

**Prisons and Probation Ombudsman
Fatal Incidents Investigations Stakeholder Liaison Meeting**

4 March 2010

Present

Stan Boles (Eastern PE Advisor)	Duncan Partridge (UKBA)
Mike Wheatley (Directorate High Security)	Claire Smith (OH)
Mary Piper (OH)	Tom Wilson (SCOP)
Jane Webb (PPO)	Debra Baldwin (SCOP)
Gordon Morrison (PPO)	Mark Freeman (OH)
David Ryan-Mills (PPO)	Susannah Eagle (PPO)
Jo Howells (PPO)	Karen Johnson (PPO)
Sarah Stolworthy (PPO)	

Apologies:

Roger Cullen (YJB), Kevin Cleary (NPSA), Jane Forsyth (Independent Advisory Panel), Kate Eves (SCOP)

1. The FII DVD was screened. Jane said that it is being sent to all stakeholders and bereaved families and will also be available on YouTube.

Action: Ries-William Lamont to arrange with Debra for the DVD to be linked into the MOJ intranet. Additional copies will be sent to the UKBA.

2. Minutes of the last meeting were agreed
Claire said there is no OH lead on gyms. Jane apologised for delays giving feedback on the PSI on disclosure and so it is not an agenda item. She also said that Stephen Shaw had been unable to attend today's meeting.
3. PPO report
Gordon presented the PPO report (attached). He highlighted that the number of investigators taking cases is currently reduced by six due to a range of staffing matters. Nevertheless 30% more reports have been issued this year than last. Gordon also highlighted some headlines from the recent surveys of bereaved families and stakeholders which are available on the PPO website.

Debra welcomed the improvements in timeliness made by the PPO especially given their staffing levels. She said that the family survey will be useful to SCOP and their FLO training/developments.

Jane highlighted that the surveys included comments about timeliness and quality of clinical reviews.

4. Report on gym related deaths
Gordon presented a report on gym related deaths. He highlighted that 15 deaths had occurred since the Ombudsman began investigating in 2004, including seven in 2009. All were of men who died in the gym or soon afterwards. Most of the men were in their 30s to 50s and 13 out of 15 died of cardiac arrest. The PPO reports highlighted factors including the prisoner's fitness level, the systems in place to cope with an emergency eg availability of defibrillators, cardio pulmonary resuscitation training, whether the prisoner

received adequate monitoring before using the gym eg an assessment of their physical ability.

Stan said that before PCTs took over healthcare in prisons, doctors would grade the fitness of prisoners and determine if they could use the gym. When the PCTs took over responsibility for prison healthcare, some used this approach, but others did not and the policy was led by the Prison Service. Prisons are required to use Physical Activity Readiness Questionnaires (PARQs), which are adopted from the community. Prisoners whose answers raise concerns are referred to the doctor before using the gym.

Issues being looked at are: defibrillators in gyms, PE staff being first aid trained, heart monitors in gyms, and PE staff supervising gyms. Stan said that the only person who can restrict a prisoner from using the gym is the governing Governor or a doctor.

Jane commented that the gym related deaths were small in number but still significant and it would be interesting to see the correlation between the numbers of deaths and the change in arrangements.

Mary said factors she would be interested in are looking at the age range, the prisoner's medical history before their death and the post mortem result. She said there would be a document coming out in a month about the management of acute chest pain which will highlight key areas for improvement eg checking equipment.

Action: Debra asked Tom to look at the spike of deaths in 2009. David will also give further consideration to the subject.

However, difficulties in comparing to other years and the community were noted. Stan said that prison gym use was equivalent to 9.5 million hours each year.

5. SCOP report

Debra presented the SCOP report. The team of national safer custody managers are now all in place and they are due to meet PPO staff. SCOP has developed an active learning strategy to cascade information throughout prisons including deaths, near deaths and violence. It includes:

- QuickTime learning bulletins which are put on the intranet and sent to governing Governors with the expectation that they are distributed at morning meetings when immediate learning should be shared. The first concerns systems to recognise potential triggers to self harm and suicide, such as the start of trial of those who had been on remand for a long time. The next will recognise that the motivation for prisoners setting cell fires should be examined in order to deal with them effectively ie asking whether it was an attempt at self harm in which case an ACCT should be opened or whether it was a discipline issue.
- Learning workshops of which the most recent concerned violence reduction.

Debra said that SCOP is due to start a specification and benchmarking process which involves amalgamating PSO2700 and 2750 so that the link between self harm/suicide and violence to others is recognised. Both have common factors eg age, time in custody, turnover of prisoners at prison.

Tom said he would be talking to the DOMS to find out how they would like to receive the information, how SCOP can help, making sure that they are aware of the statistics in their area and any outstanding recommendations.

In respect of implementing national PPO recommendations, Debra said that SCOP had reviewed the recommendations made in the last 12 months of which there were about 50. Two thirds were directed at NOMS, the remainder were mainly to OH and some were joint. She commented that PPO investigators inconsistently directed them to OH and the Department of Health and Mary said that either was appropriate. Debra said the recommendations which were not accepted were generally because the issue concerned local performance rather than the national policy. She referred to a recent issue was access to a cell at night and an instruction has been issued by Michael Spurr in this regard. The rest were being dealt with in ongoing policy reviews.

6. High security estate

Michael explained that, due to a reduction in the budget, high security has cut their HQ team and SCOP will represent the estate at these meetings and deal with PPO recommendations. Jane thanked Michael and his predecessors for attending, and said that their insights had been useful to the meetings.

7. UKBA report

Duncan took over from Phil Schoenenburger in January and is working on:

- Reviewing the Assessment, Care in Detention and Teamwork DSO in conjunction with the Incentives and Earned Privileges scheme.
- Writing a violence reduction policy for the estate.
- Seconding a member of staff to SCOP to audit the ACDT process.
- Considering how death in custody and self harm learning points are communicated to contractors.
- Documenting self harm and violence and learning from the statistics.

Duncan noted that there have been no deaths in the estate since 2006. He said that most detainees now come straight from prison.

Debra commented that she was grateful for the UKBA secondment to SCOP and believes it will mean that the organisations do not work in isolation and learning can be shared.

8. Independent Advisory Panel

Debra updated on their progress in the last 12 months. They have had four meetings and advanced their work in three main areas:

- delays and outcomes of inquests
- restraint related deaths
- identifying weaknesses in data collection eg differing methods of classifying and recording between agencies.

9. Offender Health

Mark is developing an end of life guidance policy.

Mary said OH has just published a three year delivery plan entitled 'Improving Health, Supporting Justice'. It involves improving work across the CJS such as considering moving healthcare in police stations to the control of the NHS.

Mary has prepared a paper for OH which shows the numbers and rate of self inflicted deaths over ten years is falling, while those for natural causes are rising. Mary will be looking at the ages involved, she believes there is a significant premature death rate in the under 35s and under 45s. Jane commented that she and HMCIP are in discussions about this issue.

Action: Mary to provide this paper to meeting

Action: David to provide breakdown of deaths since 2004 by age

Tom asked whether the fall in the number of suicides could be linked to other factors such as IDTS or PCT involvement. Mary agreed this could be a factor.

Claire said that as far as she was aware, national PPO recommendations fell into three categories: older people, IT and continuity of care. Both Claire and Mary believe that policies had been put in place and that the recommendations have been implemented.

10. AOB

Jane said Stephen Shaw will be leaving the PPO as of 23/04/10 and that his position will be advertised before the general election.

Jane asked participants for ideas for themes at forthcoming meetings. Those present agreed PPO could set the themes and give a month's notice so that stakeholders could consider them beforehand.

Date of next meeting: 17 June 2010

PPO Report

Notifications

- Since the last liaison meeting on the 15th December, the office has been notified of 47 deaths of prisoners and the death of one resident of an approved premise.
- Of the 47 deaths of prisoners, 25 were a result of natural causes, 14 were apparently self-inflicted and seven are yet to be classified. The additional prisoner death is being investigated as a possible homicide, and the one death of an approved premise resident was a result of natural causes.
- The number of notifications received in the year to date is consistent with the number received at the same time last year. However, the winter period has been exceptionally busy. 54 notifications were received in the three months to March 2010, as opposed to 44 in the three months previous.

Draft Reports Issued

- Since the last liaison meeting on the 15th December, the office has issued 41 draft reports.
- As of 1st March 2010, the number of overdue drafts (52) is near the lowest it has been this reporting year. Just one overdue draft dates back to the 2007-2008 reporting year, with 11 dating back to the 2008-2009 reporting year.
- Year to date delivery of draft reports is over 30% higher than at the same time last year.

Reports Finalised

- Since the last liaison meeting on the 15th December, the office has finalised 50 investigation reports.
- As of 1st March 2010 there were just 35 overdue final reports. This is the lowest monthly figure since the reporting year began in April 2009. YTD delivery of final reports is also 30% higher than at the same time last year.

Other Publications

Since the last stakeholder meeting on the 15th of December, the results of three stakeholder surveys have been published: a general stakeholder survey, a survey of our complainants and a survey of bereaved families.

The plan for wider circulation is as follows:

- They will soon be on the PPO website, so will be publicly available
- There is a piece in the next issue of On the Case which mentions that they will be on the website
- We will be sending the Bereaved Families report to key stakeholders with a special interest in this area (e.g. INQUEST and their lawyers)
- We will be producing a combined stakeholder report based on all three stakeholder surveys which we are planning to publish in April. This will be sent to our whole circulation list, including governors, coroners, voluntary sector, etc

A further report, reviewing the 160 FII reports published in the 12 months to September 2009, will be circulated alongside the FII DVD next week.