

**Prisons &
Probation**

Ombudsman
Independent Investigations

Independent investigation into the death of Mr Dean Hood on 22 July 2023, following his release from HMP Nottingham

A report by the Prisons and Probation Ombudsman

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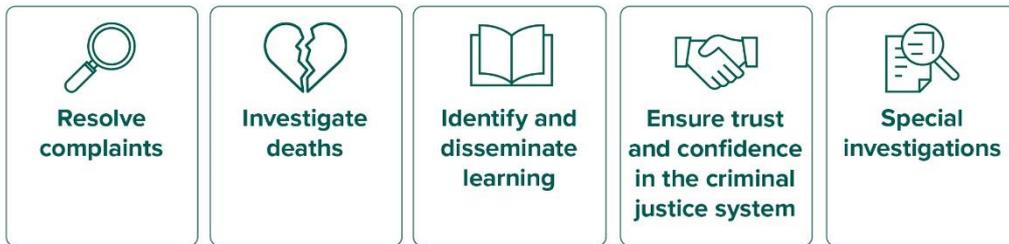
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OUR VISION

To deliver high quality and timely independent investigations and work closely with partners to achieve tangible benefits for the safety and confidence of those in custody and under community supervision.

WHAT WE DO



WHAT WE VALUE



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Summary

1. The Prisons and Probation Ombudsman aims to make a significant contribution to safer, fairer custody and community supervision. One of the most important ways in which we work towards that aim is by carrying out independent investigations into deaths, due to any cause, of prisoners, young people in detention, residents of approved premises and detained people in immigration centres.
2. If my office is to best assist His Majesty's Prison and Probation Service (HMPPS) in ensuring the standard of care received by those within service remit is appropriate, our recommendations should be focused, evidenced and viable. This is especially the case if there is evidence of systemic failure.
3. Since 6 September 2021, the PPO has been investigating post-release deaths that occur within 14 days of the person's release from prison.
4. Mr Dean Hood died from drowning while intoxicated with drugs, after falling into a canal in Nottingham on 22 July 2023, following his release from HMP Nottingham on 14 July. Mr Hood was 38 years old. We offer our condolences to his family and friends.
5. Mr Hood was released homeless from prison. His intentions on release are unknown and there was no prior discussion with him about this with his Community Offender Manager (COM). Mr Hood's release licence specified that he should report to the probation office in Barnsley on the day of his release, but he was not given a travel warrant (all released prisoners are entitled to free travel to their return destination from prison) by Nottingham and they have no records of discussions with him about this. Mr Hood was categorised by probation as a high risk of harm to the public and the input into his release arrangements by the Probation Service was not rigorous enough.

Recommendation

- The Governor of HMP Nottingham should ensure that prisoners are given travel warrants to enable them to adhere to their licence conditions and that in cases of refusal, the reasons are recorded.

The Investigation Process

6. HMPPS notified us of Mr Hood's death on 25 July 2023.
7. The PPO investigator obtained copies of relevant extracts from Mr Hood's prison and probation records.
8. We informed HM Coroner for Nottingham City and Nottinghamshire of the investigation. She gave us the results of the post-mortem examination. We have sent the Coroner a copy of this report.
9. The Ombudsman's family liaison officer contacted Mr Hood's brother to explain the investigation and to ask if he had any matters he wanted us to consider. He had questions about Mr Hood's physical and mental health and drug use. He also asked about the travel arrangements for Mr Hood's release. These issues are addressed in this report. Further questions he had about Mr Hood's location and life in prison were outside the PPO's remit.
10. The initial report was shared with Mr Hood's brother. He did not make any comments.
11. The initial report was shared with HM Prison and Probation Service (HMPPS). HMPPS found no factual inaccuracies.

Background Information

HMP Nottingham

12. HMP Nottingham is a resettlement and local prison serving the courts of Nottinghamshire and Derbyshire. It has a current capacity for approximately 900 men. Healthcare for the prison is provided by Nottinghamshire Healthcare NHS Foundation Trust.

HM Inspectorate of Prisons

13. The most recent inspection of HMP Nottingham was in May and June 2022. Inspectors said that it was a challenging prison to run, and although it was improving from the low base of previous recent inspections, progress was still required in many areas.
14. At the time of the inspection, inspectors said the pre-release team was so short staffed that they could not reliably identify immediate housing needs on arrival or review all needs in the run up to release. They said release planning was poorly resourced and ultimately unreliable.

Probation Service

15. The Probation Service work with all individuals subject to custodial and community sentences. During a person's imprisonment, they oversee their sentence plan to assist in rehabilitation, as well as prepare reports to advise the Parole Board and have links with local partnerships to whom, where appropriate, they refer people for resettlement services. Post-release, the Probation Service supervise people throughout their licence period and post-sentence supervision.

Key Events

16. Mr Dean Hood had an extensive history of offending linked to substance misuse and he had been in prison several times. Following his arrest for possession of several machetes in February 2022, Mr Hood was classed as a high risk of harm to the public. He received a suspended prison sentence and was supervised in the community by the Probation Service and the Police as part of the Integrated Offender Management programme (IOM, a programme which identifies persistent and problematic offenders who are managed jointly by partner agencies working together). Mr Hood had a poor history of complying with the conditions of his licence, such as attending substance misuse services (SMS) or probation and police appointments. When not in prison, Mr Hood had frequent spells of homelessness.
17. Following vehicle break-ins in March, and a burglary in June, Mr Hood was arrested. On 11 July, Mr Hood was sentenced to 44 weeks imprisonment for these offences, as well as the activation of the suspended sentence he had previously received.
18. On 27 October, Mr Hood was released on licence with accommodation provided in an approved premises (supervised accommodation in the community for high risk of harm offenders). He was picked up from prison by the police as part of the IOM arrangements. However, Mr Hood breached the conditions of his licence on the day of release and did not abide by his curfew or return to the approved premises that night. Probation staff decided to recall him to prison, and he returned to prison on 3 November.
19. Mr Hood was released from HMP Doncaster on 3 April 2023. He was met by his COM and a police officer who drove him back to Barnsley. They arranged Mr Hood's benefits and discussed his reporting requirements and what was expected of him. However, Mr Hood did not subsequently report to probation or the police. Because he was homeless, it was difficult for his COM to follow this up. From 17 April, Mr Hood's COM was unavoidably out of the office for an extended period. In May, Mr Hood's case was taken over by a different COM who traced him through a homeless charity who had seen him on the streets. They agreed to pass on a message, although they doubted that he would pay any attention to it. He did not contact his COM. She initiated a recall to prison on 22 May. On the same day, he was deregistered from the IOM programme.
20. On 1 July, Mr Hood was arrested by the police and charged with burglary. On 3 July, he was sentenced to 28 days imprisonment and taken to HMP Nottingham
21. On arrival at Nottingham, Mr Hood's mental health was assessed by healthcare staff who found no issues requiring follow up. Mr Hood admitted to a problem with drugs but said he did not drink alcohol (and his probation risk assessment said that his previous alcohol problems had been replaced by drugs). Although Mr Hood admitted a history of cocaine use (and he had tested positive for this when arrested by the police, but he refused any interventions), he did not have a current opioid dependency and so did not require a detoxification programme and did not request further input from the Nottingham SMS. Mr Hood was not prescribed any

medication when he came to Nottingham and had no illness while at the prison. After his initial assessments he had no further contact with healthcare.

Pre-release planning

22. The resettlement officer at Nottingham was proactive and contacted Mr Hood's COM the day after he arrived in the prison and asked her to make the necessary accommodation referrals ahead of Mr Hood's release. She also said that the Nottingham pre-release team would not be able to have any further involvement in his release accommodation as he was classed as high risk, so this would have to be handled by the COM.
23. On 11 July, following a multi-agency meeting, the resettlement officer sent a reminder to the COM that Mr Hood would be homeless in Barnsley on his release and that they needed to make accommodation referrals. In a reply to the investigator, the COM said that she had not answered the resettlement officer's emails due to workload pressures. She said that this was also the reason why the accommodation referral was passed on to a colleague to follow up and why there was a delay.
24. On 12 July, a member of the Barnsley probation office staff acting on behalf of the COM, submitted a referral form for CAS3 accommodation for Mr Hood on release from prison. CAS3 is short term accommodation with low level support which can be made available to prisoners on release who would otherwise be at risk of being homeless. The person who filled in the form listed the release date as 30 July, instead of 14 July. It is unknown if the date discrepancy made any difference to the availability of accommodation for Mr Hood. However, he was homeless on release.
25. It is not clear when Mr Hood's COM issued his licence with his release conditions to the prison, but it told him that he had to report on 17 July to the probation office in Barnsley. At 6.16pm on 13 July, the COM sent an email to the prison asking for Mr Hood's reporting to probation to be changed to the day of his release on 14 July. The following day, a manager from the prison replied, saying that licences had to be completed two days ahead of release, but as Mr Hood had not yet been released by Nottingham, he had amended the licence by hand.
26. Mr Hood was released from prison on Friday 14 July. He was given £5.00 for bus fares by the prison, but no travel warrant, to enable him to get back to Barnsley. (We were unable to establish why he was not given a travel warrant.) Mr Hood did not receive a discharge allowance as his short time in prison meant that he was not eligible to receive any money.

Post-release planning

27. Mr Hood did not report to probation on the day of his release. Probation staff did not take any action for this missed appointment as they thought he might have been confused due to the appointment originally being scheduled for 17 July. Mr Hood then failed to attend this appointment as well and probation staff decided to recall him to prison. On 18 July, the COM checked with the local hospitals to see if Mr Hood had been to any of them. On 19 July, probation staff revoked Mr Hood's licence, but they did not know where Mr Hood was or how to contact him.

Circumstances of Mr Hood's death

28. On the afternoon of 22 July, members of the public found Mr Hood floating in a canal in Nottingham. Unfortunately, he was already dead, although CCTV later revealed that he had only fallen in the water about 10 minutes previously. The CCTV showed that there had been no third-party involvement and Mr Hood had been staggering on the towpath before falling in the water. Prior to this he had been seen by members of the public asleep nearby.

Post-mortem report

29. The post-mortem report concluded that Mr Hood died from drowning. It also found that MDMB-4en-PINACA (a synthetic form of cannabis which tests showed Mr Hood had taken), cannabis intoxication, contributed to but did not cause the death.

Findings

30. Mr Hood had an inconsistent record of engagement with services such as probation, IOM police staff, and SMS providers. When he did not report to probation on the day of his release from prison, this was not unusual. It is not known if he ever intended to report or return to Barnsley, but the input from probation prior to his release, and from the prison on the day of his release, lessened the chance of this happening.

Planning for release by probation

31. Mr Hood was classified by probation as a high-risk person who required weekly reporting to probation on release. He had been supervised under the IOM programme, but on May 22, because of his non engagement and because he was no longer on licence (he was on post sentence supervision, so still required to report to probation), Mr Hood was deregistered from the IOM programme.
32. The resettlement officer at Nottingham contacted the COM early on to inform them that Mr Hood would be homeless on release. There was a short amount of time before release to sort out any accommodation, and Mr Hood would have been a challenging person to find housing for because of his history of offending which included arson. He had been released homeless in April after his last time in prison. However, an accommodation referral was only submitted two days before the release date in July. This was already a challenging timescale for providing Mr Hood with housing on 14 July, but as the wrong release date was put on the referral form, giving a release date of 30 July, he would not have been prioritised at that time.
33. Because of the deregistration of Mr Hood from the IOM programme, there was no longer any police involvement in the management of his case. It is good practice in IOM cases for them to be picked up from the prison to help with early compliance with their licence conditions. On his two previous discharges Mr Hood was driven back from prison to Barnsley. In October 2022, this was by the police, and in April 2023, by the police with Mr Hood's COM also in attendance. However, it should be noted that this did not seem to improve his compliance with services. In July, Mr Hood was not picked up by anyone from prison and either found that he was unable to get back to Barnsley, or deliberately chose not to go.
34. Following Mr Hood's release in April, his allocated COM was absent from work, so he was reallocated to another COM. This COM explained to the investigator that pressure of work was a factor in the arrangements around Mr Hood's return to the community in July. Her manager told us that her caseload at the time was up to 126% (so over the accepted effective maximum capacity for a Probation Officer), and that staffing levels in general were very challenging and remain so. This also meant that Mr Hood had to be managed by a different team that would not ordinarily have dealt with a case of his type.
35. In order to effectively supervise people on probation, staffing levels must be sufficient to meet caseload demand to enable practitioners to effectively manage people on probation. HM Inspectorate of Probation identified that 'chronic' staff shortages and high workloads were severely hampering the Probation Service's

ability to effectively divert people away from crime and to protect the public from harm. HMPPS is currently recruiting additional staff.

36. In Mr Hood's case, there were some late alterations to licence and reporting conditions, and there was a late housing referral which included inaccurate information. In the short time Mr Hood was in prison in Nottingham, there was no contact with him from any COM. Given his record, more input from Probation would have been no guarantee of greater compliance with his licence. Also, it would have been challenging to find him accommodation on release even with an early referral. However, given Mr Hood's assessed risk to the public and previous record of non-compliance, the engagement with him from probation should have been given higher priority. Staffing pressures in the Probation Service are widely recognised and there are no short term fixes, although HMPPS has introduced a number of actions to drive recruitment and improve retention of trained staff. In light of this, we make no recommendation.

Discharge travel warrant

37. Mr Hood was required to report on the day of his release to his probation office in Barnsley. He was given £5 bus money, which is given to all the prisoners released from Nottingham, but no further travel money, and Mr Hood had no other funds. The train fare to Barnsley would have cost in the region of £30.
38. The HMPPS policy on discharge from prison is set out in Prison Service Instruction (PSI) 72/2011 - Discharge. This says at paragraph 2.29:
- "Every prisoner being discharged, regardless of whether or not they receive a Subsistence Payment, must be issued with a travel warrant, or payment of fares where a warrant is inappropriate, to their destination within the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland."* (Italics indicate that this is a mandatory action).
39. The investigator asked staff at Nottingham why Mr Hood was not given a travel warrant. They said that Mr Hood would have been asked by a member of reception staff how he was returning home and if he needed a travel warrant. However, no one could remember how Mr Hood answered these questions. Staff also said that reception staff would have gone through his licence conditions with him. We know that Mr Hood's licence had been changed on the morning of his release specifying that he should report to his probation office in Barnsley that day. There are no records of any conversations about this with Mr Hood.
40. Mr Hood's movements following release are not known to the PPO until the day he died after falling into a canal in Nottingham, but circumstantially it would appear that Mr Hood was homeless in Nottingham following his release from prison. Following Mr Hood's failure to report on Friday 14 July, and then subsequently on Monday 17 July, Barnsley probation office staff carried out local checks to see if they could locate him. They had no idea that the likelihood was that Mr Hood was still in Nottingham. There is no evidence that prison staff discussed a travel warrant with Mr Hood on 14 July. When they went through his licence conditions it would have been obvious that Mr Hood needed to get to Barnsley that day in order to comply with his licence. It is not sufficient for prison staff to rely on Mr Hood to ask for a

travel warrant, and if he had refused, they should have notified the COM. We recommend:

The Governor of HMP Nottingham should ensure that prisoners are given travel warrants to enable them to adhere to their licence conditions and that in cases of refusal, the reasons are recorded.

Inquest

41. The inquest into Mr Hood's death concluded on 15 July 2024 and found that his death was accidental. Mr Hood drowned and his death was contributed to by cannabis intoxication.

**Adrian Usher
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March 2024

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