

REGULATION 28: REPORT TO PREVENT FUTURE DEATHS (1)

*NOTE: This form is to be used **after** an inquest.*

	<p>REGULATION 28 REPORT TO PREVENT FUTURE DEATHS</p> <p>THIS REPORT IS BEING SENT TO:</p> <ol style="list-style-type: none">1. [REDACTED] Director of HMP Forest Bank2. Mr Jeremy Hunt MP, Secretary of State for Health
1	<p>CORONER</p> <p>I am M Jennifer Leeming, Senior Coroner for the Coroner Area of Manchester West</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.</p>
3	<p>INVESTIGATION and INQUEST</p> <p>On 1st October 2012 I commenced an investigation into the death of Anthony Brian Flynn, aged 41 years. The investigation concluded at the end of the inquest on 31st October 2013. The conclusion of the inquest was that Anthony Brian Flynn had died of metastatic testicular carcinoma, and that this was a natural cause of death.</p>
4	<p>CIRCUMSTANCES OF THE DEATH</p> <p>In or about 2010 at the Royal Preston Hospital Anthony Brian Flynn was diagnosed to be suffering from testicular cancer. On the 24th July 2012 he was remanded into custody and taken to Forest Bank Prison, Salford, where he remained until his death on the 28th September 2012.</p>
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> <ol style="list-style-type: none">(1) Anthony Brian Flynn was admitted to HMP Forest Bank on 24th July 2012. He was at the time of that admission suffering from diagnosed testicular cancer.(2) From time to time during Mr Flynn's imprisonment he was escorted to clinical appointments at various hospitals. He also spent time as an in-patient. On these occasions he was accompanied by prison officers and was handcuffed and chained.

	<p>(3) On the 10th September 2012, [REDACTED] a Consultant Clinical Oncologist at the Royal Preston Hospital who was treating Mr Flynn, wrote to HMP Forest Bank expressing concerns. She said "<i>I was extremely concerned that there was an absolute lack of compassion demonstrated to what was a very sick man who was extremely distressed in the clinic. Unfortunately I felt that there was no really empathy in terms of the huge amount he had already received treatment for the significant side effects he has had and certainly conducting my examination of the abdomen and pelvis including the genitalia in a sensitive manner was extremely difficult.</i>" Evidence given at the Inquest confirmed that Mr Flynn had been chained and handcuffed during the examination to which the Doctor refers.</p> <p>(4) [REDACTED] letter was received at HMP Forest Bank, but it was never acknowledged. No reply was sent, nor were the matters of concern described in the letter, especially that the Doctor had found it 'extremely difficult' to conduct the examination of Mr Flynn, ever investigated.</p> <p>(5) Further evidence given at the Inquest revealed that:</p> <p>a) When a prisoner is being escorted to hospital or other appointments escorting officers can, if they consider it appropriate, telephone the prison and seek permission to remove or lengthen the prisoner's restraints.</p> <p>b) Clinicians have the power to request that the action described in a) be taken, but most clinicians are unaware that they can do this.</p> <p>(6) The evidence concluded that there was a need to consider the following:</p> <p>a) The training of prison officers in relation to escorting prisoners, particularly during hospital visits.</p> <p>b) Procedures for making clinicians, particularly hospital clinicians, aware of their powers in relation to prisoners attending for treatment.</p>
6	<p>ACTION SHOULD BE TAKEN</p> <p>In my opinion urgent action should be taken to prevent future deaths and I believe you and/or your organisation have the power to take such action.</p>
7	<p>YOUR RESPONSE</p> <p>You are under a duty to respond to this report within 56 days of the date of this report, namely by 9th January 2014. 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>COPIES and PUBLICATION</p> <p>I have sent a copy of my report to the Chief Coroner and to the following Interested Persons:</p> <p>[REDACTED] Director of HMP Forest Bank Mr Jeremy Hunt MP, Secretary of State for Health [REDACTED]</p>

	<p>Prison & Probation Ombudsman</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>Dated</p> <p>14th November 2013</p>	<p>Signed</p> <p>M Jennifer Leeming</p>