



Ministry  
of Justice



Home Office



Department  
of Health

**Independent Advisory Panel on Deaths in Custody  
Minutes of the Independent Advisory Panel meeting  
28 July 2020**

**Attendees:**

**Juliet Lyon - Chair**

John Wadham

Jenny Talbot

Deborah Coles (AM only)

Jenny Shaw

Piers Barber

Kish Hyde

**Apologies:**

Seena Fazel (comments sent on papers)

Adrian Blake

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**Item 1: Feedback from panel-only session, minutes and actions from previous meeting, and feedback from the Ministerial Boards**

Feedback from panel-only session

1. IAP meetings: the panel agreed to continue meeting fortnightly with hour-long meetings and half-day sessions every six weeks and would discontinue the full-day meetings for the time-being. The panel also want to keep a panel-only session during half-day sessions.
2. Visits worked well when preparatory papers were produced and they led to discussion. The panel want to meet Alexia Durran, Deputy Chief Coroner, in September to discuss working more closely with coroners and with Oliver Lodge, NAO, to discuss the mental health review and suggested follow up work.
3. This was now the panel members' third year of tenure and they were keen to progress particular workstreams and deliver outcomes, including seeking to achieve a national oversight mechanism to ensure implementation of recommendations made to prevent deaths in custody. Members also identified mental health, learning disabilities and race disparities as areas of focus.

4. When panel members produced a paper on their workstream for example for discussion at a meeting, this could become a working paper which would be published on the IAP website.

#### Minutes of previous meeting

5. Juliet will send comments on the minutes outside the meeting.

#### **Action 1: Juliet to send comments on minutes to Secretariat**

#### Action log

6. Most of the actions from the previous meeting had been completed or were on the agenda for substantive discussion. Juliet drew attention to the following actions:

- *Action: Alison/Adrian to check what commitments the Lord Chancellor made in his speech at the KS conference.*

The Lord Chancellor had shown interest in this area through his speech and the panel agreed they should write to him to give him an update.

#### **Action 2: Juliet to write to the Lord Chancellor as follow-up to the Keeping Safe conference.**

- *Action: Secretariat to arrange a meeting with Home Office Minister Kit Malthouse*

Juliet would now finalise a letter to the Minister requesting a meeting.

- *Action: Secretariat to arrange a meeting with new Home Office co-sponsor*

The panel had met the new co-sponsor; a follow-up meeting was now being arranged to discuss the Angiolini review in greater detail.

- *Action: JL to follow up with Angela on whether data on deaths is published and to share if available.*

Complete, and data had been discussed with the CQC; the secretariat are now awaiting their return and available dates for a follow-up meeting on prison health.

- *Action: Piers and Seena to discuss IAP statistics project and progress.*

We have received all data apart from secure health. CQC still had not sent their data – Secretariat would chase.

- *Action: Secretariat to update 2019 workplan tracker and circulate.*

This was complete and the Secretariat will incorporate the tracker with new work from 2020 plan and update on previous work. Deborah asked if it was possible to integrate Parliamentary activity as well – this will be included in the Forward Look document which will be provided to the panel prior to IAP meetings.

#### **Action 3: Secretariat to put together tracker for 2020/21 workplan including forward plan and timelines for discussion and assigning of timeframes and tasks at a future meeting.**

- *Action: standing item – Formal advice given by the IAP to be labelled as such.*

A short discussion took place on distinguishing between correspondence and formal advice to Ministers which should elicit a response from the Minister. This was agreed and the panel agreed that the formal advice should be numbered so that a record can be kept. The Secretariat will think about how to do this retrospectively, starting with papers submitted at the start of the Covid-19 pandemic.

- *Action: Secretariat to arrange meeting with PGA*

Juliet was in contact with Andrea Albutt and will discuss a meeting with her in due course.

- *Action: Deborah to forward “prison as a place of safety” related cases to Jenny T*

Deborah said that she would talk to the INQUEST team about identifying such cases. Juliet had recently met Jane Trigg, HMPPS, who referenced such a case; she will ask Jane to send details of the case to the panel and also contact Gabrielle Lee, previously governor at HMP Low Newton, about her work.

**Action 4: Deborah to speak to Inquest team about identifying “prison as a place of safety” cases**

**Action 5: Juliet to ask Jane Trigg and Gabrielle Lee to send details of their work.**

7. The panel agreed that it would be useful to talk to Caroline Allnutt, DHSC co-sponsor, about her role as chair of the Community Sentence Treatment Requirement (CSTR) Board. The Secretariat were arranging a co-sponsor meeting in September. Juliet was meeting Junior to talk about the spending review on 10 August and asked whether other panel members wanted to join them.

**Action 6: Secretariat to invite Caroline Allnutt to an IAP meeting to discuss the CSTR board.**

#### Feedback from Ministerial Board meetings

8. Deborah stated she was frustrated that the recent sub-meeting of the Ministerial Board had been more a presentation of papers already circulated and less about discussion of the issues raised. She also stated that all attendees should be able to table agenda items and papers. Juliet said she wanted to meet Ministers beforehand in future.
9. Piers will circulate the minutes of the meetings to Board members, then think about Board workplan, amending as necessary, integrating work from the recent meetings and looking at Angiolini next steps. The next meeting should be in October if sequencing allows. Piers stated that he would be happy to discuss the MBDCs with panel members if they so wished. Juliet suggested it should be an item on the agenda for the September IAP meeting and panel can discuss then.

10. John spoke about a roundtable to explore a national oversight mechanism to monitor the implementation of recommendations after a death. This follows papers Deborah and he prepared and discussion at an earlier meeting. He will forward a short paper with further thoughts to the panel.

**Action 7: John to forward a paper on national oversight mechanism roundtable – complete.**

## **Item 2: Update on current work across all areas of custody.**

### Immigration (Seena and John):

11. John explained that focus had been on the Home Office's request for support in responding to the Shaw review recommendations. He had spoken to Frances last week about the possibility of having an independent person attend lessons learned events following a death. The panel discussed who this might be, whether the meeting would be minuted and if it would be available to the family. Juliet was pleased that Frances had taken IAP comments on board and had put advice to Ministers about disaggregating data. John had asked Frances to be alerted of future inquests so an IAP member could attend.

### Prisons (Jenny T and Jenny S):

12. The first report, 'Keep Talking, Stay Safe' was published on 1 June. Findings and recommendations have been disseminated widely, shared as part of HMPPS recovery plan and discussed in the House of Lords, Jenny and Juliet have received the latest tranche of prisoner testimony gathered as a result of an advert on National Prison Radio and are awaiting further contributions or input from Inside Time. A framework for the next set of short briefings had been agreed and will be progressed.
13. Last week the IAP met the RCN to discuss the Natural Deaths paper which will now be updated with final changes. An action plan will be sent to all attendees of the roundtable and Jenny S would like to meet with them regularly to move the work forward.
14. Jenny S raised that she had put forward a request to undertake research on self-harm in prisons but had not yet received permission to go ahead. Seena had raised concerns about approved and funded research being held up without explanation. Juliet suggested a letter to the Prisons Minister on this may be useful. Jenny S had spoken to members of the Inspectorate about concerns about the mental health of prisoners. Juliet was also talking to Phil Copple and would raise this issue at the next meeting. Jenny S will share details of her research project.

**Action 8: JS to share details of her prison research project**

### Probation (Deborah and Jenny S):

15. Deborah will be meeting with the Probation Inspector for a discussion about support offered to prisoners on release. George Barrow's team in

Probation Policy is looking at probation deaths – it would be good to get a progress report on this.

**Action 9: Secretariat to invite an update on probation deaths from George Barrow.**

Policing (John and Jenny T):

16. Deborah stated that there had been two deaths in police cells in last couple of months and the IAP should monitor these. She wanted to look at concerns raised about race and policing during the pandemic, as well as use of Tasers. Jenny T had put forward a paper on changes to PACE. John requested greater secretariat support in this area.

Health (Deborah and Seena):

17. Awaiting a date to discuss next steps with the CQC.

**Item 3: 2020/21 Workplan**

18. Piers had updated the workplan and circulated prior to the meeting. The panel discussed where updates and amendments were needed and differentiated between new work and on-going work. Piers will update the workplan according to comments, then share it with the panel and the co-sponsors, after which it will be published on the website and submitted to the next full Ministerial Board in the Autumn.

19. An accompanying tracker will be developed and kept updated. An initial template will be brought to a future IAP meeting to allocate work across the panel and agree timeframes.

**Action 10: Piers to update the 2020/21 workplan according to comments, then share it with the panel and the co-sponsors**

**Action 11: Jenny S to forward most recent correspondence on the ACCT review from MoJ Prison Policy to identify potential future involvement.**

**Action 12: Piers to circulate prevention of future deaths report on Prince Fosu and HO responses to PPO and coroner - complete**

**Action 13: Piers to circulate latest Covid-19 prisoner deaths statistics - complete**

**Action 14: Piers to speak to Rachel Pascual to understand progress on the Safety Impact Assessment.**

**Action 15: Piers to circulate IAP Family Liaison Principles to panel for review.**

**Item 4: IAP comms report and discussion**

20. Adrian was not available so item will be held back to next meeting.

**Action 16: Adrian to present communications report at next half-day meeting on 21 September.**

**Item 5: AOB**

21. There was no other business.

**Date of next half-day meeting: 21 September 2020**