



Ministry
of Justice



Home Office



Department
of Health &
Social Care

**Independent Advisory Panel on Deaths in Custody
Minutes of IAP meeting – 6 October 2020**

Attendees:

Juliet Lyon - Chair

John Wadham
Jenny Talbot
Deborah Coles
Jenny Shaw
Kish Hyde
Piers Barber

Apologies:

Seena Fazel
Adrian Blake

Item 1: Minutes and actions from last meeting

1. Juliet welcomed everyone to the meeting. She drew attention to the following actions from the previous meeting:

- *Juliet to draft letters to Ministers encouraging the prioritisation of funding for CSTRs and liaison and diversion services as part of the Spending Review (complete)*

Juliet thanked everyone for their work in finalising these letters to HMT Chief Secretary and DHSC Secretary of State. She is meeting Kit Malthouse next week partly to discuss this work. Jenny T will continue to work with the Magistrates Association to scope a potential further survey of CSTR take up.

- *Deborah to forward information about the Kevin Clarke inquest ahead of future IAP discussion on its implications for the IAP and wider Angiolini priorities.*

Completed. Deborah will provide an update.

Action: Deborah to feedback on the outcome of, and learning from, the Kevin Clarke inquest at the next meeting on 21 Oct.

- *Secretariat to draft email to be cleared by Juliet to IAP stakeholder group announcing new publications and flagging 'opt out' option.*

A letter was sent to the RCN event group asking them to opt in; will need to do the same for the Keeping Safe delegates. Kish and Juliet will also have discussions about the newsletter.

- *Panel members to send comments on draft response to the MoJ's consultation on the future of the scrutiny body landscape.*

Piers explained that the final response had been sent and talked through next steps.

- *Panel to confirm whether the IAP should submit evidence to JSC inquiry on legal aid.*

Secretariat were preparing a draft which will be sent to panel members for comment. Deadline is 19 October.

Actions carried over:

- *Seena to share any relevant literature on the link between data and digital delivery with DHSC.*
- *Secretariat to arrange meeting with Claire Murdoch, national director for mental health, NHS, to identify areas for IAP support including consulting on service user experience*
- *Secretariat to set up meeting with Juliet, Deborah and John on next steps for the recommendations roundtable.*
- *Deborah to consider how INQUEST media contacts can be shared with Adrian.*

Item 2: Implementing Scrutiny Recommendations

2. Juliet explained that the perceived failure to act and follow-up on recommendations made by scrutiny bodies and coroners has been an issue for a long time. Alexia Durran, Deputy Chief Coroner, will be attending the IAP's next meeting to discuss how the IAP can work more closely with coroners, while PFDs will be discussed at the next Ministerial Board.
3. Deborah outlined how responses from organisations are usually formulaic and not monitored, meaning it only becomes apparent if they have been followed-up when another death occurs. She referenced a case brought by the Health and Safety Executive against Essex Health Trust concerning a particular ligature point in a cell which had been the cause of more than one death despite the authority being made aware of it.
4. Deborah suggested identifying PFDs relevant to key IAP workstreams then tracking and following their progress with the sectors to identify what has been implemented; what the obstacles are to learning; what families are told etc.
 - Juliet liked the idea but cautioned that the approach would need to be different to the work of inspectorates which monitor take-up of recommendations. Jenny T suggested that changing attitudes and culture are more common themes but also more difficult to change and monitor.
 - John supported the idea of monitoring over a period of time to track what changes have been made.
5. Deborah suggested, as second stage, convening discussions with relevant actors, for staff, the governor/director, and families.

- John stated that an honest conversation with institutions is needed about what the barriers might be. Jenny T agreed and asked if IAP could find an independent facilitator to help.
 - Piers reminded everyone that a new Band B will be taking up post soon so there will be some extra resource in the team.
 - Will be useful to keep in touch with commissioned research tracking PPO recommendations.
 - Juliet will seek endorsement from Phil Copple.
6. An initial meeting is needed to scope out next steps. Deborah suggested using PFDs from different sectors so that the range of IAP work is reflected. Juliet said that the discussion of near-miss cases will take place at this scoping meeting.
 7. Piers set out suggested sequencing: the Ministerial Board will focus on PFDs and sectors are putting together process maps; Alexia Durran is also talking to the IAP on 21 October. He suggested that any discussion should take place after these meetings. Deborah advised that the Chief Coroner's office will be issuing new guidance on PFD reports and she will share when available.

Action: After meeting with Alexia Durran (21st October), Panel and secretariat to hold scoping session for work on tracking selected PFD reports across all areas of custody.

Item 3: Update on workstreams

8. Juliet is meeting prisons minister Lucy Frazer MP to discuss the IAP's second NPR report, the natural deaths report, and the rising incidents of self-harm in the women's estate. She is also meeting Rachel Pascual from the MoJ Prison Safety and Security Policy team, the PPO Sue McAllister, policing minister Kit Malthouse MP, and Phil Copple, HMPPS DG Prisons. She asked panel members for any topics they wanted her to raise.
9. Deborah wanted to know what the plans are for prisons; visits have resumed in most prisons but what is the long-term plan? Prisoners are still spending most of their time in cells. Juliet advised that HMPPS were struggling to get prisons up to Level Two in the National Framework (where more association, purposeful activity etc is permitted) and there were likely to be staffing issues; track and trace had some prisons where people were having to isolate. HMPPS will be under a lot of pressure. The panel wondered if immigration detention centres were filling up again.
10. Deborah said that the issues were similar across all the sectors and asked if co-sponsors could attend a future IAP meeting to give an update. Juliet will feedback from her meetings.

Action: Juliet to feedback on October meetings with Prisons and Policing Ministers.

Co-sponsors to attend IAP meeting in November.

11. Piers explained that several IAP submissions had now been sent to Parliamentary select committees. A submission on Legal Aid is due on 19 October.
12. The panel had a short discussion about how to follow-up the inquest on Prince Fosu and agreed to speak to Frances Hardy, Immigration Enforcement, in the first instance, then decide which of the other bodies mentioned in the inquest to follow-up with. Piers reminded the group that the action plan shared by Frances had been shared with the Panel, and will recirculate.

Action: Secretariat to set-up meeting with Frances Hardy, Juliet and John to discuss presentation of prevention of deaths strategy to HO Board and Prince Fosu inquest follow-up.

13. Piers had spoken to the ACCT team who are resuming rollout of the updated version. They are prioritising the women's estate and have offered IAP the opportunity to input into training materials, ideally incorporating views and information from bereaved families. Jenny S and Jenny T expressed their interest in being involved. Deborah to liaise.

14. Juliet asked panel members to have a look at the website and suggest material to feature in a new Learning Library section consolidating key research on the prevention of custody deaths.

Action: Jenny S and Seena to consider relevant research for inclusion on the new Learning Library section of the IAP website.

15. Juliet has arranged a meeting with Jane Trigg, HMPPS new head of Drug Strategy Development, on drug related deaths and was setting up a meeting with Andrea Albutt and Jenny T about the partnership on preventing the use of prison as a place of safety with Prison Governor's Association.

16. Jenny S advised that the RCN report on natural deaths had been finalised and published; the next step was to review the action log and decide who needed to be involved in following up recommendations.

Action: Jenny S to set up meeting with Ann Norman to review the action log and scope out who needs to be involved on follow-up to natural deaths report (arranged for 29 Oct).

17. Piers advised that Adrian was working on updating the IPP report before his paternity leave; a colleague who is covering his post this week will be reviewing and updating it.
18. Piers explained that the CQC are having consolidation issues with their statistics and have not yet submitted their return for the IAP's statistical bulletin. He was expecting an update soon and Seena and he can then decide on next steps.

Action: Piers to contact CQC to request data and/or an update on blocks to submitting data for IAP cross custody publication

19. Juliet stated a great deal of work had taken place on the workplan monitoring paper – she asked panel members to look it over carefully before the next meeting and give feedback/updates/comments.

Action: Panel members to give feedback and updates on workplan tracker before the next meeting.

20. Jenny S will feedback at a future meeting on the PROSPECT Research.

Item 4: AOB

There were no items of other business.

Date of next meeting:

October 21, 10am-1pm

Alexia Durran, Deputy Chief Coroner attending 10am-11am;
panel only time midday-1pm.

Actions carried over from last meeting:

- **Seena to share any relevant literature on the link between data and digital delivery with DHSC.**
- **Deborah to consider how INQUEST media contacts can be shared with Adrian.**
- **Secretariat to arrange meeting with Claire Murdoch, national director for mental health, NHS, to identify areas for IAP support including consulting on detained patient/service user experience**
- **Secretariat to continue building up stakeholder group by drafting letter and sending with recent briefings to Keeping Safe delegate list and wider IAP contacts with option to 'opt in' to receiving further information, being involved in consultations etc.**

New actions:

- **Deborah to feedback on the outcome of, and learning from, the Kevin Clarke inquest at the next meeting.**
- **Juliet to feedback on October meetings with Prisons and Policing Ministers.**
- **Secretariat to set up meeting with Frances Hardy, Juliet and John to discuss presentation of prevention of deaths strategy to HO Board and Prince Fosu inquest follow-up.**
- **Jenny S and Seena to consider relevant research for inclusion on the new Learning Library section of the IAP website.**

- **Jenny S to set up meeting with Ann Norman to review the action log and scope out who needs to be involved on follow-up to natural deaths report.**
- **Panel members to give feedback and updates on workplan tracker before the next meeting**
- **Piers to contact CQC to request data and/or an update on blocks to submitting data for IAP cross custody publication**
- **After meeting with Alexia Durran (21st), Panel and secretariat to hold scoping session for work on tracking selected PFD reports across all areas of custody.**