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of Justice



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Department
of Health

Independent Advisory Panel on Deaths in Custody

Minutes of the Independent Advisory Panel meeting

18 October 2016

Clive House, London

Attendees: Juliet Lyon (JL) - Chair,
Dinesh Maganty (DM) (by telephone)
Matilda MacAttram (MM) (by telephone)
Dr Meng Aw-Yong (MAY) (by telephone)
Stephen Cragg QC (SC)

Andrew Fraser (AF), Head of Secretariat
Kishwar Hyde (KH), Secretariat
Paul Holland, NOMS – for item 3
Chris Barnett-Page, NOMS - for item 3

Apologies: Professor Graham Towl
Angie Hinksman

1. Welcome and Minutes from last meeting

1.1 JL welcomed everyone to the meeting, her first as Chair of the IAP. Apologies had been received from Angie and Graham. SC was present in person, MAY and DM had dialled in and MM was expected to join the meeting by telephone as well.

1.2 Minutes of the previous meeting were agreed – no amendments were noted. AF briefly went through the main points from the minutes of the previous meeting. JL explained that she had met Dame Elish Angiolini regarding the Home Office Review, and the report will not be published until the end of the year. There were likely to be references and recommendations in the report relating to the Ministerial Board and the IAP. Dame Elish had also looked at areas of restraint and was very interested in sustained learning. It was noted that, although the panel had not made a formal written submission to the consultation, Kate Lampard had met with Dame Elish to discuss the Review and Deborah Coles was on the Review expert panel. JL would follow up this meeting by writing to Dame Elish with some additional points of interest raised by the panel.

Action 1: JL would write to Dame Elish to emphasise the IAP's interest in the review.

2. Action log

2.1 AF explained that all actions had been finalised other than those which were on the agenda for today.

2.2 JL noted an outstanding action from the previous meeting: *SC to liaise with Anne McDonald to discuss DOLS as a project for IAP*. SC had been in touch with the Secretariat to help him arrange a meeting with Anne but unfortunately this had not yet taken place. The Secretariat would continue to try to arrange this appointment.

Action 2: Secretariat to organise a meeting to discuss DoLS between Anne McDonald and Stephen Cragg.

2.3 DM queried the action for *Secretariat to progress pro-bono procurement on DM's work on deaths of detained patients*. AF explained that following further enquiries, the Secretariat had ascertained that there was no need to advertise for procurement of the research in such instances. The IAP could therefore move forward with the research. DM asked the Secretariat to write to his colleague at Warwick University to confirm approval for the work.

Action 3: Sec to write to DM's colleague to confirm approval to undertake the work

3. IAP Appointments

3.1 AF explained that there was a preliminary meeting next week with the Public Appointment Team (PAT) which Anne McDonald would be attending on behalf of the co-sponsors. AF would find out from PAT exactly what would be discussed and report back.

3.2 JL advised that all panel members had expressed an interest in re-applying for the Panel and that they were most welcome to do so.

4. NOMS suicide and self-harm (SASH) project

4.1 Paul Holland had circulated a brief presentation prior to the meeting. He gave an update to his previous presentation to the panel in June explaining that this was a 12 month project to bolster activity already under way, such as improving early days in custody. The key objectives were to implement the ACCT review recommendations, to improve the identification of those at risk and to support them better; and to increase the evidence base and understanding of what drives self-harm and self-inflicted deaths. These would be delivered through a framework of prevention, intervention, education underpinned by analysis.

4.2 Paul stated that he had asked for the project to be extended by another 6-12 months and for a bigger budget to be made available.

4.3 There were 15 workstreams including ACCT (the recent review resulted in 20 recommendations), clarification of the role of Probation, CRCs and Health, process improvement, developing improved training packages, gathering prisoner insight,

prisoner support by staff and developing a screening tool for risks and triggers. JL suggested that Paul should speak to GT and DM who are also looking at the latter of these.

4.4 Paul explained that pilots were being held in prisons in the Tees area as well as Manchester and mental well-being in the North-West. Local Authorities were engaging with the project; it was mentioned in the NICE guidelines and there were regular communications on near-deaths. Discussion between panel members and the SASH project team followed about resources, the identification of risk, ACCT and the focus of the project. Several actions arose as a result of the discussion:

Action 4:

- **Sec to share the user voice research from the SASH project**
- **Connect Paul Holland to Dinesh Maganty /Graham Towl on assessment tool work**
- **Update SASH project with key areas of IAP work**
- **IAP to consider drawing together best practice on support for staff following deaths in custody from across the three departments for the benefit of the SASH project**

Secretary's note: MM joined the meeting.

4.5 The panel queried how the Harris Review recommendations fit into the project; Chris responded that 12 recommendations were being considered as part of prison reform and since the new administration, nine more recommendations had been fed in. The most significant was the work on the offender management model. JL felt that it was now important to consider deaths of women in custody.

4.6 Paul stated that he was happy to provide an update at the next IAP meeting in December.

5. Update on workplans (Papers 18.10.16-4 a-c):

Update from Chair

Background:

5.1 JL explained that she officially took up her post on 1 September and was struck by the amount of change taking place; there were new Justice and Home Secretaries, new Ministers on the Board as well as a new head of the secretariat and lead sponsor officials. The Panel appointments process is also in its early stages and there is a rising tide of deaths in prisons, although it remained steady in police custody.

5.2 JL had spoken and listened to a wide range of people about deaths in custody. There were a number of reviews taking place within departments so the IAP needed to think about what their role was and the best way to make use of their centrality and cross-departmental position to help reduce deaths in custody. Many of the recommendations made in Inspectorate and PPO reports (and others) were the same so there could be a role for the IAP in ensuring compliance and setting targets.

Gathering information:

5.3 This was a potentially key area of responsibility for the IAP as the Panel could develop a central data source on reducing deaths in custody. Alongside the publication of statistics, the panel could also collate domestic and international research, ensuring it was valid and relevant. JL was pleased to note that the Secretariat had already started doing this.

Dissemination:

5.4 The PPO and IPCC have similar methods of dissemination via learning lessons bulletins. JL believed that the panel could play a central role in disseminating findings and recommendations from current major reviews by custodial sectors into deaths in custody.

Learning lessons:

5.5 The panel would need to consider how they could help people to learn lessons – this would be the main focus of the next panel meeting. JL was keen for Ministers to hear from families of those who had died in custody and had spoken to Deborah Coles about arranging another family day. Organisations had also expressed their frustration at the lack of compliance and monitoring – JL wondered if the IAP could fill this gap.

Target Setting:

5.6 Panel members had a discussion about the potential for departments to set targets on reducing numbers of deaths and the need for this to be handled carefully. AF advised that the previous Health and Justice Ministers had viewed advising on target setting as a role for the IAP. JL asked panel members to consider the issues and implications for further discussion at the next meeting.

Action 5: target setting to be on agenda for the next meeting.

Plans:

5.7 During the next six months the IAP would:

- establish a basis for national data source;
- develop a communications strategy and increase visibility;
- publish annual statistical report;
- **Harris follow up and publish research paper on vulnerability.**

Update on IAP work

5.8 JL advised that she had spent her first few weeks meeting stakeholders and gathering information. Although she had not been able to meet the Probation and Prisons Minister, Sam Gyimah, as intended the day before. The meeting was being rescheduled.

5.9 Panel members had been involved in a number of activities; MAY had helped to organise the conference on Mental Health and Suicides in Custody with the Royal Society of Medicine, where Lord Harris had given a presentation on the Harris Review. Several attendees had pointed to the amount of information in existence

about what could and should be done to reduce the instance of deaths in custody but that very little was put into practice. This raised the issue about whether the IAP should consider that more research was not needed but rather that training and learning lessons should be the focus.

5.10 AF mentioned that the new prison officer training programme, POELT, did contain some element of mental health awareness. He was making enquiries on what this might constitute. The panel commented that mental health awareness training should be continuous throughout the career and be aimed at every operational level.

5.11 SC raised some questions on DOLS. It appeared that the Chief Coroner wanted it removed from legislation as it was creating a huge workload for coroners but the Panel did not necessarily agree. Currently, deaths subject to DoLS fell within the remit of the IAP although the Panel was not prioritising this area of work at present. There could be more substantial evidence on which to base a decision after the Warwick University research on deaths of detained patients.

5.12 JL said that she was pleased with the breadth of work being carried out but wanted to have a clearer indication of the progress and expected outputs and outcomes of the various workstreams. It was agreed that all panel members would provide an update to the Secretariat on the workstreams they are responsible for.

Action 6: All Panel members to complete the workstreams update form circulated by the Secretariat.

6. 2015 statistical analysis report

6.1 AF advised that the contractor had sent an early draft of the report, which included some initial narrative. AF would circulate a near ready version of the report to the panel before publication which should be before the end of the year.

7. Quarterly Death in Custody statistics

7.1 These were circulated prior to the meeting. No comments were raised.

8. Any other business

8.1 Meng had forwarded the minutes of the last Mental Health and Restraint Reference Group and the draft guidance it had developed. He asked panel members to let him have comments on the draft, to be sent via AF, within the next couple of weeks so that he could relay the information back to the Group.

9. Date, Time and Venue of Future Meetings:

9.1 JL reminded the panel members that the next meeting was on **Wednesday 7 December 2016 at 10.30am - 12.30pm**. She hoped that all panel members would be able to attend in person.