

Independent Advisory Panel on Deaths in Custody
Minutes of IAPDC meeting: 27 June 2023

Attendees:

Lynn Emslie - Chair
Seena Fazel
Deborah Coles
Jenny Talbot
Jenny Shaw
Raj Desai
Jake Hard
Pauline McCabe
Piers Barber
Kish Hyde
Lana Ghafoor
Sam Johnston Hawke

For item 4:

Nev Kemp, NPCC
Nathan Neville, NPCC
Ben Rowe, NPCC

Item 1: Panel only meeting

Item 2: Feedback from Panel only session, minutes and actions, conflicts of interest

1. Lynn welcomed new Panel members Pauline McCabe and Jake Hard. She explained that in the Panel-only session they had discussed future direction of the Panel, including the importance of demonstrating effectiveness by being transparent and having a clear message. It was important to show impact, to engage with Ministers and officials to help them and the Panel meet their objectives, and to link the IAPDC workplan to existing government commitments. The Panel had agreed to declare any conflicts of interest at the start of each meeting.
2. Raj was keen to use the workplan as a focal point, to ensure there is a link with existing commitments without adding additional layers of complexity. Pauline referenced the two-year commitments made in the Prison Strategy White Paper which would be an important focus for the Panel's work. Raj stated that the Panel should be taking a firm stance where they find that commitments have not been actioned and be robust in their messaging. The Secretariat explained that they are looking for the Panel to be more involved in communications work and that they needed to be mindful of challenging constructively. Pauline explained how, in her previous post as Prisoner Ombudsman for Northern Ireland, her office had a high public profile and were seen to be fair and constructive while being robust.

3. Deborah mentioned monitoring recommendations and that it would be useful for new members to have a full list of recommendations from the Panel but also from reports such as the Angiolini Review and the Harris Review and ministerial commitments to change. This could be encompassed in the Handbook but may also need to look broader.
 4. The minutes were approved by the Panel. Lynn noted the following actions for comment:
 - *Deborah to share costs of an INQUEST Family Listening Day*
Deborah will discuss with her INQUEST team.
 - *Secretariat to scope out a fuller proposal for a handbook outlining IAPDC reports and recommendations*
Panel members suggested this should be a workbook rather than handbook and agreed that it should be an interactive document. The secretariat will scope how to put it on the website in database form, or something similar. Raj suggested including case studies which link to recommendations not yet implemented, these can be taken from the secretariat's PFD database.
 - *Deborah to share letter to Chief Coroner about the timing of writing PFD reports*
Deborah had a meeting with the Chief Coroner and is doing ongoing training with coroners. The key issue is getting coroners to issue PFD concerns at an early stage to identify immediate actions that can be taken, and her talk to coroners touched on this. The Secretariat will share Deborah's previous note on this.
 - *Secretariat to draft a proposal to put to the APCC board outlining a potential 'deep dive' day on policing deaths at their July general meeting*
It will not be possible for the APCC to host this at their July event. Lynn has sent a letter to request a slot at their October meeting.
 5. Pauline said that she would have liked monitoring the implementation of the Prison Strategy White Paper to be included as an item in the Panel workplan. The Secretariat explained that the MoJ team are taking forward the recommendations from the paper and that the Secretariat can arrange for a briefing if the Panel can identify the areas on which they wish to receive updates.
 - *Secretariat to produce discussion paper on previous Panel work on disproportionality and existing data gaps*
Raj explained that the purpose of this project is to pull together Panel work on disproportionality, the data collected and how it is being used to identify gap areas. A further meeting to discuss next steps will be set up once the initial data has been pulled together. Deborah stated that INQUEST will be publishing a report with Justice in the Autumn on how independent bodies take race into account during inquests and investigations. She will feed back on this in due course.
 - *INQUEST and Secretariat to continue discussions about the scope, theory and framing of the NOM ahead of INQUEST's planned parliamentary launch for their initial briefing in June.*
The Secretariat held conversations with INQUEST and were still keen to understand the implications of the proposal for the role of the IAPDC.
- Action 1: Secretariat to scope putting the handbook/workbook on the website in database form and arrange a meeting with the Panel on next steps.**
- Action 2: Secretariat to share Deborah's notes for her talk to Coroners with other Panel members.**

Action 3: panel members to identify areas of interest in the Prison Strategy White Paper ahead of secretariat setting up a meeting with the performance team to discuss.

Action 4: Secretariat to set up a meeting with Raj and Deborah to discuss next steps on disproportionality project.

Item 3: IAPDC workplan

6. The Secretariat provided updates on workplan projects.
7. Suicide prevention: Secretariat are hoping to launch the Panel paper on suicide prevention at the same time as the government strategy. The Panel paper has been circulated to Panel members for comment.
8. Rapid review: the report of the Rapid Review is expected for publication imminently (*Secretary's note - now published*) and will be followed by the Government's response, which is likely to outline a potential role for the Panel in devising solutions to the issues identified by the review regarding deaths data. The Panel have also been invited to assist the Board in devising deaths data 'gold standards' for the next Board meeting. Secretariat will draft a proposal for launch of the Panel evidence to the review as a standalone report following the Government's response, which could then be used to input on the 'gold standards' request for the Board. Secretariat will organise a meeting to discuss once the proposal has been drafted.
9. Family liaison project: the Secretariat explained that the proposed products from this project are:
 - i) central guidance for custodial services on good practice; and
 - ii) updated/improved existing information for families on what to expect following a death and where to go for advice and support.
10. In order to help develop the guidance, the Secretariat asked Panel members to consider who it is for, who should be involved in its development, how it will be sold to organisations - many of whom have their own guidance in place - how to ensure that over-worked staff read, absorb and follow the guidance, and how we encourage any new information for families to be better distributed. Deborah was disheartened that at events such as the recent CPS seminar family liaison appears to have dropped down the agenda. She suggested a refresh of the Panel's Family Liaison Principles and co-ordinating a roundtable to invite views from stakeholders. Secretariat will arrange a meeting to discuss next steps.
11. PFD report: the Secretariat updated on the process of editing the report following Panel members' comments and suggestions, and asked remaining Panel members to add theirs where they have yet to do so. He outlined the plans for publishing the report in the coming weeks, following a round of consultation with those whom the Panel consulted for the report (families, coroners, services and agencies, and the Chief Coroner). Secretariat also asked Panel members for their remaining comments on the launch plan.
12. COVID Inquiry: the Secretariat updated the Panel on developments with the Covid-19 inquiry, chiefly the opening of Module 4 on vaccinations and the opportunity for the Panel in submitting evidence regarding prisons. Raj and Juliet will be meeting in June to discuss their approach. The Secretariat will draft an outline for Panel evidence submission for the vaccinations' module.
13. Statistics project: Seena explained this would be complete by end of September. The researcher has already carried out some scoping work.

Action 5: Secretariat to draft proposal for launch of the Panel evidence to the rapid review on mental health inpatient data following the Government's response.

Secretariat to organise meeting to discuss once proposal drafted.

Action 6: Secretariat to arrange a meeting to discuss next steps on the family liaison project.

Action 7: Secretariat to draft skeleton/outline for Panel evidence submission for the COVID-19 Inquiry vaccinations module.

Item 4: Policing: Right Care, Right Person model

14. Ben Rowe stated that he wanted to address the myths which had arisen recently in the media associated with Right Care, Right Person (RCRP). The RCRP model was not just about mental health, but had implications for contact management, custody, and other areas. Ben explained that it was not about demand reduction or the police walking away. The RCRP is implemented locally which accounts for its unique structures, geographical and demographic differences and it does not mean that the police will refuse to use their statutory powers under the MHA 1983.
15. For context, Ben explained that a 2022 Policing Productivity Review carried out by the NPCC found that:
 - Use of the Section 136 had increased by 10% in the previous four years.
 - Forces reported spending 12 hours with each patient and requests for assistance from individuals suffering from mental ill health were increasing across all services.
 - 3,000-5,000 individuals were held in police cells each year, without any legal framework, suffering from acute mental ill health and awaiting an appropriate bed in a health care setting.
 - 800,000 officer hours a year were spent on calls to mental health incidents that did not involve a crime or safety risk.
16. RCRP was developed in Humberside following poor outcomes in HM Inspectorate of Constabulary inspections with particular concerns about welfare calls. The changes implemented were not focussed on demand reduction, although significant demand was reduced and resource moved as a result. Implementation of RCRP has to be phased, any other approach poses too significant a risk. An announcement on the National Partnership Agreement (NPA) will be made in the coming weeks in Parliament.
17. In the discussion:
 - Lynn asked about progress of the NPA. Ben stated the signatories are Department of Health and Social Care, Home Office, National Police Chief's Council, Association of Police and Crime Commissioners and NHS England who have jointly developed the document.
 - Seena asked what had worked well at Humberside. Ben stated that partnership engagement was key from the start and at all levels. There were challenges but these were discussed thoroughly and resolved. The partners found money for RCRP from their existing budgets.
 - Jake asked what guidance there was on sharing of information between partner organisations. Ben said that that conversations were based on anonymised figures and that partners did not need any confidential patient information. Safeguarding is now carried out with existing agreements.
 - Deborah asked who gave legal advice on the model, what was the risk and how imminent harm was determined. She noted that tension existed between mental health services and police in determining risk to life. Ben replied that Ian Skelt KC gave legal advice and presented at the most recent NPCC conference. On risk

assessment, the call handler has a decision-making tree from which they will select the topic relevant to the call and this will follow through to a decision.

- Jenny Shaw asked about the timescale for implementing the stages and if there was any research on impact and outcome. The timescale was dependant on the local force; some have more advanced partnership arrangements while others are further behind. There will not be a set time period recommended in the guidance, but overall forces should be ambitious. Humberside took two years, but they were developing the model during this period; with national guidance, some areas will be quicker. On academic evaluation, there was not much as this was a new initiative.
- Raj asked if a mental health practitioner helped in the risk assessment. Ben said that many forces have this triage. Areas of good practice identified will be included in forthcoming guidance. All 43 police forces are interested in take-up of RCRP. Some have gone ahead already while others are waiting for the guidance.
- Deborah asked about mental health trusts devising their own team to respond to calls. Ben said that there is a level of emergency response using mental health advisers who will carry out phone advice referrals.
- Seena asked about international evidence regarding best models. Ben said they have looked at some responses in Australia and USA, among others, but the systems are so diverse that comparison is difficult.
- The Secretariat mentioned the misinterpretation of the model from the media and wondered if there was communications risk. He asked what consideration the NPCC had given to leading a culture change for the police. Ben said that cultural elements are the biggest change. The training package that comes with RCRP will support the change and there will be announcements with products and further communications.
- Deborah suggested the involvement of bereaved families, which was accepted.
- Pauline mentioned that response times for welfare checks have deteriorated significantly. Ben acknowledged the importance of getting this data.

18. Lynn thanked the speakers. Ben explained that the next steps are the release of the guidance and work with NHS on shaping their guidance and that he will be happy to provide an update in due course.

Item 6: Immigration lessons learned review

19. The Secretariat explained that the Panel had been invited by the Home Office to a Learned Lessons review (LLR) relating to a death in an immigration removal centre.
20. Raj gave a summary of the meeting and the issues. He felt that it was something that the Panel should continue to do but that he would want much more information ahead of the meeting to ensure the Panel could be at their most useful. Deborah felt that Lessons Learned Reviews should be disclosed to families before inquests as they often contain a lot of important information. Raj agreed that bereaved families should be pushing for this. Action points and minutes of the discussion will be shared with the PPO ahead of their investigation. Raj suggested a meeting for the Panel to discuss safety issues with Immigration Enforcement and follow up with Frances about the LLR process.

Action 8: Secretariat to set up meeting for the Panel to discuss safety issues with Immigration Enforcement and follow up with Frances about the LLR process.

Item 5: IAPDC Communications and Practitioner and Stakeholder Group strategies

Communications Strategy

21. The Secretariat gave a brief background and summary of the strategy including that public communications have been used to amplify reports and Panel opinions on current

issues, and many Panel reports have had good coverage; the website has seen an increase in the numbers of visitors; and there is good engagement on social media. There is good use of media with recent articles in Inside Time and an article to be published in an Independent Office for Police Conduct Learning Lessons magazine soon.

22. The Secretariat summarised the SWOT analysis, which had identified weaknesses including inconsistencies in the Panel branding; that only the Chair had a significant profile and that other Panel members ought to be showcased more; that there was a heavy prison focus and no formal sign off process for media commentary and Twitter posts. They asked Panel members to consider:
 - How they wanted to drive forward and amplify the Panel's work.
 - If there were there any gaps in audience mapping.
 - How to respond to press requests to ensure views of all Panel members were considered.
 - The current arrangement for posting on the Panel's Twitter account and a sign-off process.
23. In the discussion Lynn commented she wanted to increase awareness of the Panel. Deborah noted that INQUEST use Twitter though they are moving more to Instagram and suggested that the Panel should consider more press releases and landing them with journalists. The INQUEST press team would be willing to share names of journalists they trust and work with. The Secretariat stressed that Panel members needed to be ready to engage journalists to establish expertise and cultivate relationships. Jake suggested LinkedIn for professional engagement. Jenny Shaw referenced a colleague who has done some work around good practice in using social media which she will share. Pauline emphasised the need to remain factual, not opinion based. Deborah stated that key messaging is important and that where the Panel have made recommendations on an issue which has not been resolved they should state this robustly. Deborah also pointed to the importance of using personal stories to highlight messaging.

Practitioner and Stakeholder Group (PSG)

24. The Secretariat summarised the PSG strategy and explained how the group contribute to Panel work, including most recently to the Panel's suicide prevention report. There are currently 180 members from a wide range of services, including some international. The Panel may wish to include more charities and mental health practitioners, as well as families and lawyers who represent bereaved families. They asked Panel members for suggestions for using the experience and expertise of the Group better and to share any contacts of under-represented groups.
25. Lynn supported the suggestion for greater use of the PSG and recommended that the Secretariat develop a "blurb" which could be used in future communications by both Panel members and Secretariat. She considered how to involve them in Panel work; a conference may not be the right option, but a smaller gathering of PSG members may be worth exploring. Deborah stated that the Group has been dormant for many years and now was a good time to re-energise it. She referenced a previous IAPDC conference she helped to set up which was useful and gave focus to work the Panel were doing.
26. Jenny Talbot stated the need to be clear to new members why they were being recruited; the suicide prevention event was good as it had a clear focus and output. Jake suggested canvassing members for other names and what they wanted to contribute.

27. In response to questions from the secretariat, the Panel agreed with the Secretariat's suggestions about increasing the level of robustness in media engagement (for example, on social media) and moving towards a sign-off process that enables quicker response times. Panel members also agreed to the proposed sign-off process for tweets. Lynn asked Panel members to send any additional comments to the Secretariat.

Action 9: Jenny Shaw to share her colleague's paper on good practice in using social media.

Action 10: Panel members to send comments on the Communications and PSG strategies to Secretariat.

Item 7: AOB

28. The Secretariat updated the Panel on budget spend. To date the Panel had spent £1892.65 on expenses. Secretariat are scoping costs for the Panel projects, which will then be put to the Deputy Director for approval.
29. The Secretariat updated the Panel on recruitment. The Panel are recruiting for two more Panel members to start in October 2023. Interviews took place in early June and a submission has been sent to No.10 to proceed to the next stage. When this has been approved, a submission will be sent to the MoJ minister and co-sponsoring ministers to approve the appointments.
30. Safety meeting follow-up dates: Panel had a meeting with the Prison Service Safety Team to discuss PPO recommendations and self-inflicted deaths clusters. They have offered a further meeting on safety initiatives, and have offered dates in September. The Secretariat will forward the dates to Panel members and set up the meeting for those who are available.
31. Jake stated that he was attending a meeting being held by the National Confidential Enquiry into Patient Outcome and Death (NCEPOD) and will report back.

Action 11: Secretariat to forward the dates to Panel members for a meeting on safety initiatives with HMPPS Safety Team (complete).

Date of next meeting:

31 July – virtual

List of actions:

- **Action 1: Secretariat to scope putting the handbook/workbook on the website in database form and arrange a meeting with the Panel on next steps.**
- **Action 2: Secretariat to share Deborah's notes for her talk to Coroners with other Panel members.**
- **Action 3: Panel members to identify areas of interest in the Prison Strategy White Paper ahead of secretariat setting up a meeting with the performance team to discuss.**
- **Action 4: Secretariat to set up a meeting with Raj and Deborah to discuss next steps on disproportionality project.**
- **Action 5: Secretariat to draft proposal for launch of the Panel evidence to the rapid review on mental health inpatient data following the Government's response. Secretariat to organise meeting to discuss once proposal drafted.**

- **Action 6: Secretariat to arrange a meeting to discuss next steps on the family liaison project.**
- **Action 7: Secretariat to draft skeleton/outline for Panel evidence submission for the COVID-19 Inquiry vaccinations module.**
- **Action 8: Secretariat to set up meeting for the Panel to discuss safety issues with Immigration Enforcement and follow up with Frances about the LLR process.**
- **Action 9: Jenny Shaw to share her colleague's paper on good practice in using social media.**
- **Action 10: Panel members to send comments on the Communications and PSG strategies to the Secretariat.**
- **Action 11: Secretariat to forward the dates to Panel members for a meeting on safety initiatives with HMPPS Safety Team *(complete)*.**