

**Prisons &
Probation**

Ombudsman
Independent Investigations

Independent investigation into the death of Mr Peter Osborne, on 11 June 2024 following his release from HMP Elmley

A report by the Prisons and Probation Ombudsman

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OUR VISION

To deliver high quality and timely independent investigations and work closely with partners to achieve tangible benefits for the safety and confidence of those in custody and under community supervision.

WHAT WE DO



WHAT WE VALUE



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Summary

1. The Prisons and Probation Ombudsman aims to make a significant contribution to safer, fairer custody and community supervision. One of the most important ways in which we work towards that aim is by carrying out independent investigations into deaths, due to any cause, of prisoners, young people in detention, residents of approved premises and detainees in immigration centres.
2. If my office is to best assist His Majesty's Prison and Probation Service (HMPPS) in ensuring the standard of care received by those within service remit is appropriate, our recommendations should be focused, evidenced and viable. This is especially the case if there is evidence of systemic failure.
3. Since 6 September 2021, the PPO has investigated post-release deaths that occur within 14 days of the person's release from prison.
4. Mr Peter Osborne was found unresponsive in his room on 11 June 2024, following his release from HMP Elmley on 29 May 2024. The cause of his death could not be ascertained. He was 38 years old. We offer our condolences to those who knew him.
5. We did not identify any significant learning relating to the pre-release planning or post-release supervision of Mr Osborne.
6. We make no recommendations.

The Investigation Process

7. HMPPS notified us of Mr Osborne's death on 12 June 2024.
8. The PPO investigator obtained copies of relevant extracts from Mr Osborne's prison and probation records.
9. The investigator interviewed the Prison Offender Manager and the Community Offender Manager on 20 September 2024.
10. We informed HM Coroner for Kent and Medway of the investigation. She gave us the results of the post-mortem examination. We have sent the Coroner a copy of this report.
11. The Ombudsman's office contacted Mr Osborne's family to explain the investigation and to ask if they had any matters they wanted us to consider. We did not receive a response.
12. The initial report was shared with HM Prison and Probation Service (HMPPS). HMPPS pointed out some factual inaccuracies, and this report has been amended accordingly.

Background Information

HMP Elmley

13. HMP Elmley is a category C prison which holds remanded male prisoners. It is managed by HMPPS.

Probation Service

14. The Probation Service works with all individuals subject to custodial and community sentences. During a person's imprisonment, they oversee their sentence plan to assist in rehabilitation, prepare reports to advise the Parole Board and have links with local partnerships to which they refer people for resettlement services, where appropriate. Post-release, the Probation Service supervises people throughout their licence period and post-sentence supervision.

Key Events

Background

15. On 27 February 2024, Mr Peter Osborne was remanded to HMP Elmley charged with burglary offences.
16. During his reception health screen, Mr Osborne told a nurse that he felt like his mental health was deteriorating, that he had been diagnosed with schizophrenia, and he was prescribed medication for this. The nurse referred him to the prison's mental health team. The nurse also discussed Mr Osborne's substance misuse history with him and referred him to the substance misuse team.
17. On 5 March, a recovery worker from the substance misuse team saw Mr Osborne for an assessment. Mr Osborne said he was managing well in prison. He said that he used drugs sporadically in the community, and he would like to work on abstaining from drugs. The recovery worker discussed harm reduction and triggers with Mr Osborne and spoke to him about rehabilitation options.
18. On 28 March, the prison's mental health team invited Mr Osborne to attend an Emotional Coping Skills workshop. He did not attend.
19. On 3 April, a physiotherapist at the prison saw Mr Osborne about his back, hip and neck pain. Mr Osborne said that he had been involved in a motorbike accident, injured his head during a fall and injured his knee playing football. Mr Osborne attended the appointment but walked out before the appointment had ended.
20. On 4 April, the prison's mental health team invited Mr Osborne to attend a paranoia workshop. He did not attend.
21. On 6 April, a healthcare nurse saw Mr Osborne about his back, hip and neck pain. Mr Osborne said he wanted to be prescribed co-codamol (pain relief medication) and threatened to harm himself if not. The nurse told him that she would refer him for physiotherapy and advised him to take paracetamol. Following the appointment, the nurse referred Mr Osborne for physiotherapy.
22. On 17 April, Mr Osborne was sentenced to six months imprisonment for burglary.
23. On 19 April, Mr Osborne's Prison Offender Manager (POM) held a supervision appointment with him. Mr Osborne said that he was suffering with his mental health and was feeling stressed. The POM referred him to the mental health team.
24. On 22 April, following a mental health assessment, a nurse referred Mr Osborne to the psychology team.
25. On 23 April, the physiotherapist at the prison saw Mr Osborne again. After the appointment, the GP at the prison saw him and they discussed pain management. The GP prescribed Mr Osborne co-codamol.
26. On 29 April, the mental health team assessed Mr Osborne. He presented with issues relating to a lack of post-release accommodation, financial issues and medication. The nurse noted that Mr Osborne needed to apply for support from the

pre-release team regarding accommodation and finances, and had upcoming appointments with the GP and physiotherapy regarding his pain and medication.

27. On 2 May, the physiotherapist at the prison saw Mr Osborne and advised exercises to ease his pain, but Mr Osborne said that he felt lazy and did not want to. Mr Osborne said he wanted the GP to increase his pain medication instead. The physiotherapist discharged Mr Osborne from the service.
28. On 14 May, the recovery worker from the substance misuse team saw Mr Osborne, where he disclosed that he had been using Spice (a synthetic cannabinoid) in prison. Mr Osborne said that in the community, he used crack cocaine and alcohol, and he recognised that homelessness, negative peers and finances were all risk factors in his recovery. The recovery worker gave him harm reduction advice and information, and confirmed that Mr Osborne would have a Naloxone kit upon release, and had received training for using it.
29. On 22 May, the psychologist at the prison was due to see Mr Osborne for an appointment, but he did not attend.

Pre-release planning

30. On 12 March, the resettlement team saw Mr Osborne. During the appointment they completed a Duty to Refer (a referral to the local authority if someone is homeless or threatened with homelessness) to Ashford Council, as Mr Osborne said he would be homeless upon release.
31. On 21 March, Mr Osborne had an accommodation appointment with Ashford Council, but he did not attend.
32. On 1 May, the prison notified the Community Offender Manager (COM) by email that Mr Osborne was eligible for early release under the End of Custody Supervised Licence (ECSL) scheme. (This scheme allowed prisoners to be released up to 70 days early from 23 May 2024 to ease overcrowding in prisons, it ended in September 2024). The email said that Mr Osborne's new release date was 29 May.
33. On 3 May, Mr Osborne's COM referred him to the personal wellbeing service for additional support following his release into the community. Mr Osborne did not engage with the service, so the referral was closed on 17 May.
34. On 7 May, the COM returned the ECSL documentation to the prison.
35. Later that day, the COM referred Mr Osborne to the Community Accommodation Service Tier 3 (CAS3 - provides short term accommodation to prison leavers), as Mr Osborne would be homeless upon release.
36. On 13 May, the COM referred Mr Osborne to the Community Rehabilitative Services so that Mr Osborne's accommodation options could be further explored.
37. On 17 May, an Integrated Offender Manager (IOM) multi-agency meeting was held to discuss Mr Osborne. During the meeting, Mr Osborne's accommodation, mental health and substance misuse were discussed, and the COM had actions to ensure all relevant referrals were complete. The COM confirmed that he had completed

referrals to the community substance misuse team, personal wellbeing service and completed some accommodation referrals.

38. Following the multi-agency meeting, the COM completed a Community Accommodation Service Tier 2 (CAS2 - provides housing for people who do not have a suitable address whilst on licence or bail) referral, as there was no CAS3 accommodation available.
39. On 13 May, the resettlement team met with Mr Osborne. They completed a new Duty to Refer to Ashford, as Mr Osborne had failed to attend the last appointment with Ashford Council.
40. On 24 May, the COM received an email from CAS2 confirming that Mr Osborne had been offered accommodation in Rochester.
41. The COM prepared Mr Osborne's licence, which instructed him to attend Ashford probation office upon his release and included licence conditions relating to attendance at substance misuse team appointments, and electronically monitored GPS satellite tagging.

Post-release management

42. On 29 May, Mr Osborne was released from Elmley under the ECSL scheme.
43. Mr Osborne attended Ashford probation office for his induction appointment with his COM and his Integrated Offender Manager (IOM) intense support worker. During the appointment, Mr Osborne signed the induction paperwork, and the COM gave Mr Osborne his appointment with the substance misuse team for the next day. The COM gave Mr Osborne a next probation appointment for 7 June.
44. Following the induction appointment, Mr Osborne's IOM intense support worker escorted him to the CAS2 accommodation in Rochester.
45. On 30 May, the substance misuse team in the community were due to see Mr Osborne. During interview, the COM told us that Mr Osborne did not attend this appointment.
46. On 7 June, Mr Osborne was due to attend Ashford probation office for a supervision appointment with his COM. He did not attend the appointment. The COM spoke to Mr Osborne on the telephone, and he said that he was okay. He issued Mr Osborne with a licence compliance letter, which instructed him to attend his next appointment on 14 June.
47. On 10 June, the Electronic Monitoring Service emailed the COM to advise him that they had been unable to fit Mr Osborne's ankle monitor, as he was not at his accommodation at the allocated time. As this was a breach of his licence, he issued Mr Osborne with a second licence compliance letter.

Circumstances of Mr Osborne's death

48. On 11 June, a support worker from the CAS2 accommodation emailed the COM asking if he had had any contact with Mr Osborne, as he had not been seen since

the weekend. The COM responded and said that he had not, which prompted staff at the CAS2 accommodation to conduct a welfare check on Mr Osborne. When they entered his room, they found Mr Osborne motionless on the floor. They called the emergency services immediately. At 3.15pm, paramedics pronounced Mr Osborne's life extinct.

Post-mortem report

49. The post-mortem report concluded that there were no significant findings, and the Coroner could not ascertain Mr Osborne's a cause of death.

Findings

50. Our investigation found that staff completed appropriate pre-release planning, including referrals, for Mr Osborne. We did not identify any significant learning relating to the pre-release planning or post-release supervision of Mr Osborne.

Adrian Usher
Prisons and Probation Ombudsman

March 2025

Inquest

51. At the inquest held on 9 July 2025, The Coroner confirmed that a post-mortem examination could not establish a cause of death. The Coroner concluded Mr Osborne's death was open.



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