

**Prisons &
Probation**

Ombudsman
Independent Investigations

Independent investigation into the death of Mr Craig Yates on 22 April 2023, following his release from HMP Wealstun

A report by the Prisons and Probation Ombudsman

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. If my office is to best assist His Majesty's Prison and Probation Service (HMPPS) in ensuring the standard of care received by those within service remit is appropriate, our recommendations should be focused, evidenced and viable. This is especially the case if there is evidence of systemic failure.
3. Since 6 September 2021, the PPO has been investigating post-release deaths that occur within 14 days of the person's release from prison.
4. Mr Craig Yates died from a drug overdose on 22 April 2023, following his release from HMP Wealstun on 14 April. He was 40 years old. We offer our condolences to his family and friends.
5. We found that Mr Yates received a good level of support from substance misuse services and that the pre-release planning was of a good standard.
6. We make no recommendations.

The Investigation Process

7. HMPPS notified us of Mr Yates' death on 21 June 2023.
8. The PPO investigator obtained copies of relevant extracts from Mr Yates' prison and probation records.
9. We informed HM Coroner for West Yorkshire of the investigation. He gave us the results of the post-mortem examination. We have sent the Coroner a copy of this report.
10. The Ombudsman's family liaison officer contacted Mr Yates' mother to explain the investigation and to ask if she had any matters she wanted us to consider. She was concerned that Mr Yates was not appropriately supported with his mental health upon his release and did not have any housing. We have addressed these concerns in the report.
11. We shared our initial report with HMPPS. They found no factual inaccuracies.
12. We sent a copy of our initial report to Mr Yates' mother. She did not notify us of any factual inaccuracies.

Background Information

HMP Wealstun

13. HMP Wealstun is a category C training and resettlement prison for men, which holds up to 832 prisoners. Practice Plus Group (PPG) provides health care at the prison, including mental health services. Midlands Partnership NHS Foundation Trust provides substance misuse services (SMS).

Probation Service

14. 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.

HM Inspectorate of Prisons

15. The most recent inspection of HMP Wealstun was in October 2022. Inspectors reported that levels of self-harm were high and that there was no strategy or action plan in place to reduce this.
16. Prisoners could easily access substance misuse services, and while the service provision had been affected by staff shortages, prisoners were well supported to access community support services and other networks, including access to naloxone (an opiate reversal agent) training and supply on release.

Key Events

17. On 1 December 2015, Mr Craig Yates was sentenced to eight years imprisonment for arson. He was released on 28 June 2021, and was then recalled to prison on 15 July for breaching his licence conditions.
18. On 13 August, Mr Yates was moved to HMP Wealstun.

Substance misuse services

19. Mr Yates had a history of heroin use. When he arrived at Wealstun he was already on a methadone detoxification programme (medication used to treat the symptoms of heroin withdrawal). He continued the programme at Wealstun.
20. On 17 August, a drug and alcohol recovery worker completed an initial substance misuse assessment with Mr Yates. He told the recovery worker that he had a history of heroin and amphetamine use. Mr Yates agreed to attend key work, group sessions, and complete a workbook to identify his triggers and understand his cravings. The recovery worker also spoke to Mr Yates about the risks associated with using illegal drugs, including the risks of overdosing on release due to reduced tolerance.
21. On 4 September, Mr Yates made several cuts to his body. He was taken to hospital by ambulance and subsequently admitted.
22. On 6 September, Mr Yates returned to Wealstun. He told staff that he had been under the influence of 'Spice' (psychoactive substances – PS) at the time he self-harmed and that he had taken it because he was bored. The substance misuse team assessed him and discussed his long-term goals around Spice use and techniques for distracting himself when bored.
23. On 25 September 2022, Mr Yates completed his methadone detoxification programme.
24. On 23 November, a nurse and recovery worker saw Mr Yates after he tested positive for methadone in drug tests. He told them that he was taking methadone from other prisoners. The nurse offered Mr Yates the option to start methadone again, and advised this was safer than taking from other prisoners, however he declined.
25. On 13 April 2023, a recovery worker saw Mr Yates. They discussed his upcoming release and the risks of illegal drug use, including the risk of overdose due to a reduced tolerance.
26. On 14 April, a healthcare worker saw Mr Yates prior to his release. The healthcare worker told Mr Yates how to recognise the signs and symptoms of an overdose, and what to do in the event of one. She also told him about the dangers of mixing drugs and how this can lead to overdose. Finally, she trained him in the use of naloxone (a medication used to reverse the effects of opioid overdose).

Release planning

27. Mr Yates was of no fixed address when he entered prison. He had told staff that upon release he had planned to stay with family or pay for private accommodation.
28. On 5 March 2023, Mr Yates told a nurse that he did not have anywhere to stay upon release and asked for help in finding accommodation.
29. On 13 March, a nurse at Wealstun contacted Newton Lodge (inpatient mental health ward where Mr Yates had previously spent four years) to arrange aftercare for Mr Yates upon his release from prison.
30. On 28 March, Mr Yates was allocated a care coordinator (a social worker who links up all aspects of care and wellbeing). The prison was advised that Mr Yates would be supported by his care coordinator to apply for aftercare once he had been released.
31. On 12 April, a nurse told Mr Yates that he had been accepted into short-term accommodation in Wakefield.

Release from Wealstun

32. On 14 April, Mr Yates was released from prison. As his licence had expired, he was released without any supervision from probation.
33. He was released with a supply of naloxone and was released into short-term housing.
34. On the day of his release, Mr Yates had an appointment with a community recovery service and his care coordinator had arranged to meet at his accommodation.

Circumstances of Mr Yates' death

35. On 22 April, a cleaner found that Mr Yates had died in his room. There were empty bottles of alcohol and drug paraphernalia nearby.
36. On 26 April, the community mental health team informed HMPPS that Mr Yates had died on 22 April.

Post-mortem report

37. The post-mortem report concluded that Mr Yates died of the combined effects of morphine (heroin) and methadone.

Findings

38. We consider that Mr Yates received good support with his substance misuse issues while he was in prison. Before his release, substance misuse staff warned him about the dangers of overdose and trained him to use naloxone, which they gave him on release.
39. The inquest, held on 21 August 2023, concluded that Mr Yates died from misadventure.

Adrian Usher
Prisons and Probation Ombudsman

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Independent Investigations

Third Floor, 10 South Colonnade
Canary Wharf, London E14 4PU

Email: mail@ppo.gov.uk
Web: www.ppo.gov.uk

T | 020 7633 4100