



Covid19 inside

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Ministers Were Warned 3,500 Could Die Of Coronavirus In Prisons

Justice secretary Robert Buckland did not publish the guidance, instead waiting for a much lower estimate of 100 nearly a month later.



By Rachel Wearmouth

80,000 prisoners condemned to overcrowding or solitary confinement for up to a year

Howard League for Penal Reform

- England and Wales, since 1866
- Less crime, safer communities, fewer people in prison
- Policy, research, direct legal work for young people (confidential helpline)
- Membership organisation: no government funding



Briefings and submissions

We are often consulted when policy-makers need expert advice. Read our briefings and submissions.



Crime, Justice and Social Harms

Howard League International Conference 2020 - Call for papers



Children in residential care

Children in children's homes are more likely to be criminalised than other children. Our programme looks into the reasons why, and explores how change could be achieved.



Legal advice

Our lawyers provide expert legal advice to anyone aged under 21 in prison.

Who are the children in prison today?

- There were concerns relating to suicide or self-harm (31%), physical health (30%), mental health (33%), learning disabilities or difficulties (32%) for around one third of children sent to custody between April 2014 and March 2016.

- Source: Ministry of Justice (2017) Key Characteristics of Admissions to Youth Custody April 2014 to March 2016. Available at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/585991/key-characteristics-of-admissions-april-2014-to-march-2016.pdf

- Around half the children in custody are Black, Asian and Minority Ethnic (BAME) (the proportion has doubled since 2007/08 when 26% of the child custody population was BAME, compared with 49% in 2018/19).

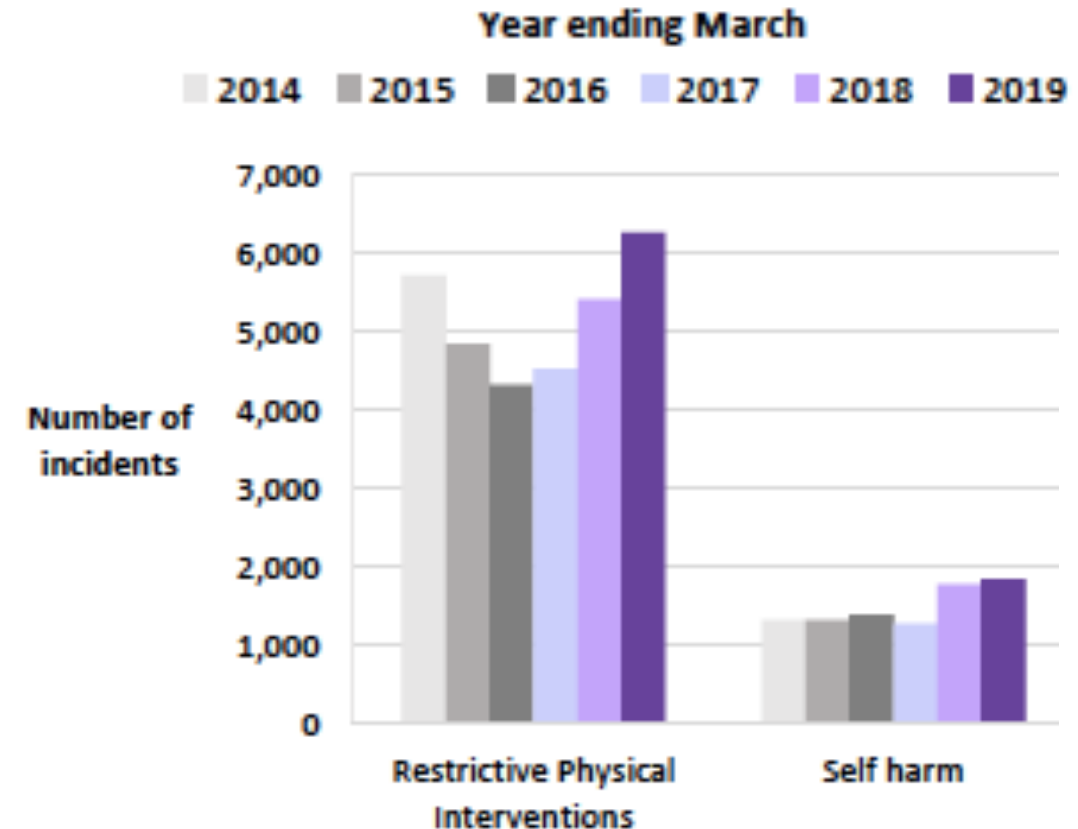
- Source: House of Commons Library Briefing: Youth Custody, 31 January 2020, p9 <https://researchbriefings.parliament.uk/ResearchBriefing/Summary/CBP-8557>

- Between a third and half of children in custody report having been in the care of their local authority for their own welfare prior to custody.

- Source: HMIP, Children in Custody 2017–18, 2019, pages 19, 29, https://www.justiceinspectorates.gov.uk/hmiprisoners/wp-content/uploads/sites/4/2019/01/6.5164_HMI_Children-in-Custody-2017-18_A4_v10_web.pdf

Children in prison today – at risk

- The number of children entering custody has decreased by two-thirds in the last decade
- The average length of sentence is increasing
- Self harm rates and restraints of children in prison are increasing
- 35 children have died in prison since 1990
- Over 1000 allegations of child sexual abuse between 2007 – 2016 (IICSA, 2019)



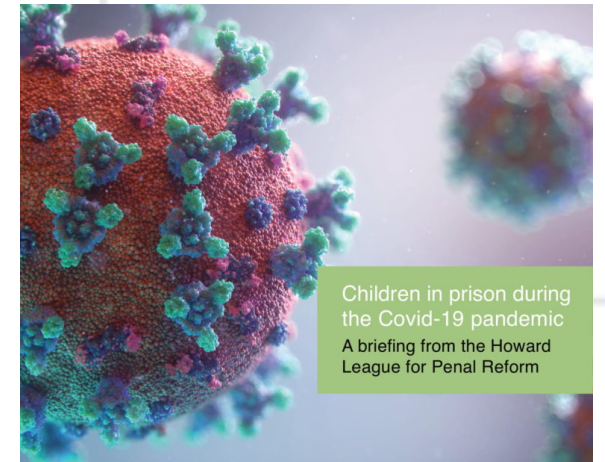
Life inside with Covid-19 - children

- *"I'm worried because I got grandparents – I'm worried about what will happen to them."*
- The regime in prisons has been severely restricted
- Most children in prolonged solitary confinement.
- No face to face visits, no face to face education in the majority of establishments and no therapy.
- Difficulties in accessing the support they need to plan for release.
- Safeguards reduced.

Report on short statutory visits to

Young offender institutions holding children

by HM Chief Inspector of Prisons



Howard League for Penal Reform

Key points

- The Howard League's legal work with children in custody provides an insight into the difficulties they face. The team operates a unique front-line legal service for young people aged 21 and under in custody.
- Evidence from a host of independent sources shows that custody can be harmful and difficult for children in ordinary times. Many children in prison report that they do not feel safe. Around half of all children in prison come from black, Asian and minority ethnic (BAME) backgrounds. Between a third and half of children in custody report having been in the care of their local authority.
- The Howard League's legal work and contact with children during the Covid-19 pandemic shows that this is a particularly difficult time for children in custody.
- In response to Covid-19, the regime in prisons has been severely restricted, with most children being placed in prolonged solitary confinement. There are no face to face visits, virtually no face to face education and no therapy. Children are experiencing particular difficulties in accessing the support they need to plan for release.

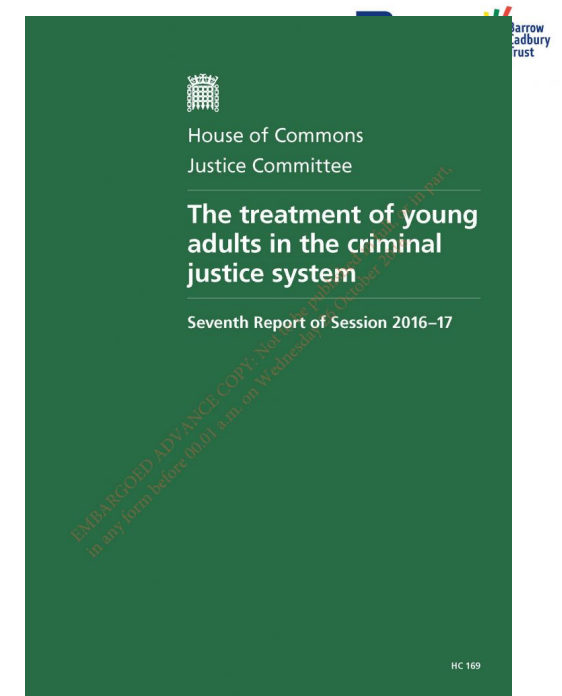
Life inside with Covid-19 – young adults

- Growing consensus- young adults in the criminal justice system have distinct characteristics and needs - still developing neurologically up to the age of 25 and have a high prevalence of atypical brain development.
- *They have not provided us with anything to wash hands, no cell cleaner.*
- *They are making everything 10 times worse. They get us up at 7.45 in the morning, but you don't sleep properly anyway, your 25 mins out of cell start from them shouting you awake, not when you get to the social room, it doesn't leave enough time for shower and to get outside. The day drags out.*



Judging Maturity

Exploring the role of maturity in the sentencing of young adults

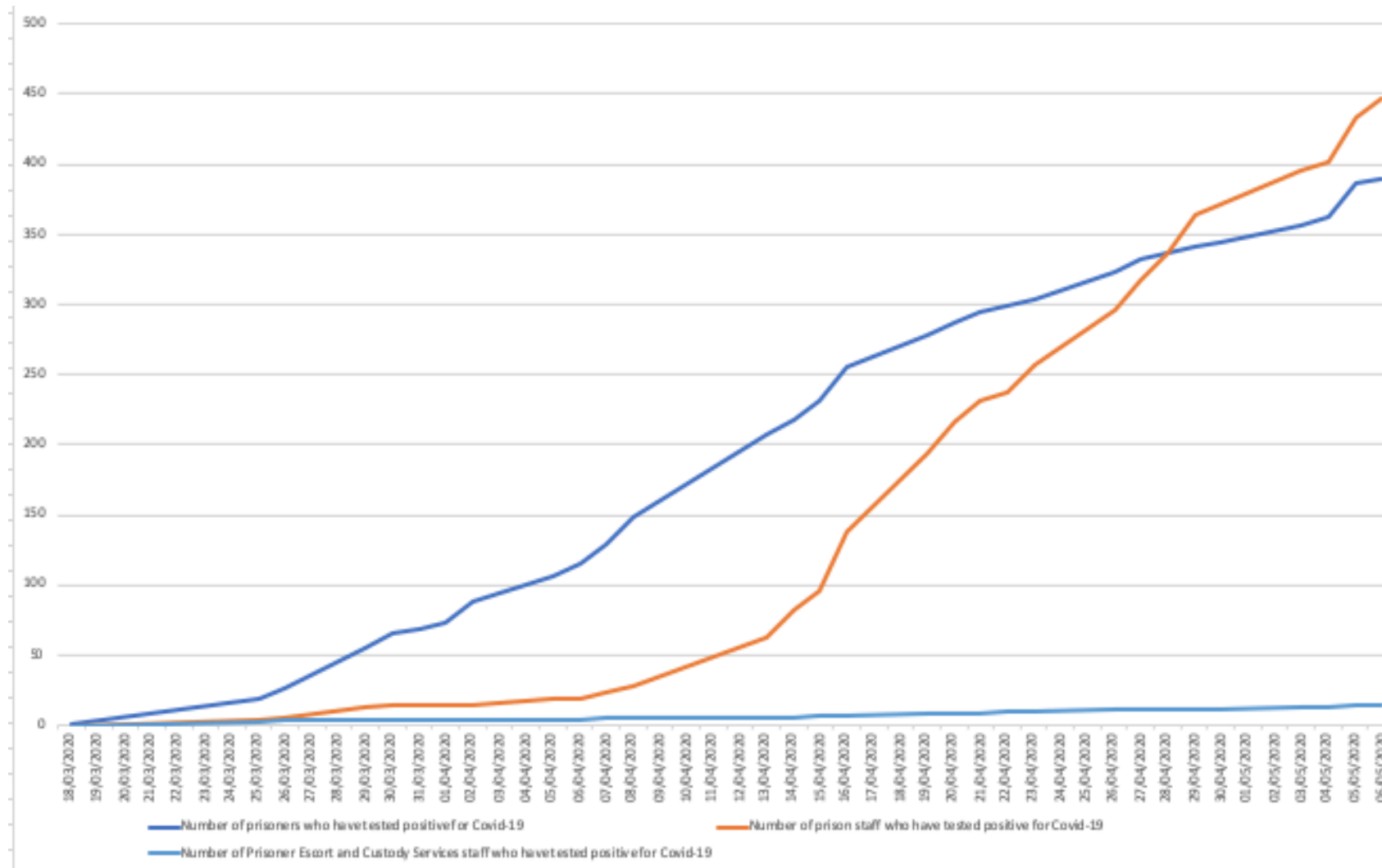


Life inside Covid-19 - adults

“The current conditions in prisons represent a factor which can properly be taken into account in deciding whether to suspend a sentence. In accordance with established principles, any court will take into account the likely impact of a custodial sentence upon an offender and, where appropriate, upon others as well. Judges and magistrates can, therefore, and in our judgment should, keep in mind that the impact of a custodial sentence is likely to be heavier during the current emergency than it would otherwise be. Those in custody are, for example, confined to their cells for much longer periods than would otherwise be the case –currently, 23 hours a day. They are unable to receive visits. Both they and their families are likely to be anxious about the risk of the transmission of Covid-19” (paragraph 41).)

R v Manning, 2020 EWCA Crim 592, Lord Chief Justice

Cumulative number of confirmed cases



What is the Howard League doing?

Home	Our campaigns	What you can do
Why the system is broken	What we have achieved	News & views

Our response to COVID-19 and prisons

- 7 May 2020
[Justice and fairness under Covid-19 restrictions briefing for the Justice Select Committee](#)
- 6 May 2020
[Letter to Rt Hon Robert Buckland QC MP, Lord Chancellor and Secretary of State for Justice on Covid19 and prisons: the next phase](#)
- 28 April 2020
[Letter and enclosures from the Government Legal Department](#)
- April 2020
[Children in prison during the Covid-19 pandemic: A briefing from the Howard League for Penal Reform](#)
- 29 April 2020
[COVID-19 letter before claim: Update from the Howard League for Penal Reform and the Prison Reform Trust](#)
- 28 April 2020
[Ending the detention of unsentenced children during the Covid-19 pandemic: A practitioner's guide by the Howard League and Garden Court Chambers](#)
This practical guide has been designed to support criminal practitioners to keep unsentenced children out of custody by resisting remands and seeking bail during the coronavirus pandemic.
- 17 April 2020
Judicial review: Howard League and Prison Reform Trust issue government with letter before action over its response to coronavirus in prisons
[Read our media statement](#)
[Read the letter before claim: pre-action protocol for judicial review](#)
- 16 April 2020
[Weekly briefing to the Justice Select Committee on Covid-19 and prisons in England and Wales](#)
- 8 April 2020
Media statement:
[Howard League and Prison Reform Trust urge ministers to move further and faster to protect prisoners, staff and public from coronavirus](#)

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Justice secretary faces legal action over coronavirus in prisons

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Prisons and probation

Prison reform bodies urge ministers not to ditch early release scheme

Documents reveal only fraction of inmates approved for early release have been freed

- Coronavirus - latest updates
- See all our coronavirus coverage



▲ On 27 April, ministers said that only 33 prisoners had been released - including pregnant prisoners and inmates in mother and baby units, meaning fewer than 20 had been freed under the temporary early release scheme.
Photograph: Antonio Olmos/The Observer

impact, making them "unlawful".