



IAPDC

## IAPDC NEWSLETTER

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



[iap@justice.gov.uk](mailto:iap@justice.gov.uk)



[@IAPDC\\_UK](https://twitter.com/IAPDC_UK)

### FOREWORD FROM OUR CHAIR, LYNN EMSLIE

I am very pleased to be appointed as Chair of the Independent Advisory Panel on Deaths in Custody (IAPDC). It is an area of work I have been involved in for many years. I am grateful for the opportunity to build on previous work achieved by the Panel to bring about a continuing and sustained reduction in the number and rate of deaths in all forms of state custody across England and Wales.

I am aware of the excellent recent work of the Practitioner and Stakeholder Group (PSG), specifically the Group's expert insight on suicide prevention which informed the Panel's submission to the Department of Health and Social Care as part of the new Suicide Prevention Strategy which is currently under development. I am keen to get your views on how you think the PSG can inform and assist the challenging [IAPDC workplan](#) objectives over the coming year. And I want to ensure membership of the PSG is inclusive and representative of stakeholders across the agenda, including individuals, the voluntary sector, the statutory and regulatory sectors, and academics.



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My background in health, social care, and the interface with criminal justice has provided me with a backdrop on which to build and I have already identified priority focus areas on detention under the Mental Health Act, closer working between healthcare partners and custodial services, information-sharing, and embedding lessons learned. I hope to further facilitate cross-agency working in the pursuit of positive outcomes and reduced deaths.

I want to welcome new members to the Panel – Raj Desai, Pauline McCabe OBE, and Dr Jake Hard – who bring with them a wealth of experience and expertise to build on the Panel's strong legacy of work. And I look forward to meeting with the PSG and working with members to help prevent deaths in all types of detention.

**Lynn Emslie**

**Chair of the Independent Advisory Panel on Deaths in Custody**



## PANEL WELCOMES NEW APPOINTMENTS

The Panel is very pleased to welcome the recent appointments of IAPDC Chair, Lynn Emslie, and Panel members Raj Desai, Pauline McCabe OBE, and Dr Jake Hard.

Lynn has a background in acute healthcare, mental health, health in criminal justice, and local authority social services – you can read her full bio [here](#). Speaking about her appointment, Lynn said she is “delighted and honoured to be appointed to the role of Chair IAPDC” and that she is looking forward to working with stakeholders “to progress the agenda and help prevent deaths in all forms of state custody”.

Raj is a barrister at Matrix Chambers specialising in human rights and public law, with significant experience in representing bereaved families following deaths in custody. Raj described being appointed as a “great privilege”, with the Panel’s role in preventing deaths in custody “as important today as ever”. You can read his bio [here](#).

Pauline is an international criminal justice advisor and has delivered projects in policing and prison reform, oversight and monitoring mechanisms, and death in custody investigations. She previously held the position of Prisoner Ombudsman for Northern Ireland and saw “first hand the tragedy of lives cut short by avoidable deaths in detention, and the heartache experienced by the bereaved families”.

Dr Hard is a GP with over 16 years’ experience working in prison. He is the clinical director at HMP Cardiff. Speaking about his appointment, he said, “Over many years, I have been aware of the important work of the IAPDC and I am honoured to have been selected to be a Panel member”. Both Pauline and Dr Hard, whose bios you can read [here](#), will formally join the Panel in July.



*Raj Desai*



*Pauline McCabe OBE*



*Dr Jake Hard*



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## PRIORITIES SET FOR THE NEXT SIX MONTHS

Panel members recently agreed a new interim workplan outlining key work to be delivered between April and October 2023 – when some of the existing Panel members’ tenures will have come to an end and their replacements appointed. The workplan is aligned to the three priority areas agreed for this year’s Ministerial Board on Deaths in Custody workplan: treatment and care; investigations and learning; and risk and forward planning. Projects in the workplan include:

- developing processes to improve services’ engagement with bereaved families;
- maximising the potential of coroners’ Prevention of Future Deaths reports; and
- ensuring the prevention of suicide is a key focus of the Government’s new Suicide Prevention Strategy currently under development.

Chair Lynn Emslie has called for “combined efforts” to address the tragically high number of deaths in custody and says the new workplan “will help to drive forward crucial work to ensure government, agencies, and public bodies prioritise the safety of detained individuals under their care”.

You can read the workplan [here](#).



Image courtesy of [Koestler Arts](#).

## MEETING OF THE MINISTERIAL BOARD ON DEATHS IN CUSTODY (MBDC)

Earlier this month, Maria Caulfield MP, Minister for Mental Health at the Department of Health and Social Care, chaired the latest meeting of the MBDC. The MBDC forms one of the three tiers of the Ministerial Council on Deaths in Custody and meets twice a year. Items on the agenda included the MBDC’s new workplan, the Government’s Suicide Prevention Strategy, and the rapid review into the safety of mental health patients. Minutes from the meeting will shortly be published [here](#).



## PREVENTING DEATHS FOLLOWING POLICE CONTACT

Panel member Jenny Talbot OBE addressed Police and Crime Commissioners (PCCs) at the Association of Police and Crime Commissioners' (APCC) Custody Portfolio meeting in February.

Speaking to APCC Custody Lead, Emily Spurrell, and PCCs from across England and Wales, Jenny gave an overview of the three themes identified in the Panel's report on preventing deaths at the point of arrest, during and after police custody: mental health and risk; apparent post-custody suicides; and embedding learning. Attendees shared examples of good practice within their police forces, particularly relating to incidents involving mental health crisis.



Jenny Talbot OBE

The Panel will continue to work closely with the APCC to disseminate findings from the report, share examples of good practice across geographical boundaries, and galvanise PCCs to take a leadership role in preventing deaths in police custody.

You can read the Panel's report [here](#).

## FORMER IAPDC CHAIR'S END OF TERM REPORT

*“Loss of liberty should never result in loss of life. There is no such thing as an acceptable death toll in places of detention.”*

Earlier this year, Juliet Lyon CBE, Chair of the IAPDC between September 2016 and January 2023, published her [end of term report](#). The report highlights the Panel's key achievements during the second half of Juliet's tenure – from 2019 to 2023. These include:

- pioneering the introduction of a Safety Impact Assessment within Ministry of Justice and HMPPS;
- developing guidelines for immigration removal centres on the prevention of deaths in detention;
- championing a zero-tolerance approach to deaths at the point of arrest, and during and after police contact;
- securing reforms to the compassionate release process in prisons; and
- producing innovative statistical reporting which, for the first time, reveals rates of deaths across all areas of custody.

Juliet also reflected on her time as IAPDC Chair in an Inside Time article which you can read [here](#).



## ENGAGING WITH PARLIAMENT

Following the publication of her end of term report, Juliet was invited to give **oral evidence to the Justice Committee** last month. During the evidence session, Juliet reflected on the key challenges facing the prison service and the urgent steps needed to reduce, and ultimately prevent, deaths in prison custody.

You can watch the oral evidence session [here](#).



*Juliet Lyon CBE*

Following this, Juliet was invited by the Committee to provide [written evidence](#) on a number of topics which were not covered during the session. These included the number of self-inflicted deaths, priorities for the future, and how the ministers can better support the IAPDC.

In April, the Panel submitted [written evidence](#) to the **Joint Committee on Human Rights' pre-legislative scrutiny of the Illegal Migration Bill**. The overall effect of the Bill will be to expand the circumstances in which individuals can be detained and to significantly lengthen, and render considerably uncertain, the period for which they are detained.

In its written evidence, the Panel raised concerns that these proposals are likely to increase feelings of hopelessness and uncertainty which, in turn, can increase their risk of suicide. These concerns were brought to the fore by the sad death of [Frank Ospina](#), who reportedly took his own life at Colnbrook Immigration Removal Centre in March.



The Panel's written evidence follows a **letter sent to the Rt Hon Suella Braverman KC MP**, Home Secretary, which raised similar concerns about the impact of the Bill on the safety of those in detention. You can read the Panel's letter [here](#).

In January, the Panel submitted written evidence to the **Justice Committee's inquiry into the prison operational workforce**. The evidence focused on:

- the positive effects of a decent, experienced workforce on preventing deaths in custody; and
- the damaging impact of such deaths on staffing, including wellbeing and retention.

The Panel's evidence drew attention to the importance of adequate staffing levels and expertise of prison healthcare teams, the keyworker model being full realised, and the prioritisation of staff support after traumatic incidents. You can read the full range of issues raised by the Panel [here](#).



Image courtesy of [Koestler Arts](#).

## **UNITED NATIONS' CALL FOR INPUT: DEATHS IN CUSTODY**

In March, the Panel submitted written evidence to the **'call for input' on deaths in custody** by the United Nations' Special Rapporteur on extra-judicial, summary, or arbitrary executions, Morris Tidball-Binz. The Panel's evidence sets out existing practices for data collection on deaths in prisons, immigration detention, police custody, and the deaths of patients detained under the Mental Health Act. The Panel makes clear the importance of data which is updated and published frequently, and fully disaggregated.

Submissions made to the Special Rapporteur will inform a forthcoming report on deaths in custody, which will be presented to the Human Rights Council later this year. The report will aim to raise awareness about deaths in custody globally and contribute to the protection of the right to life of those deprived of liberty. You can read the Panel's evidence [here](#).



## OXFORD POLICY ENGAGEMENT NETWORK (OPEN)

*"You see your work having some impact in the real world - and that's really quite nice."*

Earlier this year, Oxford University released a video to showcase the work of Panel member, Professor Seena Fazel, as part of its OPEN 'Researcher Stories' series. Seena is a forensic psychiatrist based in the university's Department of Psychiatry.

He talks about the work he has been involved in as part of the Panel and shares the importance of policy engagement to "tackle health problems among some of the most marginalised and most difficult to reach populations". You can watch the video [here](#).



## PREVENTION OF FUTURE DEATH (PFD) REPORTS

As PSG members will be aware, coroners issue PFD reports, usually at the conclusion of inquests, where they identify a concern that action should be taken to prevent future deaths. The Panel has for a number of years raised concerns that opportunities are being missed to ensure that PFD reports are being effectively used to drive change. The Panel is continuing its project to identify ways of maximising the preventative potential of these reports, and responses to them by agencies and services, to prevent deaths in custody.

Working with the Chief Coroner, the Panel has engaged a range of key stakeholders, including coroners themselves, bereaved family members, and custodial agencies and services to identify the key challenges facing PFD reports and how they, and the responses they receive, might be made more impactful.

The Panel is now finalising its report of this work, which it hopes to publish this summer. The Panel is keen to identify further ways of taking forward the recommendations for change in the report, and looks forward to engaging with the PSG to do so.



## RAPID REVIEW INTO DATA ON MENTAL HEALTH INPATIENT SETTINGS

Earlier this year, the Department of Health and Social Care launched an independent rapid review into the safety of mental health patients in England. The purpose of the review will be to produce recommendations to improve the way data and information is used in relation to patient safety in mental health inpatient care settings and pathways.

The Panel submitted evidence to the review, highlighting the lack of a single source of reliable, robust, and disaggregated data on deaths under the Mental Health Act and calling for such deaths to be a key focus area of the review. The Panel will continue to engage with the review to ensure it helps to deliver improved data collection and publication – vital to informing effective interventions to prevent the tragically high number of deaths of patients detained under the Mental Health Act.

You can read the rapid review's terms of reference [here](#).

### IAPDC IN THE MEDIA

[Inside Time](#), 'Watchdog: 'Ministers blocked Covid jobs for prisoners'', 9 May 2023

[Inside Time](#), 'Prisons haven't really recovered from Covid', 2 May 2023

[PoliticsHome](#), 'The long road to a trauma-informed criminal justice system', 24 April 2023

[Inside Time](#), 'Lack of activities may drive prisoners to suicide', 24 April 2023

[Policing Insight](#), 'Policing and mental health: Getting the partnership right to prevent deaths', 7 April 2023

[The Guardian](#), 'Thousands of people like me are locked up with no fixed release date all because of New Labour's political arms race', 4 April 2023

[Inside Time](#), 'Working together to keep people safe', 3 April 2023

[The Justice Gap](#), 'Prisoners' mental and physical health at 'historically low levels'', 3 February 2023

[Inside Time](#), 'Thanks and farewell', 3 January 2023



We are looking for new members to join the Practitioner and Stakeholder Group. We encourage practitioners from a range of organisations, particularly mental health settings, as well as people who have experienced detention and families to join the group. If you know anyone who would be suitable, please ask them to join [here](#).

### FREEPOST

We welcome correspondence to 'Freepost IAP' from people detained in custody and their families about how best to prevent deaths and keep people safe. This valuable resource helps to inform and frame the Panel's advice and recommendations to Ministers and senior leaders.