



## **Message from the Chair of the Panel**

Welcome to the January 2017 edition of the bulletin. I was very pleased to be appointed IAP Chair in September, and look forward to working with many of you in the vital challenge of reducing the number and rate of deaths in all forms of state custody.

I have spent my first four months meeting Ministers, operational leads and wider stakeholders. This is a period of significant change with new Justice and Home Secretaries with changed ministerial teams responsible for the Government's efforts to reduce deaths in custody. While the number of deaths in health, immigration and police custody remain relatively stable, we are all deeply concerned by the increase in deaths in prison estate and are working closely with colleagues in NOMS in their efforts to reverse the trend. The recent announcements in the White Paper of more staff and a greater focus on meaningful interactions with prisoners is to be encouraged, but continuing efforts are needed to reverse the current increase in deaths.

The level of change in the departments makes the primary role of the IAP – providing advice to Ministers on the best means of reducing deaths in state custody – so important. I am determined to make sure the IAP adds real value to the genuine efforts everyone in this area is making, and this means acting strategically and being selective about the areas the IAP can help. One of these is the recent rise in the deaths of women in prison – I have written to a number of stakeholders to ask their advice on the best means of halting this increase to provide the content for a briefing to Ministers. You can find information on other areas of the IAP's work later in the bulletin.

I am also clear that the IAP must listen directly to families and those in the criminal justice, immigration and health systems. The IAP intends to run a session with bereaved families in early 2017, and open conversations with those in state custody will continue to inform all the work we undertake. I hope that you find this bulletin informative, and I look forward to working with you throughout 2017 as we seek to prevent further deaths in state custody.

As always, if you have any questions, please contact me or the Secretariat on [iapdeathsincustody@noms.gsi.gov.uk](mailto:iapdeathsincustody@noms.gsi.gov.uk).

**Juliet Lyon CBE**

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## Review of the IAP and recruitment of new panel members

In the last newsletter we reported that the interim IAP Chair, Kate Lampard CBE, had completed her stocktake of the IAP and Ministerial Board governance. The main findings of the stocktake were:

- The Ministerial Board and the IAP need to be more aligned.
- The IAP should be strengthened to ensure that it can work more effectively with the Ministerial Board, and operational leads from the Ministry of Justice, Department of Health and Home Office.

The new Ministerial teams are currently considering how best to take forward these recommendations, and we look forward to working with them to enhance both the IAP and the Ministerial Board.

The Ministry of Justice and the IAP have started the recruitment process for new panel members to replace the five current panel members, whose tenures end in September 2017. The application process will be published in early 2017. A link to the advert will be placed on the IAP website, and we would encourage anyone who meets the criteria to apply.

## The White Paper on Prison Reform

The IAP was pleased to see the publication of the Government's recent White Paper - [Prison Safety and Reform](#) – which seeks to counter the rising violence, self-harm and suicide currently experienced across the prison estate. The IAP welcomes the inclusion of many of the key themes and recommendations from the IAP's Harris Review [Changing Prisons, Saving Lives](#).

While the report focussed on young male prisoners between the ages of 18-24, many of the recommendations are applicable across the entire prison estate and we are pleased to see them being introduced, such as

- the establishment of an overarching statutory purpose of the prison system, with a clear vision of what it is there to achieve
- the provision of a dedicated officer for six prisoners who can engage with them one-to-one and who has the authority to take forward actions on their behalf
- The commitment that staff will be provided with the right tools, training and support to enable them to do their job effectively
- The commitment that NOMS will be increasing the number of prison officers
- the Government's commitment to create a reformed estate that will be less crowded, better organised, more effective and comprise modern, fit for purpose accommodation
- the commitment that NOMS will work closely with the police, Crown Prosecution Service and others across the criminal justice system to ensure a robust and swift approach to tackling criminality in prison.

The IAP will work closely with the Ministerial Board and stakeholders to ensure that these reforms are developed and taken forward effectively. We are also committed to discussing the wider recommendations of the IAP, and working to achieve their implementation, where possible.

## Update on the work of the IAP

### Current priorities

#### Preventing the deaths of women in custody

Following the self-inflicted deaths of 12 women in prison in 2016, the highest recorded number since 2004, the Panel conducted a rapid expert information gathering exercise in order to advise Ministers and operational leaders and reduce the risk of further tragic deaths. The IAP received 45 detailed, well-evidenced responses from members of the Ministerial Board on Deaths in Custody, the Advisory Board on Female Offenders and IAP stakeholders with their views on how best to prevent suicide and self-harm and keep women safe. At the same time the IAP sought the views of women in prison - in particular those acting as Samaritan Listeners, insiders and responsible peer mentors. In total, the IAP heard from over 60 women in custody.

There was a high degree of agreement across the information received by the IAP. Considering why there has been a sharp and sudden rise in women's deaths in custody, respondents gave five main reasons:

- A reduction in staffing levels combined with the loss of experienced, trusted staff, plus vacancies in mental health teams, and the accompanying reduction inactivity, time out of cell and time to listen and talk;
- Unmet mental health, drug and alcohol treatment needs and the discernible increase in the vulnerability and complex needs of women received into prison;
- An increase in illicit drug use, intimidation, bullying and debt in custody;
- A marked decrease in use of release on temporary licence (ROTL), an increased likelihood of homelessness on release and high numbers of recalls;
- The knock on effect of the hasty closure of Holloway prison including increased distance from home and pressure on other establishments combined with the widespread closure of women-only support services in the community.

The IAP Chair presented the paper on the date of publication for discussion to the Advisory Board on Female Offenders (ABFO) chaired by Justice Minister Dr Phillip Lee MP.

The working paper, drawing together interim findings and recommendations, was published on 28 March to coincide with the Prison and Probation Ombudsman's publication of lessons to be learned from their investigations into the individual deaths of nineteen vulnerable women in custody. It is intended that the impact of these two papers will lead to significant practice change in policing, prisons, health and housing services.

The full IAP report can be found at:

<http://iapdeathsincustody.independent.gov.uk/news/preventing-the-deaths-of-women-in-prison/>

The PPO report can be found at: [http://www.ppo.gov.uk/wp-content/uploads/2017/03/PPO-Learning-Lessons-Bulletin\\_Self-inflicted-deaths-among-female-prisoners\\_WEB.pdf#view=FitH](http://www.ppo.gov.uk/wp-content/uploads/2017/03/PPO-Learning-Lessons-Bulletin_Self-inflicted-deaths-among-female-prisoners_WEB.pdf#view=FitH)

Further areas of focus for the IAP include:

- Partnership with Inside Time – the IAP is working with Inside Time, and supported by the Samaritans, to directly ask prisoners for their views on how best to safeguard those in custody. The initiative was launched in the February 2017 issue of Inside Time prisoners' newspaper and calls for prisoners to give their insights and recommendations on preventing suicide and self-harm. Their solutions will be presented to Ministers, operational leads and the Ministerial Board.

Emerging themes from the letter include: improving first night entry and induction, dealing with Spice and debts, avoiding medication delays, mental health awareness training for staff, responding to plight of IPP prisoners, need for purposeful activity and family contact, dealing with threats of violence and intimidation, need for care and compassion.

- Instituting regular learning days with bereaved families in partnership with INQUEST
- Deaths in prison clusters – the IAP had a meeting at HMP Woodhill in November to discuss how the IAP may be able to help find ways to reduce the risk of clusters of deaths in custody.
- Deprivation of Liberty Safeguards (DoLS) - The IAP is considering the implications of the increase in the use of DoLS and had an initial scoping meeting with the Department of Health to explore the issues, followed up with further meetings in early 2017 with the CQC following publication of its [report on deaths of patients in the NHS](#).
- Develop IAP's role as national data source – The IAP intends to build up its library of research data to aid the synthesis and dissemination of learning:
  - International comparators - The IAP aims to collect international data to inform advice and research.
  - 2015 Statistical report - The IAP, in conjunction with the University of Durham, has published the IAP's 2015 statistical report on deaths in all forms of state custody recently.
- Thematic review into the deaths of detained patients - The IAP, with the University of Warwick, is analysing clinical reviews of deaths in 2013 of patients detained under the Mental Health Act.
- Deaths from natural causes – The IAP is considering the issue of the growing number of deaths from natural causes in prisons, with a focus on avoidable deaths, and the aging prisoner population.
- Assessment Care in Custody and Teamwork (ACCT): NOMS are keen for some comparative work to be undertaken considering ACCT from first principles.
- The IAP is awaiting the publication of Dame Elish Angiolini's review into deaths and serious incidents in police custody, and stands ready to help with the sharing of learning and implementation of recommendations.

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### Stakeholder and media engagement

The IAP Chair recently met Ministers of the co-sponsoring Departments including Sam Gyimah, Minister for Prisons and Probation (Ministry of Justice), Brandon Lewis, Minister for Policing and the Fire Service (Home Office) and Nicola Blackwood, Minister for Public Health and Innovation (DH).

She has also met with key stakeholders including Nigel Newcomen (PPO), Nick Ephgrave (Surrey Police and NPCC), Dame Ann Owers (IPCC), Peter Clarke (HMIP), Michael Spurr (CEO, NOMS), Lord Harris (Harris Review and former IAP Chair), Dame Elish Angiolini, Fiona Malcolm (Samaritans), Deborah Coles (INQUEST) and each of the departmental co-sponsors.

IAP panel members have spoken at a number of conferences including *London's Response to Deaths in Prison Custody – the Healthcare Perspective* and the *Royal Society of Medicine's Suicides in custody and the Harris Review - lessons learnt*, the Clinks Annual Conference, the Police Federation Custody Conference and a NOMS learning day on preventing Suicide and Self-Harm.

The IAP has recently visited HMPs Eastwood Park, Foston Hall, Drake Hall, Bronzefield, Woodhill and Low Newton with Dr Lee, Broadmoor Hospital, the John Howard Centre and Redhill Police Custody Suite.

The IAP Chair has spoken on several occasions on Channel 4 News, Women's Hour and the Today programmes, been interviewed in the Guardian and provided comment to Inside Time regarding deaths in prison custody, most recently following publication of Preventing Deaths of Women in Prison report.

<http://www.bbc.co.uk/programmes/b080pxpw>

<https://www.theguardian.com/society/2016/oct/05/juliet-lyon-state-liberty-safe-deathscustody>

<http://www.bbc.co.uk/programmes/b08k19r4>

## **RECENT MEETINGS**

### **Panel Meeting – June 2016**

The panel met on 8 June 2016 and it was Kate Lampard's final meeting as temporary chair. The panel were updated on the recruitment of a new chair of the IAP and the review of the IAP that Kate had undertaken during her tenure. Other items discussed included remote vital signs monitoring, panel membership recruitment, quarterly statistics of deaths in custody and the Home Office review of deaths and serious incidents in police custody being led by Dame Elish Angiolini.

*Copy of the full minutes can be found on the IAP website:*

<http://iapdeathsincustody.independent.gov.uk/wp-content/uploads/2016/10/Minutes-of-IAP-meeting-8-June-2016.pdf>

### **Ministerial Board Meeting – June 2016**

The Ministerial Board met on 28 June 2016 and was hosted at the Department for Health with Andrew Selous MP (Minister for Prisons and Probation) chairing the meeting. The Board heard from Kate Lampard about the review that she had completed regarding her review of the Ministerial Council. Juliet Lyon's appointment as new Chair of the IAP was welcomed. Nigel Newcomen CBE, Prison and Probation Ombudsman, spoke about two recent reports that had been published on early days in custody and prisoner mental health, and the Howard League introduced a report that had been published in May 2016: Preventing Prison Suicide.

*Copy of the full minutes can be found on the IAP website:*

<http://iapdeathsincustody.independent.gov.uk/wp-content/uploads/2016/11/Minutes-of-MBDC-meeting-28-June-2016.pdf>

### **Panel Meeting – October 2016**

The IAP met on 18 October 2016. This was the first meeting chaired by Juliet Lyon since her appointment as Chair of the panel. The panel were updated on recent discussions with Department of Health, Home Office and NOMS regarding potential areas of work that the panel could be involved in. Staff from NOMS presented an update on the Suicide and Self-Harm project currently underway in the prison estate.

*Copy of the full minutes can be found on the IAP website:*

<http://iapdeathsincustody.independent.gov.uk/wp-content/uploads/2017/01/IAP-Minutes-of-meeting-18-October-2016.pdf>

### **Ministerial Board Meeting – November 2016**

The twenty-third Ministerial Board met on 8 November 2016 and was hosted at the Home Office with Rt Hon Brandon Lewis MP, Minister for Policing and the Fire Service, in the Chair. Sam Gyimah, the Prisons and Probation Minister at MOJ and Nicola Blackwood, Public Health and Innovation Minister at Department of Health, were also in attendance. As well as updates from the custodial sectors, the main focus of the meeting was hearing from Lord Harris on the Harris Review and discussing the Government response to its recommendations – including the recent announcements in the White Paper. The Board also heard from the MOJ Legal Team about funding for families for legal representation at inquests; the Department of Health discussed the forthcoming updated National Suicide Prevention Strategy, and the Prison and Probation Ombudsman gave a summary of his latest learning lessons bulletins on dementia-related deaths and homicides.

*A copy of the minutes will be uploaded to the IAP website after they have been agreed at the next meeting in June 2017.*

#### **Panel Meeting – December 2016**

The panel met on 7 December 2016. They heard an update on the Suicide and Self-Harm Project and the recent review on the care and management of transgender offenders. Panel members also discussed the IAP 2015 statistical report, due to be published soon, recruitment of new panel members and IAP priorities for the current year.

*Full copy of the minutes can be found here:*

<http://iapdeathsincustody.independent.gov.uk/wp-content/uploads/2017/02/Minutes-of-IAP-meeting-7-December-2016.pdf>

#### **Panel Meeting – February 2017**

This meeting was focussed largely on discussion of, and taking forward the panel's workstreams, in particular the evidence collation on deaths of women in prison, the collaboration with Inside Time and the IAP annual statistical report.

*A copy of the minutes will be uploaded to the IAP website after they have been agreed at the next meeting in May 2017.*

#### **Practitioner and stakeholder group**

There are currently over 150 members of the practitioner and stakeholder group, drawn from inspectorate and investigative bodies, lawyers, third sector organisations, families, academics and practitioners from the custodial sectors. The Panel would like to encourage practitioners from a range of organisations, particularly mental health settings, as well as families to join the group.

As a member of the group you can expect to receive the IAP bi-monthly mail-shots with links to relevant news and publications from across the sectors; updates from the IAP website and invitations to stakeholder events.

If you would like to join the practitioner and stakeholder group please contact the Secretariat at [iapdeathsincustody@noms.gsi.gov.uk](mailto:iapdeathsincustody@noms.gsi.gov.uk).

#### **IAP Learning Library**

The Secretariat acts as a resource for the sharing of learning and information about the means of preventing deaths in custody. In June 2011, the Secretariat launched the **IAP's Learning Library**, which contains learning documents from the criminal justice agencies and third sector organisations which may have cross sector applicability. We are constantly reviewing the content of the Learning Library and want to build this up as a useful national data source. If you think there are documents that should be included, please contact the Secretariat via [iapdeathsincustody@noms.gsi.gov.uk](mailto:iapdeathsincustody@noms.gsi.gov.uk)

#### **The Secretariat**



The Secretariat acts as support to the Independent Advisory Panel and the Ministerial Board on Deaths in Custody. They are:

Andrew Fraser - Head of Secretariat  
Kish Hyde - Deputy Head of Secretariat  
Angie Hinksman - Secretariat Support

## **NEWS**

### **ANNUAL REPORTS AND STATISTICS**

#### **PPO Annual Report 2015-16**

This is the fifth annual report of the Prisons and Probation Ombudsman. Over the past year, deaths in custody have risen sharply, with a 34% rise in self-inflicted deaths, steadily rising numbers of deaths from natural causes. The number of complaints from prisoners also remains very high. The Ombudsman notes in his report: "It is deeply depressing that suicides in custody have again risen sharply but it is not easy to explain this rising toll of despair. Each death is the tragic culmination of an individual crisis for which there can be a myriad of triggers."

The full report can be found here:

[http://www.ppo.gov.uk/wp-content/uploads/2016/09/PPO\\_Annual-Report-201516\\_WEB\\_Final.pdf](http://www.ppo.gov.uk/wp-content/uploads/2016/09/PPO_Annual-Report-201516_WEB_Final.pdf)

#### **Safer in Custody Statistics – September 2016**

Safety in custody statistics cover deaths, self-harm and assaults in prison custody in England and Wales. This bulletin was published on 27 October 2016, and includes statistics covering 12-month periods to end of September 2016 for deaths in prison custody and 12-month periods to end of June 2016 for self-harm and assaults.

The full report and summary tables can be found at:

<https://www.gov.uk/government/statistics/safety-in-custody-quarterly-update-to-september-2016>

#### **IAP End of Term Report August 2016**

This report covers the period since the last end of term report in April 2015 to August 2016. It has continued to be a period of flux; two new governments have led to changes in ministerial portfolios and priorities.

Overall, deaths in custody continue to be a source of wide concern, although the main increases are caused by the continuing rise in prison deaths. Deaths in other custodial locations have remained constant, or are decreasing in the case of those detained under the Mental Health Act.

The full report can be found here:

<http://iapdeathsincustody.independent.gov.uk/wp-content/uploads/2016/09/IAP-End-of-Term-Report-2016.pdf>

## **LEARNING**

#### **PPO – Learning Lessons Bulletin – Dementia**

In 2013, the National Offender Management Service issued a guide for prison officers, to help them understand dementia and deal more effectively with prisoners who are affected. This bulletin aims to identify some learning from our investigations into deaths of prisoners with dementia, in order to help Prison Service staff respond more effectively to this group of prisoners.

The full report can be found here:

[http://www.ppo.gov.uk/wp-content/uploads/2016/07/PPO-Learning-Lessons-Bulletins\\_fatal-incident-investigations\\_issue-11\\_Dementia\\_WEB\\_Final.pdf#view=FitH](http://www.ppo.gov.uk/wp-content/uploads/2016/07/PPO-Learning-Lessons-Bulletins_fatal-incident-investigations_issue-11_Dementia_WEB_Final.pdf#view=FitH)

### **PPO – Learning Lessons Bulletin – Homicides**

The PPO have published a learning lessons bulletin which examines the lessons to be learned from the Ombudsman's investigations into the killing of one prisoner by another. This is the second bulletin they have published on this topic. Homicides are, thankfully, still rare in English and Welsh prisons, although they have increased over recent years. The killing of one prisoner by another in a supposedly secure prison environment remains shocking, and it is essential to seek out any lessons that might prevent these occurrences in future.

The full report can be found here:

[http://www.ppo.gov.uk/wp-content/uploads/2016/09/PPO-Learning-Lessons-Bulletin\\_Homicides\\_issue-12\\_WEB.pdf#view=FitH](http://www.ppo.gov.uk/wp-content/uploads/2016/09/PPO-Learning-Lessons-Bulletin_Homicides_issue-12_WEB.pdf#view=FitH)

### **HMIP – Findings paper - Life in prison: Contact with families and friends**

This paper summarises the literature concerning the importance of prisoners maintaining relationships with the outside world and, in particular, with their family and friends. It draws on evidence from recent inspections of adult prisons undertaken by HM Inspectorate of Prisons and survey data from inspection reports published between 1 April 2015 and 31 March 2016. This paper provides an overview of the ways in which prisoners are able to keep in contact with their family and friends, and how they experience this.

The full report can be found here:

<http://www.justiceinspectorates.gov.uk/hmiprisons/wp-content/uploads/sites/4/2016/08/Contact-with-families-and-friends-findings-paper-2016.pdf>

### **CQC – Learning, Candour and Accountability**

This report describes what CQC found when it reviewed how NHS trusts identify, investigate and learn from the deaths of people under their care. It concludes that many carers and families do not experience the NHS as being open and transparent and that opportunities are missed to learn across the system from deaths that may have been prevented. Many of the NHS staff we heard from shared this view, together with a commitment for this to change.

The full report can be found here:

<http://www.cqc.org.uk/sites/default/files/20161213-learning-candour-accountability-full-report.pdf>

### **House of Commons, Justice Committee – Prison Safety, 6<sup>th</sup> report of session 2015/16**

This report examined the Government's response to the deterioration in prison safety in England and Wales which began in 2012. Evidence was taken from the Prisons Minister and the Chief Executive of the National Offender Management Service on prison safety in December 2015, and statistics published in January and April 2016 showed higher rates of self-harm and assaults than in the previous 12 months, and significant growth in the number of incidents compared to the previous quarter. The

committee wished to reflect on the progress made by the Ministry of Justice and NOMS in their efforts to stabilise the rise in assaults against prisoners and staff, incidents of self-harm and self-inflicted deaths, and obtained the views of several key stakeholders in writing.

The full report can be found here:

<http://www.publications.parliament.uk/pa/cm201516/cmselect/cmjust/625/625.pdf>

### **Howard League for Penal Reform: Preventing prison suicide – staff perspectives**

Centre for Mental Health and the Howard League for Penal Reform are working together to investigate suicide prevention in prisons. The work explores how police, the judiciary, prisons and health care providers can collaborate to prevent people from losing their lives through suicide in prison. This is the fourth in a series of briefings. Centre for Mental Health's earlier briefing presented perspectives of people in or with previous experience of prison (Centre for Mental Health and Howard League, 2016). This briefing discusses the perspectives of staff working in prison as well as those reviewing clinical care post suicide.

The full publication can be accessed at: [Howard League Preventing prison suicide.- Staff perspectives](#)

## **The Independent Advisory Panel**

### **Chair**

#### **Juliet Lyon CBE**

Juliet Lyon took up her post as Chair of the Panel in September 2016. Previously, Juliet was the Director of the Prison Reform Trust and Secretary General of Penal Reform International. She is a visiting Professor in the School of Law at Birkbeck, University of London.

### **Panel Members**

#### **Stephen Cragg QC**

Stephen Cragg is a barrister specialising in public law, and human rights and sits as a part-time judge for the mental health review tribunal. Stephen has been a member of the Independent Advisory Panel on Deaths in Custody since 2014.

#### **Matilda MacAttram**

Matilda MacAttram is founder and director of Black Mental Health UK (BMH UK), a human rights campaigns group established in 2006 to raise awareness and address the stigma associated with mental illness in the UK's African Caribbean communities. Matilda has been a member of the Independent Advisory Panel on Deaths in Custody since 2014.

#### **Dr Dinesh Maganty**

Dinesh Maganty is currently Lead Consultant for intensive care for Birmingham and Solihull Mental Health NHS Foundation Trust Secure Care Services and a member of the National Clinical reference group for Health and Justice for NHS England. Dinesh has been a member of the Independent Advisory Panel on Deaths in Custody since 2014.

#### **Dr Meng Aw-Yong**

Dr Meng Aw-Yong is a Forensic Medical Examiner and Medical Director for the Metropolitan Police, and currently works in Emergency Medicine at Hillingdon Hospital. Meng has been a member of the Independent Advisory Panel on Deaths in Custody since 2014.

#### **Prof Graham Towl**

Professor Graham Towl is Professor of Forensic Psychology at Durham University, a visiting clinical professor at Newcastle University and a leading expert on suicide. He has previously worked as Pro Vice Chancellor at Durham University, Chief Psychologist at the Ministry of Justice and has been a member of the Independent Advisory Panel on Deaths in Custody since 2014.