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By email: [REDACTED]
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27 September 2024

Dear Ma'am

Regulation 28 Report to Prevent Future Deaths regarding the death of Mr Miles Ethan Hurley

I am writing to you on behalf of Midlands Partnership University Foundation NHS Trust (MPFT) in response to your Prevention of Future Deaths report dated 9 August 2024, following the inquest touching the death of Miles Ethan Hurley.

At the outset I would like to express my sincere condolences on behalf of MPFT to Mr Hurley's family and friends.

This letter is MPFT's formal response to your PFD report.

A Liaison and Diversion service has been operating in Sussex since 1993. The Liaison and Diversion Service assesses vulnerable individuals with complex needs being brought into the criminal justice system, having been suspected of criminal activity. Until 1 April 2024 this service was delivered by Sussex Partnership NHS Foundation Trust (SPFT). MPFT are aware that during the time the service was delivered by SPFT there was an established good working relationship between Sussex Liaison and Diversion Service (SLDS), Sussex Police and Mitie. The Liaison and Diversion Service transferred to MPFT on 1 April 2024 and MPFT have taken steps to ensure that this good working relationship is maintained.

Custody Pathway Standard Operating Procedure

Since assuming responsibility for Liaison and Diversion services in Sussex MPFT has introduced a Custody Pathway - Standard Operating Procedure (SOP). The SOP was written by Operational Managers/clinicians experienced in the delivery of Liaison and Diversion services in Police custody and was implemented in June 2024.

The SOP outlines staff responsibilities including an expectation that staff:

- Share information with the Police in writing by recording information directly in the local Police records system or, where staff do not have read/write access, by email to the responsible Custody Sergeant to include in the Police written records. MPFT staff working in SLDS have read/write access to the Sussex Police record system enabling them to record information directly into the Police system
- Include a clear, written plan to address any vulnerabilities identified, including mental health difficulties, with a rationale for the proposed care/actions
- Consider their duty of care to individuals and share relevant risk information with Police colleagues, including in circumstances where consent is withheld or cannot be obtained if the degree of risk warrants the sharing of the information.

In direct response to your concerns raised during the inquest into Mr Hurley's death regarding the lack of guidelines to support a Liaison and Diversion practitioner as to when it is appropriate to undertake a formal mental health assessment if an individual is intoxicated rather than feeling obliged to do so because of their availability, MPFT are currently reviewing the Custody Pathway SOP. It has been agreed with the Senior Leadership Team in MPFT Health and Justice Services that written guidelines, regarding assessment of individuals who are intoxicated, are needed for MPFT staff. MPFT Custody Team Leaders are meeting on the 9th October 2024 to review the SOP to add:

- Written guidance for MPFT staff, based on current best practice guidelines, regarding the process to be followed in the event that someone in Police custody who has been identified as needing an assessment by the Liaison and Diversion team is intoxicated
- A standard template to structure the written information to be given to Police colleagues to ensure greater consistency and accuracy in the information shared.

Information Sharing

Local information sharing arrangements are in place with SPFT to facilitate the sharing of collateral information. Staff working in SLDS have read only access to SPFT's electronic patient record system allowing them to view details of an individual's psychiatric history and to determine whether individuals are currently, or have been, supported by local services.

Operating Hours

In regards to your concerns that there is a lack of a 24 hour Liaison and Diversion service within the custody suite SLDS services are commissioned by NHS England Health and Justice.

The specification for the service in Sussex requires MPFT to provide in-person delivery of the service for a minimum of 12 hours per day, seven days a week in all five custody suites. The SLDS team currently provide a service from 8am to 8pm, seven days a week in all custody areas. MPFT are currently considering a plan to:

- Extend the service from 8am to 10pm each day
- Introduce an on-call service from 10pm to 8am each day. The on-call service would be delivered by a registered practitioner who would provide advice and consultation to Police and Health Care Professionals working in Police custody across Sussex.

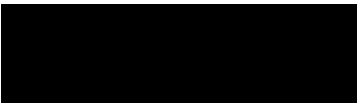
Memorandum of Understanding (MOU)

The Serious Incident Review undertaken by SPFT into Mr Hurley's death recommended that an MOU should be put in place between Sussex Police and SPFT. The implementation of the MOU, originally drafted by SPFT, was put on hold due to the re-procurement of Liaison and Diversion services during 2023. MPFT became aware of the recommendation contained in SPFT's report in March 2024. Since its commencement of delivering the Liaison and Diversion service MPFT has been working proactively with Sussex Police and Mitie to agree the content of a revised MOU. The revised MOU has been updated by MPFT to include roles and responsibilities regarding risk assessments and the management of people in custody who are intoxicated. MPFT has provided input into the content of the MOU, however, the final working of the MOU is subject to agreement with Sussex Police and Mitie.

MPFT met with Sussex Police most recently on the 18 September 2024 to discuss the content of the revised MOU and a further meeting is planned on the 27 September 2024 to discuss the revised document with Mitie. It is anticipated that further discussions will be required in order to finalise the content of the MOU and MPFT will continue to work proactively with partners to agree the final wording.

We wish to assure you and Mr Hurley's family that the actions described above are being taken forward with considerate attention.

Yours sincerely



Chief Executive Officer