

EMBARGOED UNTIL 00.01 ON MONDAY 1 JUNE 2020

“Keep talking, stay safe”

A rapid review of prisoners’ experience under Covid-19

The Independent Advisory Panel on Deaths in Custody (IAP) has today published an unusual report giving a unique insight into the experiences of those detained in prisons during the Covid-19 crisis. Drawing on radio messages from over 200 prisoners across 55 prisons, almost half the prison estate, the IAP presents voices, usually unheard, and views, usually unsought, of people in prison in unprecedented times. What is helping them to keep safe? What is making a bad situation worse? Our focus is on active steps to protect life.

Launching the review today, Juliet Lyon CBE, Chair of the Independent Advisory Panel on Deaths in Custody, said:

‘For people in custody during the pandemic, this is prison within a prison. A time of increased isolation and dependence, mitigated for some people by good communication, sound relationships with staff, routines and small acts of kindness. Blighted for others by bereavement, bleak conditions, uncertainty, fear, raised expectations and dashed hopes.

From a predicted worse case of 2,500 deaths to the tragic deaths as of 22 prisoners and nine prison officers, it’s evident that the prison service has done so much to protect lives. Risks remain. The virus is still spreading through prisons and the numbers of staff and prisoners testing positive increasing daily. Staff in overcrowded local prisons are still struggling to gain and maintain the headroom, physical space and time they need, to keep people safe. As plans are made for a necessarily slow and painstaking recovery, it’s important to take account of the voices and views of people now held in extremes of imprisonment, unsustainable over time.’

Stemming from the review, the IAP sets out recommendations on clear and honest communication; staff support and supervision; cleanliness and decency; mental health, wellbeing and care for the most vulnerable; and family contact and bereavement counselling.

Some of the radio messages were alarming:

‘Just to say in case anything happens. I’ve reported feeling feverish, my head is boiling but I’m cold. I’ve got cold air sensation in my nostril, I’ve got aches up my spine into my neck and skull. I reported this to an SO at 11:45AM, asked to see a nurse, also reported at 6pm, no healthcare come to see me. I’m breathless. Leaving this message just in case something happens.

Others heartfelt:

‘Letting you know what’s happening at 6:39 this morning. I’d like to thank the NHS for everything they’ve done. It was really moving last night, everyone was banging on the doors and the windows. We do realise what they’ve done. Coming in to give us medicine and methadone. I always say thank you to them in the morning. I do realise most staff are doing an awesome job, thank you for everyone for what they’ve done. People think we’re scumbags but we’re not. We are humans who have families so we do appreciate the NHS. Hope everyone is ok, my family is ok, everyone get through this.’

The title of the briefing – “*Keep talking, stay safe*” – is taken from one of the messages received and sums up the importance of providing clear, accurate and honest communication at a time of fear, risk and ambiguity.

Confusion has been noticeably increased by high profile Government announcements which led people to believe that thousands of prisoners would be released early. On 23rd March the Prisons Minister announced that pregnant women and mothers and babies, as well as medically vulnerable people who met requirements for shielding, would be considered for temporary release. Since then just 22 of the 70 women thought to be eligible and seven of the up to 1,500 most vulnerable people have been released.

On 4th April the Lord Chancellor announced the End of Custody Temporary Release scheme (ECTR) to create the headroom needed in overcrowded establishments on medical scientific advice to operate a compartmentalisation strategy. This would mean that new arrivals could be put in quarantine, people with the virus could be isolated and those most vulnerable could be safely shielded. As of 26 May of the 4,000 people who were at first thought to be eligible, just 79 had been released. Eligibility criteria and the convoluted process of early release are mired in complexity and risk aversion. The schemes are hard to understand, difficult to explain and close to impossible to deliver, even for a disciplined service like the prison service.

'Everyone's frustrated. We're behind these doors, we don't know what's going on. We've stopped having updates now. I used to get updates every 2 days or so explaining what's going to happen. We're just frustrated because we don't know anything.'

'...no sign of early release, no staff have any clue if it's even true but it's on the news. Prisoners feel like they're sentenced to [a] death sentence if it spreads and it's on several wings.'

Prisoners' messages revealed a high degree of respect and appreciation for staff. Lessons must be learned from the few positive developments during this period. In particular, the IAP encourages the prison service to maintain safer custody and build on the keyworker scheme to ensure prisoners continue to have trusted people they can turn to.

'...it doesn't get recognised within the community. I clap on a Thursday for the NHS but also for us prisoners too, governors, healthcare staff, everybody that's working to help us prisoners get through this by being patient. So just listen out, staff that's around on a Thursday night, listen to the claps, keep up the good work, big respect to you keyworkers coming in to make sure we are safe and being away from loved ones. Be safe and thank you.'

'It's mad. It's mad what's going on in the world. They've got families, they're so compassionate to us. I just wanted to say a big thank you from all of the boys to the staff.'

'I'd like to thank all the staff, chaplaincy, Junction 42 and healthcare especially xxxx off houseblock 7 for bravely coming to work when he's not long had a child of his own, showing amazing support. God bless the prison service, thanks.'

'I'd just like to say thanks to all the staff and all the medical staff for coming in and looking after us. They're coming in, they've got their own families, they've got no protection, they don't have to do it but they do.'

'Massive respect for all of them, I dunno why they do what they do, I just hope they get something back from the work they're doing. It takes a strong type of person to do what

they're doing. Beacons of light in the darkness for many people in prison. I just hope they get something liberating from their work. They're brilliant people, massive massive respect'

During these unprecedented times, and when independent monitoring is much reduced, it is more important than ever to hear about, and to learn from, the experiences of those in custody. Prisoners are keenly aware of risks of spreading the virus through an absence of PPE and difficulties in complying with social distancing. They must be adequately protected:

'I spoke to a new prisoner who has been on the same wing as the prisoners in isolation. Corona takes two weeks to show up so leaving them in isolation for two weeks with prisoners with the infection. People are in isolation but the same staff rotate round the whole prison touching everyone's handles, buzzers, paperwork, door - fast way to kill all the prisoners.'

'Staff not taking precautions to minimize the spread, crowding inmates, for example not wearing gloves, doing cell checks with two or more officers while prisoners are in the cells which is against the two metre rules. You get 15 mins a day out the cells, not able to use the kiosk to top up (phone) credit. They're not cleaning the wings with the proper stuff, cleaners aren't allowed in to clean regularly.'

'I want to know why prison officers aren't wearing gloves, face masks and protection gear? How can we practice safeguarding/safe distancing if we are being put in the shower with four men and locked in there, only an arms distance away?'

'Things are bad in here, we have no toilet roll, no hand sanitiser, we've been locked down 23 hours. They're given us frozen food, frozen sandwiches been in the freezer for months.'

Severely restricted regimes are having a negative impact on many prisoners' mental health and wellbeing. Ministers must take this into account as attention turns to the next phase of the virus.

'I'm sure there is a lot of prisoners suffering from severe anxiety, isolating in their cells not knowing when they're going to be unlocked.'

For some people there was a strong sense of all being in this together:

'We need to stand shoulder to shoulder and show this virus that it's not welcome in our world.'

Others felt very differently:

'The governor says that we're working as a community, that's not right at all. We're not getting listened to at all. When we try to raise our opinions, the staff aren't listening, they just avoid us or tell us to shut up. When people are needing to see the nurse we're not getting seen to. There's a lot of people in here struggling with their mental health, staff aren't listening. What's it going to take? For people to start committing suicide, to start self-harming, it's absolutely disgraceful. They say we can go out for 20 minutes exercise and even when we keep distances, we still get officers shouting at us to move more about...a lot of people's mental health is declining and something needs to be done sooner rather than later.'

Many vulnerable people spoke highly of the support and help they were getting:

'But for these people on D wing the staff are like - they know my heads fallen off so many times. I've tried to kill myself. I've tried to do so many crazy things to myself and I just

appreciate the way the staff just keep picking me up. Just keep bringing me back and keeping me focused.'

Family contact mattered to many and in mobile phones and additional handsets had made a big difference. For some it was still a struggle to stay in touch with loved ones:

'This has taken me 5 days to get a phone to phone family and friends, they wouldn't let me out to use the phone. I want to tell people what we're going through.'

Many people were grieving:

'Please try play less news things to panic us and more friendly music. Lots of lockdown because no staff as they're off due to corona. Please play this song because it means a lot, I've lost a lot of family members.'

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Notes

1. As of 27 May, 452 prisoners across 77 prisons and 897 prison staff across 105 prisons have tested positive for Covid-19.
2. The role of the Independent Advisory Panel (IAP), a non-departmental public body, is to provide independent advice and expertise to Ministers, senior officials and the Ministerial Board on Deaths in Custody. It assists Ministers to meet their human rights obligations to protect life. The IAP's aim is to bring about a continuing and sustained reduction in the number and rate of deaths in all forms of state custody in England and Wales.
3. The Covid-19 Information Hub and further information on the IAP can be found on its website: <https://www.iapondeathsincustody.org/>
4. A partnership with National Prison Radio (NPR) enabled the IAP to review 223 phone messages recorded and received between 18 March and 5 May 2020 All Prison Radio messages that relate to experience of imprisonment during the pandemic have been forwarded to the IAP. They have been anonymised and selected by NPR transcribers. Where safety concerns have been raised NPR has taken action and notified officials under its safeguarding policy.
5. Based on this review, the IAP makes the following ten recommendations:
 - **Ensure that people are given clear, accurate and up to date information in accessible forms that all prisoners understand, and that this is ongoing.** A consistent approach should be taken and commitments given, whether by Ministers or prison officers, should be honoured. If any changes need to be made, they should be accompanied by clear explanations.
 - **Streamline and expedite the early release scheme to create the headroom needed to take active steps to protect life.** Given numbers of medically vulnerable people who need to be shielded, overhaul the process of release on compassionate grounds and review and halt the misuse of prison custody as a place of safety.

- **Build on the success of the keyworker scheme to keep people safe.** Maintain prisoner and keyworker ratios of 6:1 and preserve time for one-to-one meetings. Prisoners need key people who they can turn to and trust. Staff need to know their prisoners. Good professional relationships and mutual respect between staff and prisoners protects lives.
- **Improve support systems for staff, introduce regular, professional supervision and properly embed the lessons learned from independent scrutiny.** An effective complaints system, investigation and disciplinary process must remain in place. Together this would reinforce positive approaches, call into question negative attitudes and deal with poor or abusive treatment.
- **Protect prisoners and staff.** Ensure that there is a proper supply of PPE for prison staff, environments are clean and that prisoners are supplied with PPE during essential work, hospital visits etc. Improve hygiene with sufficient cleaning materials to keep cells and wings clean, and soap/hand sanitiser for prisoners.
- **Meet basic needs**, including: exercise and time in the fresh air; nutritious food; clean clothes and a range of in-cell activities to accommodate differing abilities, in a consistent manner across the prison estate.
- **Increase prisoner engagement and peer support.** People want to be listened to and involved. Work with the Samaritans to expand the Listener scheme, use innovative means of communication and establish Listeners as essential workers in all establishments.
- **Maintain safer custody as a priority, respond to mental health and wellbeing needs and support people who are particularly vulnerable** (such as those with autism and/or learning disabilities/difficulties, people who are mentally ill and those with dementia).
- **Improve family contact.** Extend scope and credit for phone, video and email with family and friends and official prison visitors. Ensure family helplines are working properly across the prison estate.
- **Introduce bereavement support and counselling for prisoners and staff.** Loved ones have died through Covid-19. Untimely loss and bereavement already characterises the lives of many people in prison.