



Ministry
of Justice

The Right Honourable
Robert Buckland QC MP
Lord Chancellor & Secretary of
State for Justice

Frances Crook
Chief Executive
The Howard League for Penal Reform

MoJ ref: ADR83265

Peter Dawson
Director
Prison Reform Trust

17 December 2020

Dear Frances and Peter,

COVID-19 AND PRISONS: THE NEXT PHASE

Thank you for your response of 13 November asking for further information about our plans for an increase in the prison population.

I can assure that we are doing everything possible to put the best plans in place to meet prison population increases, at the same time as managing the threat of Covid-19 in the estate.

As referred to in my previous reply, we are enacting a range of measures to alleviate capacity pressures, including rolling out temporary accommodation units, improving the efficiency of compartmentalisation in prisons, and rolling out testing to reduce time in cohorting units. We are doing this at the same time as creating 10,000 prison places, starting with the completion of HMP Five Wells due by the end of 2021. We have also announced investment in 1,000 additional rapid deployment cells in the next 12 months to further bolster capacity in the short-term.

On your specific questions:

- **Expediting remand cases:** We are continuing to expedite remand cases by increasing the capacity of the Crown Courts. One of the first among other comparable jurisdictions globally to resume jury trials, Crown Courts now list thousands of cases each week, including over 180 jury trials. We are also sitting additional magistrates' courts on Saturdays, piloting temporary 'Covid operating hours' at seven Crown Court sites, and have unlocked further capacity with the opening of 16 Nightingale Courts.
- **Expediting Home Detention Curfew (HDC) processes:** Since the end of May, prisons have been able to process targeted HDC cases (where the usual timescales are not available) in less than 16 days. Though the HDC eligible population has been shrinking, and there are many variables impacting release rates, data in the latest quarter indicates that the HDC release rate has increased slightly (table 3.4i): <https://www.gov.uk/government/statistics/offender-management-statistics-quarterly-april-to-june-2020>

- **Over 800 temporary cells are currently in use.** These are used to reverse cohort those moving into the prison, along with providing single-cell accommodation with toilets and showers to shield the vulnerable and isolate those who are infected. In many prisons they are also used to accommodate key workers separately from the main prison population. We also plan to deliver 1,000 rapid deployment cells into the prison estate next year.
- **End of Custody Temporary Releases (ECTR)** are currently paused and we have no plans at present to restart them. ECTR remains a contingency measure that we have available and we are considering what lessons we can draw from how it has operated so far. Any changes to this approach will be communicated as done previously.

Yours sincerely

A handwritten signature in black ink that reads "Robert Buckland". The signature is written in a cursive, slightly slanted style.

RT HON ROBERT BUCKLAND QC MP