



Ministry  
of Justice



Home Office



Department  
of Health &  
Social Care

*Independent Advisory Panel on Deaths in Custody*

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The Rt Hon Mark Drakeford MS  
First Minister of Wales

8 April 2022

Dear First Minister,

We write to ask you and your colleague Eluned Morgan, Minister for Health and Social Services of Wales, to provide additional mental health support for prisoners and to offer individual mental and physical health checks to everyone in custody in Wales. We have also written today in the same vein to the Secretaries of State for Health and Justice, Sajid Javid and Dominic Raab. We do appreciate the need for everyone to work together in a complex system to protect the lives of people in custody.

As you are aware, it is now two years since the prison service introduced a full lockdown with severely restricted regimes in the face of the pandemic. We believe that it is time for a thorough review of the impact of this form of extreme imprisonment on the mental and physical health of people detained by the state and the remedial action that would be prompted by such a review.

For people in custody, Covid-19 has meant being held 'in a prison within a prison'. While severe restrictions and extreme isolation imposed at the outset may well have saved lives, the toll on mental and physical health is likely to be high and remains, as yet, unquantified.

Mental health and substance misuse

In recent months, criminal justice inspectorates and the Justice Committee have set out the urgent need to understand more about, and respond to, the impact of Covid on the mental health of people in prison. As one prisoner told the Independent Advisory Panel on Deaths in Custody (IAPDC) during our consultation: '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.' Another man wrote recently: 'I have witnessed prisoners with no drug/alcohol history turn to drugs/alcohol due to the conditions within prison, lack of help/care/support/regime/purposeful activity/long lock-up/no exercise/no gym/no showers etc.'

Prisoners' views and concerns about deterioration in health are clear from our consultations, Inside Time, Prison Radio, reports from scrutiny bodies and large-scale reviews by Prison Reform Trust, the Zahid Mubarek Trust and User Voice, amongst others. Prisoners' need for support is evident from the 60% increase (2019-2021) in calls to the Samaritans from people in prison.

In the 12 months to December 2021 there were 86 self-inflicted deaths, a significant increase of 28% from the previous year. We strongly recommend that additional mental health support is offered to people who have spent up to 23 hours a day behind bars for as much as two years, together with bereavement support for the many who have lost family and friends during this time.

### Physical health

Since the onset of the pandemic, more than 40,000 prisoners and over 42,000 members of staff across England and Wales are recorded as having contracted Covid-19. Of these, it is not known how many are suffering from Long Covid – screening, diagnosis and treatment are needed.

Government figures show a marked disparity between the health and wellbeing of prison and general populations. In 2021 the IAPDC report with the Royal College of Nursing (RCN) on the prevention of natural deaths in custody, identified high prevalence of underlying health conditions, respiratory and cardiovascular, among prisoners, making people in prison more vulnerable to the effects of Covid-19.

During the pandemic, opportunities have been missed to diagnose and treat life-threatening conditions. A review of incidence of long-term conditions and cancer would identify whether, as in the community, people living in prisons are presenting with more advanced disease. It is important to identify whether hospitals are addressing appointment backlogs with equivalence for patients in the secure estate compared to the community - or whether factors such as staff shortages due to Covid-19, limited face-to-face care in custody, problems with availability of escorts and reduced access to hospital care due to lockdown, combined with digital inequity, have widened the health inequality gap.

The prison population is getting older, many ageing prematurely. Black and ethnic minority groups and people who have grown up in poverty are over-represented within custody and more at risk of infection. Yet people within these groups are known to be less likely to seek help—how have they fared during the pandemic?

Now we ask you to ensure that individual mental and physical health checks are conducted to understand how people are and to respond to immediate health needs. These health checks could also provide clinical staff with an opportunity to remind people of the benefits of available vaccine protection.

### Ongoing impact

Most prisons are poorly ventilated, crowded, closed places, which amplify the spread of a virus. Physical layouts make social distancing impossible. Low staffing levels

and poor sanitation impede infection control. Today your healthcare teams, prison staff and managers are still dealing with Omicron outbreaks in over 50 prisons across England and Wales.

As Coronavirus swept the country, without vaccine protection for frontline staff or prisoners, the prison service's only line of defence was to confine people for up to 23 hours a day in small, often shared, cells. Two years later, despite painstaking recovery efforts, restrictions remain. Reports from independent monitors and prison inspectors show that, in some establishments, time out of cell is still limited to little more than one hour a day with few opportunities for exercise in the fresh air.

#### Advice and call for action

We understand that there are health and education plans to provide additional mental health support to children and young people in Wales and England. We welcome justice plans in the Prison Strategy White Paper to improve prisoners' employment chances and to help people find safe housing on release. As well as reducing reoffending, they will introduce a sense of hope and purpose, important guards against the risk of suicide and self-harm. For these plans to succeed, they must be integrated with vital work, underpinned by adequate resources, to improve health and wellbeing. Co-signatories to this letter can draw on the expert knowledge and experience of members and colleagues to advise on how best to determine and respond to unmet need and help to keep people safe.

During the pandemic, people in the community have spoken about loss of freedom, loss of choice, loss of agency and identity. Many have spoken of this time as 'like being in prison'. For people held 'in a prison within a prison', these are still desperate times. The punishment of imprisonment is loss of liberty, not permanently impaired mental and physical health and not, at worst, loss of life. Hence, we are taking the unusual step of coming together to ask you and your departments, the NHS in Wales and England and the prison service to act now to offer:

- immediate additional mental health support for prisoners
- individual mental and physical health checks for everyone in custody
- support for frontline health and justice staff.

In parallel, we strongly advise you to conduct a thorough review of the impact of the pandemic on the mental and physical health of people in prison. We will do all we can, singly and collectively, to support you in these endeavours and to enable you to protect lives.

As ever,



**Juliet Lyon CBE, Chair, Independent Advisory Panel on Deaths in Custody**  
**Dr Adrian James, President, Royal College of Psychiatrists**  
**Dr Pat Cullen, Interim General Secretary and CEO, Royal College of Nursing**

**Andrea Albutt, President, Prison Governors Association**  
**Mark Fairhurst, Chair, and Steve Gillan, General Secretary, Prison Officers Association**  
**Dr Michael Mulholland, Honorary Secretary, Royal College of General Practitioners**  
**Dr Caroline Watson, Chair RCGP Secure Environments Group**  
**Dame Anne Owers, National Chair, Independent Monitoring Boards**  
**Paul Farmer CBE, Chief Executive, Mind**  
**Julie Bentley, Chief Executive, Samaritans**  
**Peter Dawson, Director, Prison Reform Trust**  
**Andrea Coomber QC, Chief Executive, The Howard League for Penal Reform**  
**Mark Johnson MBE, Founder and CEO, User Voice**  
**Anne Fox, Chief Executive, Clinks**  
**Imtiaz Amin, Chief Executive, Zahid Mubarek Trust**  
**Deborah Coles, Executive Director, INQUEST**  
**Angela Cairns, Chief Executive, Unlock**  
**Dr Kate Paradine, Chief Executive, Women in Prison**  
**Erwin James, Editor, Inside Time**

cc.

Eluned Morgan MS, Minister for Health and Social Services  
Julie Morgan MS, Deputy Minister for Social Services  
Andrew Goodall, Chief Executive and Director General for Health and Social Services  
NHS Wales

**n.b.**

**A similar letter has been sent to the Rt Hon Sajid Javid MP, Secretary of State for Health and Social Care, and the Rt Hon Dominic Raab MP, Deputy Prime Minister, Lord Chancellor and Secretary of State for Justice.**