

FORUM FOR PREVENTING DEATHS IN CUSTODY

26th February 2008

MINUTES

Present:

John Wadham	Chair
Nigel Hancock	Safer Custody Group, NOMS
Stephen Shaw	Prisons and Probation Ombudsman
Sarah Poolman	ACPO
David Monk	Youth Justice Board
Kevin Venosi	Youth Justice Board
Laura Caplin	Youth Justice Board
Paul Fenning	HMCIP
Rachael Hunter	DH
Jo Leech	DH
Colin Phillips	DH
Deborah Hudspith	PPPU, Home Office
Selena Lynch	Coroners' Society
John Crawley	IPCC
Philp Geering	IPCC
Deborah Coles	INQUEST
Sian Griffiths	INQUEST
Phil Schoenenberger	BIA
Judith Bernstein	Coroners Unit, MoJ
Dr. Kevin Cleary	National Patient Safety Agency
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 Baronness Vivien Stern; Sharon Robins (NOMS Public Protection); Nicholas Long (IPCC); Craig Jennings (MHAC); Rita Tucker (HMIC); Alan Brown (Home Office); Mary Piper (Offender Health); Brian Pollett (BIA); Sue Turner (Birmingham and Solihull MHT). Phil Schoenenberger attended on behalf of Brian Pollett; Deborah Hudspith attended on behalf of Alan Brown; Rachael Hunter attended on behalf of Mary Piper; Philip Geering, Director of Strategy and Business Improvement for the IPCC, attended as an observer.

2. Matters arising

2.1 Minutes from November 2007 meeting

2. The Chair asked for any comments on the minutes from the June meeting, reminding members that, as previously advised, comments on the minutes would only be entertained if the issue had been raised in advance with the Secretary. Deborah Coles suggested that the papers (including the minutes) which were sent on 15th February for today's meeting of 26th February) had not been sent sufficiently ahead of time to allow Forum members to consult with others in their organisation. She stressed that, particularly for small NGOs, the time and resources taken up by printing and photocopying the papers could be problematic. She asked that, in future, the papers should be sent out further ahead of time, in hardcopy. Consulting with the Secretary, the Chair responded that there was no reason why this should not be done for INQUEST

→ Secretary to send out papers for future meetings at least ten days in advance of the meeting, and to provide hardcopies to INQUEST

2.2 Action points from November 2007 meeting

3. Working through the action points from the last meeting, the Chair reported that he had duly met with Justice minister Maria Eagle MP to raise the Forum's concerns regarding **Operation Safeguard** (the use of police cells to temporarily house prisoners). Prison Service Director General Phil Wheatley was also present, and had usefully been able to provide a prison service perspective. The question of whether Operation Safeguard was partly responsible for the high number of self-inflicted deaths of prisoners was discussed. Nigel Hancock reported that, so far this year, numbers of self-inflicted deaths in prison was relatively low.
4. Sarah Poolman reiterated that ACPO remained opposed to the policy, which could potentially render police forces liable for the death of a person who, by rights, was the responsibility of the prison service. That said, ACPO were doing all they could to support the National Offender Management Service. A review of aspects of the policy was underway and due to report shortly, which was why the issue had not been tabled formally for this meeting, but there was no short-term solution to the problem and ACPO looked forward to learning what longer-term solutions were envisaged. Paul Fenning confirmed that no prisoners known to be high-risk – i.e. those on an open ACCT programme -- should be housed in police cells under Safeguard. Sarah Poolman responded that she was confident that those known to be high-risk were being successfully 'screened out' but the problem lay in the case of prisoners who presented an unknown risk.
5. Stephen Shaw made the point that, even once a Safeguard prisoner had been transferred back into the prison system, the risk of the impact of the policy did not necessarily end there. He cited the example of a case in which a prisoner was detoxifying from opiates. Because of a Court appearance, he had been locked out of the prison in which he was undergoing detox, housed in a police station, and then transferred to a different prison which operated a different detoxification regime. He had taken his life within four days.
6. Deborah Coles asked about the review to which Sarah Poolman had alluded, and whether the Forum should be contributing to it. Sarah confirmed that the review

was not risk-based. The Chair asked what the review was looking at. Sarah replied that it was looking at enhancement and capacity in the Safeguard programme. There were currently 358 prisoners being housed in police cells and over 60 in Court cells (of a maximum of 70)

7. The Chair suggested that it might be appropriate for the Forum to ask for a review of the risks if no such review was already underway. Nigel Hancock suggested that the Forum summarised its concerns regarding risk, and made these available to those making decisions following the partial review.

→ Secretary to draft a letter in the Chair's name summarising the Forum's concerns regarding Safeguard, to be sent to those deemed most appropriate.

8. John Crawley stated that he was not aware of any work underway within the IPCC regarding Safeguard except for arrangements relating to investigations. The question of investigative jurisdiction arose. Deborah Coles drew the Forum's attention to a very recent death which had taken place in a Court cell (at Peterborough Magistrates' Court) – who would investigate this? Stephen Shaw responded that his office would have jurisdiction if the person who died was classed as a prisoner – i.e. if they had been sentenced or remanded – but not prior to that stage. John Crawley suggested that this may be a gap between PPO and IPCC jurisdiction. The Chair felt this was something which the Forum should establish.

→ Secretary to research the position regarding jurisdiction and circulate a note for members

9. Deborah Coles asked whether any progress had been made to set up a working group to examine the **Government's response to the Corston Report**. Nigel Hancock advised that the Government's response had been published in December, and that Jean Corston would be attending the following week's Roundtable, and the Chair responded that the Forum's work in this area had not yet been advanced.

→ Secretary to set up a working group to examine the Government response to the Corston Report

10. John Crawley advised the meeting of a piece of research underway within the IPCC on **s.136 Mental Health Act 1983**. It would be completed by the time of the June meeting.

→ Secretary to contact IPCC researcher to invite him/her to attend the June meeting to advise the Forum of their findings

11. John Crawley also mentioned a piece of work on the same subject being jointly carried out by ACPO and the Royal College of Psychiatrists, due out in May.

→ Secretary to obtain this if possible, and circulate to members in advance of the next meeting.

2.3 Secretary's Update

12. Deborah Coles asked David Monk about the progress of the **Government Action Plan on Adam Rickwood and Gareth Myatt**. David responded that this was still awaiting ministerial approval, but that work arising from it was underway. Deborah voiced concerns that the rule 43 recommendations giving rise to the Action Plan had been issued over eight months ago, and suggested that the issue of the delay was one which the Forum might voice concern publicly. The Chair accepted that lessons had to be learned promptly, and asked if the delay arose due to judicial review proceedings. This was unclear, but the Chair felt that it would be appropriate to raise the issue at next week's Ministerial Roundtable on Suicide to make the minister aware of the Forum's concerns. The Chair also noted that the subject was already tabled for the June meeting, by which point the Action Plan should have been approved and/or published.

→ Secretary to pass on Forum concerns at the Ministerial Roundtable on Suicide meeting of 4th March

13. The meeting moved on to discuss **Clauses 64/65 of the Counter Terrorism Bill** (which relate to coroners inquests and the proposed power of the home secretary to require an inquest to sit without a jury and with a specially-appointed coroner under certain circumstances. Selena Lynch stated that there were aspects of the proposal which the Coroners' Society favoured, such as the ability to sit without a jury – in her view this could lead to more meaningful findings. She added that the Coroners' Society did not make submissions on policies as such but that there were concerns as to the workability of the proposals. While the principle of matching a Coroner's skill and experience to a case which demanded that skill and experience was a good thing in principle, simply ousting one Coroner in favour of another would create difficulties, for example.
14. The Chair clarified that the Bill was due for a second reading in March 2008. She advised that INQUEST were seeking to meet the relevant minister and were obtaining a legal opinion on the compatibility of the proposals with Article 2. She agreed to update the Forum on this and would try to provide the opinion for circulation to Forum members.

→ Deborah Coles to update Forum on the progress of this work

→ Secretary to obtain the legal opinion from INQUEST if possible, and circulate to members

15. Selena Lynch added that, in her view, the proposals amounted to 'using a sledgehammer to crack a nut'. The principle that certain material should be immune from public disclosure in the public interest was universally accepted but this power was too wide-ranging and there was a danger that it would be used unnecessarily. The Chair commented the proposal had arisen through the government's blanket policy on the use of intercept evidence, not through the problem of sensitive material *per se*. John Crawley asked what had changed in terms of this problem to justify such dramatic proposals. The Chair replied that s.17 of the Regulation of Investigatory Powers Act 2000 at present, had the effect of barring Coroners and parties to an inquest from examining the type of material to which the provision related. Due to recent cases and developments in Article 2 case law, this had become problematic. He felt that the issue for the Forum had to be whether or not the provision would have the effect of inhibiting the learning

of lessons from deaths which might otherwise be learned. He speculated that the powers may not be used very often.

16. John Crawley commented that history suggested that if the power was brought into being, it would be used. Selena Lynch wondered if it could actually have the effect of enabling coroners' investigations which might otherwise be hampered by not being able to consider relevant evidence. John Crawley responded that, for him, this was not the point: an inquest by its very nature is a public inquiry. The idea of holding it in secret was contrary to that very idea. For him, a secret inquest was an oxymoron.
17. Deborah Coles agreed and also raised the question of the effect this could have on public confidence in the system, an important point which appeared to have been ignored. The Chair suggested that the best way to take the issue forward might be to write to Bridget Prentice MP (the Justice minister with responsibility for Coroners) to express the Forum's concerns.
18. David Monk suggested that we should proceed with care when expressing a 'corporate view' on behalf of the Forum, since the membership encompasses a range of different perspectives and not all members would necessarily agree with everything said. Nigel Hancock noted that, in the past, a form of words had been used which made clear that we were conveying the broad thrust of members' opinions and that any view expressed did not necessarily reflect the official view of member organisations.

→ Secretary to draft a letter for the Chair's approval setting out the Forum's concerns, to be sent to Bridget Prentice MP

19. The meeting moved on to consider the **cross-sector learning working group**. The Chair outlined the discussions the Chair and Secretary had had about the danger of being seen to re-create a working group with the same remit as the Forum.
20. The Secretary emphasized that, as he saw it, what would distinguish the work of the Forum proper from the work of the working group was that the working group would look at learning and implementation *models*, not at substantive lessons which should be learned. He hoped this was reflected in the draft Terms of Reference for the working group which he had proposed, though these were of course subject to amendment by members of the working group as they saw fit. He asked for members views' as to whether or not a working group with the proposed remit and constitution was a worthwhile project.
21. Nigel Hancock responded that, in his view, it probably was, and that the group could usefully include a look at the process by which inspection (and other relevant) findings and apparent good practice were verified as such. Focussing on what actually constitutes 'learning' could help avoid different understandings of what is meant by that term.
22. Paul Fenning commented that, in his view, the group should focus not just on whether lessons are noted in theory but whether they actually lead to changes in reality. The Secretary replied that he was clear that this should be a key part of the working group's focus. Selena Lynch commented that this might therefore need to involve representatives of those working 'at the coalface'. The Secretary responded that he agreed that, at the appropriate time, representatives of (for example) the Police Federation or Prison Officers' Association should be asked

to participate, subject to the agreement of the working group. Deborah Coles asked if, in view of what Paul Fenning could contribute, HMCIP should not sit on the working group. The Chair agreed with this suggestion.

→ Secretary to include HMCIP in the working group as well as the organisations already proposed

23. The Chair turned to the **Family Liaison working group**. Deborah Coles commented that the work of this group should not be seen as a substitute for engaging with families.
24. The Chair turned to the **Government Response to the Corston Report**. Deborah Coles noted, as the Secretary had, that the government have rejected one of Baroness Corston's key recommendations as to the availability of non means-tested public funding for legal representation of the families of women who die in custody. Deborah noted that, during a recent debate in the House of Lords, Baroness Corston had described the rejection of this proposal as 'breathtaking'. It also possibly breached Article 2 in terms of hindering the family's ability to participate fully in the investigation of the death of their loved one.
25. John Crawley commented that this was surely not an issue unique to women who die in custody but applied to anyone who died in custody. There was general agreement to this point.
26. The Secretary touched briefly on the subject of the **Forum website**, which had been updated, with a good deal of new content added. Comments and suggestions from members were requested, both in terms of what is there now and anything they think should be added.

→ Secretary to research the position on the availability of public funding for families of people who die in custody and circulate to members and to consider whether this raised any issues in relation to learning lessons or the remit of the Forum

3. Article 2-compliant investigation of near-deaths

27. The Chair opened the discussion by noting that the papers submitted by the appropriate member organisations seemed to reflect a state of inconsistency and confusion across the sectors. Organisations were not even able to say how many such incidents occurred. The Chair felt, given the learning opportunities which could come from such incidents – possibly even more opportunities than cases in which death *had* resulted – that the current state of affairs was wholly unsatisfactory. He had invited members to consult their lawyers and, if they disagreed with his assessment of the law, to say why. No member organisation had done so.
28. Stephen Shaw agreed. He noted that he had had to turn down requests from custodial sectors to investigate, partly because he had neither the remit nor resources to do so and partly because he felt that it was wrong in principle to 'pick and choose' which cases should be independently investigated.

29. The Chair agreed. He drew particular attention to the Border and Immigration Authority's assertion that, although they did in practice investigate such incidents, they were not obliged to. As a matter of law, he did not accept that interpretation.
30. Phil Schoenenberger replied that, whether the obligation to investigate existed or not, it was certainly the case that they did in practice do so, using external (Prison Service) investigators. As a matter of course, BIA would investigate any incident of serious self-harm.
31. Paul Fenning asked what the BIA threshold was for investigation – when is a self-harm incident deemed to require investigation. Phil Schoenenberger replied by giving examples of recent BIA investigations, including a detainee who had attempted to hang himself by ligature and another detainee who had attempted to harm himself by headbutting a wall.
32. John Crawley commented that the question of who decides when to investigate was the subject of a piece of research by the Metropolitan Police Service which he would be pleased to circulate to members.

→ Secretary to obtain this from John Crawley and circulate to members

33. Nigel Hancock noted that the 'JL' House of Lords appeal, which would hopefully shed some light on the issue of the 'trigger' for an Art.2-compliant investigation, was to be heard in October, earlier than expected, which was to be welcomed. There were key issues for Government about proportionality and resources. Meanwhile, two investigations into near-deaths in prisons had been commissioned by the Secretary of State. These were underway and a third was planned.
34. Selena Lynch hoped for greater clarity with the Lords' Judgment, but felt that no agency at present had the power to comply with Article 2. David Monk suggested that the importance of the issue of the trigger was being underestimated – how can organisations get it right before they know what is required? Stephen Shaw agreed that it was legitimate that organisations needed to know the scale of the investigations which would be required.
35. John Crawley also commented on the lack of a framework for the public element (required by Article 2) which inquiries into near-deaths would require to be compliant.
36. Paul Fenning commented that, on a practical level, surely it was helpful to focus on what could be done now, in advance of the Lords' Judgment. He noted, for example, that the relevant Prison Service Order does not define near-death: that was something which could be progressed. He was concerned that the pragmatic steps which could be taken now were not being. The Chair agreed that a process of learning needs to take place from such incidents regardless of the trigger for Article 2 –compliant investigation.
37. David Monk observed that this was a different point to what members had been asked to prepared in terms of Article 2-compliance. There was general agreement with this point.
38. John Crawley saw it as a question of how to respond appropriately to such incidents, including the public hearings required. Stephen Shaw talked about the method he had employed in the 'D' investigation, which he would probably follow

again in a second investigation, though the third near-death he was likely to be involved with might follow a different model.

39. The Chair suggested that we needed to engage ministers on this issue and said he would write to or meet the appropriate minister. Deborah Coles thought a better approach would be to focus on what can be done now – and to ensure that any learning was shared beyond the organisation in which the self-harm incident had taken place. The Chair agreed, suggesting that we look at (i) the process by which lessons were learned from near-deaths, (ii) where there are effective processes for learning, how that might assist other sectors, and also (iii) how examples of best practice, which *avoided* near-deaths, might also be shared.
40. The meeting adjourned for lunch.
41. After lunch, the meeting was joined by Colin Philips of the Department of Health who had authored the DH response on near-deaths. The Chair welcomed Colin to the meeting.
42. The Chair briefly recapped the earlier discussion and outlined his concerns regarding inconsistent and non human rights-compliant approaches. Colin accepted this point. He suggested that the NHS do a good job of investigating but the independence and public elements necessary to satisfy article 2 were problematic. He hoped that forthcoming DH guidance (due out next week) would improve matters. He also made the point that the DH sits at arms length from individual trusts and Strategic Health Authorities. The principles were in place, but the implementation has so far proven problematic. Selena Lynch commented that the DH paper sets out the law but their approach didn't conform to it – for example, by using outside investigators to look into near-deaths. Colin replied that he couldn't say with absolute certainty that that had ever happened, though in his view, those who investigate locally do a good job. In the health sector, any incident meeting the definition of a Serious Untoward Incident ('SUI') triggered the obligation to investigate locally. While the quality of these investigations was good, Colin suggested that some investigation had not included good communications with families. The forthcoming advice was to be posted on the NPSA website.

→ Secretary to obtain this from Colin Philips and circulate to members

43. Colin pointed out that both cases considered by the Court of Appeal involved prisoners, not detained patients, and he thought it best to wait for the House of Lords ruling before advising the NHS to undertake a considerable change in practice. A number of members disagreed on the basis of *Savage v South Essex Partnership NHS Foundation Trust* [2007] EWCA Civ 1375 (which had been circulated to members in advance of the meeting). In terms of learning opportunities, Colin suggested that the NHS were quite competent at learning lessons locally, but less so at communicating those lessons more widely to the NHS. Deborah Coles pointed out that the national training scheme for staff working in acute mental health units had not been set up and the resources not made available, despite a clear Coroner's recommendation in the Rocky Bennett Inquest, and a recommendation of the Bennett Inquiry that such a scheme should be established. Deborah suggested that this evidenced a lack of will to learn lessons and a lack of joined-up thinking. Colin said he would look into this. The Chair noted that the Forum would continue our focus on the issue of near-deaths in the next meeting, and Colin agreed to attend again in June.

4. The Fulton Review of the Forum

44. Nigel Hancock recapped the history behind the Fulton review. Robert Fulton ('RF')'s proposal was that costs would be shared between the MoJ, the Home Office and the Department of Health. Ministers had published it now to obtain the views of members of the Forum and of the Ministerial Roundtable on Suicide ('MROS') and others. The resource implication of RF's proposals was an issue for the Government.
45. The Chair invited everyone to consider the strengths and weaknesses of current arrangements as RF saw them. Deborah Coles commented that she did not view 'inclusion of NGOs' as a strength of the Forum considering there is only one, although the point was made that others (e.g. Samaritans) sit on the Ministerial Roundtable. The Chair commented that the proposals would extend the remit of the new entity beyond prison suicides, which was perhaps a good thing from MROS. Deborah said that she felt that the Independent Advisory Panel ('IAP') proposed effectively re-created the Forum, but with a link to ministers, which she saw as a good thing. The Chair noted the specific exclusion from the IAP of people working 'at the coalface'.
46. Stephen Shaw felt that RF's proposals were a convincing starting point, the extent to which it will work in practice will depend on such factors as who is involved, and the relationships between them. It was of course possible to pick holes in some of the details (for example, senior representatives of his office would be advising other senior representatives of his office under RF's proposals, which struck him as strange) or to quibble over the budget, but he felt that RF's proposals were on the whole to be welcomed. He made the point that if Forum members were to criticise or reject the proposals, it was unlikely that the government would come back with a bigger and bolder proposal. Selena Lynch agreed.
47. John Crawley made the point that the size of the Forum had been seen by RF as a weakness, yet the proposed ministerial board was still huge...why had RF proposed to carry forward this perceived weakness? He saw the sense in the PPO and the IPCC being represented on both the Ministerial Board and the IAP, but why were the inspectorate bodies not included on the IAP? Nigel Hancock voiced support for the integrated approach proposed.
48. Jo Leech made the point that, while the jurisdiction of the various other bodies represented extended to England *and* Wales, the jurisdiction of the DH only extended to England: they could not represent their Welsh colleagues. She suggested that some direct representation from the Welsh health sector would be required. The Chair felt this was a good point, and commented that, in terms of the wider issue of cross-jurisdiction working, relevant people in Northern Ireland and Scotland supported the idea of an over-arching body.
49. Deborah Coles commented that these proposals were not the Standing Commission on Deaths in Custody for which INQUEST had argued to the JCHR. She was disappointed that there appeared to be no provision for bereaved families to participate. She also questioned how independent the Secretariat could be given that they will be funded by government departments. She also noted the lack of statutory powers, which was unsatisfactory in her view.

50. John Crawley asked if the members of the IAP would be able to be personally independent, or if they would be their in the capacity of representing their organisations?
51. In terms of taking forward a Forum response, the Chair suggested that, while people were naturally at liberty to respond individually, he hoped that there could be a collective response as well. Stephen Shaw agreed with this and, responding to John Crawley's point, he didn't see a PPO or IPCC allegiance as a problem, in the same way as it was not a problem on the existing Forum.
52. Paul Fenning asked how the independent members (Chair, Secretariat) would be appointed. The Chair replied that his understanding was that there would be an open competition for the posts, under the rules governing all public appointments. He imagined that the Forum in its current guise would continue until the appointment of an independent Chair, whereupon a process of handover would take place. John Crawley suggested that, in terms of responding, we should do so promptly – this should not be left until June. Nigel Hancock said that he would be speaking to the minister and would then email members details of timing and who to send any responses to.

→ Nigel Hancock to email to members the contact details of the person to respond to

53. Selena Lynch asked about attendance allowances for the experts and NGOs: she felt it would be reasonable to pay these as people could not presumably be expected to be involved out of magnanimity. The Chair agreed. Nigel Hancock said that this had been allowed for in the costings – about £23,000 per year had been set aside for this type of cost. The Chair suggested that it would be appropriate for a small working group to be set up to craft a draft Forum response to RF's proposals. There was general agreement to this and John Crawley volunteered to sit on it. Deborah Coles declined to do so.

→ Secretary to liaise with Chair and then set up the working group

5. Chair's response to proposed amendments to rule 43, Coroners Rules 1984

54. John Crawley and Stephen Shaw both commented that, in general, the Chair's proposed response said the right things, but wondered if we should be more robust in our response on the subject of summarising recommendations and responses rather than making them public verbatim. The Chair agreed and this part of the response will re-worked.
55. Selena Lynch suggested that some things – for example, adverse coronial comment – should quite properly not be put into the public domain. John Crawley suggested that, if Coroners knew that their words were to be made public, they would soon get into the habit of not including such matters in rule 43 letters. Selena questioned how fair the arrangements would be in the meantime. She also suggested that the passage relating to 'determining or appearing to determine any question of civil liability or criminal liability on the part of a named person' should be left out – this provision causes difficulty for Coroners more generally. The Chair agreed.

→ Secretary to revise the existing draft in these respects for the Chair's approval

56. Deborah Coles voiced misgivings about the implementation and auditing of the proposals, and suggested that the draft should re-iterate our call for the Coroners Bill to be tabled before Parliament as soon as possible. The Chair agreed to do so in his covering letter

→ Secretary to include this in a draft covering letter for the Chair's approval

57. David Monk voiced surprise that 25% of rule 43 letters never get a response. Judith Bernstein suggested that these non-responses often related to local bodies or issues.

58. Responding to Deborah Coles' point, the Chair suggested that the new entity to replace the Forum would be well-placed to monitor relevant rule 43 recommendations and ensure that the MoJ Coroners Unit are indeed collecting them and disseminating them appropriately – under the new arrangements, the secretariat would have the resources to do so.

59. Judith Bernstein reminded members that the deadline for responses to the consultation was Friday 7th March 2008. Thereafter, the legislative process should not take long, though Judith was unable to put a date on it and undertook to inform the Secretary once she had found out likely dates.

→ Judith Bernstein to advise Secretary of anticipated dates in the process of bringing in the amendments

6. Learning the Lessons

60. The meeting was well ahead of schedule by this point and Judith Barnes, who leads for the IPCC on the *Learning the Lessons Bulletin* was unavailable. Members suggested that her presentation therefore be held over until the June meeting, and our apologies conveyed to Judith [the Chair did so after the meeting].

7. Any Other Business

61. The Chair asked for any other items of business from members. Deborah Coles commented that, during the last two meetings, we had not had an opportunity to discuss recent cases, and she hoped that there would be time to do so in the next meeting. The Chair accepted this suggestion.

DATE OF NEXT MEETING

62. The Chair advised members that the date of 10th June 2008 was proposed and asked if most members would be available. Most indicated that they would.

→ Secretary to advise members of the venue for the next meeting, which will be held on 10th June 2008

63. The meeting adjourned.

Adam Barty
Secretary

**FORUM FOR PREVENTING DEATHS IN CUSTODY
MEETING 26th FEBRUARY 2008**

ACTION POINTS

WHAT?	WHO?	WHEN?
Send out papers for future meetings at least ten working days in advance of the meeting, to provide to INQUEST in hardcopy.	Secretary	Ongoing
Draft a letter in the Chair's name summarising the Forum's concerns regarding Operation Safeguard, to be sent to those deemed most appropriate.	Secretary	As soon as possible
Research the position regarding IPCC/PPO jurisdiction and circulate a note for members	Secretary	In advance of next meeting
Set up a working group to examine the Government response to the Corston Report	Secretary	As soon as possible
Contact IPCC researcher on s.136 MHA 1983 strategy, to invite him/her to attend the June meeting to advise the Forum of their findings	Secretary	In advance of the next meeting
Obtain and circulate Royal College of Psychiatrists research re: s.136 MHA 1983 to members	Secretary	As soon as possible [NB: Already actioned at the time of writing]
Obtain INQUEST's legal opinion re: CT Bill provisions if possible, and circulate to members.	Secretary	In advance of the next meeting

Update Forum on the progress of INQUEST's work re: CT Bill	Deborah Coles	In advance of next meeting if there is significant progress
Pass on Forum's concerns re: delay to the Government Action Plan re: adam Rickwood and Gareth Myatt to the next Ministerial Roundtable on Suicide	Secretary	4th March 2008
Draft a letter for the Chair's approval setting out the Forum's concerns re: CT Bill to be sent to Bridget Prentice MP	Secretary	As soon as possible
Include HMCIP in the Cross-Sector Learning working group, as well as the organisations already proposed	Secretary	Prior to the first meeting of the Cross-Sector Learning Working Group
Research the position on the availability of public funding for families of people who die in custody, and consider whether this raised any issues in relation to learning lessons or the remit of the Forum. Circulate a note to members.	Secretary	In advance of the next meeting
Obtain MPS research on investigation of near-deaths from John Crawley and circulate to members	Secretary	As soon as possible
Obtain forthcoming DH guidance re: investigating near-deaths from Colin Philips and circulate to members	Secretary	Once the guidance is published by DH

Email members the contact details of the person to respond to regarding the Fulton proposals, and by when.	Nigel Hancock	As soon as possible
Liaise with Chair and then set up the Fulton working group	Secretary	As soon as possible
Revise the existing draft of the Chair's response re: rule 43 for the Chair's approval	Secretary	As soon as possible and in any event before Friday 7 th March [NB: already actioned at the time of writing]
Draft a covering letter to accompany the above, reiterating Forum's call to table Coroners Bill in a covering letter to Coroners Unit, for Chair's approval	Secretary	As soon as possible and in any event before Friday 7 th March
Advise Secretary of anticipated dates in the process of bringing in the rule 43 amendments	Judith Bernstein	As soon as possible [NB: already actioned at the time of writing]
Advise members of the venue for the 10 th June 2008 meeting	Secretary	As soon as confirmed [NB: already actioned at the time of writing]