

**A report by the Inspector of Prisons  
Judge Michael Reilly into the circumstances  
surrounding the death of Prisoner K  
on 5 December while on Temporary Release  
from Shelton Abbey Open Prison**

**\*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 K  
on 5 December 2014 while on Temporary Release from  
Shelton Abbey Open Prison**

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

Judge Michael Reilly  
Inspector of Prisons  
23 March 2015

## Preface

The deceased was a 67 year old man who died on 5 December 2014 while on temporary release.

I offer my sincere condolences to the family of the deceased.

This report is divided into 5 sections as follows:

- General Information.
- Meeting with the next of kin.
- Addressing the concerns of the family.
- Circumstances surrounding the deceased's hospitalisation.
- Findings.

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

Judge Michael Reilly

Inspector of Prisons

23 March 2015.

## **Inspector of Prisons Investigation Report**

### **General Information**

1. The deceased was a 67 year old man who came from the Dublin area. He is survived by his many siblings and his extended family.
2. The deceased was committed to Cloverhill Prison on 21 October 2010. His remission date was to be 17 October 2016.
3. The deceased was transferred to the Midlands Prison on 21 July 2011 and then to Shelton Abbey Open Prison on 16 May 2014.
4. The deceased was well thought of by his fellow prisoners and by prison staff. He was on the enhanced regime in prison.
5. While the deceased had a number of medical ailments, these were adequately addressed by the prison medical personnel. However, on 10 October 2014 he was admitted to St. Columcille's Hospital, Loughlinstown as the prison doctor had concerns for his health as he was rapidly losing weight.
6. On 13 November 2014 the deceased was discharged from St. Columcille's Hospital, Loughlinstown to Shelton Abbey Open Prison.
7. On 14 November 2014 the prison doctor again referred the deceased to hospital. He was admitted as an inpatient to St. Vincent's Hospital, Dublin where he remained until he died.
8. The deceased had been granted temporary release for the duration of his terms of hospitalisation referred to in paragraphs 5 and 7.
9. The deceased died on 5 December 2014 in St. Vincent's Hospital, Dublin.

### **Meeting with the next of kin**

10. I met a brother of the deceased who represented the family. I was given a brief biographical history of the deceased. This is not relevant to this report.
11. I was informed that in September or early October 2014 a prisoner from Shelton Abbey Open Prison had telephoned the deceased's brother to inform him that his brother (the deceased) was losing weight and that he was concerned for his welfare.
12. Members of the deceased's family who visited him at this time could see that he was losing weight and in their opinion he was "*wasting away*".
13. I was informed that on 14 November 2014 the deceased's brother received a telephone call from Shelton Abbey Open Prison to inform him that his brother (the deceased) had been rushed to St. Vincent's Hospital, Dublin by ambulance as an emergency.
14. The deceased's brother on behalf of the family raised the following matters which he asked that I would investigate:-
  - (a) Why was the deceased discharged from St. Columcille's Hospital, Loughlinstown on 13 November 2014 as he was obviously unwell at the time?
  - (b) Is an enhanced death grant available?
  - (c) Can money standing to the account of the deceased in the prison be released to the family?
  - (d) Was the deceased being administered appropriate medication?
  - (e) Was his diet appropriate?

### **Addressing the concerns of the family**

15. In endeavouring to address the concerns of the family referred to in paragraph 14, I adopt the same numbering sequence as in paragraph 14 as follows:-
  - (a) This is a major concern for the family which I will deal with separately in paragraphs 16 to 21.

- (b) An enhanced grant is not payable.
- (c) While this matter is not relevant to this investigation I will inform the next of kin as to the position prior to the publication of this report.
- (d) The deceased was being administered medication in accordance with that which was prescribed.
- (e) The deceased's diet was appropriate having regard to the knowledge of the prison authorities as to his medical condition.

### **Circumstances surrounding the deceased's hospitalisation**

16. The deceased suffered from a number of medical conditions which required medical supervision. This supervision was provided in a prison setting in both the Midlands Prison and Shelton Abbey Open Prison. The prison medical teams were in a position to provide appropriate primary care.
17. In June/July 2014 the deceased was losing weight. He was being weighed in Shelton Abbey Open Prison on a weekly basis. His medical problems were getting more acute.
18. On 10 October 2014 the deceased was transferred to St. Columcille's Hospital, Loughlinstown where he remained as an inpatient until 13 November 2014 when he was discharged back to Shelton Abbey Open Prison.
19. On the morning of 14 November 2014 the deceased was seen by Dr. A the prison doctor. The doctor's notes are clear and unambiguous – *“discharged from sch yesterday with no reports or prescription, appears cachectic, confused, ? further weight loss, doubly incontinent, ? visual hallucinations, sitting in wardrobe pointing at light when I visited his room, ? dehydrated. Ref by ambulance to svh. Unfortunately (deceased) no longer suitable for an open prison as will need 24 hour care even on discharge from hospital”*.

20. The deceased was taken by ambulance to St. Vincent's Hospital, Dublin. He was diagnosed with an incurable disease – details of which are known to the family of the deceased.

21. The deceased died in St. Vincent's Hospital, Dublin on 5 December 2014.

## **Findings**

22. The deceased was an enhanced prisoner.

23. He had been transferred to Shelton Abbey Open Prison after an appropriate assessment.

24. He had a number of medical conditions which were cared for appropriately by the medical personnel while in prison.

25. In June/July 2014 the deceased's medical condition was giving cause for concern.

26. On 10 October 2014 the deceased was transferred to St. Columcille's Hospital, Loughlinstown where he remained as an inpatient until 13 November 2014 when he was returned to Shelton Abbey Open Prison. According to the prison doctor's notes the deceased was in considerable difficulty on the following morning – 14 November 2014 such that he was transferred by ambulance to St. Vincent's Hospital, Dublin on that day.

27. The prison medical personnel and in particular the prison doctor acted appropriately and expeditiously in seeking medical intervention for the deceased.

28. It is not within my remit to make findings on the particular concern of the family referred to in paragraph 14(a) of this report. This is a matter that may fall to be investigated in another forum.

29. Despite his acute medical condition referred to in paragraph 19 the deceased was released from hospital to prison on 13 November 2014 without an appropriate or any care plan having been discussed.
30. On 14 November 2014 the prison doctor acted appropriately in referring the deceased to St. Vincent's Hospital, Dublin as, in the doctor's opinion, he (the deceased), because of his medical condition was "*no longer suitable for an open prison*".
31. The cause of death is a matter for the coroner.