

**Prisons &
Probation**

Ombudsman
Independent Investigations

Independent investigation into the death of Mr Ricky Skinner on 19 November 2022, following his release from HMP Durham

A report by the Prisons and Probation Ombudsman

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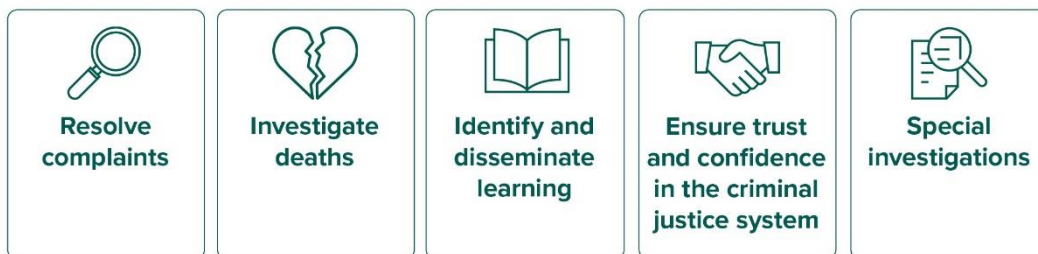
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OUR VISION

To deliver high quality and timely independent investigations and work closely with partners to achieve tangible benefits for the safety and confidence of those in custody and under community supervision.

WHAT WE DO



WHAT WE VALUE



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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 is investigating post-release deaths that occur within 14 days of the prisoner's release.
3. If my office is to best assist HM Prison and Probation Service in ensuring the standard of care received by those within service remit is appropriate then our recommendations should be focussed, evidenced and viable. This is especially the case if there is evidence of systemic failure.
4. Mr Ricky Skinner died from multiple drug toxicity on 19 November 2022, following his release from HMP Durham two days earlier. He was 35 years old. I offer my condolences to his family and friends.
5. Mr Skinner did not receive naloxone (used to counter the effects of opioid misuse) when he left Durham, because he did not engage with their substance misuse service. Mr Skinner had been in Durham four times that year, and on each occasion, he had not engaged with the substance misuse team. Mr Skinner would have been given naloxone and training in its use if he had engaged with them.
6. Mr Skinner's community offender manager (COM) referred him to Redcar and Cleveland Borough Council for accommodation. However, a housing options officer from the council told her that he would not be offered accommodation as he had previously been evicted from temporary accommodation. He was therefore released from HMP Durham homeless. Mr Skinner had an appointment with the Middlesborough Homeless Team on the day of his release, but he did not go to his initial probation appointment, so was unaware of the appointment.
7. On 18 November, Mr Skinner bought heroin in Middlesborough and went to a friend's house in the city. Mr Skinner's friend found him unresponsive at midnight and telephoned the ambulance service. Ambulance paramedics confirmed that Mr Skinner had died.
8. We make no recommendations.

The Investigation Process

9. On 1 December 2022, the PPO were notified of Mr Skinner's death.
10. The PPO investigator obtained copies of relevant extracts from Mr Skinner's prison and probation records.
11. We informed HM Coroner for Teeside of the investigation. She gave us the results of the post-mortem examination. We have sent the Coroner a copy of this report.
12. The Ombudsman's family liaison officer wrote to Mr Skinner's mother to explain the investigation and to ask if she had any matters she wanted us to consider. She had no specific questions.
13. We shared the initial report with HM Prison and Probation Service (HMPPS). There were no factual inaccuracies.
14. We shared the initial report with Mr Skinner's mother. She did not respond.

Background Information

HMP Durham

15. HMP Durham is a local prison, serving the courts of Tyneside, Durham and Cumbria. It holds approximately 950 men. Spectrum Community Health CIC provides primary healthcare services. Tees, Esk and Wear Valleys Foundation NHS Trust provides mental health services.

HM Inspectorate of Prisons

16. The most recent inspection of HMP Durham was in November 2021. Inspectors reported that the Senior Probation Officer was leaving to be replaced by a temporary appointment, which meant that the provision of resettlement work and sentence planning was fragile. Inspectors were very concerned that 43% of prisoners left the prison without suitable accommodation.

Probation Service

17. The Probation Service work with all individuals subject to custodial and community sentences. During imprisonment, they oversee sentence plans to assist in rehabilitation, prepare reports to advise the Parole Board and have links with local partnerships to which they refer people for resettlement services, where appropriate. After release from custody, the probation service supervises people throughout their licence period and post-sentence supervision.

HM Inspectorate of Probation

18. The most recent inspection of the Northeast division of the National Probation Service was in June 2019. Inspectors reported that significant staff shortages resulted in high workloads and a reduction in the capacity of staff to deliver quality work.

Key Events

19. On 2 June 2022, Mr Ricky Skinner was remanded to HMP Durham. On 20 June, he was sentenced to six months in prison for theft, harassment and criminal damage. On 27 June, he was transferred to HMP Holme House. On 16 August, Mr Skinner was released on licence.
20. On 4 November, Mr Skinner's licence was revoked, and he was recalled to Durham.
21. At his initial health screen, Mr Skinner told a nurse that he last used illicit drugs on 3 November. He said that he injected heroin, used £25 crack cocaine daily and snorted Subutex (buprenorphine - a strong opioid painkiller). Mr Skinner tested positive for cocaine, opiates and Subutex. He told the nurse that he was prescribed mirtazapine (for depression and anxiety) and gabapentin (an anticonvulsant medication primarily used to treat partial seizures and neuropathic pain). The nurse noted that Mr Skinner looked unkempt and thin. He noted that Mr Skinner had heroin, cocaine and opioid dependence and recorded a Clinical Opiate Withdrawal Scale (COWS) score of 7, which indicated mild opiate withdrawal.
22. The nurse planned for Mr Skinner to be monitored for opiate withdrawal. Mr Skinner refused methadone (used to treat opiate withdrawal) and said that he wanted pregabalin. He became abusive and confrontational when the nurse told him that he could not prescribe him gabapentin or pregabalin. (Gabapentin and pregabalin are not the same drug but belong to the same class of medication and work similarly.) The nurse prescribed Mr Skinner mirtazapine and medication to help with withdrawal symptoms.
23. The Clinical Drug and Alcohol Recovery Team (DART) Lead told us that gabapentin would not be used to treat opiate withdrawal. She said that there are risks associated with prescribing gabapentin and that there are cautions associated with prescribing the drug to prisoners with a history of substance misuse.
24. On 5 November, a nurse from DART reviewed Mr Skinner. He noted that Mr Skinner looked well. Mr Skinner refused methadone and demanded to have gabapentin. The nurse told Mr Skinner that a GP review was required to prescribe gabapentin. Mr Skinner was unhappy with this and walked out of the meeting.
25. Later that day, a nurse saw Mr Skinner for his secondary health screen. The nurse noted that Mr Skinner was homeless during the past year. Mr Skinner declined to give the nurse his substance misuse history. He refused to engage with the DART team and signed a disclaimer to that effect.
26. On 7 November, Mr Skinner's community offender manager (COM) received a telephone call from a housing options officer from Redcar and Cleveland Borough Council. The housing options officer told her that Mr Skinner had been evicted from his temporary accommodation and had been spending his days at Redcar Library causing a nuisance. She told the COM that Mr Skinner would not be offered temporary accommodation in Redcar and said that he would need to complete a housing assessment for social housing.
27. On 10 November, a resettlement officer completed Mr Skinner's basic custody screen (to identify the key issues to prioritise in Mr Skinner's resettlement plan).

She noted that Mr Skinner was homeless before he was sent to prison, was unemployed and receiving benefits. Mr Skinner told her that he had no current issues with drugs or alcohol, but previously used “anything he could get his hands on” because he had family issues. The resettlement officer asked her to submit a duty to refer (DTR - the Homelessness Reduction Act 2017 requires prisons and probation services to refer anyone who is homeless or at risk of becoming homeless within 56 days to a local housing authority) to Middlesborough Council. The resettlement officer referred Mr Skinner to Catch 22 (who deliver support with finance, benefit and debt issues).

28. On 14 November, a healthcare administrator emailed a discharge letter to Mr Skinner’s community GP surgery.
29. That same day, the housing options officer completed a DTR to Redcar and Cleveland Borough Council and a referral to Commissioned Rehabilitative Services (CRS - accommodation support who provide help and guidance on accommodation).
30. On 15 November, a worker from St Giles Wise Ltd (a charity which delivers personal wellbeing services and support in reducing re-offending) met Mr Skinner. Mr Skinner said that he was being released from custody and did not need support regarding finance, benefits and debt in custody.
31. On 16 November, a pharmacy technician dispensed a seven-day supply of mirtazapine prior to Mr Skinner’s release.
32. On 17 November, Mr Skinner was released on licence from Durham. His licence conditions required him to report at 3.30pm to the Middlesborough Probation Office. His licence conditions also required him to attend substance misuse sessions and to be drug tested when requested by his community offender manager.

Post-release

33. Mr Skinner did not report to the Middlesborough Probation Office. A senior probation officer told the COM to initiate recall instructions.

Circumstances of Mr Skinner’s death

34. Mr Skinner’s friend said that Mr Skinner bought heroin on 18 November. He said that they went to a friend’s house and, at 8.00pm, Mr Skinner fell asleep and was snoring. At midnight, Mr Skinner’s friend found him unresponsive. He went to a telephone box and telephoned the ambulance service. Ambulance paramedics attended and confirmed that Mr Skinner had died. They found a needle in Mr Skinner’s hand.

Post-mortem report

35. A post-mortem examination established that Mr Skinner died from multi drug toxicity.
36. Toxicology tests showed that Mr Skinner had taken cocaine and morphine at levels associated with fatality. The toxicology tests also showed that Mr Skinner had taken

mirtazapine and zopiclone, which the toxicologist said could have exacerbated the depressant effects of morphine.

Inquest

37. The inquest, held on 20 April 2023, concluded that Mr Skinner's death was drug related.

Support for staff

38. After Mr Skinner's death, the senior probation officer offered the COM support.

Contact with Mr Skinner's family

39. Police officers told Mr Skinner's mother that he had died.

Findings

Substance misuse services

40. A DART service manager said that Mr Skinner did not receive naloxone when he left Durham because he did not engage with their service. She said that Mr Skinner had been in Durham four times that year and on each occasion had not engaged with the DART team. She said that naloxone and training in its use is offered to all prisoners who engage with the DART team, whether or not they have completed a methadone detoxification programme. It is also offered to prisoners who have completed a methadone programme but are going back into an environment where opiates are potentially available, such as a hostel or where a partner or family member is a user.
41. While Mr Skinner might have benefitted from naloxone, his lack of engagement with the DART service, and refusal of a methadone programme, meant that it was not appropriate to issue it to him on release, in line with local protocols.

Issues to highlight outside of our remit

42. Homelessness on release from prison is a significant and complex challenge. This was the case for Mr Skinner. The housing options officer appropriately referred Mr Skinner to Redcar and Cleveland Borough Council, but they could not offer temporary accommodation. He was therefore released from Durham homeless. She said that Mr Skinner was expected to report to the Middlesborough Homeless Team on the day of his release for an assessment of needs and emergency accommodation. He did not go to his initial probation assessment, so she was unable to tell Mr Skinner that he should attend the housing assessment.
43. While we are satisfied that prison and probation staff referred Mr Skinner to appropriate agencies, Mr Skinner was released homeless. The provision of suitable accommodation for people leaving prison, particularly for those with complex vulnerabilities, risks and needs, is an issue that extends beyond the remit of HMP Durham or local probation services. The Department for Levelling Up, Housing and Communities and the local authority may want to be aware of the issues raised in this case.

Adrian Usher
Prisons and Probation Ombudsman

January 2024

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