



Ministry  
of Justice



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Social Care

## Independent Advisory Panel on Deaths in Custody

### Note of the IAP virtual weekly meeting 31 March 2020

#### Attendees:

#### Juliet Lyon - Chair

Seena Fazel, John Wadham, Jenny Talbot, Deborah Coles, Jenny Shaw, Kish Hyde, Adrian Blake, Alison Bernard, Nick Poyntz

#### DHSC colleagues, attending for item 3:

Angela Hawley, Matthew Lees, Kate Davies, Kate Morrissey, Joanne Rance

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#### Item 1: Review of action taken and information exchange

- NPM have sent a letter to the Scottish Justice Secretary on the same lines as the IAP letter to Robert Buckland
- IMB have offered to meet and give the IAP an update
- Inquest have received emails from families concerned about the health of their loved ones. Deborah wondered whether they had access to a complaints process – Nick said that he would ask Phil Cople's office. Nick also suggested that the IAP collate information from families to forward to Phil and other relevant parties.
- Families want to understand early release arrangements
- There were questions about access to medical services and the status of healthcare in prisons which the panel would raise later with DHSC colleagues
- Juliet had spoken to a journalist from Channel 4 who stated that families were not being told when prisoners tested positive for Covid-19. Juliet asked if this was correct; Nick will ask HMPs and feedback
- Juliet asked whether minutes of the weekly meetings should be published online

#### Juliet's update:

- Letters had been agreed and sent out and responses received
- Juliet had a telecon with Lucy Frazer MP and agreed that they would speak regularly
- The IAP statement about Covid-19 was now on the website
- Juliet also spoke to the POA and PGA who were all keen on a programme of planned release but expressed concern about releasing prisoners who may be

vulnerable in the community through addiction, homelessness etc. They were also sceptical about using other buildings as temporary prisons during the crisis.

- Panel agreed that there needed to be a multi-pronged approach to ask Government to take action. A network of organisations provide guidance and support to families; panel agreed that Ministers should hear their concerns. Deborah will draft a letter
- Prisoner Advise Service has published guidance about compassionate release

## **Item 2: Agree action to take:**

### National Prison Radio (NPR)

- Prison Radio are doing a daily update briefing to prisoners
- Juliet suggested running a phone-in survey in partnership with NPR and Inside Time asking prisoners a couple of simple questions on their concerns about the virus. NPR will open a phone-line and will transcribe all calls; IAP will write a commentary collating findings and making sure Ministers and officials get rapid results.
- Panel members asked if there was any information on prisoner self-harm numbers, Listener referrals and how many are going to hospital during this period. Nick stated that self-harm numbers would be collated as normal though they may be delayed due to increased workloads and he would find a HMPPS colleague to answer other questions, including information on mobile handsets being rolled out to prisoners.
- Deborah had recent meetings with the PPO and IOPC; she will circulate a note of her meeting and issues they discussed which the IAP may want to pursue.

## **Item 3: Update from DHSC**

Panel members were keen to hear about any restrictions to therapeutic services, use of seclusion, family contact and post death processes - family support and investigations. DHSC colleagues gave the following updates:

- Implications of the virus for those detained in custody are being considered in the guidance and also operationally
- When the Coronavirus Act comes into force it will give power to amend aspects of the Mental Health Act, such as, only one doctor will be needed to take decisions on detention, to give evidence in court etc. There will also be an extension to the "place of safety" time limits
- The trigger for the provisions to be activated will be for NHS England to decide; it may be a reduction in staffing by 40% although this may be difficult to measure. It is hoped that staff will not use the provisions until absolutely necessary.
- Gold Command have been ensuring that no movement takes place within the prison estate, the exceptions are those moved for mental health reasons, compassionate release, and those being moved to and from court.
- The Homelessness Strategy includes those being released from prison without a place of residence.

- There is work in progress to ensure that prisoners will have access to their medication in the community.
- Prison healthcare is generally holding up well although there is pressure from staff being off due to illness. This has led to a change to cohort nursing
- Prison healthcare is undergoing change to single person accommodation
- There is a big drive to keep prisoners engaged, occupied and out of cells as much as is possible within the guidelines to look after their mental health
- NHS England have published two pieces of guidance to cover mental health services, and learning difficulties; Jo Rance will email the links
- Deborah asked for a conversation with NHS England about what is happening on the ground in mental health settings. Angela will arrange the call.

Juliet summed up next steps/actions to follow:

- Juliet and all - IAP to continue to press for planned release
- Nick to provide IAP with link person on MoJ covid-19 team so we can follow up on a list of, mostly practical, questions re data, self-harm figures, hospital admissions, space to isolate people who test positive, communications, distribution of phone handsets etc
- Panel to send list of questions to Kish and Juliet to collate/forward (see above)
- Juliet to ask Samaritans about call volumes, support for Listeners etc
- Deborah and Juliet to work with network of family and prisoner support groups to gather and collate family concerns and convey to Ministers and senior officials
- Juliet (with Jenny S and Jenny T?) to liaise with Prison Radio and plan independent prisoner survey
- Kate Hawley – Juliet, do you mean Angela Hawley? Kish (Health and Justice team) to organise IAP briefing/discussion session on impact on detained patients in NHS and healthcare settings.