (irregular heartbeat), heart disease, hypertension (high blood pressure) and frailty of old age as contributing factors.

Louise Richards
Assistant Ombudsman

November 2021

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