

**Prisons &
Probation**

Ombudsman
Independent Investigations

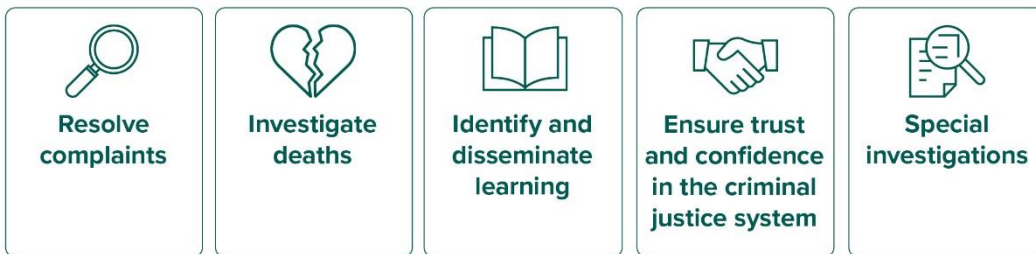
Independent investigation into the death of Mr Robert Barraclough on 22 October 2022, following his release from HMP Ranby

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



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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 is investigating post-release deaths that occur within 14 days of the prisoner's release.
3. If my office is to best assist HM Prison and Probation Service (HMPPS) in ensuring the standard of care received by those within service remit is appropriate, our recommendations should be focused, evidenced and viable. This is especially the case if there is evidence of systemic failure.
4. Mr Robert Barraclough died of multiple watershed infarcts (insufficient blood flow to the brain) caused by global brain ischaemia (blood flow to the brain is stopped or reduced) caused by acute mixed drug toxicity, on 22 October 2022, following his release from HMP Ranby on 21 October. He was 47 years old. He also had epilepsy and chronic obstructive pulmonary disease (COPD - a lung disease) which contributed to but did not cause his death. I offer my condolences to his family and friends.
5. Mr Barraclough had a history of substance misuse and was known to community drug services. He engaged with prison substance misuse services, who arranged for continuity of his methadone prescription in the community. Before he left Ranby, a nurse gave Mr Barraclough naloxone (used to counter the effects of an opioid misuse) and training in its use.
6. Staff from a number of agencies worked hard to find Mr Barraclough release accommodation, and he was successfully assessed for a place in a YMCA. A bed was not available in the YMCA in time for Mr Barraclough's release, and he was therefore released homeless.
7. However, on the day of Mr Barraclough's release, a support worker from a local charity found a room for him in a local hotel but was unable to contact probation staff to inform them, despite making a number of telephone calls. Mr Barraclough was not, therefore, told of the room that was available for him.

Recommendations

- The Regional Probation Director for the East Midlands should ensure that there is a telephone line at the Mansfield probation office where recorded messages can be left and which is frequently monitored by a member of staff.

The Investigation Process

8. On 27 October 2022, the PPO was informed that Mr Barraclough had died.
9. The PPO investigator obtained copies of relevant extracts from Mr Barraclough's prison and probation records.
10. We informed HM Coroner for Nottingham City and Nottinghamshire of the investigation. She gave us the results of the post mortem examination. We have sent the Coroner a copy of this report.
11. The Ombudsman's family liaison officer wrote to Mr Barraclough's aunt to explain the investigation and to ask if she had any matters, she wanted us to consider. Mr Barraclough's aunt asked whether appropriate arrangements were made for accommodation on his release from custody.
12. We shared the initial report with HM Prison and Probation Service. There were no factual inaccuracies.
13. We shared the initial report with Mr Barraclough's aunt. She did not respond.

Background Information

HMP Ranby

14. HMP Ranby is a Category C prison in Nottinghamshire, holding over 1,000 men. Nottinghamshire Healthcare NHS Foundation Trust provides primary healthcare and substance misuse treatment services.

HM Inspectorate of Prisons

15. The most recent full inspection of HMP Ranby was in April 2022. Inspectors reported that more than 65% of prisoners transferred to the prison for resettlement as they reached the end of their sentences, but leaders had not responded to or planned for this change and were not providing adequate services for these prisoners. Two community offender managers were working very hard to clear the backlog of cases, but the Offender Management Unit (OMU) was under-resourced for the population.
16. In January 2023, inspectors completed an independent review of progress at Ranby. They reported that pre-release arrangements had much improved since the previous inspection, including that pre-release arrangements were coordinated effectively and delivered in an efficient manner that supported prisoners well.

Probation Service

17. 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 supervises people throughout their licence period and post-sentence supervision.

Key Events

18. On 1 September 2021, Mr Robert Barraclough was convicted of assault, criminal damage and possessing a bladed article. He was sentenced to one year and seven months in prison and sent to HMP Nottingham. On 7 March 2022, Mr Barraclough was released on licence. His licence was revoked on 12 March, and he was recalled to HMP Nottingham.
19. On 27 July, Mr Barraclough's Community Offender Manager (COM) sent a referral to Mansfield Borough Council under the duty to refer (DTR). (The Homelessness Reduction Act 2017 requires prisons and probation services to refer anyone who is homeless or at risk of becoming homeless within 56 days to a local housing authority.)
20. An early intervention officer employed by Mansfield Borough Council, completed a housing needs triage (to identify Mr Barraclough's support needs and to provide appropriate housing advice). She referred Mr Barraclough to a support worker employed by Prison Navigator Nottinghamshire, part of the Framework Housing Association (a charity which supports prisoners being released homeless).
21. On 4 August, Mr Barraclough was transferred to HMP Ranby.
22. On the same day, the support worker emailed the COM and told her that Mansfield District Council was going to refer Mr Barraclough to the Mansfield YMCA. She said that she was also looking at other accommodation options for Mr Barraclough. She asked if Mr Barraclough met the criteria for release to an Approved Premises (AP). The COM told her that she had referred him to three Nottinghamshire APs, and that two of these referrals had been rejected.
23. On 5 August, at his initial health screen, a nurse noted that Mr Barraclough had epilepsy and depression for which he received medication. A prison GP at Ranby prescribed Mr Barraclough methadone (for opiate withdrawal), mirtazapine (for anxiety) and pregabalin and clonazepam (for epilepsy).
24. Mr Barraclough was allocated a Prison Offender Manager (POM).
25. On 5 August, the early interventions officer assessed Mr Barraclough's housing needs and made a referral for supported housing. She referred Mr Barraclough to the Mansfield YMCA to book an assessment for him once his release date was known.
26. On 9 August, a substance misuse nurse carried out an initial substance misuse assessment. She referred Mr Barraclough to the substance misuse service.
27. On 16 August, the early interventions officer referred Mr Barraclough to Action Housing (supported housing for people with drug/alcohol issues where tenants are accommodated in their own flat and provided with intensive support to work towards an independent tenancy within the community). She said that Action Housing would not accept the referral until Mr Barraclough was released.
28. On 16 August, the support worker emailed the COM for an update on Mr Barraclough's release and AP referral. She said that Mansfield District Council was

also referring Mr Barraclough to Action Housing. The COM said that the three APs in Nottinghamshire would not accept Mr Barraclough, so she proposed six other APs outside of Nottinghamshire.

29. On 22 August, the COM's line manager discussed Mr Barraclough's case with her. The line manager noted that the Nottingham APs had declined to house Mr Barraclough on his release from prison. She noted that Prison Navigator were working with Mr Barraclough to find him accommodation. She noted that a Commissioned Rehabilitative Services referral (CRS - support prisoners with accommodation) had not been assigned and that the COM would follow this up.
30. On 25 August, a substance misuse nurse offered Mr Barraclough naloxone (used to counter the effects of opioid misuse) and trained him in its use.
31. On 31 August, a Nacro (social justice charity) worker sent Mr Barraclough paperwork for an initial housing assessment, which he completed and returned. Mr Barraclough told her that he was concerned he would be released from prison homeless. He said that he would like accommodation in Mansfield. Mr Barraclough told her that he previously had drug misuse issues but that this was in the past and that he was actively working with the substance misuse team in Ranby. He said that he no longer used illicit substances.
32. A Nacro service manager said that they have a contract with the Ministry of Justice to provide housing advice to people leaving prison and working with probation. He said that referrals are assigned to an accommodation advisor who arranges an assessment, completes an action plan and sends it to the probation officer for approval. He said that he referred Mr Barraclough to supported housing providers in the Mansfield area through East Midlands Home Cooperative (EMHC - a housing cooperative) and that no one offered Mr Barraclough accommodation or a housing assessment. He explained this in a letter to Mr Barraclough.
33. On 21 September, the COM emailed the Nacro worker and the support worker to inform them of Mr Barraclough's release date (which was 21 October).
34. On 23 September, a nurse from the mental health in-reach team saw Mr Barraclough. She noted that Mr Barraclough was due to be released next month and he said that he felt anxious about his release. Mr Barraclough said that he did not want to live outside of prison as he had nothing. He said that he had not heard anything about accommodation. Mr Barraclough told her that he had suicidal thoughts and planned to end his life when released from prison. She reassured Mr Barraclough of the support available and said that she would pass the information to his substance misuse worker and probation officer. (We do not know if she passed on her concerns, but she did not begin suicide and self-harm monitoring procedures, known as ACCT.)
35. On 28 September, a nurse saw Mr Barraclough for a substance misuse harm-reduction session. She told Mr Barraclough that she would arrange an appointment for him with Mansfield CGL (community drug and alcohol team) for continuation of his methadone prescription in the community. Mr Barraclough told her that he felt anxious about his release. She emailed the COM to arrange the community prescribing appointment at CGL, who share a building with the Probation Service in Mansfield and offer joint appointments.

36. On 30 September, a CGL worker made an appointment for Mr Barraclough for an assessment appointment on 24 October, and a medical appointment the following day. The CGL worker told Mr Barraclough that if he did not attend the appointment his methadone prescription could be stopped. The CGL worker told him that naloxone would be available for him.
37. On 3 October, the POM organised a videocall for Mr Barraclough with a manager, because Mr Barraclough was concerned that would be released from prison homeless. The manager told Mr Barraclough that he had been assessed as suitable for a bed at the Mansfield YMCA, subject to there being a space available.
38. On the same day, at a key work session, Mr Barraclough told an officer that he was anxious about his release and was uncertain about some of the details. Mr Barraclough said that he had a Job Centre appointment on the day of his release but had not heard anything from his offender manager recently. Mr Barraclough said that he kept in contact with his family and was looking forward to seeing them on release. Mr Barraclough said that he planned to return to his friend's scaffolding business.
39. On 11 October, a GP at Ranby prescribed clonazepam, mirtazapine and pregabalin for Mr Barraclough's release.
40. On 12 October, a CGL case administrator emailed a nurse to inform her that arrangements had been made for Mr Barraclough to receive his methadone at the Superdrug pharmacy in Mansfield.
41. On 17 October, the Mansfield YMCA told the early interventions officer that they would not have a space to accommodate Mr Barraclough on 21 October. She said that Mr Barraclough would need to contact Mansfield District Council's Homeless team by phone or by coming into the office to see what assistance could be offered until the bed space at the YMCA was ready. She said that Mr Barraclough would have been aware of this as he had previously seen the Homeless team on several occasions. She said that on the day of his release Mr Barraclough did not contact them.
42. On 18 October, prison staff started ACCT procedures after Mr Barraclough made a small cut to his arm.
43. On 19 October, a substance misuse nurse saw Mr Barraclough during an ACCT case review. She noted that Mr Barraclough felt stressed due to being released homeless, which he said had caused him to cut his hand the previous night. Mr Barraclough was worried that he would end up sleeping in a tent in the cold weather. She asked Mr Barraclough if a referral had been made to Nacro. He told her that he had returned the paperwork weeks ago but had not received a response. She emailed a Nacro worker, who said that Mr Barraclough did have a referral to Nacro but that his allocated worker, who completed the initial assessment and action plan, was on leave.
44. On 20 October, a senior substance misuse nurse emailed Mr Barraclough's POM to make him aware of Mr Barraclough's release circumstances. She said that it was a particular risk that Mr Barraclough was currently managed under ACCT procedures because he was anxious about his release from prison and would be released

homeless. She said that she had emailed his community drugs team and made them aware of the change in his risk status. She also said that Mr Barraclough had an appointment with Nacro to offer him support with housing. The POM forwarded the email to the COM.

45. On 20 October, Mr Anderson told his COM that a bed was available at the Ashfield YMCA, but not until the following week.
46. On 21 October, prison staff held an ACCT case review before Mr Barraclough's release. The nurse who attended the review, gave him naloxone afterwards and training in its use.
47. A prison manager gave Mr Barraclough a copy of his licence with the conditions of his release. Mr Barraclough was instructed to attend the Mansfield probation office at 12.00pm. His licence conditions also required him to attend CGL as required by his community offender manager and to be tested for controlled drugs.

Post-release

48. At 10.31am on 21 October, the support worker emailed the COM to inform her that she could book a hotel room for Mr Barraclough to stay in before moving to the YMCA the following week. The COM did not see the email that day. The support worker also made many attempts to telephone the Mansfield probation office that day to inform them that she had secured a hotel room for Mr Barraclough to stay in until his move to the YMCA. She was unable to get through to the office and she was unable to leave a voice message. No one at the probation office was aware of the option to book Mr Barraclough a hotel room.
49. At 12.00pm, Mr Barraclough reported to a probation officer at the Mansfield probation office. The probation officer noted that Mr Barraclough attended the induction meeting 30 minutes early and was in good spirits to be out of prison. He discussed housing issues with Mr Barraclough, who said that he would go to the YMCA at 2.00pm, as there was a chance that they had a room for him. He told Mr Barraclough that he had an appointment with his COM on 25 October. Mr Barraclough signed the probation contract agreement.
50. After Mr Barraclough left the probation office, a receptionist explained to the probation officer that between 11.15am and 11.20am, CCTV footage appeared to show Mr Barraclough meeting a person in the probation office car park and handing over money, possibly for drugs. The COM wrote a 'first warning enforcement letter' to give to Mr Barraclough at their next meeting, as she suspected that he had dealt drugs on Probation Service property.

Circumstances of Mr Barraclough's death

51. On 22 October 2022, police officers and ambulance paramedics went to a house in Mansfield where Mr Barraclough was found unresponsive. At 11.31am, an ambulance paramedic said that he had died.

52. The occupier of the address told the police that, on 21 October, Mr Barraclough took an unknown amount of pregabalin and clonazepam and had smoked £40 of crack cocaine.
53. The occupier told police officers that Mr Barraclough had bought additional clonazepam. A police officer noted that within the room where Mr Barraclough was found there was evidence of drug use including syringes, used needles, a suspected crack pipe, a cannabis grinder and an empty corner of a blister pack of four clonazepam tablets. There were two methadone bottles in the kitchen.

Post-mortem report

54. The post mortem report concluded that Mr Barraclough died of multiple watershed infarcts (insufficient blood flow to the brain) caused by global brain ischaemia (blood flow to the brain is stopped or reduced) caused by acute mixed drug toxicity. He also had epilepsy and chronic obstructive pulmonary disease (COPD- a lung disease) which contributed to but did not cause his death.
55. Toxicological tests showed that Mr Barraclough had taken cocaine, methadone and cannabis, a high level of pregabalin, therapeutic levels of mirtazapine and dihydrocodeine, and sub-therapeutic levels of clonazepam and quetiapine. A consultant neuropathologist said that these drugs can suppress the central nervous system by acting on the respiratory centre (part of the brain) and, when in combination, work together to cause respiratory depression leading to death. He said that in addition, cannabis, cocaine and methadone are all known to increase the risk of cardiac arrhythmias (irregular heartbeat).

Inquest

56. The inquest, held on 10 October 2023, concluded that Mr Barraclough's death was drug related.

Support for staff

57. After Mr Barraclough's death, the COM was offered support by her manager, including the support of PAM assist (the employee assistance programme).

Contact with Mr Barraclough's family

58. On 22 October, Nottinghamshire Police told Mr Barraclough's aunt that he had died.

Findings

Substance misuse services

59. Mr Barraclough had a history of substance misuse and was known to local substance misuse services. At Ranby, Mr Barraclough engaged with the substance misuse service, who referred him to the community substance misuse service (CGL). They made a post-release appointment for him with CGL and arranged the continuity of his methadone prescription. Before he left Ranby, a nurse gave Mr Barraclough naloxone and training in its use.

Provision of release accommodation

60. Homelessness on release from prison is a significant and complex challenge. This was particularly the case for Mr Barraclough. He was monitored under suicide and self-harm prevention procedures in the days before his release and said he was worried about being released homeless and having to sleep in a tent. Considerable efforts were made by staff from a variety of agencies and disciplines to identify release accommodation for him, and the link between his accommodation status and risk to self was recognised. He was successfully assessed for a place in a YMCA, but a bed was not available for Mr Barraclough on the day of his release.
61. On the day of Mr Barraclough's release, a support worker at Prison Navigator identified temporary accommodation in a hotel for Mr Barraclough, which he could live in until his place in the YMCA became available. She telephoned the Mansfield probation office many times, but no one answered the telephone and there was no facility for leaving a voice message. She also emailed Mr Barraclough's community offender manager, who was not working on the day of his release.
62. Mr Barraclough was not therefore told that he had a room in a hotel. Instead, he was released homeless. We make the following recommendation:

The Regional Probation Director for the East Midlands should ensure that there is a telephone line at the Mansfield probation office where recorded messages can be left and which is frequently monitored by a member of staff.

**Adrian Usher
Prisons and Probation Ombudsman**

November 2023

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