

**Independent Advisory Panel on Deaths in Custody
Minutes of IAP meeting – 1 September 2020**

Attendees:

Juliet Lyon - Chair

John Wadham

Jenny Talbot

Deborah Coles

Jenny Shaw

Seena Fazel

Adrian Blake

Piers Barber

Apologies:

Kish Hyde

Item 1: Angiolini Review

With Samantha Newsham and Craig Spencer (Home Office co-sponsors)

1. Deborah introduced the review, outlining how the tragic death of George Floyd and protests by Black Lives Matter have focused attention on its key themes, particularly around the use of restraint.
2. Deborah covered the background to the Review:
 - Dame Elish was previously the Lord Advocate in Scotland and had experience prosecuting such cases and of the Scottish investigation system overall. She applied a forensic approach to the Review.
 - The review was strengthened by the involvement of bereaved families, including through two family listening days.
 - The Review produced a large number of evidence-based recommendations that cover deaths in all settings.
3. Deborah covered the aftermath of publication:
 - After publication Deborah met Nick Hurd and Amber Rudd. The former would go on to be particularly active in championing its implementation, especially those recommendations that acknowledged and supported bereaved families.

- The authors felt that the initial government response addressed easier recommendations and avoided questions about responsibility.
 - MoJ decided the recommendation about non-means tested legal aid would not be taken forward because of a lack of funding (Dame Elish had argued this was about rights, not funding).
4. Next Monday an inquest will begin into the death of Kevin Clarke followed by publication of a coroner's report on preventing future deaths. This death, which occurred after the publication of the Review, should serve as a reminder of the many remaining issues originally covered by Angiolini, including a lack of legal and other support for bereaved families.
5. Deborah summarised other key themes from the Review:
- The need to prioritise focus on effective training and on shifting culture away from physical intervention towards de-escalation measures.
 - Over-policing of black men in particular and the impact of those deaths within those communities.
6. Craig updated on some areas of progress:
- Support for families including the information leaflet and counselling and bereavement support (though INQUEST have seen no evidence of this for bereaved families following a death in custody).
 - IOPC reforms and improvements to the timeliness of investigations.
 - Exploration of alternatives to restraint (papers have previously gone to the Ministerial Board).
 - NHS commissioning of police custody (papers have previously gone to the Ministerial Board).
 - Guidelines around training are being produced by the College of Policing. John was involved in this, though the initial seminar was felt to have gone 'off-track' and the Panel are uncertain of progress since.
 - The cross-government Angiolini Implementation Group will be re-set up going forward.
7. The IAP highlighted potential areas of focus:
- **Race and ethnicity** – especially concerning disproportionate use of force deaths and use of dangerous restraint.
 - **Compliance** – following-up on the implementation of IOPC and coroner's recommendations.
 - **Public health and policing interface** – suggestion to look much more closely at street triage – it needs a much more rigorous approach as to who takes control and when, prioritising the mental

health response. Concern that although street triage is now uniform across the country, anecdotally it seems unclear as to who responds where.

8. Juliet asked about available levers to change culture within the police. Samantha responded that PCCs are intended to hold forces accountable (a review of PCCs is currently ongoing). The College of Policing, NPCC and others all have a role to play.
9. Deborah asked about the new Commission on Race and Ethnic Disparities. Samantha said this will cover the CJS so potentially policing.

Action 1: Deborah to circulate details about inquest due to start next Monday (7 September).

Action 2: Samantha and Craig to follow-up on extent to which bereavement support has reached bereaved families following a death in custody.

Action 3: Samantha and Craig to consider how progress against Angiolini recommendations can be confidentially presented to the IAP as well as more widely.

IAP meeting

Item 2: Actions from last meeting

- *Action: Juliet will write to the Lord Chancellor, asking that, now he has paused the early release scheme, it should be revised to become a more workable option. In the event it needs to be reintroduced if the pandemic worsens in prisons, then there is no fall back or in Lord Keen's words 'safety valve'. The scheme, mired as it is in bureaucracy, does not work as it currently stands.*
- *Action: Deborah to speak to Inquest team about identifying "prison as a place of safety" cases. Jenny T will follow-up.*
- *Action: Juliet to ask Jane Trigg and Gabrielle Lee to send details of their work. Jane Trigg is no longer in charge of safety in custody for the women's estate. She has now taken over the drugs strategy for men and women.*

Action 4: Piers and Juliet to discuss the best way to review progress made against the IAP's women's report presented to the Advisory Forum on Female Offenders.

- *Action: Secretariat to invite Caroline Allnutt to an IAP meeting to discuss the CSTR board.*
Caroline Allnutt will be at the IAP meeting on 21 September.
- *Action: Jenny S to share details of her prison research project.*
Suggestion to invite Jenny to share background to her PROSPECT research project with the Panel.

Action carried over: Jenny S to share details of her prison research project at future meeting.

- *Action: Secretariat to invite an update on probation deaths from George Barrow.*
Secretariat has spoken to George Barrow who is looking to identify the right person to speak to.
- *Action: Piers to update the 2020/21 workplan according to comments, then share it with the panel and co-sponsors.*
Workplan has been finalised following the co-sponsors meeting on 3 September.
- *Action: Jenny S to forward the most recent correspondence on the ACCT review from MoJ Prison Policy to identify potential future involvement.*
Jenny T and Jenny S agreed that they are interested to hear what the latest is. When work has restarted Piers will put them in touch again.
- *Action: Piers to circulate IAP Family Liaison Principles to panel for review.*
These need to be updated. Piers has circulated to the panel.
- *Action: Adrian to present communications report at next half-day meeting on 21 September.*
Communications report to be presented at 21 September meeting.

Item 3: IAP Workplan

10. Piers talked the panel through the new IAP workplan tracker, which covers the period between July 2020 and July 2021. It sets out all IAP projects committed to in the new workplan, including the intended impact, owner of each project, progress, next steps, intended deadlines and a RAG rating on how clear we are on next steps. There is also a Forward Look and an Action Log from meetings dating back to June – both those completed and those still in progress.
11. The plan highlights areas requiring input from the Panel on direction to take certain projects to inform agenda items at future meetings. The document will be updated by the Secretariat prior to each IAP meeting and circulated with the agenda and any accompanying papers. The panel

will be able to use it to understand progress around projects, see what is coming up and monitor what actions have been taken forward.

12. Juliet suggested that the plan should capture progress and should record results as we go along as opposed to waiting until the end of a project. Juliet said that the Panel should communicate progress with the Secretariat so it can be accurately captured in the plan.
13. Jenny T commented that the workplan tracker is an effective tool that is helpful in setting what the Panel is doing and hoping to do in terms of outputs and outcomes.
14. Seena suggested that there should be a ceiling on the number of active workstreams. He also highlighted areas that could benefit from greater visualisation, such as timings.
15. John raised that previous IAP work should be more accessible online and suggested particular projects that would benefit from a panel and secretariat discussion.

Action 5: All panel members to provide further comments on the IAP monitoring tools created by the Secretariat.

Action 6: Secretariat to look at possible reformatting of the workplan.

Action 7: Secretariat to ensure previous IAP work is more readily available and searchable on the new website.

Item 4: Feedback on papers

Natural deaths

16. Draft completed last week by Jenny S and Piers. It is currently with Ann, who is clearing it from the RCN perspective. RCN have drafted a press release and Juliet will feedback on drafted letter to be sent to ministers. Adrian has also prepared promotional material for social media. Once they are all completed, the paper will be submitted to ministers in September and published week beginning 21 September.

Prison Radio

17. The second briefing based on the National Prison Radio material has been written by Piers and Jenny T. This has been sent to Juliet for feedback and will then go to the wider panel. Promotional material for social media is also being prepared.

Action 8: Juliet to feedback on second Prison Radio briefing to then be shared with Panel for wider feedback.

Immigration report

18. This has been updated by Piers on 28 August, based on feedback from Deborah, Jenny S and Frances. This has now been sent to John, Seena

and Juliet. Piers to meet Frances on Friday and would circulate the latest draft prior to that. The plan, as discussed, is for John and Juliet to present the paper to the Detention Reform Board, which is meeting on 29 October.

Item 5: Future meetings

- Alexia Durran, Deputy Chief Coroner, has been invited to the IAP meeting on 21 October and will attend.
- Kate Eaves was due to come to meeting on 21 September but will now come to a later meeting due to the timings of the Brook House enquiry.
- Juliet to meet Oliver Lodge from the NAO to discuss prisoner mental health and the costing of a single death in custody on 8 September and invited any other panel members to join her.
- Jenny T and Juliet to meet Andrea Albutt from the PGA later in September.
- Juliet has a regular catch up with Sue McAllister PPO later in the week.
- Juliet will also meet Lord Farmer concerning families during COVID-19 on 2 September.
- Other suggestions for attendees included Michael Lockwood IOPC, and an appropriate representative from the National Research Council.

Item 6: AOB

19. The panel discussed its response to the MoJ's consultation on the scrutiny landscape. Piers will set-up a specific meeting to discuss it.
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Actions summary:

1. **Deborah to circulate details about coroner's inquest into death of Kevin Clarke due to start next Monday (7 September).**
2. **Samantha and Craig to follow-up on extent to which bereavement support has reached bereaved families following a death in custody.**
3. **Samantha and Craig to consider how progress against Angiolini recommendations can be confidentially presented to the IAP.**
4. **Piers and Juliet to discuss the best way to review progress made against the IAP's women's report presented to the Advisory Forum on Female Offenders.**

5. **All panel members** to provide further comments on the IAP monitoring tools created by the Secretariat.
6. **Secretariat** to look at possible reformatting of the workplan.
7. **Secretariat** to ensure previous IAP work is more readily available and searchable on the new website.
8. **Juliet** to feedback on second Prison Radio briefing to then be shared with Panel for wider feedback.