

Independent Advisory Panel on Deaths in Custody
Minutes of IAPDC meeting: 11 September 2023

Attendees:

Lynn Emslie - Chair
Deborah Coles
Jenny Talbot
Jenny Shaw
Raj Desai
Seena Fazel
Jake Hard
Pauline McCabe
Kish Hyde
Lana Ghafoor
Phoebe Proctor
Paul Norris, Scrutiny, Performance & Engagement, MoJ (*for items 4 and 5*)

Apologies:

Sam Johnston Hawke

Item 1: Welcome, minutes and actions

1. Lynn welcomed everyone to the meeting. This was the last meeting for several panel members and Lynn thanked Deborah Coles, Jenny Talbot, Jenny Shaw and Seena Fazel for their contributions.
2. The minutes were approved with two amendments. Lynn noted the following actions for comment:
 - *Esther to send updates to the panel on Seni's Law, to link them up with colleagues on the Rapid Review recommendation on data on deaths and to find out timings for recruitment of the new chair for the Essex Inquiry, and consultation on its terms of reference.*
3. Esther had responded and the Secretariat would circulate the response to the panel (*secretariat's note – this was circulated after the meeting*). The Essex Mental Health Independent Inquiry had now been converted to a public inquiry and a chair, Kate Lampard, had been appointed.
 - *Secretariat to draft skeleton/outline for Panel evidence submission for the COVID-19 Inquiry vaccinations module.*
4. The Secretariat were drafting a document to be shared with the panel. Raj advised that the action point and the workplan item needed to be amended to reflect that the draft being prepared is a witness statement, and not evidence.
 - *Secretariat to ask HMPPS about modelling deaths against capacity projections, and to speak to Seena about modelling deaths in custody figures.*

5. The Secretariat had approached HMPPS and were awaiting a response. Panel members wondered whether the modelling should be extended to self-harm and decided that the link between self-harm and deaths was difficult to model. Seena will feedback on modelling deaths in custody and self-harm.

Item 2: Planning for future Panel meetings

6. Lynn stated the need to agree dates for panel meetings to the end of the year. Pauline suggested having a formula from 2024 onwards: for instance, to meet the first Tuesday of every month, although other members said that they needed more flexibility. Pauline suggested using 8th November as a workshop, perhaps in person, with new Panel members.
7. Lynn mentioned the need for handover of workplan items to new members. Deborah stated that such a handover could not be done in a meeting. Jenny Talbot stated that during her discussion with the Secretariat on the handbook, she had also been asked what the panel priorities for the future should be. She would be happy to have a further conversation on this. Pauline suggested that as the panel discussed the workplan, that new panel members could over items they were interested in.
8. Lynn asked the secretariat to send a doodle poll to panel members to agree a date for meetings to the end of the year.

Action 1: Secretariat to send a poll to agree a date for full meeting in December (complete).

Item 3: Workplan updates, including handovers and workload

9. Raj asked for clarification over the link between the Ministerial Board on Deaths in Custody and the panel workplan, and the role of the Implementation Group in facilitating this. Pauline asked to capture the IAPDC commitments from the MBDC workplan. Raj suggested that the panel has early sight of the next MBDC workplan to feed into it at the appropriate time.
10. The secretariat updated on the workplan:

DHSC Suicide Prevention Strategy

11. This had been published earlier in the day. A draft IAPDC statement was sent to panel members to comment on. The Panel would publish their report tomorrow with appropriate communications. (*Secretariat's note: these actions were completed following the meeting.*)

Rapid review

12. The secretariat has been working on publication of public facing data and evidence. The government response is expected in the Autumn.

Engagement with families

13. Lynn explained that the panel will continue a relationship with INQUEST. Deborah noted that engaging with families was raised at the CPS seminar earlier in the year, and that both the Harris and Angiolini reviews mentioned lack of family liaison. Most families who turned to INQUEST came via the internet rather than family liaison officers, the PPO have stopped liaising with families in the way that they used to and mental health services do not proactively engage with families. Deborah stated that this was an important piece of work and she could raise it with the INQUEST family reference group,

but that work needed to target agencies to ensure they were doing what they needed to regarding family liaison. It was the role of all agencies to ensure that leaflets providing information were given to families at the appropriate time. The secretariat would re-circulate the paper on the bereaved families project which included links to all agencies' leaflets and information for families. (*Secretariat's note: this was circulated following the meeting.*) Lynn confirmed that next steps action on this workstream will be agreed at the meeting between the panel and the Secretariat on 19th September 2023.

14. Jake wondered whether a mission statement from the panel was needed to hold agencies to account. Raj suggested using the Practitioner and Stakeholder Group to better understand the current position and on-going issues; Deborah stated that the issues were already well known and documented. She suggested following up with agencies and organisations to find out the current status of information they provide as a first step. Jenny T suggested it would be useful to know if information is provided in a range of languages. Panel members discussed re-issuing the Family Liaison Principles and updating and expanding the website family page in the longer term.

Prevention of Future Deaths

15. The report had been updated following the meeting with the Chief Coroner. Deborah had been contacted by families asking about publication; the secretariat will update them. The panel asked to see the final iteration before launch.

Action 2 - Secretariat to pull together IAPDC actions from the MBDC workplan.

Action 3 - Secretariat to update families on publication of the PFD report (*complete*).

Action 4 - Secretariat to send final version of PFD report to Raj and Deborah prior to launch (*complete*).

IAPDC 'handbook'

16. Meetings between panel members and the secretariat will continue, and a discussion on wider work can take place following this. Outgoing Panel members agreed to meet with the secretariat after the end of their tenures, if necessary.

COVID-19 inquiry

17. The secretariat are continuing to work on the witness statement from Juliet.

Police leadership

18. The Association of Police and Crime Commissioners would be discussing whether the IAPDC will be able to present at their meeting in October, and will feedback. The secretariat are waiting to hear back from the National Police Chief's Council on holding an event on post-custody suicides. *A Round Table with the voluntary sector and NPCC is planned for later in the year. The panel are awaiting confirmation from the NPCC of the police statutory duties at the point of release from custody and available dates.*

IAPDC statistical analysis report

19. Seena explained that the researcher had started to make progress on the report and hoped to have it complete by the end of September. He explained some of the limited data and the data they were hoping to improve. Jake asked about alternatives to custody; this will be referenced in the report.

Physical co-morbidities of individuals detained under the Mental Health Act

20. Seena explained that the rapid review of literature, of ten studies, was complete. He and the researcher would need to interpret and finalise the report, then send to the secretariat.

Disproportionality

21. Raj explained this was in the early stages and that he wanted to discuss the figures with Seena. He will come back to the panel with suggestions for next steps. Deborah explained that INQUEST are doing a piece of work on race and ethnicity and how this is considered in investigations which will be published in December.

Item 4: Discussion of Ministerial Board workplan updates, and Panel linkage

22. Paul explored with the panel how to harness their knowledge and expertise in advising Ministers within, but also outside, MBDC meetings. Deborah reflected on the impact of the chair and when the Board had worked well. She asked for greater opportunity to influence the discussion and direction of the Board. The secretariat has done some work to engage groups and provided opportunities to feed into the workplan, establishing an 'Implementation Group'. Jenny Talbot stressed the importance of ministers in driving forward the work.
23. Paul explained that the Implementation Group comprises civil servants who will hold the MBDC workplan accountable and ensure progress/delivery of the workplan. The intention was to have at least one panel member at the Implementation Group meetings. The meeting discussed how the Panel might navigate this process and the role of the panel in applying pressure, particularly on concerns such as the increasing prison population. The panel's workplan can be flexible, the panel need an iterative approach and to develop thinking. In terms of the MBDC meeting, Paul advised Lynn to crystalise the panel's priorities and current challenges.
24. Raj asked how the Panel can influence the MBDC workplan; Paul explained the workplan is refreshed once a year but the Panel should use the MBDC meeting as an opportunity to push for work they feel will drive change. They should also use the meetings to feedback on specifics of whether a piece of work is working and if there are better ways of doing things. The panel considered that the issue of resources should not inform their ability to comment on issues. Organisational memory was important and the handbook will be important in pointing to work already carried out.
25. Panel members wondered whether there was scope for work around reducing prison population; clearing the remand court case backlog was a good way to reduce prison numbers. Raj suggested the panel put out sustained messaging, by making the point often and consistently. Lynn agreed staffing was an issue. Deborah referenced the issues raised in the HMP Cookham Wood inspection report, despite having sufficient staffing.

Item 5: Planning for Panel item at upcoming meeting on Ministerial Board

26. Panel members discussed what it was they could embed, what were their priorities and what were the challenges. In terms of the Ministerial Board workplan, the panel suggested asking prison stakeholders about training, the latest status of ACCT, and the regime progression plan on delivery of key work. Emerging themes for the panel presentation included IPP prisoners, immigration and mental health.

Item 6: Proposal for NCISH data collection project

27. Jenny Shaw stated that she had been looking at a possible project on Mental Health Act detention data, which would follow on from Seena findings. There was an opportunity for a piece of work, both qualitative and quantitative, to understand the discrepancies and to triangulate the data to characterise those who were dying. She and Pauline suggested waiting to see what happened with DHSC's Rapid Review before taking this project

further. Deborah referenced four recent PFD reports which had criticised the quality of investigations.

Item 7: IPP prisoners

28. Raj asked how the panel can take work forward on this. Seena and Raj discussed the rate of deaths and risks in different cohorts. Lynn stated that she had attended a new IPP External Stakeholder Challenge Group meeting which was set up to challenge how the prison service manages IPP prisoners. The group has great potential which the panel can support and be involved with. Lynn stated that the panel can revisit this work at a later stage.

Item 8: Thank you and goodbye to departing Panel members

29. Lynn thanked each of the outgoing panel members, Jenny Talbot, Jenny Shaw, Deborah Coles and Seena Fazel, for their great work on the panel and the legacy they were leaving behind. She was looking forward to taking the agenda forward.

Item 9: AOB

30. Update on Panel recruitment
- The campaign was ongoing with final decisions on appointments awaited. Candidates should be advised of the outcome towards the end of September.
31. Update on secretariat recruitment
- Lynn explained the process was ongoing, with some interviews still to take place that week. She hoped a decision would be made during the week, though the successful candidate would have to serve a notice period.
32. Update on Panel budget
- The Secretariat advised that the panel had spent £3,178 to date.
 - The Secretariat advised outgoing panel members about their final payment dates. All receipts for expenses should be sent to the Secretariat before the end of the month so that they can be included in the final payment.
 - The Secretariat will circulate the travel and subsistence policy for reference (*Secretary's note: this was sent to panel members following the meeting*).

Dates of next meetings:

8 November – panel only, virtual

12 December – full in person meeting

Actions:

Action 1: Secretariat to send a poll to agree a date for full meeting in December (complete).

Action 2 - Secretariat to pull together IAPDC actions from the MBDC workplan.

Action 3 - Secretariat to update families on publication of the PFD report (complete).

Action 4 - Secretariat to send final version of PFD report to Raj and Deborah prior to launch (complete).