

**Prisons &
Probation**

Ombudsman
Independent Investigations

Independent investigation into the death of Mr Lewis Bennett on 21 October 2024, following his release from HMP Humber

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 investigated 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 Lewis Bennett died from heroin toxicity on 21 October 2024, four days after his release from HMP Humber. He was 25 years old. We offer our condolences to those who knew him.
5. Mr Bennett had a history of drug and alcohol misuse. He was offered naloxone (a medication that rapidly reverses opioid overdose) on release but declined it.
6. Mr Bennett was not referred to community substance misuse services prior to his release. Despite Mr Bennett having detoxed from opioids while in prison, we consider that given his history of substance misuse, he should have been referred. We bring this to the attention of the Head of the Probation Delivery Unit.

The Investigation Process

7. HMPPS notified us of Mr Bennett's death on 24 October 2024.
8. The PPO investigator obtained copies of relevant extracts from Mr Bennett's prison and probation records.
9. The Coroner for Bradford gave us the results of the post-mortem examination. We have sent the coroner a copy of this report.
10. The Ombudsman's office contacted Mr Bennett's next of kin to explain the investigation and to ask if they had any matters they wanted us to consider. They asked if Mr Bennett was offered naloxone and substance misuse support upon release. We have addressed this in the report.
11. We shared our initial report with HMPPS. They found no factual inaccuracies.
12. We sent a copy of our initial report to Mr Bennett's next of kin. They pointed out one factual inaccuracy (an incorrect date), which has been amended in this report.

Background Information

HMP Humber

13. HMP Humber is a category C resettlement prison for adult males. It is managed by His Majesty's Prison Service. Spectrum Community Health CIC provides healthcare services at Humber.

Probation Service

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

Key Events

Background

15. On 29 August 2024, Mr Lewis Bennett was sentenced to 18 weeks in prison for possession of an offensive weapon. He was sent to HMP Hull.
16. Mr Bennett had a history of drug and alcohol misuse. When he arrived at Hull, he received support from the prison's substance misuse team and was placed on a methadone maintenance programme. (Methadone is a synthetic opioid that is used to treat heroin addiction as it reduces withdrawal symptoms.) However, the next day, Mr Bennett told the substance misuse team that he no longer wanted to engage with the methadone maintenance programme and that he wished to detox without the support of services. Mr Bennett had no further involvement with the substance misuse team after this.

Pre-release planning

17. On 9 September, Mr Bennett's community offender manager (COM) completed an approved premises referral. (Approved premises provide accommodation and intensive supervision to individuals released from prison and are generally used for offenders who pose a high risk of harm.)
18. On 16 September, Mr Bennett was moved to HMP Humber.
19. On 23 September, Mr Bennett's COM completed a referral under the Community Accommodation Service Tier 3 (CAS3) scheme, which provides accommodation to prison leavers to prevent street homelessness at the point of release. The COM also completed a Duty to Refer housing referral (for individuals at risk of homelessness) to Bradford Council in preparation for release.
20. On 3 October, the COM held a video conference with Mr Bennett and discussed accommodation plans. The COM told Mr Bennett about the approved premises and CAS3 referrals. The COM also discussed plans for substance misuse support upon release. Mr Bennett told the COM that should he require additional support for his substance misuse issues, he would self-refer upon release. Therefore, the COM did not complete a referral to community substance misuse services.
21. Later that day, the COM contacted the Dewsbury Approved Premises manager about Mr Bennett's application. They told her that they were unable to confirm if a bedspace would be available for Mr Bennett's release date.
22. On 3 October, the COM was informed by CAS3 accommodation that Mr Bennett had been accepted by Mears Housing and a bedspace was available for his release.
23. On 4 October, the COM and the senior probation officer (SPO) discussed the lack of confirmed approved premises placement and Mr Bennett's ongoing risk of homelessness upon release. They decided to withdraw Mr Bennett's approved premises application and accept the CAS3 accommodation to avoid Mr Bennett being street homeless upon release.

Release from Humber

24. On 17 October, Mr Bennett was released from Humber. The prison's substance misuse team offered him naloxone prior to release but he declined it. He gave no reason.
25. Mr Bennett was released to CAS3 accommodation provided by Mears Housing.
26. Mr Bennett reported to Bradford Probation Office on the day of his release and had an alcohol electronic tag fitted. However, Mr Bennett failed to attend an appointment with Mears Housing and his support worker later that day.
27. On 18 October, the support worker contacted Bradford Probation Service and told duty probation staff that Mr Bennett had missed an appointment. However, they confirmed they had entered Mr Bennett's room and found his personal belongings there indicating to staff that he had been at the property.
28. The duty SPO and duty COM decided not to recall Mr Bennett as there was evidence that he had been at the property. They agreed to review the situation after the weekend.

Circumstances of Mr Bennett's death

29. On 21 October, Mears Housing contacted probation for the second time and agreed to conduct a joint unannounced home visit with probation staff at Mr Bennett's property.
30. Later that day probation staff attended the CAS3 accommodation accompanied by Mears Housing support staff and found Mr Bennett dead at the property.

Post-mortem report

31. The post-mortem report concluded that Mr Bennett died from heroin toxicity. Pregabalin use (a prescription medication that is widely abused as it enhances the euphoric effects of heroin and other opioids) was listed as a contributory factor.

Findings

32. Mr Bennett was appropriately referred for an approved premises place prior to release. Approved premises provide a high level of supervision to help reintegrate prison leavers back into the community. The SPO and COM subsequently withdrew the approved premises application and accepted a CAS3 place instead. While CAS3 accommodation does not have the same level of support and monitoring that an approved premises provides, there was no guarantee that Mr Bennett would be offered an approved premises place and had the CAS3 place not been accepted, there was a risk that Mr Bennett would be released homeless. We consider that the decision made by the SPO and COM was a reasonable one in the circumstances.
33. We found the decision to complete a joint home visit with CAS3 accommodation staff was evidence of good practice.

Head of Probation Delivery Unit to Note

34. Mr Bennett's COM did not refer him to community substance misuse services prior to his release because Mr Bennett said he would self-refer if he needed support after release. We consider that given Mr Bennett's history of drug and alcohol misuse, he would have benefited from a referral to the community substance misuse team for relapse prevention work and ongoing support as part of the pre-release planning. We bring this to the attention of the Head of Yorkshire and Humber Probation Delivery Unit.
35. The inquest, held on 8 April 2025, concluded that Mr Bennett's death was drug related.

Adrian Usher
Prisons and Probation Ombudsman

April 2025

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