

**Investigation into the death of a man at Ellison House
Approved Premises in December 2010**

**Report by the Prisons and Probation Ombudsman
for England and Wales**

September 2011

This is the report of an investigation into the death of a man, a resident at Ellison House Approved Premises, Camberwell, London. He died at Kings College Hospital, having collapsed playing snooker with a friend and fellow resident. He was 48 years of age at the time of his death. The cause of death was cardiac arrest due to myocardial infarction (a heart attack caused by an interruption of the blood supply to the heart) and a hypoxic brain injury (caused by a lack of oxygen to the brain) due to a fall.

The man was remanded into custody on 9 May 2007, and sent to HMP Highdown. On 29 October, he was convicted of a serious offence and sentenced to four years. He was due to be released on licence on 8 May 2009 to an Approved Premises to enable him to be monitored on his release. However, due to lack of space available at the Approved Premises he was allowed to move home to live with his mother. On 11 August 2010, due to concerns for his personal safety he moved to Ellison House Approved Premises.

The man's registered next of kin was his brother. He also leaves behind a mother, sister and nephew. I would like to offer my sincere sympathy and condolences to his family and to all those who may have been affected by his death.

The investigation was carried out by one of my investigators. I understand that this is the first death to have occurred at Ellison House since 2004, when my office first started to investigate deaths in custody. My investigator and I would like to thank the then Acting Manager of Ellison House, the staff and the residents for their assistance.

There are a number of recommendations that emerge from this investigation, and these include issues such as drug testing, first aid training and keyworker sessions.

This version of my report, published on my website, has been amended to remove the names of the man who died and those of staff and prisoners involved in my investigation.

Thea Walton
Acting Deputy Prisons and Probation Ombudsman

September 2011

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SUMMARY

1. The man was remanded into custody on 9 May 2007, and sent to HMP Highdown. On 29 October, he was convicted of a serious offence and sentenced to four years imprisonment. The man returned to Highdown to complete his sentence. On 28 January, he was transferred to HMP Littlehey. On 8 May 2009, he was granted conditional release, being released on licence expiring on 8 May 2011.
2. On his release the terms of his licence required him to move into an Approved Premises in order to receive additional supervision. However, due to a lack of available space he was allowed to move home to live with his mother in London. Shortly after moving to his mother's house he had to move out for his own safety due to vigilante activity. As a result of this activity the man and his mother were assaulted and had to move out of the area. In May 2010, the man and his mother moved into his sister's rented house in the Cambridge area. However, when the sister's landlord became aware that he was living at the property, they asked that he leave.
3. On 11 August, the man moved to Ellison House Approved Premises in Camberwell, London. He suffered financial difficulties whilst at Ellison House. His Job seeker allowance and other benefits were stopped when he moved from Cambridge to London, due to delays in transferring his paperwork at the Benefits Agency. Given his continued financial problems he was unable to pay his service charge (rent) at Ellison House or buy any warm winter clothes, having to rely on handouts from his elderly mother. He did not receive any benefits between 11 August and 22 October.
4. Due to the nature of the man's offence finding suitable accommodation proved difficult. The man's license conditions speculated that he was not permitted to live in areas very close to schools, or areas frequented by large groups of children. When he found potential accommodation he was required to pass the details onto the Probation Service, to allow them (in conjunction with the Police) to carry out the necessary checks. However, the man found that many of the properties came back as being not suitable or because (of the time the checks took) many of the properties were no longer available.
5. After numerous failed attempts at finding suitable accommodation for the man. On 22 October, the assistant manager at Ellison House wrote to the man's Offender manager. In this letter she explained the man did not require enhanced supervision and should therefore not be at Ellison House. She wrote that it was not defensible to continue to accommodate the man over high risk offenders who needed supervision. The letter advised her that they were to issue a 28 day 'Notice to Quit' requiring the man to leave Ellison House on 22 November.
6. On 8 December, the man was advised by his Housing Officer that a possible flat had been found in Acton. Checks were made and the flat was approved. However, due to the address being a flat, checks had to be made to make

sure the adjoining three flats did not contain anyone classed as a 'vulnerable adult'.

7. The man met with his keyworker on 10 December. During this meeting he told her that he felt unwell. The notes made by the keyworker details "the man feels unwell and has a sore arm which he says he is taking painkillers for".
8. On 12 December, the man spent most of the day at the hostel, being seen at the wellbeing checks at 3.00pm and 8.00pm. He ate his evening meal and then later can be seen at 8:17pm, (on CCTV) going to play pool with his friend. At 8:28pm, the man leant against the pool table to make a shot. As he leaned over he suffered a heart attack, collapsing onto the corner of the pool table, falling to the floor. As the man fell to the floor he banged his head on the corner of the radiator.
9. As soon as the man's friend realised what had happened he ran to the office to summon help from the two members of staff on duty. The man's friend was first aid trained and conducted CPR whilst he waited for the ambulance crew. At 8:42pm, the ambulance crew arrived and took over from him. At 9.57, after stabilising the man's condition he was taken to Kings College Hospital, London. Whilst in hospital the man fell into a coma, and died.

THE INVESTIGATION PROCESS

10. The investigation was opened on 5 January 2011, when my investigator issued notices announcing the investigation to staff and residents. The notices included an invitation to those who wished to submit information relating to the man's death to make themselves known to the investigator. As a result of this, my investigator received a letter from the man's friend.
11. During the opening visit the investigator collected copies of the man's records, and a copy of the CCTV recording showing the man's collapse. She had a tour of the Approved Premises, viewed his room and met with the staff.
12. HM Coroner reviewed the case and on 12 January 2011, my investigator received a letter. The Coroner explained in his letter that due to the man being released from prison on licence, he did not regard the death to be a 'death in custody'. He confirmed that because of this he would not investigate the death any further. Due to this, no inquest will be held.
13. My investigator returned to Ellison House on 15 and 17 February, to interview three members of staff (two of his key workers, and a residential assistant), and two residents. During one of the interviews, the man's friend asked that his deepest condolences be passed on to the man's family. After each visit feedback was given to the Acting Manager of Ellison House.
14. One of my family liaison officers contacted the man's brother, who was acting as next of kin on behalf of the man's family, to inform him of my investigation and to provide them with an opportunity to raise any issues for consideration. The man's family raised a number of issues of concern. His brother (emailed a list of concerns to my family liaison officer). Further to this, the man's mother also sent a letter of complaint to The Probation Service.
15. To gather further information for the purposes of the investigation on 21 January, my investigator contacted the man's offender managers to try and answer some of the issues raised by the man's family. In addition to this, my investigator obtained a copy of the response sent to the man's mother in relation to the complaint she made to the Probation Service.
16. In correspondence with the man's family they asked for the following questions to be addressed in the investigation:
 - When the man was released from prison in May 2009 why was he told he had to go into an Approved Premises?
 - When the man had to leave his home (in London) due to the neighbours/ newspapers involvement he moved to live with his sister in Cambridge. Why was he then later placed in an Approved Premises in London, and not near to where his family was?

- The man gave his first offender manager potential addresses to check in the Cambridge area. Why did she not respond to the addresses given for five weeks, to only then turn them down after Huntingdon probation and the police had said yes?
- Due to the man moving from Cambridge to the London area his benefits were stopped as he was unable to sign on. Why did the first offender manager not help when the man was not receiving any benefits?
- Why was Probation trying to re-house the man in London and not in Cambridge with his mother?
- Why was the man sent to Croydon every Wednesday when he could have bumped into his victim or victim's family?
- Why was the man placed in an Approved Premises, having to comply with curfew times when he had served his time in prison, but was still being locked up?

The man's family will have the opportunity to receive and comment on the draft version of my report, should they wish to do so. I hope the report answers any questions they may have about the circumstances of the man's death.

ELLISON HOUSE APPROVED PREMISES

17. Ellison House Approved Premises is situated in Camberwell, London and can house 30 male residents at any one time. All residents are provided with breakfast and an evening meal, with facilities being available to make/prepare their own lunch.
18. Approved Premises (formerly known as Probation & Bail Hostels) are premises approved under Section 13 of the Offender Management Act 2007. They offer residential provision to selected offenders in order to provide enhanced levels of protection to the public and reduce the likelihood of further offending.
19. Approved Premises work to National Standards and Approved Premises Regulations. They provide enhanced residential supervision by:
 - Working closely with offender managers (formerly known as Probation Officers).
 - Providing 24hr staff oversight
 - Monitoring curfews and ensuring compliance with rigorously enforced rules
 - Undertaking ongoing observation and assessment of attitudes and behaviour
 - Providing programmes of regular supervision, support and monitoring aimed at reducing offending behaviour and risk to the public
20. Whilst staying at Ellison House residents are provided with a keyworker, a allocated member of staff who meets with the resident on a regular basis to sort out any problems they may have. All residents are expected to complete 15hrs of purposeful activity per week. Courses provided at Ellison House include, personal development, tenancy sustainment, cookery, job club, yoga and music recording.
21. Ellison House curfew times are 11pm – 6am. During these hours all residents are expected to be on the premises. Wellbeing checks on residents are conducted by staff four times a day at 8am, 10.30am, 3pm and 8pm.
22. The man is the first person to die at Ellison House since 2004 when the Prisons and Probation Ombudsman started to investigate deaths in custody.

KEY EVENTS

23. The man was remanded into custody on 9 May 2007, and sent to HMP Highdown. On 29 October, he was convicted of a serious offence and sentenced to four years imprisonment. After sentencing the man returned to Highdown to complete his sentence. On 28 January, he transferred to HMP Littlehey. On 8 May 2009, he was granted discretionary conditional release (DCR), being released on licence that would expire on 8 May 2011. (Discretionary conditional release is where prisoners sentenced to 4 years or more are eligible to be considered for parole at the half-way point in their sentence. If the person were not released on parole, they are automatically released on licence at the two-thirds point of the sentence. People released on DCR can be recalled to prison by the Early Release & Recall Section, if they breach a condition of their release licence. A licence is a set of rules a person must abide by (for a set period of time) after release from prison.)
24. On release, the man was required to move into an Approved Premises, as part of the terms of his license, in order to receive additional supervision. However, due to lack of space available he was allowed to move home to live with his mother in London. Shortly after moving to his mother's house, he had to move out for his own safety due to vigilantes in the area. There was a large article in the local paper and flyers were printed and placed around the area. The man and his mother were assaulted and due to this they had to move out of the area.
25. In May 2010, after being forced out of his mother's house, the man and his mother moved into his sister's house in the Cambridge area. However, his sister had a 17yr old son living at the address, and due to the man's offence Social Services were not happy with this arrangement. Despite their concerns, Social Services agreed that, as a temporary measure he could stay with his sister until more suitable accommodation could be found.
26. According to Probation records, the man's sister rented her house from a local housing association. When they became aware that the man was living at the property they told her, that if he did not vacate the property an eviction notice would be served on the whole family. On 5 August, in preparation for the man's move from his sister's house a 'risk assessment and public protection plan' was completed. This plan confirmed that he had no health or medical concerns, held a low risk of harm to himself or to Approved Premises staff. It further confirmed that drug and alcohol testing was not required. The anticipated length of residency at an Approved Premises (whilst looking for more permanent accommodation) would be for twelve weeks or less, with the plan to assist him with a rent and advance scheme. The rent advance scheme is a loan provided to individuals to help them pay the initial deposit and/or rent in advance. This would be paid direct to the landlord once accommodation was secured.
27. Despite the man temporarily living in Cambridge, he was still under the supervision of London Probation Trust. Because of this, he was asked to return to the London area, being provided with accommodation at Ellison

House. On 11 August, he moved to Ellison House Approved Premises. It is recorded in his risk assessment and public protection plan that he was not required to be drug or alcohol tested. However, upon arrival the man was drug tested. It is unclear who carried out his drug testing as the note made on Delius (the Probation computer record system) was typed the following day.

28. The man met with a member of staff at Ellison House on 12 August, to have his induction, explaining the rules and procedures within Ellison House. As part of this induction a resident's information booklet was provided. This booklet explained in depth what was expected of him whilst he was living at Ellison House. It explained the curfew times, the cost of rent, catering arrangements and other important aspects to help him settle in.
29. The information booklet provided by Ellison House reads "all residents must register with a doctor and provide proof to the hostel". The booklet explained that they had a contractual arrangement with a local GP surgery who had agreed to register all residents at Ellison House.
30. During the man's induction, a note was made on Delius to say "he is reluctant to register with the GP as he has already registered three times since being out of custody. We agreed that GP registration can be put on hold until he speaks to his PO [Probation Officer] on Monday to ascertain if he will be staying within this area. I did advise him that although he feels he may not be here long he should register with the local GP in case anything happens".
31. On 16 August, the man had his first session with his keyworker. She noted on Delius that he appeared "to be very upset, telling staff that he was fed up and would rather be sent back to prison than be tossed around like a ball". The man told his keyworker that he had no links to the area and felt totally lost and helpless. He confirmed that he had still not registered with the local GP nor for job seekers allowance, waiting to see what was happening in relation to his move on arrangements. When the keyworker spoke to my investigator she explained that when the man came into Ellison House he was only supposed to be there for a short while, only as a temporary measure. She said that ordinarily registering with a GP and transferring any benefits would have come under a particular 'milestone' that he would need to achieve. However, because there was no set time for him to be at Ellison House, the man was of the mindset that he would not be staying long and didn't feel the need to register saying "nothing will happen, I'm not a sick person, I don't do medication".
32. On the same day the man telephoned his offender manager. A note was made by his keyworker on Delius detailing the call, saying that the man explained to her that he had no money and wanted to be with his family. During this call he accused her of not helping him find any accommodation during the eleven weeks he had been living with his sister. She explained to him that accommodation would need to be found in the London area, since the probation area he was living in (with his sister) would not accept him, saying that the Sex Offender Treatment Programme (SOTP) he was required to complete was not run by them.

33. On 24 August, the man met with his keyworker. She wrote in Delius "AM [the man] presents himself as someone in a serious financial difficulty and appears to be struggling to cope. He has no family and friends in the area and his JSA [Job Seekers Allowance] is yet to go through. Apart from losing so much weight there is no reported health issue".
34. The man's offender manager contacted Adult and Community Services at Bromley Council in relation to the man's accommodation needs. On 25 August she received confirmation that he had been approved for the rent deposit scheme. This scheme is a system where the council pays the deposit on a flat/ house to the landlord on behalf of the tenant. The man was advised that he could start to look for accommodation, but that he must advise his offender manager of the addresses to allow them to be checked with Jigsaw. (A public protection team working with child protection issues). He was told that once an address was approved, this being not to be too close to areas highly populated by children e.g. near to schools, the council would pay the deposit directly to the landlord. The man explained that he wanted to move back to the Cambridge area to be with his family, but would still be prepared to complete the SOTP, commuting back to London on the required days.
35. The man's offender manager met with him on 31 August. During this meeting he explained to her that due to issues with his Job Seekers Allowance he had no money. He said that his financial situation was causing him problems, one problem being that it was stopping him looking for accommodation. He explained that he wanted to look for a place near to his family in Cambridge but he had no money to pay for transport. Secondly, he said that the only clothes he had were the ones he was standing in, with all of his belongings being at his sister's house.
36. On the agreement that the man would return to London to complete the SOTP, on 1 September, his offender manager made enquiries with the Stonham Housing Project (a housing project for ex-offenders) in Cambridge in search of accommodation for him. However, after enquiries she was told due to the nature of the man's offence he would not be suitable for the project. It was explained that the housing they provided was in close proximity to children and thus not suitable.
37. On the same day the man met with his keyworker. The keyworker wrote in her notes "AM [the man] reports he is not sleeping or eating well and that he is smoking more than he used to". She told the investigator that she was concerned about the man's smoking. She explained that the man had told her that, prior to him coming to Ellison House some days he wouldn't even smoke a full cigarette. However, he was now smoking roughly 20 a day, often drinking lots of coffee at the same time. She said that the man was in and out of the premises all day smoking. She said "of course you could see that he was under stress, given his circumstances and how he came into Ellison House, when he had already been in the community for 15 months".

38. On 3 September, the man's offender manager made an application to the Ferry project, a charity in Wisbeach, Cambridge providing accommodation for homeless adults. The organisation works alongside the adults living within its premises to provide training and support to enable them to live independently.
39. The man's risk assessment and public protection plan stated that he did not need to be drug tested. However, on 4 September, the man was drug tested for a second time at Ellison House. A note on Delius shows the man queried the reason for this, asking why he was being drug tested as he had never had an issue with drugs. On checking his file it was found that neither drug nor alcohol testing was part of his management plan. The man was advised that he would not be drug tested in future.
40. During a key worker session on 6 September, a note was made by his keyworker to say "continues to complain of not sleeping and eating well".
41. The man did not have enough money to attend his Offender Management meeting on 7 September. His Offender Manager agreed the absence and re-arranged the meeting. On the same day the man spoke to his keyworker explaining how frustrated he was feeling, detailing that the last JSA he received was on 5 August. The next day he told her that he had found out why he had not been receiving any money. He explained that he his JSA had been cancelled.
42. Due to continued financial problems the man had not been able to pay his service charge (rent) at Ellison House. On 9 September, he was issued with a '7 day Notice to Quit'. The letter said

"We are issuing you with a 7 day Notice to Quit for the following reasons: You owe £90 in outstanding service charges as of 9 September 2010. Our records indicate that you have not made a payment since your arrival to the Approved Premises on 11 August 2010. You are therefore issued with this 7 Day Notice to Quit and reminded that if you address your service charge arrears before or on the seventh day of this letter, this Notice to Quit may be withdrawn".
43. My investigator spoke to the acting manager of Ellison House during the investigation. The acting manager of Ellison House explained that they had chosen to issue the Notice to Quit (despite knowing of his financial difficulties) to put pressure on the Probation Service to find the man somewhere suitable to live.
44. With the assistance of staff at Ellison House on 13 September the man applied for a crisis loan and was given £21 to manage with while his claim was being processed.
45. The man met with his keyworker and offender manager on 15 September. At this meeting it was explained to him that as the initial move to Cambridge had been only a temporary measure. However, due to his change of location (from Kent to Cambridge and then to London) he would now need to be

managed by someone from the London Probation catchment area. During this meeting the man gave his offender manager a potential address for a flat in Cambridge for her to check. She agreed to pass the details onto the Jigsaw team for them to check. Further to this she updated the man on the progress with the Ferry Project, confirming that his details had been sent but that there was no space available at the moment. She told him that she would be contacted as soon as room became available. The same day she emailed the address provided by the man to the Bromley Jigsaw to check.

46. On 24 September, the man met with his new offender manager. He told him that he was still awaiting the payment of his benefits. The offender manager explained to the man that he would shortly be under his supervision, but that his previous offender manager would continue to assist with his 'move on' arrangements. The man provided the first offender manager with more addresses to check.
47. The man was officially transferred to the London Probation area on 28 September. He was asked to report to his new offender manager with any further issues.
48. During a keyworker session on 29 September, it was noted "he is a bit more relaxed than he used to be and staff believe that being constantly seen in the company of KK [the man's friend] another resident could be a calming effect and a reason for his relaxed mind".
49. The first offender manager emailed a member of staff at Cambridge Probation asking for her assistance on 1 October. She explained that she had contacted the Public Protection Unit (PPU) at Cambridgeshire police asking if they could check the suitability of some addresses for her. She explained that that the PPU had taken some time to reply to her, explaining that they could only help if the request came directly from someone from her office. The first offender manager provided a list of four addresses for her to pass on to the PPU. The addresses given included the details of property given by the man on 15 September.
50. On 4 October, after a meeting at the Job Centre the man received some of the benefits owed to him.
51. The next day, the first offender manager received a reply to her email from Cambridge Probation, who wrote:

"I have spoken to the man and have been informed that these addresses are private lettings. Therefore, no-one else lives at the addresses and as such I will not be going to the addresses to assess suitability. I do not know anything about the addresses and would only be looking on the internet to see if they are nr schools etc something you can do at your end. Once you have considered that and assessed them as suitable we will be happy to proceed with transfer."

52. In response the first offender manager sent an email explaining that staff at London Probation did not have access to the internet in their office, and would be unable to conduct any checks themselves. She explained that without the internet, “the sheer distance and lack of facilities means that I am unable to conduct these checks myself. Is there any way you could check the addresses at your end? I don’t know whether they are still available as the man gave me these addresses some time ago”.
53. On 10 October, the man met with his local housing officer. However, because the man only wanted to look for accommodation in the Cambridge area, the housing officer was unable to help.
54. Two days later the man spoke to his first offender manager asking about the progress of the address checks. She told him that she had no new information, detailing the correspondence she had had with Cambridgeshire Probation. The man spoke to his second offender manager about the conversation he had had with his previous offender manager. It was suggested by his new offender manager that it might be easier for him to look for accommodation in the Southwark area, solving the issues encountered with the Cambridge addresses. However, the man explained that he was not happy with this suggestion, saying that he wanted the support network of his family in the Cambridge area.
55. The man met with his new offender manager on 22 October. At this meeting he was told that the addresses he had provided to be checked (on 15 and 24 September) had been turned down. The man told him that he had now ‘given up’ any hope of moving to be near to his family. After this meeting, the man’s new offender manager emailed the his previous offender manager. In this email he explained that the man was becoming increasingly frustrated by having to live at Ellison House, without any firm indication of progress on his move-on plans. He explained that the man felt that she [the first offender manager] was not taking his concerns seriously and that he had been asked to do all the work finding the addresses, to then have them deemed unsuitable. The new offender manager indicated that as he had not heard from her in a while, he needed to be given an idea on the progress being made so he would be able to keep the man informed. He asked that he be given an update before his next meeting with the man on 28 October.
56. The same day the man met with his previous keyworker. Due to payment of his benefits, the man explained that he was now in a position to pay some of the service charge (rent) he owed. However, he asked that he be allowed to only pay two weeks rent, as he wished to purchase some jumpers. He thought that he was getting a cold and wanted to try and address the situation before he became unwell. It was explained that on this one occasion they would agree to his request. The keyworker discussed the issue of his ‘move on’ plans. He maintained that he still wanted to move to the Cambridgeshire area to be near his family. The keyworker noted:

“AM [the man] has showed his frustration of looking for private accommodation, passing it on and probation deeming it unsuitable. He

said that this exercise cost him money and time, therefore he is no longer motivated to assist with his move on arrangement”.

The man was advised that he had two options, one being that he work with local housing officer to secure local accommodation, or for him to be issued another ‘Notice to Quit’ by Ellison House to try and speed up the move.

57. On 22 October, the assistant manager at Ellison House sent an email to the man’s new offender manager, about their concerns for the man and his move-on plans. In her email she said:

“we only took him following a crisis which arose over his accommodation in the community thinking it was going to be a short term arrangement whilst alternative accommodation was found/ approved for him. We simply can not wait until he finds somewhere himself as this could take months and it’s simply not defensible that we continue to accommodate him over high risk offenders. We’d therefore appreciate if he could be offered all the assistance he requires to move-on from here as it’s not an appropriate placement for someone who does not require ‘enhanced supervision’. To assist with prioritising his move-on it’s our intention to issue him with a 28 day NTQ [notice to quit] from 25/10/10. This leaves sufficient time for alternative accommodation to be sought”.

58. The man was duly issued with a 28 day ‘Notice to Quit’ on 25 October. The letter instructed him to consult with his Offender Manager to discuss alternative accommodation. He was asked to vacate his room and drop off his keys before 12 noon on 22 November.
59. On 3 November, the man started the Sex Offender Treatment Programme (SOTP), travelling to Croydon one day a week. The man assured his new offender manager and his keyworker that if he was able to secure accommodation in Cambridge he would continue with the programme, but would commute back to London on the days required.
60. During a keyworker session on 4 November, the man said that due to increased frustrations he was now willing to stay within the London area. He told her that he still wished to move to Cambridge, but would wait until his licence expiry date and then move to be closer to his family. He told his keyworker that he would speak with his housing officer the following day.
61. The man telephoned his previous offender manager on 16 November, in relation to his move-on plans. He explained that his housing officer was still looking but his eviction date (from Ellison House) was now only eleven days away, and he was worried that he would become homeless. She said to him that she would make enquires and get back to him. After speaking with the acting manager the man’s Notice to Quit was extended by three days to 25 November.
62. On 20 November, the man’s previous keyworker returned from maternity leave and took over the responsibility of being his keyworker. The new

keyworker told my investigator that before she took over responsibility for the man she read through his Delius record to gain an understanding of why he was at Ellison House, and any issues she needed to be aware of. She was not aware that he was not registered with a local GP.

63. On 22 November, the man requested that his mother's address be checked to see if it would be suitable for him to stay in. He explained that his mother has just been issued with a council house and he wanted to live with her temporarily whilst he looked for permanent accommodation.
64. The man's previous offender manager sent his mother's address to Bromley Jigsaw to check. The first offender manager explained that Cambridgeshire Probation were unwilling to check the information, saying that they [London Probation] should handle the checks. To allow for this new address to be checked the man's Notice to Quit was extended until 1 December.
65. On 23 November, the man's mother's address was approved. However, a note made on Delius by his first offender manager showed that his mother's landlady was not happy with the move. The note on Delius details:

"TC [telephone call] from AM [the man]. He tells me that he's spoken to his mother who says that she has discussed the plan of his staying with her on a temporary basis with her landlady, and that permission has been refused. It would seem that his sister is opposing the plan and has asked her mother's landlady not to allow it".
66. On 30 November, a decision was made to extend the man's Notice to Quit until 8 December.
67. During a keyworker session on 4 December, the man explained that he was stressed. He said that his belongings were still at his sister's home in Cambridge, and due to this he had no suitable clothes (for the current weather) that would allow him to go outside. He said due to time and money he had been unable to travel to collect anything.
68. On 8 December the man was advised by his housing officer, that a possible flat had been found in Acton, West London. Checks had been made by the local Jigsaw team and had approved the address. The flat was seen and accepted by the man. However, due to the address being a flat, further checks had to be made to make sure the adjoining three flats did not contain anyone classed as a 'vulnerable adult'.
69. The man met with new keyworker on 10 December. During this meeting he told her that he felt unwell. The notes made by the keyworker details "the man feels unwell and has a sore arm which he says he is taking painkillers for". His next keyworker session was booked for 14 December. My investigator interviewed the man's keyworker, who explained that despite the man complaining of feeling unwell she felt that she did not need to take any action. She explained that the man had said that he believed his sore arm was caused by an old shoulder injury.

70. On the same day the man spoke to his friend and another resident about feeling unwell. The man's friend told the investigator that he (the man) had complained about having a pain in his shoulder and that "he felt as if he needed to burp, but couldn't". The man said that he put this down to having heartburn, and that his shoulder pain was due to a previous injury. He said that he was aware that the man had taken painkillers for his shoulder, and because of this he suggested he should go and see his doctor. In addition to this, the other resident said that roughly one week before this, the man came to his room asking if the local hospital had an accident and emergency department. He explained that the man had said to him that he had been having pains in his chest and down his arm. The other resident told my investigator that he advised him to go straight to the hospital. The next morning the man told him that he hadn't gone.
71. According to Ellison House records on 12 December, the man spent most of the day inside, being seen at the wellbeing checks at 3.00pm and 8.00pm. He ate his evening meal and then later can be seen at 8:17pm (on CCTV) going to play pool with his friend. Whilst playing pool with his friend, the CCTV recording appears to show the man rubbing his chest with his hand on a number of occasions.
72. At 8:28pm, the man leant against the pool table to make a shot. As he leaned over he suffered a heart attack, collapsing onto the corner of the pool table, falling to the floor. The man's friend told the investigator, that as the man fell to the floor he banged his head on the corner of the radiator. Due to the positioning of the CCTV camera and a chair blocking the view, the man hitting his head on the radiator could not be seen.
73. When the man collapsed his friend can be seen running around the side of the pool table to his aid. At 8:29pm, the man's friend left the room and went to the main office to summon help. At this time there were only two members of staff on duty (residential assistants). Whilst the first residential assistant called for an ambulance, the second assistant went to check on the man. When the man's friend spoke to my investigator he said that on checking the man he found that his head was bleeding (from hitting the side of the radiator) and that his pulse was weak and breathing was shallow. The man's friend explained that due to previous first aid and resuscitation training he had received prior to him entering Ellison house, he was able to put him in the recovery position.
74. At 8:33pm, the first residential assistant can be seen entering the room to check on the situation. At 8:34pm, both the first and second residential assistants left the room leaving the man alone. At 8:39pm, the man's friend can be seen on CCTV leaving the room. He told my investigator that at this point he realised that he had been left on his own. He went to the office telling both of the residential assistants that they shouldn't have left him alone and that they had to come back and help him. He explained that one of the residential assistant returned with him to help the man.

75. The man's friend returned to the man at 8:41pm. He said that when he returned with the first residential assistant he checked the man's vital signs, finding that the man's breathing and pulse had stopped. He said that he knew he had to help him, asking the residential assistant to assist with Cardio Pulmonary Resuscitation (CPR). However, he explained to my investigator that she appeared to be in shock and was unable to help. He proceeded to give the man mouth to mouth and heart compressions unaided.
76. At 8:42pm, an ambulance crew arrived. Then at 8:50pm a second ambulance crew arrived to assist. The paramedics stayed on site for roughly one hour, wanting to stabilise the man's condition before moving him. At 9:45pm, whilst the paramedics were still on site the man's registered next of kin was called to let them know that he had been taken ill. At 9:57pm, the man was taken by ambulance to Kings College Hospital, London.
77. In hospital the man lapsed into a coma, and to assist his breathing was placed on a ventilator. Sadly, the man died.
78. On the same day, at 9:53 the acting manager received a call from the police informing her of the man's death. The acting manager spoke to staff informing them of the news. She asked that residents should not be told of the news until she had found the man's friend to break the news to him first. A resident's meeting was held the next day to inform the residents of the man's death. Support was offered to all staff and residents.
79. On 22 December the man's brother attended Ellison House to collect his belongings.

ISSUES

Drug testing at Ellison House

80. On 5 August 2010, a 'risk assessment and public protection plan' was completed for the man. This plan confirmed that drug and alcohol testing would not be required whilst staying at Ellison House.
81. However on 11 August, upon arrival at Ellison House the man was drug tested. Further to this on 4 September, he was drug tested for a second time. He queried why he was being tested, explaining that he had never had an issue with drugs before. His Delius record shows, "On checking his file it was found that neither drug nor alcohol testing are part of his management. He was advised that he would not be drug tested in future".
82. Probation Circular 'Approved Premises: Drug Testing of Resident's PC05/2006 states
- "Hostels should not test residents at random regardless of previous drug history. For offenders where there is no history of drug use this might constitute an infringement of their human rights under Article 8 of the European Convention (the right to freedom from interference with his/ her physical integrity) even if hostel rules had been signed before they were given a bed. Testing on 'reasonable suspicion' might include testing an offender when drug paraphernalia had been found in his room".
83. My investigator spoke to the man's keyworkers, to a residential assistant and also to the acting manager. All four members of staff confirmed that they had no concerns in relation to the man, suspecting any possible drug use. It is clear that once the man raised the issue, staff checked the file and confirmed he would no longer be subject to testing, and indeed he was not. However, the man should not have been drug tested on either occasion and staff will need to satisfy themselves that residents are not tested just as a matter of course.

I therefore make the following recommendation.

Ellison House staff should have access to an up-to-date list of all residents who should and should not be drug tested. This list should be updated on a regular basis.

GP Registration

84. Ellison House has a contractual arrangement with Walworth Road Doctors Surgery, situated near the Approved Premises. The information booklet provided to all residents by Ellison House states "all residents must register with a doctor and provide proof to the hostel".

85. At his induction on 11 August, the man said that he was reluctant to register with the GP, adding that he had already registered with three separate GP's since being out of custody. It was agreed that GP registration could be put on hold until he spoke to his Probation Officer in the next few days to ascertain if he would be staying within the local area.
86. On 16 August, the man met with his keyworker. At this meeting GP registration was discussed, but the man confirmed that he had still not registered with the local GP, waiting to see what was happening in relation to his move on arrangements. Despite there being numerous mentions of the man being stressed, not sleeping and losing weight in his Delius record the issue of registering with a GP was never mentioned again.
87. Roughly one week before the man's collapse he spoke to a fellow resident, asking about the local hospital. The man asked if the local hospital had an Accident and Emergency department, saying that he was having pains in his chest. Further to this, two days before he suffered a heart attack, the man complained to his keyworker that he felt unwell and had a sore arm. When the man's keyworker changed she read his Delius record containing all the notes made during previous keyworker sessions. Despite this, she told my investigator that she was unaware that he had not registered with a GP.
88. The man's first keyworker, said that ordinarily registering with a GP would have come under a particular 'milestone' that each resident would need to achieve. I understand that the length of the man's stay was undetermined. However, if the keyworkers had followed up the man's non registration with the GP he might have obtained help or advice when he felt unwell. It should be noted however, that as an individual in an Approved Premises, the obligation was on the man to register with a doctor in the same way any member of the community can. It would still be within his gift, to attend an accident and emergency department also, indeed it appears he considered it at one point, and decided against it.
89. On 18 January 2011, my investigator received an email from the acting manager. In this email she confirmed that "on checking with the GP I have established that the man was not registered".
90. Whilst I understand the man was responsible for his own health, further encouragement from staff for him to register with a GP would have been advisable. Therefore I make the following recommendation to emphasise the importance of GP registration.

Staff should encourage all residents (regardless of the length of stay) to register with the local GP. GP registration should be followed up by the keyworker at regular intervals and any reasons for non registration recorded.

Keyworker Sessions

91. When the man arrived at Ellison House he was under the supervision of his keyworker. In November 2010, the man changed keyworkers, his new keyworker having just returned from maternity leave. Keyworker sessions are held weekly at Ellison House. During these sessions the keyworker asks after the wellbeing of the resident, if they have any problems, and works with them to try to integrate them back into the community. Notes are made on Delius after each keyworker session.
92. There were several occasions where the man revealed his feelings during these sessions. In August he told the first keyworker that he felt lost and helpless, that he had serious financial concerns, was struggling to cope and had been losing weight. In September, he said he was not sleeping or eating well, and the keyworker wrote that it was clear he was under stress. Further to this, in December, the man's second keyworker said the man was feeling unwell and taking painkillers for pain in his arm.
93. It is clear from the keyworker notes that the man was feeling stressed at points, and the comment made in relation to him losing weight appears to show that his health was suffering. The first keyworker spoke to my investigator about her concerns for his smoking and mentioned that she had tried to calm him down during a keyworker session due to concerns he had about his accommodation.
94. The man's friend and the other resident both spoke about the man being stressed. The other resident commented about how frustrated the man was, saying that he (the man) had told him that he wasn't able to tell staff everything as he was worried that they may hold it against him. The other resident commented that that he felt that some of the residents wouldn't want to discuss problems with staff, looking at them in the same way as they would prison officers. He mentioned that prior to his arrival at Ellison House; he had worked with the Samaritans and had found them to be very successful. He commented that if the Samaritans came in once a week or even once a month, people who felt stressed like the man, they would have someone to whom they could go to.
95. I understand that there is a payphone in Ellison House, and residents are allowed to have a mobile phone, and would therefore already be able to access the services of the Samaritans or other support networks. However, the payphone is near to the main staff office and some people may find it easier to discuss issues face to face with someone.
96. The reoccurring notes made by the first keyworker in relation to the man being stressed and losing weight are of concern to me. The second keyworker told my investigator that when she became the man's new keyworker she was not given a verbal (face to face) handover. She explained that she obtained all the relevant details about the man from reading his Delius record. I understand that the staff at Ellison House work on a shift system and face to face handovers may cause some difficulty in arranging. However, due to my

concerns I feel that face to face handovers would be advantageous to all as I feel some of the messages of concern were not effectively relayed

All concerns in relation to a resident's health and wellbeing should be monitored and if concerns continue they should be discussed with the Approved Premises manager.

The man's extended stay at Ellison House.

97. The man moved to Ellison House on 11 August 2010, as a temporary measure whilst suitable accommodation could be found for him. Due to non payment of benefits he was unable to pay his service charge (rent) and had outstanding monies due.
98. On 22 October 2010, the assistant manager at Ellison House sent an email to the man's second offender manager. In this email she explained:

“We only took him following a crisis which arose over his accommodation in the community thinking it was going to be a short term arrangement whilst alternative accommodation was found/ approved for him. We simply can not wait until he finds somewhere himself as this could take months and it's simply not defensible that we continue to accommodate him over high risk offenders. We'd therefore appreciate if he could be offered all the assistance he requires to move-on from here as it's not an appropriate placement for someone who does not require 'enhanced supervision'”.
99. When the man moved to Ellison House he explained to his offender manager that he wanted to be housed near his family in Cambridge. Finding accommodation in Cambridge proved difficult due to the level of checks that were required on potential accommodation. Due to the nature of his offences he was not permitted to live in areas very close to schools or areas frequented by large quantities of children. As an example, one property was turned down because it was in close proximity to a parent and child centre. Difficulties also occurred in obtaining the relevant checks conducted by the police/ public protection units outside of their catchment area.
100. After continued problems and frustrations the man decided on 4 November, that despite have no local contacts he was now willing to look for accommodation in the London area.
101. On 8 December the man was advised by his housing officer that a possible flat had been found in Acton. He viewed the property and said that he would accept it. He suffered a heart attack four days later, and due to injuries he sustained during his collapse he died on 20 December.
102. Probation records show that the day after the man collapsed and taken to hospital, the address in Acton was deemed unsuitable. The man should not have been in Ellison House for the extended period he was there for. If he

had not had a heart attack it is unclear how long he would have remained at Ellison House. I understand that attempts were made to find suitable accommodation for him and that some delays were caused by the man not wanting to settle in London. However, I find it very disappointing that the man found himself still at Ellison House when he fell ill, despite having been told that he would only be there for a short time.

First Aid training for Approved Premises staff.

103. On 12 December 2010, at 8:28pm, the man suffered a heart attack whilst playing pool with his friend. As soon as the man's friend realised what had happened he ran to the main office to summon help.
104. At the time there were only two members of staff on duty. Neither of them were first aid trained. The acting manager provided a list of all staff. Three out of 11 staff were not first aid trained. The Approved Premises Handbook published in 2009 states:

“All staff must receive training in first aid appropriate to their grade. Nominated staff should be trained to hold the ‘First Aid at Work Certificate’ which will need updating every three years. Supervisory staff and managers should be trained in basic first aid to include resuscitation”.
105. The man's friend commented that he was glad that Ellison House had CCTV footage. He explained “because if there hadn't been CCTV somebody could have said ‘well you hit him’ or you did this, so I knew I was putting myself at risk helping him”. The man's friend was first aid trained and had been awarded various first aid certificates prior to him entering Ellison House. Whilst I feel that residents should not be put in a position where they are required to administer emergency assistance, I commend the man's friend for his actions. All staff at Ellison House, especially those who work in the evening when staffing levels at a minimum should be first aid trained.
106. As part of the investigator's enquires she spoke to the man's friend, asking him to detail the events that occurred on the evening the man collapsed. He explained to my investigator that he “felt very alone” whilst waiting for the ambulance services to arrive. He commented that after he had raised the alarm with the residential assistants they came in to see how the man was. At one point, whilst attending to the man he realised that he had been left alone in the room. He said that he had to run back into the office and ask that one of them return with him to help. He commented that he felt that he shouldn't have been left alone and thought that it was a “bit reckless of them to do this”. He said that he didn't know if they were in shock or if they were just not trained in how to respond to a medical emergency.
107. After the man's friend requested that someone come back with him to help, the one of the residential assistants returned to the room where the man was. However, he explained that even after this, “she [the first residential assistant] just stood there”. He said that he explained to her that they had to get the

man into the recovery position, shouting at her “you can’t just leave him like this”. He said that he thought that she was in shock, as he had to raise his voice, shouting “help me then” at her before she started to help put him in the recovery position.

108. The man’s friend attempted to carry out CPR (heart compressions and assist with breathing) by asking the first residential assistant to help. He asked if she would carry out heart compressions, explaining that he would do the mouth to mouth. However, he explained that at this point her face drained of all colour, commenting that he thought she may pass out. As a result of this he had to administer CPR on his own. He said that during the whole experience he felt very alone, with her not helping him at all. While the CCTV footage does not contain any sound, it does show him having to conduct CPR on his own.
109. The first residential assistant spoke to my investigator, explaining that after the man collapsed the man’s friend had to give the man CPR. She explained that she was not first aid trained and because of this, if the man’s friend had not been there to help she would not have been able to do anything. She explained that because of her lack of first aid knowledge she felt that she would have done more damage by assisting.
110. The first residential assistant said that she was not prepared for what happened that night saying “I don’t really think you can prepare someone for that 100%, I think there’ll always be a shock, and obviously I’ve never seen anyone collapse or have a heart attack in front of me before in my whole life. So it was a bit shocking for me”.
111. The CCTV footage shows that early on (after the man collapsed) the two residential assistants had to run back and forth between the office and the room where the man was. The first residential assistant explained that whilst the second residential assistants was on the phone with the emergency services she had to relay information back to them about the man’s condition. The first residential assistant explained that they found this difficult because they were using the telephone in the office. If the second residential assistant had had the use of a ‘walkie talkie’ radio or something similar, the first residential assistant could have remained with the man throughout, whilst waiting for the ambulance services to arrive. Other Approved Premises have used a mobile phone for staff to take with them when conducting checks around the premises so that they can use it in the event of an emergency.

The manager at Ellison House should consider the use of a mobile phone or radio for use in emergencies.

The manager of Ellison House should ensure that all employees are first aid trained.

The complaint made by the man's mother to the Probation Service.

112. The man's mother sent a complaint letter to the London Probation Trust. This letter was received on 14 January 2011. In this letter she complained about the following eight issues:
- The first offender manager did nothing to help her son for two years while he reported to her.
 - A place was found for the man in Cambridgeshire and the first offender manager said it was not suitable.
 - The first offender manager failed to respond to other agencies when asked for information.
 - The first offender manager was out of the office for six weeks and worked part time – how could she get to know the man when she saw him once a week for 10 minutes.
 - The first offender manager did not attend meetings at Ellison House when expected.
 - The man was told to go to Camberwell where he knew no-one, he had no money and they [Ellison House] did not know he was coming.
 - When he left prison, the man was put in a flat for a weekend then was told he could go home. Why was he eventually put in a hostel so far away?
 - The man was given conflicting information about paying service charges at the hostel and had no money to live on while his benefits were being sorted out.
113. When my investigator became aware of this complaint she emailed London Probation introducing herself. My investigator asked for a copy of the reply that would be sent to the man's mother.
114. On 7 April 2011, my investigator received an email from London Probation. In this email she said
- “I have finally completed my letter to the man's mother. I realise that I am well outside the targets. I have found this a very difficult letter to complete as clearly she's a grieving mother.... But actually the first offender manager put in a lot of work with the man and a lot of the things that happened were beyond our control.”
115. While I appreciate that this letter would have been a hard letter to write, and that the member of staff dealing with this was on annual leave for a short period. I feel that taking three months to respond to the man's mother's letter to be a little excessive.

RESPONSE FROM THE MAN'S FAMILY TO THE DRAFT REPORT

116. The man's family received a copy of the draft report as part of the consultation period. The man's mother wrote a letter to my family liaison officer having considered the findings of the investigation. In her letter she said it had been a comfort to learn her son had not been alone when he collapsed. She said her son embraced life and found no fault in anyone and just wanted May to come around so that he could get his life in order. She also wrote that her son was a cheerful, fun loving and very giving. He cared greatly for his family and wanted to be near his mother and brother. The man's mother said her family feels his probation officer could have done more for her son and that he should have been made more aware of the rules from the outset. They feel he was given the run-around from the start. She also said that in the absence of assistance from his probation officer, they sought advice from another source which made the situation worse. The man's mother said her son did speak positively, however, about the help he received from his keyworkers.

CONCLUSION

117. The man was released from prison in May 2009. Upon release he moved in with his mother in London. Due to no fault of his own, because of vigilantes in his area, and not being able to stay with his sister he had to move into Ellison House. During his stay at Ellison House the man was required to comply with curfew arrangements and be under the supervision of a keyworker. Prior to this the man had been a 'free man' as such for 15 months. Despite all the frustrations he had with his finances and move on arrangements, Ellison House staff described him as being a quiet man, being very compliant with the hostel rules, giving them no trouble at all. I understand that attempts were made to find suitable accommodation for the man. However, I find it very disappointing that the man found himself still at Ellison House when he fell ill, despite having been told that he would only be there for a short time.

118. RECOMMENDATIONS

1. Ellison House staff should have access to an up-to-date list of all residents who should and should not be drug tested. This list should be updated on a regular basis.

London Probation Trust responded:

“There was inaccurate information given concerning the testing of residents. LPT agree there should be no blanket drug testing of all residents. The daily handover sheet has a column specifically for the purpose of identifying those residents that require drug testing. The only exception to this would be if an individual was suspected through their behaviour of having misused substances. There is a process in place and the member of staff did not make that clear in the interview. The handover is undertaken on every change of shift and all staff should be aware of those individuals of concern.”

And “I think the issue here is not so much whether staff had access to an up-to-date list of residents to be drug-tested, as whether staff were in fact checking the records properly. You may have formed the impression in interviewing staff that all residents were routinely tested, leading on to the conclusion that staff themselves might have formed that impression because they didn’t know who should and shouldn’t be tested. I’ve checked after reading her response; the “inaccurate information” she mentions was a mistake by the one of the staff members who was interviewed. All staff know in principle that testing is targeted only where needed. The error in this case was not checking what was needed in respect of the man.”

2. Staff should encourage all residents (regardless of the length of stay) to register with the local GP. GP registration should be followed up by the keyworker at regular intervals and any reasons for non registration recorded.

London Probation Trust responded:

“The process of registering with a GP involves staff encouraging residents to attend an appointment with a GP. The process relies on the GP giving the resident a letter which they return to a member of staff in the Approved Premises. There is evidence on the file that staff did encourage him to attend the GPs. However, he was reluctant to do so as he saw his stay as temporary. “

3. All concerns in relation to a resident’s health and wellbeing should be monitored and if concerns continue they should be discussed with the Approved Premises manager.

London Probation Trust responded:

“We agree wholly with recommendation 3, following up medical issues is a part of the wellbeing process and staff are prompted to do so.”

4. The manager at Ellison House should consider the use of a mobile phone or radio for use in emergencies.

London Probation Trust responded:

“There are mobile phones in the emergency kit. When the staff went to use it they found it was locked. We have changed the process and check the bag regularly to ensure this issue does not occur again.”

5. The manager of Ellison House should ensure that all employees are first aid trained.

London Probation Trust responded:

“It is the policy of LPT Approved Premises department that all staff are trained in First Aid. New staff were awaiting the training given by the Health and Safety department and they will be reminded to undertake these courses more frequently.”

GOOD PRACTICE

The man moved to Ellison House on 11 August 2010. Before moving to the Approved Premises the man was living with his family in Cambridgeshire. After moving from Cambridge to the London area his benefits were stopped as he was not able to sign-on in his usual location. Whilst the man tried to arrange for his benefits to be re-instated he had to manage on handouts from his elderly mother.

On 22 October after managing to get his benefits re-instated he spoke to his keyworker asking that that he only pays two weeks rent as he wished to purchase some jumpers. He said that his winter clothes were still at his sister's house, and did not have a coat. He explained that he felt like he was getting a cold and wanted to try and address the situation before he became unwell. Being aware of his financial difficulties the manager at Ellison House agreed that on this one occasion they would agree to his request.