



Ministry
of Justice



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Department
of Health &
Social Care

Independent Advisory Panel on Deaths in Custody

*Chair: Juliet Lyon CBE
Head of Secretariat: Piers Barber*

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Lucy Frazer
Minister of State for Justice

Thursday 21 May 2020

Dear Lucy,

In these unprecedented times, the work of the Independent Advisory Panel on Deaths in Custody (IAP) has been focused on providing clear advice to your ministerial team and senior officials on how you can meet human rights obligations and protect the lives of people detained in the care of the state.

One of the IAP's guiding principles is to include the voice and views of those in custody and their families in our recommendations and advice. In the last month, the IAP has worked with National Prison Radio (NPR) to conduct a rapid review of prisoners' experience since the outbreak of Covid-19. We received messages from around 200 prisoners, including 19 women, across 55 prisons – just under half the prison estate.

These clear messages – reflected and summarised in the enclosed report – shed light on a period of heightened isolation and uncertainty, mitigated for some by positive staff relations, good communication and small acts of kindness but blighted for others by bereavement, bleak conditions and dashed expectations.

The powerful voices in this briefing speak for themselves. We do, however, draw out ten recommendations that we urge Ministers and senior leaders within the prison service to consider – both immediately and in delivering the long-term recovery from this enforced period of severely restricted regimes which cannot, and should not, be sustained over time.

The title of our briefing – “*Keep talking, stay safe*” – is taken from one of the messages received and encapsulates the importance of providing clear, accurate and honest communication at a time of fear, risk and ambiguity. We also make important recommendations about prisoner engagement, regimes, staff supervision, independent scrutiny, mental health, care of the most vulnerable and family contact.

It is vital, as I know you appreciate, that the prison service learns lessons from the positive developments that have occurred during this period. The views of people in custody, presented in this rapid review, express the extent of dedicated care and support that prison staff have shown during this unprecedented time. It has demonstrated the undeniably clear benefit of ensuring prison staff are given the support and resource they need to keep people in their care safe. In particular, it has underscored the value of the keyworker scheme.

Risks remain – from the spread of the virus to an upsurge in prison numbers as courts resume; from growing instability to a rise in suicide and self-harm. It is vital to preserve and expand the headroom in terms of physical space and staff time that has been secured and could, so easily, be lost again. The messages from prisoners remind us too of the privations of loss of liberty and damage done by petty restrictions and stark failures to treat everyone with humanity and respect. Matters we should never ignore or forget.

We are immensely grateful for the input of NPR to this work. As some of the messages received demonstrate, prison radio has provided a vital source of information, entertainment and comfort. During these extraordinary times, and when independent monitoring is much reduced, it is ever more important to hear about, and to learn from, the experiences of people in custody, in which NPR plays an essential role.

As attention turns to emergence from a necessarily painstaking and carefully managed recovery phase, the IAP will provide in the coming weeks a more in-depth analysis, drawing on national and international standards and guidelines; current research and relevant reports; and including, importantly, further material from our contact with prisoners' families and prisoners themselves.

I am pleased that plans are in place to convene, at some level, the Ministerial Board on Deaths in Custody. The IAP stands ready to contribute to your department's recovery to ensure that you and your ministerial team are supported in your fundamental duty to protect the lives of people detained in your care. I would also very much appreciate a meeting with you to discuss the salient points made in this rapid review and our recommendations.

This letter has been copied to senior HMPPS leaders and will be forwarded to all members of the Ministerial Board and placed on the IAP's Covid-19 information hub at www.iapondeathsincustody.org/covid-19. The review itself is embargoed for publication early next week.

With kind regards,

A handwritten signature in purple ink, appearing to read 'Juliet Lyon', with a stylized flourish at the end.

Juliet Lyon CBE, Chair, Independent Advisory Panel on Deaths in Custody

Cc: Jo Farrar, Phil Copple, Ian Blakeman, Steven O'Connell, Anne Davies, Kate Davies, Jerome Glass, Rachel Pascual, Junior Johnson.