

CJA Tracker – updated and submitted to the Justice Select Committee on 5 June 2020

As of Friday 29 May 2020, 23 prisoners and 10 prison staff have lost their lives to Covid-19.

As of Wednesday 3 June 2020, 479 prisoners have tested positive across 79 prisons, along with 944 staff across 105 prisons and 26 prisoner escorts.

Reducing overcrowding and recovery planning

CJA Recommendation	RAG rating	Comments	Further action required
Pregnant women and new mothers should be released from prison.		<p>As of 12/05, 81 people had been released early from prison so far including:</p> <ul style="list-style-type: none"> - 55 under the early release scheme - 21 pregnant mothers and women - 5 under compassionate grounds <p>There were 16 self-inflicted deaths recorded in English and Welsh prisons since the lockdown conditions were introduced on 23 March – with five suicides having been recorded in just six days.</p>	<ul style="list-style-type: none"> • Plan and timescale to release remaining women and children as matter of urgency. • Clarity on the ethnicities of those women who have been released, and what action is being taken to protect BAME pregnant women who may be more at risk from COVID-19. • Clearer weekly demographic data on the number of people released early under the early release scheme as well as the number of infections and deaths in prisons related to COVID-19 and self-inflicted deaths.
Other vulnerable cohorts of prisoners who should also be considered for managed early release, following a risk assessment process, including older people and those with		<p>MoJ and HMPPS published guidance on temporary release and compassionate release in addition to COVID-19 population management strategy for prisons.</p> <p>As of May 2020, 29,000 prisoners in England and Wales were still sharing</p>	<ul style="list-style-type: none"> • Details about number of prisoners needing to be shielded due to age or underlying health conditions and a regular update on how many are sharing cells. • Review the compassionate release criteria for older and more vulnerable prisoners in light of COVID-19 and the risk to life of those who have serious ailment.

underlying health conditions.		cells including 20 percent of older prisoners. (Daily House of Commons Report , 18/05)	
People on remand should be offered legal advice and review hearings due to 'change of circumstances'.		Remote jury trials being explored as an option as well as implementing safe jury trials in existing court rooms. Arrangements being made to extend custody time limits for defendants held on remand.	<ul style="list-style-type: none"> • Clarity about numbers of people on remand that have had review hearings and number who have been released on bail or released due to sentencing decisions. • Clarity about access to legal advice for people on remand. Bail information services should be available in every prisons to help those on remand secure accommodation and support to support a bail application. • Clarity about the extent to which custody time limits are being breached.
People nearing the end of their sentences should be reviewed for Home Detention Curfew or Release on Temporary Licence with packages of support available for their release.		Revealed that 'almost 2,000 tags brought for Early Release Scheme remain unused'. MoJ announces funds for CRCs to support prison leavers with the cost of securing deposits for accommodation on release, available until the end of June 2020.	<ul style="list-style-type: none"> • Extend funding beyond June 2020 for organisations providing services and accommodation post-release.
Reducing the prison population would allow those remaining in custody to be managed in a way which would allow prisoners greater time out of cell and return to normal regimes.		New guidelines to allow children in custody to associate in groups of three or four HMPPS/MOJ publish guidance on COVID-19: National Framework for Prison Regimes and Services	<ul style="list-style-type: none"> • Review recovery plan with a particular focus on equality issues which have been exacerbated by Covid-19. For example, plans should also urgently address how this possible additional risk is being managed with BAME staff and prisoners. • Clearer plans must be published, as part of the Exceptional Delivery Models, which include actions to mitigate trauma and improve mental health and wellbeing.

			<ul style="list-style-type: none"> • Plans to train prison officers and provide resources on how to support people's mental well-being and support with issues like bereavement. • Details on a communication strategy including what information the MoJ will share publicly and with the voluntary sector. • Details on the Equality Impact Assessments in addition to plans include an Equality Analysis in the recovery framework for prisons.
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Reducing churn and new entrants

Reducing number of short sentences of less than six months for non-violent or non-sexual offences. A greater focus on suspended sentences, community sentences, tagging and out of court disposals.			<ul style="list-style-type: none"> • Details on the number of people remanded into custody or given a custodial sentence at this time as well as the index offence.
A presumption against recall for technical breaches to avoid unnecessary returns to custody where there is no additional risk to the public.			<ul style="list-style-type: none"> • Data should be published on the number of recalls and reason for recall during the lockdown period, and what action is being taken to reduce this number.
Reducing those being remanded into custody reminding of the need for 'anxious scrutiny' of applications for custodial remand. Court bail pilots should be urgently		New guidance from CPS advises prosecutors in England and Wales to consider alternatives to charging suspects in less serious criminal cases.	<ul style="list-style-type: none"> • Details on numbers of people who have been bailed into the community and analysis of cases where people remanded into custody. • Detailed plan for increasing bail accommodation. • Further guidance to Magistrates and District Judges reminding of need for anxious scrutiny.

expanded to other courts. Additional bail accommodation being sought, but no plan has yet been published.			
Restrict prison transfers.		Prison transfers continue but are limited to where there is a serious outbreak within an establishment such as HMP Wymott.	

Victims' services

Government should ensure victims' services, including domestic violence services; those working with children and young people in households with domestic abuse; and Women's Centres, are provided with emergency funding, so that they can adapt their services at this crucial time.		The Home Secretary announced an additional £2 million to support charities to further expand online and helpline services for those at risk of domestic abuse.	<ul style="list-style-type: none"> • Multi-agency approach to support people who are victims of domestic violence including children. • Funding for organisations working with victims of hate crime, which has increased during this period.
Specialist and frontline charities working with those with protected characteristics need to have emergency funding made available to them immediately to adapt and expand their services to meet current need.		<p>MoJ announced on 02/05 an additional £76m emergency funding for Support services for victims & survivors of domestic abuse & sexual violence.</p> <p>MoJ announced an additional £2.5m for community services that divert women away from crime.</p>	<ul style="list-style-type: none"> • Urgent plans needed for funding grassroots, specialist domestic violence and victim services for people with protected characteristics. • Currently Police and Crime Commissioners (PCCs) being asked to recommend charities to receive funds, who they have commissioned. These small but vital charities often not commissioned by PCCs but are effective at engaging different cohorts.

Frontline victim workers also need adequate access to PPE (Personal Protective Equipment) and testing.			<ul style="list-style-type: none"> Plans to provide PE and tests to frontline victim service workers.
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Technology

We would like to see phones provided to all prisoners, with the capability to call out and in, as safer custody lines are inundated with calls from concerned families. This would also assist prisoners obtaining legal advice and access to helplines.		<p>Process remains the same, phones have a number of pre-approved contacts including samaritans and other welfare and mental health organisations.</p> <p>Individuals can request additional numbers to be added subject to normal public protect checks. System is not configured to receive calls for both security and practical purposes.</p>	<ul style="list-style-type: none"> Plans to increase access to handsets across remainder of prisons. Details on number of prisoners with access to in cell telephony or handsets. Details on number of calls being received to Safer Custody Lines. Plans for in-cell phones to be reconfigured to have capability to call in as well as call out. Access to additional calls or phone credit.
In-cell technology for e-learning and access to video conferencing should be rolled out quickly to help wellbeing, family ties and planning for release.		<p>Support and guidance on a range of issues around keeping well have been developed for prisoners. These include a range of materials on education and wellbeing including Pact's Packets and resources from the Prisoners Learning Alliance.</p> <p>MoJ/HMPPS announce secure video calls to ten more prisons across England and Wales.</p>	<ul style="list-style-type: none"> Number of prisoners with access to in-cell technology and plans to increase access. Number of prisoners who have access to virtual family visits and plans to increase access, especially for them to contact children. Details of plan to roll out virtual visits, especially those with children, would help to alleviate some the stress and anxiety of people in prison and their families.

<p>The use of video conferencing should be used for all parole hearings, to avoid them being cancelled. Any already postponed hearings should be organised as soon as practicable.</p>		<p>Parole Board hearing being moved to virtual hearings.</p> <p>Victim personal statements are being read online (via Skype) to the parole panel.</p>	<ul style="list-style-type: none"> • Numbers of postponed parole hearings and plans to manage backlog. • Plans for the use of technology to support prisoners to complete offending behaviour programmes before they can apply for parole.
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Resettlement and probation

<p>There needs to be a guarantee of accommodation and both financial and practical support for all prison leavers at this time. Providing prison leavers with simple smart phones and increased discharge grants.</p>		<p>DWP have ensured that those release under the scheme are also eligible for means tested benefits including Universal Credit, Jobseekers' Allowance and Housing Benefit.</p> <p>Significant order of phones which have arrived. Phones allow unlimited calls/texts to UK mobile and landlines. Phones do not have an internet or camera facility and are pre-populated with key-works, local probation etc.</p> <p>Information packs being provided on release as well as HMPPS/MOJ working with Clinks to provide digitised and hardcopies of directory services information.</p>	<ul style="list-style-type: none"> • Analysis on time taken to access Universal Credit after release - plans to help ensure it can be applied for before release where possible. • Details about what else is being provided to all people leaving prison at this time to prepare them for COVID-19 world. • Details on why it was decided for phones given on release to not have access to internet especially since most services are operating virtually. • Details on additional support for foreign national people released from prison with no recourse to public funds at this time.
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		HMPPS publish 'Probation Roadmap to Recovery' guidance	
Those released from custody with a history of drug use are at a significantly higher risk of experiencing an opioid overdose. Opioid users could be given naloxone, bridging prescriptions, harm reduction materials and access to remote support services. Police should also be given access to naloxone.		The Advisory Council on Misuse of Drugs (ACMD) has advised the Home Office on COVID-19 emergency measures to enable the supply of controlled drugs such as methadone without a prescription.	<ul style="list-style-type: none"> • Details of specific plans to support prison leavers with a history of drug use including access to bridging prescriptions, harm reduction materials, remote support services, mobile phones to access online help and advice, naloxone. • More police to be trained and given access to naloxone. • Patients in the community who have been receiving controlled drugs as part of treatment will be able to receive this without prescription – clarity as to whether this extends to those being released from custody at this time who will not have a registered GP or be known to a local pharmacy.
Small grassroots charities and BAME-led organisations, should be able to access emergency funding to adapt their services to meet current needs.			<ul style="list-style-type: none"> • Details of funding for small, specialist and BAME-led organisations to support people coming out of prison at this time.
They should also be provided with sufficient PPE to enable some continuation of face to face work.			<ul style="list-style-type: none"> • Details of PPE provided for key workers including voluntary sector staff and plans for this as lock down restrictions are loosened.
More testing of prisoners and staff for COVID-19, including		As of 17/04, COVID-19 testing extended to the police, fire service, the judiciary and prison staff. Prisoners at eight prisons	<ul style="list-style-type: none"> • Clarity on categories of staff for testing and numbers being tested, including access to testing for non-

those leaving prison, would enable suitable support to be provided and reduce risks.		will be making hospital scrubs and face visors to help curb COVID-19.	<p>statutory key workers including those working for charities.</p> <ul style="list-style-type: none"> • Details of plans to test prison leavers on release.
Families providing accommodation for prison leaver relatives would benefit from food vouchers and access to remote restorative practitioner services to address any potential conflict or tension.			<ul style="list-style-type: none"> • Clarity on what support is being offered to families of people leaving prison who will be accommodating that individual, such as food vouchers and access to remote restorative services.
Funding should be provided to employ peer workers at all stages of the system, from prevention to prison leaving, to build trusting relationships and provide public health information and support.		Organisations such as User Voice said could access more individuals to offer peer support over the phone or online if they had contact details.	<ul style="list-style-type: none"> • Details of the role people with lived experience of the criminal justice system could play in prevention and prison leaving support and plans to fund organisations employing people with lived experience, to do this work.

Scrutiny and monitoring

<p>Full HM Inspections have been suspended, so other measures must be put into place to ensure some level of independent monitoring continues in custodial settings at this crucial time and are published publicly.</p>		<p>HMI Prisons published methodology and health and safety guidance for staff.</p> <p>HMI Prisons will be carrying out short one day inspections. Inspections have already taken place at three local prisons - Wandsworth, Elmley and Altcourse.</p> <p>Inspections found that symptomatic prisoners were locked in cells for up to two weeks without being allowed out to shower.</p>	<ul style="list-style-type: none"> • Greater detail on alternative measures being put in place to provide some way of monitoring of probation services - for example ways people on probation can raise complaints or concerns regarding their supervision at this time, especially as no community scrutiny mechanism. Or engaging organisations such as User Voice to get feedback from people in probation.
<p>Independent Monitoring Boards should continue to monitor on-site where possible and remote monitoring should be facilitated, for example prisoners should be able to use in-cell telephony to contact the IMB from their cells regarding complaints and prisons should provide relevant data and information.</p>		<p>As of 27/04 IMB's are piloting a freephone service which will enable 10,000 prisoners in 13 prisons to make complaints and requests to Boards during the COVID-19 pandemic. Members from IMBs will run the service which covers Wayland, Pentonville, Lewes, High Down, Berwyn, Woodhill, Eastwood Park, Bronzefield, Durham, Buckley Hall, Swinfen Hall, Onley and Elmley prisons.</p>	<ul style="list-style-type: none"> • We understand that the pilot will last 6 weeks, we would like to see this extended to the remaining prisons as soon as possible. • Clarity on ability of prisoners in prisons not participating in the pilot to raise complaints directly with IMB via phones. • Clarity on information prisons are providing to IMBs on issues such as testing rates and outcomes, segregation, hygiene, access to showers, phone calls, legal advice, in-cell distraction activities and exercise.
<p>Good practice identified by IMBs in prisons should be highlighted and shared.</p>			<ul style="list-style-type: none"> • Clarity on how good practice in responding to covid19 being identified by IMBS and others is being gathered and shared more widely with HMPPS and the sector.