

**Prisons &
Probation**

Ombudsman
Independent Investigations

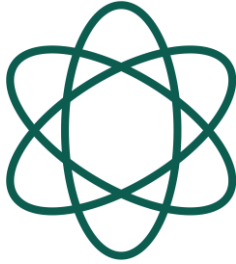
Independent investigation into the death of Mr Catalin Petre on 1 October 2022, following his release from HMP Nottingham

A report by the Prisons and Probation Ombudsman



Our vision

To carry out independent investigations to make custody and community supervision safer and fairer



Our values

We are:

Impartial: we do not take sides

Respectful: we are considerate and courteous

Inclusive: we value diversity

Dedicated: we are determined and focused

Fair: we are honest and act with integrity

OGI

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Summary

1. The Prisons and Probation Ombudsman aims to make a significant contribution to safer, fairer custody and community supervision. One of the most important ways in which we work towards that aim is by carrying out independent investigations into deaths, due to any cause, of prisoners, young people in detention, residents of approved premises and detainees in immigration centres.
2. Since 6 September 2021, the PPO has been investigating post-release deaths that occur within 14 days of the person's release from prison.
3. We carry out investigations to understand what happened and identify how the organisations whose actions we oversee can improve their work in the future.
4. Mr Catalin Petre died of skin cancer on 1 October 2022, following his release from HMP Nottingham on 21 September. He was 34 years old. I offer my condolences to those who knew him.
5. We did not find any issues of concern. We make no recommendations.

The Investigation Process

6. The PPO investigator obtained copies of relevant extracts from Mr Petre's prison and probation records.
7. We informed HM Coroner for Waltham Forest of the investigation. They told us that they were not investigating the circumstances of Mr Petre's death and would not be holding an inquest.
8. The Ombudsman's family liaison officer contacted Mr Petre's next of kin, his sister, to explain the investigation and to ask if she had any matters she wanted us to consider. She did not respond.
9. The initial report was shared with HM Prison and Probation Service (HMPPS). HMPPS did not find any factual inaccuracies.

Background Information

HMP Nottingham

10. HMP Nottingham is a resettlement and local prison serving the courts of Nottinghamshire and Derbyshire. It has capacity for around 1,000 men. Nottinghamshire Healthcare NHS Foundation Trust provides healthcare services.

HM Inspectorate of Prisons

11. The most recent inspection of HMP Nottingham was in 2022. Inspectors reported that health services had become stretched since their last inspection, with staff shortages affecting service delivery. Despite these challenges, they reported that the most essential medical provisions were continued.
12. They also reported that rehabilitation and release planning was not sufficiently good and that very few prisoners were approved for release on Home Detention Curfew (HDC - a scheme which allows some people to be released early from custody with GPS monitoring if they have a suitable address to go to). They reported that the pre-release team was short staffed, and some prisoners did not have their needs identified or reviewed in enough time to receive effective support. However, handovers of cases from prison to community offender managers were good.

Probation Service

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

Key Events

14. On 22 February 2022, Mr Catalin Petre was convicted of shoplifting and was sentenced to 27 months in prison. He was sent to HMP Nottingham.
15. When he was sentenced, Mr Petre had already been diagnosed with malignant melanoma (skin cancer) and was under the care of the oncology (cancer) team at a local hospital. Mr Petre remained under the care of this team and was escorted to his appointments by prison staff.
16. On 21 July, Mr Petre's oncology consultant told him that the cancer had spread to his lungs, brain, liver and pelvis. The consultant said that it was very unlikely that his condition was curable and that they would be starting a treatment plan to manage his symptoms going forward.
17. On 22 July, Mr Petre's community offender manager (COM) started an application for his early release on compassionate grounds. As Mr Petre was a Romanian national, she contacted the Home Office to ask if he could be granted discretionary leave to remain. (Discretionary leave to remain in the UK is granted to people who do not qualify for leave under the Immigration Rules, but there are exceptional or compassionate reasons to allow them to remain.)
18. On 27 July, the hospital confirmed that Mr Petre's diagnosis was terminal and that he did not have long left to live. The next day, Mr Petre was admitted to hospital for treatment and monitoring.
19. On 10 August, the Home Office granted Mr Petre discretionary leave to remain in the UK. As Mr Petre was now eligible for HDC, his prison offender manager (POM) asked him if he had an address that he could be released to. Mr Petre gave his sister's address in London.
20. On 15 August, the COM completed a visit to Mr Petre's sister's address. He assessed that this was an appropriate address for Mr Petre to be released to on HDC.
21. On 8 September, Mr Petre's application for early release on compassionate grounds was refused by the Public Protection Casework Section (PPCS) of HM Prison and Probation Service (HMPPS). PPCS said that Mr Petre had failed to meet the criteria, including that his risk of reoffending had not sufficiently reduced.
22. On 16 September, the oncology consultant told Mr Petre that he was stable enough to be discharged from hospital.
23. On 21 September, Mr Petre was released on HDC to his sister's address in London. Over the next week, Mr Petre's health deteriorated. His COM kept in regular contact with his sister, and, on the 29 September, the COM visited Mr Petre at his sister's address. Mr Petre was now very unwell, in lots of pain, and unable to move without assistance.
24. On 30 September, after his condition deteriorated further, Mr Petre was taken to hospital by ambulance.

25. On 1 October, Mr Petre died in hospital.

Cause of death

26. A post-mortem examination was not carried out. A hospital doctor gave the cause of death as metastatic malignant melanoma (skin cancer that has spread to other areas of the body).

Support for staff

27. Mr Petre's COM discussed the case and the impact it was having on him with his colleagues. He was also offered regular support and supervision from his senior probation officer, who reminded him of the MOJ's external support sources such as counselling.

Findings and Good Practice

28. We did not find any issues of concern and make no recommendations. We are satisfied that both the prison and probation service did everything they could to ensure Mr Petre was released at the earliest possible time so that he was able to spend his remaining days at home with his family.

Adrian Usher
Prisons and Probation Ombudsman

June 2023

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