



**Gillian Downham** is a barrister and member of 1 Garden Court Family Law Chambers, Temple, London. She is chair of the Regulations of Medicine Review Panel of the Medicines and Healthcare products Regulatory Agency (MHRA) and is a First-tier Tribunal Judge (Health, Education and Social Care) Mental Health. She was a social worker and social services manager for thirteen years. Called to the Bar in 1993, her practice has included crime, judicial review, mental health and public and private law children proceedings. She was a member of the Mental Health Act Commission from 1995 to 2005 and has been chair of five published independent mental health homicide inquiries. She has advised the Home Office on the development of guidance on Domestic Homicide Reviews.

# Case Reviews: the need for improvement

**A**t the beginning of the year, Ofsted figures revealed that one in six Serious Case Reviews (SCR) were inadequate, an improvement on the figures from 2008/9, when it was one in three.

The case of the death of Peter Connolly (Baby P) remains fresh in many people's minds. The horrific abuse in which a 17-month-old died after suffering more than 50 injuries at the hands of his mother, her boyfriend and her boyfriend's brother, was subject to an SCR. The result clearly highlighted the need for better advice and training for those undertaking such reviews.

The SCR into Baby P's death, chaired by Sharon Shoemsmith, then the local authority's director of children's services, was criticised by Ofsted due to its delayed completion, insufficient independence and lack of thoroughness. A new SCR was finally completed by an independent chair, two years after the boy's death.

Members of the public may be surprised to learn that there is no one training system or national standard for independent chairs and report writers of children and vulnerable adults serious case reviews, mental health investigations and domestic homicide reviews.

This is despite the fact that services reviewed are often the same. The problems uncovered are frequently similar. Whatever the setting, service users, professionals, victims' families and commissioners of investigations experience the same range of emotions and anxieties following such incidents. Recommendations will often be directed towards the same service providers.

Most importantly, the goal in all cases is the same – that of learning lessons.

Reviews following serious cases, whether child abuse, mental health or domestic homicides, often make similar recommendations and require similar skills to conduct. Yet there is a startling lack of guidance and training for those involved. **Gillian Downham** spoke to *Police Professional* about a new service aiming to put that right.

The barrister Gillian Downham, together with colleagues, recognised methodologies to conduct domestic and mental health homicide reviews have much in common with serious case reviews.

For instance, the need to take evidence and question witnesses is similar yet there is a distinct lack of guidance or training to assist those responsible or involved in such reviews; an integrated approach to conducting such reviews has, until now, been missing.

## The SCR into Baby P's death was criticised by Ofsted due to its delayed completion, insufficient independence and lack of thoroughness

The real cost of an unsatisfactory report is not to the Government, to the investigators or those who may be criticised in the review; it is to the victim and the future victims. Every unsatisfactory report written represents a missed opportunity for lessons to be learnt, for improvements to be made and potentially, for lives to be saved.

As a result of the distinct lack of guidance on how to conduct investigations at the independent stage, Ms Downham felt that something was needed which could fill the void.

"Conducting investigations and reviews is a lonely task. There needed to be a way of ensuring that independent chairs could obtain the required training, support and advice," said Ms Downham.

She added that those involved in reviews are also under a lot of pressure because the reports are published and are likely to be subjected to, sometimes intense, media cover-

age. The person who chairs the review and finally presents it becomes the public face for it.

“Report writers encounter the expectations of the public that there may be someone to blame; the idea that there has been a fault and someone is responsible.

“The independent chair has to be objective, independent and fair and must ensure that the outcome is balanced. The outcome should avoid emphasising blame and instead make recommendations about how procedures can be improved in the case of an incident which could have been preventable.

“We are not in the business of being there just to blame individuals.”

SCRs and similar investigations are written following serious incidents which come at a substantial cost to the taxpayer. Department budgets have been cut across the board and how such money is used is under greater scrutiny now than it has possibly ever been.

“It is essentially important at this time where there is pressure on financial services to ensure that the standard of services remain high. The public are entitled to expect the best from these investigations and it is important to ensure that the public can see what has happened and, if something has gone wrong, that it is put right.”

### Training

Ms Downham recently launched Sequeli, a not for profit organisation, which looks to rectify the problem of inadequate reviews by providing training for independent chairs and report writers across all types of case review.

Seminars are aimed at those involved in the review report writing and investigating process. These can be barristers or judges, senior or former senior police investigators, medical professionals or other people involved in public life.

Ms Downham explained there isn't a defined pool of people whose specific job it is to carry out any of these reviews, the Government instead relies on individuals involved in other areas, possibly working part-time in another field or on a freelance basis.

This is what makes it so difficult to reach all people who could benefit from the seminars provided by Sequeli, explains Ms Downham.

The motivation came from her experience of writing reports after conducting lengthy investigations into serious cases. She has written many reports – including one into the case of Matthew Martin, a paranoid schizophrenic who killed his father three months after being released from prison.

“My experience was a very stressful one. Not only for me, it is a very stressful event for everyone concerned; the people who are criticised, the victim's family and the family of the perpetrator – who may suffer from ill health and many other problems.

“The expectations upon any investigation are huge. There is the expectation that they will produce a document which will enable a change in services, a change that will ensure that lessons are learnt.

“However, there is no guidance on how investigations should be conducted because at the point at which they become an independent investigation; all government procedures cease to take effect because they are geared towards an internal examination of what went wrong. Everything becomes the responsibility of an independent panel – they are on their own.”

Sequeli offers several components to promote high standards in report writing. Core competencies, such as conducting the review and writing the report, are taught and followed up by specialist modules. An integrated approach to training is taken which promotes the idea that report writers should be able to transfer their skills between different types of reviews.

The principle of independence underpins Sequeli's integrated training approach, which emphasises the broad spread of expertise necessary to ensure chairs and report writers are objective.

Experience, for example, across law, police, children's services and vulnerable adults, helps to cultivate an independent perspective, as does insight into the circumstances of victims and the pressures on the commissioners of reviews and investigations.

There are often legal expectations when a review takes place but Sequeli also seeks to promote principles by which it also obeys; fairness, equality and accountability to all

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affected by the outcome of reviews and investigations must be fundamental to the approach of independent chairs and report writers.

The skills needed to undertake reviews are highly necessary but also very transferable and it is for that reason that Sequeli need not confine its seminars only to the above mentioned cases. Ms Downham cites deaths in custody and general healthcare as areas which Sequeli could look to include in the future, since the process in any investigation is a similar one.

On average, two women a week are killed through domestic abuse and the Victims of Crime Act 2004 made it an obligation for reviews to be carried out when a domestic homicide takes place. Ms Downham said that with the requirement soon coming into force, it is necessary to have trained individuals who can chair those reviews, the number of which she expects to increase.

She said: “We have begun with the areas which we are familiar but the principles could apply to investigations in the healthcare service generally as well.”

It was because of her experiences of conducting review type investigations that led her to establish Sequeli.

“I realised, after talking to other people who'd been in a similar position to me and from my work on the domestic homicide working group, that all of us who are involved with investigations are all trying to ensure that lessons are learnt.”

Sequeli has secured the support of the Home Office, Department of Justice and Department for Education knowing how much good the seminars and other tools can do, said Ms Downham.

“The support is there in principle because each government department wants to get this right; they want to provide services that work. They want to ensure that they have set up systems that are doing their best.”

■ The first in a series of seminars will take place on January 19 and more information can be found on the Sequeli website [www.sequeli.com](http://www.sequeli.com)