

**Investigation into the death of a man
who was discharged from HMP Leeds on in October 2004
and died at the home of a friend on the same day**

Prisons and Probation Ombudsman for England and Wales

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This is the report of an investigation into the circumstances surrounding the death of a man who was discharged from HMP Leeds in October 2004. The man was found unconscious at the home of a friend at approximately 3.45 pm that day. Despite efforts to assist him, he was pronounced dead at 4.18 pm.

Although he was not in custody at the time of his death, I authorised this investigation under my discretionary powers. The fact that this man had been at liberty for such a short time meant that there might be lessons for the prison authorities in terms of meeting prisoners' resettlement needs. One of my senior investigators conducted this investigation.

A post mortem examination on 18 October found that the likely cause of death was a drugs overdose. There were needle puncture marks to the man's groin. A gash mark was found above his right eye that was thought to be consistent with him having fallen and hit his head as he collapsed.

I offer my sincere sympathy and condolences to the man's family and friends.

My thanks go to the Governor and all Leeds staff. I appreciate their willing cooperation which has enabled the investigation to be completed.

I make one recommendation.

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Prisons and Probation Ombudsman

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Contents

Summary

Investigation

Leeds Prison

Time at Leeds

Post release events

Conclusion

Recommendation

Summary

This is the report of an investigation into the death of a man in October 2004 at a private residence. This man had completed a sentence at Leeds prison and had been released that day. My investigator reviewed the man's prison records and spoke to staff and prisoners at Leeds. Contact was also made with the man's family and with the North Yorkshire police.

This man was a heroin user and had been in custody since 18 August 2004 at HMP Leeds. He had a history of excessive alcohol use going back to when he was a young man. He later became involved with illicit drugs, with heroin having become the dominant substance for the six years prior to his death.

At approximately 3.45 pm on 15 October, the man was found unconscious in the bedroom of a friend's house. He had been discharged from Leeds that morning. His friend tried to help him and called an ambulance. CPR was administered but the efforts to revive him were not successful. The man was found with drugs paraphernalia, and a substance thought to be heroin.

This report describes the circumstances of the man's death and looks at the care that he received while in prison custody. He was not thought to be actively suicidal while at Leeds.

There are no indications in his prison record that the man had any particular problems during his sentence. He joined the drug treatment programme and underwent a detoxification programme to help him with withdrawal from drugs.

When he was discharged, he left the prison and soon afterwards obtained a quantity of heroin and a syringe. It is not clear what his movements were that morning, or from whom or from where he obtained these items. Later on he went to the address of a friend. It seems that his main motivation in going there was to ask if he could stay for a period. The man was told that he could stay for that night only, and that accommodation beyond this was not possible.

While this death occurred after the man left prison, issues concerned with the resettlement of short term prisoners have emerged during the investigation. The report recommends that the resettlement arrangements at Leeds be reviewed.

Investigation

The investigation was opened on October 21 2004, when my investigator met with the acting Governor at Leeds. Ombudsman's notices were then issued to staff and prisoners, identifying the scope of the investigation and inviting anyone who wished to see the investigator to make themselves known.

North Yorkshire police were contacted and they provided additional information.

One of my Family Liaison Officers telephoned the man's father. He did not want to raise any issues for the investigation, but wanted to know the outcome. The man's ex-partner was also contacted, but she did not want to be involved in the investigation.

Leeds Prison

Built in 1847, Leeds is a category B local prison. It accepts all adult male prisoners from courts in West Yorkshire. It has 680 cells plus rooms and wards for 55 in the Healthcare centre. Recent refurbishment has addressed many of the issues associated with previous under-investment in Victorian prisons, although further work is needed to upgrade the buildings and facilities. A new gate complex opened in September 2002, providing staff facilities and an improvement to the entry point for all visitors and staff.

Leeds has an operational capacity to accommodate a total of 1,254 prisoners. It is understood that the prison always functions at or near this figure which is the maximum population level. It was expanded from four to six wings in 1994.

Leeds was last visited by HM Chief Inspect of Prisons approximately two years ago. The Inspectorate noted that almost half of short term prisoners discharged from the prison were not asked about their resettlement needs. The work in this area was described as fragmented and not always followed through. The Chief Inspector also thought that a coherent local strategy was needed to ensure positive outcomes for discharged prisoners.

The man's time at Leeds

He was received at Leeds on 18 August 2004. A cell sharing risk assessment was conducted and, in the light of his background of drug taking and self harm, he was allocated to shared accommodation. This was in C 4-07 which remained his cell until he was discharged.

The man was assessed by the prison doctor. At this point, he was not thought to be depressed and was considered unlikely to self harm. However, the prescription for treatment for depression that he had been given by his own doctor was continued and he was given medicine to help him with withdrawal symptoms while he underwent drug detoxification.

The man was referred to the Counselling, Assessment, Referral, Advice and Throughcare Team (CARATS) and was seen and assessed by the CARATS worker on 19 August. He appeared to be well motivated to change his life style, but it was thought that he had reached a very low point in his life. He was referred to throughcare in the community so that he could continue his treatment on release from prison.

The man does not appear to have come to particular notice in the short time that he was at Leeds. There were no entries in the wing observation book that related to him and he appears to have had a largely uneventful stay. He had a number of cell mates in the period up to 9 September. Thereafter, he shared with a prisoner who described the man to be a quiet person with whom he got on reasonably well. The cellmate described how in conversations with the man he had spoken of his partner and his children. He also said that the man had stated to him that on release he would be going back to the area he came from and would be buying a £40 bag of "gear". (This is a reference to heroin, and would represent quite a large amount of the drug.)

On 20 September, a release plan for the man was agreed with the CARATS worker. It included an arrangement for him to see the doctor at a local drugs clinic when he left prison. This was so that he would be supported in the community with his efforts to become drug free. The treatment was to include medication and the counselling and group work sessions that were available at the clinic on a drop in basis. It was noted that accommodation was available to the man on release. The address referred to was the home of his partner.

On or about 23 September, the man received a letter from his partner's solicitor dated 21 September, telling him that she no longer wished to have any contact. It also told him that he was not to approach her under any circumstances. Injunction proceedings would be issued without further notice should he attempt to do so.

In a letter received on 12 October by a friend, the man wrote and asked if he could stay with her on release from prison. This friend did not reply straight away. She later said that, had she replied, she would have told him that he could stay for two days but no longer than that.

The man was released from Leeds on the morning of 15 October and it is not known where he went until he arrived at the home of a friend later that afternoon.

Post release events

At approximately 3.30 pm, the man arrived at his friends address and asked if he could stay with her. She was reluctant to take him in but said that he could stay on the settee for one night only. The man then asked if he could go upstairs to the bathroom to have a wash. She said that he could and she made herself some tea.

At approximately 3.40 pm, the man's ex-partner received a telephone call from the man during which he asked if he could meet with her in Leeds. She replied that she would not see him as she did not wish to resume their relationship. His response was to say that he had no life and that he would go and kill himself. At about 3.45 pm, his friend heard banging upstairs and thought perhaps the man had slipped or got into the shower. Shortly afterwards the friend became concerned and went to the bathroom to check that he was alright.

When she entered the room, she found the man half sitting and half crouched between the bath and the sink. She noticed that he had a gash above his right eye and was very still. She attempted to stir him but there was no response. After unsuccessfully trying to find a pulse, she telephoned the emergency services who despatched an ambulance. A telephone adviser was provided to assist the friend in her efforts to help the man.

The friend maintained attempts at CPR until the ambulance arrived, but neither she nor the paramedics were able to revive him.

It was noted that around the body there was drugs paraphernalia. This included needles, syringes, a bag of white powder and a spoon.

It is assumed that the gash to the man's head was sustained when he became unconscious, striking his head as he fell.

Conclusion

This was a man with alcohol and drug addictions who had experienced failed relationships and family breakdown. When he went to prison for the last time, he seems to have had few stable points in his life. His relationships with the mothers of his children had ended, and his children were either in the care of the local authority or adopted.

He left prison on 15 October without a job or accommodation. He made an attempt to find somewhere to stay on that day but this not successful.

It appears that the man took a significant dose of heroin intravenously. The timing of this action, the amount of drug apparently involved and the telephone call to his ex partner are suggestive of an act of despair. His intentions cannot be known, however, and his tolerance of the drug would have been reduced by his period of detoxification in prison.

When the man was discharged from prison there was no requirement for a discharge plan for short term prisoners. There was, however, an expectation that prisoners in the man's position would receive assistance with resettlement issues. It is noted in the man's CARATS documentation that he said that he had accommodation on release. It must have become clear to him soon after that entry was made that in fact he did not. It is not recorded whether he told anyone about this or not.

There was good work done by Leeds prison in helping the man arrange post release support to help him with his drug habit, but there would not seem to have been the same level of input into his other resettlement needs. This echoes the finding of HM Chief Inspector. There does not seem to have been a lack of will to provide quality arrangements for the man's discharge, but it was not well coordinated and resulted in patchy delivery. It would seem that the man simply stated to staff that he had somewhere to go on release, and this was accepted without further checking or confirmation.

It is questionable whether the resettlement arrangements for short term prisoners at Leeds are as coordinated as they might be.

Recommendation

In light of the findings of this report, the Governor of HMP Leeds should review resettlement arrangements with the aim of ensuring that the needs of short term prisoners are clearly established before discharge.

