

**Prisons &  
Probation**

**Ombudsman**  
Independent Investigations

# **Independent investigation into the death of Mr Jason Lyons, on 26 September 2023, following his release from HMP Brixton**

**A report by the Prisons and Probation Ombudsman**

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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 detainees in immigration centres.
2. Since 6 September 2021, the PPO has been investigating post-release deaths that occur within 14 days of the person's release from prison.
3. 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.
4. Mr Jason Lyons was found deceased at his home on 26 September, following his release from HMP Brixton on 15 September. His body was severely decomposed and the cause of death was unascertained as a result. Mr Lyons was 46 years old. We offer our condolences to those who knew him.
5. Mr Lyons had a long history of offending and had served several prison sentences for breaches of a restraining order. He was diagnosed with anxiety and depression but told prison staff he had no thoughts of suicide or self-harm. There was nothing to indicate this had changed in the time leading up to his death.
6. Mr Lyons chose not to engage with prison substance misuse services and told them that he was substance free. Following his release, he did not attend initial or rearranged appointments at his local probation office. While we are satisfied that there were no missed opportunities to identify further support requirements, Mr Lyons' death is a reminder to HMPPS staff of the potential vulnerability of those who choose not to engage with support services.

## The Investigation Process

7. We were informed of Mr Lyons' death on 2 October.
8. The PPO investigator, obtained copies of relevant extracts from Mr Lyons' prison and probation records.
9. We informed HM Coroner for London West of the investigation. She gave us the results of the post-mortem examination. We have sent the Coroner a copy of this report.
10. Mr Lyons did not have a recorded next of kin.
11. The initial report was shared with HM Prison and Probation Service (HMPPS). HMPPS pointed out one factual inaccuracy and this report has been amended accordingly.

## Background Information

### HMP Brixton

12. HMP Brixton is a Category C prison and holds men who have been convicted and have less than 2 years left to serve in custody. Practice Plus Group provides healthcare services to the prison.

### Probation Service

13. 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

14. On 8 January 2022, Mr Jason Lyons was sentenced to 48 weeks in prison for breach of a restraining order. He was sent to HMP Wormwood Scrubs. Mr Lyons was later released from prison but recalled to Wormwood Scrubs for a further breach of the restraining order. He was later transferred to HMP High Down.
15. On 6 March 2023, probation staff completed a licence and post sentence supervision (PSS) order for Mr Lyons, which set out his licence conditions on release from High Down. The PSS order commenced 10 March 2023 and expired on 11 March 2024. Mr Lyons agreed to this and signed it.
16. On 10 March, Mr Lyons was released from High Down.
17. On 11 May, Mr Lyons was recalled to Wormwood Scrubs for breach of his PSS conditions. He was seen by healthcare staff and the medical records said he had anxiety, depression and asthma, and was prescribed medication for these. He had no history of self-harm.
18. On 15 May, Mr Lyons met with the pre-release team and completed a review. Mr Lyons told prison staff that he had no current issues with substance misuse having recently stopped using heroin, so did not require support. The community offender manager (COM) confirmed that Mr Lyons had completed a drug intervention course six months previously and said that he no longer used drugs. Mr Lyons also told probation staff that he was physically well but struggled with depression and anxiety. He said that he had seen the doctor in custody and was prescribed mirtazapine (an antidepressant). Mr Lyons declined a referral to the mental health in-reach team and told probation staff that he “could manage”.
19. On 30 May, the prison offender manager (POM) sent a letter of introduction to Mr Lyons.
20. On 27 June, Mr Lyons was transferred to HMP Brixton. He told healthcare staff that he had no thoughts of self-harm or suicide and they identified no risks or concerns.
21. On 4 July, Mr Lyons met with the prison resettlement team and attended the employment hub (dedicated spaces in prisons where prisoners can focus on employment). He told staff that he had a bank account and release identification. Mr Lyons said that he had confirmed release accommodation. He required a CV and disclosure letter, and was added to an employability course waiting list. Mr Lyons said that he had previously worked in construction and was interested in going back to that work sector or working in retail. He had attended a number of prison courses, including first aid, manual handling, fire safety, street work and a personal track safety course. Mr Lyons completed a construction sub-contractor referral form.
22. On 20 July, the resettlement team referred Mr Lyons for tenancy support and the COM helped Mr Lyons with email job searches. An updated assessment by the prison was sent to the COM who placed the information on the probation database.

23. On 27 July, Mr Lyons spoke to prison staff from the Offender Management Unit (OMU). He told them that he would like a job after prison and would like his COM to make a referral to employment providers who worked with ex-prisoners. Staff passed this onto Mr Lyons' POM.
24. Mr Lyons' probation officer told us that on 7 September, Mr Lyons was transferred to a new probation officer. The new probation officer was on leave from 4 September to 15 September inclusive. As Mr Lyons' new probation officer would not return to work until 18 September, a request was made for another probation officer to see Mr Lyons on his release on 15 September.

### Post Release

25. On 15 September, Mr Lyons was released from prison on licence. As he had not worked with the substance misuse team at Brixton, and had told staff that he no longer used drugs, he was not offered naloxone (used to reverse the effects of opioid overdose) on release. As he had chosen not to work with the mental health team in prison, there was also no onward referral to community mental health services. There is no indication in his prison records that Mr Lyons had used drugs while in prison or experienced deteriorating mental ill-health. He was not managed under suicide and self-harm procedures (ACCT) at any time.
26. Mr Lyons was released on post-sentence supervision (for adults who receive a custodial sentence of less than two years). His supervision requirements included testing "as reasonably required" at an addiction recovery unit for drugs and alcohol use. (Mr Lyons was not given a date to attend for a first test.)
27. Mr Lyons was released to live in a tenancy in Brentford. He told a housing officer at Brixton he had lived at this Brentford tenancy for 22 years.
28. Following his release, Mr Lyons contacted probation staff by telephone and informed them that he was unable to attend his initial appointment later that day. (Mr Lyons did not give a reason why he could not attend the appointment.) Mr Lyons' new probation officer told us that Mr Lyons was asked to attend a second appointment on 18 September, which he also did not attend.
29. On 19 September, after her return from leave, the probation officer raised concerns with her manager that the address Mr Lyons was released to was near to the subject of the restraining order that Mr Lyons had already breached. The probation officer also identified issues regarding Mr Lyons' risk of reoffending.
30. On 20 September, the probation officer sent an initial appointment letter to Mr Lyons, with instructions requiring him to attend the local probation office on 26 September. (Mr Lyons told probation staff that he did not have a personal telephone number on which he could be contacted.) Probation staff also contacted Hounslow Council to start the process to rehouse Mr Lyons away from the subject of the restraining order.
31. There is no record of Mr Lyons' movements after his release until his body was found on 26 September. The Coroner's report identified that he introduced himself to a neighbour on the day he was released. The same neighbour spoke to him in the evening of that day when he said he was feeling low and mentioned his

girlfriend had left him. His neighbour said that they did not see Mr Lyons again after that day.

### **Circumstances of Mr Lyons' death**

32. On 26 September, Mr Lyons' neighbour looked through his bathroom window and saw him lying in the bath. His neighbour was concerned and telephoned the police, who found Mr Lyons deceased. Under Mr Lyons' body, police found a mirror and silver foil with a burnt ash like substance on it. (We do not know if the substance was tested so were unable to confirm what it was.)

### **Post-mortem report**

33. The post-mortem report concluded that Mr Lyons' cause of death was unascertainable. This was due to Mr Lyons' body being severely decomposed when he was found.



## Findings

34. The cause of Mr Lyons' death is unclear. He had a history of substance misuse in the community but declined support from the prison substance misuse services. He told prison staff that he no longer used drugs and did not consider it necessary to engage with substance misuse services.
35. Mr Lyons had not been managed under ACCT procedures while in prison. He had some risk factors for suicide and self-harm, including a diagnosis of anxiety and depression. We are satisfied that there was little to indicate that he was at heightened risk in the time before his release from prison.
36. On the afternoon of his release from prison, Mr Lyons had an induction appointment at his probation office, which he did not attend. A second appointment was arranged, which Mr Lyons again did not attend. His COM told us that these arrangements were made during her leave. She wrote to Mr Lyons following her return to arrange a further appointment, which was on the date that he was found to have died. It is possible that Mr Lyons had died by the time of his second appointment.
37. We are satisfied that there was no specific risk information (relating to substance misuse, mental ill-health or risk of suicide and self-harm) that should have been shared between prison and probation staff. When he did not attend his induction appointments, probation staff took prompt action to arrange follow-up appointments. Nevertheless, the circumstances of Mr Lyons' death are concerning and it is possible that he was dead for ten days or more before his body was found. This case is a reminder to HMPPS staff of the increased vulnerability of those who choose not to engage with support services or do not attend release appointments.
38. This version of my report, published on my website, has been amended to remove the names of staff and prisoners involved in my investigation.

## Inquest

39. The inquest into Mr Lyon's death concluded on the 15 April 2024. The coroner reached an open conclusion.

**Adrian Usher**  
**Prisons and Probation Ombudsman**

**July 2024**

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