



OIFIG AN CHIGIRE PRÍOSÚN
OFFICE OF THE INSPECTOR OF PRISONS

A Report by the Office of Inspector of Prisons
into circumstances surrounding the death of
Ms M/2018 on 26 July 2018
while on Reviewable Temporary Release from
Dóchas Centre.

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Foreword

Enclosed is a report of an investigation conducted by the Office of the Inspector of Prisons into the death of Ms M 2018 who died while on Reviewable Temporary Release (RTR) from the Dóchas Centre (Adult Female Prison in Mountjoy Prison Campus) on 26 July 2018.

Accompanied by a colleague, I met with the family of Ms M 2018 . During the course of our meeting they requested that we would highlight in this report, their view of the *“limited value of prisons for drug addicts”*. They stated that they *“wanted to see more help for addicts and lives saved”*.

My colleagues and I extend our sympathies to the family and friends of Ms M/2018 on their sad loss.

Patricia Gilheaney
Inspector of Prisons

3 September 2019

Preface

The Office of the Inspector of Prisons is an independent Office under the Department of Justice and Equality that was established under the Prisons Act 2007. The office is independent in how it carries out its function.

At the request of the Minister for Justice and Equality, the Office of the Inspector of Prisons carries out an investigation into the circumstances of a death of a prisoner. The Minister has also asked the Office to investigate the circumstances surrounding the death of a person whose death occurs within one month of temporary release from prison custody.

The aim of this investigation is to:

- Establish the circumstances surrounding the death;
- Examine whether any changes in operational methods, policy and practice, or management arrangements would help to prevent recurrence of a similar death or serious event; and
- Address any concerns of the family.

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1.0 Executive Summary

- 1.1 Ms M/2018 was a 37 year old woman who was committed to the Dóchas Centre (adult female prison situated in Mountjoy Prison Campus) on 19 June 2018 to serve a four month term of imprisonment on conviction for theft. Her release date with remission was 24 September 2018.
- 1.2 Ms M/2018 was considered for Reviewable Temporary Release in order to reduce overcrowding in the prison. On 3 July 2018 there were 138 female prisoners being accommodated in the Dóchas Centre which has a bed capacity for 105 prisoners. It was taken in to account that Ms M/2018 was serving a short sentence of four months imprisonment for a non-violent offence; she had no medical issues of concern and had her own accommodation. A report to this Office from the Operations Directorate in the Irish Prison Service (IPS) stated that Ms M/2018 *“was not considered by the prison to be a vulnerable person. She did not require protection.”*
- 1.3 Ms M/2018 was addicted to illicit drugs and availed of a Methadone Programme while in Prison. On 29 June 2018 the IPS made a referral for her to a drug treatment facility, Domville House. A place for her in the facility was confirmed. A review of the prison healthcare records show that a nursing discharge letter was completed and sent by fax to Domville House and a copy was given to Prisoner M/2018 on her release.
- 1.4 On 3 July 2018 Ms M/2018 was granted Reviewable Temporary Release with the following conditions:
- a) Be of good behaviour;
 - b) Do not convey messages in/out of prison;
 - c) Keep the peace;
 - d) Report to her local (named) Garda Station within 24 hours of release and daily thereafter to get TR form stamped;

- e) Return to Mountjoy Prison (female) on date and time specified;
- f) Shall be of sober habits;
- g) Shall not enter a pub, club or other licensed places or off licensed premises;
- h) Shall reside at the specified (RTR) address;
- i) Agree not to change address without new RTR form.

1.5 Ms M/2018 was released to reside at her permanent home address at which she resided prior to her imprisonment.

1.6 Ms M/2018 complied with the conditions of her release and her weekly reviewable temporary release was approved weekly on 10 and 17 July 2018. On 24 July 2018 Ms M/2018 was approved for a further week of RTR with a requirement to report back to the prison on 31 July 2018.

1.7 On 31 July 2018 the Governor of Dóchas informed the IPS Operations Directorate that Ms A 2018 had passed away. The Operations Directorate contacted An Garda Síochána who confirmed that Ms M/2018 had died in a fire at her home on 26 July 2018.

2.0 Investigation Process

2.1 Following receipt of notification of the death of Prisoner M/2018 who had died within a month of her reviewable temporary release from custody, the Office of Inspector of Prisons requested a detailed report from the Operations Directorate at IPS. A report was received from Operations Directorate Officer A.

2.2 The Office of Inspector of Prisons also issued correspondence to the Next-of-Kin of Ms M/2018 offering to meet and explain the role of the Office. The Inspector of Prisons and a colleague subsequently met with three members of Prisoner M/2018's family. At this meeting the family members were

provided with an opportunity to express any concerns they may have had relating to Ms M/2018.

- 2.3 The Inspector obtained consent from the Next of Kin to examine the medical records held by the Irish Prison Service on the Prison Health Management System (PHMS) in relation to Ms M/2018.

3.0 Examination of Medical Records

- 3.1 From 19 June 2018 to 3 July 2018 (15 days) there were 11 entries in relation to Ms M/2018 on the IPS PHMS system which is the system within prisons that is used to maintain healthcare records.

- 3.2 A review of the relevant records provides evidence that Ms M/2018 was committed to the Dóchas on 19 June 2018 and a nursing assessment was recorded at 18:48 hours on the same day. A plan for her first night in prison was put in place. A referral for review by a medical doctor in the morning was made. Her medication was also to be confirmed the following morning with Domville House, which is a drug addiction clinic.

- 3.3 The following morning at 10:55hrs Ms M/2018 was reviewed by a medical doctor which was in compliance with the prison Rules 2007-2017. An entry in the records shows that her medication was checked with Domville House at 11:27 hrs. On two occasions 21st and 23rd June 2018 it was recorded that Ms M/2018 concealed medication during the medication round. On 28 June Ms M/2018 did not present herself for urine testing.

- 3.4 On 29 June 2018 contact was made with Domville House and a treatment place was confirmed. The Nurse Officer informed Domville House of Ms M/2018 Temporary Release on 3 July 2018 and advised further information would follow on that date. The records show that on 3 July 2018 a nursing discharge letter was completed and sent by fax to Domville House and a copy of it was given to Ms M. A methadone Exit From was also completed.

3.5 In summary, based on a review of records it is noted that the committal process review by a nurse was completed on the evening Ms M was committed and the review by a medical doctor followed the next morning. The appropriate verification of prescribed medication was undertaken promptly the morning after committal. Appropriate arrangements for follow-up treatment in Domville House were made by phone in advance. On the day of Temporary Release a nursing discharge letter was sent by fax to the treatment centre (Domville House) and Ms M was provided with a copy. A Methadone Exit Form was also completed.

4.0 Meeting with the Next of Kin

4.1 The parents of Ms M met with the Inspector and a colleague and provided background information. They were fully aware of the addiction issues that their daughter suffered from. They were disappointed that their daughter was released so early following committal and sought the reason why she had been given Reviewable Temporary Release. It was their view that had their daughter been kept in prison for the duration of her sentence she may have undergone successful treatment for illicit drug addiction and may not have died.

4.2 They expressed the view that prison was not the answer for people like their daughter who committed crimes to feed their drug addiction. They shared their view that mandatory treatment facilities should be developed so that in instances of minor crimes committed by drug addicts' courts could have the option of providing sentences for mandatory drug treatment in such centres.

5.0 Findings.

5.1 Ms M/2018 was committed to the Dóchas to serve a short prison sentence for a non-violent offence.

- 5.2 The Irish Prison Service sanctioned Reviewable Temporary Release for the purpose of easing overcrowding in the Dóchas. Prior to sanctioning the temporary release her circumstances and the nature of her offence were taken into consideration.
- 5.3 The Irish Prison Service in sanctioning early release made the necessary arrangements in advance for Ms M/2018 to participate in treatment for her addiction issues in a treatment centre that was known to her. Ms M/2018 was provided with a copy of the relevant arrangements with the centre.
- 5.4 The Irish Prison Service or the Probation Service did not have any supervision orders from a court that would give them the power to commit Prisoner M to a facility for treatment after her release from prison.
- 5.5 Ms M/2018 attended the prison as required on a weekly basis for review of her Temporary Release from custody. She was due to attend the prison on 31 July 2018 for a further review.
- 5.6 We found no evidence that Irish Prison Service were alerted to any breaches by Prisoner M of the conditions of her Temporary Release.
- 5.7 The IPS was informed of the death in the community of Ms M/2018 on 31 July 2018.