

The Rt Hon Robert Buckland QC MP
Lord Chancellor and Secretary of State for Justice
Ministry of Justice
102 Petty France
London
SW1H 9AJ

13 November 2020

Dear Lord Chancellor,

COVID-19 and prisons: the next phase

Thank you for your full and helpful letter of 11 November. We are pleased to see so many of the lessons learned from the first phase of the pandemic in prisons being taken into account in managing this latest phase. We understand that the ability to deliver everything that you hope to achieve in terms of fuller regimes depends to a large degree on the availability of sufficient staff and the progress of the virus both in prisons and the wider community.

The one issue that your letter did not address was planning for the inevitable increase in prison numbers as the backlog in the courts begins to improve and the impact of higher police numbers is felt. You did not say what impact expediting the remand process and accelerating HDC considerations has had, nor how many of the proposed temporary additional cells are actually now in use. So while we are pleased that you are open to the possibility of restarting conditional early release, and considering how such a scheme could operate much more efficiently and simply than its predecessor, we do urge you not to wait until prison numbers start to climb again before taking action.

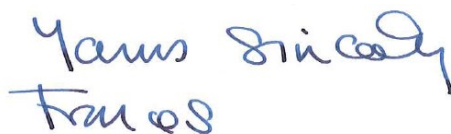
You will have noticed that the prisons that have been best able to maintain a humane and decent way of life during the pandemic have not been overcrowded and have had single cell accommodation for most of the people they hold. The greatest challenges have arisen in overcrowded locals, and of course it is there that the inevitable rise in prison numbers will be felt first and most severely. The early conditional release of low risk prisoners, and a clear message to the courts to avoid custody wherever possible, would help to make space for the people convicted of more serious offences that you doubtless anticipate as courts resume their normal operation.

The challenges prisons have faced because of the pandemic have clearly gone beyond what any of us might have predicted at the start of this year. But the challenge of rising prison numbers in the new year is all too predictable. We think a plan to meet it is essential.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Peter Dawson'.

Peter Dawson
Director
Prison Reform Trust

A handwritten signature in blue ink, appearing to read 'Frances Crook'.

Frances Crook
Chief Executive
The Howard League for Penal Reform