

**Independent Advisory Panel on Deaths in Custody
Minutes of IAPDC meeting
8 November 2021**

Attendees:

Juliet Lyon - Chair

John Wadham
Deborah Coles
Jenny Shaw
Jenny Talbot
Seena Fazel
Kish Hyde
Jecentha Shunmugam

Apologies:

Adrian Blake
Piers Barber

For item 1:

Junior Johnson, Ministry of Justice
Sally Grocott, Ministry of Justice
Richard Jolley, Home Office
Frances Hardy, Home Office
Iestyn Prosser, Home Office
Kathy Smethurst, Department of Health and Social Care
Megan Crawley, Department of Health and Social Care

For item 2

Chris Barnett-Page, HMPPS
Alice Child, Samaritans

Item 1: Co-sponsor updates and discussion

1. Junior Johnson, MoJ, gave an update on new MoJ Ministers' portfolios and their current priorities. He confirmed that the Lord Chancellor and Prisons Minister want to prioritise safety and stability, employment and skills and treatment for addictions and mental health needs. MoJ ministers are data driven and data led and want to monitor progress against KPI targets. In the following discussion, panel members discussed the Safety Impact Assessment which is being trialled and the panel's forthcoming report on drug and substance misuse.
2. Juliet previously raised the issue of women who were still waiting transfer to mental health hospitals and the awful practice of 'gate sectioning' under the Mental Health Act at the point of release. Kathy said that she would look into this. She stated that NHS had received additional money to help address mental health issues where there are pressures on services. The spending review allocation was to catch up in areas impacted by COVID and finding further money within the allocation process could be an issue.

Action 1: Kathy Smethurst to report back to the panel on transfer waiting times from prisons to mental health hospitals for women and for men.

3. The panel discussed availability of Mental Health Treatment Requirements and asked whether budget allocation decisions had been made to speed up full roll-out. As mental health is a priority for the Ministerial Board, the panel will be writing to the three co-chairs asking for full roll-out of MHTRs and other community sentences with drug and alcohol requirements. We will also write about the pressing need for mental and physical health checks as people have been locked down for so long.

Action 2: Juliet to draft IAPDC letter to ministers on CSTRs as well as individual health checks.

4. Richard Jolley, Home Office, explained that Kit Malthouse remained Minister for Crime and Policing. His priorities were quicker justice for victims, maximising police leadership to drive forward change, embedding learning and sharing good practice, building trust and confidence in policing, addressing disproportionality and reducing apparent post-custody suicides. Following the Spending Review settlements, the big priority is the uplift in police numbers. The panel were pleased with the minister's commitment to reducing deaths in custody and would like to accompany him on a custody visit. Deborah asked if the minister could meet some recently bereaved families involved in investigations/ inquests and raised outstanding recommendations from Dame Elish Angiolini's review.

Action 3: Richard Jolley to discuss with Deborah the key recommendations yet to be implemented following the Angiolini review.

5. Frances Hardy, Immigration Enforcement, advised that Tom Pursglove MP's current priority was the new Immigration Bill and was keen to visit an Immigration Removal Centre (IRC) as part of his introduction to the work of Immigration Enforcement. Frances suggested that the panel send him a copy of its *Priorities for a prevention of deaths strategy in Immigration Removal Centres* report and ask for a meeting in due course. The panel discussed the feedback they had received on their recommendations in the report.
6. Frances advised that the Home Office were opening a new immigration removal centre for women at the end of the year. In addition, a new facility was being developed at Dover, Western Jet Foil, which would provide a better standard of accommodation. There is much scrutiny of the facilities at Dover at the moment, with HMIP due to undertake a review as well. Frances suggested a meeting with the panel and the relevant Immigration Enforcement director once the Government has formally responded to the reviews.
7. Deborah asked about the new leaflet for bereaved families and inquired about the inquest of a man who died following an immigration raid; Frances confirmed that the leaflet had now been produced and translated into 20 languages. She explained that the immigration raid and Inquest referred to by Deborah was a different area of Immigration Enforcement, but she would make enquiries.

Action 4: Juliet and secretariat to send IAPDC letter to Tom Pursglove, Immigration Minister, with the prevention of deaths strategy, approved and adopted by Home Office.

Action 5: Frances Hardy to provide the panel with information regarding the death of a man following an immigration raid.

Action 6: Frances to update panel on new Dover facilities

8. Kathy Smethurst, DHSC, explained that Minister Keegan is responsible for social care, offender health and mental health and is particularly interested in data. Juliet suggested that the panel send her the newly published statistical bulletin, drawing attention to the missing data on deaths of people detained under the Mental Health Act. DHSC were hoping to get ministerial clearance soon to introduce the Mental Health Act bill. Matt Styles has been appointed new DG for mental health. The new Office for Health Improvement and Disparities was launched at the start of October which will take over the implementation of Dame Carol Black's report recommendations on substance misuse. Health Secretary, Sajid Javid, focussed on Covid response and recovery. He has a particular interest in identifying and eradicating racial disparities in treatment.
9. DHSC were ready to publish guidance on Seni's Law in early December although some of the provisions would not come into effect until January 2022, and others – such as body-worn cameras - until May 2022.

Action 7. Juliet to send stats. report with IAPDC letter to Gillian Keegan, Health Minister

Action 8. Kathy to keep panel updated on progress on the revised Mental Health Act bill and on Seni's Law.

Item 2: Samaritans Postvention and HMPPS deaths in custody trends

10. Alice Child, Samaritans, and Chris Barnett-Page, HMPPS, outlined the postvention pilot and subsequent rollout:
 - Postvention is the support provided after a suicide to reduce the emotional impact of that suicide and to make sure people are supported. People exposed to suicide are more likely to consider and complete suicide. Postvention has been used in schools and for railway suicides and has been adapted for prison settings.
 - The HMPPS postvention pilot project took place over two years and comprised a more proactive role for Listeners, more resources and information for staff and a best practice guide for Governors. It also included additional support from other Samaritans. HMPPS did not quite achieve the transformation they were looking for (such as staff communicating news of a death face to face) though the pilot was broadly positive.
 - Postvention rollout commenced after the pilot but as it occurred during COVID, contact had to be offered remotely via phone calls, emails and other media.
 - Funding was agreed at the beginning of the year and is being used to address recommendations from the evaluation, including extra Listener training and a staff toolkit. Staff will be briefed to provide the level of support previously provided by Samaritans.
 - Recommendations still to be addressed include:
 - Guidance to be included in "*Best Practice Guide*" for senior staff on self-inflicted deaths of vulnerable people, especially those with severe learning disabilities and/or mental health conditions.
 - Consideration of whether postvention applies to serious self-harm cases.
 - Specialist bereavement support – a pilot and evaluation is being carried out.
11. In the discussion, Deborah asked about trauma support following a suicide and support for those giving evidence to investigators – this was a particularly risky

period. Chris responded that HMP Rochester had an effective system for trauma support, and it might be something to learn from, and that the PPO offer support when Listeners provide evidence, though it was unclear how feasible it would be to provide it for everyone. The panel asked whether the roll out was premature and about the level of independence of the pilot evaluation. Chris stated that there was a lot of existing best practice which was re-shaped for this project and that the evaluation was externally supervised by a collaboration between Samaritans and Nottingham Trent University.

12. The panel asked for this to be a module within the new ACCT process as some of the people handling the ACCT rollout were also involved in postvention. The prison safety team (Jenny Rees) have been giving help to governors to prevent cluster deaths. Deborah was concerned about families' lack of access to support following a death and then having to deal with a protracted investigation, though this was outside the remit of the project.

Item 3: Feedback from panel-only session

13. Juliet fed back from the panel-only meeting:

- Conflicts of interest: the panel acknowledged that, with expert members active in their professional fields, that there will be conflicts and alignments of interest. It was agreed that these should be detailed and made more transparent with clear records kept and updated regularly.

Action 9: Secretariat to assist panel members in providing additional information and help with record keeping and publication of information.

- Priorities: the panel agreed that mental health would be their priority over the next year.
- Appointments: Panel member recruitment was due to be launched w/c 15 November. On the Chair's recruitment in 2022, the panel requested input into the Chair criteria, specifically around the type and level of experience. The matter of co-option was raised to include in panel membership someone with lived experience of closed conditions and/or a family member affected by a death in custody. The panel decided that further work was needed to agree and make such a proposal.

Action 10: Juliet to discuss co-option proposal further with secretariat and panel members.

- 2022 meetings: Members discussed having monthly virtual meetings, lasting a half-day and quarterly in-person meetings over a full day, centred on a thematic area, such as mental health, though considered whether this would leave enough time in between monthly meetings to progress work. A six-weekly cycle was preferred by those present. Juliet would discuss this with the rest of the panel.

Action 11: Juliet to discuss timings of 2022 IAPDC meetings with the panel.

- Support: Panel want more support from the Secretariat but feel they cannot ask for it at the moment with new appointment pending to replace Graham. If possible, members would like any new members of the Secretariat to have operational experience in one of the custodial settings. Members cited the value of Graham's probation and court experience in relation to a range of IAPDC projects.

- Statistical bulletin: Deborah had asked for a conversation about apparent conflicts of interest represented in the report and the need for the data to be more transparent. Seena argued that the purpose of the report was to present data without commenting on their significance. In terms of publication of IAPDC reports, it was agreed that, where possible, final drafts should be circulated to all panel members to allow time for comment prior to publication.

Date of next meeting:

13 December 2021, 1.30pm to 4.30pm

Location (subject to COVID safety advice): Prison Reform Trust offices, 15 Northburgh Street, London, EC1V 0JR

Actions

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- 2: Juliet to draft IAPDC letter to ministers on CSTRs as well as individual health checks.**
- 3: Richard Jolley to discuss with Deborah the key recommendations yet to be implemented following the Angiolini review.**
- 4: Juliet and secretariat to send IAPDC letter to Tom Pursglove, Immigration Minister, with the prevention of deaths strategy, approved and adopted by Home Office.**
- 5: Frances Hardy to provide the panel with information regarding the death of a man following an immigration raid.**
- 6: Frances to update panel on new Dover facility**
- 7: Juliet to send stats. report with IAPDC letter to Gillian Keegan, Health Minister**
- 8. Kathy to keep panel updated on progress on the revised Mental Health Act bill and on Seni's Law.**
- 9: Secretariat to assist panel members in providing additional information and help with record keeping and publication of information.**
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