



**Oifig An Chigire Príosún**  
**Office of the Inspector of Prisons**

Mr. F  
Aged 65

Castlerea Prison  
Compassionate Temporary Release  
26<sup>th</sup> April 2020

**Death in Custody  
Investigation Report**

Date of Publication: 25 February 2022

Office of the Inspector of  
Prisons

✉ 24 Cecil Walk  
Kenyon Street  
Nenagh  
Co. Tipperary

🌐 [www.oip.ie](http://www.oip.ie)

☎ +353 (0)67 42210

## Contents

Glossary .....	3
1. Preface .....	4
2. Objectives .....	4
3. Methodology.....	4
4. Administration of the Investigation .....	5
5. Family Liaison .....	5
6. Summary .....	6
7. Recommendations .....	6
8. Castlerea Prison.....	6
9. Family Concern .....	6
10. Chapter 1 - Background.....	6
11. Admission to Hospital & Hospice .....	7
12. Closing .....	7
13. Support Organisations .....	8

## Glossary

- Act ..... Prisons Act 2007
- CCTV ..... Close Circuit Television
- CNO ..... Chief Nurse Officer
- CTR ..... Compassionate Temporary Release
- Inspector ..... Inspector of Prisons
- IPS ..... Irish Prison Service
- NoK ..... Next of Kin
- Office ..... Office of the Inspector of Prisons
- TR ..... Temporary Release

*Mission Statement  
The Office of the Inspector of Prisons*

*Supporting excellence in both delivery and outcomes in Ireland's prisons through an independent programme of inspections and investigations*

# Introduction

---

## 1. Preface

1.1 The Office of the Inspector of Prisons (OIP) was established by the Department of Justice under the Prisons Act 2007 (the Act). Since 2012, the Minister has requested the Inspector of Prisons to investigate deaths in prison custody. In 2018, clarification was received that the Inspector is also requested to investigate the death of any person which occurs within one month of their temporary release from prison custody. The Office is completely independent of the Irish Prison Service (IPS). The Inspector of Prisons and staff of the OIP are civil servants, however, they are independent of the Department of Justice in the performance of statutory functions.

1.2 We make recommendations for improvement where appropriate; and our investigation reports are published by the Minister for Justice, subject to the provisions of the Act, in order that investigation findings and recommendations are disseminated in the interest of transparency, and in order to promote best practice in the care of prisoners.

## 2. Objectives

2.1 The objectives for Inspector of Prisons investigations of deaths in custody are to:

- Establish the circumstances and events surrounding the death, including the care provided by the IPS;
- Examine whether any changes in IPS operational methods, policy, practice or management arrangements could help prevent a similar death in future;
- Ensure that the prisoner's family have an opportunity to raise any concerns they may have, and take these into account in the investigation; and
- Assist the Coroner's investigative obligation under Article 2 of the European Convention on Human Rights, by ensuring as far as possible that the full facts are brought to light and any relevant failing is exposed, any commendable practice is identified, and any lessons from the death are learned.
- Identify areas that may be pivotal in achieving or obstructing progress of the Department of Justice 2021 to 2023 Strategy to create a 'Safe, Fair and Inclusive Ireland' (Goals 2 and 3).

## 3. Methodology

3.1 Our standard investigation methodology aims to thoroughly explore and analyse all aspects of each case. It comprises interviews with staff, prisoners, Next of Kin; analysis of prison records in relation to the deceased's life while in custody; and examination of evidence such as CCTV footage and phone calls. The Office of the Attorney General has informed the IPS and Inspector that the provisions of the Act in relation to accessing healthcare/medical records of deceased prisoners in relation to investigations of deaths in custody cannot be relied upon. As an interim arrangement pending legislative amendment, the IPS has agreed to release such records with consent from Next of Kin (NoK). This inevitably leads in some

instances to a failure to review healthcare/medical records where NoK is unknown, cannot be located, or refuses to provide consent. It was not deemed necessary to access healthcare/medical records for the purposes of this investigation.

3.2 This report is structured to detail the events leading up to Mr. F's Compassionate Temporary Release (CTR) on 23 April 2020 and management of the events associated to his death.

#### 4. Administration of the Investigation

4.1 The OIP was notified of Mr. F's death on the 26 April 2020. A standardised checklist of information requirements from the IPS to assist an investigation into deaths in custody (while on temporary release) is in place. The IPS provided the OIP with all relevant information requested.

4.2 The cause of death is a matter for the coroner.

#### 5. Family Liaison

5.1 Liaison with the deceased's family is a very important aspect of the Inspector of Prisons role when investigating a death in custody.

5.2 The OIP spoke with Mr. F's daughter and NoK on 19 August 2020. She was grateful to prison staff for their treatment of her father and wanted to find out if there was enough awareness of Hepatitis C in prisons.

5.3 Although this report is for the Minister for Justice it will also inform several interested parties. It is written primarily with Mr. F's family in mind. My colleagues and I offer our sincere condolences to them for their sad loss.

5.4 I am grateful to Mr. F's family and the Irish Prison Service for their contributions to this investigation.



**PATRICIA GILHEANEY**  
**Inspector of Prisons**  
**30<sup>th</sup> December 2021**

## 6. Summary

6.1 Mr. F was aged 65 years when he died at South Westmeath Hospice, St. Vincent's, Athlone on 26 April 2020 while on Compassionate Temporary Release (CTR) which had been granted by the Minister on 23<sup>rd</sup> April 2020.

6.2 Mr. F was committed to Mountjoy Prison, Dublin on 19 December 1973 on a life sentence.

6.3 On 23 March 2020, Mr. F was admitted to hospital and was diagnosed with stage 4 liver cancer. He received Ministerial approval for Compassionate Temporary Release (CTR) on the 23 April 2020 and was moved to South Westmeath Hospice for end of life care.

6.4 Mr. F passed away on 26 April 2020.

6.5 The cause of death is a matter for the coroner.

## 7. Recommendations

7.1 The Office of the Inspector of Prisons has no recommendations but would like to highlight the good practice and communications of staff involved, and in particular that of the Chief Nurse Officer.

## 8. Castlerea Prison

8.1 Castlerea Prison is a closed, medium security prison for adult males and has an operational capacity of 340. It is the committal prison for remand and sentenced prisoners in Connaught and also takes committals from counties Cavan, Donegal and Longford. There are three distinct parts to the prison, the Grove (semi open), the A division that consists of three landings and Harristown that consists of B, C and D division.

8.2 Mr. F was the first death of a Castlerea prisoner in 2020; and the sixth death in IPS custody that year which met the criteria for investigation by the OIP.

# Findings

---

## 9. Family Concern

9.1 Mr. F's daughter was complimentary of the IPS and health staff who cared for her father. She did ask a question about Hepatitis C awareness in Irish Prisons.

## 10. Chapter 1 - Background

10.1 Mr. F was 65 years old when he passed away in South Westmeath Hospice on 26 April 2020. He had been an inpatient at hospital from 23 March 2020 until 23 April 2020. He was then transferred to the hospice having been granted CTR by the Minister for Justice.

10.2 Mr. F was given a life sentence and committed to Mountjoy Prison on 10 June 1974.

10.3 He did have some periods of temporary release during his sentence. His case was due to be before the Parole Board in 2020.

## 11. Admission to Hospital & Hospice

11.1 On 23 March 2020, Mr. F was referred to Portiuncula Hospital Ballinasloe by the Prison Doctor requesting an assessment of his health. Tests were carried out between March 24 and March 26 when Mr. F was an in-patient. At this time he was under prison escort.

11.2 On 28 March 2020, Mr. F was transferred to St. Vincent's University Hospital, Dublin for further tests remaining under prison escort.

11.3 On 02 April 2020, it was confirmed Mr. F had cancer of his liver and his treatment was for palliative care.

11.4 On 03 April 2020, Mr. F was discharged from St. Vincent's University Hospital to Roscommon University Hospital under prison escort.

11.5 There was good communication between the prison, the hospital and hospice staff during Mr. F's treatment and care. The Chief Nurse Officer was pivotal in maintaining communication and frequently spoke with Mr. F to hear his views of his care plan.

11.6 On 22 April 2020 a bed became available at South Westmeath Hospice.

11.7 On 23 April 2020, a CTR<sup>1</sup> request was submitted and Ministerial approval was received the same day granting temporary release for Mr. F for the duration of his illness. He was transferred to South Westmeath Hospice that same day.

11.8 Mr. F died on 26 April 2020.

## 12. Closing

12.1 There was a good level of communication between IPS healthcare, prison staff and the hospital and hospice staff throughout Mr. F's care.

12.2 The OIP has written to Mr. F's daughter informing her of the Irish Prison Service's commitment and procedures to screen prisoners for hepatitis C infection.<sup>2</sup>

12.3 The current reported practice is that all new committals are offered Hepatitis C screening as part of their medical assessment. All prisoners can also avail of Hepatitis C screening at any stage of their time in custody. Moreover, all prisoners engaged in addiction services are routinely screened upon advice from the addiction support team. The IPS in collaboration with the Health Service Executive (HSE) has a comprehensive treatment in most of the closed prisons and according to the Minister of State for Public Health, Wellbeing and the National Drugs Strategy, a plan is ongoing to screen and manage Hepatitis C in three remaining locations in Castlerea, Cork and Limerick through a "GP led community model of care for the screening and management of Hepatitis C, in line with the National Hepatitis C Strategy".

12.4 Mr. F was treated with dignity and compassion in his final weeks. This is a case of 'good practice' when dealing with a prisoner who has been diagnosed with a terminal illness.

---

<sup>1</sup> Mr. G was granted Reviewable period of temporary release for the period from 23 April 2020 08:00 to 21 May 2020 11:00 for the reason of Compassionate to a Hospice.

<sup>2</sup> Minister Naughton 1<sup>st</sup> July 2021 on the actions taken by IPS to address Hepatitis C in prisons.

<https://www.justice.ie/en/JELR/Pages/PQ-01-07-2021-350>

### 13. Support Organisations

13.1 Those who are affected by a death in custody can obtain assistance or advice from a number of charities and support groups. The Office of the Inspector of Prisons has an information pamphlet for relatives and friends of someone who dies in the custody of a prison. Further information can be found on the OIP website at [www.oip.ie](http://www.oip.ie).