

**Prisons &  
Probation**

**Ombudsman**  
Independent Investigations

# Independent investigation into the death of Mr Joseph Turnbull, a prisoner at HMP Frankland, on 12 October 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 Joseph Turnbull died from lung cancer (which had spread to other parts of his body) on 12 October 2021 at HMP Frankland. He was 68 years old. We offer our condolences to his family and friends.
4. The clinical reviewer concluded that the clinical care that Mr Turnbull received at Frankland was both responsive 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, and we make no recommendations.

## The Investigation Process

6. NHS England commissioned a clinical reviewer to review Mr Turnbull's clinical care at HMP Frankland.
7. The PPO investigator has investigated the non-clinical issues in Mr Turnbull's care, including his location, the security arrangements for his hospital escorts, liaison with his family and whether compassionate release was considered.
8. The Ombudsman's family liaison officer wrote to Mr Turnbull's daughter to explain the investigation. She did not respond.
9. We shared the initial report with the Prison Service. There were no factual inaccuracies.

## Previous deaths at HMP Frankland

10. In the two years before Mr Turnbull's death, 18 prisoners died from natural causes at HMP Frankland, five of the deaths were related to COVID-19. There has been one death from natural causes at Frankland since Mr Turnbull's death. There are no significant similarities between our findings in this investigation and those of the other deaths.

## Key Events

11. In July 2006, Mr Joseph Turnbull was sentenced to life in prison for murder. In July 2007, he was transferred to HMP Frankland.
12. Mr Turnbull had smoked cigarettes since he was 14 years old and stopped smoking in 2017. He had chronic obstructive pulmonary disease (COPD, a lung disease).
13. On 10 August 2021, a prison GP saw Mr Turnbull because a prison officer said that he looked unwell and had lost weight. She noted that Mr Turnbull had back pain and had lost a stone in weight. She noted that Mr Turnbull had had a chronic cough for several years but that there were no specific signs or symptoms from his medical history that put him at high risk of having a serious disorder or cancer. She asked for a chest x-ray and noted that Mr Turnbull should be closely monitored.
14. On 18 August, Mr Turnbull had a chest x-ray, which showed that he may have cancer. A prison GP asked for a CT scan and noted that he would make an urgent referral under the NHS pathway which requires patients with suspected cancer to be seen by a specialist within two weeks.
15. On 20 August, a prison GP told Mr Turnbull that the chest x-ray showed that he may have lung cancer.
16. On 9 September, Mr Turnbull went to hospital for a CT scan which showed that he had lung cancer. A Macmillan nurse spoke to Mr Turnbull about having palliative radiotherapy treatment. He declined treatment.
17. On 16 September, a prison GP prescribed Mr Turnbull anticipatory medicines (for pain relief and sickness).
18. On 17 September, at a multidisciplinary lung cancer meeting, healthcare staff discussed Mr Turnbull's CT scan and confirmed that he had lung cancer which had spread to the lower part of his spine.
19. Mr Turnbull died on 12 October, with a nurse present.

### Cause of death

20. There was no post-mortem examination. The Coroner accepted the cause of death provided by that Mr Turnbull died from metastatic lung cancer (lung cancer which had spread to other parts of the body).

**Caroline Mills**  
**Assistant Ombudsman**

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