Prisons & Probation Ombudsman
Independent Investigations

Independent investigation into the death of Jeffrey Maclagan, a prisoner at HMP Northumberland, on 3 February 2022

A report by the Prisons and Probation Ombudsman

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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

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. Our office carries out investigations to understand what happened and identify how the organisations whose actions we oversee can improve their work in the future.

3. Mr Jeffrey Maclagan, who was 67 years old, died in hospital from pancreatic cancer on 3 February 2022, while a prisoner at HMP Northumberland. We offer our condolences to Mr Maclagan's family and friends.

4. The clinical reviewer concluded that the clinical care Mr Maclagan received at Northumberland was equivalent to that which he could have expected to receive in the community.

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 Maclagan's clinical care at HMP Northumberland.

7. The PPO investigator has investigated the non-clinical issues in Mr Maclagan's care, including his location, the security arrangements for his hospital escorts, liaison with his family and whether compassionate release was considered.

8. The PPO's family liaison officer wrote to Mr Maclagan's next of kin, his sister, to explain the investigation. She did not respond.

9. The initial report was shared with HM Prison and Probation Service (HMPPS). HMPPS found no factual inaccuracies.

Previous deaths at Northumberland

10. Mr Maclagan was the tenth prisoner to die at Northumberland since February 2020. Of the previous deaths, five were from natural causes, three were self-inflicted, and one is awaiting classification.

Key Events

11. On 25 April 2019, Mr Maclagan was sentenced to eight years and six months imprisonment for sexual offences. On 8 May, he was sent to HMP Northumberland.

12. In November 2021, Mr Maclagan began to feel very tired and told an officer that he had difficulty breathing at night. The officer asked a nurse to see him. The nurse checked Mr Maclagan on 16 November, and all his clinical observations were normal.

13. Mr Maclagan saw a nurse again on 6 December, as he said he was still having breathing difficulties at night. Again, his clinical observations were normal.

14. On 15 December, Mr Maclagan said that he had been losing weight, was very tired and was having breathing difficulties, and he asked to see a doctor. Healthcare arranged an appointment for him. Before it took place, a nurse saw Mr Maclagan on 23 December, and found his observations to be normal apart from a slightly raised blood pressure.

15. On 29 December, Mr Maclagan said that he had lost three stone in weight and had seen blood in his stools. His blood pressure was still slightly raised. The next day a prison GP examined Mr Maclagan. He requested immediate blood tests and made an urgent hospital referral using the suspected cancer pathway.

16. On 13 January 2022, Mr Maclagan went to hospital for an endoscopy (an internal investigation of the body with a special camera), but as he had not taken the pre-examination medication before attending, he returned to prison without the investigation being done.

17. Prison healthcare staff asked for an urgent follow up investigation, which took place on 18 January. This revealed that Mr Maclagan had extensive cancer which was untreatable. He remained in hospital for palliative care (care with the focus on optimising the quality of life and reducing suffering).

18. Mr Maclagan said it was his preference to stay in a hospital rather than move to a different prison with palliative care. Healthcare staff also considered that Mr Maclagan staying in hospital would make it easier for his family to visit him. On 25 January, Mr Maclagan was moved to a nearby hospital with a palliative care suite. He died there on 3 February.

19. There was no post-mortem examination as the coroner accepted the cause of death provided by a hospital doctor. The doctor gave the cause of death as pancreatic cancer with metastases (cancer of the pancreas that had spread to other parts of the body).

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Assistant Ombudsman

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