

**Prisons &
Probation**

Ombudsman
Independent Investigations

Independent investigation into the death of Mr Dominic Davies on 9 March 2024, following his release from HMP Bullingdon

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. Since 6 September 2021, the PPO has investigated post-release deaths that occur within 14 days of the person's release from prison.
3. 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.
4. Mr Dominic Davies died from multiple injuries after being struck by a train on 9 March 2024, five days after his release from HMP Bullingdon. He was 37 years old. We offer our condolences to those who knew him.
5. Toxicology tests showed that Mr Davies had consumed alcohol and cocaine before his death. We found that Mr Davies received good support with his substance misuse issues at Bullingdon. Substance misuse support was also put in place for when he was released from prison.
6. Mr Davies was released homeless. Although he was being assisted to find housing by Slough Borough Council, this had not been secured prior to his release. The provision of suitable accommodation is a matter for the local authority and is outside the remit of Bullingdon and local probation services.
7. Although Mr Davies had a community offender manager based in Haringey, he did not have a designated community offender manager in the area he was being released to, meaning no pre-release planning had been completed to support his transition into the community. However, we acknowledge that this was due to the short length of his sentence, and complicated by probation regional allocation procedures. We found that these factors did not contribute to Mr Davies' accidental death.
8. We make no recommendations.

The Investigation Process

9. HMPPS notified us of Mr Davies' death on 11 September 2024.
10. The PPO investigator obtained copies of relevant extracts from Mr Davies' prison and probation records.
11. We informed HM Coroner for Berkshire of the investigation. They gave us the results of the post-mortem examination. We have sent the Coroner a copy of this report.
12. The Ombudsman's office contacted Mr Davies' next of kin, his mother, to explain the investigation and to ask if she had any matters she wanted us to consider. She was concerned that Mr Davies was released three days early on the End of Custody Supervised Licence (ECSL) scheme. She asked if this had any impact on the support Mr Davies was given regarding accommodation and finances. This has been addressed within the report.
13. Mr Davies' next of kin received a copy of the initial report. They did not make any comments.
14. 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 Bullingdon

15. HMP Bullingdon is a local and resettlement prison, serving the courts of Oxfordshire, Berkshire, Buckinghamshire and Wiltshire. It holds category B male prisoners who have been convicted, as well as those on remand. Inclusion, from Midland Partnership NHS Foundation Trust, provide drug and alcohol psychosocial interventions, and Practice Plus Group provide clinical services.

Probation Service

16. 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.

HM Inspectorate of Prisons

17. The most recent inspection of HMP Bullingdon was in November 2022. Inspectors reported that, as with many prisons across England and Wales, Bullingdon had a chronic shortage of staff, many of whom were inexperienced. Most prisoners did not spend long at Bullingdon. At the time of the inspection, over three-quarters had been there for less than six months and about 170 prisoners were released into the community each month. In many cases, prisoners' needs, especially for housing, were not addressed until just before release, and prisoners' anxieties were exacerbated due to a lack of contact to keep them informed of what was being done.
18. Inspectors reported that overall, substance misuse services at Bullingdon were good. Pre-release planning was thorough, focusing on relapse prevention, harm minimisation and continuing treatment if required. Naloxone (to reverse the effects of opiate overdose) was offered on release where appropriate.

Key Events

Background

19. On 18 January 2024, Mr Dominic Davies was released from HMP Bullingdon where he had been serving a two-week sentence for breaching a supervision order. On 1 February, Mr Davies was arrested and charged with assaulting an emergency worker. The next day, he was sentenced to 14 weeks in prison and sent back to Bullingdon.
20. Despite having lived in Slough, Berkshire, prior to his arrest, Mr Davies was automatically allocated to the Haringey Probation Delivery Unit (PDU) in North London, as they were already managing him for a previous offence.
21. At the time of his arrest, Mr Davies was homeless, however a duty to refer (DTR - where certain public authorities must notify local authorities that a person who has engaged with them might be homeless or at risk of homelessness) had already been completed to Slough Borough Council, and Mr Davies had an allocated housing officer.

Pre-release planning

22. When Mr Davies arrived at Bullingdon, he was already on a methadone detoxification programme (medication used to treat the symptoms of heroin withdrawal). He continued the programme at Bullingdon and was added to the substance misuse services caseload.
23. On 6 February, Mr Davies attended an initial substance misuse assessment with an inclusion recovery worker. Mr Davies said that after his previous release in January, he relapsed into daily alcohol, heroin and crack cocaine use. As Mr Davies had only a few weeks to serve in prison, the recovery worker created a care plan that focused on harm minimisation and relapse prevention. He gave Mr Davies advice to minimise the risk of overdose which included not using drugs by himself, only using small amounts to test their strength, and to smoke heroin rather than inject it (as injecting increased the risks of overdose). He also warned Mr Davies about the dangers of mixing drugs with alcohol and how this could further increase the risks of overdose. He gave Mr Davies information on tolerance levels and overdose awareness, including how to recognise the signs and symptoms of an overdose, and what to do in the event of one. When asked, Mr Davies said that he was already trained in the use of naloxone (a medication used to reverse the effects of opioid overdose) and agreed to be given a naloxone kit on his release. The recovery worker gave Mr Davies a copy of his care plan and after the appointment, referred Mr Davies to Turning Point, the community substance misuse service based in Slough, in preparation for his upcoming release.
24. On 5 February, a Senior Probation Officer (SPO) based in Slough, rejected a regional transfer application from Haringey Probation. The SPO told Haringey Probation that, as Mr Davies had been convicted of another offence, his risk assessments would need to be updated and release planning arrangements would need to be initiated before Slough could accept the transfer.

25. On 25 February, prison officers found Mr Davies under the influence of an illicit substance. The next day, he told an Inclusion recovery worker that he had used psychoactive substances (PS) out of boredom. The recovery worker warned Mr Davies about the dangers associated with PS use, including the long-term implications it could have on his health. She also reminded Mr Davies of harm reduction techniques as well as safer methods of using drugs.
26. On 1 March, the allocated probation officer based in Haringey, emailed the SPO in Slough stating that Mr Davies was due to be released homeless to Slough on 4 March and asked them to provide temporary care-taking instructions to enable the licence to be created. This was actioned. Later that day, a probation officer in Slough spoke with Slough Borough Council and informed them of Mr Davies' imminent release. Slough Borough Council said that Mr Davies would need to report to their office on the day of his release for a homelessness assessment with a senior housing officer.

Release from Bullingdon

27. On 4 March, a nurse saw Mr Davies prior to his release from prison. The nurse gave him a naloxone kit with instructions on how to use it, and a seven-day methadone script. Mr Davies was released with a discharge grant of £89.52, a travel grant of £4, and a copy of his licence. He was also given instructions to report to the duty probation officer at Slough Probation Office for 2.00pm that day.
28. Mr Davies did not attend his initial appointment as instructed. The duty officer did not have an up-to-date contact telephone number for Mr Davies and was aware that he was homeless. She informed a senior probation officer of this information, and the probation officer in Haringey.
29. On 6 March, Mr Davies had still not attended or contacted Slough Probation. As he was homeless, his whereabouts were unknown and he had a history of non-compliance, the SPO in Haringey assessed that his risk could not be managed in the community, so she initiated recall procedures.

Circumstances of Mr Davies' death

30. At approximately 9.00am on 9 March, Mr Davies climbed down onto the railway tracks at Reading West Railway Station, to get onto the opposite platform. As he attempted to climb onto the platform, he was struck by an incoming train. Paramedics and the local fire service arrived on scene shortly afterwards and Mr Davies was taken by air ambulance to a local hospital. Despite their efforts to save his life, shortly after arriving at hospital, Mr Davies died.

Post-mortem report

31. The post-mortem report concluded that Mr Davies died from multiple injuries with left haemothorax and intra-abdominal haemorrhage (internal bleeding caused by trauma to the chest and abdomen).
32. The pathologist detected ethanol (alcohol) and cocaine in Mr Davies' blood, indicating recent recreational use. Additionally, therapeutic levels of morphine,

methadone, and diazepam were present, which, when combined, would have enhanced their sedative effects, and impaired cognition.

33. At the inquest, held on 20 September 2024, the Coroner concluded that Mr Davies died by misadventure.

Findings

Pre-release planning

34. Mr Davies was released three days early under the End of Custody Supervised Licence (ECSL) scheme. The scheme allowed eligible prisoners to be released up to 18 days early from their scheduled release date and was primarily used to manage prison overcrowding. The responsibility of planning for Mr Davies' release was held by his community offender manager (COM) based in Haringey. Although temporary post-release arrangements were appropriately made for Mr Davies to be managed by a probation officer in Slough, no pre-release work had been completed, and he was released with a set of only standard licence conditions. It would have been good practice for Mr Davies' licence conditions to reflect his rehabilitation needs, such as conditions to address his substance misuse. However, given that his licence period lasted only for three days after his release, we recognise that this was unlikely to have had any significant impact on him.
35. Mr Davies was released homeless. We recognise that Slough Borough Council was already assisting him in securing accommodation, and it is unlikely that involvement from a COM would have significantly expedited or influenced this process. However, had a COM been assigned to Mr Davies in Slough (rather than Haringey) prior to his release, they might have been able to provide guidance and support in securing local alternative temporary housing arrangements, such as through CAS3 (a pathway for tackling homelessness for prison leavers), Commissioned Rehabilitative Services (CRS) accommodation providers, or local homelessness charities. We do however recognise that was not possible due to regional probation allocation procedures and the short length of Mr Davies' sentence.
36. Overall, Mr Davies' short custodial sentence gave limited time for prison and probation services to work with him to develop any comprehensive release plans. Unfortunately, this is a common theme for individuals serving short sentences, and we consider that his early release under the ECSL scheme had no significant impact on this process. We acknowledge that the late allocation of a COM and the absence of detailed release plans were not factors in his accidental death and, sadly, were unlikely to have altered the outcome for him. For this reason, we make no recommendation.

Substance Misuse Support

37. Mr Davies had a history of substance misuse. Although he was in prison for only four weeks, during this time, he was appropriately supported by the prison's SMS team, Inclusion, and warned about the risks and dangers associated with substance misuse. The prison promptly and appropriately referred Mr Davies to Turning Point to ensure the continuity of his methadone detoxification programme, and so that he had access to substance misuse support upon release. He was also trained in the use of naloxone and released with a supply of this.

38. We are satisfied that, given the limited time they had to work him, the prison did all they reasonably could to manage the risks associated with his substance misuse.

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May 2025

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