



Ministry
of Justice



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Department
of Health &
Social Care

Independent Advisory Panel on Deaths in Custody

Note of the IAP virtual weekly meeting 14 April 2020

Attendees:

Juliet Lyon - Chair

Seena Fazel, John Wadham, Jenny Talbot, Jenny Shaw, Kish Hyde, Alison Bernard, Nick Poyntz, Piers Barber

Apologies:

Deborah Coles, Adrian Blake

Item 1: Matters arising from previous meeting

Juliet has contacted Hazel Alcraft from the Samaritans regarding call volumes, support for Listeners etc: Hazel is currently off sick but has passed on the contact details of another member of staff from the Samaritans. Juliet will follow up this week.

Feedback on website: Nick shared that from website statistics, the IAP website is on average receiving 50 hits a day. Juliet noted that this can be increased by getting the IAP website linked with other websites and also by sharing the website with delegates of the Keeping Safe and IAP/RCN conferences as well as groups and networks suggested by Panel members. It was important to make use of the covid-19 information hub.

Draft note to Phil Copple: John W still thinks that the IAP needs to be cautious, especially with potential article 2 breach. It might be better to send a personal note to show gratitude.

Item 2: Updates

Future meetings

- There has been good communication and acceptance of other departments to attend IAP virtual meetings.
- Both staff from DHSC and members of staff who coordinate scrutiny groups will be attending future virtual IAP meetings.
- This afternoon there is a briefing with Chris Barnet Page, Jenny Rees and Emily Wright to find out about safer custody and the suicide and self-harm figures within prisons.

Early release of prisoners

- Juliet is concerned about the discrepancy between the number of people reported to be released in the media compared with the actual number of people being released as reported to the Justice Committee.
- While there are many factors involved when attempting to release a prisoner, the IAP should question the Prisons Minister on this point.
- In response to a question of why individuals were being tagged on release, Nick explained that it is part of the new ROTL that has been introduced in response to covid-19 outbreak.
- Jenny S questioned the provisions that are in place regarding managing the risk of released prisoners. There appears to be two main questions in relation to this: has the process considered the appropriate safeguarding for individuals and are checks being done in a timely way?
- Jenny T offered a third question: are the checks that are being done considered reasonable? The checks that have been put in place might seem reasonable at the time but when unpicked they might be too time-consuming or overly bureaucratic.
- John W also highlighted the fact that there might be additional risks. i.e the risk of getting ill is much more significant than it was before, therefore the balance of risk has shifted due to the circumstances. It would be interesting to find out if there is an algorithm that rebalances the shift in risk.
- The best way to press this point would be lobby ministers i.e Lucy Frazer.
- Jenny S asked if there was any way for the person who makes the release decision to come and talk it through with the IAP.
- Nick explained that there are many different individuals involved in the decision-making process across the prison estate but he is happy to try and find the person responsible within MoJ HQ.
- Seena highlighted that a large portion of current prison population are young so it should be relatively easy to make sure that they are medically healthy upon release.
- Juliet noted that the IAP needed official updated weekly figures to help inform the letter to the Prisons Minister. The IAP have previously written to Kit Malthouse and Nadine Dorries but has yet to receive a response.

Prisoners on Remand

- Nick said that the Secretary of State doesn't have the power to release prisoners on remand, that power remained with the Courts.
- There is a lot of work being done to speed up the trials of those of remand so that they can spend as little time as possible in custody, Nick is going to chase this week and come back with an update.

Future meeting

- There is an IAP meeting on the 29th April. John suggested that the IAP keep to this longer meeting but have a series of breaks throughout the day.
- Panel members could have phone calls between pairs as well as a larger feedback session later in the day.

- Juliet also highlighted the need to finalise an agenda for the 29th. This IAP meeting could include the IAP work plan and medium and long-term plans. It would also be useful to have independent feedback on scrutiny during the epidemic.
- The strange absence of the ministerial board was discussed. All agreed that Ministers should be encouraged to convene the MBDC either as a full board or sector by sector.

Actions from today's meeting:

- Juliet to draft letter to Matt Hancock re public health and human rights concerns
- Juliet to draft letter to Lucy Frazer re undue delays in early release
- Nick to investigate and feedback about the person overseeing the release process in HQ
- Juliet to write to other MBDC co-chairs to suggest convening smaller/some form of ministerial board meetings
- Juliet to follow up with Samaritans and Prison Radio
- Panel members to suggest networks, groups and links for website.

Next meeting: Tuesday 21st April 2.30-3.30pm by Zoom
3.30-4pm DHSC operational briefing by conference call.