



Independent Advisory Panel on Deaths in Custody

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Minutes of IAPDC meeting: 13 August 2024

Attendees:

Lynn Emslie – Chair
Jake Hard
Pauline McCabe
Seena Fazel
Kish Hyde
Phoebe Proctor
Sam Johnston Hawke
Elise Cumberland

Apologies:

Raj Desai
Lana Ghafoor

Declaration of interests:

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Item 1: Minutes and actions from last Panel meeting:

2. Panel members had provided edits to the previous minutes. One further amendment – to record thank you to outgoing panel member Raj – was noted.

3. With regard to the action on the log relating to obtaining information on ligature points, clearance on receiving the information from the team has been delayed due to annual leave.

4. With regard to the action relating to Parliamentary engagement on IPP prisoners, Pauline regretted that the government will not be pursuing resentencing options. The HMPPS working group on IPPs are continuing their work and Lynn will continue to provide updates.

Item 2: Planning for Meetings with Ministers

5. The Secretariat noted that as this will be the introductory meeting with the new Prisons Minister, he will be particularly interested in hearing about the Panel's top priorities and what they regard as the most pressing issues. Pauline noted new pressures on the prison system following the detention of rioters, the urgency of

developing a fully joined-up medium-term strategy, and the need for a proper change implementation plan. Jake stressed the importance of statistical evaluation on rates of deaths impacted by the recent policy changes – reducing the time those sentenced to eligible standard determinate sentences (SDS) serve in prison from 50% to 40% – to determine whether this creates safer prisons. Seena suggested that the data should look at the two weeks post-release as well. Lynn also suggested a focus on probation and community support.

6. Seena wondered whether the Panel should lead with items that are relatively easy to action, such as ligature points, while other areas like substance misuse are important but will take years to manage effectively. Lynn agreed and suggested adding risk assessments prior to early release as another “quick win” which the Minister may support.
7. Pauline emphasised the importance of continuing to examine the methodology used for capacity planning, and the related adequacy of available information and modelling tools. She also believed that the Panel should be taking a firmer stand on the sentencing of women who should not be in prison. Seena suggested a discussion on how to reduce the numbers of people on remand as they are at higher risk of dying.
8. The Secretariat highlighted the need to discuss a similar approach to meeting with the Minister for Mental Health, to be carried out closer to the date of the meeting.

Action 1: Secretariat to set up separate meeting to discuss agenda for meeting with Minister for Mental Health.

Item 3: Update on Panel workplan items

9. Immigration: Jake updated on a recent meeting with Frances and Rosa from the Home Office. They have followed up on a number of actions and indicated they would like the Panel to continue to be involved with the Lessons Learned Reviews. They referenced the Panel’s 2020 report on preventing deaths in IRCs and some of the work they have carried out in response, such as looking at the impact of cultural difference and childhood trauma, and learning from remand and IPP prisoners; they are waiting for this to be cleared before sharing more widely. The Panel should hopefully be able to input at an early stage on this work. Jake has responded to Kate Morrissey with comments on NHSE clinical guidance on Rule 35. Kate will come back with an updated version.
10. Mental Health Act independent investigations: The Secretariat have been putting together a first draft of the report working with Pauline and Jake. The report will require input from other members of the Panel and will be sent to them for comments by the end of the week. The Secretariat will draft a comms strategy prior to publication for Panel review. The Panel discussed upcoming meetings with PHSO, HSSIB and the Mental Welfare Commission for Scotland to examine their arrangements for independent investigations which may help to inform the Panel’s recommendations. They also discussed the best time for publication and whether to present the report at the next Ministerial Board on Deaths in Custody

in November. Both questions will be considered further at meetings among Panel members and at the next panel meeting.

11. Safety in the women's estate: Seena stated that he had not heard from the working group for some time. The Secretariat will contact the team. Pauline reiterated that the Panel should be influencing the approach to sentencing women who offend and suggested raising this with the Minister.

Action 2: Secretariat to follow up with women's self-harm working group team.

12. Covid-19 Inquiry: The Secretariat explained that Juliet has proposed writing a joint letter with the Panel to highlight the lessons to be learned but suggested waiting until her evidence has been published.

13. Post-custody suicides: the working group meeting was taking place on 19th August, with an earlier meeting with the NPCC and College of Policing to coordinate messaging. The outcome will be to produce guidance to be taken on by the College of Policing.

14. Disproportionality in policing deaths: Raj is meeting with Home Office and IOPC at the end of August. This area of work may be paused once Raj leaves.

15. Bereaved families: The Secretariat now have all the contact details so will be sending out letters to the heads of organisations.

Item 4: Forward planning

Setting 2024/25 priorities

16. Panel members discussed delivery of areas of work currently led by Raj and Pauline following their departure and adjustment in other areas taking account of the lack of capacity on the Panel. Lynn confirmed that most of the work on the workplan will remain as watching briefs to raise when appropriate, and that work on the women's estate and IPPs will be deprioritised. Pauline stated that she will provide some notes on taking forward the capacity work stream – which would continue to be a high priority for the Panel – and also the arrangements for over-eighteens, before she left at the end of the month.

Action 3: Pauline to provide notes on capacity and over-18s in the youth estate.

Aligning MBDC and IAPDC priorities

17. The Secretariat explained that they will be receiving updates on the Ministerial Board on Deaths in Custody workplan at the upcoming meeting in November and that this will be a good opportunity for the Panel to influence the next workplan and raise thoughts on how to make it work more effectively. The Panel will have a clearer idea of priorities for next year by then so can feed the Panel's priorities into the MBDC's workplan priorities for the following year. They may also want to direct attention to how the Panel and the Board can be used to drive change. Panel members agreed to discuss their approach and input further at the next meeting in October and the Panel only session.

18. Seena wondered how the Ministerial Board could help the Panel and asked the Secretariat for examples of how it has driven work in the past. Pauline stressed it was important to optimise the effectiveness of the Board and influence Ministers at a formative stage of policy development. She highlighted the need to drive change through joined up planning and accountability for delivery. She hoped the Board could have more honest and constructive conversations about the challenges across custody areas, departments and agencies.

Item 5: Review of Prison Healthcare ToR

19. Lynn explained that she and Panel members had met with the Chief Medical Officer (CMO) following their letter and he had requested advice on the prison health agenda. A further meeting to discuss the advice will be arranged for September.

Action 4: Secretariat to produce a one-page advice document for sign-off by Panel to share with CMO ahead of the meeting in September.

Item 6: Raising the Profile of the IAPDC

20. Lynn stated she has been considering how important it is for people to know about the Panel and its work. She referenced the comms strategy and the Practitioner and Stakeholder Group as existing examples of raising the Panel's profile and asked if there was anything else the Panel should be doing. Jake mentioned the upcoming Health and Justice Summit which would a good opportunity to network, and an invitation from a law firm to speak on a panel on deaths in custody. Lynn was happy to attend both events.

21. The Secretariat suggested thinking strategically about how such events can raise the Panel's profile beyond simple attendance. Lynn agreed the need to think about the wider context.

Item 7: Monitoring Panel Milestones

22. The Secretariat discussed the use of shared documents to update on actions in real time, and in between Panel meetings. Jake suggested Visio (a Microsoft Office tool) which he had played around with to set out the Panel's work and meetings into a visual format. The Secretariat will look into any licensing requirements.

Action 5: Secretariat to enquire about licensing for Visio.

Item 8: AOB

23. The Secretariat gave an update on Panel recruitment. On Panel funding, the balance is just under £20,000. Lynn suggested further discussions on outsourcing research and other functions at the next meeting.

Item 9: HMPPS and Pact work with families

24. Chris Barnett-Page and Amanda Brightwell, HMPPS Safety Team, introduced the work that HMPPS and the charity Pact have been doing with families. Historically, prisons have been poor in communicating with families, especially relating to safety concerns. The Strengthening Prisoners' Family Ties Policy Framework was set up in January 2019, requiring prisons to put in place a process to enable families and others with concerns about a prisoner's safety to contact staff without delay. However, the HMPPS 'Keeping People Safe in Prison' report in October 2019 found that this policy framework was not effective, that over a third of prisons had no functioning safer custody hotline, and that there was a lack of empathy in responses and in clarity over actions to be taken. This report was followed by a roundtable discussion of the issues resulting in the awarding of a grant to Pact to facilitate further work to develop effective gateway communication between prisons and prisoners' families. The original pilot project ran from May 2020 to October 2022 across three sites and included the setting up of an online portal, created informational videos and developed a Safer Custody Toolkit.
25. The national roll-out took place between April 2023 and March 2024 with the aim of improving the information about each prison available online to reduce the volume of calls, supporting prisons to ensure consistent processes for recording and responding to families, and improving engagement with families of prisoners being managed through ACCT. This project was supported by the mandatory actions introduced for governors in the Safety Policy Framework. These actions included linking local safety strategy to their family and significant others strategy; providing means of speaking to staff and ensuring the service is monitored; and ensuring prompt feedback to the person raising concerns.
26. Pact held webinars for prisons on how to set up the online portals and each prison has been provided with their own portal page. Visits to the Helpline homepage have risen significantly, with 80% of users rating the contact forms as "easy" or "very easy" to use. Learning from the pilots has helped to identify good practice and to develop a toolkit of resources including a spreadsheet to consistently log and analyse communications from families, template emails for responding to contact forms, good practice guidelines and top tips for engaging families on the ACCT process.
27. To monitor impact, a Safety Contact report is produced quarterly and provides access to information and data brought together from different sources, namely, Shared Services, the Prisoners Families Helpline and contact form submissions. It supports quality assurance on communications, enables comparisons with similar prisons and helps to build a better picture of the types of concerns raised and resources needed.
28. Prisons are being supported to implement the mandatory actions in the Safety Policy Framework, safety leads will continue to track the communications log implementation and there is continued encouragement of the use of data and information from families to inform safety strategies.

29. Lynn asked about Pact's involvement. Chris explained that they helped develop and roll out the product. Although the contract has ended, Pact continue to operate the Prisoners Families website on behalf of HMPPS. Seena asked whether there was any work done before starting the project on whether family alerts were reliable. Chris replied that a persistent issue was with frequent callers who can consume large amounts of staff time. The toolkit provides resources on dealing constructively with such callers. Jake asked about using contacts in other discipline areas; Chris explained that the scope has been focused on safety issues and there is guidance on the website that sets out what constitutes a safety issue. However, contact forms are shared with other teams in relevant cases. The Secretariat asked whether the team had any insights into the success of the project which could inform similar projects in other custody areas. Chris said the sector would need to think about what information is currently captured, what information would need to be captured and what they would want to achieve. Partnership with the voluntary sector has enabled HMPPS to get closer to the needs of users.

Next Meeting: 16 October 2024

Actions:

- Action 1: Secretariat to set up separate meeting to discuss agenda for meeting with Minister for Mental Health.
- Action 2: Secretariat to follow up with women's self-harm working group team.
- Action 3: Pauline to provide notes on capacity and over-18s in the youth estate.
- Action 4: Secretariat to produce a one-page advice document for sign-off by Panel to share with CMO ahead of the meeting in September.
- Action 5: Secretariat to enquire about licensing for Visio.