

**Prisons &  
Probation**

**Ombudsman**  
Independent Investigations

# **Independent investigation into the death of Mr William Brown on 13 June 2022, following his release from HMP Lancaster Farms**

**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. Since 6 September 2021, the PPO has investigated post-release deaths that occur within 14 days of a prisoner's release from prison.
3. We carry out investigations to understand what happened and identify how the organisations whose actions we oversee can improve their work in the future.
4. Mr William Brown died of a suspected drug overdose on 13 June 2022, three days after his release from HMP Lancaster Farms. Post-mortem toxicology tests indicated that Mr Brown had used drugs before he died, most notably heroin. Mr Brown was 42 years old. I offer my condolences to those who knew him.
5. Mr Brown was recalled to prison on 9 April 2022, after he was found at his mother's home, in breach of his licence. On 9 June, the Parole Board reviewed the recall decision and directed Mr Brown's immediate release. On the day of his release, Mr Brown went straight to his mother's address and took £700 from her, which police suspected he used to buy drugs.
6. We found that Mr Brown's Community Offender Manager (COM) did not include relevant risk information in the recall paperwork that she sent to the Parole Board. She was concerned that the information could put Mr Brown's mother at risk if Mr Brown saw it, but she did not consider sharing it using the non-disclosable process. She said she was not aware of the process.
7. After sharing our initial report with the Probation Service, it became apparent that the Parole Board had been made aware of the risk that Mr Brown posed to his mother and that the COM's lack of awareness of the non-disclosable process made no difference in this case. Nevertheless, all COMs should be aware that this process is available for the sharing of sensitive information with the Parole Board.

## Recommendations

- The Head of Preston Probation Delivery Unit should ensure that staff know how to share non-disclosable information with the Parole Board and use the process, where appropriate.

## The Investigation Process

8. The PPO investigator obtained copies of relevant extracts from Mr Brown's prison and probation records.
9. The investigator interviewed Mr Brown's COM by video conference on 20 July 2022.
10. We informed HM Coroner for Lancashire of the investigation. He gave us the results of the post-mortem examination. We have sent him a copy of this report.
11. The Ombudsman's family liaison officer contacted Mr Brown's next of kin, his mother, to explain the investigation and to ask if she had any matters she wanted us to consider. We received no response.
12. We shared our initial report with HM Prison and Probation Service (HMPPS). They pointed out some factual inaccuracies which have been amended in this report. They provided an action plan which is annexed to this report.

## **Background Information**

### **HMP Lancaster Farms**

13. HMP Lancaster Farms is a Category C adult male prison, located on the outskirts of Lancaster. The prison is operated by Her Majesty's Prison Service and holds approximately 560 prisoners.

### **Probation Service**

14. The Probation Service work with all individuals subject to custodial and community sentences. During a person's imprisonment, they oversee their sentence plan to assist in rehabilitation, as well as prepare reports to advise the Parole Board and have links with local partnerships to which, where appropriate, they refer people for resettlement services. Post-release, the probation service supervise people throughout their licence period and post-sentence supervision.

## Key Events

15. On 9 September 2021, Mr William Brown was convicted of violent offences and was sentenced to 12 months in prison.
16. On 10 February 2022, Mr Brown was moved to HMP Preston. Mr Brown was on a methadone programme in prison and was working towards becoming drug-free. (Methadone is a heroin substitute that is used to reduce dependency on opioid drugs.) He also agreed to naloxone (a drug used to reverse effects of opioid overdose) training and taking a naloxone kit upon release.
17. On 3 March, Mr Brown's Community Offender Manager (COM) met her Senior Probation Officer (SPO) to discuss Mr Brown. The COM told her SPO that Mr Brown was refusing to let staff complete accommodation referrals for him. They also decided not to approve his request to live at his mother's address when released due to intelligence that Mr Brown presented an increased risk of harm towards her. He therefore did not have a confirmed address for his release.
18. On 9 March, Mr Brown's COM spoke to him by telephone to discuss his release plans. During this conversation, Mr Brown consented to an accommodation referral, which his COM submitted on 22 March.
19. On 30 March, Mr Brown's COM and Prison Offender Manager (POM) had a telephone conversation about his release plans and risk levels. The POM said that she assessed that Mr Brown presented a heightened level of risk to probation staff and members of the public. She also shared that Mr Brown was adamant that he would live at his mother's address when released and did not care if his licence conditions said he could not do this.
20. That day, Mr Brown's COM increased his risk level from medium to high and made a referral for Mr Brown to live at an approved premises on release. (An approved premises is a probation hostel that provides an enhanced level of supervision in the community following release from prison.)
21. On 31 March, Mr Brown's COM secured a place in an approved premises for Mr Brown. The next day, Mr Brown's POM told him that he had to live at an approved premises on his release. He became aggressive, threatened to damage his cell and assault his COM on release in order to get recalled to prison. He said that he would go straight to his mother's house on the day of his release.
22. On 9 April, Mr Brown was released from prison. He did not attend the approved premises, as directed. As a result, his COM completed recall paperwork and submitted this to the Public Protection Casework Section (PPCS).
23. During interview, Mr Brown's COM said she did not provide specific details of the risks Mr Brown presented towards his mother in the recall paperwork as she did not want to put his mother at an increased risk from him. She told the investigator she did not submit the intelligence as non-disclosable information to the PPCS.
24. That day, police found Mr Brown at his mother's home and arrested him. He was taken to Preston but was moved to HMP Lancaster Farms on 21 April.

25. On 3 May, Mr Brown's COM submitted paperwork to PPCS, reviewing Mr Brown's recall decision. She said she did not support re-release at the time due to her concerns about his risk, Mr Brown's poor attitude and his lack of compliance with probation instructions. The COM did not submit any non-disclosable information with this paperwork.
26. On 9 June, the Parole Board directed the immediate release of Mr Brown. They were not satisfied with Mr Brown's risk assessment. They assessed that he did not meet the criteria of a high-risk offender.
27. That day, Mr Brown's COM made an emergency referral for an approved premises place and provided reporting instructions to the prison for Mr Brown's release. The referral was not considered before Mr Brown's death.
28. On 10 June, Mr Brown was released from prison. He attended the probation office in Preston and met his COM who went through his licence conditions with him. Mr Brown signed to confirm he understood and agreed. His COM instructed him to attend the council office and present as homeless. She gave him his next appointment date of 15 June.

### **Circumstances of Mr Brown's death**

29. On the morning of 14 June, an associate of Mr Brown called emergency services and said she had found Mr Brown dead in her flat.
30. At approximately 11.30am, police attended the property. The associate explained to a police officer that she had been taking drugs the previous night with Mr Brown and her partner.
31. Her partner administered naloxone to Mr Brown after they suspected Mr Brown had overdosed. After doing so, Mr Brown's breathing returned to normal. The associate and her partner continued to check on Mr Brown over the next 90 minutes and said he seemed fine. They both fell asleep and woke up the next morning to find Mr Brown dead.
32. That day, police contacted Mr Brown's COM's SPO to make them aware of Mr Brown's death. The police told the SPO that following release, Mr Brown had gone to his mother's home and taken £700 from her, which they suspected that he used to buy drugs.

### **Post-mortem report**

33. The post-mortem examination, which was carried out by scan rather than an invasive procedure, found no cause of death. Toxicology tests confirmed Mr Brown had used drugs before he died, most notably heroin.
34. At the inquest, held on 12 June 2023, the Coroner concluded that Mr Brown's death was drug related.

## Support for staff

35. During interview, Mr Brown's COM said she found out about Mr Brown's death from the police. She subsequently spoke to her SPO who offered her support and signposted her to external services.

## Findings

### Sharing of non-disclosable information

36. When Mr Brown's COM completed recall paperwork, she did not include specific details of the risks Mr Brown presented towards his mother. She was aware that Mr Brown would have access to the paperwork (recall paperwork is disclosed to the prisoner) and was concerned that if she disclosed specific details, Mr Brown may present an increased risk towards his mother upon his release.
37. The *Handling Sensitive Information Policy Framework* says that where staff consider that there is information that should not be disclosed to the prisoner but should be considered by the Parole Board, the information should be submitted to PPCS for review. PPCS will then decide whether this should or should not be disclosed to the prisoner and/or taken into consideration by the Parole Board.
38. When the investigator asked Mr Brown's COM whether she had submitted this information to PPCS as non-disclosable information, she told the investigator that she had not and was unclear about this process.
39. When we shared our initial report with the Probation Service, they made us aware that the information about the risk that Mr Brown posed to his mother had been made available to the Parole Board and that they had directed Mr Brown's release having had access to this information. We accept, therefore, that the COM's actions in not using the non-disclosable process had no impact in this case. Nevertheless, COMs should be aware of the process and we recommend:

**The Head of Preston Probation Delivery Unit should ensure that staff know how to share non-disclosable information with the Parole Board and use this process, where appropriate.**

### Accommodation referrals

40. As soon as the Parole Board directed Mr Brown's release, the COM made an emergency approved premises referral. Mr Brown was released the next day, on Friday 10 June, and the approved premises referral had not been processed by then. This meant that Mr Brown was released homeless. However, we consider that the COM acted appropriately and there was very little more she could have done given the tight timescale involved. The approved premises referral would not have been progressed over the weekend. We would have expected the COM to have chased up this referral the next week, and to have possibly made further accommodation referrals if necessary, but in the event, Mr Brown died only a few days after his release.

41. Being released on a Friday also meant Mr Brown had very limited time to access accommodation support from external organisations before the weekend, should he have wanted to do so.
42. We are aware that the Ministry of Justice announced in June 2022 that as part of a package of prison reforms, it wanted to introduce measures to allow prisoners to be released one or two days early to avoid releasing them on a Friday. We welcome this initiative.

**Kimberley Bingham**  
**Acting Prisons and Probation Ombudsman**

**June 2023**

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