

Support and Information for Families following a Death in Custody

Following a Death in Custody

We are sorry that your loved one¹ has passed away in our care, and we hope this booklet helps you.

When someone dear to you passes away in prison it can be difficult to understand what happened and to deal with the grief and loss, which can sometimes feel overwhelming. We want you to know that care and support is available for you and your family for as long as you need it.

In the first instance, support can be provided by the Prison Governor, who works closely with all the people inside the prison, and by Families Outside, an independent charity working with families affected by imprisonment. We have also arranged for our Prison Chaplain to call you in the next few days.

This booklet provides you with information about the help we can offer and details on what will happen because the death of your loved one happened in custody.

1 'Families' can include family members, carers, friends, siblings, older children, partners, parents, grandparents, formal and informal kinship carers, work colleagues or any other 'Significant Others.'

About this Booklet

This booklet has been created by the Scottish Prison Service (SPS), NHS Scotland and Families Outside.

You can request additional copies from:

Scottish Prison Service Headquarters

One Lochside

1 Lochside Avenue

Edinburgh EH12 9DJ

You can also view the latest version of this booklet by scanning this code



Please tell us your experience of using this booklet.

Your suggestions will help us to improve it in

the future. You may wish to email this address:

SPSChaplaincyAdvisors@prisons.gov.scot

or call **0131 330 3500**.

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PART ONE – SUPPORT AVAILABLE

SUPPORT AVAILABLE FROM THE PRISON

The Governor will be your **first point of contact** on behalf of the prison. They will offer you support and a listening ear and put you in touch with Chaplains and others who can help.

Name: _____ Telephone: _____

Prison Chaplains can listen to your concerns and offer pastoral support (which can be non-religious if you prefer). They can arrange for your loved one's possessions to be returned to you and for you to visit the prison if you wish. They can also assist with funeral arrangements.

Name: _____ Telephone: _____

The Healthcare team can provide information and support regarding the healthcare that your loved one had been receiving.

Name: _____ Telephone: _____

OVERVIEW OF FAMILY CONTACT FOLLOWING A DEATH IN CUSTODY

First Contact, Early Support and Engagement

As soon as possible after police notification, the **Governor** will contact the next of kin to:

- offer condolences, support and a listening ear
- arrange for the family to receive the *Support and Information for Families Following a Death in Custody* booklet.
- confirm that the Chaplain will make contact soon
- provide details of the main person for the family to contact (Single Point of Contact, or 'SPOC'), if not the Chaplain.

The Chaplain contacts the next of kin as soon as possible to provide listening, emotional support and guidance.

The SPOC maintains close contact and confirms whether the family wishes to visit the prison, and explains the Death in Prison Learning, Audit and Review process (DIPLAR).

Arrangements Related to the Cell and Viewing

The SPOC informs the family when the cell is released and, if the family wishes, arranges the viewing. The Chaplain provides guidance around registering their loved one's death and arranging the funeral.

Handling of the Person's Property

The SPOC discusses the return of their loved one's property (usually by the Chaplain). If required, the need for a Certificate of Confirmation is explained and arrangements are made for the property to be collected or delivered.

Support with DIPLAR and Memorial Service

Families can submit questions or concerns they wish to be raised for discussion at the DIPLAR – the SPOC will assist you with this. A memorial service may be arranged within the prison.

Feedback and Ongoing Support

The SPOC provides the family with outcomes or updates from the DIPLAR process. The Chaplain continues to offer listening, emotional support and guidance for as long as needed.

FAMILY SUPPORT

Families Outside

Helpline available Monday to Thursday 10am to 4pm **0800 254 0088** (freephone).

Families Outside provide independent support and advice to family members in the community. They can listen and offer emotional and practical support via their Helpline or email.

- Email: support@familiesoutside.org.uk
- Website: www.familiesoutside.org.uk



SUPPORT IF YOU ARE FEELING DISTRESSED

NHS Inform – NHS 24 Mental Health Hub

<https://tinyurl.com/2wysaauf>

Phone **111** and choose the mental health option.



If you use a **textphone** you can contact NHS 24 on 18001 111 or you can use the [Relay UK](#) app.

Type <https://www.relayuk.bt.com> into your internet browser or scan this code:



Samaritans

Available 24/7, 365 days a year:

- emotional support for people experiencing feelings of distress or despair
- telephone: **116 123** (freephone)
- or try the Samaritans Self-Help App
- email: jo@samaritans.org
- website: www.samaritans.org



CRUSE (Scotland) Bereavement Care

Advice, support, and counselling for people who have been bereaved.

Helpline available Monday to Friday 9am-8pm, Weekends 10am-2pm **0808 802 6161** (freephone).

Email: info@crusescotland.org.uk

Website: www.crusescotland.org.uk



Breathing Space

A confidential phone line for anyone in Scotland over the age of 16, feeling low, anxious or depressed.

Helpline available **0800 83 85 87** (freephone).

Weekdays – Monday to Thursday 6pm to 2am.

Weekend – Friday 6pm to Monday 6am.

Website: www.breathingspace.scot



SUPPORT FOR CHILDREN AND YOUNG PEOPLE

SHOUT Mental Health Service

- Shout provides free, 24/7 text support for young people across the UK experiencing a mental health crisis. Text YM to 85258.
- All texts are answered by trained volunteers, with support from experienced clinical supervisors.
- Website: www.giveusashout.org



Childline

Available 24/7 – www.childline.org.uk

If you're under 19, you can confidentially call, chat online or email about any problem big or small.
Telephone: **0800 11 11** (freephone).



- [Sign up](#) for a free Childline locker (real name or email address not needed) to use their [free 1-2-1 counsellor chat](#) and email support service.
- Childline [can provide a BSL interpreter](#) if you are deaf or hearing-impaired.

SUPPORT FOR BEREAVEMENT

Scottish Families Affected by Alcohol and Drugs (SFAD).

Free helpline is open 9am-11pm weekdays and a call-back service on weekends. **08080 10 10 11**. Also available by email or webchat.

- SFAD offers free counselling services to anyone in Scotland who is bereaved through alcohol or drugs.
- Family Support Services include a Helpline, Bereavement Support, one-to-one Telehealth Support and Holding On.
- See [Sudden-and-Unexplained-Deaths Booklet](#) or type in <https://tinyurl.com/4kr3s475>
- Email: helpline@sfad.org.uk
- Website: www.sfad.org.uk



Survivors of Bereavement by Suicide

Telephone available Monday and Tuesday 9am to 5pm
0300 111 5065.

A national helpline run by a self-help group for people bereaved by suicide.

Email: email.support@uksobs.org

Website: uksobs.org



Petal Support

Telephone: **01698 324502**.

Monday to Thursday 9am to 5pm, Friday 9am to 4pm.

Counselling and support services for people affected by the loss of a family member or partner to homicide or suicide in Scotland.

Email: info@petalsupport.com

Website: www.petalsupport.com



ADVISORY SUPPORT & RESOURCES

Good life, good death, good grief

Provides resources and support relating to bereavement and planning a funeral.

Website: www.goodlifedeathgrief.org.uk



NHS Inform bereavement and grief self-help guide

[Bereavement-and-grief-self-help-guide](#) or type in this link <https://tinyurl.com/2aburace>

SUPPORT FOR FUNERAL COSTS

If you live in Scotland and are on a low income, you may be entitled to payment towards your loved one's funeral costs, before the funeral or up to 6 months after it has taken place. Follow this link to the application form or call Social Security Scotland on **0800 182 2222**. Click on this link: [Funeral Support Payment Application](#) or type this link into your internet browser: <https://tinyurl.com/29spt8vp>



SUPPORT FOR LEGAL COSTS

You can access free or funded legal support for the Fatal Accident Inquiry (FAI) through the Scottish Legal Aid Board (SLAB), depending on your circumstances, which are not means tested. Click [here](#) or type this link into your browser: <https://tinyurl.com/ycxyky95>



PART TWO – REVIEWS

DEATH IN PRISONS LEARNING, AUDIT AND REVIEW (DIPLAR)

The death of a loved one can be difficult at any time. When it happens in prison, it is only natural to want to know the circumstances surrounding the death². The Scottish Prison Service takes steps to understand what has happened and takes care to review each death individually through a process called DIPLAR (Death in Prisons Learning Audit & Review).

The aim of a DIPLAR is to review and learn from each death in prison. It focuses on the care and support provided during the person's time in custody and considers the circumstances and the immediate actions taken. It also considers how the incident affected staff, other people in custody, the person's family and the establishment as a whole.

Family members cannot attend the DIPLAR, however, you can submit questions or concerns you wish to be raised for discussion at the DIPLAR.

The DIPLAR will agree who will provide feedback to the family along with the agreed timescales.

2 In the interests of openness and transparency, SPS publishes information about people who have died in custody, including their name, age, ethnicity, legal status, and medical certificate cause of death.

SOME FACTS ABOUT DIPLAR

The DIPLAR is a formal meeting chaired by an independent person. In addition to SPS staff, there are some partners who contribute to the DIPLAR, including NHS staff, who are responsible for providing health-related information. Most DIPLARs take place within 20 weeks of the death having occurred. A copy of the DIPLAR report will be submitted and considered to support the Fatal Accident Inquiry (FAI).

The Governor/SPOC or Chaplain and Families Outside can help answer questions you may have and point you in the direction of other resources.

NHS ADVERSE EVENT REVIEWS

NHS Boards are committed to providing care that is safe, effective and person-centred. When a death or serious harm occurs, the NHS may carry out a formal adverse event review.

These reviews may have different names depending on the NHS Board (for example, Significant Adverse Event Review or Local Adverse Event Review), but they all aim to understand what happened and identify any learning to help improve care in the future.

The aims of an adverse event review are to:

- understand the factors that may have contributed to the event
- identify learning and areas for improvement
- support openness and transparency with families
- help improve the safety and quality of services

A named point of contact should be identified for families and families should be able to feed into the review, raising questions or concerns they would like to be considered.

The timing and process for reviews can vary between NHS Boards and may depend on the circumstances of the death.

NHS staff should keep families informed about the process and provide updates as the review progresses.

Once the review is completed and approved, families should be offered the opportunity to receive the findings.

FATAL ACCIDENT INQUIRY (FAI)

Following the death of a person in SPS care, Police Scotland are advised, and the matter reported to the Procurator Fiscal.

A Fatal Accident Inquiry is mandatory into the death of a person who passes away in prison under the Fatal Accidents and Sudden Deaths etc. (Scotland) Act 2016. The decision to hold an FAI (and the timing of a Sheriff Court being petitioned to hold an FAI) is a matter for the Lord Advocate/Procurator Fiscal. It can take some time before an FAI is held, and in some circumstances, it could be a number of years after the death.

Where can I go for support and information on FAI?

An FAI can be an upsetting time, especially for family and friends. Further information about the FAI process is available on the following links:

The Crown Office and Procurator Fiscal Service (COPFS) has produced a [Guide for Bereaved Family Members](#) which answers common questions that bereaved relatives may have about the investigation of a family member's death. This shortened link to the Guide can also be typed into your internet browser: <https://tinyurl.com/w5j95taj>



COPFS has also produced information about [their role in investigating deaths](#) which can also be accessed via the QR code above or by typing in this link <https://tinyurl.com/y58hvfk6>

Information concerning details of any FAI preliminary hearings and inquiry dates can be found on the Scottish Courts and Tribunals Service website [here](#) or by typing in this shortened link: <https://tinyurl.com/mr47a448>



Although specific to England and Wales, you may also find useful information here: www.inquest.org.uk

Every death, whether in prison custody or in our communities, is a tragedy for all those who knew and supported the individual.

We offer our sincere condolences for your loss, and we will do our best to support you at this difficult time.

