

## Briefing

### Children in custody

May 2020

Lockdown has brought with it many challenges for us all, not least restrictions on our freedoms. But for children in custody, this time has been particularly hard, as it has curtailed even the very limited freedoms they once had. Some children in custody have been spending all but 40 minutes of the day locked in their cells during lockdown.<sup>1</sup> As lockdown slowly eases for many of us, and we are encouraged to spend as long as we want outside because of the benefits to our well-being,<sup>2</sup> children in custody are still spending the majority of the day in their cells. In these difficult times, children told us they have found comfort in the feeling that we - those in custody and the community alike - are all in it together. The easing of restrictions on people in the rest of the country will undoubtedly make the restrictions on children in custody more difficult. These children are often highly vulnerable and need significant additional support, which is necessarily limited by the restrictions in place. Time in custody should be focused on education and rehabilitation. This support is being disrupted during this pandemic with potentially serious consequences for children's rights, well-being and long-term outcomes.

Children in custody have been on restricted timetables for the past ten weeks, with establishments striving to comply with Public Health England and Government guidance on social distancing. Staff in establishments have had the unenviable job of trying to modify timetables of activity to adhere to the guidelines, all the while constrained by the physical limitations of the estate and the cessation of in-person education sessions at most prisons. In this time, access to time out of cell, education, activities and family and professional visits have been severely curtailed. This briefing note sets out the situation in custodial institutions for children, based on data received from the Youth Custody Service (YCS) over the lockdown period, supplemented with evidence gleaned from conversations with children in the youth custodial estate about their experiences of lockdown.

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<sup>1</sup> It is our understanding from the Youth Custody Service that children are now getting more time out of cell but this improvement has not yet been quantified.

<sup>2</sup> Anne-Sophie Dybdal, Senior Child Protection Advisor at the Mental Health and Psychosocial Support Unit of Save the Children, said: "People who are outside regularly have a lower activity in the part of the brain that focuses on repetitive negative emotions. This is one of the reasons children can slide into negative feelings or even depression during the circumstances they are living in now."

<https://reliefweb.int/report/world/children-risk-lasting-psychological-distress-coronavirus-lockdown-save-children>

## Access to normal routines

During lockdown, children have had to spend significantly more time locked up alone in their cells. In the main this has been because of the need to adhere to social distancing guidelines which has led to limited access to in-person education, exercise in the open air, gym-based activities, and the decision to deliver most meals in cells. These guidelines only allow for children to associate in groups of 3 or 4, and most custodial institutions do not have the physical space nor the staffing levels to supervise this many small groups for long periods of time, particularly without the use of education buildings and the support of education staff. This is severely curtailing children's access to daily routines and particularly time in the fresh air.

For the majority of lockdown, children in Young Offenders Institutions (YOIs) and Secure Training Centres (STCs) have been spending **between 40 minutes and just over 3 hours out of their cells** each day.<sup>3</sup> We have been informed by the Youth Custody Service that this is beginning to increase, though it is unclear to what degree and how quickly.

Children have limited interaction with staff (or other young people) while in their cells so are spending large amounts of the day without face to face interaction. Though generally understanding about the need for some restrictions, children reported the current arrangements were having significant impact on their wellbeing. One boy told us:

***"I know it's completely relevant because it's a lockdown and we need to keep people safe but at the same time it's a bit like... I don't know... I feel like a bit of a dog in a cage to be fair."***

The recent HMIP report on short scrutiny visits to three YOIs reported that relationships between staff and children were good, and that staff interacted with children in a 'caring, patient and professional way'.<sup>4</sup> Children we spoke to were also generally positive about relationships with staff, and felt they were doing their best in trying circumstances. One boy told us:

***"Yeah I get on with most staff in here anyway so if I did feel that bad...I've had conversations with them before you know what I mean, I've spilled my heart to them and they've listened...that's why I appreciate some staff in here"***

He also told us that in his prison, this could depend on which staff were on rotation every few days:

***"A couple of days you might not get a staff member you would spill your heart to and you could have a staff member that you don't really speak to for a couple days...that's why I'm really glad the phones are there."***

Positive relationships with staff are very important, particularly at this time. With children spending so much time behind locked doors, however, these interactions are more fleeting, or infrequent than they might otherwise be, which undermines the positive effect of these relationships. As another boy said, ***"sometimes they do come to your cell and check on you ...like I have a good relationship with the staff."***

The restricted regimes offered across the secure estate have the potential to harm the long term emotional wellbeing and mental health of young people currently in custody, the impacts of which they could continue to experience for the rest of their lives. The Youth Custody Service (and establishments themselves) are maintaining oversight of key indicators about the situation across the estate, for example assaults, self-harm, use of force and separation, to monitor the impact of current arrangements on children. These show a reduction in assaults and use of force. These measures, however, do not reflect the current context that the

<sup>3</sup> <https://www.justiceinspectorates.gov.uk/hmiprisons/wp-content/uploads/sites/4/2020/05/YOIs-SSV-Web-2020.pdf>

<sup>4</sup> [Ibid.](#)