



Oifig An Chigire Príosún
Office of the Inspector of Prisons

Death in Custody Investigation Report

Mr. S

Mountjoy Prison

Reviewable Temporary Release

24 August 2024

Aged 50

To the Minister: 18 July 2025

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GLOSSARY

AGS	An Garda Síochána
DiC	Death in Custody
IPS	Irish Prison Service
NoK	Next of Kin
OIP	Office of the Inspector of Prisons
PHMS	Prisoner Healthcare Management System
RTR	Reviewable Temporary Release
TARP	Treatment and Recovery Programme
WTO	Work Training Officer

INTRODUCTION

1. Preface

- 1.1 The Office of the Inspector of Prisons (OIP) was established under the Prisons Act 2007 (the Act). Since 2012, the Chief Inspector of Prisons has been obliged to investigate all deaths in prison custody. This includes the death of any person which occurs within one month of their temporary release from prison custody. The OIP also carries out regular inspections of prisons. The Office is independent of the Irish Prison Service (IPS). The Chief Inspector of Prisons and the staff of the OIP are independent of the Department of Justice, Home Affairs and Migration in the performance of their statutory functions.
- 1.2 The OIP can make recommendations for improvement where appropriate. Our investigation reports are published by the Minister for Justice, Home Affairs and Migration subject to the provisions of the Act, in order that investigation findings and recommendations can be disseminated in the interest of public transparency, to promote best practice in the care of prisoners.

2. Objectives

- 2.1 The objectives of 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 the 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 investigation and contribute to meeting the State's obligations 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.

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 (NoK); 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.
- 3.2 This report is structured to detail the events leading up to the death of Mr. S while on Reviewable Temporary Release (RTR) on 24 August 2024.

4. Administration of Investigation

- 4.1 On 26 August 2024, the IPS was informed by the Coroner's Office of Mr. S's death. The IPS was not provided with any specific detail regarding the circumstances of Mr. S's passing and could only inform the OIP that he had passed suddenly.
- 4.2 On 28 August 2024, IPS Official A, Operations Directorate, notified the OIP that Mr. S had passed away while on RTR from Mountjoy Prison. As this death occurred within one month of temporary release and before Mr. S's remission date of 9 November 2024, it met the criteria for investigation by the OIP.
- 4.3 Prison Management provided the OIP with all relevant information in accordance with the standardised checklist of information required.
- 4.4 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 Inspectorate of Prisons' role when investigating a death in custody.
- 5.2 The investigation team communicated with Mr. S's, NoK, his mother, by telephone on 6 November 2024 and 24 November 2024. The NoK declined the opportunity to meet in-person. Mr. S's mother had two questions which are addressed in section 7.
- 5.3 The NoK informed the investigation team that they had not seen Mr. S in over two and a half years but had regular contact by phone. On 24 August 2024, the NoK recalled how she had been informed by An Garda Síochána (AGS) that Mr. S had been discovered unconscious in a public place and later passed away in hospital from a suspected drug overdose.
- 5.4 Although this report is for the Minister for Justice, Home Affairs and Migration it may also inform several interested parties. It is written primarily with Mr. S's NoK in mind.
- 5.5 The OIP is grateful to Mr. S's mother for her contributions to this investigation and we offer our sincere condolences on his loss.

INVESTIGATION

6. Mountjoy Prison

- 6.1 Mountjoy Prison is a closed, medium security prison for adult men. It is the main committal prison for Dublin city and county. At the time of Mr. S's passing, it had an operational capacity of 755 beds and, on 21 August 2024, the date Mr. S was released on RTR, it was accommodating 880 prisoners representing 117% of its capacity
- 6.2 At the time of his passing, Mr. S was the fourth death of a prisoner from the Mountjoy Prison in 2024; and the 19th death in IPS custody at that point in the year.

7. Family Questions

- 7.1 Mr. S's mother asked the following two questions:
1. What supports did Mr. S receive while in prison for his drug addiction?
OIP Response: This is addressed in section 9 of this report.
 2. What supports had been put in place for Mr. S upon his release?
OIP Response: This is answered in section 8.4 of this report.

8. Background

- 8.1 Mr. S was 50 years of age when he passed away on 24 August 2024 while on RTR from Mountjoy Prison. Mr. S had been in prison several times and had a long history of struggling with drug addiction.
- 8.2 Mr. S was committed to Cloverhill Prison on 10 August 2022. He transferred to Mountjoy Prison on 11 July 2023. Mr. S was serving a three year sentence with a remission date of 9 November 2024.
- 8.3 Mr. S had completed a seven week drug free Treatment and Recovery Programme (TARP) before being granted temporary release. He was on the enhanced level of the Incentivised Regime¹
- 8.4 On 16 August 2024, Work Training Officer (WTO) A contacted the Peter McVerry Trust to arrange a day programme for Mr. S and arrangements had been made for Mr. S to engage with the Coolmine Day Programme upon his release. The Coolmine Day Programme facilitated Mr. S's attendance at a pre-entry programme while awaiting a place on the day programme.

¹ The Incentivised Regimes Programme provides for a differentiation of privileges between prisoners according to their level of engagement with services and behaviour. The objective is to provide tangible incentives to prisoners to participate in structured activities and to reinforce good behaviour, leading to a safer and more secure environment. There are three levels of regime – basic, standard and enhanced, with different privileges associated with each regime level.

- 8.5 On 19 August 2024, Official B, Operations Directorate, approved Mr. S for RTR noting that *"given short time remaining to serve, I will approve RTR in this case, to allow him to engage with the Coolmine Day Programme"*, once accommodation was arranged. Resettlement Coordinator A, arranged accommodation for Mr. S upon his release and, on 21 August 2024, a Placement Officer with Dublin City Council confirmed temporary accommodation for Mr. S.
- 8.6 On 21 August 2024, Mr. S was released on RTR for the reason of prerelease and resocialisation, which was subject to the following conditions:
- Be of good behavior.
 - Do not convey messages in/out of Prison.
 - Keep the peace.
 - Report to a [specified] Garda station within 24 hours of release and daily thereafter to get TR form stamped.
 - Return to Mountjoy Prison (Male) on date and time listed above (28/11/24 at 11:00).
 - Shall be of sober habits.
 - Shall not enter a pub, club, or other licensed premises or off-licensed premises.
 - Shall reside at an agreed address
 - Agree not to change address without new TR application form.
- 8.7 On 8 January 2025, the investigation team confirmed with the specified Garda Station that there was no record of Mr. S ever reporting to the station to get his TR form stamped, nor had he engaged with the Coolmine Day Programme

9. Medical Care

- 9.1 On 22 January 2024, it was recorded on the Prisoner Healthcare Management System (PHMS) by Nurse A that Mr. S had requested that he be placed on the referral list for drug addiction counselling.
- 9.2 On 3 February 2024, Nurse B noted that an addiction assessment was completed, and Mr. S was *"very keen to attend TARP"* which had been offered to him. TARP is a drug free programme delivered in the Medical Unit of Mountjoy Prison over the course of seven weeks.
- 9.3 Addiction Counsellor A reported that Mr. S took part in the TARP from 1 July 2024 until 15 August 2024
- 9.4 The purpose of TARP is to assist participants in potentially achieving and sustaining a drug free status. The goals of TARP are to:
- Offer an insight into substance use, relapse and recovery.
 - Help develop a better understanding of yourself.
 - Build self-worth and self-confidence.
 - Enable you to imagine a better future, by identifying the benefits of recovery and what that could look like for you.

- 9.5 On 4 July 2024, Addiction Counsellor B recorded on PHMS that they had completed a “first session with [Mr. S]. Happy to be in TARP. Good sense of what he needs to do to continue in his recovery”. On 9 July 2024, Addiction Counsellor B noted that Mr. S stated that he felt “caught up within the criminal justice system² and his frustration with same. Very focused on his recovery and drawing on past experiences of treatment”.
- 9.6 A further entry on 9 August 2024 by Addiction Counsellor B noted that Mr. S “reflected on how the course has focused his recovery thinking. Positive plans for moving forward including the Coolmine day programme”. Addiction Counsellor B also recorded that Mr. S was “very glad he made the decision to do TARP. Has firm plans in place for release”.
- 9.7 Addiction Counsellor A reported that Mr. S “attended 64 group sessions and seven one to one sessions as part of the substance free programme”. Mr. S graduated from the programme on 15 August 2024 prior to his release on RTR on 21 August 2024.

10. Recommendations

- 10.1 The OIP has no recommendations to make.

11. Support Organisations

- 11.1 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.

² Criminal Justice System