

FORUM FOR PREVENTING DEATHS IN CUSTODY

10th June 2008

MINUTES

Present:

John Wadham	Chair
Nigel Hancock	Safer Custody & Offender Policy Group, NOMS
Mike Gibbs	Safer Custody & Offender Policy Group, NOMS
Stephen Shaw	Prisons and Probation Ombudsman
Jane Webb	Deputy Prisons and Probation Ombudsman
Sarah Poolman	ACPO
Patricia Wooding	Thames Valley Police
David Monk	Youth Justice Board
Marin Skeats	Youth Justice Board
Laura Caplin	Youth Justice Board
Paul Fenning	HMCIP
Paddy Craig	HMIC
Dr. Mary Piper	DH
Alan Brown	PPPU, Home Office
Joanne Kearsley	Coroners' Society
John Crawley	IPCC
Nicholas Long	IPCC
Mike Franklin	IPCC
Deborah Coles	INQUEST
Phil Schoenenberger	UK Border Agency
Judith Bernstein	Coroners Unit, MoJ
Barbara Treen	Women and Young People's Group, NOMS
Jim Lawlor	HMRC
Jerry Petherick	GSL UK Ltd.
Adam Barty	Secretary

Action points in the following minutes are denoted by this symbol: ➔

1. Welcome and apologies

1. Apologies were received from Baroness Vivien Stern; Sarah Mann (Offender Assessment and Management Group, NOMS, who has taken over from Sharon Robbins); Deputy Chief Constable Alex Marshall, Assistant Deputy Coroner Selena Lynch; Jo Leech (Head of Secure Services Policy, DH).

2. Matters arising

2.1 Minutes from February 2008 meeting

2. The Chair asked for any comments on the minutes of the February meeting. Deborah Coles asked about her query regarding national training in restraint, which Colin Phillips of DH had agreed to look into at the February meeting. The Secretary replied that he had amended the minutes to include Deborah's query but had not yet heard from Colin, who he would contact. John Crawley recalled the work being done by the Secretary on article-2 compliant investigations of deaths in custody, and whether there were any gaps or overlaps in jurisdiction. John enquired about the progress of the work. The Secretary responded that some re-drafting had been required, and that the Chair had decided that it would be appropriate to circulate the paper to all members whose processes may not be Article 2-compliant, to provide them with an opportunity to respond, and to incorporate those further responses in the paper. John Crawley observed that there were probably two types of 'gap' in compliance, one where it was unclear who should investigate, and the other where the investigation process itself was not sufficient to discharge the Article 2 investigative obligation. Adam said he hoped to circulate the paper over the next few weeks.
3. No other issues were raised with the minutes.

→ Secretary to make enquiries with Colin Philips with regard to the issue raised by Deborah Coles

→ Secretary to circulate paper on Article-2 compliance as soon as possible

2.2 Action points from February 2008 meeting

4. Working through the action points, the Chair noted that these were all either complete or in progress. There was one exception, namely the action to raise at the Ministerial Roundtable on Suicide the issue regarding the delay in the Government's response to the rule 43 recommendations in the cases of Adam Rickwood and Gareth Myatt. The meeting noted that the Government had in any case now published the response.

2.3 Secretary's Update

5. The Secretary asked the meeting to note the content of the Secretary's Update. He touched on two of the matters covered in the Update, namely the recent meeting with the Counter Terrorism Bill Team regarding Part 6 of the Bill, and the recent meeting of the Family Liaison Working Group.
6. On the CT Bill Team meeting, the Secretary noted that the Forum contingent had comprised Deborah Coles of INQUEST, Nicholas Long of the IPCC, and Nigel Hancock of the Safer Custody and Offender Policy Group. We had met with the relevant officials from the Home Office and MoJ. The meeting had been a full and frank exchange of views. Unsurprisingly, the two sides had not been in agreement on everything. Questions had been asked about the Article 2 compatibility of the provisions, whether alternatives had been adequately explored, why there had been no consultation, and the sort of material over which the powers in the Bill might be exercised. The Secretary had also asked about how the secrecy imposed in the provisions might affect the process of learning

lessons to prevent future deaths. The response had been that, where it was possible to disseminate any learning without disclosing the evidence from which the learning stemmed, the MoJ would wish to do so. Adam had suggested that this was likely to be unsatisfactory in many cases, where the learning would not make sense in the abstract, and could be rendered meaningless. The Bill team had disagreed.

7. Deborah Coles added that she had since met with Tony McNulty MP, the Minister of State for Security, Counter Terrorism, Crime and Policing, to discuss the Bill. She had been able to make clear to him that the mother in the case which it was assumed had given rise to these provisions was devastated that her case was being used as the justification for the provisions. Deborah added that she had not been able to get a satisfactory answer from the Bill team as to what sort of material the provisions were intended for. Deborah did not believe that either the Forum's meeting with the Bill team or INQUEST's meeting with the minister would make any difference to the passage of Part 6. Deborah felt that we should nevertheless continue to do what we could on the issue.
8. Nigel Hancock observed that the effect of the provisions was that material which the inquest could not examine under the present law could be examined under the new provisions. Deborah Coles thought this was of limited value in terms of answering families' questions or giving them closure since neither they nor their legal representative would be permitted to know all the evidence.
9. The Chair recalled the suggestion, discussed in the Public Bill Committee, that the Lord Chief Justice rather than the Secretary of State should be the person to select a specially-appointed Coroner in any case in which a Part 6 certificate had been issued. This might be a step in the right direction. He further noted that the Bill went to Report stage today.
10. John Crawley repeated the position he had expressed at the February meeting: the whole point of having an inquest was to provide a transparent and accountable investigation of a contentious death. Holding it under the circumstances provided in Part 6 defeated that aim. Nigel Hancock noted that we had a link to ministers via the Ministerial Roundtable if we wished to follow up on the issue.
11. The Secretary provided a brief update on the Family Liaison working group meeting of 20th May 2008. The meeting had been productive. The working group had expanded slightly to include the British Army family liaison coordinator and a member of INQUEST Lawyers' Group. The meeting had approved terms of reference and this, together with the minutes, would be added to the website shortly.

2.4 Fulton update

12. Nigel Hancock re-capped the essential features of the Fulton proposals for the benefit of new attendees. Nigel also noted that the Forum had drafted a response to the proposals for the consideration of justice minister Maria Eagle MP. In addition, Nigel had received a small number of representations from Forum members in their own right, most of which had welcomed the proposals. He had also received two responses from INQUEST which had expressed certain reservations about the new proposals. Deborah Coles reminded the meeting of INQUEST's work exploring the feasibility of a Standing Commission on Custodial Deaths, but acknowledged that this work was likely to make little difference to the

progress of the Fulton proposals. Rather than discuss INQUEST's misgivings in the meeting, Deborah agreed to circulate to members the responses which INQUEST had provided to Nigel.

13. Nigel reported that the three would-be sponsor departments under the Fulton proposals had agreed in principle to funding the new arrangements, albeit without the research budget of £50,000 for at least this and next financial year. This was either because this budget was felt to be too small to meet the research needs of the new arrangements or unnecessary because one of the envisaged secretariat posts was to concentrate on data issues in liaison with the Departments. Instead, it was envisaged that the Secretariat could liaise with existing departmental researchers and research streams, and the Independent Advisory Panel (IAP) could make recommendations for subjects which should be researched. Nigel noted that he was due to meet with the minister shortly and this would be a good opportunity for him to reflect any final Forum views.
14. The meeting generally welcomed Nigel's news on funding, but certain members voiced disappointment at the position regarding the research budget. Stephen Shaw commented that, when he had suggested at the last meeting that £50,000 might be insufficient, he had not foreseen the possibility that the alternative might be no research budget at all. Deborah Coles felt that an element of independence was essential for any research that the IAP might commission. Using existing departmental research resources was not an adequate substitute. Alan Brown commented that, if the IAP embarked on research of its own, ministers may well wonder why their department was not already doing such research. What was the point of duplicating work? Deborah Coles disagreed on the basis of the independence of the work, and the resulting public confidence (or lack thereof).
15. In terms of what could be achieved this financial year, the first step was felt to be appointing a new IAP Chair, who would ideally observe at the next meeting if this can be achieved in time. Such an appointment would be required to conform to the procedure set out by the Commission for Public Appointments and the Secretary had already started researching what those requirements were. Once in post, the Chair could then participate in the process to appoint experts to the panel, and the Secretariat. The meeting felt that this should be a remunerated post, albeit not a full-time one. John Crawley suggested that, for continuity, members of the IAP should be personally appointed.
16. Sarah Poolman asked what the relationship between the three tiers suggested by Fulton would be. John Wadham suggested that this would depend in part on the view of the new Chair, but the advantage of being a non-statutory body would be a certain amount of flexibility to decide on whatever seemed the best way of working.
17. Stephen Shaw suggested that, in general, good progress had been made, but he was anxious now to get on with the job. He noted that it had been fifteen months since the Forum Review was first commissioned, and would not wish to be in the same position this time next year. There was general agreement with this.
18. Mary Piper asked questions about remuneration of the experts and NGOs who would be participating. Nigel responded that £23,000 had been allowed for IAP members. Deborah Coles commented that this was very little indeed given the degree of participation which would be necessary to further the objectives of the three tiers. Mary also commented on the issue of independence, citing the Advisory Council on the Misuse of Drugs. The Chair agreed that the most

constructive way of persuading ministers to provide a separate research budget might be to provide examples of areas in which independent research streams had proved useful.

→ Secretary to find and circulate examples of such independent research

19. John Crawley commented that there was very little *cross-sector* research being done within individual departments. This was the advantage, as he saw it, to the new arrangements having dedicated research resources. David Monk commented that we were perhaps confusing research (in an academic sense) with data analysis. Work in the former area might take several years to come to fruition, whereas useful work in terms of data streams could be achieved quite quickly.

3. Recent Cases of Note

The government's response to the rule 43 recommendations in Adam Rickwood and Gareth Myatt

20. Deborah Coles raised the issue of Gareth Myatt's rule 43 recommendation action 11 (on p.17 of the Action Plan). The 'work completed' section suggested that a member of the Forum had been invited to sit on the PCC Medical Review Panel. Deborah could not remember this being discussed in the Forum and queried whether this was correct. David Monk explained that Mary Piper, as a Forum member, had been invited to sit on the panel. They had been aware, in asking her to do so, that she was a Forum member. Mary added that she did not sit on the PCC Management Board and had only attended one meeting of the medical panel. Deborah voiced concerns that many of the actions in the plan were aspirational and still to be completed. There was also no qualitative data on what actions had already been put in place. The document already seemed out-of-date.
21. John Wadham asked the meeting to note a conflict of interest as the Equality and Human Rights Commission had done some work around the Secure Training Centre Rules 2007. Stephen Shaw noted that his office had been involved in the investigation of the death of Adam Rickwood, and one of the key factors had been the distance between his home in Burnley and Hassockfield STC in County Durham. Stephen asked whether there was any improvement in terms of children not being held so far from home. John Crawley wondered whether the lessons learned here had wider application across the juvenile estate, rather than just Secure Training Centres.
22. Responding to all of these points, David Monk stated that he accepted that much of the Action Plan was historical. Many of the actions had been completed. Certain actions had been delayed, but David felt that it was better to take more time to bring about systemic change rather than smaller, quicker changes. David said he would be happy to update the Action Plan with annotation before the next Forum meeting, so members could see what was still outstanding.

→ David Monk to provide an annotated Action Plan to members before the next meeting

23. In terms of Stephen's question regarding capacity, David said that there was still considerable pressure on places. It was always a difficult balance between placing a young person in an establishment with a regime appropriate to their

needs versus the distance between the establishment and the young person's home. In terms of how transferable the lessons were, the recommendations arose from case-specific circumstances and were therefore intended for STCs. This did not, however, mean that some of the recommendations would not also apply in other custodial settings as well. David said work was in hand to advise YJB Board members on key overarching themes in relation to deaths in custody overall and that he would be happy in due course to share emerging considerations with members of the Forum.

→ David Monk to advise of the timescale for this piece of work and initiating a further discussion at the forum

24. Paul Fenning commented that, while it was obviously right for the YJB to monitor implementation, there was probably also a case for independent scrutiny of action plans. Monitoring to ensure contractual compliance was not the same as independent inspection.
25. The meeting adjourned for lunch.
26. Deborah Coles raised the issue of acting on detainees' complaints, which had been an issue in the Gareth Myatt case. Deborah also noted that the inspection regime following an STC death was an OFSTED inspection, which was different to the process following YOI or STC deaths. Deborah was concerned that OFSTED may not have the necessary expertise in inspecting custodial environments. Deborah also asked what role the Children's Commissioner should have – potentially, the Commissioner was a valuable resource.
27. David assured the meeting that the YJB work regularly with the Children's Commissioner, and see their relationship as an important one. In terms of the inspection regime, this is a cross-sector issue. There had been significant developments in the monitoring process and internal restructuring of YJB had resulted in alignment of the SLA/contract management and monitoring functions.
28. John Crawley echoed Paul Fenning's point about independent scrutiny, and also Deborah Coles' concern about the extent to which OFSTED are able to carry out their function in relation to STC deaths. Paul Fenning agreed, pointing out that the existing HMCIP inspection regime for YOIs was perfectly adequate. David Monk suggested that, as OFSTED were not present, it would be unfair to continue this line of discussion. The Chair agreed, but suggested that we continue at the next meeting, to which an OFSTED representative should be invited.

→ Secretary to invite an OFSTED representative to the next meeting

Petra Blanksby and Louise Giles

29. Deborah Coles turned to the above cases. She drew particular attention to the jury's finding in the Petra Blanksby case that prison was not an appropriate place for Petra. Joanne Kearsley asked the meeting to note a possible conflict of interest in that she, in her capacity as a solicitor, had represented the family in that case. Joanne recalled the independent psychiatric expert, who gave the evidence suggesting that prison was an inappropriate place for Petra, and noted that the Coroner had not heard of the Corston report. Mary Piper said that she had contacted the Bradley Review in relation to this case, but that, sadly, Petra's

history of abuse and self-harm was not at all uncommon. In Mary's view, there were two categories of at-risk women in prisons. The first simply should not be there. The second probably did need to be in custody, but in an environment appropriate to their needs. Joanne Kearsley noted that Petra had had an identical twin who *had* received appropriate care, whereas Petra had not. The result spoke for itself.

30. Questions were raised around the ability of the Prison Service to cater to women with such complex needs. Barbara Treen said that there were examples of Prisons which had established effective therapeutic communities. HMP Send was one example. She also cited the Primrose Project, although this was targeted at more dangerous prisoners and Petra would probably not have qualified. Deborah Coles noted that there were often lengthy delays between problems being identified and solutions put in place. Depressingly, Deborah Coles noted that the Consultant Psychiatrist in this case had expressed the view that Petra would probably be dealt with in the same way now as she had been at the time.

31. The Chair asked the meeting what they thought the Forum could do. Mary Piper suggested that the Forum should support the policy of not leaving HMPS to deal with the problem in isolation – could we write to express our support for the DH initiatives in the area?

➔ Secretary to obtain some background information from Mary Piper, and draft a letter to circulate to the Forum

32. With regard to Lyndsey Wright, the failure of nursing care was thought to be the biggest single issue to arise from death. Mary Piper suggested that the emphasis was now much more on *corroborating* medical evidence to inform treatment. There were also issues around the transfer of relevant information such as the extent of a drug user's level of use and/or their history on heroin substitutes such as methadone. Disciplined staff appeared to have recognised signs that Lyndsey might be at risk such as lowered levels of responsiveness or drowsiness, but had not passed on this information to clinical staff. Mary Piper noted that clinical staff bore responsibility for making decisions about the appropriate dose of methadone and should have picked up on this.

33. The Chair noted that this was not a sophisticated point or one which required medical training to understand. He asked what was being done. Mary Piper responded that £23m of capital funding had been set aside for additional training, though it was never possible to completely exclude the possibility of the same thing happening again. Stephen Shaw commented that the culture at HMP Holloway almost assumed that everyone was an opiate user, which was understandable but potentially dangerous. Paddy Craig drew an analogy with the police service, in which medical information relating to risk often did not make it out of the FME's notebook. Patient confidentiality was a consideration. Mary Piper noted that Lyndsey Wright had tested positive for heroin on arrival at Holloway, and had also been given other (legal) drugs in police custody. Paddy agreed, stating that HMIC were not always confident that the right information was being passed between the police and prison services. Alan Brown accepted that this was not always happening, even though it was a contractual requirement on FMEs. Sarah Poolman agreed that not all information gets transferred, patient confidentiality sometimes inhibited this. Alan Brown flagged up the pilot study on the use of PER forms.

→ Secretary to obtain further information from Alan on the pilot study and to circulate to members

34. Barbara Treen also suggested that some of the difficulties faced on immediate arrival in prison were gender-specific: there was evidence that women handled the experience differently. Nigel Hancock stated that the second SCOP 'Learning Lessons Bulletin' would focus on this issue. Nigel was considering forwarding the draft bulletin to other members, possibly including INQUEST, for their views and validation prior to publication.

4. The IPCC 'Near Misses' Report

35. The meeting was joined by Tom Bucke and Becky Teers of the IPCC's Research unit. Their presentation appears at Annex A.
36. Following the presentation, Mike Franklin asked about the low rate of participation in the study by custody officers themselves. Mike voiced disappointment at this. Tom Bucke speculated that this was perhaps because of their fear of the career consequences of reporting this type of incident to the IPCC. Jane Webb asked, for context, about the numbers of deaths in or following custody within England and Wales. Sarah Poolman stated that there were 27 such deaths last year. The Chair noted that this provided an approximate idea of the ratio of deaths to near-deaths in the police service within England and Wales as a whole. Nigel Hancock noted that different definitions and methodologies had been pursued, presumably due to the transient nature of the population of police detainees, who were in custody for far shorter periods than in other custodial sectors. Deborah Coles voiced surprise at the low rates of alcohol-related near-deaths. She was also heartened that it had evidently been recognised that learning can arise from near-deaths as well as actual deaths. Alan Brown noted that some of the learning arising from this report had been passed to the Editorial Board of the Safer Detention Guidance. Mike Gibbs noted that Safer Custody had also fed into the preparation of this Guidance. The Chair noted that, on a proportional basis, the report had estimated that the total number of near-deaths in or following custody in England and Wales was around 400 (serious) or 1000 (using the broader of the two definitions used in the Report). The serious incidents figure would suggest that approximately eight times as many near-deaths take place as actual deaths per year.

5. Operation Safeguard and the British Medical Association

37. The meeting welcomed Dr. George Fernie and Rosie Hogwood of the British Medical Association. The BMA presentation appears at Annex B of these minutes.
38. Following the presentation, Alan Brown queried the BMA statistic relating to the cost of the policy. Alan suggested that the true figure was much higher at £70m per year. Dr. Fernie commented that, even given the sums being spent, NHS re-integration hasn't worked in respect of Safeguard detainees, for whom the healthcare infrastructure was not in place to provide proper levels of care.
39. Alan Brown asked whether those transferred to police or Court cells under Safeguard genuinely met the criteria laid down by the Operation order. Dr. Fernie replied that the BMA experience was that the criteria were sometimes being 'bent'. He drew attention to the lack of sophisticated assessment of whether or not the criteria were met.

40. Paddy Craig drew attention to one of the problems Dr. Fernie had flagged up, namely why medical information on detainees was not always transferred between the police and prison services. Dr. Fernie cited the example of 'NHS 24' in Scotland. This proved that central collection of such information was possible, but it did still require informed consent, which some detainees would always be unwilling to provide.
41. The meeting moved on to consider the possibility of providing FMEs with access to central, computerised GP records. Alan Brown advised that the GMC had ruled that this would not be permissible in police stations since they were not deemed to be healthcare environments. Dr. Fernie indicated that there had been some recent progress in this regard. John Crawley returned to the issue of NHS integration...was Dr. Fernie suggesting that things were worse now than before this step had been taken? Dr. Fernie replied that he didn't think things were worse but that they were certainly no better: re-integration had failed to deliver the improvements for which people had hoped. Paddy Craig agreed. Whenever the subject of caring for detainees was discussed, the local Primary Care Trust always seemed to be missing from around the table. Alan Brown wondered how the health service might best be held to account. John Crawley said that in his experience as an IPCC Commissioner, police were often too 'polite' to the NHS, and too reluctant to insist that they performed their function. The IPCC was forging links with the Healthcare Commission for this reason. John cited one case in which there was *prima facie* evidence of medical negligence. He had written to the CEO of the relevant PCT, but had yet to receive a reply. Alan was not sure he accepted that police were too 'polite'. He felt that the situation might be improved by agencies better understanding their role. This could be achieved by creating statutory responsibilities.
42. Sarah Poolman suggested that, in her experience, the police/health service relationship was most constructive in small county police forces, with perhaps only one or two PCTs on their patch. Joanne Kearsley suggested that, in terms of holding the health service to account, it would be helpful for NHS-related learning points to be brought to the attention of Coroners. They were in a position to be able to recommend action. Nigel Hancock pointed out that the Forum would enjoy a direct link to ministers (including the minister responsible for Care Services) under the new arrangements, and indeed that minister already sat on the Ministerial Roundtable on Suicide.

→ Secretary to explore ways of raising these issues with ministers, and to research examples of existing good practice

6. PACT's first night in custody service

43. The meeting welcomed Sara Doak of the Prison Advice and Care Trust (PACT) and Ian Mulholland, Governor of HMP Wandsworth. Their presentation appears at Annex C.
44. Phil Schoenenberger asked about the particular problems posed by Foreign National detainees, who often did not speak English and found it harder to access services as a result. UKBA had to translate material into 21 languages to overcome this. Ian commented that, particularly in the London prisons, this was certainly an issue. Some translation did take place, but Ian accepted that the problem was certainly not resolved yet.

45. Mike Gibbs asked about the problems PACT had experienced in soliciting the *right* information from new arrivals. Were families able to contact PACT? In reply, Sara talked about PACT's other responsibility in running visitor centres, in which family members were given information on how to make contact, book visits etc. PACT does coordinate contact with the families, even if they could not always be contacted directly by families. Ian observed that there will always be some new arrivals who simply refuse to disclose the information sought, but that they were more likely to do so to another prisoner or a PACT support worker than to a prison officer. He observed that, since PACT had started working in HMPs Exeter, Holloway and Wandsworth, there had been no self-inflicted deaths of new arrivals within the first 2 hours.
46. Deborah Coles asked about continuity of support beyond the first 2 hours...how was information related to risk documented and passed on by PACT? Sara replied that, at Wandsworth, all of this information was now contained within a single document, which reduced the likelihood of information going missing. Sara wondered about the impact of overcrowding and the extent to which this was inhibiting family contact. Ian accepted that this was a difficult question of resourcing. Facilitating more frequent contact with families could potentially cost a good deal. In short, overcrowding had not helped the position.
47. Jerry Petherick, a former governor of HMP Exeter, voiced emphatic support for PACT's work. In his experience, the PACT service did make a tangible difference. Joanne Kearsley asked Ian for the rate of self-harm incidents before PACT had started to work in Wandsworth. Ian did not have the figures off-hand but was certain that there had been a reduction. Barbara Treen asked about roll-out costs...could the resource pack be emailed, and if so, could it be introduced in other women's local prisons? Sara responded that there was no reason why not.

7. The IPCC/multi-agency Learning the Lessons Bulletin

48. The meeting welcomed Judith Barnes. Judith's presentation appears at Annex D.
49. There was general discussion of the issues raised by Judith's case-studies. Many of the problems (transfer of information, failure to pick up on warning signs, improper transfer of information relating to risk) were not new, yet theoretically avoidable.

8. Public funding for legal representation of families in Inquests

50. The meeting was joined by David Stokes, of the MoJ's Civil and Family Legal Aid unit. David's view was that there were few problems with the current system in terms of legal aid: families in almost all custody death cases who applied were ultimately provided with funding, where they qualified financially. David noted that the LSC were the first-instance decision makers, but suggested that, in respect of custodial sectors such as immigration and psychiatric detention, they would normally be treated as being within the scope of the 2001 Lord Chancellor's Authorisation even though they technically were not. David accepted that means-testing would apply, but this was the case in all areas of the legal system since legal aid was first created in the 1940s.
51. John Crawley disagreed on the basis that, uniquely among judicial proceedings, the inquest was a state enquiry which was going to happen regardless of the

family. One of its primary roles was to determine whether the UK had complied with its human rights obligations...why should families have to pay in order to participate in this country, particularly given that, in a custody death inquest, the detaining authorities would enjoy unlimited representation, often at significant costs to the public purse?

52. Deborah Coles agreed. She suggested that it was wrong that bereaved families should be deemed ineligible for this type of representation simply because they owned their own homes. John Crawley agreed. Effectively, he suggested, wealthy families could expect a fuller investigation of the death of their loved one than poorer families under the current regime.
53. David reminded the meeting that inquests were inquisitorial, not adversarial, and legal aid had simply been unavailable in inquests *per se* until 2000. The Chair and others round the table recalled providing such representation *pro bono* regardless and suggested that this argument was unlikely to get a very sympathetic hearing. That said, the Chair naturally accepted that David was not in a position to unilaterally change policy there and then.
54. Jane Webb said that the PPO, for its part, was always very relieved when families did manage to obtain funding for representation. Perhaps the Forum would support the position that representation leads to better quality inquests, and endorse it for that reason.
55. The Chair suggested that we defer the issue for further consideration. Certain members were no longer present at the meeting. He and the Secretary would consider how best to advance the issue, and it should be returned to at the start of the next meeting. There was general agreement.

→Chair and Secretary to consider how best to advance the issue of public funding for inquests

8. Any Other Business

56. Jane Webb raised the issue, recently picked up on at the SCOP/PPO liaison meeting, of solicitors recognising signs of risk on the parts of their clients, but assuming that the prison authorities must already be aware of this, and therefore taking no steps to pass on that information. Jane noted that SCOP was considering how to take the issue forward, including a possible approach to the Law Society. Deborah Coles suggested that the situation would be improved if solicitors had a dedicated person on phoneline to contact to report information of this nature. Joanne Kearsley observed that this had been an issue in the Gareth Price case. The meeting agreed to keep track of the issue.
57. Deborah Coles raised the issue of the length and frequency of Forum meetings. Today's session had been lengthy and tiring. Deborah wondered whether there was a case for meeting more frequently than three times per year but having shorter meetings. The Chair said that, while he worried that this might lead to more people being unavailable to attend the meetings, he was happy to try this in principle. Rather than a meeting in October, he therefore suggested a meeting in September.

DATE OF NEXT MEETING

58. In view of the above, the date of the next meeting will be advised to members at a later date. The meeting adjourned.

Adam Barty
Secretary
Forum for Preventing Deaths in Custody

12th June 2008

FORUM FOR PREVENTING DEATHS IN CUSTODY

MEETING 10th JUNE 2008

ACTION POINTS

WHAT?	WHO?	WHEN?
Make enquiries with Colin Philips with regard to the issue raised by Deborah Coles	Secretary	As soon as possible
Circulate paper on Article-2 compliant investigation	Secretary	As soon as possible
Find and circulate examples where <i>independent</i> research has been useful	Secretary	As soon as possible
Provide an annotated Gareth Myatt and Adam Rickwood Action Plan to members	David Monk	Before the next meeting
Advise members of the timescale for piece of work on key overarching themes and initiating a further discussion at the Forum.	David Monk	Before the next meeting
Invite OFSTED representative to the next meeting to discuss SCH and STC inspections	Secretary	Before the next meeting
Obtain background information from Mary Piper, re: DH initiatives re: psychiatric care for women prisoners, and draft a letter to circulate to the Forum	Secretary	Before the next meeting
Obtain further information from Alan Brown on the PER pilot study and to circulate to members	Secretary	As soon as possible

Explore ways in which the Forum might raise the problems of police and health service inter-agency obligations with ministers	Secretary	As soon as possible
Consider how best to further the issue of public funding for inquests	Chair/Secretary	As soon as possible