

**Prisons &
Probation**

Ombudsman
Independent Investigations

Independent investigation into the death of Mr Arthur John Bonner, on 15 August 2023, following his release from HMP Hollesley Bay

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 has been investigating post-release deaths that occur within 14 days of the person's release from prison.
3. 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, our recommendations should be focused, evidenced and viable. This is especially the case if there is evidence of systemic failure.
4. Mr Arthur John Bonner died at home of lung cancer on 15 August 2023, following his release from HMP Hollesley Bay on 7 August. He was 70 years old. I offer my condolences to his family and friends.
5. We did not identify any clinical or non-clinical issues of concern. We make no recommendations.

The Investigation Process

6. HMPPS notified us of Mr Bonner's death on 18 August 2023.
7. The PPO investigator obtained copies of relevant extracts from Mr Bonner's prison and probation records.
8. The Ombudsman's family liaison officer contacted Mr Bonner's wife and daughter to explain the investigation and to ask if they had any matters they wanted us to consider. They said that in March/April 2022, Mr Bonner had complained about pain and there were delays with follow up investigations until his diagnosis. They felt this had impacted his life expectancy. They also said they were frustrated when contacting Mr Bonner's community offender manager (COM). Concerns about hospital decisions are not within the remit of this investigation but we have addressed all other concerns in this report.
9. Mr Bonner's family received a copy of the initial report. They raised a number of issues/questions that do not impact on the factual accuracy of this report and have been addressed through separate correspondence.
10. The initial report was shared with HM Prison and Probation Service (HMPPS). HMPPS pointed out some factual inaccuracies and this report has been amended accordingly.

Background Information

HMP Hollesley Bay

11. HMP Hollesley Bay is an open prison located in Suffolk. There are nine residential units holding up to 655 adult and young adult men. Prisoners who move to Hollesley Bay are trusted to live in open conditions. Many of the prisoners are temporarily released on licence to work in the local community and maintain their family ties in preparation for their eventual release from custody.

Probation Service

12. 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 whom, where appropriate, they refer people for resettlement services. Post-release, the Probation Service supervise people throughout their licence period and post-sentence supervision.

HM Inspectorate of Prisons

13. The most recent inspection of HMP Hollesley Bay was in November 2018. Inspectors described Hollesley Bay as a successful and effective prison. Inspectors noted that release on temporary licence (ROTL) was used extensively to support resettlement and family ties. Reintegration planning for those approaching release was good.

HM Inspectorate of Probation

14. The most recent inspection of the North and North East Lincolnshire Probation Delivery Unit was in March 2023. Inspectors found that despite heavy caseloads, staff were committed and engaged to deliver quality, personalised and responsive probation work.

Key Events

15. On 4 July 2016, Mr Arthur John Bonner was convicted of sexual offences and was sentenced to 14 years, six months in prison. On 23 September 2021, he was transferred to HMP Hollesley Bay. Mr Bonner was granted several periods of short release for overnight home stays and town visits to maintain family ties.
16. On 11 April 2022, Mr Bonner told a nurse he felt unwell. The nurse conducted a COVID-19 test and the result was positive. She told Mr Bonner to rest in his cell. Healthcare staff conducted daily welfare checks until Mr Bonner recovered.
17. On 30 June, a GP at the prison completed a hospital referral for tests as Mr Bonner told him that he had lost weight, felt lethargic and generally felt unwell. At the hospital, respiratory specialists arranged a CT scan where they noted there was a mass in his right lung. Prison healthcare staff arranged for Mr Bonner to attend hospital for ongoing tests.
18. In October, hospital specialists diagnosed Mr Bonner with lung cancer. Tests showed that he had an aggressive form of cancer that had spread from his lungs to his liver and legs. The hospital clinical oncologist told Mr Bonner that the cancer was incurable. The hospital lung cancer specialist nurse noted that Mr Bonner was deteriorating quickly and that they were trying to manage his pain in his abdomen and right thigh.
19. GPs at the prison reviewed and adjusted Mr Bonner's medication frequently to try to alleviate his pain and discomfort.

Pre-release planning

20. Mr Bonner was involved in the planning for his release. On 5 January 2023, Mr Bonner's Prison Offender Manager (POM) met him for a planned supervision appointment. They discussed his risks and needs in the community following his release.
21. On 17 January, Mr Bonner met his Community Offender Manager (COM) at her office as he was released on temporary licence. They discussed his recent home leave which had gone well. They had monthly supervision appointments at her office when Mr Bonner was on temporary release from Hollesley Bay.
22. Healthcare and prison staff held a multi-disciplinary team meeting with Mr Bonner on 6 July. He told staff that he was waiting for an update from the hospital oncologist, and he wanted to be comfortable and his symptoms to be managed. Healthcare staff contacted hospital staff for updates and created care plans to help and support Mr Bonner.
23. When Mr Bonner was on temporary day release on 15 July, his family were concerned about how ill he looked. They took him to hospital, and he was admitted as an inpatient. Healthcare staff at Hollesley Bay contacted the hospital for updates about Mr Bonner's care.

24. On 25 July, hospital specialists told healthcare staff at Hollesley Bay that Mr Bonner had terminal cancer. Prison staff commenced an application for compassionate release. Mr Bonner's COM had to obtain information about possible licence conditions for his compassionate release. Once these were obtained, she supported the application.
25. On 26 July, a governor and a nurse visited Mr Bonner in hospital for a welfare check. They spoke to Mr Bonner's family who also attended and offered their support.

Post-release

26. On 7 August, Mr Bonner was transferred to a hospice and was then released after his compassionate release application was approved.
27. On 11 August 2023, Mr Bonner's COM visited Mr Bonner at his home address and she explained the terms of his licence conditions. Mr Bonner confirmed he understood the licence requirements.

Circumstances of Mr Bonner's death

28. On 15 August 2023, Mr Bonner's family informed HMPPS that Mr Bonner had died at home.

Cause of death

29. Mr Bonner's cause of death was given as carcinomatosis due to malignant tumour of the lung.

Adrian Usher
Prisons and Probation Ombudsman

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