

Independent Advisory Panel on Deaths in Custody
Minutes of IAPDC meeting: 12 December 2023

Attendees:

Lynn Emslie - Chair
Raj Desai
Seena Fazel
Jake Hard
Pauline McCabe
Kish Hyde
Lana Ghafoor
Phoebe Proctor
Sam Johnston Hawke

For item 1:

Oscar Rushton, Prison Policy, MoJ
Deena Newbatt, Prison Policy, MoJ

Declaration of Interests: none declared.

Item 1: Update on MoJ Information-sharing and IAPDC Statement review

1. The Chair referred to the IAPDC Information Sharing Statement which was drafted in 2013 and the new draft which had been circulated prior to the meeting. She introduced Oscar and Deena to present on the work being carried out in the MoJ.
2. Oscar explained that there were issues not just with the sharing of information but also the quality of that information and its use by staff. Next year the MoJ will be publishing a new safety policy framework and developing new safety training. The MoJ also have an information sharing advisory group, of which Lynn is a member, which meets regularly. Regarding the IAPDC Statement, it is brief and has limited impact on the frontline. Oscar suggested that the panel review the statement, with suggestions for reviewing it including:
 - Keeping the Statement as it is but reflecting updated legislation;
 - Adding principles of good information sharing to provide something more tangible to engage and embed within each organisation; and
 - add links to relevant guidance and further reading for staff.
3. A communications campaign would be helpful to raise awareness and ensure the message is filtered down to frontline staff. Oscar asked the panel for their thoughts on how the principles can be embedded and what the panel's role would be in monitoring.
4. Jake was cautious about how an evaluation could be carried out and suggested a good approach was rather to embolden people to know that they can share

information within the legal framework. He suggested working with the National Data Guardian on this. Raj agreed and wanted to understand who the target audience was. He noted that a statement that stresses that sharing should take place where 'lawful, fair, and proportionate' may not be as helpful as more specific guidance in the ACCT process, for example. He suggested that the target audience for a statement such as this would be more likely senior leadership rather than operational staff.

5. Pauline stated that repeat recommendations from Ombudsman reports on information sharing need to be reinforced at senior level to ensure consistency. The Chair mentioned the importance of having confidence to share information, with consent. Jake suggested that healthcare workers in the secure sector feel under additional pressure not to share information due to the potential of a security risk. Seena advised there are situations where there is no opportunity to obtain consent as events are happening too quickly. Jake pointed to Caldicott principle 7 which makes it a duty to share information.
6. The Chair suggested the revision should be a quick and important piece of work. Jake suggested the recent intranet article with HMPPS could be used as the basis of the new statement. The panel agreed to work on revising the statement and then work with Oscar and the secretariat on communications.

Action 1: Panel to revise the IAPDC Information Sharing Statement then work with MoJ and the secretariat on communicating and targeting it to relevant organisations.

Item 2: Minutes and actions

7. The minutes were approved with some minor amendments. All actions were either complete or in progress. The secretariat updated on their upcoming engagement with CQC on their work on deaths data following the last Ministerial Board on Deaths in Custody.
8. The Chair suggested writing to Minister Caulfield asking for meeting and when the Rapid Review response was expected.

Action 2: Secretariat to chase request for meeting with Minister Caulfield, and draft further letter to her about this and Rapid Review.

Item 3: Response to recent correspondence

9. The Chair explained that she had received correspondence from the Executive Director of HMPPS following a meeting suggesting that HMPPS and the IAPDC hold a joint event in the new year to engage prison governors. The panel discussed how they wish to respond. The Chair asked the Secretariat to liaise with the Director's office for further information to assist the panel's response.
10. The panel also discussed recent correspondence from the Prisons' Minister and agreed to chase an update on regime progression plans and on ligature points, and to write to each of the Ministers highlighting the panel's key priorities, prioritising the new Prisons Minister following his last letter.

Action 3: Secretariat to liaise with HMPPS Executive Director's office to assist with panel response to letter.

Action 4: Secretariat to follow up with MoJ colleagues on HMPPS regime progression plans and on work to reduce ligature points.

Action 5: Panel to write to relevant ministers to highlighting key priorities ahead of presenting the workplan.

Item 4: MBDC workplan and Implementation Group

11. The secretariat explained proposals agreed with co-sponsors and the panel Chair to ensure the MBDC workplan is made more strategic, more streamlined, and better able to focus on the key priorities identified by the panel. The secretariat are planning on significantly shortening the plan to focus on key themes and the panel's priorities will help to shape and inform it. In discussion, the panel supported the proposals, stressing the importance that the extent and focus of work across the co-sponsors to prevent deaths in custody is not reduced but rather strengthened and its priorities made more clear.

12. The secretariat further explained that the Ministerial Board workplan Implementation Group is a process for co-sponsors and the panel to meet twice a year to pick up strategic elements of the Board workplan to identify blockers and look at progress, reporting back at meetings of the MBDC. In discussion, the panel supported these proposals and agreed to be involved in the twice yearly meetings.

Item 5: IAPDC workplan items update

13. The panel discussed the latest draft of its new workplan for 2024-25, covering the range of new priority areas, objectives, and potential projects for the new year. Seena also updated on two remaining projects from the previous workplan, highlighting that the two papers the panel commissioned – the statistical review of rates of deaths across all areas of custody and another on risk factors/co-morbidities in MHA detention – are ready in first draft, and agreed to circulate to panel and secretariat for comment.

Action 6: Secretariat to review the new draft of the panel workplan, identify any further suggestions for edits and formatting, and circulate a final draft to panel for discussion with co-sponsors in the new year.

Action 7: Secretariat to set up meeting with panel members to scope out a proposal for an independent investigative body on Mental Health Act detention in January 2024.

Action 8: Secretariat to engage MoJ/HMPPS for updates on Women's Self-Harm Task Force and related work.

Action 9: Panel members and secretariat to feedback comments to Seena on the reports on the deaths in custody statistics and risk factors/co-morbidity in MHA detention.

Item 6: AOB

14. Update on Panel recruitment: The public appointment team are in the very early stages of the recruitment process, currently applying for permission from the Cabinet Office to run the campaign.
15. Update on secretariat recruitment: This was nearing completion and results would be known soon.
16. IAPDC website: this is migrating to the MoJ platform early in the new year.

Date of next meeting: 19 February 2024

List of actions:

- **Action 1: Panel to revise the IAPDC Information Sharing Statement then work with MoJ and the secretariat on communicating and targeting it to relevant organisations.**
- **Action 2: Secretariat to chase request for meeting with Minister Caulfield, and draft further letter to her about this and Rapid Review.**
- **Action 3: Secretariat to liaise with HMPPS Executive Director's office to assist with panel response to letter.**
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