



# HM Prison & Probation Service

**Director General of Operations**  
**HM Prison and Probation Service**  
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SW1H 9AJ

Mr David Regan  
HM Assistant Coroner for South Wales Central  
The Coroner's officer  
The Old Courthouse  
Courthouse Street  
Pontypridd  
CF37 1JW

17 May 2024

Dear Mr Regan,

Thank you for your Regulation 28 report of 21 March 2024, addressed to the Governor of HMP Cardiff, the Chief Executive of the Cardiff and Vale University Health Board, the Chief Executive of the Swansea Bay University Health Board, and the Secretary of State for Justice. I am responding on behalf of His Majesty's Prison and Probation Service (HMPPS) as Director General of Operations.

I know that you will share a copy of this response with Mr Davies' family, and I would first like to express my condolences for their loss. Every death in custody is a tragedy and the safety of those in our care is my absolute priority.

You have expressed several concerns regarding the management of Mr Davies' complex needs and the communication between different parties throughout his time at the Caswell Clinic and following his transfer to HMP Cardiff. I will be responding to the issues that are for HMPPS.

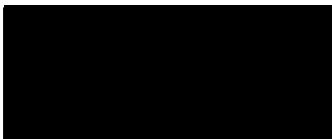
During the inquest, evidence described limited communication between the Caswell Clinic and HMP Cardiff following the Section 117 meeting and up until Mr Davies' discharge. It is vital that prisons receive accurate and current information regarding a prisoner's mental and physical health status so that appropriate decisions can be made with regards to their location.

The Secretary of State can order the return of an individual to a prison if the responsible psychiatrist decides that the individual is no longer in need of medical treatment or that no effective treatment for the disorder can be given at the hospital to which he has been transferred to, as directed in PSI 50/2007 Transfer of Prisoners To and From Hospital Under Sections 47 and 48 of the Mental Health Act 1983. It is HMPPS' duty to serve the public by keeping in custody those committed by the court. Therefore, if it is determined by healthcare colleagues that an individual is medically suitable to return to custody and that their needs would not be met at an alternative specialist institution, then HMPPS must accept that individual. HMPPS cannot override any clinical decisions made by healthcare colleagues.

I have received assurance from the Governing Governor at HMP Cardiff that all prisoner-facing staff, including both operational and healthcare colleagues, are aware of the importance of using emergency medical codes via the radio system, which will alert and summons both medical and operational staff to the scene they are required to attend. The Governing Governor is also committed to encouraging an environment in which all staff, including those who are not directly employed by HMPPS, feel able to raise concerns about an individual's management and will discuss with the Head of Healthcare how healthcare staff can be empowered to do so in accordance with Prison Service Instruction 16/2015 Adult Safeguarding in Prison.

Thank you again for bringing your concerns to my attention. I trust that this response provides assurance that action is being taken to address this matter.

Yours sincerely,

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Director General of Operations