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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 May 2017 Clive House

Attendees: Juliet Lyon (JL) - Chair,
Dinesh Maganty (DM)
Dr Meng Aw-Yong (MAY), by telephone
Professor Graham Towl (GT)

Andrew Fraser (AF), Head of Secretariat
Kishwar Hyde (KH), Deputy Head, Secretariat

Apologies: Stephen Cragg QC (SC)

1. Welcome and minutes of the last meeting

- 1.1 JL welcomed members to the meeting. Apologies had been received from SC and MAY joined the conversation by telephone.
- 1.2 Minor amendments to the minutes were noted but otherwise agreed.

2. Action Log

2.1 All actions were complete or on the agenda for substantive discussions other than the following:

- *DM to provide names of Medical Directors, and Secretariat to send letters.* DM explained that this workstream will analyse a sample of natural cause deaths in secure hospitals. The researchers will look at 2014 anonymised data for trends and themes to ensure that the deaths have been reviewed by a coroner. DM advised that many deaths of people under the remit of the MHA are never reported to the CQC or coroner because they die in acute hospitals.
- A paper on *National Guidance on Learning from deaths* was published by the National Health Service England (NHSE) and Department of Health (DH) in March 2017. DM explained that the guidance covers all deaths in hospitals including those under the MHA but it does not mention Article 2 or the independence of investigations. Mental Health Trusts looking at deaths in secure settings and those who die of a

severe and enduring mental illness will have a two-and-a-half hour investigation period. DM suggested that the IAP should be involved in future discussions on this guidance.

- *The Equality and Human Rights Commission (EHRC) report on deaths in prison and police custody to be considered for the agenda for the next Ministerial Board.* AF reported that this has not yet been confirmed as an agenda item for the next meeting. MAY reported that he had attended the recent EHRC conference. He noted that, although police custody deaths were dropping, there continues to be concern regarding post-release suicides over the last 12 months, particularly for males arrested for domestic violence and sexual offences. The Met police is due to start a trial involving Samaritans talking to people in police custody and following up with them post-release to try to reduce the number of suicides. JL asked MAY to keep the panel updated.

Action 1: MAY to keep the panel updated about the Samaritans scheme in police custody.

JL reported that she had given evidence to the Joint Committee on Human Rights (JCHR) and asked for the written report to be circulated to the panel members.

Action 2: Secretariat to circulate link to JCHR

- *MAY to write a proposal for a study on the use of Tasers for the panel to consider.* This workstream is in the early scoping stage and the action will be carried over to the next meeting.

Action 3: Carry action over to next meeting: MAY to write a proposal for a study on the use of Tasers for the panel to consider.

3. IAP Appointments

3.1 The pre-election period has halted the start of the recruitment campaign until after the general election. Ministers will be asked to authorise the recruitment as soon as possible post-election.

4. Update from Chair

4.1 IAP/Inside Time/Prison Radio collaboration: The IAP received 70 initial letters and a large number of follow-up letters from prisoners plus over 40 phone message transcripts via Prison Radio. Their comments have already been used in conversations with senior staff and in letters to Ministers and a portfolio of them will be given to the Prisons Minister. A planning meeting is taking place next week with Samaritans and Inside Time and the August issue will publish a summary of the themes that have emerged from the letters.

4.2 Rapid evidence collection on women's deaths: JL explained that this is due to be put before the next Ministerial Board. The report, which is a working paper, was presented to ABFO and published on the same day as the PPO report on self-inflicted deaths of female prisoners. It was covered by BBC News and profiled on Woman's Hour. JL has started to consult with

practitioners on taking the work forward. AF has been in contact with the HMPPS lead on delivering the recommendations and will maintain regular contact with them. The IAP will also contact stakeholders on the sentencing side in due course. GT noted that the Counselling in Prison Network would be a useful liaison point on this issue and he will broker an introduction between them and the IAP.

Action 4: Follow-up of recommendations made to be kept on IAP agenda.

5. Top Ten Recommendations

5.1 The IAP discussed the idea of collating and publishing the recommendations with the highest potential to save lives each year. AF noted that there are a large number of recommendations made by investigative bodies every year – e.g. 629 by the Probation and Prison Ombudsman (PPO) in 15/16 alone; and the IAP discussed a number of factors relating to how such a task should be approached including assessing recommendations by impact, achievability or type of death. JL suggested that the panel members consider the initial key recommendations for their areas of expertise by 9 June.

Action 5: panel members to send in their initial top recommendations by 9 June.

6. IAP 2017/18 Strategy

6.1 The IAP discussed its strategic objectives for 2017/18 and noted that the top ten recommendations could form a central part of the IAP's future work if it goes forward. GT suggested that the IAP needs to adopt a high-level position and act strategically, rather than intervening in unconnected issues. The panel agreed that they would consider the 2017/18 strategy further including aspects such as success measures, priorities and how the IAP can best influence the central issues in safeguarding lives in custody.

7. 2015 statistical analysis report

7.1 AF reported that the Permanent Secretary's office confirmed that publication of the statistical report could not take place during the pre-election period so this would now be published after the general election. All organisations had sent in their returns for 2016.; AF and GT would review the returns and liaise about the analysis required.

8. Workstream tracker

8.1 KH reported that panel members had updated their workstreams in person or by email.

9. Any Other Business

9.1 JL suggested that, more regular contact should be established. The panel agreed that the next meeting should take place in early July.

**10. Date, Time and Venue of next meeting:
6 July 2017**

