

## Independent Advisory Panel on Deaths in Custody

### Minutes of the Independent Advisory Panel meeting 12 December 2018

**Attendees: Juliet Lyon (JL) - Chair**

Seena Fazel (SF)  
Jenny Shaw (JS)  
Jenny Talbot (JT)  
John Wadham (JW)  
Deborah Coles (DC)

Andrew Fraser, Head of Secretariat (AF)  
Kish Hyde, Deputy Head of Secretariat (KH)  
Adrian Blake, Policy Advisor, Secretariat (AB)

For item 1

Stephen Shaw – Former PPO and author of the latest report on immigration<sup>1</sup>

For item 7

Glenn Knight – Drug-related deaths project, HMPPS  
Chris Barnett-Page (CBP) – Head of Safer Custody, HMPPS

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#### **Item 1: Stephen Shaw report on vulnerable people in Immigration Remand**

1. The Chair introduced Stephen Shaw who gave a presentation about his first report, the government response to the recommendations which was largely positive, and the follow-up report. The Chair explained that she had recently met Phil Riley (Director – Immigration) to discuss the aspects of the second report that the Home Office would value the IAP's advice on.
2. Panel members raised concerns about the regularity and format of data released by the Home Office; felt that more can be done on lessons learnt and discussed the Coroner's report on Jimmy Mubenga and how lessons are learnt, safeguarding and social care in IRCs and where the panel can add most value. The Panel thanked Stephen for his

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<sup>1</sup> <https://www.gov.uk/government/publications/welfare-in-detention-of-vulnerable-persons-review-progress-report>

contribution to the discussion. AF said he would send JW and SF the details of the Home Office's request to the IAP.

**Action 1 - JW and SF to discuss workstream on IRCs, once AF has circulated the note from the Home Office**

**Item 2: Minutes and actions from the last meeting**

3. Minutes of the previous meeting were agreed.
  
4. DC referred to her comments at the last meeting about the importance of monitoring disproportionality of BME deaths in custody. She wanted to ensure that the issue was not forgotten and that it should be considered during any future workstream.

**Action log**

5. All actions from the previous meeting were complete or on the agenda for substantive discussion. JL drew the panel's attention to the following:

- Action 4: *Secretariat to produce a short (e.g. 2 sides) paper on the outcomes from the Harris Report.*

The paper was circulated prior to the meeting. Panel members thanked KH for the document and agreed it was helpful to see. The Panel discussed actions taken on the recommendations and next steps. DC noted that some of the report's recommendations relating to family liaison after a death was not included; JL suggested that the panel should think about this in relation to the embedding recommendations workstream.

- Action 13: *JL to write letter asking about PAVA and any equality impact assessment that accompanied it.*

The letter was sent in early November. No response was received; AF stated that he would chase Private Office for a response.

**Action 2: AF to chase Private Office for a response to the PAVA letter.**

6. AF advised that the Written Ministerial Statement on the Angiolini review was published today.
  
7. Keeping Safe Event - JL had spoken to stakeholders with a provisional plan to hold a Keeping Safe event at the end of March. JL reported that hosting it at Friends House would be an approx. cost of £32K on a day delegate rate, which Panel members agreed would be exorbitant. There are more reasonable ways of booking this or other venues. Panel members agreed that there needed to be further discussion about the structure, content, attendees and presenters for the event before a venue could be booked. JT, JL and DC agreed to discuss the Keeping Safe conference in January and report back at the next IAP meeting

### **Action 3: JT, JL and DC to discuss the Keeping Safe conference**

#### **Item 3: Update on IAP work to date**

8. Safety Impact Assessment – the paper was circulated to panel members. The Chair explained that a workshop took place in December with 20 officials from a wide range of MoJ teams attending. The Impact Assessment received good feedback and developed into a helpful discussion about who would complete the assessment, when and how compliance would be monitored, among other questions. There will be another workshop after the new year; the panel would need to refine the assessment before the workshop could take place. JW volunteered to accompany JL to future meetings.

**Action 4: Secretariat to refine Safety Assessment based on feedback provided at the first workshop.**

9. Magistrates survey - AB had circulated the results of the survey. There were 31 responses, many of these containing helpful comments. Next steps were for the panel members to send their initial comments to AB by mid-January and JT and SF would work through the results with AB for the next meeting.

**Action 5: All to provide initial comments on the Magistrates Association survey by mid-January**

10. IAP embedding recommendations: the Chair, accompanied by JT and JS, was visiting three prisons next week – HMP Low Newton, HMP Humber and HMP Durham – where they would be discussing how the prisons were embedding recommendations with the Governors and staff.

**Action 6: Secretariat to provide background information on the three NE prisons in advance of the visit [completed]**

11. IPP prisoners - health impact: the report was circulated before the meeting. A further paper would be sent to Minister Argar but more work was needed before this.

**Action 7: SF and the Secretariat to discuss if further figures are required to analyse the IPP self-harm statistics. JL to review and revise paper.**

#### **Item 4: IAP work programme in 2018/19**

12. The panel discussed the work programme. The general consensus was that only minor redrafting was needed then it could be finalised. Panel members were asked to send their final comments to JL who would then draft the final version.

**Action 8: All to provide final comments on the work programme, and then it to be finalised**

### **Item 5: IAP deaths in custody statistics**

13. SF reported that previous IAP statistics reports were too long and the evidence suggested that not many people read them. The panel discussed whether there was still a role for them, if they were effective and the purpose of having an amalgamated set of statistics. The panel agreed that they should produce a report but that it should be more streamlined and focused on trends over time. Other comments raised were about whether the report could be done in-house, and if it should be done every year or every three years. All agreed that the IAP should try to get the departments to align their annual data releases.

**Action 9: SF and Secretariat to continue discussions on planning for the new IAP statistical release.**

### **Item 6: IAP website and communications**

14. There was not enough time to discuss this so the item will be held over to the January meeting. In the meantime, AB would forward screen shots of the potential new website to the panel for comments.

**Action 10: AB to circulate screenshots from the website work, collate further comments and prepare presentation for January Panel meeting.**

### **Item 7: Drug-related deaths**

15. The Chair introduced Glenn Knight who was leading the work on drug-related deaths for HMPPS. He explained that serious concerns have been raised by investigating bodies about the rise in such deaths and a small working group had been set up; the IAP was one of the advisory groups they were consulting. The terms of reference for the team were:

- Whether the number of deaths related to drug use is rising, and if so what is driving this;
- What type of drugs are involved and what information is available on how to reduce risks;
- How we can improve recording systems (and reduce the number of deaths that remain in the AFI category when our data is published), considering practice in other jurisdictions where relevant;
- What relevant guidance is currently available to staff and what needs to be done to ensure that it is up to date and helpful;
- What good practice exists in establishments and how this can be shared across the estate;
- What changes to policy, systems and processes (including drugs and safety strategies, and more generally) may be necessary to reduce the number of future deaths.

16. Glenn's team were asking governors what they were doing in their own prisons as well as talking to group safety leads and other knowledge bases. He asked panel members to advise him if there were any relevant research, links or contacts he should be aware of. The review would be completed in February 2019 with an interim report in January.

JL noted that figures being prepared for the MBDC will better reflect the number of drug-related deaths which should help inform development of policy and practice.

**Date of next meeting**  
**30 January 2018**

10.00am – 12.00pm Private dining room 2, 2 Marsham Street, Home Office  
1.30-5.00pm, room 10.29b, 102 Petty France, London