



Ministry  
of Justice



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## **Independent Advisory Panel on Deaths in Custody**

### **Minutes of the Independent Advisory Panel meeting 17 January 2017**

**Attendees:** **Juliet Lyon (JL) - Chair,**  
Stephen Cragg QC (SC)  
Dr Meng Aw-Yong (MAY)

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

**Apologies:** Professor Graham Towl (GT)  
Dr Dinesh Maganty (DM)

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#### **Wash up from IAP workshop**

1. The Chair was pleased that the workshop had been well attended and lots of discussion had taken place. She had also met with Peter Clarke, HMIP, before Christmas to talk over the same issues. AF stated that he would draft a paper based on the discussions which he would circulate to panel members by 1 February. This would allow time for amendments before the paper had to be presented to the Ministerial Board on 28 February.

#### **Minutes of the last meeting**

2. The Chair welcomed SC and MAY to the meeting. Apologies were received from GT and DM.

3. Minutes of the previous meeting were accepted.

#### **Action log**

4. All actions were either complete or on the agenda for substantive discussion. The Chair noted the following actions:

- **SC to draft a letter to NHS medical directors about IAP concerns over NHSE paper: *National Guidance on Learning from deaths***  
This would be carried over to the next meeting
- **DM to produce a paper on status of mental health patients**

This action will be held over to the next meeting.

- **JL and SC to draft letter to SoS to outline administrative measures that will help to strengthen ministerial accountability and ensure Article 2 compliance.**

JL explained that the MOJ had a new Secretary of State following the re-shuffle and that she had now drafted a letter to go to him about this issue.

- **Secretariat to undertake some baseline data collection regarding vulnerability of arsonists in prison.**

AF explained that he had looked at some research which indicated that the majority of arsonists were not sent to prison. He had started a discussion about collating figures of current arson offenders with Chris Barnett-Page who will try to locate the data but would need the IAP to be more specific about its requirements and what it was trying to achieve. Panel members wanted numbers of those charged with arson who had had a mental health assessment, and if they were more vulnerable than other prisoners.

- **MAY and Secretariat to review the IAP's previous work on restraint**

This was on the agenda for discussion

- **AF to send link to Private Members' Bill on *Mental Health Units (Use of Force)*.**

The link had been circulated to panel members after the last meeting and AF updated the panel: the Bill had had its second reading and gained support from all the parties. It was now waiting to go forward to the Committee stage.

### **Chair's update**

5. The Chair gave an update on the following:

- IAP appointments: interviews for new panel members were taking place and the Chair was pleased to report a strong field. The final interviews were in the first week in February and it was hoped that the new panel would be in place in April.
- The next set of Safety in Custody statistics will be released on 25 January and will include 2017 figures on deaths in prison custody.
- The Chair would be sending out a press release on 26 February sharing the Keeping Safe and other reports.
- The Chair and MAY would be attending a meeting of the Devon and Cornwall police that week
- The Chair had been in contact with the new Chair of the Magistrates Association and a meeting was being set-up.

**Update on Angiolini outputs:**

6. Following a re-shuffle, the new Secretary of State for Justice was David Gauke MP and the new Minister of State was Rory Stewart MP who was also the Minister for Prisons and Probation. There was no change to the Ministers for Health or the Home Office on the Ministerial Board.

7. AF advised that he met the National Preventive Mechanism (NPM) team yesterday and shared the IAP concerns about the inaccuracy of their figures, particular those from Health. The report was being released on 24 January with a disclaimer in the press release about the disparity in the figures. NPM would continue to work with Health and others and there was a likelihood of achieving a change. There may also be scope in the future for the IAP to write articles for their publication *International Journal of Mental Health and Capacity Law*.

**Restraint**

8. AF and MAY had been discussing alternatives to restraint in custodial settings and will continue to work on the report, which would also be presented at the Ministerial Board. There was still time for other panel members to feed in their comments.

**Family support**

9. There were a number of workstreams in this area, all at an early stage.

**AOB**

10. The Chair had been contacted by HMPPS about a Grant programme that they were currently running. The Secretariat would circulate the email to panel members. (*Secretary's note: this was circulated on 23 January*).

**Next meeting**

March. This would be the last meeting of the current panel members.