

The Rt Hon Robert Buckland QC MP
Lord Chancellor and Secretary of State for Justice
Ministry of Justice

18 March 2020

By email

Dear Secretary of State

CORONAVIRUS (COVID-19) – CHILDREN IN PRISON

Following the UK Government's latest advice to the population at large, and vulnerable people in particular, in respect of the coronavirus pandemic, we write to encourage you to act humanely to protect the health and well-being of detained children. We are further extremely concerned about the safety of staff working in child prisons, with the heightened risk of infection to them, their families and wider communities.

There are currently fewer than 800 children detained in young offender institutions and secure training centres. These are institutions which Ministers are committed to phasing out because they are not suitable for children. We ask that the Youth Custody Service make arrangements to release, and stop admitting, children who can be safely supervised and looked after within the community. These are exceptional times which warrant extraordinary political leadership.

Although global reports indicate this coronavirus is most lethal for adults, rather than children, we cannot be certain that children with underlying medical conditions will not be seriously affected. At least one analysis (preprint) shows that children are just as likely as adults to be infected by the virus, though less likely to have severe symptoms.¹ This is uncharted territory and we urge you to act with utmost caution.

We have to anticipate that all children will be frightened by this pandemic – for themselves and for those they love. Children with mental health difficulties and children who have learning disabilities are already known to find incarceration deeply challenging, if not unbearable. The absence of personalised care and reassurance at this exceptionally difficult time (which could last for many months) could be extremely detrimental to children's health and well-being.

Prisons struggle to meet children's needs in ordinary circumstances; there is no doubt that increased staff sickness will lead to more children spending extended periods isolated in their cells with the ever present risk of self-harm and suicide. The injurious effects of long-term confinement on children's health are well-documented, as well as the impact this can have on their stress levels and behaviour. We know from past experience that poor staffing and reduced regimes often result in use of force, including pain-inducing restraint, and punishments.

We realise that a managed release of child detainees would be a bold move. These are, though, exceptional times. Those signing this letter would be keen to support publicly any such move that you make to protect children, staff and the wider community. Our letter focuses on child prisons because of the recognised harms to children's health.² However, we urge similar protective action for children detained in secure children's homes.

All good wishes

- Carolyn Willow, Director, Article 39
- Barry Anderson and Pam Hibbert OBE, Vice-Presidents, National Association for Youth Justice
- Professor Barry Goldson, Charles Booth Chair of Social Science, University of Liverpool
- Deborah Coles, Director, INQUEST
- Enver Solomon, CEO, Just for Kids Law
- Louise King, Director, Children's Rights Alliance for England
- Maggie Atkinson, Children's Commissioner for England 2010-2015
- Richard Garside, Director, Centre for Crime and Justice Studies
- Ross Little, Senior Lecturer in Criminology, De Montfort University
- Veronica Yates, Director, Child Rights International Network

¹ Epidemiology and Transmission of COVID-19 in Shenzhen China: Analysis of 391 cases and 1,286 of their close contacts, published 4 March 2020.

² See, for example: British Medical Association, Royal College of Paediatrics and Child Health and Royal College of Psychiatrists (2018) Joint position statement on solitary confinement of children and young people; UN Special Rapporteur on the right to health (2018) Report of the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health (Part IV).