




SIGNED BY Geoffrey Sullivan
TITLE Senior Coroner
JURISDICTION Hertfordshire

	<p>REGULATION 28 REPORT TO PREVENT FUTURE DEATHS</p> <p>THIS REPORT IS BEING SENT TO: Ministry of Health, Ministry of Justice, NHS England</p>
	<p>CORONER</p> <p>I am Geoffrey Sullivan Senior Coroner for Hertfordshire</p>
2	<p>CORONER'S LEGAL POWERS</p> <p>I make this report under paragraph 7, Schedule 5, of the Coroners and Justice Act 2009 and regulations 28 and 29 of the Coroners (Investigations) Regulations 2013. http://www.legislation.gov.uk/ukpga/2009/25/schedule/5/paragraph/7 http://www.legislation.gov.uk/uksi/2013/1629/part/7/made</p>
3	<p>INVESTIGATION and INQUEST</p> <p>An investigation in to the death of Thomas Nicol was opened on the 28th September 2015. An inquest was opened on the 2nd day of October 2015. The investigation concluded at the end of the inquest on the 20th November 2018.</p> <p>The following was found by the jury</p> <p>Medical Cause of Death 1a Hypoxic Brain Injury 1b Asphyxiation</p> <p>Circumstances Thomas Nicol was a serving prisoner at HMP The Mount. He was found hanging in his cell on Monday the 21st September 2015 by prisoner officers who performed CPR. He was transferred to Watford General Hospital where he died on Friday 25th September 2015.</p> <p>Conclusion Suicide</p>
4	<p>CIRCUMSTANCES OF THE DEATH</p> <p>During the course of the inquest the court heard evidence from a number of medical professionals regarding the length of time it generally takes to transfer a prisoner in an acute mental health crisis to a secure hospital. The evidence was given by two consultant forensic psychiatrists, a mental health nurse, two general nurses and a forensic psychologist.</p> <p>Their evidence was that the shortest time that this happened in their experience, was a matter of weeks (the shortest time given was 2 weeks) but more likely a number of months. This evidence was consistent with that given by staff at HMP The Mount. Evidence from Prison Officer grade, witnesses up to those of Governor Grade.</p> <p>The length of time was attributed to the time taken to assess prisoners and the availability of beds at secure hospitals. Whilst this matter was not found to have contributed to the death of Thomas Nicol, this evidence is a cause for concern.</p>

	The time frame stated for transfer, weeks to months, was not suggested to be one that was particular to HMP The Mount but a time frame common to the prison estate more widely.
5	<p><u>CORONER'S CONCERNS</u></p> <p>During the course of the inquest the evidence revealed matters giving rise to concern. In my opinion there is a risk that future deaths will occur unless action is taken. In the circumstances it is my statutory duty to report to you.</p> <p>The MATTERS OF CONCERN are as follows. –</p> <p>That the length of time taken to transfer prisoners in acute mental health crisis to a suitable secure hospital potentially puts lives at risk</p>
6	<p><u>ACTION SHOULD BE TAKEN</u></p> <p>In my opinion action should be taken to prevent future deaths and I believe you Ministry of Health, Ministry of Justice, NHS England have the power to take such action.</p>
7	<p><u>YOUR RESPONSE</u></p> <p>You are under a duty to respond to this report within 56 days of the date of this report, namely by 16th February 2019. I, the coroner, may extend the period.</p> <p>Your response must contain details of action taken or proposed to be taken, setting out the timetable for action. Otherwise you must explain why no action is proposed.</p>
8	<p><u>COPIES and PUBLICATION</u></p> <p>I have sent a copy of my report to the Chief Coroner and to the following Interested Persons:</p> <p>Hodge, Jones & Allen on behalf of the family HMP The Mount Herts Community Trust Herts Partnership Trust NHS England</p> <p>I am also under a duty to send the Chief Coroner a copy of your response.</p> <p>The Chief Coroner may publish either or both in a complete or redacted or summary form. He may send a copy of this report to any person who he believes may find it useful or of interest. You may make representations to me, the coroner, at the time of your response, about the release or the publication of your response by the Chief Coroner.</p>
9	<p>30/11/2018</p> <p>Signature </p> <p>Geoffrey Sullivan Senior Coroner Hertfordshire</p>