THE COVID-19 INQUIRY

CLOSING STATEMENT OF THE MINISTRY OF JUSTICE

Introduction

1. Module 8 is the first module in which the Ministry of Justice ("MoJ") has been granted Core Participant status. It has listened with care and concern to the evidence about the experiences of children and young people during the pandemic and the impacts that it had on them. Nothing in this Closing Statement is intended to deny or minimise those impacts.

2. The MoJ recognises that the pandemic presented particular challenges for children and young people at an important stage of their lives. It recognises that it was an exceptionally difficult time for children and young people in custody.

3. The MoJ also wishes to offer its sympathies to the families and friends of those who died during the pandemic. It wishes to offer its thanks to all who worked in custodial services and other parts of the justice system throughout the pandemic, whose efforts ultimately helped to save lives.

4. The MoJ has remained committed to supporting the Inquiry throughout this module. In addition to disclosing thousands of documents, it provided three corporate witness statements, three consolidated witness statements (for Young Offender Institutions, Secure Children's Homes and Secure Training Centres), and two individual witness statements.[1]

5. We do not wish to unnecessarily repeat points made in those statements in this Closing Statement and have instead used these closing submissions to concentrate on topics that would benefit from being the subject of focused submissions and/or topics that were given particular attention during the Module 8 hearings.

6. We can further assist the Inquiry by stating that, in the course of preparing this Closing Statement, we have reviewed the MoJ's written Opening Statement and consider that its contents remain accurate. We therefore adopt the contents of that statement and invite the Chair to treat them as forming part of the MoJ's closing submissions.

[1] MoJ Opening Statement para 3.

7. The MoJ acknowledges the body of evidence about the challenges facing children in custody before the pandemic and the fact that there were variations in regime provision and performance by different establishments within the Children and Young Peoples' Secure Estate ("CYPSE").

8. This Closing Statement contains the following sections:

(1) The justifications for the approach taken by MoJ / HMPPS to the pandemic

(2) The provision of education to children in custody

(3) Time out of room

(4) Child's Rights Impact Assessments

(5) Early release schemes

(6) Conclusion

The justifications for the approach taken by MoJ / HMPPS to the pandemic

9. Prior to the Prime Minister's announcement on 23 March 2020, MoJ / His Majesty's Prison and Probation Service ("HMPPS") had planned for the possible need to lock down individual establishments[2] and some establishments had already been significantly impacted by staff and prisoners contracting COVID-19;[3] on 22 March HMPPS had "*over 5,000 staff absent due to household isolation and/or symptoms and illness*".[4]

10. Following the announcement of the national lockdown, the decision was made by MoJ and HMPPS that prisons and establishments within the CYPSE would repurpose their Exceptional Regime Management Plans. These plans were created for anticipated disruption at individual sites due to the pandemic.[5]

11. The advice of Dr O'Moore, National Lead for Health & Justice at Public Health England, was an important factor in the decision. In a briefing paper written by Dr O'Moore on 24 March 2020, he stated that modelling undertaken with PHE had *"indicated the possibility of high numbers of deaths in custody and suggests in the region of 10 times the number that we would normally see, with c. 2,500 – 3,500, based on the reasonable worst-case*

[2] MoJ Opening Statement paras 39-44; INQ000588038 paras 41-49, 52-53 and 55-67; INQ000532524.
[3] [12/111/23-12/112/10].
[4] INQ000591068_0004.
[5] INQ000588038 para 95; see also para 167.

scenario."[6] Dr O'Moore had been a supporter of seeking *"to retain as close to normal regimes in prisons for as long as possible*".[7] This was, therefore, sobering advice reflecting recent changes in scientific evidence and modelling. His advice provides the context for subsequent decision-making by MoJ / HMPPS with regards to the custodial estate.

12. As explained in paragraphs 30-34 of the MoJ Opening Statement, there were compelling justifications for locking down that were specific to the prison estate and additional to the justifications which applied at a national level.

13. In summary, the three objectives of most fundamental importance to MoJ / HMPPS were: (i) preserving life (ii) ensuring sufficient prison capacity, staff, and resources to continue running establishments and providing, as a minimum, a basic regime and (iii) ensuring that establishments remained secure and safe.[8]

14. It is also important to recognise that in imposing regime restrictions MoJ / HMPPS were not starting from scratch. First, they were able to build on significant preparatory work that they had already carried out.[9] Secondly, the government had set out a national approach to addressing the pandemic with national policies and restrictions.[10] It was both understandable and appropriate for MoJ / HMPPS to initially focus on implementing the new national approach and national restrictions. MoJ / HMPPS could not have been expected to immediately create a separate set of restrictions for children. It was reasonable for this process to take time and follow the approach of adapting the restrictions that applied elsewhere in the prison estate where it was justifiable and practicable to do so.[11]

15. The MoJ accepts that there is no evidence of Dr O'Moore advising in writing on regime restrictions in the CYPSE specifically. Ensuring that such advice is commissioned is a lesson to be learned for any future pandemic. However, Dr O'Moore did advise on an institution-by-institution basis and the YCS liaised directly with PHE for the prompt development of policies applicable to the youth estate.[12] It should also be noted that, alongside the duty of care to those being held in our establishments, we also have a duty of care to our staff. They faced considerable risk to themselves and their families from continued work throughout the pandemic. The absence of suitable Personal

[6] INQ000591144.
[7] INQ000624358_0002 para 13.
[8] INQ000588038 para 79.
[9] MoJ Opening Statement paras 39, 41 and 42.
[10] MoJ Opening Statement para 49.
[11] MoJ Opening Statement para 50.
[12] [12/126/16-12/127/2]; INQ000588038 para 163.

Protective Equipment in the earlier stages of the pandemic, the timing of the vaccine in the latter part, and the ongoing risk of transmission from staff, meant we had a clear and compelling need to restrict regime activities based on the risk profile of the adult staff as well as the young people in our care. Dr O'Moore was advising on all these aspects when he gave his advice.

The provision of education to children in custody

16. The purpose of this section is to assist the Inquiry to analyse the available evidence on why face-to-face education was not provided and determine what conclusions can reliably be drawn from it.

17. Face-to-face education is of great importance to children in custody. It provides an opportunity for children to learn new skills and to enhance their employment and life prospects when they are released. It also enables them to spend constructive, structured time out of their rooms. The importance of face-to-face education was recognised by MoJ / HMPPS and in the rules which required a minimum of 15 hours of education per week for those of compulsory school age.

18. The MoJ regrets that it was unable to provide the same level of education during the pandemic as it wished to provide and did provide before the pandemic. The bare facts are that all face-to-face education in YOIs and STCs ceased on 24 March 2020.

19. By 17 July 2020, all establishments in the YCS had moved into Stage 3 of the National Framework and the YOIs had recommenced face-to-face education,[13] although some establishments, notably YPU Parc, started providing it earlier than that date (due to having its own education team). When face-to-face education was not provided, children were provided with education packs to complete in their rooms. The MoJ accepts that these packs were generally of limited benefit and not an adequate substitute for face-to-face education.

20. As explained above, on 24 March 2020 the MoJ needed to immediately introduce fundamental changes of policy and operational practice across the entire prison estate. The suite of documents produced at pace to achieve that objective need to be judged in that light. Those documents were refined and amended over the following days and weeks.

[13] INQ000588038 para 138.

21. On 24 March 2020, HMPPS issued Operational Guidance which advised Governors to cease all non-essential activities involving groups of children, including education. The Operational Guidance contained the following section specific to the CYPSE:

"Youth Custody Service

The YCS will operate under the same temporary guiding principles as the rest of the adult estate when it comes to carrying out the Government's instructions on social distancing. All non-essential activities and activities involving large groups of people or mass movement of young people have been ceased. Children all have access to telephones in their rooms and have been provided with additional PIN credits free of charge. The guidance above will be followed in relation to access to showers, time in the fresh air and serving of meals. Children in custody are recognised as a particularly vulnerable group and additional safeguards should be considered by governors and directors of STC's where necessary. Human contact is especially important for children and this should be provided where possible and practicable, via teachers, key workers, youth workers etc, while still adhering to strict principles of social distancing. Provision of additional in-room activities, and education should be considered and routinely provided."[14]

22. The MoJ accepts this guidance did not expressly state that efforts should be made to continue some form of face-to-face education consistent with social distancing principles; in hindsight, it would have been helpful if it had done. Nevertheless, this guidance, issued under 24 hours after the Prime Minister's announcement, did recognise that children did not have identical needs to adults and should be treated differently where possible and practicable.

23. Ministers and the senior leadership of HMPPS and YCS recognised the importance of face-to-face education and pushed for it to resume as soon as practicable. They communicated these expectations to the contracted education providers on numerous occasions. On 24 March 2020, in an email from YCS colleagues to a contracted education provider, YCS confirmed that while classroom-based education had to cease (and had ceased), it was exploring "*what on-unit 'outreach type' activities*" could be provided whilst adhering to social distancing requirements "*given the particular vulnerability of the children*" in YCS' care and the importance of human contact and structure.[15]

[14] INQ000530765.
[15] INQ000588042 para203.

24. On 27 March 2020, YCS wrote to contracted education providers for YOIs and STCs setting out their expectation that education should continue in line with physical distancing principles. It reminded the providers that teachers were key workers and were required to come to work, working with establishments "*to make it work*".[16]

25. On the same date, in a joint letter sent by the Executive Director of the YCS and the Children's Quality Lead of NHS England to two education providers, Prospects Services Ltd and Novus, the providers were asked that "*plans are put in place for education to be delivered in a way that maximises physical distancing between staff and pupils and between the pupils themselves"*.[17]

26. The letter expressed the jointly held view between the YCS and NHS England "*that the impact on children in custody of having no access to education is too great for this service to be suspended in its entirety when compared to the benefits such action may bring in reducing the risk of the virus spreading."*

27. However, the resumption of face-to-face education in the CYPSE depended, at least in part, on the position of the education providers and their trade unions, who were reluctant to resume face-to-face education due to the perceived public health implications. These views were expressed by the unions themselves in public communications.

28. For example, on 25 March 2020, the University and College Union ("UCU") wrote to the heads of individual establishments in the following terms:

> *"Whilst we are pleased that the decision has now been taken by HMPPS to move to an 'exceptional delivery model' (lockdown), and many of our members have been told to work from home for the next 3 weeks at least, we are deeply concerned to hear reports that despite this development, some Governors are still expecting an education provision to continue with skeleton staffing.*
> *UCU believes this to be wholly unnecessary and places our members and their families at heightened and unnecessary risk because they are expected to use public transport, enter prison establishments which are struggling to cope with providing basic handwashing facilities and potentially coming into contact with a whole range of people contrary to government advice on social distancing […]*
> *Our position is that the safest way to continue with provision is to allow staff to prepare learning packs FROM HOME which can then be sent in to prison sites*

[16] INQ000588021 para 195.
[17] INQ000591099.

via email. If necessary, we believe that employers can courier in learning packs to prison sites once they have been printed from a much safer environment. UCU is urgently seeking an agreed framework with you by which this work can be done safely.

Under no circumstances should members be expected to deliver learning packs to wings as these have been classed as 'households' by HMPPS and education staff visiting the wings would be contrary to the latest medical and government advice. It is also completely unnecessary as other means of delivery are readily available."[18]

29. On 3 April 2020, the UCU published the following statement on its website:

"YOUTH CUSTODY ESTATE

Following reports from members working at YOIs that governors were authorising the return of face to face teaching we were as you would expect very concerned. Our concerns were shared equally by our colleagues in the POA who our members would have been relying on to increase their patrols and escorting learners across sites. Following discussions with the chair of the POA, UCU is pleased to report that following a dial-in call between POA representatives and senior colleagues from the Youth Custody Service, we have now received written confirmation that the status quo position will be maintained throughout the YCS estate. A copy of the POA circular with further details can be viewed here.

In order to maintain this position, YOIs have been advised to withdraw plans to introduce a revised emergency regime plan. That means that no face-to-face teaching will take place further to rotas being issued yesterday in YOIs.

Thanks to Mark Fairhurst, chair of POA for his work on this and for those of you who have yet to see his appearance on BBC Breakfast yesterday morning pulling no punches. The POA are being very clear that they do not want our members on site.

WHERE WE ARE NOW

We are still awaiting a response from the three employers MKC, NOVUS, Weston College, to our proposed joint statement and agreement for remote

[18] INQ000649296.

delivery following our meeting on 31 March. We have scheduled to meet with PeoplePlus on Monday 6 April."[19]

30. These public statements are consistent with the evidence of HM Chief Inspector of Prisons who confirmed in his oral evidence to the Inquiry that he found evidence that the provision of education in children's prisons was lacking because providers and unions were opposed to providing classroom-based activities.[20]

31. In a similar vein, the IMB report for Cookham Wood for the period 1 August 2019 to 31 August 2020 stated:

> *"Within two weeks, the Novus local management team and Cookham Wood's governors submitted a fully risk-assessed plan to Gold Command, proposing a partial reopening of education. This plan identified nine rooms, each fit for use by one teacher to deliver a three-hour class to two boys, morning and afternoon. Over the course of a week, this would have allowed each boy at Cookham Wood to receive three hours of education at minimal risk.*
> *The Board studied the detailed risk assessment and strongly supported this plan.*
> *Novus teachers volunteered to teach the classes, and Cookham Wood officers agreed to move the boys to classes* ***(although both their unions' National Executive Councils strongly opposed anything short of a complete cessation of teaching).***"[21] [emphasis added]

32. The position was not accurately, or fully, encapsulated in the IMB's Annual Report for 2019/2020, which drew together the findings of the IMB in relation to each of the four under-18 YOIs in England: Cookham Wood, Feltham A, Werrington and Wetherby. The Annual Report included the following passage:

> *"At Cookham Wood, Novus education staff provided remote resources, including individual work packs, newsletters and prison radio podcasts that were pushed under room doors during lockdown. Within two weeks of 20 March, Novus had developed a risk assessed plan for partial return to education. This was supported and agreed locally by management, staff* ***and unions****. However, it was rejected at higher levels in the prison service by HMPPS Gold Command,*

[19] INQ000658667.
[20] [2/72/18-2/73/1].
[21] INQ000612486_0032.

though a very similar plan was implemented four months later."[22] [emphasis added]

33. The Annual Report wrongly listed the unions amongst the bodies supportive of a partial return to education in Cookham Wood, and failed to identify that they were in fact opponents of any plan short of a complete cessation of teaching. The true position is set out in the earlier report specific to Cookham Wood.

34. In the circumstances, there is compelling evidence from sources outside MoJ / HMPPS that key unions were firmly opposed to the resumption of face-to-face education.

35. The position of the unions is significant because, other than at YPU Parc, face-to-face education would in practice have been delivered by the employees of third-party education providers. Therefore, if the unions representing those employees were firmly opposed to any resumption of face-to-face education (as they were in March and April 2020), achieving such a resumption would have been inherently difficult and potentially impossible in the face of continued firm opposition.

36. There is a considerable body of evidence to support the propositions that after 3 April (i) MoJ / HMPPS continued to push for the resumption of face-to-face education and (ii) relevant unions continued to resist any such resumption.[23]

Time out of room

37. The MoJ recognises that there was a divergence across establishments in the CYPSE as to the amount of time out of room ("TOOR") afforded to children and young people in custody during the Specified Period. The MoJ acknowledges now,[24] as it did at the time,[25] that TOOR was insufficient and risked adversely impacting the mental health and wellbeing of the children and young people detained in those establishments.

38. The MoJ recognises now, as it did at the time, face-to-face education was the key to TOOR because education was and is the best way of providing substantial amounts of purposeful (i.e. beneficial) TOOR. Education and TOOR were linked.[26] There was realistically no way of replacing 15 hours of face-to-face education per week with 15

[22] INQ000553850_0006.
[23] See for example INQ000588038 paras 120, 131 and 134; INQ000588042 paras 225, 230, 243 and 257; INQ000624395; INQ000576130_0003; INQ000591150_0002.
[24] INQ000588123 para 198.
[25] INQ000591219_0002.
[26] [12/150/6-9].

hours of TOOR doing other activities. This explains why we have analysed the position in relation to education at some length in the section above.

39. To understand both the scale and the causes of this divergent practice, the MoJ makes the following observations.

40. Firstly, there are limitations to the data available in relation to TOOR. Prior to the pandemic, there was no consistent and universal method for recording time out of room across the different establishments.[27] Not only did the calculation of TOOR vary across establishments, so too did the systems for recording that time.[28] The effect of this is two-fold. One, it is difficult (if not impossible) to compare the levels of TOOR prior to the Specified Period with the levels during the Specified Period across the CYPSE. Two, until a new, universal system was introduced at the instigation of the YCS Information Team, TOOR was not directly comparable across individual establishments.

41. The new recording system was developed, tested, and implemented by at the latest August 2020 in the YOIs and March 2021 in the STCs.[29] The completed records were submitted to the YCS Information Team by each establishment on a monthly basis. The data was included in the NHS and YCS COVID-19 dashboard, which was in turn shared with a variety of stakeholders.[30] These measures increased the ability of both internal and external stakeholders to provide meaningful oversight and scrutiny of the issue.

42. Second, HMPPS sought to mitigate the impact of regime restrictions (and therefore, increased time in room) on children and young people in custody by differentiating between the CYPSE and the adult estate. This is best illustrated by the operation of the National Framework, which modified the key elements of the regime and services to be provided under its different stages for the CYPSE. For example, under Stage 3, reduced size education classes could run in the CYPSE observing social distancing whereas no education classes were allowed in the adult estate; a full physical education provision was reinstated in the CYPSE where only limited classes for a limited number of prisoners were permitted in the adult estate; and limited dining out of room observing social distancing was provided for in the CYPSE whereas there was no dining out in the adult closed estate.[31] The delivery of this regime therefore contemplated greater time out of room across the CYPSE.

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[27] INQ000588021, para 182.
[28] INQ000591221.
[29] INQ000591287_0001 para 3.4; INQ000588123 para 185.
[30] INQ000588021 para 184.
[31] INQ000591162.

43. As a result of the easing of restrictions, the average TOOR per child across all YOIs increased throughout the Specified Period from between one to two hours in April 2020 to between four and six hours by January 2021. At the same time, the STCs provided between six and 11 hours.[32]

44. Third, the ability of each establishment to deliver the expected regime at each stage of the National Framework was affected at various times by factors outside the control of those establishments, or indeed HMPPS/YCS, namely staffing levels and community outbreaks.[33]

45. Fourth, establishments could be held to account by the MoJ and HMPPS for not meeting minimum expectations in relation to time out of room as part of the HMPPS Stage 1 Model, introduced in July 2021.[34] Under the model, prisons at Stage 1 of the National Framework were required to deliver the green state expectations in key areas. For YOIs and STCs, this included an average of five hours' TOOR per day, 30 minutes in the open air and two hours' minimum of PE per week. An intervention would be triggered where an establishment regularly or consistently failed to hit delivery expectations. In the CYPSE, anything less than the green state expectations was a red flag, or trigger point for intervention.

Child's Rights Impact Assessments

46. While the Government is committed to give due consideration to the United Nations Convention on the Rights of the Child (UNCRC) when making new policy or legislation, there is, at present, no statutory obligation on a government department to conduct a Child's Rights Impact Assessment ("CRIA"). The absence of a CRIA, however, does not mean that consideration was not given to the impact of legislative changes on children's rights. Consideration was given to such impacts albeit by different means.

47. For example, data on children was considered as part of the Equalities Impact Statement published alongside the Prosecution of Offences (Custody Time Limits) (Coronavirus) (Amendment) Regulations 2020, which temporarily extended the maximum periods in custody on remand in respect of defendants awaiting trial.[35] Similarly, an Impact Assessment produced for the Prison and Young Offender Institution (Coronavirus) (Amendment) Rules 2020 considered the impact of the End of Custody

[32] INQ000588042 para 289; INQ000624821.
[33] See, for example, INQ000624821_0004.
[34] INQ000591370.
[35] INQ000547924 para 188.

Temporary Release Scheme on the youth estate, observing that *"[r]eleasing even a small number of children could help materially improve operational resilience and the quality of service*".[36] While the Equalities Impact Assessment was published after the implementation of the statutory instrument, this was a justifiable departure from the usual practice in circumstances where urgent implementation was required in response to a novel public health crisis. It underscores the practical reality of legislating at pace.

48. The MoJ monitored the impact on children of the legislative changes that were brought about in response to the COVID-19 pandemic through the Youth Custody Service, and notably through the research conducted as part of the COVID-19 Research and Evaluation ("CoRE") programme. CoRE conducted research across six groups of stakeholders: children, staff leadership teams, parents and carers, external supporters (including YOTs, NHS staff, and partner organisations), and providing organisations (including contracted providers and local authorities). Surveys were collated from 391 children between 22 July and 12 August 2020 and from 1,120 staff between 17 July and 17 August 2020. A report of the programme's early findings and learning was released on 27 November 2020 and subsequently shared with STC directors, the YCS Operational Management Committee, and HMPPS Leadership Team.[37]

Early release schemes

49. This section addresses three distinct bases for release each of which had the potential to result in those in custody, including children, being released earlier than would otherwise have been the case:

(1) Compassionate Release on Temporary Licence ("compassionate ROTL")
(2) Release under the End of Custody Temporary Release scheme ("ECTR")
(3) Release on bail

50. The first two applied to those serving custodial sentences. The third applied to those on remand.

51. In late March 2020, there were discussions within the MoJ about both the compassionate ROTL and ECTR schemes but they were always envisaged to be distinct routes to release with different criteria.[38]

[36] INQ000591176.
[37] INQ000588021 paras 158-160.
[38] INQ000591067_0003.

52. Compassionate release was intended to be only for low risk and clinically vulnerable prisoners (referred to as vulnerable prisoners in the Ministerial Submission dated 24 March 2020).[39]

53. The eventual compassionate ROTL scheme set the vulnerability criteria for release of children as follows: "*All 'Priority 1' children and young people defined by the NHS and PHE as 'extremely vulnerable' to COVID-19 and some clinically assessed extreme cases from 'Priority 2'*."[40] The categories Priority 1 and Priority 2 both involved serious physical health conditions.[41]

54. The ECTR scheme had a different purpose to the compassionate ROTL scheme. The justification for it was to create "headroom" in the prison estate in order to reduce the spread of COVID-19. Dr O'Moore's briefing paper dated 24 March 2020 argued for such releases on public health grounds and made specific reference to the risks associated with overcrowding and shared cells.

55. As of 23 March 2020, the adult male estate was at 98.46% occupancy.[42] The situation in the CYPSE was very different: occupancy rates were around 80% and every child had their own room.[43] In the year ending March 2020, the average number of children in custody at any one time was 780. This represented a fall of 68% compared with ten years earlier and a 9% fall compared with the previous year. The average number of children in custody continued to fall rapidly during the pandemic. It was 560 in the year ending March 2021 and 450 in the year ending March 2022.[44]

56. At the beginning of April 2020, the MoJ received a strong steer from No. 10 in relation to the operation of the ECTR scheme. At that stage, No.10 envisaged the release of "*up to 4,000 low risk prisoners within two months of the end of their custodial sentence providing that they did not pose a risk to the public.*"[45]

57. MoJ officials subsequently drafted criteria for the scheme which were approved by the Lord Chancellor.[46] The position of children was considered in a separate Ministerial Submission dated 3 April 2020.[47] In line with this submission, the same criteria were applied to children as to adult prisoners notwithstanding the fact that the public health

[39] INQ000591126_0005.
[40] INQ000575484_0003.
[41] INQ000575484_0030.
[42] INQ000591126_0001.
[43] INQ000591176.
[44] MoJ Opening Statement para 21.
[45] INQ000591110_0010.
[46] INQ000591110_0002.
[47] INQ000591111.

justifications were weaker for children than they were for adults. The Ministerial Submission also made the following important point: "*We will release children only if they have suitable and safe accommodation to go to and their home YOT confirms its capacity to handle the child safely in the community.*"

58. This was, as the Ministerial Submission recognised, also an important consideration in relation to the third type of releases: release on bail. The Ministerial Submission stated:

> *"In parallel, following your agreement earlier this week, we are asking YOTs to review their remand caseloads to see if any children remanded to custody could be safely* managed *in the community. Remands account for a third of the youth estate's population."*

59. The MoJ wished to encourage and facilitate release on bail whilst respecting the fact that it was a matter for the courts and that a court granting bail would wish to be satisfied that appropriate bail conditions were in place and that the child would be safe in the community.

60. Ultimately no children were released under the compassionate ROTL scheme or the ECTR scheme because no children met either scheme's criteria. Public safety was a key consideration, as many children in custody will have committed acts of violence against a person. Their release would have posed an unacceptable risk to the public. Another factor would be the need to release a young person into a suitable home environment; a point Ms Frazer KC made during her oral evidence. The number of children in custody nevertheless fell by approximately 40% during the pandemic.

Conclusion

61. The MoJ is grateful to the Inquiry for the opportunity to address in this brief Closing Statement some of the key themes it considers have emerged from both the written and oral evidence that the Inquiry has received in this module. It has reflected, and will continue to reflect, both on what went well and what could be improved in its response to the impact of the pandemic on children and young people in custody.