



BASW England Criminal Justice group statement on the impact of COVID-19

The British Association of Social Workers (BASW) is the professional association for social work in the UK with offices in England, Northern Ireland, Scotland and Wales. With over 20,000 members we exist to promote the best possible social work services for all people who may need them, while also securing the well-being of social workers working in all health and social care settings.

The BASW England Criminal Justice group consists of academics, practitioners, managers and students.

Criminal Justice is complex and impacts throughout society, this paper should be considered alongside those prepared by other specialist BASW groups, accepting that there is considerable overlapping. Throughout this paper we are referring to the Criminal Justice System as it applies throughout England and Wales.

The impact of lockdown and closure of workplaces has had the greatest impact on those families with the lowest income and poorest accommodation (1). Referrals to women's refuges are at the highest level ever; the murder of female partners has never been higher – one report suggests that it had doubled since lockdown commenced (2) despite furlough payments. Foodbanks are providing essential food supplies to families outside of a welfare system. Limited school provision has resulted in low numbers of vulnerable children attending school and particularly those who may be deemed as children in need including children with special needs, children Looked After or those who are vulnerable due to risks in the family home

Jury trials, prison visits and curtailment of movement

There are some aspects of the impact of COVID-19 in the field of criminal justice that are particularly concerning; all prison visiting has stopped and internal transfers greatly reduced (3) Traditional Jury trials have on the whole been suspended. A limited number of cases have been heard with a reduced number of jurists. Also a system using Kinly Cloud has been introduced into 60 Magistrates and 48 Crown courts providing online hearings. However these changes have resulted in prisoners on remand spending even extra time in custody. Similar changes have been introduced into Magistrates courts resulting in more defendants remanded, some on bail, but others into overcrowded prisons. On a more positive note, a system giving secure video family calls have been established to prisons and young offender institutions. However we consider that this initiative should be greatly extended as it is a very limited resource in terms of numbers of calls available to each person, with laptops being shared across a large number of people.

Prison Estates (

A small number of additional places have been established; Medway (the “notorious” (4) former Secure Treatment Centre, which was being refurbished to become the first Secure College) has been temporarily reclassified as a prison.

Inside the prison estate an extensive programme of “splitting” cells housing two persons has been undertaken. This unfortunately has highlighted the appalling situation at a number of prisons, where cells do not have a toilet or sink in the cells and inmates have to call to be released to go to the toilet facilities (5)

Following the announcement of the Government's End of Custody Temporary Release Scheme, to date less than a hundred prisoners have been released from the supposed 4,000 prisoners eligible. However, an overall reduction has taken place as shown in the following figures. On the 5th June 2020 there were 76,623 men and 3,255 women incarcerated in prison in England and Wales. (7) This is a reduction from the 78,989 men and 3,600 women in prison on the 3rd April.2020. (8)

Prisoners are now being isolated in single cells for up to 23 hours each day by virtue of the hundreds of temporary cells introduced into the estate. (9) Education classes, work and skills training, and recreation programmes have all but ceased. Whilst it was predicted that this total segregation would have reduced the number of reported self-harm incidents this has not been so in some establishments. Incidents of assaults both on other inmates and on staff have fallen, along with the reduction of the availability of illegal drugs; but problems of mental health associated with isolation/segregation will undoubtedly increase in the future.

The gross over representation of prisoners from Black and Minority Ethnic (BAME) community and the disproportionate number of deaths from Covid-19 in the country has **no doubt** been an extra anxiety on those prisoners falling within this category. There are similar concerns within the Young Offender Institutions where additional changes to the guidance about managing Looked After Children and Care Leavers impact children who are already isolated from outside scrutiny.

The management of community sentences and prison "after care" by probation officers, community rehabilitation teams and youth offending teams are affected in the same way as other social workers. In addition, access to resources such as housing and substance misuse support and other work programmes are significantly limited. This change in service delivery will only exacerbate the problems already being experienced by the national shortage of probation officers and the difficulties of contracted services which were under great scrutiny earlier this year.

BASW is proud to be part of the Probation Alliance with NAPO, the Centre for Crime Justice Studies, the Howard League, Unison and other key organisations. We are delighted with the news that the National Probation Service will be fully restored to public ownership and control in due course.

Trying to end on more positive notes; apparently the street price of illegal drugs has doubled in the last few months. This, combined with reduced incomes for many people who have either been made redundant or put on furlough, may lower usage. However this could be a doubled edged sword which leads to an increase of petty larceny or more serious crime. There have also been a number of seizures of massively large consignments of drugs in recent weeks. Finally, the restrictions on travel appeared initially to have disrupted the "county lines" of distribution of drugs, but more recent reports suggest that girls are now being used to carry drugs as they are less likely to be stopped by the police.

This statement has been so long in gestation and the rate of change with the pandemic so rapid it has been particularly difficult keeping abreast of the "news". Our intention was and is to provide a broad approach to the complexities which this crisis has thrown up, thereby giving non specialists in the field of criminal justice insight into how this affects all working in the social work field.

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