

**A report by the Inspector of Prisons
Judge Michael Reilly into the circumstances
surrounding the death of Prisoner L
On 29th October 2012
While on temporary release**

*** Please note that names have been removed to anonymise this Report**

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**A report by the Inspector of Prisons Judge Michael Reilly
into the circumstances surrounding the death of Prisoner L
on 29th October 2012 while on temporary release**

Presented to the Minister for Justice and Equality pursuant to
Part 5 of the Prisons Act 2007.

Judge Michael Reilly
Inspector of Prisons

26th November 2013

Preface

Prisoner L was a 50 year old man who took his own life on the 29th October 2012 while on temporary release.

I met with a number of the deceased's family. I offer my sincere condolences to the family of the deceased.

This report is divided into six sections as follows:-

- General information.
- Circumstances and sequence of events leading to the temporary release of the deceased on three occasions.
- Meeting with the family.
- Addressing the concerns of the family.
- Findings.
- Recommendations.

There are matters of concern disclosed in this Report.

I would like to point out that names have been removed to anonymise this Report.

Judge Michael Reilly

Inspector of Prisons

26th November 2013

Inspector of Prisons Investigation Report

General information

1. The deceased was a 50 year old separated man at the time of his death. He came from the Dublin area. He had spent many terms in prison over his adult life all related either directly or indirectly to his dependence on alcohol.
2. The deceased was last committed to prison on the 12th September 2012. His release date was to be the 1st December 2012.
3. The deceased was granted temporary release on the 21st September 2012 from Mountjoy Prison.
4. On two occasions subsequent to the 21st September the deceased failed to sign on at Mountjoy Prison on time but presented himself at later dates when he was, on each occasion, re-granted temporary release. I deal with all the circumstances surrounding the granting of temporary release in paragraphs 8 to 22.
5. The deceased took his own life on the 29th October 2012.
6. At the date of his death the deceased was homeless and had been since the date of his initial temporary release on the 21st September 2012.
7. The deceased had a significant history of alcohol abuse.

Circumstances and sequence of events leading to the temporary release of the deceased on three occasions

8. In the deceased's profile section of his prison file the prisoner's address was recorded as being in a West Dublin suburb. I have not included in this Report the actual address for privacy purposes.
9. In the profile section of his prison file the address of his next of kin was incorrectly recorded.

10. On the 21st September the deceased was put forward for weekly reviewable temporary release by the management of Mountjoy Prison. I have been informed that the reason for this application was that the numbers in Mountjoy Prison on that day were very high and that the deceased was described as a well behaved prisoner who came within the guidelines for consideration for temporary release.
11. On the 21st September 2012 the deceased was granted weekly reviewable temporary release.
12. The conditions attaching to the temporary release included, *inter alia*, that he would sign on at Mountjoy Prison on the 27th September 2012, keep the peace, be of sober habits and reside at the address referred to in paragraph 8 of this Report.
13. I have been informed by the prison authorities in Mountjoy Prison that the deceased was not linked in to any agency on his release.
14. On the 27th September the deceased failed to sign on at Mountjoy Prison.
15. On the 1st October the deceased presented himself at the prison and was taken into custody. I understand that the deceased was not recommitted to the body of the prison but was interviewed by Officer A – a supervising officer regarding his failure to sign on at the prison on the 27th September. I have been informed that the deceased gave a satisfactory explanation as he was put forward for temporary release by Governor A. The deceased was granted reviewable weekly temporary release on the 1st October on the same terms as applied on the 21st September but with the condition that he sign on next at Mountjoy Prison on the 9th October 2012.
16. On the 9th October 2012 the deceased failed to sign on at the prison.

17. On the 22nd October 2012 the deceased presented at the prison. He was in an intoxicated state. The Nurse Officer was unable to do a committal interview with the deceased as he was under the influence of alcohol.
18. The deceased was readmitted to the prison on the 22nd October.
19. On the morning of the 23rd October Governor B, who was in charge of the Committal Parade, interviewed the deceased as to why he was unlawfully at large having failed to sign on the 9th October. The deceased explained that he had forgotten to sign on. Governor B has stated that he was not made aware that the deceased was intoxicated on committal the previous day.
20. Governor B believed the explanation given by the deceased for his failure to sign on and requested through IPS a further period of reviewable temporary release.
21. On the 23rd October the deceased was again released on reviewable weekly temporary release on the same terms as heretofore which included a requirement that he reside at the address referred to in paragraph 8.
22. On the 29th October the deceased hanged himself not far from the address given on his temporary release forms and referred to in paragraph 8.

Meeting with the family

23. I had initial difficulty in contacting a member of the deceased's family as the address for his next of kin noted on his profile section in the prison records was incorrect. With the assistance of the postal authorities I obtained the correct address.
24. The family informed me that the deceased had a long history of alcohol abuse which they dated to a number of traumatic incidents in his life. They stated that he was a vulnerable person and especially so when he was drinking.

25. I was informed that the deceased often stayed in hostels around the city but that he mostly slept rough on the streets.
26. I enquired of the family as to whether the deceased would have been welcome at the address referred to paragraph 8. I was informed that this address was where the parents of the deceased had lived but that it had been sold in November 2011 and was therefore not available to the deceased.
27. The family had a number of questions that they wished me to consider in the context of my investigation. Their concerns were:-
- (a) Was an assessment carried out on the deceased prior to his release to address his vulnerability?
 - (b) Was the deceased linked in with external agencies prior to his release?
 - (c) Why was he released when it would or should have been known that he lived rough without any supports?
 - (d) What address was he released to?

Addressing the concerns of the family

28. I trust that the following addresses the concerns of the family:-
- (a) An assessment was not carried out on the deceased prior to his three releases on temporary release.
 - (b) The deceased was not linked in with any external agencies prior to his release.
 - (c) I have been informed by prison personnel that they were unaware of the fact that the deceased lived rough and in hostels. The information at (d) hereunder is also relevant.
 - (d) The deceased was released to the address referred to in paragraph 8. During my investigations into this death I put a number of questions to the prison authorities and in particular the following:- *“What checks had been carried out to ensure that the proposed prisoner residential address was correct and available to the prisoner”*. I received the following reply:- *“(the deceased) was committed with an address on*

the warrant as (full address given). His previous periods in custody reflect the same address details. For this reason, the address applicable to a period of Temporary Release is not cross checked as it is deemed verified.”

Findings

29. The deceased was well known to the prison service and to prisons in the Dublin area.
30. The deceased was a vulnerable person who had a considerable alcohol addiction problem.
31. No assessments were carried out prior to the release of the deceased on temporary release on the 21st September, the 1st October or on the 23rd October 2012.
32. The deceased was released to an address that was not and had not been available to him for approximately one year.
33. No enquiries were carried out by anyone in Mountjoy Prison to verify if the address to which the deceased was released to was available to him.
34. The deceased was homeless when released on the 21st September, the 1st October and the 23rd October 2012.
35. Despite his vulnerability the deceased was not linked in with any agency on his release.
36. The deceased failed to sign on at Mountjoy Prison on two occasions.
37. A condition of his temporary release was that the deceased was to be of sober habits, the fact that he presented at the prison on the 22nd October in an intoxicated state, was an important fact that should have been considered, in the context of his subsequent release, on the 23rd October 2012.

38. The deceased's prisoner profile details, such as, his address and his next of kin's address were not correct and/or current.

Recommendations

1. Prisoners should not be released on temporary release until an adequate assessment of their needs has been carried out.
2. Following an assessment as referred to at recommendation 1 above vulnerable prisoners should be linked with relevant external agencies.
3. All reasonable efforts should be made to verify that an address to which a prisoner is released to under the terms of temporary release is available to the prisoner. This information should be sought from a person other than the prisoner.
4. The personal information, such as is inputted in the profile section of a prisoner's file, should be constantly updated. Such information relevant to a previous committal **should never** be relied upon on any subsequent committal.