

# A Record of Our Own



Lockdown Experiences of  
Ethnic Minority Prisoners

Khatuna Tsintsadze  
Zahid Mubarek Trust

In partnership with



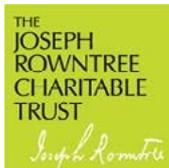
# About the Zahid Mubarek Trust

The Zahid Mubarek Trust is a registered charity (No. 1127834) that works to reduce discrimination and inequalities in prisons by promoting fair treatment and better outcomes for Black, Asian and other ethnic minority prisoners. For more information see: [thezmt.org](http://thezmt.org)

## Acknowledgements

The Zahid Mubarek Trust (ZMT) would like to thank a few individuals without whom this report would not have been possible. In particular, Yvonne MacNamara (The Traveller Movement) and Diane Curry OBE (Partners of Prisoners), for taking on this joint venture with us and seeing it through to this stage, and the project advocates and coordinator for all their work with prison leavers and families throughout this project.

We are very grateful to all the organisations and individuals who supported us at different stages of the project, including Farida Anderson MBE, Sam Boyd (Switchback), Sofia Buncy (Muslim Women in Prison), Nina Champion (Criminal Justice Alliance), Tim Colman (Prison Radio Association), Anne Dunn, Anne Fox (Clinks), Mike Kaye, Raheel Mohammed (Maslaha), Neena Samota (St Mary's University), Beverley Thompson OBE, to name just a few.



ZMT is also grateful to the Joseph Rowntree Charitable Trust and Michael Pitchford for supporting this project, and for their long-standing commitment to racial justice in our society.

Above all, ZMT would like to thank the 203 prisoners, families and prison leavers from diverse ethnic minority communities who shared their experiences with us and without which this report would not have been possible.

The views expressed in this report and any errors made are the author's alone and do not necessarily represent the views or opinions of the supporting organisations.

© The Zahid Mubarek Trust, March 2021.

The copyright of all material appearing in this publication belongs to The Zahid Mubarek Trust. It may not be reproduced, duplicated or copied by any means without our prior written consent.



Design by Iris Teichmann

Photo credit: © Tamirian Maratov on Unsplash

# Contents

<b>1. Introduction</b>	<b>4</b>
1.1 Motivation for the report	4
1.2 Methodology	6
1.3 Scope of the report	7
<b>2. Prisoners' experience of Covid-19 and the lockdown</b>	<b>8</b>
2.1 Changes to the prison regime	8
2.2 Measures to prevent the spread of Covid-19	14
2.3 Communication	19
2.4 Contact with families	23
2.5 Healthcare	26
2.6 Mental health	29
2.7 Resettlement support	36
2.8 Staff-prisoner relationships and fairness	39
<b>3. Conclusions</b>	<b>44</b>
<b>4. Recommendations</b>	<b>48</b>
<b>Appendix</b>	<b>50</b>

# 1. Introduction

*"For obvious reasons the plague seemed to fasten particularly on all those who had become accustomed to living in groups: soldiers, members of religious orders or prisoners. ... In our municipal prison the wardens were as likely as the prisoners to succumb to the disease. From the higher point of view adopted by the plague, everyone, from the prison governor to the least of the inmates, was condemned, and perhaps for the first-time absolute justice reigned inside the jail."*

*Albert Camus, The Plague (1947)*

More than 70 years ago, Albert Camus published *The Plague*, a story about an epidemic of bubonic plague that changed the lives of people in a small Algerian town, Oran. Like the devastation described in *The Plague*, the current Covid-19 pandemic has caused immense human suffering and dramatically changed our daily lives.

However, *The Plague* is much more than a tale about disease. It is also an intensely layered meditation on the human condition and the obligations we all have to each other. Covid-19 has tested our understanding and commitment to fundamental rights and responsibilities and focussed our attention on how we support the most vulnerable members of our society in times of crisis.

## 1.1 Motivation for the report

While prisoners may not immediately come to mind as a group that is particularly vulnerable, a quick review of the demographics of the prison estate shows that a significant percentage of its population is at increased risk from Covid-19.

Individuals from disadvantaged sectors of society who suffer from serious health inequalities, people from ethnic minority communities and men all experience higher mortality rates from Covid-19.<sup>1</sup> These groups are also all over-represented in prisons in England and Wales.<sup>2</sup>

As well as having a high percentage of people who are significantly more at risk from Covid-19 than the general population, prisons and other detention facilities are also places in which social distancing measures are difficult to implement and the onward transmission of the disease is more likely. This is because prisons house large numbers of people in a confined area; rely on the use of communal facilities (e.g. cells, showers and eating areas); and generally have poor ventilation.

These structural challenges to protecting the prison population against Covid-19 have been extenuated by under-funding of the prison estate over the last decade. In October 2019, the House of Commons Justice Committee raised concerns about inadequate capacity and poor conditions in the prison system and described it as being in the midst of an "enduring crisis of safety and decency" with a backlog of maintenance estimated at £900 million.<sup>3</sup>

<sup>1</sup> Men make up 57% of all Covid-19 deaths. Analysis from August 2020 found that people of Bangladeshi ethnicity were around twice as likely to die of Covid-19 than people of White British ethnicity. People of Chinese, Indian, Pakistani, Other Asian, Black Caribbean and Other Black ethnicity had between 10-50% higher risk of death when compared to White British (accounting for the effect of sex, age, deprivation and region). Public Health England, Disparities in the risk and outcomes of COVID-19, August 2020, page 6. [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/908434/Disparities\\_in\\_the\\_risk\\_and\\_outcomes\\_of\\_COVID\\_August\\_2020\\_update.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/908434/Disparities_in_the_risk_and_outcomes_of_COVID_August_2020_update.pdf)

<sup>2</sup> There is a higher prevalence of both acute and chronic illnesses amongst the prison population, with one study reporting 90% of prisoners as having mental health issues, substance abuse or both in 2006. People from ethnic minority communities and males make up 27% and 96% of the prison population, respectively. Paul Hayton and John Boyington, Prisons and Health Reforms in England and Wales, *American Journal of Public Health*, October 2006, Vol 96, No. 10, page 1730. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1586127/pdf/0961730.pdf> Ministry of Justice, Her Majesty's Prison and Probation Service Offender Equalities Annual Report 2019-2020, November 2020, page 5. [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/938345/hmpps-offender-equalities-2019-2020.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/938345/hmpps-offender-equalities-2019-2020.pdf)

<sup>3</sup> House of Commons Justice Committee, Prison Governance, October 2019, page 9. <https://publications.parliament.uk/pa/cm201919/cmselect/cmjust/191/191.pdf>

# 1. Introduction (continued)

One of the most urgent problems is overcrowding. As of 20 March 2020, the prison population had risen to 83,525 and operational capacity was 85,095.<sup>4</sup> Moreover, in December 2019, the National Audit Office described 60% of prisons in England and Wales as crowded with the 10 worst affected running at or above 147% of their capacity.

Consequently, the demographics of the prison population, coupled with the epidemiological conditions in prisons, indicate that the prison estate is an environment in which the coronavirus could spread rapidly, with severe consequences for those living and working in prisons.

In March 2020, the Government introduced emergency measures to suppress the spread of Covid-19 and safeguard the health of the population.<sup>5</sup> These policies restricted people's day to day activities across the UK, including their ability to work, study and travel.

Her Majesty's Prison and Probation Service (HMPPS) implemented a series of policy changes in line with the Government's lockdown measures which significantly changed the way prisons operate and dramatically reduced access to detention facilities for external organisations and individuals.<sup>6</sup>

This also meant that the majority of independent oversight and support mechanisms for those detained in England and Wales were suspended. Both Her Majesty's Inspectorate of Prisons (HMIP) and the Independent Monitoring Boards (IMBs) had to significantly reduce the scope of their work.

Despite these limitations, during the first four months of the pandemic, HMIP conducted 31 short scrutiny visits (excluding Immigration Removal Centres) and the IMBs published three updates about the findings in 13 prisons from its freephone helpline. These reports give important insights into how 44 prison establishments in England and Wales responded to the pandemic.<sup>7</sup>

Valuable as these reports and other high-level inquiries into the impact of Covid-19 on the criminal justice system have been, none of the investigations undertaken in the first four months of the pandemic had a specific focus on the experiences of prisoners from ethnic minority communities.<sup>8</sup>

For these reasons, the Zahid Mubarek Trust, in partnership with The Traveller Movement and Partners of Prisoners (POPS), decided to undertake a review of the experiences of ethnic minority prisoners, including those from Gypsy, Roma and Traveller (GRT) communities, during lockdown.

<sup>4</sup> House of Commons Justice Committee, Coronavirus (Covid-19) The impact on prisons, July 2020, page 14. <https://publications.parliament.uk/pa/cm5801/cmselect/cmjust/299/29902.htm>

<sup>5</sup> The Health Protection (Coronavirus) Regulations 2020 gave legal effect to the nationwide lockdown and were announced by the Prime Minister on 23 March 2020.

<sup>6</sup> On 24 March 2020, Dr Jo Farrar, Chief Executive of HMPPS, stated that lockdown measures would mean that "more people in prison will have more time in cells ... but we will be making sure that people come out for meals, to make phone calls to family or other people that they need to phone, and to have their health attended to and to take showers. We will also be making arrangements for people to exercise in the open air with proper social distancing." Justice Committee, Oral Evidence, The Work of the Lord Chancellor, HC 225, 24 March 2020. <https://committees.parliament.uk/oralevidence/248/pdf/>

<sup>7</sup> From the end of July, HMIP was able to provide more in-depth scrutiny of prisons, although still not at the level of inspections prior to the epidemic.

<sup>8</sup> HMPPS published data on the ethnicity, gender and age of Covid-19 cases in prisons on 24 July 2020. [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/903420/HMPPS\\_COVID19\\_WE\\_17072020\\_Pub\\_Doc.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/903420/HMPPS_COVID19_WE_17072020_Pub_Doc.pdf)

## 1.2 Methodology

This project aimed to provide a platform for ethnic minority prisoners and their families to describe the impact Covid-19 had on their lives and to consider what lessons could be learned for the future.

Ethnic minority prisoners, prison leavers and family members of prisoners were invited to participate in the project. Given the lack of direct access to those in prison during lockdown, this call for evidence was made on social media, through criminal justice charities and via Prison Radio. Those participating in this project were therefore self-selecting.

Between 5 June and 30 November 2020, the project team received 203 written and oral submissions from prisoners, prison leavers and the families of prisoners, via social media, freepost and phone calls. These testimonies covered conditions in 41 different prison establishments.

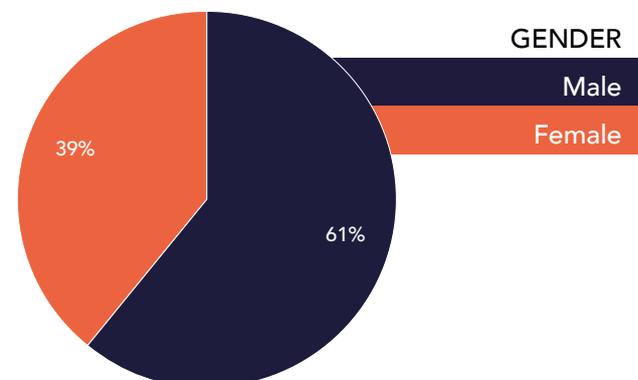
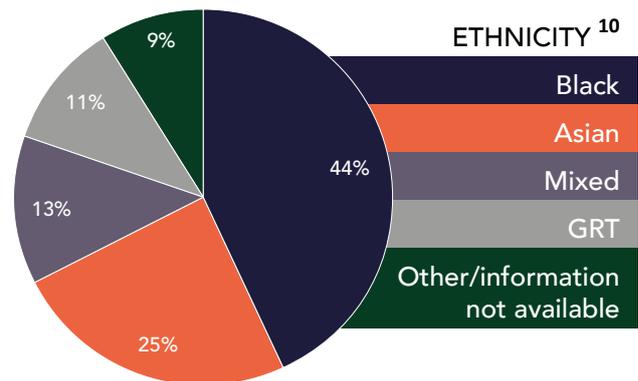
The information gathered from participants only related to their experiences during the first six months of the pandemic (from 23 March to 31 August 2020) and was collected in two ways:

- The completion of a questionnaire, either in writing or through an interview.
- Unstructured submissions which described participants' experience of lockdown in their own choice of format.

The evidence presented in this report focusses on the findings from the 87 questionnaires which were completed by prison leavers or family members of prisoners (40 interviews and 47 written submissions) and which covered conditions in 29 prisons.

This was to ensure that key questions regarding the impact of the pandemic (e.g. on contact with families, physical and mental wellbeing, resettlement support and fairness in treatment) were all addressed by a significant sample of ethnic minority prison leavers and their family members.<sup>9</sup> The names of participants contributing to the report have not been used to ensure their anonymity.

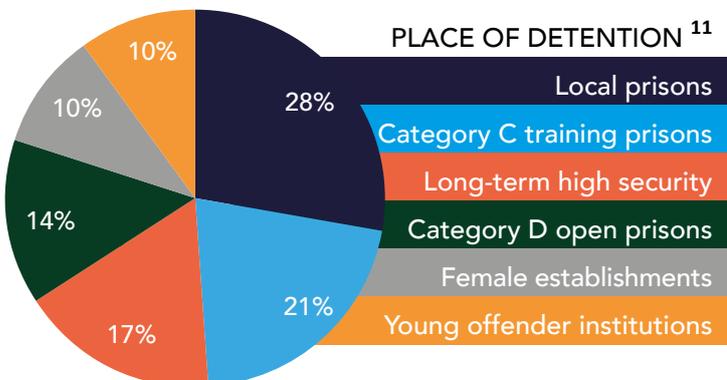
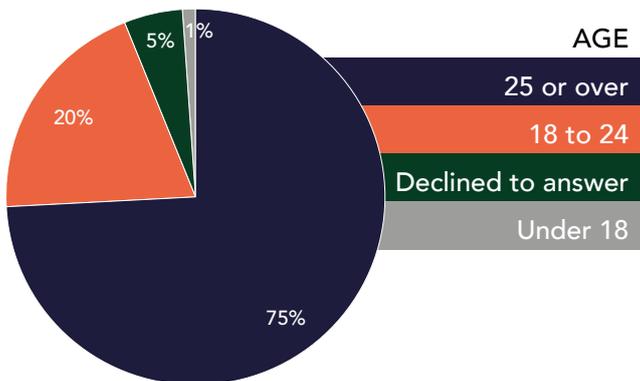
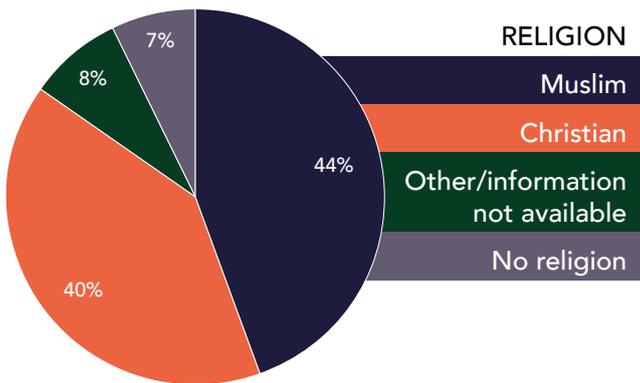
Of the 87 individuals who completed the questionnaire, 71% were prison leavers and 29% were family members. More than four fifths of prison leavers were male (82%) and had been released before July 2020 (81%). Of the family members who took part, 92% were female and more than three quarters (76%) spoke about their spouse/partner or their children. Further details about the profile of the 87 participants is presented in the charts below and in the appendix to this report.



<sup>9</sup> Where appropriate quotes from the unstructured submissions have also been used in the report.

<sup>10</sup> Percentages may not always add up to 100% because of rounding.

## 1.2 Methodology (continued)



## 1.3 Scope of the report

This report does not seek to provide a detailed outline of all the policy changes undertaken by the Ministry of Justice and HMPPS to try and control the pandemic or the full range of measures taken to ameliorate the impact of these restrictions on prisoners. Nor does it present its findings as a comprehensive analysis of the impact of the Covid-19 pandemic on the whole prison population.

The intention of this report is to give a snapshot of the experiences of ethnic minority prisoners and families with incarcerated loved ones, so that their views on how the pandemic was dealt with can be taken into account as policies are developed in the future.

<sup>11</sup> The report does not cover other places of detention other than those mentioned (e.g. immigration removal centres).

# 2. Prisoners' experience of Covid-19 and the lockdown

## 2.1 Changes to the prison regime

HMPPS made dramatic changes to the prison regime to try to control the spread of Covid-19 and save lives. These included: keeping prisoners in their cells for most of the day; separating prisoners according to health risks; halting family visits; and stopping or severely curtailing prisoners' usual activities (e.g. going to the gym, library, workshops, education classes, worship, work, etc.).

Participants consistently talked about how being confined to their cells for extended periods, and the lack of opportunities to occupy themselves in meaningful activities, negatively impacted on their mental and physical well-being and undermined their rehabilitation and resettlement outcomes. These issues are explored below and in the later sections on 'Contact with families' and 'Mental health'.

### Lack of time out of cells

The length of time that prisoners were allowed out of their cells varied between different prisons. However, 47 prison leavers (76%) said that they only spent between 30-45 minutes out of their cells each day, until the end of May. Thirteen prison leavers (21%) told us that they were getting no more than 15 minutes out of cell for the first few weeks of the pandemic.

All prison leavers found these restrictions extremely difficult to cope with and emphasised how there was not enough time to do even essential tasks in the limited period they were allowed out of their cells (e.g. exercising, showering, making phone calls, getting food, submitting applications and doing laundry).

*"There was no exercise, no form of exercise. Showers, yeah, that was like two people at a time, they were like timing us, five minutes per person, you know, in the shower, in and out ... ." (A 26-year-old male prison leaver, questionnaire completed on 23 June)*

*"You didn't really have time out your cell. The only 15 minutes you would get out of your cell is when you'd go to pick your lunch up." (A 29-year-old male prison leaver, questionnaire completed on 23 June)*

*"... it became really hard and we knew at some point the prison governor had to do something about it because they started saying, you know, you can only have half an hour exercise. At first, they weren't even facilitating that or they were giving us half an hour exercise or half an hour shower. But then they were saying, the hot water tank was not enough for the prison, we need to let it heat up. So, one day you would just have exercise and then shower, and then the next day you can only pick shower or exercise. If you choose shower then you miss out exercise, then next day you get both again." (A 36-year-old male prison leaver, questionnaire completed on 2 August)*

*"It's not enough time for them to do anything. It's not even days or weeks, it is months like this." (A 25+ year-old female family member, questionnaire completed on 23 June)*

*"Everything was through your door. Yeah, we weren't allowed out because we were on complete lockdown. I didn't know what the word lockdown meant until I was on lockdown in there. I thought oh my god, it was a nightmare." (A 35+ year-old female prison leaver, questionnaire completed on 1 September)*

Respondents were particularly frustrated at not being able to get out in the fresh air and exercise on a regular basis. Only two prison leavers told us that they were getting one hour outside to exercise between March and the end of April and both these individuals were in open prisons.

*"Fresh air every day? You must be kidding. You were lucky to get marching up and down on the landing for 15 minutes. Yeah, sometimes they would take us on the exercise yard. Some guys more than others and depending on who was in charge." (A 31-year-old male prison leaver, questionnaire completed on 29 June)*

*"No one cares unless you got Covid-19 and unless you're dying right now, literally. No one cares. 15 minute dash. Dash. That's it." (A 32-year-old male prison leaver, questionnaire completed on 16 June)*

## 2.1 Changes to the prison regime

(continued)

As illustrated above, there were inconsistencies in how the new prison regime was delivered both within and between establishments. For example, participants from one prison said that at the beginning of lockdown they were allowed one hour out of cells every other day, but sometimes this was every three days. By contrast, some respondents who were held in open establishments had much greater freedom of movement and gave a more positive account of their experience.

**"We were allowed to spend as much time as we wanted outside. There was no issue for us ... prior to this (lockdown) you're not allowed to go outside and sit on the lawn or chill outside during work hours. So, work hours are between 9.00 and 11.30. But once Covid took over and we came into lockdown, once you did your duties ... you were able to go and sit outside for as long as you wanted to. That was nice of them." (A 35+ year-old female prison leaver, questionnaire completed on 9 November)**

**"I know the other prisons that's probably something completely different, but with this prison basically you're out of your room, you got a corridor, you got two association rooms, you're free to walk around whenever you want ... But leaving the actual house, it was limited to 30 minutes a day for exercise, like walking in fresh air. But we at least had some space." (A 35+ year-old female prison leaver, questionnaire completed on 13 November)**

It should be stressed that 18 prison leavers (29%) noted some relaxation of the regime by the end of July 2020, but even then their time out of their cells still did not exceed 1.5 hours a day.

Those prison leavers released between July and September also said that by end of the summer they could exercise and use gym facilities. This was described by one participant as "the highlight of the lockdown".

## Restrictions placed on some groups of prisoners

HMPPS established designated units for specific groups of prisoners to reduce the spread of Covid-19. This 'compartmentalisation' strategy sought to ensure that new prisoners were not mixed with the existing population and that the risk of infection for vulnerable individuals would be minimised.<sup>12</sup> The groups affected were:

- Newly-arrived prisoners: who would be held in quarantine for 14 days before entering the general prison population.
- Confirmed or probable Covid-19 cases: who would be held in protective isolation for up to seven days.
- Vulnerable prisoners: who would isolate in shielding units for 12 weeks, to reduce their likelihood of contracting the virus.<sup>13</sup>

Information provided by participants indicates that the compartmentalisation strategy was not always implemented effectively. Respondents provided examples where individuals with clear Covid-19 symptoms were not isolated or quarantined in the initial stages of the lockdown.

**"One guy with coughs and stuff was still out with us on social. I don't know if he had Covid, but no one wanted to be out with him and pass the same corridor. No one wants to take that chance, you know. It got to the point where even the inmates are arguing with the staff like 'Why the f\*\*\* are you bringing him here? Like take him off the wings'." (A 24-year-old male prison leaver, questionnaire completed on 23 June)**

**"This guy (was) coughing like a horse all night and feeling sick. We came from different prisons and why did they put him with me with those symptoms? No one really cared. It was like a survival game for them." (A 23-year-old male prison leaver, questionnaire completed on 3 July)**

<sup>12</sup> HMPPS, Cohorting guidance for prisons during the COVID-19 period, March 2020, page 3.

<sup>13</sup> As of 21 April, around 25% of prisons had fully implemented the compartmentalisation strategy, around half had implemented Protective Isolation Units and Shielding Units in full, and around 35% had implemented Reverse Cohorting Units (for newly arrived prisoners). Public Health England, Briefing paper - interim assessment of impact of various population management strategies in prisons in response to COVID-19 pandemic in England, April 2020, page 4. [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/882622/covid-19-population-management-strategy-prisons.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/882622/covid-19-population-management-strategy-prisons.pdf)

## 2.1 Changes to the prison regime

(continued)

While the rationale for the compartmentalisation policy is sound, many participants considered that those shielding and newly arrived or symptomatic prisoners would be in a worse situation than the general prison population, as they would be even more isolated and have less access to showers or opportunities to exercise.

Some respondents consequently saw these restrictions as a punishment, rather than a measure put in place for their own safety. Others expressed concerns about how secure the units were in terms of the separation from non-shielding prisoners and staff. For both these reasons, some participants were reluctant to move to shielding facilities and this hindered the effectiveness of HMPPS' Covid-19 prevention measures (see also the section 'Healthcare' for further information).

**"This (informing staff of Covid-19 symptoms) would mean being locked away for days without showers and exercise which was the only thing to get you out of cell. No one wanted to be ignored until further notice." (A 24-year-old male prison leaver, questionnaire completed on 3 July)**

**"We didn't know that isolation was to be isolated from everything. Once you were put into isolation, they hardly came out for anything. ... It really was a solitary confinement for him, punished for coming to prison." (A 35+ year-old female family member, questionnaire completed on 4 August)**

### Employment and education

All 62 prison leavers highlighted the importance of education and employment in prison, both in giving them a sense of purpose and providing them with increased opportunities.

**"No work or education has had a big impact on my mental health. Being a traveller we like to keep busy, we are taught this from a young age, so not being able to do this is very difficult and my mental health has suffered." (A 26-year-old male prison leaver, questionnaire completed on 13 July)**

Only prisoners who were employed in essential roles (e.g. cleaners, kitchen workers, laundry, waste management, etc.) were allowed to continue working.

All participants in key worker roles stressed how much they appreciated being employed during lockdown as this gave them significantly more time out of their cells and the opportunity to work towards their release. However, some also noted that there were drawbacks.

**"I was DHL worker. You have to be there at 8.00 in the morning and then you finish at 5.00, pretty much the whole day and then they pay you about £3/4 a day for that job. So, the good thing is you can be out of your cell for it and I think that was one of the things why I was so happy." (A 24-year-old male prison leaver, questionnaire completed on 5 August)**

**"They changed the whole regime around the food, and the sittings were a lot longer now because it used to come room by room. The kitchen girls would be working more or less every hour of every day with little to no break at all, so we said it was very unfair. We didn't have a choice in the matter, we was literally made to work because you was a kitchen worker and I think we got like a 10p pay rise, that was it, for working as many hours as we did ... that was it." (An 18-24 year-old female prison leaver, questionnaire completed on 24 August)**

**"... working (late) meant he missed the access to phone calls or would have to join a long queue, so there was an impact as his job prevented him access to remaining in contact." (A 35+ year-old female family member, questionnaire completed on 9 August)**

Many participants expressed frustration at not being able to work and did not feel that there were always clear and consistent criteria used for determining what was 'essential work' and who was able to work throughout lockdown. One prison leaver told us "it was down to favouritism".

For example, prisoner representatives were not deemed key workers in most prisons, although they could have provided essential support to other prisoners who were in distress during lockdown (see also the chapter on 'Mental health'). One prison leaver who was employed as a prisoner equalities representative prior to lockdown, told us that he was unable to carry out any work before being released in mid-August.

**"Prison did not see any peer support role as essential work, especially equalities role. I've not even seen equalities officer even to ask about it." (A 34-year-old male prison leaver, questionnaire completed on 14 August)**

## 2.1 Changes to the prison regime

(continued)

Those who had jobs when the lockdown began, but were not allowed to work, continued to receive payment from HMPPS. However, those who were not employed when lockdown started, including those who were newly arrived and those about to be released, had no way of earning money.

**"I still got paid the same amount that would have got paid if I was working." (A 37-year-old male prison leaver, questionnaire completed on 4 August)**

**"I wasn't getting paid. ... Everyone who had employment was getting paid their normal wage, but anyone else did not have the chance to work or anything so I would say they were left relying on their families and friends. That's not fair too." (A 32-year-old male prison leaver, questionnaire completed on 5 August)**

**"I was really annoyed because you know I could've saved some money and, you know, ... had some money in time for when I came home ... because obviously when you come back, financially, you've got no job. I still haven't got universal credit even now." (A 29-year-old male prison leaver, questionnaire completed on 15 August)**

**"But I was due to start work the day we went into lockdown. Literally I had my work clothes on, my uniform, I was due to go and we went into lockdown and that came to a standstill. Totally. So, I didn't make any money, save any money, nothing I wasn't even counted as furlough because I hadn't signed the contract." (A 35+ year-old female prison leaver, questionnaire completed on 9 November)**

Some prisons offered new arrivals a weekly unemployment allowance. This allowance differed across prisons and some participants reported receiving as little as £2.50. This wasn't enough to cover the increased costs associated with lockdown (e.g. hygiene products, phone calls, higher prices in the canteen, etc.). Even those in work said they struggled financially.

**"Yes, still getting the same money from the kitchen work, but it is never enough if you don't get top ups from families. Obviously, we were using more phone credits than usual. Unfortunately, something happened within the family, a bereavement, which has meant I can't ask family for money, due to obviously the stress that**

**they're under. I just save my money from work and get by that way." (A 21-year-old male prison leaver, questionnaire completed on 23 June)**

Several respondents expressed frustration that they could not start or complete courses and they worried about the implications this would have for their release and rehabilitation.

**"... so all these opportunities that you're being given are ... (for you) to come out and be better and not be an offender. Qualifications under your belt so, you know, you don't come out with nothing, with an empty head." (A 25+ year-old male prison leaver, questionnaire completed on 7 September)**

**"... on the news you hear that pupils were getting graded just on the way they'd been working or on their past results during the year, so I did request that I be looked at, at least my course work be looked at, because it was a very high level and I wondered if they could pass me just based on (that) ... but I didn't receive a reply back." (A 35+ year-old female prison leaver, questionnaire completed on 13 November)**

**"The course ... was a Level 3 diploma that I wanted to do which is recognised as well because it was a credited course. And you know it was something that I wanted to pursue but I couldn't do it, and that was really annoying." (A 27-year-old male prison leaver, questionnaire completed on 5 August)**

**"... when the whole lockdown started as well, a lot of people were getting agitated because you know, there weren't ... all these activities that people saw as necessities. Then the officers weren't really dealing with the situation very well." (A 30-year-old male prison leaver, questionnaire completed on 7 September)**

None of the participants, including those in Young Offender Institutions (YOIs), had any face-to-face education during the period under review. The prison authorities did provide in-cell educational or activity packs, but there were mixed accounts of how useful these were.

Over one third of prison leavers (23 respondents) told us that they did not engage with in-cell packs. Two participants from the Traveller community said that most in-cell resources did not reflect their learning needs and one prison leaver released from a YOI in August, who had to rely exclusively on in-cell educational packs, noted that they were not adapted to dyslexic needs.<sup>14</sup>

<sup>14</sup> HM Inspectorate of Prisons conducted prisoner surveys between July and December 2020 which found that some 57% of prisoners had received an in-cell activity pack, but fewer than half (48%) of those who received a pack found it to be useful. Criminal Justice Joint Inspection, Impact of the pandemic on the criminal justice system, January 2021, page 11. [https://www.justiceinspectors.gov.uk/cji/wp-content/uploads/sites/2/2021/01/2021-01-13-State-of-nation\\_AccessibleVersion.pdf](https://www.justiceinspectors.gov.uk/cji/wp-content/uploads/sites/2/2021/01/2021-01-13-State-of-nation_AccessibleVersion.pdf)

## 2.1 Changes to the prison regime

(continued)

*"There was no point, some were collected, but we never got any feedback and some staff even didn't bother to collect them." (A 23-year-old male prison leaver, questionnaire completed on 29 June)*

However, at least two female prison leavers and one prison leaver released from a YOI, appreciated the in-cell resources.

*"I was getting books which was great. I love reading, keeps me occupied. We had lots of educational papers and packs from education. Some just to keep us entertained, but it was still something." (An 18-year-old male prison leaver, questionnaire completed on 5 November 2020)*

One of the most serious consequences of the curtailed regime was that prisoners were not able to take part in the rehabilitation activities (e.g. working or completing courses) that were required to progress their sentences. For some, this negatively impacted on their release prospects, as they needed to be able to demonstrate to the Parole Board that they have been actively and meaningfully engaged in activities to reduce their risk of reoffending.

### ROTL and the new release schemes

Release on Temporary License (ROTL) was suspended on 23 March 2020 for all prisoners, with the exception of those designated as essential workers or those granted temporary release on compassionate grounds.

This affected prisoners' rehabilitation efforts and their chances of parole and successful resettlement.<sup>15</sup> It also meant that prisoners could no longer get a temporary licence to meet their family for the day or to stay overnight.

*"The whole eight months that I was there, there was no work or education available to 95% of the people. So, there weren't any resettlement programmes, ROTLs. I was released on parole which was delayed for a few months and also a lot of people waiting for parole and parole answers were also affected. As you can imagine this was very stressful not knowing when I was getting out and if you would be out before things got very bad." (A 25-year-old male prison leaver, questionnaire completed on 7 September)*

*"There was no open prison as such. We were confined to our households ... How would this prepare me for the life outside?" (A 26-year-old male prison leaver, questionnaire completed on 14 August)*

*"...they (paid workers from the prison) were going out. So, they were exposing themselves to risk, ... (and) bringing back the risk to us. So, I don't understand then why they then couldn't let the other girls go out on ROTL to see their families, if there was girls going out to work and then coming back." (A 32-year-old female prison leaver, questionnaire completed on 7 September)*

*"Yes, I was hoping to complete home leaves which proves I can be trusted in the community, however this has changed and could interfere with my parole recommendations." (A 28-year-old male prison leaver, questionnaire completed on 13 July)*

Shortly after the lockdown was implemented, the government announced two temporary release schemes which were designed to significantly reduce the prison population. The groups that were eligible for temporary release were: low-risk offenders who were within two months of their release dates and pregnant prisoners and women in prison with their children who did not pose a high risk to the public.<sup>16</sup>

These initiatives could have compensated for the withdrawal of ROTL, but in practice very few prisoners were able to benefit from these temporary release schemes. As of 30 September 2020, only 316 prisoners had been released under Covid-19 temporary release schemes, of whom 54 were compassionate releases of vulnerable prisoners, pregnant women and mothers with babies.<sup>17</sup>

<sup>15</sup> The Chief Inspector of Prisons described the suspension of ROTL as a "significant barrier to their successful resettlement and, for some, could also have a direct impact on their family life." HM Inspectorate of Prisons, Report on short scrutiny visits to Category D open prisons, June 2020, page 14. <https://www.justiceinspectorates.gov.uk/hmiprisons/wp-content/uploads/sites/4/2020/06/Open-prisons-SSV-web-2020.pdf>

<sup>16</sup> The schemes were announced at the end of March. For further details see House of Commons Justice Committee, Coronavirus (Covid-19) The impact on prisons, July 2020, page 16. <https://publications.parliament.uk/pa/cm5801/cmselect/cmjust/299/29902.htm>

<sup>17</sup> The Government had estimated that up to 4,000 prisoners would be eligible for release under End of Custody scheme alone. The Prison Governors' Association raised concerns that this figure was not sufficient to reduce overcrowding and that only around 2,000 prisoners would meet the strict eligibility criteria. Prison Governors Association on Twitter, 6 April 2020. HM Prison and Probation Service Covid-19 Official Statistics, Ministry of Justice, October 2020. [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/925232/HMPPS\\_COVID19\\_SEP20\\_Pub.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/925232/HMPPS_COVID19_SEP20_Pub.pdf)

## 2.1 Changes to the prison regime

(continued)

Eleven prison leavers (18%) told us that they were identified as eligible for the End of Custody Release Scheme or that they knew someone who was. However, not one of them was released, despite some significant work by staff to facilitate the process. One prison leaver described how they worked with staff on their assessment to ensure that all safeguarding issues were addressed, but were eventually told that the scheme would not go ahead, which caused them a great deal of distress.

**"Everyone who was, like, in my shoes, who was about to be released, was getting excited. ... they said that obviously there are prisoners in this category and this category, and you have to fit these criteria and these criteria, and basically people like me, we fitted all these criteria. Do you know what I'm saying? There's nothing we can do, absolutely nothing." (A 32-year-old female prison leaver, questionnaire completed on 7 September)**

### Meals

Procedures around the meal routine varied from prison to prison, but for some the worst aspect of the changes was that they no longer had the opportunity to eat and socialise with other prisoners.

Sixteen prison leavers (26%) specifically mentioned that they had to eat their meals in their cells during lockdown. In some prisons the food was brought to the cells and in others prisoners went to collect their meals. One female prison leaver said how much she appreciated the fact that in her prison they were unlocked and allowed to collect their lunchtime meal because of the additional time it gave her out of the room.

The other issues with food provision that were commonly reported by participants were that there was: a lack of hot meals, less choice, and a reduction in both the quality and quantity of the food available.

**"Not only food amount and quality (changed), but where we ate. You know, dining halls are important social gatherings for women." (A 32-year-old female prison leaver, questionnaire completed on 7 September)**

**"The food also changed, because they changed the meal times, because it was room by room going down into the canteen, we all went down separate so we were all spaced out and not in there together. We only had one hot meal a day instead of the normal two hot meals a day." (An 18-24 year-old female prison leaver, questionnaire completed on 24 August)**

**"It's just the difference was the cold food in the evening rather than the hot food which does make a difference because it's that comfort thing isn't it? You'd have preferred a hot meal later." (A 35+ year-old female prison leaver, questionnaire completed on 4 September)**

All participants did receive additional snacks which were provided by HMPPS either daily or over the weekend. One respondent suggested that, while he appreciated this gesture, it would have been better if this money had been spent on providing better quality meals.

**"I think they were busy spending extra money on unnecessary things like crisps and chocolate ... basically they're saying, 'thank you for your patience'." (A 30-year-old male prison leaver, questionnaire completed on 9 August)**

Some prison leavers told us that they cooked in their cells because the food provided was either not of the regular standard or simply not enough. In this context, changes to canteen and catalogue provision caused particular frustration. Participants reported that canteen products were out of stock due to high demand; that there was a lack of catalogues available from which to choose items; and that the cost of some goods increased.

**"So, people are stuck in their cells and then you're only getting canteen once a week and then DHL was suddenly coming short and stopping items. ... So, because of the virus, a lot of things got taken off of the canteen sheet." (A 24-year-old male prison leaver, questionnaire completed on 5 November)**

**"Then the other thing that was pissing everyone off was things started getting more expensive. So, they were saying for example, the mackerel we used to get, ... it was tinned, and they raised that to almost £2.00. So, from my point of view, they took advantage of the situation and they used that. Because I spoke to my family and I said have the prices gone up for mackerel and all these things, and they're like 'nah'." (A 39-year-old male prison leaver, questionnaire completed on 7 September)**

## 2.1 Changes to the prison regime

(continued)

"I feel so bad for some people because I remember like when I had my food or got my canteen, I wouldn't display it out in my cell not to make people jealous or give them red eye or to be begging or asking, because that's what happened a lot. Yes, they did not have it and you're going past people's cells and ... you think oh my god, this person has got no one out there, no one supporting them, sometimes not even pictures. (A 23-year-old male prison leaver, questionnaire completed on 5 September)

### Access to chaplaincy

Several prison leavers stressed the impact the suspension of faith services and the lack of access to chaplaincy support had on them.

"When we had Covid lockdown nobody had any religious services, so there was nobody there at all." (An 18-year old male prison leaver, questionnaire completed on 9 November)

"You need chaplain and support more during the lockdown than ever. I promise you, until the summer we had no chaplaincy visits, they were ill or something, but why could not the replacement come?" (A 35+ year-old female prison leaver, questionnaire completed on 9 November)

"I asked for the Bible to officer who told me straight to my face that he was going to look for some, but he never came back ... so anyway, it was difficult. I just thank God that everything is behind now. It nearly destroyed me, but I'm a strong man so I needed to deal with it, do you understand? There was no other help coming, just yourself." (A 43-year-old male prison leaver, questionnaire completed on 15 August)

Several participants noted that the restrictions were particularly difficult during the month of Ramadan (June 2020).

"Obviously during Ramadan, we didn't have a Muslim chaplaincy ... it was hard not having a chaplaincy around when you needed someone to talk to, to get you back on the straight path, to understand things. ... it all just hit rock bottom." (An 18-24 year-old female prison leaver, questionnaire completed on 24 August)

"It was Ramadan and we would be away from our families, ... they didn't even temporarily get someone in, like a chaplain or anything to help us, help get us through it, there was just nothing at all ..." (A 35+year-old female prison leaver, questionnaire completed on 4 September)

"Not going to Jumah during Ramadan or seeing my brothers was difficult with everything what was going on. It really helps me, you see. I can see why you could not have lots of guys in one room but they should have arranged something else, even talking to Imam or Ramadan orderlies." (A 40-year-old male prison leaver, questionnaire completed on 3 July)

Three participants noted how positive it was that the chaplaincy team still managed to provide some pastoral support to prisoners despite the lockdown.

"... yeah, the people with religion, they would come around with a list of everyone who would attend service and they would give them booklets, ask them if they need anything, any special prayers, any books, you know, anything they need help with. I think they did a good job." (A 17-year-old male prison leaver, questionnaire completed on 8 October)

## 2.2 Measures to prevent the spread of Covid-19

Most of the Government's advice on controlling the spread of the virus in the wider community was equally applicable in places of detention. The degree to which the main preventative measures (e.g. on physical distancing, face coverings and personal hygiene) were complied with is explored below.

### Face masks

Fifty-four prison leavers (87%) did not think that prison officers wore face masks routinely when dealing with prisoners. One respondent even reported that they saw prison officers talking to a shielding prisoner without wearing a face mask.

"I've only seen maybe two occasions (when prison staff wore masks) and that was when they thought someone had the virus and they had to go give them their dinner. Another time was when healthcare, nurses and that, have it on." (A 32-year-old male prison leaver, questionnaire completed on 14 July)

"It (wearing a face mask) was not routine, no one was wearing it. If you are already on the landing and have to respond to someone in an isolation cell, if you don't happen to have mask in your pocket, you will deal with the person, wouldn't you?" (A 19-year-old male prison leaver, questionnaire completed on 7 September)

## 2.2 Measures to prevent the spread of Covid-19 (continued)

*"Like, so when they were on the wing, walking up and down, the only time they would care was when the governor was around ... (or when they're going to get in trouble." (A 26-year-old male prison leaver, questionnaire completed on 23 June)*

*"... officers can come close to us with no mask and gloves, but we can't go to the room to pray." (A 32-year-old female prison leaver, questionnaire completed on 7 September)*

Some participants were particularly upset about prison officers entering their cells while not wearing face masks.

*"Here is the thing I really didn't like. When lockdown started, I used to make sure everything was extra clean, just to make sure there were no germs or nothing, but then I would have officers come into my cell and do your room checks and I didn't understand. They didn't have a mask on or nothing. Yeah, that's what I didn't like. I didn't understand. Like, if you're coming in with equipment on then I'd be more happy, but they didn't at all. I had to wipe everything down again and because the cell windows don't open, you're just trapped in the room. I didn't like it at all. That was the most uncomfortable thing about it." (A 25-year-old male prison leaver, questionnaire completed on 19 September)*

*"Officers weren't wearing masks and PPE and that's what my son couldn't understand. So when they come to his door, he tells them not to come in and to move away because they've not got PPE on, they don't have masks at all." (A 37-year-old female family member, questionnaire completed on 8 August)*

One female prison leaver indicated that adherence to rules around face covering and PPE was better at the start of lockdown.

*"At the beginning, a lot of the officers started to wear just their normal face masks when the officers were coming onto the houses to provide food, or if they had to come on to houses they were in full PPE gear." (A 35+ year-old female prison leaver, questionnaire completed on 13 November)*

Nearly 92% of prison leavers (57 respondents) spoke about feeling unprotected when staff and others coming into the prison from outside were not wearing masks around them. Several expressed concern that they were being put at risk by prison staff not following or not implementing the proper procedures.

*"Listen, they themselves have no clue what they're doing, no clue that masks should be worn. If you're locking down an establishment, where do you think any infection will come from? It will come from the people that go outside and are coming back. Simples." (A 21-year-old male prison leaver, questionnaire completed on 8 October)*

*"I was a kitchen worker, so unfortunately, even if all the regime had stopped because I was a kitchen worker and that was essential, I still had to go to work. ... the catering staff all come from outside. There wasn't measures put in place as to where they were concerned. There was no social distancing, none of them wore personal protective equipment, masks or anything, so I feel like the kitchen workers, and the garden workers as well, had to interact with a lot of outside workers. There was not really anything that was put in place." (A 35+ year-old female prison leaver, questionnaire completed on 24 August)*

*"Mentally you're like okay there's a virus going around, if we're not allowed to go outside or anything, obviously we can't give each other the virus, but the main concern was that officers were coming inside, they were doing the shifts and changing, they were changing daily. They could bring the virus in to us." (A 27-year-old male prison leaver, questionnaire completed on 19 September)*

Participants' responses to the questionnaire indicate that face masks were not freely accessible to all prisoners at the start of the pandemic. One prison leaver said that increased demand for face masks and hand gel created a new "trading business" for staff and prisoners.<sup>18</sup> A family member described how her son was only able to access a mask with the help of a prison officer.

*"He got his at the start of the pandemic. A member of staff he knows well provided masks and gloves for him." (A 35+ year-old female family member, questionnaire completed on 23 July)*

<sup>18</sup> As was the case for many institutions across the UK, some prisons did face issues with the availability of PPE at the beginning of the lockdown, but by mid-May, prison staff appeared to be well-supplied with PPE. Davies et al., How fit were public services for coronavirus? Institute for Government, August 2020, page 58. <https://www.instituteforgovernment.org.uk/sites/default/files/publications/how-fit-public-services-coronavirus.pdf> HM Inspectorate of Prisons, Aggregate report on Short scrutiny visits, July 2020, page 13. <https://www.justiceinspectores.gov.uk/hmiprisons/wp-content/uploads/sites/4/2020/08/SSV-aggregate-report-web-2020.pdf>

## 2.2 Measures to prevent the spread of Covid-19 (continued)

### Access to showers

Only two of the 29 prisons covered in the survey had in-cell showers. Prisoners in these establishments benefited from having better access to washing facilities and felt much safer because they did not have to share communal showers with other prisoners.

*"I was lucky to be where I was. (prison name) has much better conditions than most prisons I was in before. I was telling my partner not to worry about me, I could have stayed away from coronavirus just by staying in my cell. Of course, there is downside to this too." (A 33-year-old male prison leaver, questionnaire completed on 14 August)*

One female prison leaver said that she knew a prisoner who was asked to shield for her own safety, but refused to do so as the shielding unit did not have built-in showers.

*"This is a big deal for prisoners. You would do all you can not to lose that privilege." (A 32-year-old female prison leaver, questionnaire completed on 7 September)*

Those held in the 27 other prisons had to use the communal showers and some participants were worried about contracting Covid-19 when using these facilities.

*"There was some policy about cleaning showers regularly, but do you imagine cleaning it in between different groups using it? You need to shower to keep clean, but you also don't feel that it's the cleanest place to be in." (A 31-year-old male prison leaver, questionnaire completed on 7 September)*

Just under a quarter of participants (21 respondents) stated that they or their loved ones did have daily showers, albeit for a much shorter period than usual. However, the majority of prison leavers and family members stated that accessing the communal showers was a real problem.

One prison leaver, who had Covid-19 symptoms but was not tested for the virus, said that he had to stay in his cell for seven days without a shower. A family members also noted that her son was not allowed to shower daily.

*"I know in the beginning he wasn't even allowed to shower. When I spoke to him he said he's only been allowed to shower once every 3-4 days or something. Once when I spoke to him he said he hasn't showered in five days." (A 35+ year-old female family member, questionnaire completed on 25 July)*

Even where prisoners were given an opportunity to shower every day, the extremely limited time that they had out of their cells meant that there was not always sufficient time to do so.

*"How would you use your 15 minutes out of cell? Everyone wanted showers, but no one wants to spend this limited time queuing but not getting it because someone is allowed longer time in showers." (A 34-year-old male prison leaver, questionnaire completed on 8 October)*

*"It became a kind of post-code lottery, depending where your cell was and who was unlocking people that day." (A 36-year-old male prison leaver, questionnaire completed on 8 October)*

### Cleaning and personal hygiene products

Seven participants stated that they or their loved ones had access to a range of cleaning products from the beginning of the pandemic to prevent the spread of Covid-19 and keep their cells clean (e.g. soap, surface cleaners and anti-bacterial spray). These responses indicate that the provision of these items was better in Young Offender Institutions and female prisons.

*"I think it was only the very first week we run out of soap and spray, but it got sorted soon and everyone I knew was cleaning like mad." (An 18-year-old male prison leaver, questionnaire completed on 5 November)*

Male prison leavers generally reported a more negative experience. One participant who was employed as a wing cleaner said that during the first few weeks of lockdown they did not have enough gloves or disinfectant to clean even the communal areas.

## 2.2 Measures to prevent the spread of Covid-19 (continued)

**"We all made a complaint, you know, because obviously the stuff, the toilets, wasn't being cleaned properly and all of that, and the cleaning officer wasn't actually policing the cleaning. So, eventually we made a complaint about it and it finally got looked at, but we had to use formal complaints, we went to the staff room and complained to the staff, we saw the Governor we talked about hand sanitation by the phone boxes and by the gates and all of that, yeah, so we done literally everything. It was not fair, it was putting everyone at risk". (A 30-year-old male prison leaver, questionnaire completed on 2 August)**

Another prison leaver also noted that sanitiser was not always available to clean the phone before using it.

**"There is no in-cell telephone in (name of prison), so you were using a phone used by other people. Yeah, literally you have to spray the phone every single time before you use it and you have to put your sock over it and throw the sock away. The spray thing was sometimes provided, but by the time you get your turn it was gone. It even got to a point where we had to use a glass cleaner spray to spray the telephones, you know what I mean? Just so, just to disinfect it a little bit." (A 25-year-old male prison leaver, questionnaire completed on 4 August)**

One respondent described how delays in requested maintenance work sometimes made it harder to take the appropriate measures to prevent infection.

**"We had a blocked sink for a few days, we could not wash our stuff. Wash your hands regularly they say .... we were asking whoever we saw to fix it, but nothing was done until they moved us in another cell." (A 29-year-old male prison leaver, questionnaire completed on 13 July)**

Several adult male prison leavers described how personal hygiene products, including soap, were not available to buy from the canteen and how the prices of some items increased.

**"There weren't as many things there as you used to get before Covid started. It just, it all changed. Yes, and sometimes even though you**

**order something on canteen it doesn't even come, ... (but) you're stuck behind doors so can't really say to anyone this hasn't come – you're just stuck with it." (A 32-year-old female prison leaver, questionnaire completed on 7 September)**

**"Quite a lot of the items were out of stock but I think that reflected what was happening outside. ... But then by the very same token the items that got reduced in the canteen they then started selling in the coffee shop in the prison, so we could buy directly in the coffee shop." (A 20-year-old male prison leaver, questionnaire completed on 14 July)**

**"They did start selling certain things that we couldn't get in the canteen in the café, but the prices for that was just like ridiculous so a lot of the prices went up." (A 32-year-old female prison leaver, questionnaire completed on 7 September)**

**" ... this one sold out or that one sold out and other wings were getting it, but this wing was not getting it. You know what I'm saying? It was a whole drama with the canteen. Yeah, of course prices went up." (A 25-year-old male prison leaver, questionnaire completed on 29 June)**

### Social distancing

Ensuring social distancing in prisons presented a major challenge because of cell sharing, communal facilities and overcrowding across the prison estate.

Cell sharing has been a long-standing issue in prisons, particularly in establishments where prisoners are forced to share cells which were originally designed for one person, but it became a priority concern because of the pandemic.

The Ministry of Justice and HMPPS recognised that ensuring single cell occupancy would be pivotal to reducing the spread of Covid-19 in prisons and to this end they sought to install temporary accommodation units to increase prison capacity.<sup>19</sup> By the end of June, the Government confirmed that it had delivered 896 accommodation units to 26 sites and that 766 of these were either in use or ready for use.<sup>20</sup>

<sup>19</sup> As noted above, release schemes were also introduced for some prisoners to reduce the prison population, but they had little impact as only a small number of prisoners were released under these programmes.

<sup>20</sup> The Government also stated that it intended to build more temporary accommodation because "it will have some long-term benefits with regard to the way in which we can manage maintenance on the prison estate." Robert Buckland MP, Secretary of State for Justice, Oral evidence to the Justice Committee, Coronavirus (Covid-19): The impact on prison, probation and court systems, HC 299, 23 June 2020. <https://committees.parliament.uk/oralevidence/565/pdf/>

## 2.2 Measures to prevent the spread of Covid-19 (continued)

Several participants benefitted from this policy and welcomed the opportunity to move to single occupancy cells.

*"I was in shared accommodated and then eventually, I think come around May time, they put pods outside, so then they were in a position to put everybody in single rooms. So that was part of the risk assessment for Covid, that they need everybody in a single room. So, I remained in the room that I was in, but I had it to myself in the end." (A 35+ year-old female prison leaver, questionnaire completed on 9 November)*

*"This really was good because I had my own cell. I don't know if I would have had a chance of that if not for Covid." (A 19-year-old male prison leaver, questionnaire completed on 11 September)*

*"They had some pods installed, out the back of the prison, to start having people in single cells, and they did start putting people in single accommodation. I got released in May, so I didn't get a chance to live there, but I was in contact with a girl I had met in there and she said, end of May, beginning of June, they got moved into the pods outside and they all got separated. So you're talking three months really." (An 18-24 year-old female prison leaver, questionnaire completed on 24 August)*

While 65% of prison leavers (40 respondents) reported that they lived in a single cell or were moved to one after lockdown began, the other third had to continue sharing a cell during the pandemic. In some cases, this was a cause of considerable friction.

*"My cell mate was a mess. He moved in a day before the lockdown and did not care about cleaning up after himself. He got into an argument with someone and got shifted to another wing. Can you imagine cleaning for someone's toilet when we were meant to keep washing stuff all the time? I am lucky he left before I did something stupid." (A 27-year-old male prison leaver, questionnaire completed on 12 August)*

More than three quarters of prison leavers (48 respondents) said that adherence to social distancing measures were not observed most of the time by either staff or prisoners during lockdown.

*"And whilst they (prison staff) always used to tell us to socially distance, they never socially distanced with each other. And we were at more risk from them than they were from us." (A 22-year-old male prison leaver, questionnaire completed on 11 September)*

*"It felt like officers did not really care as we saw them together in the office without masks. They would not even challenge prisoners who did not follow the social distancing rules." (A 23-year-old male prison leaver, questionnaire completed on 12 August)*

*"... we were advised to stay behind our doors and to social distance. People who are more anxious and cautious about it, they followed those rules more strictly than the other women who weren't. So they kind of left it to your own judgement. ... the girls from the upstairs house I wouldn't really have to social distance too much from because we're in the same association room, we're in the same kitchen, we're in the same toilet, showers, you know. So it was really about using your common sense." (A 35+ year-old female prison leaver, questionnaire completed on 4 September)*

### Prisoners reluctance to report Covid-19 symptoms

Six participants (7%) thought that they or their loved ones had Covid-19 in March or April, but that it went undiagnosed because they were not tested. This may have been because the testing facilities were not widely available at the start of the pandemic. However, many participants also spoke about prisoners being reluctant to tell staff about their symptoms.

Prison leavers and families gave a number of reasons why prisoners would be hesitant about reporting suspected cases of Covid-19. These included: being afraid of what would happen to them once diagnosed; not wanting to be completely isolated; and being concerned about the stigma associated with the disease.

*"There was plenty of people who had Covid, three people got taken off the wing, but they were on wing for days coughing and stuff. They didn't say nothing because obviously, the prisoners are scared, they don't want to get moved off their wing, they don't want to get taken to outside hospital because there's a lot of people that was going and not coming back and all of that. People were frightened and if a prisoner is getting ill they were keeping it to themselves and not saying nothing." (A 26-year-old male prison leaver, questionnaire completed on 3 August)*

## 2.2 Measures to prevent the spread of Covid-19 (continued)

"He said he had a cough and everything. So, he didn't have a test, they never tested him for it, but they isolated him even more so he said he was better off not saying he had a cold or anything." (A 35+ year-old female family member, questionnaire completed on 21 July)

"There was a guy still on our wing with Covid but they didn't let him out of his cell or anything. They put a sticker on the door saying isolated cell or something like that. We avoided going anywhere near to his cell. It was stigma over stigma." (A 29-year-old male prison leaver, questionnaire completed on 23 June)

One participant indicated that some prisoners' reluctance to report Covid-19 symptoms could be rooted in a general mistrust of the prison system.

"If I had any medical issues, I don't feel confidence in even speaking to healthcare or officers. They do not care, never did." (A 28-year-old male prison leaver, questionnaire completed on 29 June)

"We were told that we're in it together, but it didn't feel so. No one told us what was going on, everyone was too busy to ask anything, how was that being in it together?" (A 31-year-old male prison leaver, questionnaire completed on 29 June)

"... we weren't given the right information, there was no prep, no preparation of what was going to happen, no kind of warning signs, it was just like we woke up one morning and everything had changed." (A 36-year-old male prison leaver, questionnaire completed on 2 July)

"They were very hush hush about it, they wouldn't tell us, which I feel was very wrong. At the end of the day, we're at risk as well so it should be known if there's like a risk. There was a few people who were put in isolation, there was obviously rumours flying about, people have got Covid, officers have got it, but there was never any confirmation that these people have got it, this is what we are going to do. ... everything was just kept quiet. We were guessing what was going on." (An 18-24 year-old female prison leaver, questionnaire completed on 24 August)

"And no one really explained any of the situation to him, it was just 'you will be quarantined for two weeks, once that's done, we'll let you out to another wing'. He also didn't know that there wouldn't be any visits. They told him that in three weeks he would be able to have a visit, but they weren't 100% sure." (A 35+ year-old female family member, questionnaire completed on 16 August)

## 2.3 Communication

### Insufficient information

The provision of timely, clear and appropriate information that explained what was happening and why, was key to helping prisoners and their families cope with a difficult period of change. This was recognised by Robert Buckland MP, Secretary of State for Justice, who noted that "Communication is everything if we are to minimise the mental health effects on prisoners."<sup>21</sup>

Despite this, 49 prison leavers (79%) said there was insufficient communication from the prison authorities about Covid-19, what was being done and how this would affect them.

"You were told only what you cannot do or what you cannot have. Nothing about what we were entitled to have as human beings." (A 21-year-old male prison leaver, questionnaire completed on 17 August)

Prison leavers repeatedly said that their principle sources of information about the coronavirus was the TV news and their own families.

"We just relied upon watching the news broadcast every day at five o'clock and hearing it from outside, like family members and friends and stuff. I remember I used to say, 'what's going on? Is there anything on the Ministry of Justice about prisoners?'. My mum would just keep telling me everything that was happening on social media, we didn't get any information whatsoever inside." (An 18-24 year-old female prison leaver, questionnaire completed on 24 August)

"I'd get more information from home than we were getting from the officers." (A 32-year-old female prison leaver, questionnaire completed on 7 September)

<sup>21</sup> Robert Buckland MP, Secretary of State for Justice, Oral evidence to the Justice Committee, Coronavirus (Covid-19): The impact on prison, probation and court systems, HC 299, 23 June 2020. <https://committees.parliament.uk/oralevidence/565/pdf/>

## 2.3 Communication (continued)

*"The officers weren't very helpful, they didn't tell us about Covid-19, all they said was, 'oh there's Covid-19 and everybody's going to be on lockdown', they didn't explain to us what Covid-19 actually was, so we were none the wiser. We were just listening to the news on the TV, and from there, putting two and two together and thinking oh well this is what Covid-19 is. And it mentally impacted on us because we didn't know what was happening or what was going to happen." (A 35+ year-old female prison leaver, questionnaire completed on 1 September)*

*"It was through the news, the officers never bothered to tell you anything about what this virus was about." (A 31-year-old male prison leaver, questionnaire completed on 5 August)*

*"At first it was a bit daunting because no one really knew what was going on, you just hear more about this new illness on the news. It really felt like a zombie apocalypse." (A 25-year-old male prison leaver, questionnaire completed on 29 June)*

Several prison leavers noted that it was difficult to get updates from the prison authorities on what was going on.

*"Whenever I would ask the officers, it would always be 'we'll be in touch, we'll keep you informed'." (A 21-year-old male prison leaver, questionnaire completed on 23 June)*

*"I think the governor, just as the lockdown was starting, got us all together, in the dining hall, the whole prison, and said 'look this lockdown will be happening, I'll keep you informed every week' and after that there was nothing. There was just that one initial meeting saying this is what's going to be happening, but that was it." (An 18-24 year-old female prison leaver, questionnaire completed on 24 August)*

*"If you asked an officer, they would say they are having a meeting in the morning and decide from there. And sometimes ... if you were lucky enough, you could see all the officers gathered around, you know, talking to one another after this meeting (about) whatever they decided with the governor, not relaying stuff back to us. They're all huffing and puffing around themselves, but not relaying information back to us, so that we could, you know, feel better, it's just, you know, being in the dark a little bit, all the time." (A 35+ year-old female prison leaver, questionnaire completed on 1 September)*

Where insufficient information is provided about the crisis and how it is being dealt with, this is likely to increase prisoners' anxiety and contribute

to mental health problems including depression, panic attacks and incidents of self-harming (see also the section on 'Mental health' below). It is also likely to result in less understanding of the issues, less trust in the authorities and less compliance with the regulations.

*"We just didn't take it as serious. I don't think anyone took it as seriously as it has become. Maybe we would've if they'd told us honestly what was going on. Just one morning everyone was told we're not allowed to leave our houses and they come and explain what was going on, and we wouldn't for the next, I think it was, eight weeks." (A 35+ year-old female prison leaver, questionnaire completed on 13 November)*

### Appropriate and accessible information

A number of respondents were frustrated by the quality of the information conveyed to them, which they felt simply repeated the Covid-19 briefings on the news, but did not explain what this meant for the prison regime and how it would impact on the lives of prisoners.

*"So, it was more like what the Prime Minister was saying generally, but not specifically about what would happen in your prison and what were their plans." (A 30-year-old male prison leaver, questionnaire completed on 7 September)*

*"They were just regurgitating government rules you know and just sticking them on the walls ... and they didn't really mean anything." (A 35+ year-old female prison leaver, questionnaire completed on 9 November)*

*"There was no need to repeat what Boris Johnson was saying, but how it was related to us, prisoners." (A 37-year-old male prison leaver, questionnaire completed on 4 August)*

*"It was just essentially saying what the Government had said and that, like basically we can't do anything. We're just bound by what the Government says. They were a lot of things that the governor could have done with his discretion, but he didn't." (A 30-year-old male prison leaver, questionnaire completed on 15 August)*

*"... they wouldn't provide any answers that were meaningful so in the end, the governor, when he started to realise things could start getting out of control, that's when they started putting notices up on the electronic." (A 27-year-old male prison leaver, questionnaire completed on 5 August)*

## 2.3 Communication (continued)

Other participants felt that the prison authorities were not providing key information and/or not communicating it in an appropriate way.

*"So, when they actually cancelled the ROTL and the family visits and everything, they just left random notes. Notes, just like on the windowsill or just like on the conference desk or something. They didn't have the nerve to announce something so important. The governor should have announced it to everybody. They shouldn't have left random notices for people just to walk up on." (A 35+ year-old female prison leaver, questionnaire completed on 9 November)*

*"Do you think everyone had time to read notice boards? Besides, they were very sneaky about the way they did certain things as well, because things that really mattered and were relevant was not there." (A 39-year-old male prison leaver, questionnaire completed on 7 September)*

*"All he was given (in the induction) was a bunch of papers which was supposed to be his induction booklet before sending him away for 14 days. Those papers were no use to him." (A 35+ year-old female family member, questionnaire completed on 30 August)*

*"I do not think there was any plan about letting us know when the visits would start, when my course will commence and when this would end." (A 20-year-old male prison leaver, questionnaire completed on 14 July)*

Several participants also noted that not all prisoners were able to access the written information provided on notice boards or on papers slipped under their cell door because they had visual impairments, could not read or were foreign nationals who did not speak English.

*"Yeah, most of it was on the notice board and people was getting frustrated and that because, obviously, some prisoners can't read and write and there's a lot of fake information going around and so prisoners was getting really frustrated as well." (A 19-year-old male prison leaver, questionnaire completed on 7 September)*

*"I became a carer all of the sudden. My cellmate could not read properly if it was not bigger font and relied on me to read things loudly. It felt silly, but I was doing it for him all the time." (A 40-year-old male prison leaver, questionnaire completed on 3 July)*

*"I came few days before the lockdown, but it already felt that something was happening. I spent two days in my cell before started getting these papers under my cell explaining Covid-19 rules, but I could not understand how should I make a call or request a painkiller." (A 29-year-old male prison leaver, questionnaire completed on 15 August)*

It is likely that some of these communication issues could have been avoided if prisoners had been asked to input into the development of each prisons' communication plan for managing Covid-19. However, none of the prison leavers released before July were aware of any prisoner consultation on the policies that were being considered or how communication should take place.

### Families' experience

Families felt the same frustrations and noted the absence of information from HMPPS when compared to what was provided to the general population. A total of 21 families (84%) stated that they received either inadequate information or no information at all about their loved ones in prison at the beginning of the pandemic.

*"I was not able to get a hold of anyone in this prison for over a month after he was transferred [there]. I left seven voicemails before I finally received a response." (A 35+ year-old female family, questionnaire completed on 14 July)*

*"It's like you have one world outside with its changing rules and regulations communicated regularly, and another world of prisons which seemed not to be talking to us at all." (An 18 to 24 year-old male family member, questionnaire completed on 18 July)*

*"I've not been able to plan things. I think there should be a plan in place, so we know exactly what the procedures are going to be and it's not just a scramble. I think they need to share information, I think that's the most important thing. Update the website, it's a simple thing that they can do." (A 35+ year-old female family member, questionnaire completed on 14 July)*

Several family members highlighted how not knowing what was going on and not being able to communicate with anyone caused them a lot of anxiety.

## 2.3 Communication (continued)

*"The impact on families cannot be put into words other than utter devastation at the quick impact of no communication lockdown created. The absence of sources of support to discuss what our concerns were ..."* (A 30-year-old female family member, questionnaire completed on 14 July)

*"We could have been informed about the decision to put the prison on lockdown and information on the new regime so that we were aware of the reasons why we hadn't had contact with our loved one in over a week when lockdown first happened. It was a very worrying time."* (A 35+ year-old female family member, questionnaire completed on 12 October)

Some families also spoke about how they had to get information on the regulations during calls from their loved ones and this often meant there wasn't enough time to discuss personal matters and/or problems.

*"They should have had some sort of communication which they are sending out to us like saying this is what's going to be happening. Because he can't tell us because there's only that ten-minute phone call. So in those ten minutes I'm trying to tell him what's gone on in the last three months. Like his son's attitude, phone calls from his school during Covid and he's also trying to tell me what it's like for him. There's just not enough time."* (A 47-year-old female family member, questionnaire completed on 5 August)

*"His information about Covid-19 came from myself and other family members as well as watching the news. I found it stressful to spend time explaining Covid, rather than my own family issues."* (A 25-34 year-old female family member, questionnaire completed on 17 July)

*"We got told that letters will be sent out to family members we put down as our next of kin to inform them and let them know what's happening in the prison and what steps they were taking, but my mum never received anything."* (A 25-year-old male family member, questionnaire completed on 4 August)

### Positive experiences

It should be stressed that information from some participants indicates that communication with prisoners and families about Covid-19, the restrictions and the reasons for them did improve from early May 2020. Nineteen prison leavers (31%) said that they started to receive regular

written communication and were kept better informed from this time. One family member noted that:

*"Demand for proper explanations had increased as the lockdown lifted in the community, as prisoners wanted more clarity about how and when the restrictive measures put in place would change."* (A 25-year-old female family member, questionnaire completed on 23 June)

It should also be noted that the quality of communication with prisoners varied considerably across prison establishments. For example, respondents who were held in Young Offender Institutions (YOIs) generally rated the communication they received from the prison authorities more highly than adult prisoners. Two prison leavers from YOIs told us that both establishments provided them with daily updates, including in person.

Participants who spoke positively about communication from the prison authorities particularly valued regular updates which provided relevant information on Covid-19 and the measures being taken in prisons. They said that this helped them to understand what was happening and reassured them.

*"We all got some paperwork put onto the houses, like notices just confirming what the new rota was and what our new daily routine was, things that we were allowed to do, that we couldn't do, and why these was necessary. We were given notices quite often to be fair, just saying what was going on a daily basis."* (A 19-year-old male prison leaver, questionnaire completed on 11 September)

*"Yeah, after a while the governor of the prison started holding weekly meetings and update the prisoners and stuff like that, yeah this was good."* (A 35+ year-old male family member, questionnaire completed on 12 October)

*"I mean if there was any drastic changes then we'd have officers and governors come on to the unit, go in to further detail and give us the opportunity to ask questions, but apart from that if there was any minor changes that were taking place, we were just provided with notices that was being put up on the notice board."* (A 17-year-old male prison leaver, questionnaire completed on 8 October)

## 2.3 Communication (continued)

*"The good thing about (Name of prison), was they gave us laptops in our cells and those laptops are connected by cable that goes into the wall and are connected to prison network. So, you can't go on the internet or anything, it's just what the prison wants you to see, but they would put up notices and they were saying thank you to us for understanding." (An 18-year-old male prison leaver, questionnaire completed on 5 November)*

Simple initiatives were introduced in some prisons which helped address information gaps and prisoners' concerns quickly and easily. For example, one female prison leaver welcomed the more creative use of the notice boards to communicate with prisoners.

*"What they did was they introduced a question-and-answer session. So, if you have any issues, you would put just a question in there for a particular officer and then they would answer it and put it on the notice board so that everybody could see the response. Or if you wanted an individual response, they would then give you an individual response. But sometimes you find that they were just repeating the government's rules and responses" (A 25-34 year-old female prison leaver, questionnaire completed on 10 September)*

## 2.4 Contact with families

The loss of contact with families, and particularly the cessation of visits, had a huge impact on prisoners as this personal, face to face contact helped them cope with prison life, maintain their mental wellbeing and focus on their rehabilitation and release.

Most prisoners tried to mitigate the loss of visits through phoning their families and friends more often. Those who relied on communal wing phones stressed how difficult this was given the limited time they had out of their cells and the pressure there was to keep calls short because of other prisoners queuing to use the phone.

*"He calls only for a minute to say that he is still alive." (A 35+ year-old female family member, questionnaire completed on 30 August)*

*"It's like 'Hi mum. How are you? Yeah, oh got to go. Got to go get locked up now. Just to let you know I'm ok. Bye.' That was it. I am lucky if I manage to say a word or two." (A 35+ year-old female family member, questionnaire completed on 4 August)*

*"There was about 36 girls, but we only had access to two phones which was a bit of a nuisance, when you're talking to your family and friends a lot of people wanted to use the phone. The only good thing about where I was, you could use the phone 24 hours." (A 35+ year-old female prison leaver, questionnaire completed on 13 November)*

Participants also highlighted that due to the high demand and changing regimes there was no way of knowing if and when you would be able to call and this made the process more stressful.

*"You never know when you're going to get that phone call. Sometimes I'm out so I can't take the call. I've missed the call and he's run out of money so he can't phone me back until the next week and so there's me worried that I've not heard from him, what's going on and then I get stressed." (A 35+ year-old female family member, questionnaire completed on 21 July)*

*"It wasn't easy, it was one thing getting told obviously the visits were being stopped, but then there was hardly any chance for us to get any contact with family because obviously the phones were being used all the time and there wasn't a limit. There wasn't an officer making sure that everything ran smoothly with the phones, making sure one person didn't stay on the phone for like an hour whilst there was a big queue. You literally just had to wait your turn, for somebody to get off the phone for you to use the phone." (An 18-24 year-old female prison leaver, questionnaire completed on 24 August)*

*"... people want speak to their family and whatever but, ... every time you make a phone call you have to cross your finger, like you're playing the lottery. Hope that your family picks up the phone ... it was difficult, back then. I can't wish it on my worst enemy." (A 32-year-old male prison leaver, questionnaire completed on 14 July)*

Those participants who had access to in-cell telephony found it much easier to communicate with their loved ones than those who were dependent on communal phones. One family member underlined how important the in-cell calls were for both her and her son.

*"Because you can talk to him, he can have a good day. After you tell some stories or news, oh god yeah, when he does spend longer on the phone with me we laugh so much. And sometimes I remind him of when he was younger the little things he used to do and his brothers and things like that, and he laughs at it. Keep his spirits up, yeah." (A 37-year-old female family member, questionnaire completed on 8 August)*

## 2.4 Contact with families (continued)

While HMPPS stated in April 2020 that 60% of prison cells have in-cell telephony<sup>22</sup> only 12 prison leavers (19%) reported having had access to phones in their cells. One family member explained how in-cell telephony would have made a real difference to her loved one.

**"What would have been easier and what would have made it calmer for him would have been if he could have spoken to me, if he had that phone in his cell. At least those days where he was feeling down, he could have phoned me." (A 25-34 year-old female family member, questionnaire completed on 11 September)**

However, even those with in-cell phones reported some frustrations with the system. Whilst some respondents said that they had unlimited access to in-cell phones, others reported that limits on calls were not lifted during the lockdown.

**"... it wasn't making sense and I remember complaining to one officer, I said ... 'I'm in the cell, I'm not going anywhere, so the least you can do is actually open the line for me to get access to my family any time I want, as long as I have credit on my phone. Because I'm not going out, you're not giving me any exercise, you're not giving me anything'." (A 24-year-old male prison leaver, questionnaire completed on 5 August)**

**"It is reduced from every day for up to 20 minutes, to every other day for seven minutes per day." (A 32-year-old female prison leaver, questionnaire completed on 7 September)**

HMPPS sought to facilitate family contacts and mitigate the impact of stopping visits in various ways, including by: giving prisoners extra phone credit; providing additional secure phone handsets to prisons; allowing more access to mobile phones; and introducing video-calls.<sup>23</sup> In addition, pre-existing tools, such as the Prison Voicemail Service and the email-a-prisoner service, could also still be used.

All prison leavers confirmed the receipt of an additional phone credit of £5 a week and this initiative was welcomed by prisoners.<sup>24</sup>

**"We got more access to envelopes and letters to send out to family. We got an additional £5 credit to be put onto our phones, phone credit on the Thursday, and emails were still in place as well. So, speaking to family and writing to family and friends that was fine, it was just the fact we couldn't see them or speak to them for the first few months." (A 29-year-old male prison leaver, questionnaire completed on 23 June)**

Some prisons also reduced the cost of phone calls, but this was not a universal policy and some participants said that phone calls were too expensive. It should be noted that not all participants benefitted from the extra phone credit as they had no family to contact.

**"There was some girls who were complaining that 'well I don't have family to phone, so I'd rather have that (credit) on my canteen sheet because I don't get money from my family.' ... They wanted a choice" (A 35+ year-old female prison leaver, questionnaire completed on 4 September)**

Participants who were given controlled access to personal mobile phones spoke positively about this policy, although several thought it could have been introduced more quickly.

**"Eventually, they introduced mobile telephone calls i.e. if you've got a mobile telephone in reception you can have a call three times a week and a facetime call with your family or an audio call with your family. So that certainly helped, but none the less you know visits were still cancelled and you couldn't see your family members, so that was difficult." (A 35+ year-old female prison leaver, questionnaire completed on 9 November)**

**"... because of the coronavirus, we wasn't allowed, all the visits, face to face contact was stopped and, obviously, in jail we're not allowed our mobile phones. It took them a few weeks to put a plan in place which was to allow us to have our mobile phone to replace the visits that we would normally have. It took about three months to initiate, but during that three months, we were just sitting around and waiting and getting bored and getting frustrated and all of that." (A 32-year-old male prison leaver, questionnaire completed on 5 August)**

<sup>22</sup> Jo Farrar, CEO of HMPPS, Oral Evidence to the Justice Committee, The Work of the Lord Chancellor, HC 225, March 2020. <https://committees.parliament.uk/oralevidence/248/pdf/>

<sup>23</sup> House of Commons Justice Committee, Coronavirus (Covid-19) The impact on prisons, July 2020, page 11. <https://publications.parliament.uk/pa/cm5801/cmselect/cmjust/299/29902.htm> and Letter from Lucy Frazer QC MP, Minister of State for Justice to Sir Bob Neill, Chair, Justice Committee on COVID-19 in Prisons: Family Contact, May 2020. <https://committees.parliament.uk/publications/1269/documents/11011/default/>

<sup>24</sup> Some prisons offered more credit (up to £20 per week in some places), but none of the participants in this report received more than £5 per week.

## 2.4 Contact with families (continued)

**with face recognition. The video paused over 10 times during our video call." (A 35+ year-old female family member, questionnaire completed on 17 July)**

**"We could still carry-on telephoning families, you know you still had your incoming telephone calls. The rules regarding incoming telephone calls became a bit more relaxed. For example, we were only allowed one telephone call per day, an incoming call from a family member, you had to book that time in slots. So, it became a bit more relaxed around when we could take those calls as well and some officers were nice enough to allow you two telephone calls." (A 35+ year-old female prison leaver, questionnaire completed on 9 November)**

The introduction of video calls on secure laptops in a designated room was also appreciated by prisoners and families, but none of them considered this to be a substitute for face-to-face visits. Many participants thought the authorities should have brought in video calls earlier and allowed prisoners to use this facility more often and/or to make longer calls. The frequency of video calls appears to have varied considerably between prisons, as reflected in the following testimonies.<sup>25</sup>

**"A 15-minute video call once a month is not equivalent of an in-person visit. Why they cannot provide at least two video calls? What is there for families to compensate?" (An 18-24 year-old male family member, questionnaire completed on 18 July)**

**"Once a month 20-minute video call does not compensate for seeing your partner and children in person. It does not." (A 25-34 year-old female family member, questionnaire completed on 23 June)**

**"I think that the calls that were introduced to speak to family and friends via video link, that could've been brought in a lot sooner, but even that is just 30-minute call every two weeks to a family member. I think that could've been brought in a lot sooner and the frequency of calls could've been increased." (A 35+ year-old female family member, questionnaire completed on 25 July)**

**"I think the purple visits (video calls) could have been introduced in March when the lockdown began, not in the middle of July. An improved version of purple visits could have been better because the children are unable to move in the video. If someone moves their head, the video pauses and I have to sign in again**

One prison leaver from the Gypsy, Roma and Traveller community told us that his mum struggled to produce the identification documents needed to use video calling. Another respondent, who was in a Young Offenders Institution, preferred in-cell phone calls because of the lack of privacy when talking to family members. He was also under the impression that this facility could not be used to talk to friends.

A few participants noted that the rollout of the technology was slow and uneven<sup>26</sup> and that not all prisoners were given equal access to calling facilities.

**"People who had their ROTLs was allowed to go down to reception 15 minutes a day and have a facetime call with their family and friends, but girls that had not passed the ROTL board that were in the exact same position ... they weren't allowed that privilege which I think wasn't fair, ... It should be one rule for everybody because you'd have girls coming back saying they'd just been on facetime with their partners, daughters, mums, dads, and there were people that, for no fault of their own, couldn't have that." (An 18-24 year-old female prison leaver, questionnaire completed on 24 August)**

Seven family members also told us that they made regular calls on a dedicated telephone line that was set up for family and friends to make Covid-related enquiries or request a welfare check on an individual prisoner. However, these participants reported that none of these calls were returned in 48 hours, as advertised, and two of them were never answered.

Many participants expressed frustration that visits to prisons remained suspended after restrictions in the wider community had been eased.

**"What kind of lockdown is this? Government said to go to enjoy the restaurants and there are long queues ... (and) everything is normal. Only for me is lockdown, I can't visit for my day to my daughter, this is very ridiculous situation." (A 35+ year-old female family member, questionnaire completed on 14 August)**

<sup>25</sup> HM Inspectorate of Prisons noted that by Autumn 2020 some prisons still did not have this facility and prisoner surveys conducted between July and December 2020 found that 82% of prisoners had not had a video call in the last month. Criminal Justice Joint Inspection, Impact of the pandemic on the criminal justice system, January 2021, page 11. [https://www.justiceinspectors.gov.uk/cji/wp-content/uploads/sites/2/2021/01/2021-01-13-State-of-nation\\_AccessibleVersion.pdf](https://www.justiceinspectors.gov.uk/cji/wp-content/uploads/sites/2/2021/01/2021-01-13-State-of-nation_AccessibleVersion.pdf)

<sup>26</sup> For example, a small number of the phone handsets had no network coverage, but it took several weeks for them to be replaced with phones that worked. For more details see HMIP, Report on short scrutiny visit to prisons holding women, June 2020, page 15. <https://www.justiceinspectors.gov.uk/hmiprisons/wp-content/uploads/sites/4/2020/07/Womens-SSV-web-2020.pdf>

## 2.4 Contact with families (continued)

Even when visits were eventually resumed, they were accompanied by a more restrictive set of rules (e.g. shorter visits, face coverings and separation screens between prisoners and visitors).<sup>27</sup> Participants found the prohibition on touching or hugging loved ones particularly difficult, to the extent that some even decided that it was easier not to take up the visits.

**"Even though visits recommenced in August, not many girls took up those visits. It just wasn't worth it for them because especially if you've got young kids and you're not allowed to touch them it's really hard. So, whilst the visits did commence, not many ladies take them up." (A 35+ year-old female prison leaver, questionnaire completed on 9 November)**

Despite the measures outlined above which HMPPS introduced to try and facilitate communications between prisoners and their families, 34 prison leavers (55%) reported having significantly less contact with their loved ones during lockdown.

## 2.5 Healthcare

Twenty-two participants (25%) reported that they/their loved one in prison had at least one underlying medical condition, ranging from asthma to mobility issues.

As was the case in the general community, prisons faced serious resource and logistical challenges in trying to provide healthcare services during the pandemic and had to stop or significantly reduce routine procedures (e.g. external hospital appointments, physiotherapy and dentistry).

Although most participants accepted that non-emergency services had to be curtailed while the authorities tried to cope with the pandemic, they were concerned by how difficult it was to access even basic healthcare services.

**"... (healthcare provision) was almost non-existent too, but obviously healthcare is important in prisons. ... healthcare times changed, like the doctors weren't coming in. They only come in**

**to see people who were on medication. Some people like didn't even get their medication if they weren't top priority." (A 23-year-old male prison leaver, questionnaire completed on 29 June)**

**"Literally, it's like if you haven't got diabetes or you haven't got cancer or one of those, you know what I'm saying, then you're not getting seen. It was that traumatic at first. Yeah, short of staff and probably the fear as well. ... Because when I was there, they had four cases apparently, four cases." (A 28-year-old male prison leaver, questionnaire completed on 13 July)**

**"Then like if you wanna go see the dentist, that's non-existent. Like even if you've got a toothache and an abscess ... if you need that sort of medicine you're still not getting seen. People were on the wing complaining about their toothache for 3-4 weeks. Before Covid happened, you would get antibiotics." (A 34-year-old male prison leaver, questionnaire completed on 14 August)**

**"So when you've got stuff like migraines, really bad migraines, put it this way, you're not going to get paracetamol, the nurse is not going to see you. The only excuse is: 'we're too busy, we're too busy'. Before lockdown they would let you out to go to the medical hatch and you could get a paracetamol or a glass of water and then if it was that bad then obviously, they can send the night nurse and bring you stuff in the night. You know, put it through your little hole in your door." (A 29-year-old male prison leaver, questionnaire completed on 13 July)**

**"I suffer with a slipped disc, really difficult getting up from bed and when I stay in the same position. I have not had even one medical support about this." (A 32-year-old male prison leaver, questionnaire completed on 16 June)**

### Access to urgent and immediately necessary treatment

Several participants described how even those in urgent need of assistance were unable to access medical support.

**"We were told that doctor will only see those with a life-threatening situation. If you were on your last breath to be honest. A guy had a heart attack on my wing, he was asking for healthcare for days before this and was not taken seriously until he collapsed." (A 30-year-old male prison leaver, questionnaire completed on 2 August)**

<sup>27</sup> Inside Time Newspaper, Families shun Covid-safe prison visits, 28 September 2020. <https://insidetime.org/families-shun-covid-safe-prison-visits/>

## 2.5 Healthcare (continued)

"My cellmate had an asthma attack. He used to get these once a month or so, but it got bad during the lockdown, almost every other week. We were pressing the cell bell, but staff did not respond. At some point they thought we were making this up. He had a really bad one last time I saw him and ended up in hospital. It took me two hours of shouting to get help." (A 26-year-old male prison leaver, questionnaire completed on 13 July)

"I actually fell quite ill just before Covid started and all the way through to when I came home... I started getting a lot of pain in my body, had a lot of swelling, I was told my blood test had come back positive for Lupus but then there was no access to the hospital. The healthcare where I was I can honestly say it was just a complete and utter disaster for the amount of pain I was in. I was wheelchair bound sometimes, I couldn't go to the bathroom. There was so much swelling, I was told I couldn't go to the hospital ... I was told its only emergency people. I was just given constant pain relief which didn't really help so I was just room bound and bed bound for a while." (A 35+ year old female prison leaver, questionnaire completed on 13 November)

"I understood that, you know, people were dying and that was horrible to see, but ... if I was at that stage that I can't even walk to the bathroom because of my arthritis, I needed staff help to go to the toilet, why couldn't they take me to the hospital?" (A 39-year-old male prison leaver, questionnaire completed on 7 September)

"I had really bad chest pains, I couldn't move my left arm and I was scared that I would die. A nurse was called at my door and without examining me I was told that it had to wait till the next day. I was transferred (to a Category D prison) two days later. Luckily I got seen at the reception." (A 36-year-old male prison leaver, questionnaire completed on 2 August)

"In January, I started suffering from gall stones. ... Nobody was listening, they just tried to tell me it was heartburn, gastritis, it's been going on for 18 months and it was only when I had a severe attack - I couldn't breathe, I was in pain for three days and couldn't eat - that they kinda thought well we better, and even then they couldn't send me to the hospital because it was the Covid-19. They said 'we can't unless you're breathing less'." (A 35+ year-old female prison leaver, questionnaire completed on 4 September)

Several respondents also shared experiences where prisoners, who they felt were in potentially life-threatening situations, were not given appropriate care.

In some cases, it was left to other prisoners or family members to intervene on behalf of prisoners who needed medical attention.

"You had to press the emergency bell for you to see them, otherwise they can't be bothered. Every time. The man I was with was epileptic and he had fits at night ... I know people have fits left, right and centre, but for me to witness it in the middle of night, how serious it could be ... you know it's kind of frightening and knowing that, if you press the bell, nobody would come. Do you understand? Ok, listen, all in all it was hectic. It was hectic, it was difficult. ... for me to go through my last weeks of my sentence, to go through that, it has impacted me, it was difficult. It was very, very difficult." (A 24-year-old male prison leaver, questionnaire completed on 3 July)

"I had a next-door neighbour called (name) and he was like, in his late 40s, he was diabetic and even he was not getting his medication for his diabetes. ... It actually did get sorted because all of us boys spoke up for him ... (saying) 'like what you guys are doing is wrong, you're killing this man'. Then in the end, one of the officers - he was quite a good man as well, that we used to get along with, because there's certain ones you can get along with over there - in the end, he said he was going to raise it with the senior officer and then the senior officer raised it to the custodial manager and then he came and took one look at him and got the nurse to go and see him. Then he started getting his medication." (A 30-year-old male prison leaver, questionnaire completed on 15 August)

"... she was not contacting me, the prison was not getting in touch and I had to contact NHS about it. It was a three-way call between the prison, NHS and us. Prison staff on the call got angry about it ... he just went to the cell and started giving her a go she told me ... he was really angry and stuff and throwing the bed sheets from here to there ... yeah, all because I alerted NHS. It's not my fault, what was I supposed to do? Who am I supposed to get in touch with if no one is answering?" (A 35+ year-old female family member, questionnaire completed on 13 August)

"... there was a lady who was suffering with pain, I can't even explain how much pain she was in, she had an appendix problem for five days, she was bed ridden, vomiting, everything under the sun. She was finally taken to hospital to have an operation and she had to stay there for another week. So really, I don't know if this is all prisoners, but I didn't think that (name of prison) takes it seriously at all when it comes to your health." (A 35+ year-old female prison leaver, questionnaire completed on 13 November)

## 2.5 Healthcare (continued)

*"Fortunate for me I didn't actually need any help, any medical help. I mean there was a girl in there who really struggled with her health and they really were unhelpful. Not the attention that she should have received. And again, I think that's not through the officers and the governor it was within healthcare themselves there's a few members of staff who are not particularly helpful." (A 35+ year-old female prison leaver, questionnaire completed on 9 November)*

*"Things are not meant to be the same, I get it. But who decides that toothache should not be prioritised? My cellmate had swollen tooth driving him mad for weeks. It got onto my nerves too and I had to pull some strings to get painkillers for him. This is not right." (A 43-year-old male prison leaver, questionnaire completed on 15 August)*

### Access to ongoing medication and referrals

Although eight participants (9%) said that they or their loved ones were seen for pre-existing medical conditions (e.g. high blood pressure or skin conditions) during lockdown, they also noted difficulties in accessing their medication. This seemed to be particularly common amongst those suffering from asthma.

*"In regards to his asthma, in the past ... he definitely had his inhalers, but now he's run out and he's stressed out." (An 18-24 year-old male family member, questionnaire completed on 18 July)*

*"I'm asthmatic. If I needed to change my asthma pump, I wouldn't get priority." (A 27-year-old male prison leaver, questionnaire completed on 5 August)*

*"It is quite terrifying to think that someone who suffers from asthma could have an asthma attack and they could die from it, and now he's not been able to be given his medication just because they say there's not enough staff which I think is very cruel, and they're not treating them like basic human beings." (A 26-year-old male prison leaver, questionnaire completed on 23 June)*

While prisoners could request an appointment with a nurse or a doctor, several participants mentioned that the long application and referral process meant that this service was difficult to access in practice.

*"The nurse said I need to be seen by a doctor and I asked them, well, how long is this doctor going to be before he comes, you know, before I can see him. I was told it may take 8-10 weeks as there's a long waiting list. I just couldn't get it into my head, I'm suffering now, what good is it going to do down the line in 8-10 weeks, I need a bit of help now." (A 40-year-old male prison leaver, questionnaire completed on 3 July)*

*"You were told that, by the time it would have taken you to get an appointment, you'd be better off waiting until you got out. They told me, you know what, there's no point in putting in the form for treatment or whatever because by the time you get treatment, you'll probably be outside anyway, so it's better not to apply." (A 26-year-old male prison leaver, questionnaire completed on 14 August)*

*"I wouldn't put it in (an application), it's wasting my time. I just come away believing I'm not gonna get, I'm not gonna get no treatment anyway, so I just wait until I get released ... I'll just wait for that instead." (A 37-year-old male prison leaver, questionnaire completed on 4 August)*

*"I put in requests to see a nurse and I had to wait four weeks only for them to tell me they didn't receive anything. It's only when you are close to dying or it's a life and death situation, that you can be seen urgently." (A 29-year-old male prison leaver, questionnaire completed on 15 August)*

Frustrations around delays and difficulties in accessing services are likely to have been increased by poor communication with prisoners and their families about changes to procedures, restrictions to services and how long these were likely to be in effect. A total of 15 participants (17%) specifically mentioned that the information provided about what health services were still running and how they could be accessed was either unclear or inadequate.

*"This information should be the number one priority ... to explain in a plain language." (A 26-year-old male prison leaver, questionnaire completed on 14 July)*

*"It was not only about why these services are not available, but also when they would be reinstated." (A 22-year-old male prison leaver, questionnaire completed on 11 September)*

## 2.5 Healthcare (continued)

### Positive experiences and initiatives

A minority of respondents, recounted positive experiences of healthcare support over the period under review. One participant, who had difficulties in accessing healthcare during lockdown himself, said that he was not aware of anyone who required emergency attention not getting it and a family member expressed gratitude for the care provided to her daughter throughout lockdown.

**"Yes, that (delays in getting treatment) was the same for everyone for a while, but I didn't know anyone who really needed medical help that they didn't get." (An 18-year-old male prison leaver, questionnaire completed on 5 November)**

**"They did not ignore my daughter medically. She was always satisfied." (A 35+ year-old female family member, questionnaire completed on 14 September)**

It appeared that there was some variation in the level of healthcare provision between different prison establishments. Some participants did not feel that healthcare services had changed significantly since the outbreak of Covid-19.

**"It was slow (booking an appointment with an optician), don't get me wrong, but it's always slow, you kind of expect it to be slow. No change because of Covid." (A 31-year-old male prison leaver, questionnaire completed on 7 September)**

**"No change because of the lockdown. Getting his paracetamol was just as difficult as before COVID. Same." (A 24-year-old male prison leaver, questionnaire completed on 5 November)**

**"I used to get cream and that every now and then and I was still getting that, but things like mental health and that I don't think they were (easy to get)." (A 25-year-old male prison leaver, questionnaire completed on 7 September)**

Some participants identified initiatives that made a positive difference to their healthcare needs. One practical measure that was introduced in some prisons was 'welfare checks' by staff. This provided more regular attention to a wider group of prisoners, rather than only responding to emergency healthcare needs.

In at least one Young Offender Institution these checks were offered to prisoners regardless of their previous mental health needs.

One participant described these additional checks as a "lifesaver." However, this initiative was not rolled out across the whole prison estate and many prisoners never benefited from it.

One family member spoke about in-cell telephony as an efficient and effective way for prisoners to self-refer, get confidential advice and request medication.

**"My son developed this condition whilst in prison, we do not know what it is, and he has not been diagnosed with anything yet. He gets terrible skin rash. He tells me that the whole body gets covered in flakes and it lasts for days. He was getting tablets for this at one stage and now he was given some cream, but it does not help much. It took ages to see doctor for this before Covid. But he uses his system in the cell to request medication and help. He finds it easier." (A 37-year-old female family member, questionnaire completed on 8 August)**

Two participants also highlighted the help they got from healthcare staff who provided them with enough medication to last them a few weeks after their release. This ensured they had their prescribed medication while they were resettling and trying to get registered with a GP.

## 2.6 Mental health

Covid-19 and the restrictions brought in to control its spread have exacerbated mental health issues for many in the prison system. Fear of the disease, inadequate information, increased isolation and inactivity, and the additional restrictions imposed on top of routine deprivations have all contributed to greater levels of stress and frustration across the prison estate.

Thirty-four prison leavers (55%) mentioned feeling increased stress, anxiety, insomnia, or depression during lockdown. Five family members (20%) also specifically mentioned that they were encouraging their loved ones to seek help from mental health services because they were experiencing higher levels of anxiety and panic attacks.

## 2.6 Mental health (continued)

The lockdown had severe consequences for many participants' mental health. Several stated that they had considered suicide or self-harming or witnessed incidents in which others had done so.

*"... it puts so many bad thoughts into your head, sometimes you think oh my god, if I killed myself, I wouldn't be in a position like this, you know. They just don't realise the impact it has." (A 35+ year-old female prison leaver, questionnaire completed on 1 September)*

*"If I had stayed there one extra week it would have been a body bag for me. Even like when you choke, it's like you want to do something stupid for them to notice you. It's like I was keeping everything in, almost ready to explode. Luckily, I got released. I mean it was beyond belief, it was too regimented." (A 33-year-old male prison leaver, questionnaire completed on 14 August)*

*"The line between doing something stupid and stopping yourself was very thin." (A 20-year-old male prison leaver, questionnaire completed on 14 July)*

*"... because there were so many people self-harming, the nurses had to be on call constantly and they were running from cells, from this unit to that unit, to that house block." (A 23-year-old male prison leaver, questionnaire completed on 5 September)*

*"I could hear (the alarm) bells go off quite a lot. There are some people that aren't getting their medication on time and then they go crazy, because there's a lot of people in prison that I've seen that have been on drugs and have got mental health issues, and when these people don't get the medication they need that's when they start cutting themselves ..." (A 25-year-old male prison leaver, questionnaire completed on 7 September)*

It should be underlined that only around one third of the 55% of the prison leavers who reported increased stress, anxiety or depression experienced these feelings prior to the pandemic. However, all respondents that had pre-existing mental health issues said that their symptoms got worse after lockdown began.<sup>28</sup>

*"She had it (mental health issues) since childhood ... I can just say that it's getting worse because at least they used to get out for a bit of fresh air ... (now) they are stuck behind that little hole in that little cell they've got. That's not a life. One day before I spoke*

*to her she goes 'I just want to end my life, I had enough mum, I've had enough' and then after that I just knew there was something wrong and it really affected me a lot." (A 35+ year-old female family member, questionnaire completed on 13 August)*

*"I was suffering from PTSD since I was a teenager. It definitely came back during the lockdown. It was making me to feel so unhappy about everything. Some days I did not even make a call to my partner, it was making me sad. It still does. It really was point zero..." (A 34-year-old male prison leaver, questionnaire completed on 8 October)*

### Isolation in cells

One of the biggest issues affecting prisoners' mental health was being locked into their cells for 23 hours or more a day. All 87 participants told us that inadequate time out of cell negatively impacted on their/their loved ones' mental health.

*"Prisons run on routines, on predictions, on expectations, on little perks. All these are gone. We live under the ruins of our own dreams and hopes." (A 27-year-old male prison leaver, questionnaire completed on 19 September)*

*"Basically, when you're behind that door, remember one thing, your mental health is different from your physical health, but your mental health can affect your physical health. Anyone can get mental health problems. If you're institutionalised, you know, you can get to a point where you're losing your mind stuck behind a cell because then you actually feel trapped like a dog. Especially when you're used to a regime." (A 23-year-old male prison leaver, questionnaire completed on 3 July)*

*"It's a big deal to go from having a routine to doing nothing. It gives them a lot of time to think and makes you realise how much more you don't want to be there." (A 22-year-old male prison leaver, questionnaire completed on 11 September)*

*"The restrictions in prison should have been handled a lot better. Some prisoners did not come out of the cells for days if not weeks on end, I can imagine how this played on the mental health of some individuals." (A 31-year-old male prison leaver, questionnaire completed on 29 June)*

<sup>28</sup> This is consistent with an NHS England survey of healthcare users in two prisons in which 68% of respondents said that their mental health had deteriorated since 23 March and 71% said their physical health had deteriorated. HM Inspectorate of Prisons, Report on short scrutiny visit to prisons holding women, June 2020, page 8. <https://www.justiceinspectors.gov.uk/hmiprison/wp-content/uploads/sites/4/2020/07/Womens-SSV-web-2020.pdf>

## 2.6 Mental health (continued)

### Lack of contact with friends and family

The lockdown regime meant that the majority of prisoners spent virtually all their time on their own, with just one hour a day or less in which they could interact with others. Several participants highlighted how they missed the friendship and companionship provided by fellow prisoners and the negative impact their increased isolation had on their wellbeing.

*"You can give us as many puzzles and colouring books, but nothing can ever substitute a normal human contact." (A 19-year-old male prison leaver, questionnaire completed on 11 September)*

*"It has given him a lot of extra thinking time, which sometimes is not good, you don't think about positive stuff, but more negative and hopeless (things)." (A 35+ year-old female family member, questionnaire completed on 9 August)*

*"It (cancellation of visits) and extra phone credits, didn't really matter to me ... what mattered was the close ties with the only family and friends I had, other prisoners, because it was keeping me some form of sane." (A 26-year-old male prison leaver, questionnaire completed on 3 August)*

Unsurprisingly, the absence of face to face contact with family and friends was also acutely felt by prisoners and their loved ones. One prison leaver described how a suicide of a fellow prisoner impacted on the mental health and emotional wellbeing of prisoners and staff.

*"The girls are really upset because visits had commenced and all of a sudden right their families could not come and see them because the North went into lockdown. And then what happened was, a week after, a girl committed suicide in prison. So, morale was just so low ... she committed suicide, and you know girls were really upset, and then lo and behold the governor suddenly said 'oh, I have got permission from gold command that you can now, everyone can now have a visit, even from the areas that were restricted. We're going to take extra precautions.' It did not last long, but they did it because they knew that people needed to be cheered up so you know he used his discretion to allow those visits". (A 35+ year-old female prison leaver, questionnaire completed on 9 November)*

*"I thought all about it, I thought bloody hell I don't know when I'm going to get to see you and it's just like, when am I going to be able to cuddle my son? ... ah it's horrible. You know when you just think I don't know when I'm going to see him." (A 35+ year-old female family member, questionnaire completed on 16 August)*

*"I feel like they should have really given the prisoners more access to be able to speak to their families because I also believe that if they do there would be less crimes committed inside of jail and their behaviour wouldn't be so erratic." (A 47-year-old female family member, questionnaire completed on 5 August)*

### Fear of the disease

At the time of the survey, a total of 29 respondents (33%) had already lost a close family member to Covid-19 and most participants were worried that either they or their loved ones might die from the virus.

*"When you hear about deaths, about BAME people dying more, it causes all kinds of worry and you're thinking about your family, you're thinking about what if it gets in the prison, what if you get it, what if you spread it to your cell mate, is your cell mate going to give it to you? Then you think am I going to die in prison? Because we all know about the prison healthcare system, it will be overwhelmed ... (and) they can't send you to hospital, you know, there's got to be transfers and assessments before they can send you out to hospital." (A 36-year-old male prison leaver, questionnaire completed on 2 July)*

*"It felt like the virus was getting closer ... and in the place where you control nothing about yourself, this sense of not being in charge is a big thing" (A 21-year-old male prison leaver, questionnaire completed on 17 August)*

*"Lots of thoughts go through your head. You think oh my god what if I have got the virus, and the rates of deaths with this virus were very high so that was another strain on you, mentally. You were thinking, oh what if I get the virus, what if I die inside here, would I get to see my family?" (A 35+ year-old female prison leaver, questionnaire completed on 4 September)*

## 2.6 Mental health (continued)

"We knew that once Covid had reached the prisons. We're in danger because we're not gonna get the medical help and attention that we need. (name of prison) houses over 1,000 inmates, so you can see how difficult it would be to medically treat inmates if the pandemic struck the prison. They are understaffed as it is. Even if you raise concerns that you're not feeling well you won't get any help unless you're damn near dead. There was Covid cases from one of the induction wings as of course they are still bringing people in." (A 31-year-old male prison leaver, questionnaire completed on 5 August)

"Then you'd be like cautious and think, my cell mate's coughing, has he got the virus? Even though they hadn't been out, you start worrying." (A 24-year-old male prison leaver, questionnaire completed on 23 June)

"My father died from Covid. My sisters made videos of my dad's last few days. He was speaking about me too. I asked staff if I could hear what he said on the video call. Staff did try, but the video call did not work out in the end. I don't know why. My dad was the roof for our family and it did collapse. Do you know how does it feel, living in the house without a roof?" (A 30-year-old male prison leaver, questionnaire completed on 7 September)

### The impact on people at different stages in the criminal justice system

The pandemic impacted the whole criminal justice system and affected people at different stages of the process in different ways. A total of 17 prison leavers (27%) reported being depressed because of the lack of progression with their sentence or the procedures for their release.

Two participants said that they or their loved ones spent more time in prison because their release date was pushed back due to the pandemic and the lack of accommodation post release. Another family member told us that their loved one's parole hearing got cancelled and he was only given an update via papers slipped under his cell door without any further explanation.

"He get through by other boys helping him out with documents. He had no one to ask for help. They should have at least told him what it was about." (A 35+ year-old female family member, questionnaire completed on 23 July)

The backlog in court cases has meant those on remand awaiting trial or sentencing have had to spend longer awaiting hearings.<sup>29</sup> Participants said that this extended period of limbo, in which detainees did not know what the outcome of their case would be, caused additional stress and anxiety.

"Remand is a tricky period, you are neither here or there and always feeling uncertain about anything. Because of the lockdown restrictions everything was unpredictable and very stressful." (A 23-year-old male prison leaver, questionnaire completed on 12 August)

"Right now, she's just stuck because she doesn't know where she's going because of this Covid-19 ... her case is all over and dusted, but she can't be sentenced. Why? Why can't she be sentenced? What's taking so long? It's just that she doesn't know where she's standing and she's had enough." (A 35+ year-old female family member, questionnaire completed on 13 August)

"There should be some exceptions for remand prisoners being able to meet with their legal team, confidential video calls. Being denied this legal access is slowing down everything for us, it could be the matter of being free or being locked away ..." (A 28-year-old male prison leaver, questionnaire completed on 29 June)

For those nearing the completion of their sentence, the removal of privileges they had been working for was particularly hard to take.

"All hopes were buried in one day, no ROTL meant there was nothing to look for. It felt like your work towards this day went in shutters. There was nothing that would stop you to think f\*\*\* this, it is screwed anyway, what else can happen." (A 36-year-old male prison leaver, questionnaire completed on 8 October)

"... his last day out (on day release) was three days before the lockdown and he has not been out since. His first overnight would have been in May and he has lost quite a lot. It has affected him a lot, but in his eyes he tries to look at the positives, and he is grateful for the times he had out on his day releases before the lockdown, but obviously you can't help but realise what you have missed. Mentally before the lockdown he was in a very good place and be settled at home, as if he could come back home and we would resume as normal, but I think it's the not knowing which is what plays on his mind, on all of us." (A 35-year-old female family member, questionnaire completed on 3 July)

<sup>29</sup> By September, there were more than half a million cases awaiting court hearings in England and Wales. Parliament introduced a statute to allow people to be held in prison for eight months while awaiting their trials. <https://www.gov.uk/government/news/suspected-criminals-held-for-longer-as-criminal-courts-recovery-plan-announced>

## 2.6 Mental health (continued)

*"You know, you're getting towards the end of your sentence and you're preparing yourself, mentally, for release and, you know, you're planning about what you're going to do and then, all of a sudden, you've got these additional restrictions and you think, you know, so where does that leave you?" (A 25-year-old male prison leaver, questionnaire completed on 19 September)*

*"I got to the open prison two weeks before the official lockdown started and I was looking forward to the new found freedom which I worked so hard for. So, after a week of the normal routine the rest was just left, with nothing to do." (A 40-year-old male prison leaver, questionnaire completed on 3 July)*

*"... (being moved to an open prison was meant to be a) new beginning for them, not the end of the journey." (A 25-34 year-old female family member, questionnaire completed on 18 September)*

Another group of prisoners who were particularly affected by the lockdown were young offenders who were transitioning to adult prisons as they turned 18. As reflected in responses to the questionnaire, support available in Young Offender Institutions is generally better than in adult prisons because of the standard of care expected in these establishments. The transition to the adult estate is always challenging, but lockdown extenuated this because the conditions were more difficult and there was even less support available to newly arrived young offenders than usual. While transfers rarely took place during the first few months of the pandemic, they have subsequently been resumed. One family, whose loved one was transferred to an adult prison soon after turning 18, stressed the additional anxieties following this transition.

*"It does feel like he has been thrown to the wolves. Just because he turned 18 a couple of months ago, it does not mean that he deserves and requires less care. His cousin was in (prison name) for a while and we are terrified about the conditions. He was a child a few months ago, he cannot cope with adult prison." (A 35+ year-old female family member, questionnaire completed on 23 July)*

## Lack of treatment and support

None of the prison leavers and families we spoke to were aware of any specialist mental health services being delivered during lockdown.<sup>30</sup> Two respondents explained the detrimental impact of having their therapeutic sessions and one-to-one support stopped.

*"Before the lockdown, I was given a mentor from the mental health team to help me with trauma and things like that and, once lockdown happened, I never got to see the mentor. They never contacted me, apart from they sent me an envelope with booklets. But from what I see, for someone who was going through trauma at the time, I felt like they could have done a lot more like whether that's to contact me on the phone or ... I understand that they couldn't come to the doors because of social distancing, but something else." (A 21-year-old male prison leaver, questionnaire completed on 8 October)*

*"I did have a counsellor because I was going through a bereavement. ... then they sent me an email saying that they weren't allowed to come back in, due to the Covid-19, and I just think it's quite unprofessional to start something as serious as something like counselling for a bereavement and just stop it. So, if they wouldn't have started it in the first place, that would have been more helpful to me as opposed to giving me two meetings and then cutting it off." (A 29-year-old male prison leaver, questionnaire completed on 23 June)*

Some participants considered that staff had not assisted them when they asked for help with issues that were affecting their mental health.

*"I'm saying to the officer, 'I can't breathe, I'm having a panic attack.' All I wanted them to do was open the cell door, set my foot outside the cell, take a few deep breaths and I would've been fine. I got shouted at: 'this is not an emergency'. To me, what is an emergency? If your lying dead on the floor? Panic attacks are awful, you think you are dying. It was awful." (A 35+ year-old female prison leaver, questionnaire completed on 1 September)*

*"I could not sleep for three days in a row. I was angry and tired. I was on the brink of ending it all. I know it was my mental health, but staff told me I was lying as there was nothing in my medical notes. I had no other choice but to keep going." (A 32-year-old female prison leaver, questionnaire completed on 7 September)*

<sup>30</sup> A Criminal Justice Joint Inspection report found that "During the first national lockdown, there was reduced access to support services for those with mental health conditions and drug and alcohol problems." Criminal Justice Joint Inspection, Impact of the pandemic on the Criminal Justice System, January 2021, page 12 <https://www.justiceinspectorates.gov.uk/cjji/wp-content/uploads/sites/2/2021/01/2021-01-13-State-of-nation-AccessibleVersion.pdf>

## 2.6 Mental health (continued)

*"He suffers from PTSD and depression and he's been filling applications (to see a mental health nurse) and complaints as to why he hasn't been seen by anybody, and he still hasn't got an answer to this day." (An 18-25 year-old male family member, questionnaire completed on 18 July)*

*"My partner's nan died from Covid, lovely old lady, she meant a great deal for my partner who was raised by her grandparents. I was sorry for her, I was feeling so helpless for not being there for her. She did the funeral stuff and everything herself. I asked staff to let me join on the call, but it was not a close member of family. This was joke response to be honest." (A 22-year-old male prison leaver, questionnaire completed on 3 October)*

Many participants thought that more could have been done to support vulnerable prisoners and address the mental health issues that were arising because of the pandemic. Several noted that having officers check up on them and talk to them more often would have made a difference.

*"... (the) help that I needed was mental health because I just needed someone to speak to because it was in my head. It got to the stage I self-harmed because there was literally no help, because I was stuck in a cell, no one to speak to, no communication. I think it was more a bit of a stress release" (A 25-34 year-old female prison leaver, questionnaire completed on 10 September)*

*"A thousand and one things go through your head, but nobody is there to tell you, to say 'you know what, you'll be fine' ... nobody there to talk you through it, or anything. And then obviously you can't talk to your other inmates either ... so it's just, its one strain after the other." (A 35+ year-old female prison leaver, questionnaire completed on 1 September)*

*"You hear a lot of shouting through the cell door. Some of them shouting because they need help, some need to find out about requests, some just crying for company. ... No one came for help, they don't really communicate with you." (A 34-year-old male prison leaver, questionnaire completed on 8 October)*

*"Prison is not nice. I don't want to say I'm crazy, but (name of prison) seem to have a lot of young officers and I don't think they understand or have experienced how important it is for them to do the checks. I don't think they actually get it. Especially during this period where people are suffering from stress and anxiety. They've got no visits, you know, they should have checked on people a lot more." (A 47-year-old female family member, questionnaire completed on 5 August)*

*"He does need a lot of mental support, follow-up, and I guess that is not there right now at the prison for him. I'm not blaming the system, I'm sure it's stretched and with the way things are now. ... It's a dog-eat-dog world when you're in a situation like this." (A 35+ year-old female family member, questionnaire completed on 21 July)*

*"It was not even noticed that I did not eat my meal the whole day. They did not have time to notice you." (A 20-year-old male prison leaver, questionnaire completed on 14 July)*

Some families highlighted their concern about the lack of support available to those newly-arrived in custody who they felt were less likely to have their pre-existing vulnerabilities identified and catered for during isolation.

*"His 14 day single cell quarantine limited access to any facilities, restricted access to shower and socially linking up with others. So, as a first timer the lockdown had other aspects as he had no one to talk to should he feel at risk. There were minimum checks on his well-being." (A 25-34 year-old female family member, questionnaire completed on 27 July)*

### Further support that could have been offered

As noted above, some participants highlighted the positive impact the introduction of 'welfare checks' had in some prisons. This initiative could have been rolled out more widely and supported through the Listeners programme (Listeners are prisoners that have been trained by the Samaritans to provide confidential emotional support to fellow prisoners).

However, only nine prison leavers said that they were aware that the Listeners scheme was still running during the first few months of the lockdown. Furthermore, four out of the nine stated that the scheme was only reinstated in their establishments from June. One prison leaver who was a trained Listener told us that he was not asked to continue with the role despite being available and willing to support others.

*"I was not ill, had no symptoms and I had been on the roll for over a year, but no one wanted to take my service." (A 30-year-old male prison leaver, questionnaire completed on 2 August)*

## 2.6 Mental health (continued)

Those prison leavers that had access to in-cell telephones described how important they were for keeping in contact with loved ones and ensuring their wellbeing.

*"Luckily enough I had a phone in the cell, so I could ring them, but then sometimes, at night I suffer from anxiety and panic attacks, but you are not able to call at night. At least during the day, I could and that was a huge relief." (A 35+ year-old female prison leaver, questionnaire completed on 1 September)*

Increased access to video and phone calls was also mentioned as a good mechanism for providing extra support to prisoners dealing with mental health issues and/or personal issues. Two participants who had lost loved ones were granted a compassionate video call and this made a big difference to them.

*"(it was a) ... much appreciated gesture, pulling me out of dark times." (A 32-year-old female prison leaver, questionnaire completed on 7 September)*

One prison leaver also described an in-cell pack on managing anxiety as a very helpful initiative, but noted that it was only received nearly a month after the introduction of lockdown.

### Impact on families

The pressures associated with Covid-19 and the lockdown measures put additional stress on family members and directly affected their own mental and emotional wellbeing. Seventeen family members (68%) mentioned feeling increased stress, anxiety, insomnia, or depression during lockdown.

*"My son is usually even-keeled and optimistic, he keeps us all motivated when it feels that we can't take it anymore. But over the last few weeks, he sounds defeated, I've never heard him like this. It is affecting me a lot." (A 35+ year-old female family member, questionnaire completed on 16 August)*

One family member told us that her partner became extremely stressed because he was worried about his son catching the virus in prison.

*"When it first became apparent in March, he was ringing me and I could tell he was worried. His son has sickle cell so he was asking me a lot of questions because he didn't want to lose his son while he's in there. Him being in there, and hearing all these horror stories ... it's definitely had an impact." (A 34-year-old female family member, questionnaire completed on 16 July)*

Families had to try and cope with new anxieties while already dealing with very stressful lives. Some participants told us how they missed much-needed support from their partners.

*"The impact was immense and still is immense, the children are not accessing education, not seeing their father, making them unhappy. (name) has five children and his wife is bringing all the children up by herself. The lack of contact and difficulties with ... immigration matters is adding further to their stress, mental health and wellbeing." (A 35+ year-old female family member, questionnaire completed on 8 August)*

Some families talked about the added pressure they were under as they tried to support their loved ones in prison.

*"...he was spending more money. The money however is coming from his family, myself, and of course this puts more pressure on the outside to provide for him. He found that he spent more money on cleaning and snacks ... this has been more costly for me because I have to send him more money." (A 35+ year-old female family member, questionnaire completed on 9 August)*

*"I'm pregnant and already stressed out, then he calls me and tells me to do something, ... it's like giving me anxiety and it's like I try to keep myself positive, but there's only so much you can do, you know? But you don't always want to sound upset when they call you because you have to understand that they're going back to a room where I'm able to still go outside or go to the shops or go see family or my friends, and he can't do that. So I don't want to always be upset over the phone because I know that it will upset him, so it's like we have to just balance it and stay strong for each other." (A 25-34 year-old female family member, questionnaire completed on 27 July)*

## 2.6 Mental health (continued)

Some families also spoke about their guilt at not being able to do more for their loved ones.

*"I feel I've let my son down. I know people say 'no you haven't', but there it is. We lost his father when my son was nine so I was on my own, not on my own, but I was the only parent. So, I don't resent anyone or say 'where were you, you didn't help me' because it was a choice I made. I just got on with it. ... when my son was 14, I went to social services and I did ask for help and they laughed at me and said 'unless you're physically harming him there's nothing we can do.' It wasn't until two years after that that they wanted to help me, but by then it was too late, he was already in the system. Because of that experience I didn't feel there was anyone for me, I just felt that your child is a criminal and he's of mixed heritage and they're only going to see my blood in him, they're not going to see his father's blood ... I just feel an overwhelming sense of guilt and I've let my child down." (A 35+ year-old female family member, questionnaire completed on 25 July)*

## 2.7 Resettlement support

Participants stressed how important receiving support was in helping them prepare for a stable life in the community, especially when they were coming up to their planned release date. However, lockdown meant that prisoners received less support from their probation workers in custody and that the services provided by community rehabilitation companies became paper-based rather than in-person support.

Only one out of the 37 prison leavers released before July was seen in person by a probation officer in prison.

*"About three weeks before my release I really started panicking. I complained literally every day so it got to a point where they had to come and visit and it was literally a five minute visit just to sort out my bank account and try and sort out an accommodation, which still didn't happen. So, it was basically just to shut me up and they done that. What was sorted out for me was my bank account to be honest." (A 24-year-old male prison leaver, questionnaire completed on 3 July)*

Twenty three prison leavers (37%) told us that they had phone calls about their resettlement needs, but most participants did not consider

the level of support they received through these calls to be meaningfully and stressed how little contact they had with staff.

*"Because it was not face-to-face you would imagine that it was easy to call in to discuss our release stuff. It's not like we were out and about. And most of us were just thinking what will happen outside. When you have few weeks left, that's all on your mind and you make plan A and plan B, but no one asks your opinion." (A 37-year-old male prison leaver, questionnaire completed on 4 August)*

*"It was not a call like asking our opinion on anything, but just telling us that we need to report daily and someone will be in touch and they will sort things out. I think that was not fair because they put too much on other people." (A 32-year-old female prison leaver, questionnaire completed on 7 September)*

*"My OMU (Offender Management Unit) worker was not a very nice person from day one, I was at (name of prison) for a year, just under a year, and I seen her twice. Any other time I tried make contact with her she just wasn't having it. I don't think Covid made any difference to the way her behaviour was." (A 35+ year-old male prison leaver, questionnaire completed on 13 November)*

Nearly three quarters of prison leavers (44 respondents or 71%) did not feel that the support they were given in prison addressed their resettlement needs. Sourcing accommodation was a particular concern because a failure to do so could delay release and/or leave people homeless. A lack of stable accommodation also affected prison leavers' ability to secure employment and services and put them at greater risk of contracting Covid-19.

Thirteen participants reported being affected by insecure housing issues on their release which made their resettlement more difficult. At least two prison leavers had to spend extra days in prison because approved accommodation was not available. Four participants were released without any accommodation and a further seven prison leavers were released without stable accommodation

*"I was supposed to be released two weeks before they let me go. I had to walk to three hostels myself before one let me in for couple of days. Don't get me wrong I was happy to be out, but I did not think it would be like as long as you are out we don't care sort of thing. It was not only me, you should talk to guys in my hostel. We all feel lost. We may never find a way out of this." (A 24-year-old male prison leaver, questionnaire completed on 23 June)*

## 2.7 Resettlement support (continued)

"I went to the charity (name) and I told them I'm homeless, with all my bags and they literally put me in a hotel, emergency accommodation. Then next day, I had to sleep in the car ... and then they put me in emergency accommodation the next day. I moved from hotel to hotel for weeks and that's when I finally got some help." (A 33-year-old male prison leaver, questionnaire completed on 14 August)

"There was a guy in my group, he had Covid in the beginning of April and he was doing ok, but he was telling us that he was feeling tired and dizzy and a bit restless. I thought I had it bad, but he had nowhere to go at all and he was scared for getting it again." (A 32-year-old male prison leaver, questionnaire completed on 16 June)

"... I came out with no housing, I hadn't been able to do any job searches or accommodation searches. ... I literally came out of prison without any support, trying to build my life and I wasn't able to do that. So, it was frustrating, but then at the end of the day it is what it is." (A 25-year-old male prison leaver, questionnaire completed on 29 June)

"There was a guy on my wing shielding, so he was on a higher risk category, he had a probation visit and they were speaking to him through his door, he was getting quite agitated, obviously no one doing much about his current situation, because he was going out homeless and he still had to go out homeless. ... I don't know what happened afterwards but he was not mentally at a good place." (A 19-year-old male prison leaver, questionnaire completed on 11 September)

"The housing situation with the council was crazy because of Covid, they've got so many people to emergency accommodate in hostels. I ended up going to my mum's because mentally I couldn't take that insecurity of being in a hostel and not seeing my children. I stayed with my elderly mum, putting her at risk, but I couldn't take the rules of not being able to have your kids round. I'm trying to maintain, rebuild my family ties. How can I do that if I'm stuck in a hostel for six months to a year, which is what the Council was saying." (A 35-year-old female prison leaver, questionnaire completed on 4 September)

Some participants described how the lack of support after release made it much more difficult to cope with life outside prison.

"I come out of one prison into another prison, because I can't access anything out here. I was already scared because I didn't know life and I have to go to a rented property. I didn't even know how I was going to cope. I didn't know what it would be, open premises or would it be a house or a flat.

I didn't know what was my future and what it was going to hold now. Everything just hit me, they just gave me all the information on the day of my release and that was it." (A 25-34 year-old female prison leaver, questionnaire completed on 10 September)

"I don't know how to live life and find hope during this situation. ... it's like going insane because I don't know what's normal." (A 28-year-old male prison leaver, questionnaire completed on 13 July)

"Yeah, I knew I had to get these things, but I am out and I don't have them, so you are starting to panic. My friend who was released months before me helped me with everything." (A 30-year-old male prison leaver, questionnaire completed on 15 August)

"I did not know where to start. I had my family supporting me but imagine somebody who does not have that support and is left with no choice." (A 17-year-old male prison leaver, questionnaire completed on 8 October)

Several prison leavers highlighted how better communication and planning for release would have reduced the pressure on them and allowed them to integrate more smoothly into the community.

"You weren't able to access anything because everything was closed. ... you're supposed to make contact on the first day aren't you and I'm ringing the number she gave me and it was ringing out and I was getting really anxious. I ended up phoning my SO (Supervising Officer) in prison to let them know... I think it was about five days before probation did actually contact me. I was scared I'd get recalled from not contacting probation ... She apologised, it was mess up with numbers." (A 35+ year-old female prison leaver, questionnaire completed on 4 September)

"I was studying a customer service course, which stopped and we didn't hear anything about what was going to happen ... I was told I would hear back when I was released, to my home address, my certificate and everything for passing the course. I've still not heard anything, so in my head I did it all for nothing I feel like what were the point, because I put all that work and stuff in and I've kind of been left high and dry." (A 25-34 year-old female prison leaver, questionnaire completed on 24 August)

## 2.7 Resettlement support (continued)

*"I specifically asked my OMU the night before, well several nights before too, whether I need to see my probation or would there be a telephone conversation with her, because obviously that was going to impact on my plans that day. So, she said 'no, it's going to be face to face'. So, when I was released, I went straight to my mum's first in a different town, and then I dashed back just to see probation at one o'clock. I was only at my mum's for an hour. As soon as I pulled up outside her office, she sent a text that it's a telephone appointment and that really annoyed me because I specifically asked a question and they couldn't even get that right." (A 35+ year-old female prison leaver, questionnaire completed on 9 November)*

*"You know probation officer can't help much. Like I said, you can hear their kids running in the background, it's only a phone call just to see that you haven't reoffended and that was it. They've not, they've not been any help, that's all they've done, just communicate through the phone to see that you've not reoffended and that's it." (A 25-34 year-old female prison leaver, questionnaire completed on 10 September)*

Prison leavers normally receive £40 on their release and respondents told us that this was not enough, particularly given the additional difficulties in getting support and accessing services during the lockdown.<sup>31</sup>

*"By the time you spend your money on travel to get back to where you're going, you haven't really got a lot. Obviously, when I came out I tried to apply for Universal Credit and all of that, but even that it took a week. While I was waiting for that, it was just like, I didn't have no money. I had to beg and scrimp off friends and stuff like that." (A 32-year-old male prison leaver, questionnaire completed on 5 August)*

*"I wasn't able to go for my Islamic prayers, for Friday prayers, because ... that was when I supposed to be in (due to curfew restrictions). Being part of the congregation means that I would be getting food and essential stuff, but I could not access this help. I need that extra support ..." (A 26-year-old male prison leaver, questionnaire completed on 14 August)*

*"I've come out and the dentists and that they said they're not taking no appointments ... I've signed up with them and I've waited two weeks and now they're telling me that they're not taking appointments at the moment, they're fully booked. So, yeah, I don't know, it's crazy." (A 29-year-old male prison leaver, questionnaire completed on 13 July)*

It should be stressed that those released towards the end of the summer generally did receive additional support, such as a charged mobile phone to contact community support services; useful numbers and information about Covid-19 restrictions; additional face masks; and support in arranging transport.

Seven prison leavers (five of whom were released after June 2020) were also positive about the support they received from their probation workers.

*"Access to probation has been brilliant. My probation worker she's lovely, she always listens to me, she's always very supportive. She's put me on some courses that she thinks, and I also think, will benefit me and that's just to better myself in the long run. I've only had one session of the course so far, but it's being pretty helpful. Probation I've got no complaints with. ... to be honest with you I'm just glad to be to be home and back with my family and the support that I have had personally has been brilliant." (A 35+ year-old female prison leaver, questionnaire completed on 13 November)*

*"You know what, this is the first time I've actually met a probation worker, his name is (name), ... who's actually real. He sat me down and I could feel from his energy that he wanted to help. ... basically, he told me, 'if you want to help yourself, I will help you. I'm not just going to say you come here, just sign in, say that you saw me and be on your way'. He actually sat me down and asked me about my life and then told me about (charity's name) and I could see from his energy he's a down to earth person. So luckily, I've got a good probation worker." (A 24-year-old male prison leaver, questionnaire completed on 5 August)*

*"I mean she's been understandable. I open myself up to her ... she's a magnificent lady, she knows everybody makes mistakes and nobody's perfect." (A 20-year-old male prison leaver, questionnaire completed on 14 July)*

*"It's been a telephone conversation every week which is good so it's been fine really because it avoids me going down there. It's only for a couple of minutes, which is fine, but they have been quite helpful in the sense that you know she has referred me to an employment lady who helps with appointments, advice and stuff like that. So, she was quite helpful I must admit, which was quite nice." (A 35+ year-old female prison leaver, questionnaire completed on 9 November)*

<sup>31</sup> The Ministry of Justice offered an extra allowance of £80 to help prison leavers because of the pandemic, but this was only available to those released under new schemes. UK Parliament Written Question, UIN 54058, answered by Lucy Frazer MP on 12 June 2020. <https://questions-statements.parliament.uk/written-questions/detail/2020-06-03/54058>

## 2.8 Staff-prisoner relationships and fairness

### Relationships with staff

When the pandemic started and restrictions were initially introduced, participants generally understood and accepted that regime changes were needed to protect lives. However, frustrations grew as the period of lockdown extended over weeks and months.

**"It's not that we expect to carry on like nothing was happening, there was a deadly virus killing people ... It's just, restrictions lasted too long and any help to make it easier was just too slow. ... Some people got to the stage where they did not give a f\*\*\* anymore, dead or alive, to be honest. They could have brought some support earlier I reckon." (A 36-year-old male prison leaver, questionnaire completed on 2 August)**

**"It was like walking on the minefield, you let a caged animal out for 30 minutes and what do you expect. Even animals are not meant to be locked up so long." (A 26-year-old male prison leaver, questionnaire completed on 13 July)**

**"You would not expect cat D prisoners to kick off, but if you are stuck in a prison that has nothing to offer to you and you should not be there. It is not fair, is it?" (A 30-year-old male prison leaver, questionnaire completed on 7 September)**

Several participants thought that the lack of information about when restrictions would be eased contributed to people feeling both angry and helpless.

**"Locked up for over 23 hours in a sweatbox without any indication when would this end, drove me mad, it really did." (A 23-year-old male prison leaver, questionnaire completed on 3 July)**

**"He has no hope left that things will change anytime soon. I don't know either, and prison is not giving any certain answers. I know he will kick off. I feel that all other choices were taken away from us." (A 35+ year-old female family member, questionnaire completed on 23 July)**

**"We all were asking the same questions about when the restrictions will be lifted. I might have asked it at least a hundred times myself. That's all that really matters and that's all you really are focused on." (A 36-year-old male prison leaver, questionnaire completed on 2 July)**

**"Sometimes we used to sit back and be like 'what are they doing here that they don't know the answer to your question?' Some of them are really nice to have a chat with and they can just make it seem a bit better, but some of them are just there to do their job and just tell you no or put in an app (application form), that's the most you'd get out of them. You know apps take ages if you are lucky to get them at all. They should give more information to officers because we have no one else to ask." (A 35+ year-old female prison leaver, questionnaire completed on 13 November)**

Several respondents felt that tensions increased when restrictions were eased in the wider community, but there was no comparable reduction in the lockdown measures in prisons.<sup>32</sup>

**"Do you know when it hit us most? When we started asking questions about why my family could not visit me when people were going on holidays? They did not have answers ..." (A 26-year-old male prison leaver, questionnaire completed on 13 July)**

**"We all were scared in the beginning. I did not think I would make it. Of course, you miss your family, friends, but I was scared even to get out of the cell. Then things changed because things were changing outside." (A 21-year-old male prison leaver, questionnaire completed on 17 August)**

**"It was hard watching a different reality on TV, people visiting seaside and parks whilst we only had ten minutes out. But do you know what the hardest thing was? Living in the unknown. What will happen? Why? How? I wish somebody had made an attempt to explain, just to talk to us. Feeling powerless was killing." (A 32-year-old male prison leaver, questionnaire completed on 16 June)**

Staff-prisoner relations were tested for all the above reasons and many participants described increasing friction with staff as the lockdown continued.

**"There was a lot of built-up tension and testosterone because you're locked up for so long. Lots of tension. So ... if you ask an officer to do something and he's stalling for no good reason at all and you just see him in the office then you will get angry. Like 'what are you doing bruv in the office? You're just chilling in the office and I've asked you to make a phone call for me.' You know what I'm saying? So, when you come out you'll probably confront him..." (A 27-year-old male prison leaver, questionnaire completed on 12 August)**

<sup>32</sup> On 10 May 2020, the Prime Minister announced the start of a gradual relaxation of national lockdown measures. HMPPS set out its plan for reducing restrictions in prisons nearly a month later, on 2 June 2020. The HMPPS plan stressed that "progress will be slow and incremental and restrictions may need to be re-imposed in the event of local outbreaks." From July onwards, local lockdowns were enforced across the UK and the restrictions which accompanied these lockdowns also applied to prisons located in these areas. HM Prison and Probation Service, Covid-19: National Framework for Prison Regimes and Services, June 2020, page 2. [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/889689/prisons-national-framework.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/889689/prisons-national-framework.pdf)

## 2.8 Staff-prisoner relationships and fairness *(continued)*

"... rather than officers being supportive, they were a lot nastier ... and not just to members of minority groups, they were horrid to everyone. Giving you nickings for little, tiny things. 'you were too long on the phone, three minutes longer on the phone than you should have been'." (A 35+ year-old male prison leaver, questionnaire completed on 9 November)

"You could see that officers were frustrated themselves, maybe some were dealing with their own anxieties and fears and did not want to be there. Of course, it does not make it right to take it out on prisoners, what I am saying is that I can understand why they would behave like this." (A 26-year-old male prison leaver, questionnaire completed on 3 August)

These tensions did sometimes spill over into violence. Eight participants reported that force was used by prison officers against them or their loved ones during the pandemic.

"Prison was at a point where there was so much tension because even the staff knew that, you know, when they are keeping all these guys behind their doors, you know, it might kick off and there might even be a riot. It might be uncontrollable and that almost happened on one of the wings. When the boys were all out for exercise, they refused to come back in. So, it got a bit heavy handed with the officers and they ended up having to use their cosh on some of the inmates. So because of everything that was happening, everyone was just really uneasy, some guys ended up in seg (segregation unit)." (A 43-year-old male prison leaver, questionnaire completed on 15 August)

Staff shortages caused by the pandemic appear to have contributed to this situation as new staff were brought in who were unfamiliar with the prison/prisoners.<sup>33</sup>

"When we are on our wing, we have allocated prison officers that will be on particular shifts on that wing and won't work on other wings because that's how you maintain prisoner and officer relationships. Then we started to see the other officers coming from different wings, maybe different prisons, I don't know but we did not know them and they did not know us. They started talking to you in a different way, a lot of disrespect ... put a stand on us just to show you we're not messing around, we need this done, this and that. Some prisoners started taking that the wrong way, 'you don't even know us, why are you talking to us like this,

you're not even being reasonable now.' There was no relationship with these officers, a lot of people ended up getting bent up and restrained because an inmate would fully kick-off." (A 23-year-old male prison leaver, questionnaire completed on 29 June)

However, the majority of those respondents who said there was little change said this was because their relationships with staff were poor both before and during lockdown.

"If you are asking me if it changed to better or worse, I don't think it changed. They never liked me and I kind of got used to it." (A 23-year-old male prison leaver, questionnaire completed on 5 September)

"I personally don't interact with officers, unless I really have to, so the impact was not felt on me on a personal level." (A 27-year-old male prison leaver, questionnaire completed on 19 September)

While none of the respondents talked about improved relations with staff during the pandemic, some were positive about how they were treated.

"I'm really thankful to the staff and prisoners at (name), they made a separate room for my daughter and then the staff told me don't worry, your daughter is in safe hands and since then my daughter's getting everything she needs, she is ok and I'm ok." (A 35+ year-old female family member, questionnaire completed on 14 September)

"It also depends who you are and what's your reputation. Those who know you do not mind going an extra mile for you." (A 19-year-old male prison leaver, questionnaire completed on 7 September)

Fourteen prison leavers (23%) said that they had not noticed any change in staff-prisoner relationships during lockdown. Of these, some described having positive relationships, which they maintained during the pandemic, and others underlined how few opportunities there were to interact with prison officers.

"What relationship? We hardly saw anyone for even asking a question. Officers who treated me ok, continued to do so. For others, you never really mattered, pandemic or no pandemic." (A 34-year old male prison leaver, questionnaire completed on 14 August)

"Bad or good, it's just there was little interaction as we all were rushing around." (A 24-year old male prison leaver, questionnaire completed on 4 November)

<sup>33</sup> It should be noted that HMPPS made efforts to increase prison officer availability through the introduction of the "COVID-19 Special Payment Schemes" on 23 March. This allowed staff to earn up to an additional £1,292 over four weeks for working nine hours of weekly overtime." Davies et al., How fit were public services for coronavirus? Institute for Government, August 2020, page 56. <https://www.instituteforgovernment.org.uk/sites/default/files/publications/how-fit-public-services-coronavirus.pdf>

## 2.8 Staff-prisoner relationships and fairness (continued)

### Fair and equal treatment

Several participants described experiencing or witnessing incidents of racism and prejudicial treatment.

"... one of the officers that was in charge was ... talking about a black guy saying n\*\*\*\*\* and then because of that reason, when that spread, he got moved from that wing to another wing. But before that happened, he got assaulted and knocked out by another inmate, a black inmate, because of that racism, purely because of that racism." (A 31-year-old male prison leaver, questionnaire completed on 29 June)

"... (There's ) a couple of girls on my wing, when I was first there one of them quite blatantly in front of me said to me 'my dad has said to me don't ever talk to a paki'. There was a male officer walked past, he did not challenge it. To me that was awful, that's a swear word to me, the way she used it. What hurt more was the silence from someone who should have protected me." (A 35+ year-old female prison leaver, questionnaire completed on 1 September)

"... there is direct racism, if somebody is calling someone racial abuse for example, the n word or any other words, but apart from that there's a lot of subtle things that happen in the background that are racially motivated, but we don't really realise it. They go so unnoticed, under the carpet." (A 27-year-old male prison leaver, questionnaire completed on 5 August)

"I don't think it was a case of being treated fairly during lockdown - we are not treated fairly any other time, full stop. I think there's a lot of indirect racism and a lot of favoritism there. It's very hard to explain in that place. For example, I was one of the drivers, the main driver before two other girls came on the scene and you know, I did all the shifts first and suddenly when the other girls came on, I was like shunned, out the way. I was like given left over shifts and she was given priority. I don't know whether that's racism or it's favoritism, but definitely there's a difference in the way that they treat you. I never got my own room and I was there for almost a year. Other girls always jumped before me. Even the residents used to say to me 'how come you haven't still got your own room?'" (A 35+ year-old female prison leaver, questionnaire completed on 9 November)

"As a woman of colour, we have to work twice as hard ... it's like, we could say a word and a white woman could say the same word,

but ours would be taken negatively. It's just weird." (A 35+ year-old female prison leaver, questionnaire completed on 4 September)

Many participants thought that prison officers were not using their discretionary powers (e.g. around implementing social distancing rules or access to mobiles) in a consistent and equitable way.

"... (they weren't) people who would go against the rules and stuff because obviously you had a lot to lose in open prison, but what obviously rocked the boat a bit was when mobile phones came in and some people got what other people didn't. I think that caused a few issues. It wasn't like really bad to the point where officers had to use force, more of discussions, grievances and complaints. You were asking why others got it before you and stuff like this." (An 18-24 year-old female prison leaver, questionnaire completed on 24 August)

"Of course, they pick and choose when to tell you off. You see some guys chatting to staff, no two metres between them, but if you are talking to your friend at the same distance, you would get nicking. How is this fair?" (A 26-year-old male prison leaver, questionnaire completed on 14 July)

"What would happen is the boys who are on the servery would have someone called 'number one' and you would be in charge, he's an inmate, but he would be in charge of them. When he is not on, or he has chosen a day off, the officer would pick and choose who they allow out. Sometimes they chose non-servery workers." (A 24-year-old male prison leaver, questionnaire completed on 5 August)

"... we weren't getting information that we needed and we weren't being let out, to go for showers, exercise or anything. I don't think any of us were being treated fairly, but in some cases if your face fits the officers would go to that cell and talk to you ... making more of an effort. ... My face didn't fit, I'm telling you." (A 35+ year-old female prison leaver, questionnaire completed on 1 September)

"Yeah, it was easy to be 'forgotten' (when prisoners were being unlocked) or to be punished for asking too many questions." (A 25-year-old male prison leaver, questionnaire completed on 4 August)

"When two or more Travellers are on the exercise yard the officers come over and tell them to move and why are you congregating. Everyone else is doing the same, but they are not being told to move on, only the travellers." (A 25-year-old male prison leaver, questionnaire completed on 7 September)

## 2.8 Staff-prisoner relationships and fairness *(continued)*

This issue was also raised in several of the submissions received from those still serving sentences, although one prisoner also spoke positively about how he was treated by staff.

**"I feel like I have been treated fairly and I have no complaints." (A 19-year-old male prisoner, submission received on 11 September)**

Inconsistent and unfair application of procedures was particularly noted in the allocation of jobs and in the granting of ROTL.

**"When the lockdown first happened, they said ROTL had stopped, but in emergencies they would still let you go out on special purpose license (SPL). When it got really bad for my dad, he had sepsis, he had pneumonia, he was in a really bad state in hospital, I got told by my special review worker, that if I went out now, and then god forbid something happened in a week's time, then I wouldn't be able to go out again. But then another girl, a bad situation happened with her family, she got back-to-back SPLs for a week straight, and was allowed out. So why was it kind of like one rule for one person and another rule for somebody else?" (An 18-24 year-old female prison leaver, questionnaire completed on 24 August)**

**"... lots of people of colour were not getting SPL for serious reasons like family death, when some white boys were getting them to go and insure their cars or check up on a loved one. Lots of BAME wasn't getting boarded on time even after months of waiting and so much other underhanded racial biases which are too many to name. To the untrained eye it might look like nothing, but to me being older and maybe a E&D (Equality and Diversity) rep. I see things a lot more different." (A 34-year-old male prison leaver, questionnaire completed on 8 October)**

**"... I've had ill family members, my mate's dad died whilst in (name of prison), but we don't get SPLs. They give it to white people to go paint houses and take wives to hospital which is not fair, but they make us live with it due to our colour." (A 32-year-old male prison leaver, questionnaire completed on 14 July)**

**"Because of my position as a rep and Listener, I saw, heard and witnessed a few things which I wasn't happy with. The last of the few good jobs available are going to people favoured by officers, a lot of the Travellers weren't too happy about the treatment and the underhanded comments they got to do with their background and stigma around their race." (A 34-year-old male prison leaver, questionnaire completed on 14 August)**

Some prison leavers also reported receiving discriminatory treatment from medical staff.

**"I felt like there was racism from the medical staff. ... the feeling is not the evidence ... but you know it, you know when you're being discriminated against. Other prisoners get attention for a twisted ankle and headaches and yet here's me doubled over in pain for three days, you've got me isolated in my room, so you know there's something going on, yet you don't want to put me in an ambulance and take me to the hospital." (A 35+ year-old male prison leaver, questionnaire completed on 4 September)**

**"I can't really say that I had any bad experiences with the healthcare, but I know my friends had really bad experiences with healthcare and quite a few of them have been Asian women as well as Black women. I don't know whether it's a race thing or just women in general or whether they just don't like you as a person, so they tend to pick on you. I don't know what it is." (A 35+ year-old female prison leaver, questionnaire completed on 9 November)**

Five participants mentioned being subjected to cell-searches during the lockdown and one specifically questioned the rationale for these searches.

**"No PPE, no social distancing applied. As many as 4-5 staff would invade the cell, breaching all Covid regulations and leaving prisoners vulnerable. What good reason there might be for this, with people not even coming out of their cells?" (A 35+ year-old female family member, questionnaire completed on 14 July)**

### Complaints System

Only one prison leaver told us that he used the discrimination incident reporting form during lockdown.

**"That was one of the main reasons I sent DIRFs (discrimination incident referral forms) - I saw people getting favouritism, some people getting their showers, some people even getting haircuts and because they had a haircut they had to shower. No one was meant to be having their haircut. They made that known on the electronic kiosk! But then when I wanted to go have a shower, even though it was my right to have a shower once a day, they were not giving. They started saying the rule about only having a shower once every two days, I was not agreeing with it. Hold up I'm Muslim, I need to shower." (A 25-year-old male prison leaver, questionnaire completed on 29 June)**

## 2.8 Staff-prisoner relationships and fairness *(continued)*

Several prison leavers said they were reluctant to submit a complaint as they believed they would suffer negative repercussions from doing so. At least one family member actively discouraged their loved one from making a complaint.

*"You get f\*\*\*\*d for it. The staff will team up, because they are family you know, and then you're on their radar. Let's make this difficult for her, let's lose that app, let's, you know, just give her a poke here and there. I had conflicts with this one officer where I worked and it got to the complaint situation and it got to her line manager and she reprimanded her for poor management and poor people skills. And then she was asked do you want to mediate like and the officer ... said no. And then she came back to work and gave me a hard time for the next six months. I'm volunteering every week to do the toilets and if I say no then that's a negative, refusing a direct order, volunteer is the magic word there (prison's name). People just stay quiet because you're taking a gang on ..."* (A 35+ year-old female prison leaver, questionnaire completed on 4 September)

*"He would not feel comfortable making a complaint because he feels if he is to make a complaint his time in there would be made difficult. For example, his paperwork might be processed slower. He has noticed this before and spoke to other people and they have noticed it is mainly other black males that are treated differently."* (A 35+ year-old female family member, questionnaire completed on 21 July)

*"The place is racist to black prisoners and Muslims, staff have no knowledge of Islam, people of colour, creating more isolation and concerns at their wellbeing. He constantly complained which had his cards marked ..."* (A 35+ year-old female family member, questionnaire completed on 23 July)

*"I'd be too scared to complain about anything in there, because, like I say, you could get inmates in there laughing and joking with the officers right, even using the bad language, and they wouldn't say anything, but all you had to do was ask him a sensible question and they'd say we haven't got time ..."* (A 35+ year-old female prison leaver, questionnaire completed on 1 September)

*"I feel that he will get into trouble. He is treated differently because he is outspoken and will stand up for his rights. He is quite a stocky person, as he works out regularly. I feel he is seen as trouble."* (A 47-year-old female family member, questionnaire completed on 3 July)

Some participants expressed the view that it was not worth challenging discriminatory and unfair treatment because nothing would change even if they did complain.<sup>34</sup>

*"I didn't complain, I just got on with things. In hindsight, maybe I should have done. I mean I knew it wasn't fair, the way we were treated, the way we got treated differently in the kitchen ... She (the head chef) used to give us the same demeaning jobs every single day. We never got promoted to do anything else. I used to think to myself I'm only here for a short time. Just get my head down and get on with things. This is not my life. I've got enough problems on the outside, I don't want to make things difficult for myself in here. But even when you complain nothing really seems to happen. I've seen other girls do it continuously and nothing ever comes of it."* (A 35+ year-old female prison leaver, questionnaire completed on 9 November)

*"I think he wouldn't bother making a complaint because there was one time, I wanted to make a complaint about a visit, and he was like there's no point. People were actually telling me not to make a complaint because things could be made worse for him in there ..."* (An 18-25 year-old female family member, questionnaire completed on 18 July)

One respondent noted that the Covid-19 restrictions meant that it was logistically difficult to make a complaint during lockdown.

*"I couldn't really make a complaint because I was behind my door and well I don't know where it would have gone and how to even make the complaint because you're stuck behind the cell door."* (A 32-year-old male prison leaver, questionnaire completed on 14 July)

<sup>34</sup> This assessment may have been influenced by previous negative experiences of the complaints procedure. For more information see: ZMT/PRT, Discrimination in prisons: Still not a fair response? April 2017 <https://thezmt.org/2017/04/19/tackling-discrimination-in-prison-still-not-a-fair-response/>

# 3. Conclusions

By 31 January 2021, 10,354 prisoners had contracted Covid-19 and 86 prisoners had died.<sup>35</sup>

Whilst every death in custody is a tragedy, these figures are much lower than those projected by Public Health England at the start for the crisis,<sup>36</sup> and indicate that the lockdown restrictions that were introduced across the prison estate in March 2020 were effective in stopping the sort of explosive outbreaks of Covid-19 that devastated many care homes across the UK. As one prisoner observed:

**"Covid in prisons is a potentially very dangerous situation. I understand why prisons reacted the way they did and do believe overall it was for the greater good." (A 51-year-old prisoner, submission received on 19 September)**

While the changes to the prison regime may have been successful in reducing the spread of Covid-19 and saving lives, they also had profound and long-lasting effects on ethnic minority prisoners and their families, with one participant describing them as a "double punishment".

Some of the key issues of concern that were raised by participants are highlighted below along with proposals for how the most negative impacts of the prison lockdown on prisoners could have been ameliorated.

## Not enough time out of cells

While recognising the logistical and resource challenges facing HMPPS, prisoners should have been given more time out of their cells. Most participants spent 23 hours or more confined to their cells, during which they had little or no other human contact.

All participants stated that this was extremely difficult to cope with and that it had a detrimental effect on their/their loved one's mental health.

Furthermore, because the time out of their cells was so limited (78% of participants spent just 30-45 minutes a day out of their cells in the first three months of lockdown), prisoners were often unable to complete basic tasks (e.g. showering, exercising, getting food, making phone calls, submitting applications, etc.). Consequently, even time out of cells could be stressful (e.g. queuing to make a phone call to a family member and then either not being able to make the call before lockup or only being able to talk for two minutes). Even when this regime was relaxed in some prisons in the summer, participants reported that their time out of cells still did not exceed 1.5 hours.

Positive initiatives to try and address the impact of lockdown were acknowledged by prisoners (e.g. the provision of extra phone credit, in-cell education packs, additional snacks, etc.). However, these did not compensate for being forced to spend virtually the whole day locked into their cells and participants felt strongly that the support that was offered was insufficient and was delivered too slowly. Respondents were particularly frustrated that lockdown restrictions were eased more quickly in the general community than in prisons.

## Inadequate communication

Seventy participants (80%) reported receiving insufficient information from HMPPS about Covid-19, the measures being taken and the impact this would have on them. Many prison leavers said that their principle sources of information about the coronavirus in the initial months of the lockdown were the television news and their own families.

<sup>35</sup> Ministry of Justice, HMPPS Covid-19 Official Statistics data to 31 January 2021, February 2021. [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/960361/HMPPS\\_COVID19\\_JAN21\\_Pub\\_Doc.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/960361/HMPPS_COVID19_JAN21_Pub_Doc.pdf)

<sup>36</sup> Dr. E. O'Moore, Briefing paper – interim assessment of impact of various population management strategies in prisons in response to COVID-19 pandemic in England, 24 April 2020. [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/882622/covid-19-population-management-strategy-prisons.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/882622/covid-19-population-management-strategy-prisons.pdf)

# Conclusions (continued)

Many of the communications failings that were reported (e.g. providing generic, inappropriate information that was inaccessible to those who could not read or speak English) could have been avoided or addressed more quickly if prisoners had been consulted on their information needs and how to best communicate with them.

Examples of positive communications work, which provided prisoners with regular updates, ensured information was relevant to each prison, and addressed prisoners' individual concerns, should have been standard practice across the prison estate. This would have helped to counter the spread of misinformation and anxiety amongst the prison population and fostered greater confidence in the authorities and compliance with the regulations.

HMPPS sought to mitigate the loss of face to face visits and facilitate communication between prisoners and their families in a variety of ways, including by providing access to extra phone credit, personal mobiles and video calls. However, despite these measures, more than half of the participants (55%) reported having significantly less contact with their loved ones during lockdown than before.

Increasing access to in-cell telephones would be an effective way of ensuring prisoners can retain contact with family and friends and also has the potential to resolve other issues that were raised by prisoners in this report (e.g. enabling better access to Listeners, probation officers, medical professionals, etc.).

## **Inconsistent implementation of the regulations**

Participants frequently reported that rules and privileges were not consistently applied during lockdown. Significant variations were described both within and between different prisons in relation to a range of issues, including: the application of rules on time out of cells, social distancing and wearing face masks, as well as access to jobs, ROTL, showers and mobile phones/video calls.

There also appeared to be considerable variations in relation to what was categorised as an 'urgent' or 'emergency' medical issue and this resulted in people with serious and potentially life threatening conditions not getting appropriate care when they needed it.

Discrepancies in how rules are interpreted and the inconsistent application of restrictions and privileges inevitably lead to prisoners feeling that they are not being treated fairly and results in frustration and tensions amongst the prison population.

## **Lack of provision to support prisoners' mental health**

All the main issues that participants raised in relation to lockdown also have a direct and significant impact on prisoners' mental health, both individually and cumulatively. These include: increased isolation in cells; reduced visits and contact with family and friends; the lack of opportunities to work, study or occupy oneself productively; fear of the disease; the lack of information and control; the undermining of rehabilitation and release goals; and the perception of rules not being consistently applied to everyone.

Consequently, the lockdown restrictions both caused and exacerbated mental health issues, with more than half of prison leavers (55%) reporting increased stress, anxiety or depression, two third of whom did not experience these feeling prior to the pandemic.

The number and severity of the mental health issues raised by participants is extremely concerning, including several who said they considered suicide or self-harming or witnessed incidents in which others did so.

None of the participants were aware of any specialist mental health services being delivered in the period under review and only nine prison leavers (15%) said they were aware that Listeners (prisoners trained by the Samaritans to provide support to other prisoners) were still operating during the lockdown.

# Conclusions (continued)

The introduction of welfare check did have a positive impact in some prisons and several participants described how the support of individual members of staff made a huge difference to them and/or their loved ones.

HMPPS could have facilitated more peer to peer support for prisoners, including through the Listeners scheme. In addition, it should have ensured that access to specialist mental health services was continued and enhanced during lockdown, so that those in need of professional help could receive it. More supportive engagement by staff (e.g. checking up on and talking to prisoners more regularly) could also have mediated some of the harms caused by the Covid-19 restrictions and improved prisoners' wellbeing.<sup>37</sup>

It is very likely that the mental health impact of the lockdown measures will be long-term. HM Inspectorate of Prisons reviewed conditions in 20 prisons between the end of August 2020 and early January 2021 and found that 40% of prisoners in 18 out of 20 prisons reported mental health problems. In eight of these prisons more than 60% of prisoners reported mental health issues.<sup>38</sup>

## Structural issues: resourcing and inequalities across the prison estate

Covid-19 has stress tested the prison system and highlighted areas of structural underinvestment, which have contributed to overcrowding, inadequate infrastructure and insufficient staffing.

Overcrowding particularly threatens prisons' ability to function safely and effectively and this has been underlined during the pandemic. The prison population had only fallen by around 6,000 between 5 March 2020 and 5 March 2021<sup>39</sup> and this reduction is likely to be quickly reversed as the justice system works its way through the backlog of tens of thousands of cases awaiting trial and the Government's tougher sentencing policies come into effect.<sup>40</sup>

There is an opportunity to 'build back better' from the pandemic. For example, by ensuring that there is sufficient capacity to achieve single occupancy cell accommodation across the prison estate; by improving technical infrastructure (only 60% of prisons have in-cell telephony as of 15 January 2021);<sup>41</sup> and by increasing support services which contribute to prisoners' rehabilitation.

Another underlying structural issue which has been brought back into focus by the pandemic is the unequal treatment of ethnic minority people in the prison system. For many years, prisoners from ethnic minority communities have consistently reported incidents of discriminatory treatment and more negative perceptions of the prison system than their white counterparts.<sup>42</sup>

Some participants also described experiencing or witnessing incidents of racism, prejudicial treatment and unfair use of discretionary powers during lockdown. In this respect, ethnic minority prisoners' experiences during the pandemic may have reinforced, or even extenuated, existing feelings that the prison system does not treat them fairly or equally.

<sup>37</sup> While outside the scope of this report, prison staff were also working in extremely difficult circumstances and they too should have been provided with additional support to safeguard their health and wellbeing and to help them to do their jobs to the best of their abilities.

<sup>38</sup> This information is compiled from a review of the 20 HMIP inspection reports published between 1 September 2020 and 31 January 2021. All the reports are available at: <https://www.justiceinspectorates.gov.uk/hmiprisoners/inspections/>

<sup>39</sup> Ministry of Justice and HM Prison and Probation Service, Prison Population Figures: 2021, March 2021. <https://www.gov.uk/government/statistics/prison-population-figures-2021>

<sup>40</sup> As outlined in the Ministry of Justice White Paper, A Smarter Approach to Sentencing, September 2020. [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/918187/a-smarter-approach-to-sentencing.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/918187/a-smarter-approach-to-sentencing.pdf)

<sup>41</sup> Information obtained through a Freedom of Information Request by the Zahid Mubarek Trust, January 2021.

<sup>42</sup> This is clearly reflected in HMIP prisoner surveys, see for example the Chief Inspector of Prisons for England and Wales, Annual Report 2019-20, October 2020, page 116. [https://www.justiceinspectorates.gov.uk/hmiprisoners/wp-content/uploads/sites/4/2020/10/HMI-Prisons\\_Annual-Report-and-Accounts-2019-20-WEB.pdf](https://www.justiceinspectorates.gov.uk/hmiprisoners/wp-content/uploads/sites/4/2020/10/HMI-Prisons_Annual-Report-and-Accounts-2019-20-WEB.pdf)

# Conclusions (continued)

For example, while numerous participants highlighted instances of inconsistent or discriminatory treatment, only one was prepared to use the complaints procedure to challenge this. Almost all of those who decided not to submit a complaint said this was because they believed making a complaint would not make any difference and/or that they would suffer prejudicial treatment from staff if they did so.

These concerns may be based on previous experiences of the complaints procedure. For example, an analysis of 610 DIRFs (discrimination incident reporting forms) carried out in 2017 found that when staff submitted a complaint against a prisoner this was fully upheld 76% of the time (121 cases), but when a prisoner made a complaint against a member of staff it was only fully upheld 1% of the time (4 cases).

Furthermore, nearly a quarter of the complaints submitted by prison officers were defensive, in that the staff member used the DIRF to dispute an allegation of discrimination made by a prisoner. A fifth of these defensive DIRFs led to sanctions being taken against the prisoner.<sup>43</sup>

Equality meetings and other strategic equality work which might have helped address these issues were suspended in many prisons during the first six months of the pandemic.

For example, HM Inspectorate of Prisons found that out of 20 prisons inspected between August and December 2020, seven (35%) did not hold equality meetings or carry out any strategic equality work between the start of lockdown and September 2020. A further five (20%) only started some equalities work in the summer of 2020.<sup>44</sup>

Ensuring that all prisoners are treated consistently and equally is imperative for addressing issues of mistrust and building the legitimacy of the prison regime.

It is also key to ongoing work to eradicate Covid-19 in prisons, including the vaccination programme, and in ensuring that the prison estate operates effectively and efficiently in the long term.

The equalities agenda is a pivotal mechanism for achieving these goals, but it was not generally seen as a priority during pandemic and it does not currently feature as a key component of recovery planning for the prison service. It is particularly important that proactive steps are taken to address the inequalities facing ethnic minority prisoners, who make up more than a quarter of the prison population and whose confidence in the system is lowest.

<sup>43</sup> Zahid Mubarek Trust/Prison Reform Trust, *Discrimination in prisons: Still not a fair response?* April 2017. <https://thezmt.org/2017/04/19/tackling-discrimination-in-prison-still-not-a-fair-response/>

<sup>44</sup> This information is compiled from a review of the 20 HMIP inspection reports published between 1 September 2020 and 31 January 2021. All the reports are available at: <https://www.justiceinspectors.gov.uk/hmiprison/inspections/>

## 4. Recommendations

In view of the above, the Zahid Mubarek Trust makes the following recommendations in relation to how HMPPS can reduce the negative consequences of the current lockdown restrictions in relation to ethnic minority prisoners and their families and how it should approach any similar emergency in the future.

### Lockdown measures

- All prisoners should be provided with longer and better quality time out of their cells every day.
- Newly arrived, symptomatic and shielding prisoners should not be held in conditions that amount to solitary confinement and wherever possible should have access to the same facilities and opportunities as other prisoners (e.g. to shower, exercise, access support, etc.).
- There should be more regular and meaningful engagement with individual prisoners to ensure their wellbeing (e.g. through welfare checks; by encouraging prisoners with specific needs to raise them and ensuring they are responded to; etc.).
- Counterbalancing measures to compensate prisoners for loss of time out of cells, family visits and ROTL should be brought in immediately and should seek to meet prisoners' individual and cultural needs (e.g. making more effective use of temporary release schemes; allowing phone credits to be swapped for credit at the canteen, if requested; giving greater access to compassionate video calls based on a broader understanding of the criteria that underpins the term 'compassionate'; etc.).
- Additional targeted support needs to be provided to groups of prisoners who are particularly affected by the lockdown provisions (e.g. new arrivals, those in custody for the first time, young people who are transiting into adult prisons and others with additional support needs).

- Restrictions in prisons should be eased in line with the lifting of regulations in the wider community, unless there are specific circumstances in individual prisons which prevent this (e.g. a significant outbreak of Covid-19 infections).
- Consideration should be given to classing prisoner representatives and "listeners" as keyworkers as they provide essential support to prisoners.
- Access to chaplaincy/family support services should be made more available and accessible to prisoners.

### Communication

- Information relating to Covid-19 and the measures being taken to address it should be provided regularly and in a timely, transparent and accessible way, both to prisoners and their families.
- There should be regular updates which focus on the implications for individual prisons and provide opportunities for prisoners to raise specific concerns (e.g. question and answer sessions), with access to the governor where possible.
- Prisoner input should be sought during the development and implementation of each prison's communications plan.
- The roll out of digital technologies in prisons should be accelerated to ensure that all prisoners have in-cell telephones and that there is frequent access to good quality video call facilities. Video calls should be available at times that enable more families to take part (e.g. evening and weekend) and consideration should be given as to how to include families who do not have access to video calling equipment.

# Recommendations

(continued)

## Physical and mental healthcare

- Key items for preventing the spread of the coronavirus, including masks, antibacterial gel and soap, should be freely accessible to all prisoners. Prisoners should also be able to shower every day.
- All prisoners must continue to receive urgent or immediate necessary healthcare and their medication for pre-existing conditions. Staff need to facilitate access to this healthcare and be clear on what types of symptoms or conditions should be considered as requiring urgent or immediately necessary treatment.
- Access to mental health support, including specialist mental health services and peer to peer support initiatives, should be maintained and enhanced throughout lockdown. All those involved in delivering these services should be considered essential workers.
- A long-term programme of support should be developed and put in place to mitigate the effects the prolonged lockdown has had on the mental health of prisoners and their families.
- In cell activity packs should take account of the needs of those prisoners with literacy and numeracy support needs.

## Fair and equal treatment

- There should be more consistent application of the rules to stop the spread of Covid-19 (e.g. on social distancing, wearing of masks, etc.) amongst both staff and prisoners.
- There must be fair and consistent application of rules and access to privileges for all prisoners, both within and between prisons (e.g. access to time out of cells, showers, work, ROTL, etc.). This should be recorded and monitored.

- Equality meetings and strategic equalities work, including regular and meaningful engagement with prisoners from the protected characteristic groups, should be maintained during lockdown and beyond.

## Release planning

- Preparation for release during lockdown restrictions should include assessments of accommodation and family and social support needs. Prisoners should also have a clear understanding of the community restrictions in place upon release.
- Prisoners should be given an opportunity to have regular and meaningful input into their release planning process.

## Structural issues highlighted by the pandemic

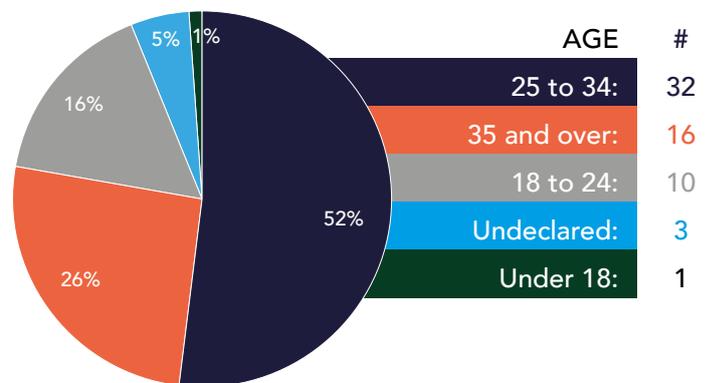
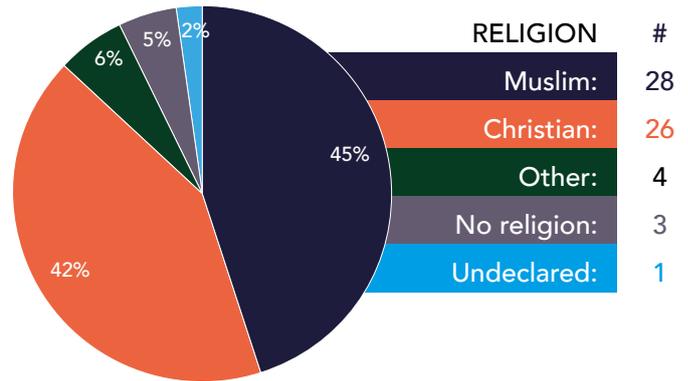
- Overcrowding across the prison estate needs to be urgently addressed, including by ensuring there is sufficient capacity for single occupancy cell accommodation across the prison estate where requested.
- Equality impact assessments should be conducted and published which assess the impact of Covid-19 on equality outcomes for prisoners.
- Action plans need to be implemented to address long-standing inequality issues in prisons, including the poorer perceptions ethnic minority prisoners have in comparison to white counterparts regarding their treatment in areas such as relationships, complaints, behaviour management and healthcare.
- Access to Discrimination Incident Reporting Forms (DIRFs) and the quality of the complaints investigation process needs to be improved, including through a robust and ongoing independent scrutiny process.

# Appendix

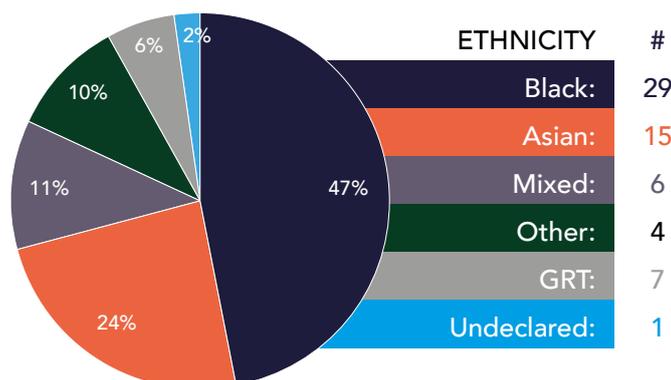
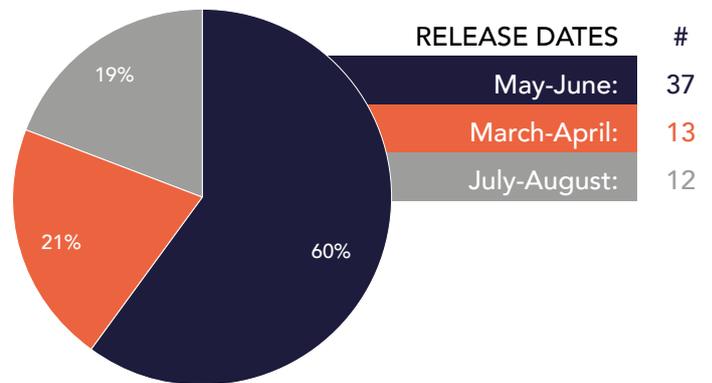
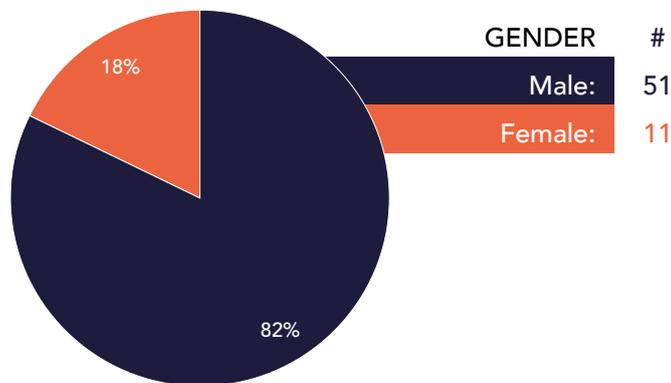
## Details of those who responded to the questionnaire

The questionnaire was designed by the project team in partnership with an advisory group consisting of criminologists, practitioners and those with lived experience of the criminal justice system.

BAME participants were asked to share their experience of the impact Covid-19 had on prison system and on their lives during the period between 23 March and 31 August 2020. A total of 87 individuals completed the questionnaire of whom 62 (71%) were prison leavers and 25 (29%) were family members. Further details about the profile of the 87 participants are outlined below.



## Prison leavers (62 completed questionnaires)



# Appendix (continued)

## Family members (25 completed questionnaires)

