

**A report by the Inspector of Prisons  
Judge Michael Reilly into the circumstances  
surrounding the death of Prisoner M  
on 18<sup>th</sup> December 2013  
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 M  
on 18<sup>th</sup> December 2013 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

10<sup>th</sup> June 2014

## **Preface**

Prisoner M was a single man who died in his father's home in the Munster area on 18<sup>th</sup> December 2013 having been granted Temporary Release from Cork Prison on 3<sup>rd</sup> December 2013.

I offer my sincere condolences to the family of the deceased. As part of my investigation I have met with the family and have responded, in this Report, to questions and issues raised by them.

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

Finally, I would like to thank all those who assisted with this investigation.

Judge Michael Reilly

Inspector of Prisons

10<sup>th</sup> June 2014

## Inspector of Prisons Investigation Report

### General Information

1. The deceased was a 24 year old single man at the date of his death. He came from the Munster area. He is survived by his parents and three siblings.
2. The deceased had served a number of sentences prior to his last sentence imposed on 15<sup>th</sup> April 2013 which was back dated to 15<sup>th</sup> March 2013 being his first remand date. His release date was to be 12<sup>th</sup> December 2013 but this was extended to 8<sup>th</sup> January 2014 as he had been unlawfully at large from 24<sup>th</sup> October 2013 to 21<sup>st</sup> November 2013.
3. The deceased had a significant gambling addiction. He was also a drug user.
4. The deceased had a history of depression and he received treatment for same on at least two occasions when he attended hospital as an inpatient.
5. The deceased was initially committed to Cork Prison on 15<sup>th</sup> April 2013. He moved between Cork Prison and the Midlands Prison as follows:-
  - 19<sup>th</sup> April 2013 transferred from Cork Prison to the Midlands Prison
  - 5<sup>th</sup> May 2013 transferred from the Midlands Prison to Cork Prison to attend Court
  - 9<sup>th</sup> May 2013 transferred from Cork Prison to the Midlands Prison
  - 31<sup>st</sup> May 2013 transferred from the Midlands Prison to Cork Prison to attend Court
  - 7<sup>th</sup> June 2013 transferred from Cork Prison to the Midlands Prison
  - 29<sup>th</sup> July 2013 transferred from the Midlands Prison to Cork Prison to attend Court
  - 1<sup>st</sup> August 2013 transferred from Cork Prison to the Midlands Prison
6. On 17<sup>th</sup> October 2013 the deceased was granted weekly reviewable temporary release from the Midlands Prison.

7. On 21<sup>st</sup> November 2013 the deceased was recommitted to Cork Prison as he was deemed to be unlawfully at large having failed to report to Cork Prison on 24<sup>th</sup> October 2013.
8. On 3<sup>rd</sup> December 2013 the deceased was granted fortnightly temporary release from Cork Prison.
9. On 18<sup>th</sup> December 2013 the deceased died in his father's house.

### **Contact with the family**

10. I met with the deceased's mother and father.
11. His parents informed me that he had a significant gambling problem and that he also used drugs.
12. They informed me that they visited him in prison at least once a week, that he seemed happy while in Cork Prison but did not want the family visiting him in the Midlands Prison as he had a job in the prison and felt that if he left his job to go on a visit he might lose his job.
13. The family told me that they were always happy to have him back at home either while he was on temporary release or on the expiry of his various sentences. He got on well with his parents and siblings.
14. His parents informed me that he became depressed when he lost money through gambling.
15. His father stated that he dropped his son to the prison to sign on on most occasions. His parents explained that on one occasion he did not sign on as money lenders were looking for him.
16. The family explained that the deceased was afraid of money lenders who would call to the house even if he was not there.

17. The parents explained that three days before he died he was involved in an incident which resulted in him attending hospital. I was informed that the Gardaí were conducting an investigation.
18. They informed me that the deceased had run up a drug debt while in the Midlands Prison that his father had to discharge. They also told me that on another occasion he owed money to money lenders and his mother had to discharge this debt.
19. The family expressed the following concerns:-
  - (a) The family were not informed that the deceased was to be released on temporary release on a specific day in the instant case or on other occasions.
  - (b) Was there evidence that the deceased had been threatened while in prison?
  - (c) Was he on protection while in prison and if he was being protected why was it that he was blackmailed for money on his last sentence or on previous sentences.

**Deceased's status in prison**

20. The deceased was classed as an ordinary prisoner who was on the enhanced regime.
21. He was considered a "normal risk" by prison management. However, he was considered as giving rise to a high level of concern due to his acknowledged depression and the possibility that he might self harm.
22. He indicated to prison management that he wished to be kept apart from Prisoner 1. Prisoner 1 was released from custody on 17<sup>th</sup> October 2013.
23. He worked in the kitchen.

24. The deceased did not make any complaints while in prison during the period of his last imprisonment.

**Circumstances leading to the temporary release of the deceased**

25. An initial assessment was conducted in May 2013 to explore the possibility of releasing the deceased on temporary release.

26. Further assessments were carried out which led to the deceased being released on 17<sup>th</sup> October 2013. The matters considered were:-

- Whether the deceased had a permanent address to reside in. It was confirmed that he would reside with his father who was a well respected member of the local community.
- Whether the deceased had work available to him. Enquiries were made and it was ascertained that work would be available in the firm that employed his father.
- His sentence was short.

27. Having considered the matters outlined in paragraph 26 the deceased was granted temporary release on 17<sup>th</sup> October 2013 on conditions which included:-

- That he reside at his father's address.
- That he report to his local Garda Station daily.
- That he sign on at Cork Prison on 24<sup>th</sup> October 2013.

28. The deceased did not sign on at Cork Prison on 24<sup>th</sup> October 2013 and was deemed to be unlawfully at large. The deceased had signed on at his local Garda Station in accordance with his terms of release.

29. The deceased was arrested on 21<sup>st</sup> November 2013 and recommitted to Cork Prison on that date.

30. On 3<sup>rd</sup> December 2013 the deceased was released on fortnightly temporary release from Cork Prison on similar conditions as referred to in paragraph 27 following a further assessment.
31. The deceased did not sign on at Cork Prison on 17<sup>th</sup> December 2013.
32. The deceased died on 18<sup>th</sup> December 2013.

**Addressing concerns of the family**

33. I accept as accurate the information given to me by the parents of the deceased as outlined in paragraphs 11 to 17.
34. I am aware that the Gardaí have investigated the incident referred to in paragraph 17.
35. I have not been able to corroborate the information given to me by the parents of the deceased as referred to in paragraph 18.
36. In paragraph 19, I set out the concerns expressed by the family. In this paragraph I endeavour to address such concerns. I adopt the same numbering sequence.
  - (a) I accept that the family have stated that they were not informed of the temporary release of their son. I address this in recommendations at the end of this Report.
  - (b) There is no evidence that the deceased was threatened while in prison except the statement that he wished to be kept apart from Prisoner 1 referred to in paragraph 22. However, this statement is not to be necessarily construed as that the deceased was threatened by Prisoner 1. There can be many reasons why prisoners wish to be kept apart from other prisoners.

(c) The deceased was not on protection while in prison. Paragraphs 20 to 22 and paragraph 24 are relevant in this regard.

### **Findings**

37. I have set out earlier in this Report, details of the deceased, his movements between Cork and the Midlands Prison and how he was classed while in prison. I adopt such as my findings in that regard.
38. The deceased suffered from depression, had a gambling addiction and was a user of illicit drugs.
39. The frequent movements of the deceased between prisons as set out in paragraph 5 were necessary to enable the deceased be conveyed to Court.
40. Appropriate assessments were carried out prior to the release of the deceased on temporary release on 17<sup>th</sup> October and 3<sup>rd</sup> December 2013.
41. The deceased died on 18<sup>th</sup> December 2013. He was found by his father in his bedroom.
42. The cause of death is a matter for the Coroner's Inquest.

### **Recommendation**

Where any person, family member or otherwise of a prisoner, has expressed their willingness to have a prisoner, who has been approved for temporary release, reside with them on release every effort should be made by the prison authorities to notify such person of the date of the release of the prisoner on temporary release.