

*Independent Advisory Panel on Deaths in Custody*

**Chair: Lynn Emslie**

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[www.iapondeathsyncustody.org](http://www.iapondeathsyncustody.org)

James Timpson OBE  
Minister for Prisons, Parole and Probation  
Ministry of Justice  
102 Petty France  
London, SW1H 9AJ

11 July 2024

Dear Minister Timpson,

I am writing on behalf of the Independent Advisory Panel on Deaths in Custody (IAPDC) to congratulate you on your appointment as the Minister for Prisons, Parole and Probation. We wholly welcome your commitment to prison reform and supporting ex-offenders reintegrate into society and look forward to working with you.

Your appointment comes at a time of significant challenges. The prison service is facing unprecedented capacity pressures, enduring staff shortages, and unacceptable and disproportionately high rates of premature deaths and self-harm incidents. However, these challenges – although significant – provide real opportunity for action and a step change in policy making to ensure the prison service is never in this position again.

As you may know, the IAPDC is an advisory non-departmental public body co-sponsored by the Ministry of Justice, Home Office, and Department of Health and Social Care with the central aim of preventing deaths – both natural and self-inflicted – in custody. By covering all custody areas as part of our remit – prisons, police custody, immigration detention, and detention under the Mental Health Act – the Panel fulfils a unique role in facilitating learning and collaboration across the custodial landscape. Our function is separate and distinct to scrutiny bodies, and we hope to work closely with you and your officials as your primary source of independent advice and expertise on preventing custody deaths.

As you will know, the Government has a duty under Article 2 of the European Convention on Human Rights to protect the lives of those under its care. As you will also understand, those who come into contact with the criminal justice system often have complex needs that span their physical health, mental health, and wellbeing. The criminal justice system should – with

the right resources – provide an opportunity to improve outcomes for people who are likely to be vulnerable, marginalised, and underserved. All too often, however, this is not the case.

Our analysis shows that prisons continue to have disproportionately high rate of deaths.<sup>1</sup> While the latest figures on prison deaths show a welcome overall decrease, the number of self-inflicted deaths remains stubbornly high, while the rate of self-harm incidents has increased significantly, particularly in the women's estate.<sup>2</sup>

The Ministerial Board on Deaths in Custody (MBDC) is vital to bringing strategic focus and drive to wide-ranging issues across the custodial landscape. It acts as an important mechanism through which Ministers receive expertise and advice, including that of the Panel. We have previously had concerns about ministerial engagement with the MBDC and hope to see renewed vigour and sustained attention brought to the serious and systemic issues across all areas of custody.

I have enclosed a short paper that reflects what we believe are the most pressing issues across prison custody today, and which my Panel colleagues Raj Desai and Pauline McCabe OBE raised at the most recent meeting of the MBDC on 13 May 2024. In particular, it remains our firm advice that a policy decision-making redline must be established to ensure prison numbers cannot exceed the ability of the prison service to safely manage individuals under its care. As part of this, there must be an unqualified commitment to ensuring that risks to the safety of prisoners and staff associated with increases in prison numbers are identified and mitigated in advance. We would very much welcome the opportunity to discuss with you how this might be delivered.

My Panel and I would welcome the opportunity to meet with you as a priority to discuss how we can support the efforts of you and your officials to manage the prison population safe. I look forward to hearing back from you.

Yours sincerely,



**Lynn Emslie, Chair of the Independent Advisory Panel on Deaths in Custody**

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<sup>1</sup> IAPDC, 'Statistical analysis of recorded deaths in custody between 2017 and 2021', April 2024, available [here](#).

<sup>2</sup> MoJ & HMPPS, 'Safety in Custody summary tables to December 2023', April 2024, available [here](#).