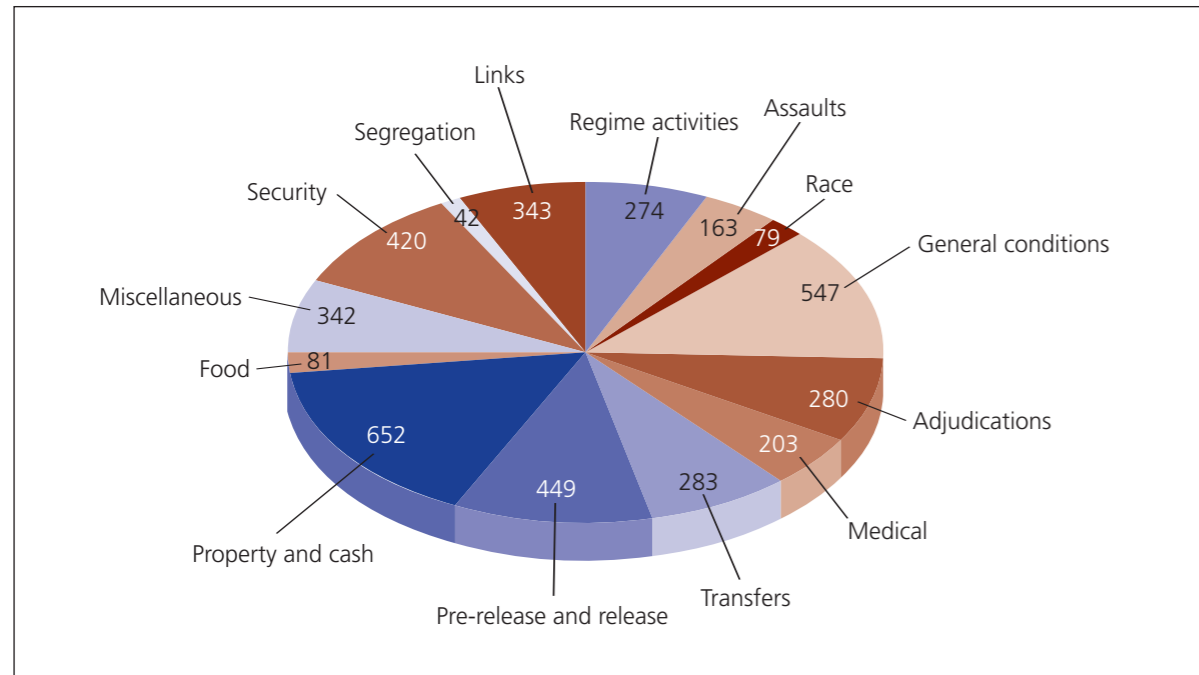
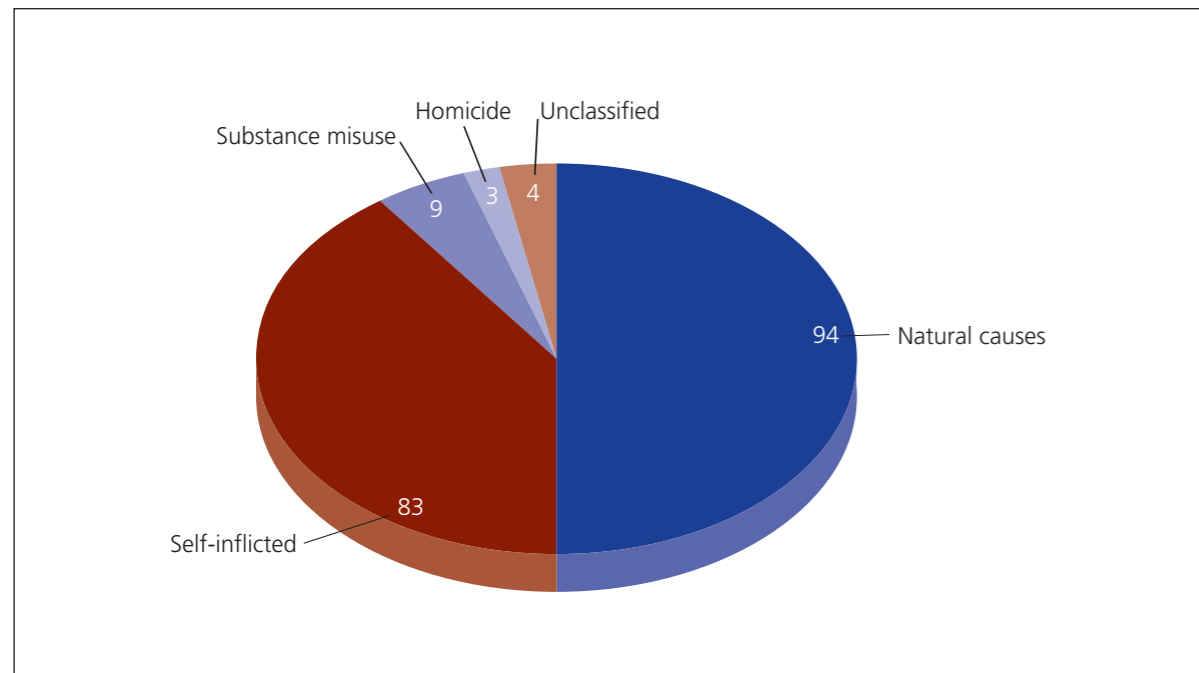


Facts and figures

Prison complaints received by category, 2005–2006

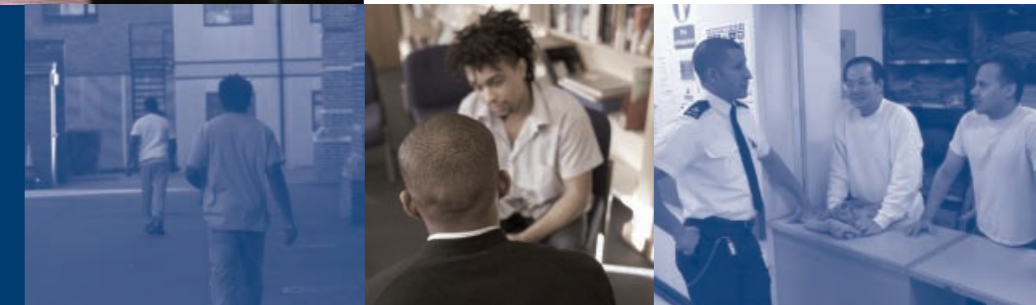


Fatal incidents reported by category, 2005–2006



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The year's progress

Compared with past years, 2005–2006 has been a year of relative calm for the Ombudsman's office. A period of reflection and consolidation was welcome after major changes in staffing and remit. We have used the breathing space to refine our practices and prepare for new challenges ahead.

Our working methods have continued to evolve, and the introduction of a radical new IT case management system should revolutionise complaints handling and greatly improve the quality and usefulness of management information. We are also planning for the extension of our complaints remit to immigration detention, and face the possibility of taking on additional investigations in cases of near-death and an increased number of post-release deaths.

The year's biggest disappointment has been that – once again – legislation to place the position of Prisons and Probation Ombudsman on a statutory basis with appropriate powers has been postponed. For the bulk of the time, the absence of legislation makes no practical difference. Evidence is collected, witnesses are interviewed, reports are issued: all without any impediment. Indeed, the very absence of legislation has enabled us to take on new tasks with the minimum of fuss. But, just occasionally, the absence of statutory powers really does make a difference and the contribution that my office's investigations make to the investigative obligation under Article 2 of the European Convention on Human Rights is clearly weakened so long as I do not enjoy independence established in statute.

I pay tribute both to my own colleagues and to those with whom we have worked over the past year. Our relationships with the Safer Custody Group of the National Offender Management Service, with the Independent Police Complaints Commission (IPCC), and with Governors, Area Managers and the Prisons Board, have all been particularly worthy of note. Independent offices have nothing to fear from close working relationships with the services in remit. On the contrary, they are the guarantees of our effectiveness, relevance, and precision.

Investigating complaints

Our complaints investigation role continues to encompass most aspects of prison and probation work, although the volume of complaints has stabilised after five years in which it more than trebled. My office explores issues that range from the most serious like racism and assaults through to the state of the food and lost socks. In my report, I provide several chapters of case summaries. Some of these cases go to the heart of human rights. Others may at first sight seem petty – but nothing in prison is really trivial given prisoners' utter dependence upon the authorities for all aspects of their lives.

Better case management, new methodologies and the sheer effort of my colleagues have helped to boost productivity. We also hope that our new case management system will significantly improve what we do and how we do it. We prioritise those complaints that are time-specific such as decisions about home detention curfew or release on temporary licence, but I am working hard to improve my office's performance in terms of our timeliness targets.

My office explores issues that range from the most serious like racism through to the state of the food.



It is no longer possible for me personally to authorise every decision made by this office. But I do review all decisions on a weekly basis and am confident both of the quality and consistency of our work. In the report, I also say more about a particular concern of mine: the high proportion of complaints that do not meet our eligibility criteria.

Investigating fatal incidents

Our work on this most daunting of responsibilities has come on by leaps and bounds during 2005–2006. We have finally brought the staff complement up to what it should be and a first-rate group is now in place. I report on the procedures and protocols that have been set up and the significant improvements there have been in the quality both of investigations and of investigation reports. I can report a welcome reduction in the number of deaths in prison during my first full year of undertaking independent investigations.

I am especially proud of the way we have engaged bereaved families in our investigations. The work that my team of family liaison officers carries out is absolutely first rate. I have also been moved by the willingness of so many families to speak freely to my investigators in the aftermath of a death in custody.

We are also very closely engaged with other stakeholders – in particular, the Department of Health – and with the IPCC. I much welcome the new Forum for Preventing Deaths in Custody that we have helped establish with the IPCC and others, and the boost it has been given in light of the important House of Commons/House of Lords Joint Committee on Human Rights report on deaths in custody.

Not everything in my death in custody investigations has progressed smoothly. Under my terms of reference, I am required to solicit clinical reviews from the relevant Primary Care Trust. However, there have been significant delays in this process and – to be candid – the quality of some of the reviews has been disappointing. We have worked closely with colleagues in the Department of Health to try to improve the process, although my own view is that it would be better if we could directly commission our own clinical reviews.

Special investigations

My report summarises two investigations that I conducted outside my formal responsibilities as Ombudsman. In the first, I inquired into allegations of racism and abuse at the Oakington Immigration Reception Centre. In the second, I reviewed the supervision of a serious offender by a Probation Area, and the subsequent internal inquiries, after the man committed further grave offences.