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Date: 9 February 2016

Dear Sir

Derek Thomas Deceased

We have reviewed your Regulation 28 Report and note your particular concerns at Sections 5(2) and 5(5) which directly relate to us.

In respect of Sections 4A and B of Concerns raised over Circumstances of Mr Thomas' Death we have filed a statement from [REDACTED] (Head of Compliance) dated 10 December 2015 which sets out the procedures, training in place regarding the completion of a Prisoner Escort Record ("PER") and a Self Harm and Suicide Warning Form ("SASH Form") and the new PER being piloted. We attach a further copy of this statement.

We refer you to paragraph 15 of [REDACTED] statement. GEOamey escort and court officers are undergoing refresher training regarding the completion of a PER. At 31 January 2016 1,911 officers out of 2,102 officers (90.91%) had received this training including the officer who completed Mr Thomas' PER on 21 July 2014.

The Coroner's Concerns (Section 5)

Procedure (Section 5(2))

We are a private contractor carrying out prisoner escort and custody services across the UK pursuant to a contract with the Ministry of Justice ("the MOJ"). We refer you to paragraphs 3, 4 and 7 of Mr Airey's statement which set out the relationship between the various bodies involved in prisoner detention and escort, and the Prison Service Orders ("PSOs"), Prison Service Instructions ("PSIs") and Standard Operating Procedures ("SOPs") we adhere to.

The escort of prisoners from Court to designated locations (e.g. prison) is set out in the contract with the MOJ. On delivering a prisoner to a prison our escort officer has to hand over the prisoner's Warrant or Court Order (or faxed Warrant if agreed), property, official records including PER (which must be fully completed with that day's proceedings) and other documentation, and any medication in their possession for the prisoner's use. The escort officer has to ensure that the receiving officer endorses each prisoner's PER and their property, cash, official records and any other accompanying documentation. The contract does not stipulate a particular prison's procedures; it states the paperwork to be handed over on the delivery of a prisoner.

The escort officer who escorted Mr Thomas to HMP Durham on 21 July 2014 handed over to the reception officer Mr Thomas' Warrant, PER and SASH Form, F2050 and his property bag and paperwork. The reception officer endorsed Mr Thomas' PER. Whilst it is accepted that the escort officer made omissions on the PER, it is apparent on reading it that comments had been received from Mr Thomas' barrister on 21 July 2014 regarding a potential self-harm risk and a SASH form had been commenced on Mr Thomas. The reception officer who signed the PER accepting Mr Thomas into HMP Durham custody stated whilst giving evidence at the Inquest that they had not read the content of the PER as the front sheet had not indicated that there was SASH Form enclosed. This is contrary to the PSOs and PSIs in place.

PSO 1025 sets out the mandatory instructions and guidance for PER completion. The PER ensures that escort staff and receiving agencies have information (particularly a prisoner's risks) regarding a prisoner prior to and during escort and it ensures consistency across multi-agency use on a national level. Section 4.13 states that after checking all details on the PER the receiving officer completes the "record of handover" and signs the form and the escort officer retains the bottom copy of the PER. Further, PSI 74/2011 states that a completed PER must be examined in prison reception "to identify any immediate needs and risks already recorded" and the prisoner must be interviewed to discover and record any further immediate needs and risks and any other information about the prisoner that may be relevant (paragraph 2.15). The PER and any other available documentation including the SASH Form must be examined and prisoner interviewed in prison reception to assess the risk of self-harm or harm to others as part of the Cell Sharing Risk Assessment (paragraph 2.18). The information is recorded and shared with other departments and agencies (e.g. Healthcare) internally and externally and actions taken are to be documented (paragraphs 2.19 and 2.20). We have no remit over HMP Durham staff (who are MOJ employees) and their compliance with the PSIs.

The prison reception officers gave evidence at the Inquest that the SASH Form had not been handed to them on us delivering Mr Thomas to HMP Durham and had been handed in at a later time. The Jury, however, accepted the escort officer's evidence that the SASH Form had been handed over to the reception officer on delivering Mr Thomas to HMP Durham on 21 January 2014. This evidence was supported by us having in our archives a pink carbon copy of the SASH Form and the top copy of the SASH Form being found on Mr Thomas' prison file at HMP Durham following his death.

Each prisoner's paperwork is handed over to the prison reception staff separately. The escort officer's evidence was that on the right hand side of the reception desk at HMP Durham they handed over the prisoner's Warrant and F2050 to a reception officer and on the left hand side of the desk they handed over the PER, SASH Form (if one existed) and property record to another reception officer and said what documents they were handing over. If a SASH form was handed over they would say to the reception officer that they needed to read it. The escort officer is not permitted to leave reception until the reception officer has reviewed and signed all the necessary paperwork, passed back the PER and SASH Form carbon copies (stapled together) and informed the escort officer that they can leave. We would place the carbon copies the documents with the VOR for the day and place them in our archives. The prison would retain the original documents and place them on the prisoner's prison file. The reception officers' evidence, however, was that the Warrant and the SASH Form would be handed to the reception officer on the right-hand side of the desk and the PER and the property would be handed to the reception officer on the left hand side of the desk which was located through an archway.

The HMP Durham reception process, as stated by the reception officers giving evidence, is peculiar as it is a requirement on the PER to indicate that a SASH Form is "enclosed" (i.e. contained within). As far as we (and our officers) are concerned, at the time of Mr Thomas' escort to HMP Durham on 21 July 2014 and until the reception officers gave evidence at the Inquest, there was no lack of appreciation by GEOamey officers of HMP Durham's reception process. We were not aware of a different process. In fact the reception process followed today on delivering prisoners to HMP Durham is the same as stated by the escort officer. If HMP Durham has devised its own reception

process, HMP Durham staff should inform our escort officers on arrival of its process and instruct them as to whom the documents should be passed to on reception.

There are 207 prisons from/to which we collect/escort 1,000s of prisoners per week. We also collect/escort prisoners from/to 100s of Courts, Police Stations and Detention Centres across the UK. It is not feasible for us to request from each establishment, nor for it to draw up, a specification sheet for individual operating processes. It would create a significant volume of paperwork for our officers.

Inter-operability of Agencies (Section 5(5))

The Home Office/MOJ

We appreciate other agencies' procedures and have devised and revised our SOPs to comply with the HM Prison Services' requirements set out in the PSOs and PSIs. We engage in dialogue with other agencies (where possible) to develop best practice, procedures and documentation to be shared between the agencies.

We, where required, can contact the Prisoner Management Unit ("PMU"), to obtain information and assistance on the location of suitable prisoner accommodation. We have a system in place to ascertain the number of prisoners collected from Police premises and prisons on a given day and identify the likely number of custody beds required. We inform PMU of the requirements by 08:00 hours on that day and provides them with hourly updates from 12:00 hours to 17:00 hours.

As noted at paragraph 17 of Mr Airey's statement, we are audited externally by Prisoner Escort and Court Services ("PECS") to ensure it is complying with the MOJ contract. These audits are not pre-determined; PECS will arrive to carry out an audit unannounced.

The PER was introduced in May 2009 having been agreed by all agencies involved in prisoner movements. We were not involved in the discussions as our contract with the MOJ not commence until August 2011.

As has been referred to at paragraphs 19 to 28 of Mr Airey's statement, the Home Office has devised a new PER which is being piloted. We are undertaking a formal evaluation process and shall provide feedback to the Home Office about the pilot programme.

The final say on policy, procedures and documentation is with the MOJ to whom we are contracted.

Healthcare


We do not have any contract, dialogue or contact with the Healthcare provider at HMP Durham nor with any Healthcare provider at any prison across the UK. The contract for the provision of Healthcare facilities and the policies and procedures in place is between the MOJ and the Healthcare provider. We have no input into this.

We are aware that on a prisoner's arrival at prison he should be assessed by Healthcare as part of the First Night Procedure during which the PER should be read. Mr Thomas was seen by Healthcare on his arrival to HMP Durham. It was acknowledged by those giving evidence on behalf of Healthcare at HMP Durham that the PER (containing Mr Thomas' risk indicators) was with the documentation sent down to Healthcare from reception but the PER was not read by them as the front cover had not been ticked to state that a SASH Form was enclosed. On assessment by the nurse self-harm and suicide factors were noted. Mr Thomas was also assessed by Healthcare on a daily basis up to 24 July 2014 to monitor his alcohol withdrawal.

It is unclear what further inter-operability could be put in place other than the correct completion of the PER by our officers (and/or others) and the reading of PER and SASH Forms by the prison and the Healthcare provider. Accordingly, we are of the view that the system is not "dysfunctional".

We have taken your concerns on-board. We refer you to Mr Airey's statement. There has been no change to our procedures regarding the SASH Form or the PER. Following this Inquest there has been no request by the MOJ or PECS for our procedures to be revised. We remain of the view that we have the correct procedures and systems in place for the safe custody and escort of prisoners and the Jury's conclusion and your concerns regarding the company can be properly addressed by the additional focused training in place which has been completed by over 90% of our officers with the remaining officers to complete it as soon as possible.

Yours faithfully

A large black rectangular redaction box covering the signature of the Head of Compliance.

Head of Compliance
GEOamey PECS Ltd