



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 26 September 2019

**Attendees:** Juliet Lyon - Chair

Seena Fazel (by phone)

John Wadham

Jenny Talbot

Deborah Coles

Andrew Fraser, Head of Secretariat

Kish Hyde, Secretariat

Adrian Blake, Secretariat

Alison Bernard, Secretariat

**Apologies:** Jenny Shaw

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

1. Minutes of the last meeting were agreed prior to the meeting.
2. Juliet stated that mental health and people detained under the MHA is an area that the IAP needs to be more involved with. The IAP's role in this should be clarified.
3. The panel discussed if the overall description of the panel's purpose should be revised before it is loaded onto the new website.

**Action 1: John and Deborah to agree the new wording with Juliet and Secretariat before the website goes live.**

4. All actions from the last meeting were completed. Juliet drew the panel's attention to a couple of items:
  - a. *Action: AF to speak to Richard Kelly about MHA and DOLS deaths:* Andrew had spoken to Richard prior to the last meeting; however, now that Caroline Allnutt had returned from maternity leave, he would discuss the issue with her.

- b. Deborah expressed concern about the treatment of voluntary in-patients and asked whether the death of someone in a locked unit would be within the IAP remit. The panel also discussed deaths under DOLS, and if they are within the IAP's remit.

**Action 2: Andrew to raise these two questions with Caroline Allnutt [completed]**

- c. The Panel further asked how many DOLS deaths have occurred and if anyone collected data on this and how many went to inquest

**Action 3: Secretariat to find out how many cases of those who died under DOLS went to inquest. [Completed]**

- d. *Action: Secretariat to arrange meeting between Home Office (HO) and John and Jenny T.* The meeting did not take place in August as arranged so the Secretariat will rearrange with HO.

**Action 4: Secretariat to rearrange meeting with Home Office. [Completed – arranged for 30 October]**

5. Website – Adrian explained that the website was ready to go live and would do so in October subject to Panel approvals. He gave the panel a quick demonstration of the layout and the individual pages. Panel members were happy with the general layout and design but had several suggestions for additions and changes to text. Adrian would circulate screenshots of the pages to the panel members after the meeting for their specific comments. Juliet noted that the new website launch will provide a platform for renewing stakeholder engagement.

6. Discussion also took place about the need for a “contact us” section so that interested parties could join the Practitioner and Stakeholder Group.

**Action 5a: Adrian to make the requested changes to the website, and send screenshots of website and panel members to return their comments by 11 October.**

**Action 5b: Juliet would contact the Koestler Trust about permission to use prisoners' artwork.**

7. Juliet proposed producing a report before the end of the year on work the IAP has undertaken since the last report in June 2017. This would be published and disseminated via the website. Amongst others, a copy would be submitted to the Chair of the Joint Committee on Human Rights.

**Action 6: Juliet and Kish to liaise about report on 2019 IAP work.**

8. Advice to new Ministers - Juliet will be considering and finalising the drafts so that they can be sent out before next MBDC.

**Action 7: Juliet to finalise drafts and send to Panel and Secretariat for submission.**

9. October IAP meeting – Juliet requested that the co-sponsors be approached to provide the panel with an update of how their custodial services and systems comply with recommendations from reports and how confident they are that those systems are being followed. She asked if each co-sponsor could update the panel on this at the meeting on 18 October.

**Action 8: co-sponsors to update the panel at the October meeting on how their custodial systems ensure compliance with recommendations from reports**

10. Copies of PFDs issued by coroners – the panel said that they are keen to have sight of the PFDs produced following deaths in custody. Andrew advised that the MBDC are taking on a new responsibility with regard to PFDs and gave a quick description of the Board's new function.

**Action 9: Andrew will send panel members the forms that agencies are being asked to complete for the Board.**

11. Family engagement paper - Andrew reminded the Panel that the Board discussion on providing feedback to bereaved families was positive, and the Chair had asked for this to be taken forward (but without specifying any particular format or deadline). In order to facilitate this process, Kish has collected information from the custodial agencies on what they currently do post-inquest, and had asked the co-sponsors to work with them to take forward their actions and/or help them to develop systems to do so, and ideally an update will be provided to the next Board. Deborah asked to see the information collected from the agencies.

**Action 10: Secretariat to send Deborah the information on information provision post-inquest.**

12. Ministerial Board - the panel asked for the Board papers to be circulated to them.

**Action 11: Secretariat to ensure that panel members' names are on distribution list for MBDC papers.**

13. Future meeting dates – these were agreed for 2020 as follows:

- 15 January
- 9 March
- 29 April
- 1 June
- 17 Jul
- 21 Sep
- 21 Oct
- 2 Dec

**Item 2: Feedback on custodial sectors, visits, any follow-up work and questions for co-sponsors:**

14. Immigration workstream - John explained that he and Seena were working directly with Frances Hardy on the Shaw report

recommendations workstream. Alison is researching the academic literature and case reviews for John and Seena's paper on their findings which will be sent back to the Home Office in due course.

15. Policing workstream – Jenny explained that to date, she and John had been focussed on visits but will now be writing a paper on the priorities that they think can be progressed, for instance, safety in police custody; identifying risk; deaths not in custody.
16. Deborah raised a concern about the length of time that IOPCC investigations take and how long CPS take to make a decision on whether to prosecute. Andrew assured her that there is a workstream on the Board programme about the length of time taken on such cases and suggested that Jenny and John bring this up in their Home Office meeting on 30 October.
17. Health workstream - Juliet reiterated that the panel will be spending more time on issues in the health sector in the future. Andrew advised that at the last Ministerial Board, the health Minister had confirmed that DHSC will provide a paper on investigations and transfers from prisons to healthcare for the next Board.
18. Prisons workstream - Jenny explained that the ACCT workstream is ongoing and the pilot is being evaluated.
19. Arrangements for the Natural Deaths workshop were also progressing. The workshop itself would be held on November 18th at the Royal College of Nurse's head office in London. Approximately 60 experts had been invited to take part.
20. Deborah explained that Inquest had looked at the unintended consequences of the 10- prison project. She would circulate the paper to the panel.

### **Item 3: Update on specific IAP work to date**

#### **Keeping Safe Conference**

21. The planning committee met the previous day at the Abbey Centre and agreed the "save the date" draft; speakers were identified and others confirmed; workshops were discussed; advance publicity and on-the-day communications were agreed – Juliet would do an interview with Inside Time and Prison Radio would interview people on the day as well as reporting on their presentations. The committee wanted to ask Jo Farrer to present – Juliet would send her an invitation.
22. The panel agreed that the conference would be an opportunity to state what progress has been made since publication of the report. It was important to show that prisoners are listened to.

23. Booking is free and organised through Eventbrite – to be set up once a date is confirmed (*Secretary's note: booking now live*).

**Action 12: Juliet to invite Jo Farrer to speak at the Keeping Safe conference**

Natural deaths in prison custody

24. See above (Prisons workstream section) for update.

Magistrates Association survey

25. Jenny T had been in discussion with the Magistrates' Association and will draft an article to be published in their journal.

**Action 13: Jenny T to draft an article on the MA survey for the Magistrates Association journal**

Safety Impact Assessment

26. Juliet explained that the PGA are keen to undertake a joint survey with the IAP on places of safety.

IPP briefing

27. The note of the meeting with Gordon Davison was circulated prior to the meeting. **Juliet will be arranging a meeting with Kate Davies to follow up.**

**Action 14: Juliet to arrange a meeting with Kate Davies to discuss IPP prisoners.**

**Item 4: AOB**

Upcoming events and visits

28. Juliet advised that Sue McAllister, PPO, will be attending the IAP meeting in December and that co-sponsors/representatives would be attending in October. It was agreed that co-sponsors would be asked to discuss with Panel the system in each department for ensuring compliance with recommendations made by coroners, regulators and investigators and their view on whether these systems could/should be strengthened and improved. Secretariat to let co-sponsors know ahead of meeting.

**Action 15: Secretariat to let co-sponsors know that the panel will wish to discuss systems for compliance, ahead of October meeting.**

**Date of next meeting – 18 October 2019, 10.30am-4.30pm**

**Room 8.29a, 102 Petty France**

**Co-sponsors will be attending 3pm-4pm**