



Ministry
of Justice



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Department
of Health &
Social Care

Independent Advisory Panel on Deaths in Custody

Minutes of the Independent Advisory Panel meeting 3 June 2019

Attendees: Juliet Lyon - Chair

Seena Fazel
Jenny Shaw
John Wadham

Andrew Fraser, Head of Secretariat
Kish Hyde, Secretariat
Adrian Blake, Secretariat

Apologies: Jenny Talbot
Deborah Coles

Item 1: Minutes and matters arising from previous meeting and pre-meeting

1. Minutes of the last meeting were agreed prior to the meeting.

Matters arising

2. The Chair advised that she had now written to the Secretary of State (SoS) as mentioned at the last meeting; Andrew would circulate the letter.

**Action 1: AF to circulate copy of letter from Juliet Lyon to SoS.
[Completed]**

3. Andrew reminded the panel that before the last meeting he had spoken to Andy Herd at DHSC about the IAP remit of MHA and DOLS deaths, but that he would follow-up by discussing it with the new DHSC co-sponsor, Richard Kelly. The Chair suggested that the panel discuss this further at the awayday. Panel members asked if an expert was needed to speak on this issue.

Action 2: AF to speak to Richard Kelly about MHA and DOLS deaths. [Completed]

4. As part of the co-sponsor discussion at the last meeting, it was agreed that Heidi and John/Jenny T should meet and talk about ways to value custody staff. John asked if the Secretariat could arrange the meeting.

Action 3: Secretariat to arrange meeting between HO and John and Jenny T.

Item 2: IAP Awayday (10 July 2019) – purpose and plans

5. The panel discussed the purpose and plans for the day and issues which should be explored:
 - To look at ways in which IAP could be more effective/ more impactful.
 - Build on learning from the IAP Top 10 Recommendations paper and how to embed learning.
 - What is role of HMPPS/HMIP/PPO in following-up recommendations by investigative bodies?
 - Are there better ways of doing things? (Consider what happens in other areas eg, education, air traffic industry).
 - Who is investigating deaths at moment and how do they get messages out – what is the pathway?
 - Nick Poyntz to be invited to the final hour.

Action 4: Secretariat to invite Nick Poyntz to final hour.
6. During the conversation, the Chair said that she would like all IAP communications to focus on ‘prevention’ rather than ‘reduction’ of deaths.

Item 3: Feedback on meeting with co-sponsors, custodial sectors visits and any follow-up work

Meeting with co-sponsors:

7. A paper on the outcomes from the meeting with the co-sponsors had been circulated to panel members. The panel agreed that the meeting had been very productive and that the co-sponsors should be invited to the IAP meeting in October.

Action 5: Secretariat to arrange for co-sponsors to attend October meeting

Feedback from custodial sectors visits:

Immigration workstream

8. John and Seena had exchanged emails with the Home Office about the recommendations relating to reporting of deaths and agreed that a key issue is the need to be clearer about the definition of which deaths will be included. The conversations had largely been positive. Andrew explained that the background to this work was the Stephen Shaw report. He would prepare a paper on the workstream which he would circulate to all panel members for comments.

Action 6: AF to prepare a paper on Immigration workstream and circulate to panel for comment. [Completed]

Policing workstream

9. John had attended the latest NPCC conference which was very interesting and had explored several areas of interest to the IAP such as safety in custody and risk of deaths. John suggested inviting Prof. Neil Stewart, who was developing a new risk assessment process for custody officers utilising algorithms, to a IAP future meeting. Andrew explained that this work sits within the *Identification of good practice in police custody healthcare and providing the police with the tools and training to minimise risks presented by those in police custody* thematic area on the Board's work programme.

Health workstream

10. Seena explained that this work was no further along than last reported. The Panel noted that DHSC had sought comments on the relevant recommendations in the review of the MHA on the family liaison role and if DOLS should be counted as a death in custody. The panel agreed to discuss this at their awayday.

Prisons workstream

11. Jenny Shaw was meeting members of Nick Poyntz's team to discuss this workstream soon. Seena noted he was also discussing the issue of prolific self-harm with Nick's team soon.

Probation workstream

12. Date for the next meeting with Amy Rees was 12 June at 8am.
13. Seena stated that he felt that there were fundamental issues with the successful implementation of MHTRs. The Panel noted that the results from the MA survey could be a good way of highlighting the potential problems to Ministers and urge them to resolve any structural concerns.

Item 4: Website

14. Adrian showed the panel the working version of the new website. Panel member comments were:
 - Structure for the "programme" section should be by sector, with a heading of "All" to capture cross-departmental work
 - Front pages should have simple text to make the content more user friendly and accessible to those less familiar with the specific context.
 - The website should aim to go live by end of month (June); this will allow time for changes.
 - The Gov.uk should re-direct to the IAP website (AF confirmed that this already occurs).
 - The Panel agreed to launch a Twitter feed which would become the primary communication method (e.g. suggest people follow the Twitter feed rather than use the 'Contact us' page)
 - Weekly update should show on front page with link to fuller update
 - The website should have an Events and Consultations page

- Secretariat information and photos to be included

Action 7: AB to take forward these recommendations, and aim to go live by the end of June.

Item 5: Update on IAP work to date:

15. Magistrates Association survey

Jenny T and Juliet had a productive meeting with the Magistrates Association. Jenny T had updated the draft which Juliet will circulate; there will be a soft launch for the report and Jenny would write an article for the Magistrates' Association Journal.

16. Safety Impact Assessment

The paper was with Nick Poyntz. Andrew was due to speak to him and would push forward with the pilot.

17. IPP briefing

Juliet encouraged all members to provide further comments on the IPP paper.

18. Natural deaths in prison custody - consultation

Jenny Shaw explained that the panel were planning a one-day event with experts in autumn in conjunction with the Royal College of Nurses. The morning session would look at the figures, characteristics and themes from such deaths, and the experts would then discuss what can be done about the issues in the afternoon. Following the event, the aim would be to produce a briefing paper for Ministers and officials.

19. Keeping Safe Conference

Juliet explained that approval had been given for funding to hold the event at the Abbey Centre in Westminster and to pay for morning refreshments; she would try to get sponsorship for lunch for the delegates.

- The IAP would ask Ministers would open the event and speak on the issues
- Juliet was working with Inside Time to produce double page spread in advance of the event.
- Prison Radio would produce a podcast which would be aired for a month after the event
- Prisoners will also be presenting sessions as well as panel members and other custodial leaders
- Booking would be free and organised through Eventbrite – to be set up once a date is confirmed.

20. Publication of deaths in custody statistics and trends

Adrian advised that returns were coming in slowly; he and Seena will take stock when they have received them all then decide on the reporting structure.

Item 6: Consultation responses

Home Office (Immigration) review Death in Detention Services Order (DSO)- by 14 June

Andrew was co-ordinating the response. He asked panel members to return comments by 10 June.

Justice Committee Prison governance inquiry (asap - extended deadline)
Comments to be sent to the Secretariat, response to the inquiry required by 14 June.

Sentencing Council Proposals for sentencing offenders with mental health conditions – by 9 July

John would co-ordinate the responses.

CPS ‘Mental health conditions and disorders: draft legal guidance’ – by 4 June

Seena would look at the guidance and provide comments.
The deadline was the next day; Kish would ask for extension of the response date.

Action 8: KH to request extension to deadline for CPS consultation.

Item 7: AOB

Care and management of transgender individuals – George Barrow, MoJ policy lead, is keen to alert the IAP to the new policy framework.

Date for September meeting - 5, 6 or 20th Sept were suggested but not all panel members were available on these dates. Kish was asked to find an alternative date

Action 9: KH to consult panel members for a date for Sept meeting

**Date of next meeting: 10 July 2019, 10.00am - 5.00pm
room 10.41C, Level 10, 102 Petty France**