



National Offender  
Management Service

[REDACTED]  
**Equality, Rights and Decency  
Group**  
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Email: [REDACTED]

Mr Andrew Haigh  
Senior Coroner  
Staffordshire South

31 July 2015

Dear Mr Haigh,

**Inquest into the death of Mr Mark Groombridge on 17 December 2013 whilst at HMP Dovegate**

Thank you for your letter of 17 April to [REDACTED] Director of Probation, enclosing your Regulation 28 report following the inquest into the death of Mark Groombridge who died on 17 December 2013 whilst at HMP Dovegate. Unfortunately your letter was mislaid and I am sorry that you have not an earlier reply.

Your letter has now been passed to Equality, Rights and Decency (ERD) Group, in the National Offender Management Service (NOMS), as we are responsible for the policy on suicide prevention and self-harm management and for sharing learning from deaths in custody. We are providing this response on behalf of the Directorate of Probation in NOMS.

At the time of Mr Groombridge's death the relevant guidance concerning the recall of offenders was Probation Instructions 07/2013 (Recall Review & Re-release of Recall Offenders) and 08/2013 (Determinate Sentenced Prisoners transferred under the Mental Health Act 1983). This guidance has been reviewed and the Director of Probation is of the view that the processes to be followed in that guidance were clear. The guidance states that offender managers are required to gather evidence and assemble the relevant facts to support a request for recall and that this will include liaising with anyone directly involved, including medical staff at a hospital at which an offender was a patient. As it is understood, the concern in relation to Mr Groombridge's death was not that a decision to recall was taken in the absence of any necessary consultation, but that there was a failure to follow the correct process which led to Mr Groombridge being recalled despite the fact that a final decision to request a recall had not been made.

The decision the offender manager took was a contingent one, in that should Mr Groombridge have removed himself from voluntary treatment then recall action would be taken. As Mr Groombridge did not so remove himself, no final decision to recall him was taken. The fact that he was nevertheless recalled resulted from a failure to follow the correct procedure set out in Probation Instruction 07/2013, which clearly states that recall papers are to be sent to the Recall Section in NOMS only after the offender manager has clear evidence that the offender has potentially breached the licence or has acted in a manner likely to cause serious harm. The

guidance provides no provision to instigate recall before the anticipated event and, consistent with this, there are no arrangements for the Recall Section to hold recall papers pending a yet-to-be taken decision to recall.

Probation Instruction 07/2013 has now been replaced by Probation Instruction 27/2014, with the same title, which became effective from 1 June 2014. It was updated on 1 February 2015. The Director of Probation is of view that the guidance given on the recall process remains clear, but is asking Deputy Directors to ensure that all probation staff are reminded of the procedures by 31 August. Public Protection Casework Section (PPCS), will be issuing a Senior Leaders Bulletin covering recall actions which will include a reminder of processes for all Probation staff to follow, PPCS will also be organising Recall Practitioner Forums in each National Probation Service (NPS) division at the end of the year. These forums will give staff and managers the opportunity to come together to discuss issues surrounding recall and review practice.

I hope this provides assurance that the National Offender Management Service has clear procedures in place to ensure that the recall of prisoners takes place only following full consideration of relevant facts.

Yours sincerely,

  
NOMS Equality, Rights and Decency Group