



Ministry  
of Justice



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Department  
of Health &  
Social Care

**Independent Advisory Panel on Deaths in Custody  
Minutes of IAP meeting – 2 December 2020**

**Attendees:**

**Juliet Lyon - Chair**

John Wadham  
Jenny Shaw  
Jenny Talbot  
Deborah Coles  
Seena Fazel  
Piers Barber  
Kish Hyde  
Adrian Blake  
Graham Randall

**Guest speakers:**

Michael Lockwood, IOPC  
Ann Norman, RCN

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**Item 1: Policing work**

1. Juliet welcomed everyone to the meeting and introduced the first speaker, Michael Lockwood, IOPC. She explained that the panel would welcome his views on how to ensure recommendations made after a death are followed-up and how to embed learning. John added that the IAP was interested in looking at accountability and how the panel can support the IOPC's work to prevent deaths.
2. Michael Lockwood stated that when he joined the IOPC the focus was on accountability, and that had not changed. He had noted that many of the same issues kept emerging and had set out to stop them. He had also aimed to reduce incidents, such as those of gross misconduct. His focus now was on accountability and learning, which was written into the IOPC mission statement. Learning was not just about individual officers, it was about leadership and culture.
3. He recalled how he had originally faced suspicion from officers when seeking to share learning. He picked several themes to discuss with them - Taser, domestic abuse, mental health, and road safety among others – with the aim of selecting cases in these areas from which the forces could identify learning.

4. Last year the IOPC made 105 learning recommendations. Following an investigation report, the IOPC will write to the force who have 56 days to respond; both the investigation and response are then published. The IOPC will let the forces know upfront what the recommendations will be so that they are prepared. IOPC also has the power to make Section 10 recommendations which are issued immediately in urgent cases. In cases with national implications, the IOPC will speak to the College of Policing. IOPC also runs national campaigns; publishes a thematic magazine of good practice examples; and publishes an end of year report highlighting the changes that have been made.
5. Actions the IOPC take to ensure recommendations are being taken-up include:
  - An oversight team will visit the Chief Constable to follow-up
  - HMICFRS will pick-up on recommendations as part of their visits.
6. Michael was clear that some issues still remain, including the need to get better as an organisation at learning; the need to bring together recommendations from all the different bodies in one place so that they were easily accessible; and more training on mental health issues. Some forces felt that partnership working was not joined-up, and not person-centric.
7. John asked for Michael's views on the three top items the IAP could help with. Michael replied that the status of custody-work was seen as second rate and needed investment (that is, trying to get forces to see that IOPC are there to help not criticise), and learning.
8. Deborah asked about Tasers. Michael said that he had spoken to people impacted by Tasers and the IOPC was doing some work on this area to identify thematic learning. He would share the report in the new year. He also stated that in a recent survey of 40,000 officers, most felt that there was not enough time spent or training on de-escalation and conflict resolution.
9. Juliet said that the Policing Minister was keen to work with the IAP to drive forward a prevention strategy. Michael felt that at the moment police forces are not good at 'horizontal learning' – i.e. learning from each other and sharing examples of where things work. He had found that this was not just a policing issue; it was also a mental health issue and the Minister's challenge would be to get other Ministers on board. One of the ways to do this would be to show them how they would benefit from partnership working.
10. Piers asked about the high number of apparent suicides after police custody; Michael will come back to the panel with more information.

**Action 1: Michael Lockwood to forward information about apparent self-inflicted deaths after release from police custody and, in January, to share the IOPC report on Taser review.**

## **Item 2: Natural deaths in prison**

11. Juliet welcomed Ann Norman, RCN, to discuss preparation for the meeting with Ministers Lucy Frazer and Nadine Dorries about the joint RCN/IAP report.
12. Jenny Shaw suggested that the panel should select the top three priorities and decide before the meeting how they want to take them forward. Ann agreed and highlighted the need to build a robust nursing workforce made-up of those with experience while also bringing in new people.
13. Piers said that it was unusual to get a meeting with two Ministers and suggested concentrating the discussion on some of the report's cross-cutting issues.
14. Juliet had spoken to both Gordon Davison and the Lord Chancellor about compassionate release. She wanted the issue to be on Ministers' agendas and to get their agreement to a review. Seena said it was important to gather data on use of compassionate release over time. Piers suggested the panel could do further work on this specific issue early next year. Piers endorsed Jenny's suggestion to raise questions around the future of telemedicine.
15. Deborah stated that involving families was still an important concern - natural cause deaths coming to inquest were still increasing and finding that families were not involved in the discussions about end of life care.
16. Ann suggested asking Ministers what the IAP and RCN could do to support their priorities in this area and to suggest a further meeting. It was agreed that Juliet will do an overview of the report and mention compassionate release; Ann and Dame Donna Kinnair will speak on training and workforce, then Jenny S will discuss the cross-cutting issue of long-term conditions. Piers will provide a note of items to discuss.

**Action 2: Secretariat to provide a note of discussion items for the meeting with Lucy Frazer MP and Nadine Dorries MP on the natural deaths report.**

**Action 3: Secretariat to source compassionate release data from the last 10 years and consider next steps.**

## **Policing work – cont.**

17. The panel returned to their discussion on policing work. Deborah cautioned that the panel should focus working on just a few specific outcomes. She was concerned about the Home Office response to the Angiolini review. She said there was a need to hold police to account when things went wrong, and continued concerns about the amount of use of force on black people as well as the type of restraint used. She had spoken to Kit Malthouse MP about not using the police as first responders for those in mental health crisis, and said that the panel needed to keep talking about Legal Aid for inquests.

18. Juliet agreed that the panel should focus on specific outcomes. John asked how the panel would agree to a small list; they needed to look at what the main issues were and what can realistically be achieved. A full, robust discussion was needed. Juliet suggested that Piers draft an outline of the meeting with the Minister, then convene a short panel meeting to discuss the outline and work the panel should take forward.
19. Jenny S mentioned the review of street triage which may provide some answers and a proposed way forward.
20. Deborah mentioned she heard a couple of years ago about police forces that did not attend mental health call-outs, therefore forcing mental health services to act. She would like to see what had happened on this. She discussed profiling best case practice, particular the Crisis Care Concordat. She confirmed that the coroner's Prevention of Future Deaths report concerning the death of Kevin Clarke had not yet been finalised.
21. Seena suggested greater scrutiny of specific changes that would have prevented the police custody deaths in 2018 and 2019. Juliet said that they needed examples of good practice but the centrepiece of the discussion needed to be about how the panel can work with the Minister.
22. Deborah said that deaths which took place on the street before the individual was in custody were the most contentious and tended to involve use of force.

**Action 4: Secretariat to produce an outline for the meeting with Kit Malthouse MP to circulate for discussion with panel members.**

**Action 5: Deborah and other panel members to highlight areas of Angiolini Review update felt to be overstated or inaccurate.**

### **Item 3: Secretariat update and other updates**

23. Piers provided an update:

All actions were either complete or in hand.

#### PFDs project

- Graham had drafted an IAP project proposal to follow the 'journey' of two to three PFDs in each of the different custodial sectors. This has been shared with Deborah and Juliet for feedback. Piers hoped that the panel would be able to discuss in detail at the next meeting on 15<sup>th</sup> December.

#### Family liaison

- The secretariat plans to restart work on this in the new year. Kish undertook a mapping exercise in 2019; the secretariat will follow this up in the new year to see if it is up to date, then consider to what degree it is happening in reality, potentially in collaboration with bereaved families.

#### Place of safety/CSTRs

- The team met ADASS and will be meeting Anne Owers and the Magistrates Association in the coming week.

#### Prisons

- the panel met with the ACCT team. The Panel will be sending through feedback on proposed training materials, while Deborah will discuss with the INQUEST team potential case study material.
- Juliet met the Lord Chancellor last week. Key discussion items were early release and other COVID-19 issues, as well as community sentence treatment requirements and neurodiversity.
- Juliet attended the HMMPS *Impact of Covid-19 on Prison Safety* event.
- Juliet and Jenny presented the IAP-RCN natural deaths report and National Prison Radio COVID-19 briefings at the Virtual RCGP Secure Environments Group Summit.
- Juliet met Alan Scott and Lisa Short to discuss the Female Self-harm Taskforce, young adults and transitions work.

#### NHS

- Some panel members met with the NHS to discuss the recent Rethink patient consultation work and a potential IAP follow-up survey.

#### Immigration

- The Home Office published backdated immigration detention deaths data on 26th November. A meeting was being set up for next steps. John and Juliet will be meeting immigration leads in the coming weeks re concerns about channel crossings and detained people.

#### Website

- traffic to the site was increasing.
- Adrian is finalising a new Learning Library and a page for family resources – Secretariat will ask the panel for their feedback in due course.

24. John and Juliet discussed how coroners could/should have the ability to follow-up the implementation of the findings of PFDs.

25. Juliet said the panel would do more work on the women's estate following the meeting with Alan Scott and that she would discuss next steps with Jenny S. She fed back that the Lord Chancellor seemed fixed on his stance about COVID-19 early releases in their current (unworkable) form; Juliet will write to him about having a viable contingency plan. The old website had a lot of material which needs to be imported to the Learning Library. Piers and Seena wondered whether vaccinations and the appropriate prioritisation of prisoners should be raised in the letter. Juliet will add this to her note.

**Action 6: Juliet to write to the Lord Chancellor about the early release scheme as a safety valve and vaccinations for prisoners.**

#### Item 4: Female self-harm

26. Graham had circulated the draft IAP paper to be put to the HMPPS Advisory Forum prior to the meeting. He explained that he had summarised the work covered by the IAP in recent years and issues relating to the IAP's women's report in 2017. He had discussed the draft paper with Seena and Jenny S. Graham asked the panel to feedback on whether anything was missing from the note.

27. Piers asked whether the IAP should run a short seminar on women and self-harm for Jenny S and Seena to share their work in this area. Juliet said that there was a lot of work going on across HMPPS and it would be useful to first understand how this fits into the larger picture. She asked who would be invited. Piers said that he had already mentioned the idea to some officials, who had expressed enthusiasm, though it could be opened to a wider audience. Panel members commented that family members talking about the death of their children at the Keeping Safe event had resonated with people and that it would be good to get a mix between policy and operational staff. The panel agreed that the focus should be on research as this seems to be missing elsewhere, it will be quicker to arrange, and can be framed upfront to establish the discussion boundaries. Juliet suggested that Jenny S and Seena consider a proposal for discussion.

**Action 7: Jenny S, Seena and secretariat to develop a proposal for a seminar on women's self-harm.**

28. The panel had a short discussion about the frequency and timings of meetings for 2021. The secretariat will draft a proposal note for panel agreement.

**Action 8: Secretariat to draft a note detailing proposed timings for 2021 panel meetings for panel agreement.**

**Any Other Business**

29. Piers informed the panel that Emily Arthorne, an Unlocked Graduate, will be joining the team for her work placement for two weeks in April 2021.

30. Juliet advised the panel that she had made an application for a two-year extension to each of the panel members' tenures and reminded them that the final decision lay with Ministers.

**Date of next meeting:**

15 December 2020 – 11am -1pm

**Summary of actions:**

- **Michael Lockwood to forward information about apparent self-inflicted deaths after release from police custody and, in January, to share the IOPC report on Taser review.**
- **Secretariat to provide a note of discussion items for the meeting with Lucy Frazer MP and Nadine Dorries MP on the natural deaths report.**
- **Secretariat to source compassionate release data from the last 10 years and consider next steps.**

- **Secretariat to produce an outline for the meeting with Kit Malthouse MP to circulate for discussion with panel members.**
- **Deborah and other panel members to highlight areas of Angiolini Review update felt to be overstated or inaccurate.**
- **Juliet to write to the Lord Chancellor about the early release scheme as a safety valve and vaccinations for prisoners.**
- **Jenny S, Seena and secretariat to develop a proposal for a seminar on women's self-harm.**
- **Secretariat to draft a note detailing proposed timings for 2021 panel meetings for panel agreement.**