

**Investigation into the circumstances surrounding the  
death of a man in July 2011 whilst he was a resident  
in Bowling Green Approved Premises**

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

**February 2012**

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.

The man died following a car accident while returning to the approved premises he was residing at. This investigation has not found that the accident was connected to any actions of the staff at the Bowling Green Approved Premises.

On 1 July the man went out to visit his partner. He borrowed her car to drive back to the approved premises, just before his curfew of 11.00pm. It was during this journey that the police indicated to him to stop his car as they believed that he was driving over the speed limit. He failed to stop and was pursued, during which he crashed the car he was driving. Appearing unhurt, he left the vehicle and jumped over a parapet wall with a 50 foot drop on the other side. He sustained several injuries to his head and other parts of his body. Unfortunately, he later died from his injuries in hospital. He was 30 years old.

My investigations are necessarily proportionate and have a specific remit. Consequently, this report focuses on the actions of staff at Bowling Green and does not consider the actions of the police on the night of the accident. The events leading up to the man's death could not have been predicted and no action by the staff at the approved premises could reasonably have altered the tragic outcome. The report makes no recommendations. Nonetheless, I hope that it informs the man's family about his time in Bowling Green and the progress he was making. I offer them my sincere condolences for their loss.

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 residents involved in my investigation.

**Nigel Newcomen CBE**  
**Prisons & Probation Ombudsman**

**February 2012**

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## **The investigation**

1. An investigator, assisted by a Family Liaison Officer (FLO), visited Bowling Green Approved Premises (AP) on 12 July. They spoke with the man's probation officer, manager of the AP and ACEO Head of Service. The investigator also later liaised with the investigating police officers, who carried out their own investigations as the man had died whilst in contact with the police. The remit of the PPO's investigation, however, is limited to the actions of the AP and has not considered the police actions.
2. The FLO contacted the man's family to explain the purpose of our investigation and to offer them the opportunity to raise any questions that would like to be addressed. At the time of writing this report, the family had not contacted her. A copy of this report therefore will be made available to them should they wish to see it in the future.

## **Bowling Green Approved Premises**

3. Approved Premises (AP), formally known as Probation and Bail Hostels are managed by Probation Trusts. Prisoners are released to APs in order to resettle into the community. Some residents of APs are not former prisoners but have been placed into the AP as part of conditions placed upon them by a court order. Residents 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, including attendance at activities and programmes. Bowling Green AP is in Carlisle, managed by Cumbria Probation Trust. The premise has capacity for 24 residents.
4. The AP manager is assisted by Probation Service Officers. The building has CCTV and residents are required to sign in and out of the building and follow curfews<sup>1</sup> which are determined by the resident's Offender Manager.
5. Residents are also allocated a Key Worker for their duration of their stay at the premises. Key Workers are a primary contact for the residents and help with practical issues.

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<sup>1</sup> A curfew is a daily requirement for residents to return to their AP at specified times.

### **The man's release on license**

6. The man committed a serious offence against his ex-partner in February 2009 and was sentenced to a four year prison sentence. He was released from HMP Wymott on 8 April 2011 to reside at Bowling Green AP. This was intended to be a three month resettlement placement after which he would move on to live with his father. The placement was to enable him to have a stable base to facilitate resettlement into the community, to address relationship and trust difficulties he had with his family and to address his substance misuse, which had contributed to his offending.

### **The man's licence conditions**

7. As part of the man's licence conditions, he was to have regular contact with his probation officer and live at the AP. He was also under a curfew and as such had to be in the AP between 8.30am and 9am, 12.00pm and 1.15pm, 7.30pm and 8.00pm and like all other residents, during the night between 11.00pm and 7.00am. He was to address his alcohol and drug offending behaviour. Although he was allowed to drink alcohol, he was to be alcohol tested regularly. He was also forbidden to enter the area of his offence and was to notify his probation officer of any developing relationships with women. He knew that if he failed to obey these licence conditions he could be recalled to prison. His licence was due to expire on 26 February 2015.

### **The man's time at Bowling Green Approved Premises**

8. On 8 April, the man arrived at Bowling Green AP from HMP Wymott. He was accompanied by his father and brother. He received an induction into the AP and was given a room. He also signed the AP rules and regulations pro-formas stating that he agreed to abide by the AP rules.
9. As is a normal requirement of a resident's stay at the premises, he was assigned a Key Worker with whom he would meet regularly to discuss his progress. He also met weekly with his probation officer. Her initial aim with him was to get him settled into the AP and the community and to ensure he was fully aware of his licence conditions, curfews and the monitoring of his drug and alcohol intake.
10. At first, he found it difficult to settle in the AP. He told his probation officer that he felt under pressure and was being watched. He was focussed on gaining employment and wanted to try and form a relationship with his two young children, something that had previously broken down.
11. On 18 April, AP staff believed he appeared to be under the influence of alcohol. He was breathalysed using a Blood Alcohol Level (BAL) testing kit, which is used to measure the amount of alcohol in the blood. The driving limit in the UK is 80 and he scored 76. He was reminded by his probation officer that he should drink in moderation. He was later tested on 1 May and gave a score reading of 19. In addition, a drugs test was undertaken produced a negative result.

12. Throughout May, the man began to make good progress as regards building his relationships with his family and children. As well as attending meetings with his probation officer, he attended weekly meetings with his key worker and AP meetings. He was however still finding some aspects of living at the AP difficult, in particular having his alcohol intake monitored. Nonetheless, he was encouraged by staff to take responsibility for his progression, part of which included him keeping a diary of when breathalysed and informing staff of any relationships with women that he might wish to develop.
13. He also continued to progress with his rehabilitation by taking part in various programs to address his offending behaviour. These included controlling his behaviour and domestic violence programmes. Staff had also made enquiries on his behalf at a local garage, hoping that he could possibly start an unpaid work placement there and for him to begin a forklift truck driving course.
14. With his contact with his ex-partner and children improving, he applied for a home visit on Saturday 16 May, which would enable him to spend the day with his family. This was approved by his probation officer and the AP manager. This visit appeared to go smoothly and no problems were reported following this return to the AP. He was also granted a home visit on 21 May. Again no concerns were raised on his return to the AP. On this occasion he was breathalysed and scored a reading of 0.5 BAL. He had also opened discussions with AP staff about the possibility of lifting some of his curfew restrictions so that he could spend more time with his family.
15. On 25 May, it was noted on the AP records that the man was doing well and there were no concerns in relation to his substance misuse or his relationships. He was also accepted to start his work placement at the local car garage. On 26 May, AP records were amended to show that that he would be attending his work placement on Mondays and Tuesday, 10.00am to 5.00pm. His curfew restrictions were therefore lifted for these days. He told staff that he was very enthusiastic about this opportunity.
16. On 27 May, the man requested to be breathalysed and scored 63 BAL. He continued to see his family, with his day time curfew restrictions temporarily lifted to enable him to spend more time with them.
17. In June, with his Monday and Tuesday curfew restrictions lifted, he started his work placement at the car garage. He continued to meet regularly with his probation officer and his progression in terms of addressing his offending behaviour was going well. His BAL testing continued, and no concerns were raised. He was also granted an overnight stay at his father's house.
18. During a meeting with his probation officer on 9 June, he said he was enjoying his work placement and hoped he would be able to work at the garage on a more permanent basis. He also disclosed to staff that he had started a new relationship with a woman. Staff thanked him for his honesty

and responded to this appropriately by arranging to meet with his new partner, something which was a requirement of his licence conditions.

19. He made good progress at the AP continued throughout June. He was still attending his regular meetings with his probation officer and continued to enjoy his work placement at the garage. He had also started to visit his new partner at her home, sharing her car, which he used occasionally to drive to his work placement and when visiting his ex-partner and children.

### **Events on 1 July 2011**

20. The man left the AP at 1.30pm to visit his partner at her home in Carlisle. He left her house between 10.30pm and 10.45pm, accompanied by two friends, whom he had offered to give a lift to in his partner's car. When en-route to the AP, around 10.50pm, the police indicated to him to stop his car. The investigator was later told that this was because the police believed that he was driving over the speed limit. The police alerted for him to stop, and when he failed to do so they pursued him. During this, he crashed the car he was driving. Appearing unhurt, he left the vehicle and jumped over a parapet wall with a 50 foot drop on the other side. He sustained severe injuries to his head and other parts of his body. An ambulance was called and he was taken to the local hospital.
21. The police informed the AP at 11.15pm that the man had been involved in a collision with another vehicle that evening and was in hospital. They contacted the hospital immediately who informed them of his condition. At their request, the police were provided with his next of kin details as they wanted to inform them of the accident.
22. The following morning, hospital staff updated the AP on the man's condition again. He had been transferred to hospital in Newcastle and his condition was now considered critical. The next day his condition remained unchanged. The police telephoned the AP to inform them that the hospital had carried out a number of tests on him. However it was decided to turn off his life support machine at 1.00pm that day. His family were present.
23. AP staff immediately invoked their death in an AP contingency plans and began to inform all the necessary agencies of the man's death.
24. Following his death, the AP manager spoke with his family who later visited Bowling Green AP. They met staff and residents and collected his personal belongings. They were also invited to attend the funeral. The AP also later contributed financially towards the funeral.
25. The post mortem report noted that the man died as a result of blunt head injury due to an extremely forceful impact to the left side of his head the features of which were entirely consistent with the end result of a fall from a height onto a hard flat surface.

26. At the time of writing this report, the toxicology report was not available. From information provided by the police, the man's blood alcohol level at the time of the accident was inconclusive. Nonetheless, this does not detract away from the continued efforts that were put in place by the AP staff in continually monitoring his alcohol use.

## **Conclusion**

27. The man had made good progress at Bowling Green AP. He was liked by staff and his curfews were becoming more flexible as he built relationships with his children and attended his work placement. Staff monitored him appropriately and supported him in rebuilding his life in Carlisle.
28. It is not possible to say what prompted his actions on the night of 1 July. Had he stopped his vehicle when requested to by the police, it would seem reasonable to expect that he would have arrived back at the AP safely. This investigation has found that his death, though sad and untimely, could not have been predicted or prevented.