

Prisons and Probation Ombudsman's Annual Report 2004-05 published today

The Prisons and Probation Ombudsman Stephen Shaw opened 224 investigations into deaths in custody last year, according to his Annual Report published today. The Ombudsman reported that this was far higher than anticipated.

Of the 196 deaths in prisons logged during the year, nearly half (99) were as a result of natural causes but 87 were self-inflicted, 2 were homicides and 2 were caused by substance misuse. By contrast, 7 of the 16 deaths that occurred amongst residents of probation hostels (Approved Premises) were as a result of substance misuse. There were six deaths in immigration detention (three of them self-inflicted).

The Ombudsman also exercised a discretionary power to investigate four deaths occurring after the release from prison and two deaths in secure training centres. His office also saw the number of complaints by prisoners and those on probation rise, and he published the report into his investigation into the disturbance and fire at the Yarls Wood Removal Centre.

Stephen Shaw said:

"Investigations into deaths in custody touch on the most fundamental obligation of the state to keep safe some of the most vulnerable people in our society.

"I have tried to bring a greater understanding of the needs of the deceased's family while also striving for rigour in our investigation.

"Not every death is preventable, but it is important that we learn lessons from each one. Our investigations contribute to a deeper understanding of what has gone wrong, as well as recognising what prison and probation staff have done well. In many investigations, I have found sensitive and caring treatment by staff, hitherto unknown and unacknowledged by the public at large."

Commenting on the 15 per cent increase in the number of complaints received about prisons or probation services, Mr Shaw said:

"We have again handled a record number of complaints. Complaints by prisoners constitute the vast majority of the total of 4,076 received, with the high security estate contributing almost a quarter of the total."

The Ombudsman's report revealed that the largest single category of complaint related to property and cash (18%), with general conditions being the subject of 12% of complaints. Complaints about tagging (Home Detention Curfew) seemed to be growing.

At the end of the reporting year, new arrangements were introduced which removed from prisoners the ability to appeal against the decisions of Independent Adjudicators (District Judges who hear the most serious breaches of prison discipline). Mr Shaw criticised the removal of his power to complaints about District Judges' decisions.

He said:

"The consequence of the change will be to introduce a potentially confusing duality in the appeals system. I have found it frustrating that there has been little public or professional interest in this issue."

In relation to 309 probation complaints received, Mr Shaw expressed concern that only 40 of those could be investigated. He suggested that those on probation were not familiar with the National Probation Service's internal complaints procedure even though it has been in place since September 2001.

The Report revealed that 411 complaints about the Prison Service were upheld or settled (26 per cent), with seven wholly or partially upheld against the National Probation Service.

Notes for Editors

1. The report covers the period from 1st April 2004 - 31st March 2005 . The Prison and Probation Ombudsman for England and Wales is appointed by the Home Secretary and investigates complaints from prisoners and those subject to probation supervision, or those upon whom reports have been written. The Ombudsman is completely independent of both the Prison Service and the National Probation Service.
1. The current Prisons and Probation Ombudsman is Stephen Shaw. He was first appointed Prisons Ombudsman in October 1999; from September 2001 his remit was extended to take in complaints against the National Probation Service. His remit was extended further during 2004 (the period of this report) to the investigation of the deaths of prisoners, residents of National Probation Service approved premises and immigration detention

accommodation and of persons under Immigration Service managed escort.

1. Media wishing to interview Stephen Shaw or obtain hard copies of the Annual Report should contact the Home Office Press Office on 020 7035 4381. The report will be posted on the Ombudsman's website (www.ppo.gov.uk) in due course.
1. Non-media copies are available from the Prisons and Probation Ombudsman's Office, Ashley House, 2 Monck Street , London SW1P 2BQ or by telephoning Sandra Bent on 020 7276 2868.