

Harris Review Panel Meeting 16

10:30 – 16.00, 29th January 2015

8.29B, 8th Floor, 102 Petty France, London, SW1H 9AJ

Present: Lord Toby Harris (TH), Dinesh Maganty (DM), Graham Towl (GT), Stephen Cragg (SC), Philip Leach (PL), Meng Aw Yong (MAY), , Richard Shepherd (RS) (by phone, morning only), Deborah Browne (DB), Graham MacKenzie (GM), Kish Hyde (KH)

Apologies: Matilda MacAttram (MM), Deborah Coles (DC)

For Item 3 and 4: NOMS analysts David Higgins, MoJ analysts, Sarah Morton (SM), Jorgen Lovbakke (JL), Ben Harris (BH) and Rachel Tsang (RT)

Item 1: Minutes of previous meeting

1. The minutes of the previous two meetings (8th January and 15th January) were agreed.

Item 2: Action Log

2. DB updated the meeting on the progress against actions. She drew the panel's attention in particular to Action 32 and the other actions that relate to prison visits and asked if the panel were now content to agree that prison visits were finished for the purposes of the Review. The panel agreed to this.

Action 114: Secretariat to close down all actions relating to prison visits, which are now finished.

Item 3: Measuring the Quality of Prison Life (MQPL)

3. DH gave a brief background to the development of the MQPL which has been used since 2002 and was originally based on work conducted by the University of Cambridge. The questionnaire is designed around the principles of appreciative enquiry, which means it focuses on for views about the positive aspects of prison life and good practice so that the very act of completing the questionnaire could be constructive. The information is then used:

- (i) by the prison as a management tool;
- (ii) by NOMS to monitor trends across the estate, and
- (iii) Generally, to see what works in prisons.

4. Standard MQPL reports are sent to the prison with recommendations and feedback; trend reports, on the other hand are often requested by specific parts of the organisation. MPQL data is also shared with the Inspectorate.

5. The MQPL team maintained independence so were unable to say whether there had been any change to prison regime as a result of the output of the surveys. It was possible that MPQL could be used as a more constructive and planned management resource,

Action 115: David Higgins is to provide a breakdown of the data that led to the conclusions outlined in Paragraph 6.6 (page 7) of the MQPL report.

Item 4: Outline of research and analysis completed

6. RT reminded the panel that under the rules of the UK Statistics Authority and Code of Practice, all statistics contained in the report must not be used publicly until the Ministry of Justice has published them. These statistics will be published later this year, before the Harris Review Final Report is published. **The panel were reminded that the statistics were not to be circulated further.**
7. RT summarised the strands of the research with which MoJ and NOMS analysts have supported the Harris Review. RT and BH gave an overview of the statistical analysis, which brings together comprehensive data on deaths in custody that has not been collated in this way before. The analysts presented an overview of the key findings of the main strands of research (including the literature review, the qualitative study on staff perceptions, the data analysis and the MPQL analysis), including some overarching themes.

Action 116: Rachel Tsang to distribute the source materials referred to in the presentation, to the Secretariat by 6th February.

Item 6: Feedback from sub-groups – Young Adult Characteristics

8. PL ran through the main points from the Young Adult Characteristics sub-group and their conclusions, and described the successful round-table held on this subject before Christmas. The Panel agreed that chronological age was not a determinant of maturity and that this should be raised in the report. Some discussion took place about how to frame a recommendation on this point and the use of a tool to measure maturity.
9. Panel members agreed that training for staff was important, needed to be embedded and would require a full chapter in the final report. There would also need to be recommendations on reporting and monitoring.
10. TH discussed the question of Local Authority accountability and whether there were potential issues that would require legislative changes. DB informed the Panel that she had already raised this with Sue Berelowitz and that Sue would be providing thoughts the following week. TH queried whether it was not too late to either seek someone from the Local Government Authority to attend or to be asked a series of questions in order to address the question of care support to young adults in custody.

Action 117: Secretariat to approach Local Government Authority and other associated organisations to raise questions in correspondence concerning young adults and the LAA accountability.

11. TH discussed the final slide, concerning conclusions arising from the sub-group, and how they could be phrased within the context of final recommendations. There was agreement that there should be some recommendation about the development of a tool to identify vulnerability on the basis of maturity. It was possible that two tools were needed – one at the point of entry into the CJS to aid formulating advice in the pre-

sentence report, and the second to be used by NOMS to manage young adults in custody. It was agreed that a recommendation on this issue would need to ask for the tool to be developed within 12 months of the final Report.

12. The panel discussed the possibility that there would be recommendations requiring changes to legislation, using appropriate legislative vehicles, within a reasonable period of publication of the Report. The Panel also discussed the fact that there will need to be additional training delivered to Probation Officers, in order to support their engagement with young adults.

Item 7: Feedback from sub-groups – Health & Mental Health

13. DM fed back from the Mental Health sub-group. The Panel agreed that the general principles of working with prisoners who self-harmed were as applicable in prison as in the community. Currently there is not parity of care with the community for mental health services for prisoners, this should be addressed. Other points were discussed including risk-assessment, the poor quality of post-death clinical reviews and information sharing where consent was not given.
14. The Criminal Justice System is a barrier to the services in the community that someone may already be receiving when they go into prison.
15. The list of needs that should be assessed for in prisoners who self-harm apply to almost all prisoners. ACCT has been reduced to a process for keeping prisoners alive. Another ACCT type process is needed, something along the lines of an 'ACCT light'.
16. A significant adult should be supporting the most vulnerable prisoners at Reception and this support should be reviewed to allow it to continue where needed.
17. The interventions that are provided for prisoners are only offence based. Interventions should be developed to include other issues that directly affect the offender including self-harm.
18. Medical Emergency Training for operational staff should be done with healthcare staff.
19. It was confirmed that a panel discussion on the sharing of medical information was scheduled for February.

Item 8: Feedback from sub-groups – Liaison & Diversion

20. The Liaison and Diversion sub-group had held three roundtables, one looking at diversion before the young person becomes known to the CJS, the second dealing with their first experience of CJS and the final one looking at sentencing options.
21. SC presented to the Panel the findings from each of the three roundtable discussions, and informed them that a supplemental discussion remains outstanding with some criminal practitioners in order to discuss issues surrounding the presentation of a Pre-Sentence report at court.
22. TH highlighted that Leveson LJ had recently published his report on CJS efficiency where only one of the recommendations, relating to a reduction in the number of orders that are made for pre-sentence reports, would be in conflict with the findings from the Review.

Action 118: Secretariat to distribute the hyperlink to the published report to the Panel members for their awareness

23. The Panel recognised that there would be a need to articulate within the report the rationale for recommending greater investment in liaison and diversion schemes earlier in an individual's life, as this was not explicitly asked for in the ToR. However, the Report would show, through clear demonstration of the evidence showing that a large number of deaths happened to people who probably should not have been in custody, why it was necessary to examine liaison and diversion. It could also demonstrate that there would be downstream benefits for the wider CJS and associated services. The Panel recognised that there would be difficulties in presenting an argument that would convince a future Administration to make the required investment.

Item 9: Discussion on report following Family Hearing days

24. Panel members agreed that the Family hearing days had been well planned and facilitated and the content of the report reflected what had been heard. Panel members noted the points made in the INQUEST report on interventions. They agreed that discussion on post-bereavement liaison needed to be included in the report, and this is also part of the ToR of the Review
25. The recommendations at 7.1 were all familiar to the Review and are all points that the Review will seek to address.
26. Regarding Section 7.2 about practice in prison, the Review will be looking at a recommendation around someone having overall responsibility for the progress and care of each prisoners.
27. The Review will be considering an assessment and support process for vulnerable prisoners and for changes that impact on an offender in custody. A suggestion made was for something like a "VACCT" i.e. Vulnerability assessment with a care and teamwork approach to reduce vulnerability.