



HM Prison & Probation Service

Michael Spurr
Chief Executive
HM Prison & Probation Service
8th Floor 102 Petty France
London
SW1H 9AJ
Email: ceohmpps@noms.gsi.gov.uk

James Healy-Pratt
Assistant Coroner for East Sussex
28-29 Grand Parade,
St Leonards-On-Sea
TN37 6DR

20 November 2018

Dear Mr Healy-Pratt,

Thank you for your Regulation 28 report of 16 October following the conclusion of the inquest into the death of Dean Louis Barrell at HMP Lewes on 13 February 2017.

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

The concern you raise in relation to Mr Barrell's death is that, had he been informed in a timely fashion that he was to be re-released after 14 days, he may not have taken his own life.

At the time of Mr Barrell's death the relevant policy concerning the recall of offenders was Probation Instruction 27/2014 (Recall Review & Re-Release of Recall

Offenders). The policy states that *“On return to custody, all recalled offenders, irrespective of whether they were a Fixed Term Recall or Standard Recall must be informed of the reasons for their recall within 24 hours of Public Protection Casework Section (PPCS) being notified of their return to custody”*. Offenders must also be informed of the type of recall, and therefore the length of time they are liable to remain in custody, at the same time.

This Probation Instruction remains in force; however a new policy framework covering recall actions will be published by the end of 2018. This framework retains the above requirement but, for the sake of clarity, revises the timeframe to one working day.

In Mr Barrell's case HMP Lewes informed PPCS on 8 February 2017 that he had returned to custody on 6 February. PPCS did not issue the documents confirming his recall type to HMP Lewes until 13 February, five days after being notified of his return to custody, and therefore until that time, his release date could not be calculated by the prison. An investigation has identified that this was as a result of an oversight by a member of PPCS administrative staff, failing to complete a field on the case management system; the oversight was exacerbated by the period of time falling over a weekend which led to a delay in senior staff identifying and remedying the oversight.

I apologise for the error in this case which I agree was unacceptable. However, I am satisfied that the process for advising offenders of the reasons for their return to custody and the type of recall they are serving is clear. I have reinforced instructions to staff in PPCS responsible for the recall of offenders, of the need to ensure that they complete the work they carry out in target and to a high standard. I have also made them aware of the serious repercussions of not doing so.

I hope this provides assurance that HM Prison & Probation Service has clear procedures in place to deal with the recall of offenders to custody and to provide promptly, information to them relating to their recall.

Yours sincerely

A handwritten signature in blue ink that reads "Michael Spurr". The signature is written in a cursive, slightly slanted style.

Michael Spurr