

Independent Advisory Panel on Deaths in Custody

Minutes of the Independent Advisory Panel meeting 17 July 2018

Attendees: Juliet Lyon (JL) - Chair

Deborah Coles

Seena Fazel

Jenny Shaw (JS)

Jenny Talbot

John Wadham (by telephone)

Andrew Fraser, Head of Secretariat (AF)

Kishwar Hyde, Deputy Head, Secretariat

Adrian Blake, Policy Advisor, Secretariat

Heidi Pearson, Deputy Head of Police Powers Unit, Home Office – co-sponsor

Andy Herd, Mental Health Policy, Department of Health – co-sponsor

Nick Poyntz, Deputy Director, Prison Safety & Security, Ministry of Justice – lead co-sponsor (by telephone)

Andy Rogers, HMPPS Deputy Director for Prison Safety and Improvement.

Item 1: Welcome and Introductions

1. The Chair and secretariat welcomed the new panel members to their first IAP meeting.
2. The Chair explained that three of the four co-sponsors of the Ministerial Council (which includes the IAP and the Ministerial Board on Deaths in Custody) were here today and keen to meet the new panel members. Andy Herd and Heidi Pearson (and later during the meeting, Nick Poyntz) introduced themselves and gave a brief explanation of the nature of sponsorship and its relationship with the panel. The Chair explained that the panel members may want to consider more contact with the co-sponsors as part of strategy.

Item 2: Minutes from last meeting and action log

3. The minutes of the last meeting were agreed.

4. The Chair stated that the actions from the last meeting were either complete or on the agenda for discussion to day. However, she wanted to draw attention to one action from the last meeting:

Action: Panel to send their comments to the Sec on the Prison Population Inquiry for collation and submission – the consultation is still ongoing and the Chair was keen for IAP to submit evidence. DC suggested that good sources of evidence were the IAP Keeping Safe and Women’s reports. Inquest had also submitted their own evidence to the enquiry and DC would circulate this. AF would send out the link to the consultation and members were asked to send in their views to the Secretariat by end July. Clerk to the Justice Committee would welcome IAP submission by end August.

Actions:

- 1 – Sec to circulate Inquest response to Prison Population Inquiry (completed)**
- 2 – Sec to send link to consultation (completed)**
- 3 – Panel members to return views by end-July**

Item 3: Administrative matters

5. The Chair suggested the panel meet every six weeks to begin with and review the situation once panel members were more involved in their workstreams. It was agreed that meetings should start at midday with a half-hour lunch at 1pm, then reconvene until 3.30pm and that panel members would try to prioritise these in their diaries. The following dates were agreed:
 - 5 September
 - 24 October
 - 12 December
 - 30 January 2019
 - 20 March 2019.

Item 4: Terms of Reference

6. The Chair referred to the circulated paper and asked panel members to consider these when suggesting future work for the Panel. DC observed that although deaths of people on probation are outside the IAP remit, the numbers are concerning and are not currently subject to investigation by the PPO. Panel members discussed and agreed that it may be worthy of consideration in the future. JW and DC agreed to discuss further.

Item 5: Ambitions and priorities: (developing a strategy and work plan)

7. The Chair felt that it was important to have a published strategy that was simple, clear and transparent and based on IAP terms of reference. DC suggested a review of what the IAP have done since its inception in 2009 to look over the previous recommendations and what happened to them, and where we are now. All members agreed that it

was important not to duplicate work already being carried out by the custodial sectors but to add value wherever possible.

Action 4: Secretariat to draft a summary of the work carried out by the IAP to date.

8. AF explained that the previous panel had undertaken preliminary work on a strategy, including a set of draft principles. These were:
 - to look at areas where the panel could make an impact;
 - to recognise the cross-departmental nature of their work;
 - to build strategic partnerships;
 - involvement at early stage in departmental work;
 - not to duplicate work already being conducted.
9. A further principle to add to this was to seek the views of those in custody when developing recommendations.
10. Panel members added the following comments:
 - add a principle around diversity
 - keep in mind the influencing and persuading role of IAP
 - work with stakeholders as well
 - of current interest were deaths in mental health settings and the (lack of) independent investigation process, as well as restraint and diversity.
11. The Chair asked all panel members to consider the principles and let the Secretariat have any further comments. She and AF would then work on them and have a first draft by the next meeting.

Action 5: Panel members to provide comments by end of July

Action 6: AF to circulate a document regarding the revised strategy and principles for the next Panel meeting

Item 6: Managing work in progress

Angiolini response

12. AF gave a brief history of the review, the Government response and the work being undertaken by the Ministerial Board. The IAP had been asked to look at the areas of family support and alternatives to restraint. IAP work to draw together central recommendations to reduce deaths in custody and consider how best to embed learning was included as part of the response to the review.

Action 7: Panel members agreed to read/re-read Angiolini review and the government response to it.

Top ten recommendations and embedding learning

13. The Chair referred to the paper circulated to the panel, the purpose of which was to identify the recommendations made by regulatory and investigative bodies likely to have most impact in reducing the numbers of deaths across all custodial sectors. She asked panel members to input their ideas and consider how recommendations to operational services can best be embedded. The paper will be presented to the

Ministerial Board in October. Panel members noted the importance of the aim and asked if it would be useful to give greater detail to the recommendations identified. The Chair asked **panel members to submit further comments to the Secretariat by end of August.**

Prison safety statement/assessment

14. The Chair, AF and AB introduced this paper and explained that the work stems from a desire to see greater consistency and accountability in Ministerial decision-making. The Panel welcomed the paper, and noted that the work has potential crossover to other sectors. The Chair asked the **panel for their comments by end of August so that the item could be discussed in more detail at the next meeting.**

Survey with Magistrates Association

15. The Chair introduced this paper and noted that this work derives from concerns that community sentences and treatment requirements are underused, meaning that people who are at risk and could be better treated in the community are being sentenced to custody. The work is being undertaken in collaboration with the Magistrates Association. **Comments were requested by the end of July so that the survey could be sent out to mental health champions in early September.**

MHA review (IAP contribution)

16. Part 1 of the review has been published. The Secretariat had drafted a response to the second phase of the review based on the previous Panel's comments, and Panel members were asked to read and comment on the letter by the end of the week.

Action 7: Secretariat to follow up the meeting with a reminder of the dates that comments should be returned.

17. [Secretary note: Andy Rogers, DD of Prison Safety and Improvement arrived and gave a brief talk on the work he had been involved with since December with Nick Poyntz on developing a safety framework, based on the principles of: people; physical, population, partnerships, and procedural. There were seven themes of work arising from the framework which all establishments were now using. He would share updates on the work with the panel.]

Item 7: Working together:

18. The Chair explained that this was planned to be a discussion of the ways the members can work effectively and play to their strengths. The panel will return to this in future meetings.

Action 8: discussion of ways the members can work effectively to be on the agenda of the next meeting

item 8: Working with others:

19. Arrangements were being made for the panel to meet Ministers in each of the three government departments. Meetings with senior leaders in

the operational services would also be arranged for the future. Visits to custodial services could be arranged with the help of the secretariat.

Item 9: AOB

20. JW suggested that it would be useful to have a conversation in the future about the Angiolini Review recommendations regarding investigations and the changes to them.
21. KH asked all panel members who had not done so to return the SOPHR pay form.
22. KH advised that panel member biographies were now on the website and that she would now need high resolution photographs from them to accompany the biographies.
23. DC noted the value of reading coroners' Prevention of Future Deaths reports. AF stated that all reports were held on the Chief Coroner's website and that he would send a link to panel members.
24. The Chair suggested that including recent relevant Parliamentary business on website would be helpful.
25. The Chair requested the panel to look at the IAP website and send any comments to the Secretariat.

Actions:

- 9 - Panel members to return completed pay forms**
- 10 - Panel members to send in a photograph for the website**
- 11 - Secretariat to circulate the link to the Chief Coroner's website (completed)**
- 12 - Secretariat to look into recording relevant Parliamentary business on the IAP website**
- 13 - Panel to send their comments on website to Secretariat before next meeting.**

Date of next meeting

5 September 2018