

Independent Advisory Panel on Deaths in Custody

Minutes of the Independent Advisory Panel meeting Monday 10 March 2014 102 Petty France, London

Attendees: Lord Harris of Haringey (Chair),
Simon Armson,
Deborah Coles,
Professor Philip Leach,
Professor Stephen Shute,
Darrick Jolliffe, Research Team (University of Greenwich)
Laura McCaughan, Secretariat
Kishwar Hyde, Secretariat
Alice Balaquidan, Secretariat
Dame Anne Owers, IPCC
Lindsay Harvey, IPCC

Apologies: Dr Peter Dean
Professor Richard Shepherd
Claire Johnson (Head of Secretariat)

1. Welcome and minutes of the last meeting

Lord Harris welcomed everybody to the twenty-first meeting of the Independent Advisory Panel on Deaths in Custody. Apologies had been received from Peter Dean, Richard Shepherd and Claire Johnson. Lord Harris also welcomed Laura McCaughan who was returning to the Secretariat in April 2014 and was joining the meeting for the morning session. The Panel would also be joined later by Dame Anne Owers from the Independent Police Complaints Commission who would give an update of the IPCC review.

Lord Harris stated that today's meeting would be the last Panel meeting for Stephen Shute and Simon Armson who were coming to the end of their IAP tenure. Starting in April 2014 would be five new Panel members: Dinesh Maganty, Graham Towl, Stephen Cragg, Meng Aw-Yong and Matilda MacAttram. Lord Harris gave a short biography of each new member and stated that he looked forward to working with them.

Panel members made several amendments to the minutes of the last meeting which were noted.

2. Action log

Actions from the last meeting were noted: all points had been actioned apart from one - **Secretariat to share 2009 near-deaths paper with University** – which the secretariat would share after the meeting. **Action point 1: Secretariat to share 2009 near-deaths paper with University.**

3. Independent Review into Deaths in Custody of Young Adults

Lord Harris gave a brief background to the call for the independent review. The Panel had been asked to take the work forward and deliver their recommendations in March 2015. Two members of staff had been sourced from MOJ to form the secretariat to the review and would be accountable to Lord Harris.

The Panel discussed the terms and scope of the review and agreed to welcome the invitation and to take on the review. The Panel accepted that the terms of reference of the review are a matter for Ministers. However, the Panel agreed that it remained of the view that it would have been helpful had the terms of reference of the review explicitly included consideration of the four deaths of children that have taken place during the review period. Nonetheless, the Panel recognised that the terms of reference given required it to “take into account the learning which has been undertaken in respect of the youth estate” and to consider in respect of the young adults who have died in prison “any relevant factors arising from their experiences prior to entering the custodial system”. The Panel agreed that it would be helpful to seek the input not only of the families of the young adults who have died in custody during the period covered by the review, but also from the families of the four children who have died in custody during that period. The Panel also agreed that assurances should be sought from the Minister that the Government would give a formal response to the recommendations of the review.

4. IAP work update

(i) *draft Mid-term Report of the IAP for the Stakeholder Event*

Panel members would forward their detailed comments to the Secretariat but general points to note were:

- the report should also be an opportunity to highlight work that had not been able to be taken forward or areas which were of concern, for instance, the recent sharp rise in the number of deaths in prisons.
- There was nothing to note yet under New Work. The report should make it clear that new work would be discussed at the May IAP meeting when new Panel members were in situ and would also take account of comments from the floor at the stakeholder event on 27 March.
- The report would need to be finalised and published in time for the stakeholder event.

(ii) *taking forward the request for the re-dissemination of the Information Sharing Statement (ISS)*

Lord Harris explained that the ISS had been circulated to the Ministerial Board who had acknowledged the need to re-cascade it. Discussion took place about what advice to give organisations. For prison custody, it was agreed that the Panel would devise a letter to go out to prison governors about disseminating the information and reporting back on progress. The letter would be signed off by Digby Griffith/Michael Spurr and would be finalised at the IAP meeting in May.

The Border Agency had a similar hierarchal structure and would require a similar communication.

The police would need to incorporate the guidance into the Authorised Professional Practice guidance. Stephen agreed to have a discussion with Dawn Copley about its inclusion. **Action point 2: Stephen Shute to contact ACPO about inserting the ISS into the APP guidance.**

For the NHS, information would need to be disseminated to (i) staff in mental health hospitals, and (ii) NHS personnel working in custodial establishments. Lord Harris suggested that the ISS needed to be pushed onto the agenda for the NHS and the Panel would need to speak to Mike Durkin to facilitate this.

It was agreed that all letters would be finalised at the May meeting. **Action point 3: agenda item for next meeting – finalising letters to agencies about disseminating the information sharing statement.**

(iii) progress on recording police use of restraint arising from 11 February meeting

Lord Harris explained that work on this is progressing. He was advised at a recent meeting that ACPO and the College of Policing are working together and are close to developing guidance regarding recording use in the APP.

(iv) proposed NHS England guidance on investigations into deaths and on restraint

Lord Harris pointed to the summary note from Mike Durkin which stated that NHS were in the process of producing this guidance. He was pleased to note that Mike seemed committed to taking this piece of work forward.

Action point 4: Secretariat to contact Mike Durkin's team for update on NHS England guidance on investigations into deaths for May IAP meeting.

(v) other workstream update

ACCT: Stephen stated that ACCT was an absolutely key process to protect individuals from self-harm and suicide. A recent roundtable discussion had produced a list of questions which Stephen and Darrick Joliffe had posed to prison staff and offenders involved in the process. To date they had visited three prisons, including one female prison, with a fourth visit due in the near future. Darrick had produced a paper on early findings, which had been circulated to the members, and was due to conduct a review of the 15 most recent HMIP reports on ACCT as part of the project.

NOMS were conducting a review of ACCT relating to young people. Panel members agreed that there should be a whole estate review of the effectiveness of ACCT and discussion followed about whether it should be conducted by NOMS or HMIP. Stephen agreed that he would speak to Nick Hardwick about a review.

Action point 5: Stephen to speak to Nick Hardwick about conducting a review on ACCT.

5. Family Liaison work - to formulate a recommendation to take to the Ministerial Board

Deborah Coles explained that there had been a lull in this area for a while and that it was now time to re-energise this work. She felt that there was a need to follow up whether the agreed processes of family contact were being taken forward. She would speak to Laura at the Secretariat on her return about this work.

6. IAP triennial review

It was not known at this stage what the timetable for the review would be although it was expected to be published in March 2015. Lord Harris said that he felt there was a tension between the timing of the review and the recruitment of the new Panel members. He would contact the sponsors to speak about this issue.

Action point 6: Lord Toby to speak to Mandy Jones about the timing of the triennial review and the recruitment of Panel members.

7. Update on Research Projects

Darrick Joliffe gave an update on the consortium workstreams:

(i) Statistical Analysis report for 2012

Darrick had received written comments from Lord Harris. Panel members made several specific and general comments on the report which were noted by Darrick who would make the amendments. Darrick stated that as a result of the discussion he would preface the report with an introduction explaining that some information was not available, providing reasons and what was intended to fill the data gap in future.

(ii) Literature Mental Health research review

Darrick had circulated the first draft of the literature review. Lord Harris stated that that it seemed to confirm what the Panel already felt they knew about the prevalence of mental health issues amongst those who die in custody. The review was able to identify a large volume of work all pointing in that direction which was helpful. Darrick took note of the Panel comments and would circulate the final draft in due course.

Darrick advised that the consortium had plenty of projects which they were now working on. He would contact Deborah to talk about Equalities work.

Action point 7: Darrick to speak to Deborah about conducting work on equalities.

8. IAP Consultation Event

Lord Harris ran through the plan for the day as set out in the paper circulated by the Clean Break theatre company. The Panel agreed that the questions for the breakout sessions were relevant and appropriate. The Secretariat would contact Clean Break to finalise the questions.

Action point 8: Secretariat to liaise with Clean Break about finalising questions for the breakout sessions.

Deborah said that in her introduction to the play she intended to inform the audience that the issues about women and mental health were raised at the last consultation event.

Lord Harris stated that he would formulate some questions for the afternoon session to encourage debate and discussion about potential future work for the Panel.

9. Presentation from the IPCC - to give an overview of the IPCC Review due to be published

Lord Harris welcomed Dame Anne Owers to the meeting.

Dame Anne gave a brief overview of the recent IPCC review which had recommended significant changes to the work, design and function of the Commission. Discussions were still taking place with the Home Office about the details of review.

Dame Anne also stated that the Commission were about to publish their statutory guidance for police post-incident management. She gave a brief background and some of the main points of the new guidance.

10. Close and Timing of Next Meeting

Lord Harris expressed his thanks to Panel members Stephen Shute, Richard Armson and Peter Dean for the work they had done for the Panel, for the contributions they had made and the work that they had helped to progress. He wished them well and hoped that they would all continue to be part of the stakeholder group.

Future meetings

- Wed 7 May 2014 @ 10am – 1.30pm
- Wed 10 September 2014 @10am – 1.30pm
- Wed 10 December 2014 @ 10am – 1.30pm

Actions from meeting

Action point 1: Secretariat to share 2009 near-deaths paper with University.

Action point 2: Stephen Shute to contact ACPO about inserting the ISS into the APP guidance.

Action point 3: agenda item for next meeting – finalising letters to agencies about disseminating the information sharing statement.

Action point 4: Secretariat to contact Mike Durkin's team for update on NHS England guidance on investigations into deaths for May IAP meeting.

Action point 5: Stephen to speak to Nick Hardwick about conducting a review on ACCT.

Action point 6: Lord Toby to speak to Mandy Jones about the timing of the triennial review and the recruitment of Panel members.

Action point 7: Darrick to speak to Deborah about conducting work on equalities.

Action point 8: Secretariat to liaise with Clean Break about finalising questions for the breakout sessions.