

**Report about the circumstances surrounding the death of  
a man on 6 March 2011  
whilst he was a resident  
at Clark's House Approved Premises**

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

**July 2011**

My office investigates the circumstances of every death of a resident in a probation Approved Premises, no matter how they are caused. I aim to identify any learning that might help to prevent more deaths.

In this instance, the man died in an accident whilst on home leave. The accident did not take place in the vicinity of the Approved Premises and I do not think that it was connected to his offending behaviour or any decisions which the staff at Clark's House Approved Premise made.

The man was 26 years old when he died in a road traffic accident on 6 March 2011. He was riding his motorcycle when witnesses saw him clip the kerb and lose control. He did not appear to be speeding. Although he was wearing a helmet and appropriate protective clothing, he sustained fatal injuries. The accident took place at about 4.30pm on a street in Milton Keynes. No other vehicles were involved in the accident. When he died, the man was living in an Approved Premises but was spending a period of home leave with his grandmother.

My investigations are necessarily proportionate. Although my terms of reference have led me to investigate the man's death, the investigation has been prompt and appropriate to the circumstances. Consequently, the report does not run to the length of a normal investigation. Nonetheless, I hope that it tells the man's family about his time at Clark's House Approved Premises and the impressive progress he was making. I offer them my condolences. The man's death is particularly sad given that, by all accounts, he was making every effort to turn his life round and avoid re-offending.

**Thea Walton**  
**Acting Deputy Ombudsman**

**July 2011**

## **The investigation**

1. My investigator visited Clark's House Approved Premises on 24 March. He spoke to the Approved Premises operational manager, the area manager, the man's keyworker, a full time Approved Premises Offender Supervisor and one of the residents and friend of the man. I would like to thank all concerned for the time and trouble they took to remember and discuss the man. My investigator also had the opportunity to examine all of the paperwork about the man's time in the Approved Premises.
2. My investigator also spoke to the investigating police officer and the man's offender manager, who are both based in Milton Keynes.
3. One of my family liaison officers telephoned the man's aunt to discuss my investigation. I have included a section near the end of the report to reflect her comments on behalf of the family.

## **The Approved Premises**

4. Approved Premises are managed by Probation Trusts. They used to be known as hostels. Prisoners are released to Approved Premises in order to resettle into the community. They live within a supportive and structured environment whilst they look for work and permanent accommodation. The residents have to abide by a number of rules and conditions.
5. Clark's House Approved Premises is managed by Thames Valley Probation Trust. Four offender supervisors, four residential assistants (provided by a private contractor) and an administrative assistant work for the operational manager. A maximum of 18 men can live in the Approved Premises. A member of staff is on duty 24 hours a day. The building is locked up for the night at 11.00pm. The residents are all registered with the same local doctor's surgery. Residents pay a maintenance charge.

## **The man**

6. In May 2007, the man was sentenced to 54 months imprisonment at a Crown Court for an offence of robbery. He was later released on licence. (Offenders serving a prison sentence longer than 12 months are initially released from prison on licence. They must abide by a number of conditions including attending appointments at their local probation office.) However, he committed a very serious offence of domestic violence in August 2009 and was recalled to prison. A further nine months were added to his sentence. He completed prison courses in alcohol and drug awareness, gym instruction, enhanced thinking skills, anger management and literacy and numeracy. Whilst in prison, he also acted commendably by assisting an officer who was being threatened by another prisoner.

## **Release on licence**

7. The man was released from HMP Wellingborough on licence for the second time on 24 December 2010. As a condition of his licence, the Parole Board recommended that he must live at Clark's House Approved Premises in Oxford for the next four months. Although the man came from the Milton Keynes area, Oxford was chosen to keep him away from the negative influence of old acquaintances and a victim of an earlier offence. He was not permitted to enter two different exclusion zones in Milton Keynes where his victim spent the majority of her time. Consideration was given to him moving to an Approved Premises in Milton Keynes, but this did not happen because the building was thought to be too close to the areas of the city which the man was not allowed to enter.
8. Whilst in the community on licence, the man had to report to an offender supervisor at the probation office each week. (His usual offender manager worked in Milton Keynes, but whilst he was living in Oxford he reported to a local office.) His licence was due to expire on November 2011.
9. When he first went to live at Clark's House Approved Premises, the man had to abide by a curfew set between 7.30pm and 8.00am and also had to sign in twice during the day at 12.00pm and 3.00pm. He met with his keyworker (an offender supervisor) every week to discuss his progress.
10. On the day the man arrived at the Approved Premises, the man's keyworker carried out a self harm risk assessment. No issues were identified and the document was closed. The man's keyworker continued to check and record the man's mood during their weekly keyworker sessions. Apart from their formal meeting once a week, the man's keyworker also maintained regular daily contact with the man.

## **Progress at the Approved Premises**

11. Whilst he lived at Clark's House Approved Premises, the man complied with all of the rules and always paid his rent on time. He met all of his curfews and sign in times. His 'exemplary' compliance (in the words of the man's

keyworker) meant that he was soon granted home leave with family members. He was friendly and popular with the residents and the staff. He showed a determination to make the most of the opportunities provided. He was completing one-to-one work with his offender supervisor to look at his history of domestic violence, his attitudes towards women and his anger management difficulties.

12. The risk of a relapse into alcohol misuse was identified prior to the man's release. However, staff at the Approved Premises never had any concerns about the man misusing alcohol or drugs. (The man recognised that his previous offending had been linked to his substance misuse.) After a while, he was given his own single room because of his good behaviour. He kept his room meticulously tidy. He also went for a haircut every Friday without fail.
13. The man's compliance meant that the conditions of his residence were gradually relaxed. From 7 January, his curfew was extended until 8.00pm and he only had to sign in once a day at 2.00pm. After 25 January, he did not have to sign in at all during the day. It was also agreed that he could plan to move out of the Approved Premises to live with his grandmother after three months rather than four. His scheduled date of departure was 24 March.
14. The man's keyworker told my investigator that it was residents like the man who make his job worthwhile, because he could see a positive change in him. He recalled that the man was quite self sufficient and 'did his own thing', choosing not to spend time socialising in situations which might tempt him to return to offending behaviour. The man's keyworker had commended the man for his good progress.
15. Whilst in prison, the man had taken up boxing as a means of focussing his energies and getting fit. He continued to pursue this sport enthusiastically upon release. He visited the gym twice daily, six days a week and maintained a strict diet. He seemed to embrace the discipline and was determined not to relapse into alcohol misuse. He visited a trainer (Mr A) who works alongside the local Probation Trust to coach offenders.
16. A full time Approved Premises Offender Supervisor, another of the offender supervisors at the Approved Premises, offered the man additional support. He told my investigator that he and the man shared a passion for boxing. A full time Approved Premises Offender Supervisor recalled that he had never seen another resident who was 'so dedicated, focussed and sincere in trying to turn their life around'.
17. The man competed in a charity boxing match in Leicester on February 2011. He was granted overnight home leave for the first time in order to attend. An Approved Premises Offender Supervisor went along to offer support and record footage of the fight. It was the man's first title fight. He was previously unbeaten, as was his opponent. Although he was still recovering from the flu and most of the crowd were supporting his opponent, the man won the title and collected a belt and trophy. Once all the matches had finished, he

collected another trophy for being judged the best fighter of the night. When he returned to the Approved Premises, he was welcomed back by the other residents and showed them his belt and trophies. An Approved Premises Offender Supervisor told the investigator that the man did 'exceptionally well'.

18. The Approved Premises Offender Supervisor showed the man the footage of his fight when he returned to the Approved Premises. He subsequently prepared a DVD of the fight for him to keep, but did not have the chance to pass this on before he died. He has since provided the man's family with a copy of the DVD. I would like to commend the Approved Premises Offender Supervisor for the support and encouragement that he gave to the man.
19. One of the residents and a friend of the man told my investigator that, although an imposing presence, the man 'never threw his weight about' and would 'stick up for others'. This resident went to the man's funeral and said that he was one of the nicest people he had met at the Approved Premises.
20. The man had a young son with a former partner. Because of his offending behaviour, particularly the offence of domestic violence, access was not immediately granted upon his release from prison. The man was frustrated but he understood his former partner's reluctance for him to be involved with his son because of the disruption he had caused previously. However, I understand that the man had just arranged regular access to his son when he died.
21. I gather that the man telephoned his former partner on the morning of the day he died in order to apologise for his behaviour. This seems to have been consistent with his recent discussions with probation staff, during which he seemed to express remorse and acknowledge that his previous violent behaviour when drunk had had negative consequences for his son and former partner.

## **The man's accident on 6 March**

22. Other than boxing, the man's other passion was motorcycles. In mid - February, he told the man's keyworker that he had just bought a motorcycle but had not yet passed either his theory or practical tests. He said that he was keeping the bike at a family address. Probation records show that he had previously broken his leg in an earlier motorcycle accident. Since the man died, it has been established by the police that he did not have a motorcycle licence and was not insured to drive. He had registered the motorcycle in a false name.
23. The man was granted home leave for the second time at his grandmother's address in Northampton between 4 and 7 March. I understand from staff that he was really looking forward to it. As I have already described, the man came off his motorcycle on 6 March after clipping the kerb and was fatally injured. The police are satisfied from witness statements that the man's death was a complete accident.
24. The accident took place on a street in Milton Keynes, which borders (but is not inside) one of the exclusion zones which the man was not supposed to enter. My investigator has spoken to the man's offender manager and the police officer who responded to the accident. Neither has given any indication that the man went into the exclusion zone.
25. The man's family were told about his death by the police in Milton Keynes. The police subsequently telephoned the Approved Premises at about 11.30pm that night to tell the staff that the man had died. The next day, the man's offender manager in Milton Keynes and staff at the Approved Premises tried to telephone the man's family. They were initially unable to get through, but the man's sister telephoned the Approved Premises soon after and spoke to the area manager.
26. I commend the way in which staff at the Approved Premises conducted themselves following the man's death. He was well liked and both keyworkers and residents were offered a very good level of support. Staff also acted very considerately when the man's sister and aunt came to the hostel on 8 March to collect his belongings. The staff and residents subsequently sent a card to the family expressing their condolences.
27. Six residents and seven staff members from the Approved Premises attended the man's funeral on 17 March. This was an exceptional show of support and a strong indication of the good impression the man had made in just a few months. The staff and residents contributed a wreath to the ceremony. I gather that staff and residents at the Approved Premises also intend to plant a tree in the grounds in memory of the man.

## **The man's family**

28. As I have mentioned, my family liaison officer contacted the man's aunt to discuss my investigation. She remarked on how much progress her nephew

made at the Approved Premises and the positive influence the staff had on his life. She remembered that he had previously been released from prison with no support and quickly began re-offending before returning to prison. On this occasion, she said that the man received much needed support and guidance from the staff. For the first time in eight years, the man's aunt said that he 'began to turn his life around'. She thought that the staff at the Approved Premises could not have done more for her nephew.

29. The man's aunt expressed her family's gratitude to the residents and staff from the Approved Premises who attended her nephew's funeral. She said that the family were also very touched by the DVD they were given of the boxing match which the man won. His aunt said that the DVD meant a great deal to her family because they had a positive and lasting memory of him.

30. The man's aunt wanted to formally thank the staff and residents at the Approved Premises on behalf of her family for all that they did for her nephew. She said the support and encouragement he received helped him enormously. She was also very grateful for the kindness the staff and residents showed her family following the man's death.

#### **The family's response to the draft report**

31. The man's aunt told my family liaison officer that her family had read the draft report. The family found it to be a kind and fitting tribute to the person the man had become. The man's aunt did not raise any further issues and reiterated she has nothing but praise for the staff at the Approved premises.

## Conclusion

32. Following further successful periods of home leave, the man was planning to move out of the Approved Premises to live with his grandmother. I gather that his uncle had provisionally offered him some paid employment. Although very keen to continue boxing, he recognised that he could not become a professional boxer because of a knee injury.
33. The man's death is particularly saddening because he seemed to be making such positive progress after his release from prison. I extend my condolences to his friends and family and to the staff at Clark's House Approved Premises. Although the man committed serious offences in the past, he seemed determined to move on and address his previous difficulties. It is very sad that he did not get the chance to continue his efforts. I do not make any recommendations in my short report.