

**Prisons &
Probation**

Ombudsman
Independent Investigations

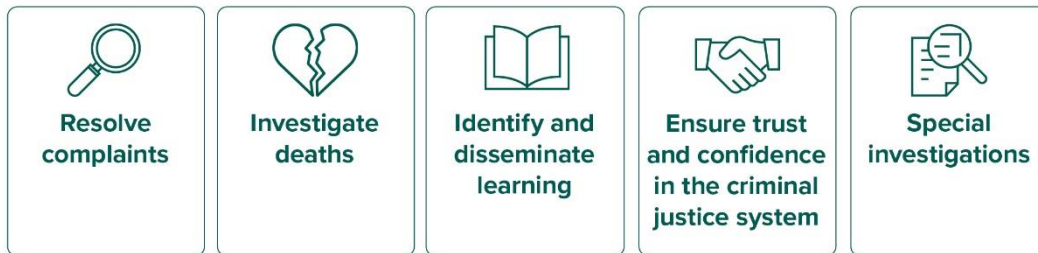
Independent investigation into the death of Mr Stephen Henly, a prisoner at HMP The Verne, on 3 January 2023

A report by the Prisons and Probation Ombudsman

OUR VISION

To deliver high quality and timely independent investigations and work closely with partners to achieve tangible benefits for the safety and confidence of those in custody and under community supervision.

WHAT WE DO



WHAT WE VALUE



© Crown copyright, 2023

This report is licensed under the terms of the Open Government Licence v3.0. To view this licence, visit nationalarchives.gov.uk/doc/open-government-licence/version/3

Where we have identified any third-party copyright information you will need to obtain permission from the copyright holders concerned.

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. If my office is to best assist His Majesty's Prison and Probation Service (HMPPS) in ensuring the standard of care received by those within service remit is appropriate then our recommendations should be focused, evidenced and viable. This is especially the case if there is evidence of systemic failure.
3. Mr Stephen Henly died in hospital from cancer on 3 January 2023, while a prisoner at HMP The Verne. He was 78 years old. We offer our condolences to Mr Henly's family and friends.
4. The clinical reviewer concluded that the care Mr Henly received at The Verne was good and equivalent to that which he could have expected to receive in the community. He highlighted the exceptional continuity of care provided by a GP at the prison.
5. We found no non-clinical issues of concern. We make no recommendations.

The Investigation Process

6. HMPPS notified us of Mr Henly's death on 3 January 2023.
7. NHS England commissioned an independent clinical reviewer, to review Mr Henly's clinical care at The Verne. The clinical reviewer's report is attached as Annex 1.
8. The PPO investigator investigated the non-clinical issues relating to Mr Henly's care.
9. The PPO family liaison officer wrote to Mr Henly's next of kin, his son, to explain the investigation and to ask if he had any matters he wanted us to consider. He did not respond.
10. The initial report was shared with HM Prison and Probation Service (HMPPS). HMPPS found no factual inaccuracies.

Previous deaths at HMP The Verne

11. Mr Henly was the 16th prisoner to die at The Verne since January 2020. Fourteen of the previous deaths were from natural causes and one is awaiting classification.

Key Events

12. In October 2017, Mr Stephen Henly was sentenced to 16 years imprisonment for sexual offences. He was moved to HMP The Verne on 9 July 2019.
13. When Mr Henly arrived at The Verne, he had already been diagnosed with bowel cancer and prostate cancer. He underwent surgery to have part of his bowel removed in January 2019, during which surgeons found that he also had a neuroendocrine tumour (a rare tumour that affects the cells that release hormones into the bloodstream). There was evidence that this cancer had spread to his peritoneum (the lining of the abdominal cavity). Mr Henly started to have monthly injections to treat his neuroendocrine tumour but he suffered with bad side effects and decided to stop treatment in September 2021.
14. Mr Henly's prostate cancer was closely monitored while at The Verne and he received hormone therapy as advised. During 2021, Mr Henly had several stays in hospital due to urinary tract infections and deterioration in his kidney function.
15. In February 2022, a scan showed that Mr Henly had bone metastases (spread of cancer to the bones). Mr Henly's kidney function also deteriorated further during the year.
16. On 12 December, Mr Henly complained of pain in his collarbone which had started when he pushed himself up from his bed. He was taken to A&E where they diagnosed a pathological fracture (due to weakening caused by bone metastases). He was returned to prison the next day.
17. On 14 December, prison healthcare staff reviewed Mr Henly's end of life wishes with him and he confirmed that he still wanted to remain at The Verne and did not want to be resuscitated if his heart or breathing stopped.
18. On 22 December, Mr Henly had a fall in his cell early in the morning and had superficial cuts to his body. An ambulance crew attended, but they said that he did not need to go to hospital.
19. On 23 December, Mr Henly had two further early morning falls in his cell. Healthcare staff reviewed him when they arrived in the morning and called an ambulance. Paramedics arrived around 10.15am. They took Mr Henly to hospital, where doctors diagnosed a hip fracture.
20. Following surgery on his hip, Mr Henly initially made good progress, but he then developed pneumonia. He was treated with antibiotics but began to deteriorate at the end of December.
21. On 3 January 2023, Mr Henly died in hospital.

Post-mortem report

22. A post-mortem examination found that Mr Henly had malignant tumours in several internal organs. The pathologist noted the presence of three different cancers with

evidence that they had spread to different areas of the body. He concluded that Mr Henly died from multiple malignant tumours.

Inquest

23. The inquest into Mr Henly's death was held on 17 March 2023, with a verdict of natural causes.

Adrian Usher
Prisons and Probation Ombudsman

August 2023

**Prisons &
Probation**

Ombudsman
Independent Investigations

Third Floor, 10 South Colonnade
Canary Wharf, London E14 4PU

Email: mail@ppo.gov.uk
Web: www.ppo.gov.uk

T | 020 7633 4100