



Justice system

Roundtable Summary Report

Module 10 Impact on Society



Contents

1 Executive summary

- a. Impact on the justice system and prison system
- b. Impact on the immigration and asylum system

Part A: The impact of the justice system

2 Key themes

- a. Impact on the operation of criminal justice institutions
- b. Impact on victims of crime
- c. Impact on prisons and prisoners
- d. Long-term impact on justice

3 Lessons for future pandemics

Part B: The impact on immigration and asylum

4 Key themes

- a. Impact on levels of migration and asylum
- b. Impact on immigration and asylum processes and policies
- c. Impact on immigrants and asylum seekers

5 Lessons for future pandemics

6 Annex

- a. Roundtable structure
- b. Module 10 roundtables
- c. Figure 1. How each roundtable feeds into M10

Executive summary

This report does not represent the views of the Inquiry. The information reflects a summary of the experiences that were shared with us by attendees at our Roundtables in 2025. The range of experiences shared with us has helped us to develop themes that we explore below. You can find a list of the organisations who attended the roundtable in the annex of this report.

This report contains descriptions mental health impacts, self harm and death. These may be distressing to some. Readers are encouraged to seek support if necessary. A list of supportive services is provided on the UK Covid-19 Inquiry website.

In May 2025, the UK Covid-19 Inquiry conducted a roundtable focused on the impact of the pandemic on the justice system and the prison system, and the immigration and asylum system and their users. The roundtable was held across three breakout group discussions.

Impact on the justice system and prison system

Representatives described how the pandemic affected various aspects of the justice system across policing, court proceedings, victim support services and prison management.

The police had to adapt to changes in criminal behaviour during lockdowns. They also took on additional responsibilities enforcing Covid-19 regulations and stepping in to help people who needed public services, such as social services, that closed during the pandemic. Progress of police investigations slowed as a result of limits on in person contact making it harder to collect evidence and witness statements.

The pandemic caused delays in court hearings as a result of the need to implement social distancing measures, the limit on the number of people allowed to access courts, including witnesses and victims and the shift to using technology. Additionally, progress was slowed by individuals testing positive for Covid-19 and having to isolate.

There was a shift towards remote court hearings. This had some positives, improving efficiency and enabling the courts to maintain legal processes in exceptional circumstances. However, some legal practitioners found it difficult to adapt to providing effective advice and advocacy using technology.

The pandemic made it harder for many victims to access justice, including reporting crimes to the police or attending court hearings. People from vulnerable groups were fearful and reluctant to engage with the justice system because of the health risks. The shift to remote hearings made it harder for those who did not have the right technology or digital skills to access courts remotely. Language barriers were exacerbated and some could not communicate with police and legal representatives effectively because family members were unable to provide translation support as a result of social distancing. The use of remote hearings and court delays was also felt to have discouraged people from reporting crimes and engaging with cases. Uncertainty over processing times added to this reluctance. Crime reports decreased during lockdowns and remained lower after the pandemic. This was attributed partly to reduced trust in the justice system due to pandemic-related court delays.

According to representatives, the decision to pause the early release of prisoners under the End of Custody Temporary Release Scheme, which allowed low-risk prisoners within the last two months of their sentence to be released early, led to worse conditions in prisons. This included overcrowding and a more restrictive prison regime to reduce the spread of Covid-19. In addition, not having access to usual activities and behavioural programmes made it harder for prisoners to demonstrate reduced risk at parole hearings, adding to prison capacity problems.

Prisoners were isolated in their cells for long periods of up to 23 hours a day over many months, impacting on their mental health. Reduced visitation rights during the pandemic added to their isolation and meant that they had limited connection with and support from friends and family.

The impact of reduced access to healthcare in prisons during the pandemic was also discussed. Representatives gave examples of problems accessing physical and mental health services, as well as delayed medical treatment for unwell prisoners. This was said to have led to serious health consequences such as worsening long-term conditions

or missed diagnoses. While the shift towards remote healthcare allowed some health consultations to continue, prisoners facing language barriers had difficulty navigating the system without always having interpreters present.

There was said to be limited data measuring the impact of some of the pandemic measures on the justice system. This was thought to have been compounded by a lack of information sharing across government departments. This meant it was not possible to track all of the impacts of the changes.

Representatives believed there were key lessons that could be learned to lessen the impact on the justice system in a future pandemic. They said there was a need for strategic improvements in planning for and managing the system under pandemic conditions, including improving remote court proceedings and providing more opportunities for prisoners to exercise and have contact with friends and family. They also felt that there was a need to learn from best practice for supporting prisoners, including using technology to maintain social connections. They described collecting consistent data as crucial to understanding transmission rates within prisons and other impacts of the pandemic on the justice system.

Impact on the immigration and asylum system

Travel restrictions put in place during the pandemic initially led to a decrease in migration to the UK. However, migration increased as the pandemic restrictions eased, with participants pointing to the pandemic coinciding with the conclusion of the UK's withdrawal from the European Union. The Migration Observatory said that during the pandemic, asylum applications initially fell by about 20%, but irregular crossings, especially by small boat, increased significantly by 2021-2022. They suggested that rather than the pandemic deterring these crossings, the demand for, and frequency of, these activities increased.

There were challenges with obtaining migration data because the usual sources of migration numbers like the International Passenger Survey were paused. This meant that it was unclear who was coming in and out of the UK during the pandemic, making it hard for policymakers to understand and develop responses to migration patterns.

The pandemic led to significant delays in immigration cases being processed, resulting in a backlog. Social distancing restrictions significantly limited the ability to conduct immigration interviews and access documents in person. Some immigration lawyers were furloughed, leaving people without guidance.

There were some benefits to migrants from schemes introduced by the Home Office during the pandemic. These included the Covid-19 concession scheme, Coronavirus Extension Concession and the Exceptional Assurance Concession. These schemes allowed those whose leave to remain would have expired during the pandemic to stay in the UK while pandemic restrictions on travel were in place. However, representatives explained that the absence of clear guidance on these schemes and the restrictions on them, particularly in relation to eligibility and time-limits, made it difficult for immigration law practitioners to advise migrants. In many cases, migrants' lost their regular immigration status and consequentially their ability to work and access essential services.

The pandemic increased social isolation for migrants because they were cut off from their usual networks and essential support services. Representatives discussed how an increase in visa and legal fees combined with reduced opportunities to work (with many migrants working in the informal economy or in sectors that were badly affected by the pandemic) left many migrants destitute and caused widespread reliance on foodbanks.

They also discussed how the pandemic worsened the housing conditions of migrants in the UK. They said the greater reliance on hotels and barracks to house migrants resulted in overcrowding and often put them at greater risk of contracting Covid-19.

Solitary confinement was used to prevent the spread of Covid-19 in immigration detention centres. Participants thought this made detainees isolated and fearful and combined with limited access to mental health support, led to worsening mental health among detained migrants.

Access to healthcare for migrants was also seen as a problem during the pandemic, despite the NHS not charging migrants for healthcare related to Covid-19. Representatives explained how migrants had long-standing fears about healthcare services reporting them to the Home Office, potentially

affecting their immigration status or meaning they would have to pay. The pandemic also highlighted existing barriers to migrants accessing healthcare, such as not having NHS numbers or information in their language. These issues meant migrants' access to Covid-19 related healthcare and vaccines was limited during the pandemic.

Representatives provided key lessons to be learned for the immigration and asylum system. They wanted more reliable systems for migration data collection, to enable a better understanding of the migrant community and how best to support them. They highlighted the need to establish frameworks to maintain immigration case support during a pandemic, including more consistently providing key worker status to legal representatives. They emphasised the unique vulnerabilities faced by migrants, particularly around immigration detention and access to healthcare and housing and wanted these to be recognised in policymaking for future pandemics.

Part A: the impact on the justice system

Key themes

Impact on the operation of criminal justice institutions

The role of the police

The role of the police changed during the pandemic as they had additional responsibilities, including maintaining public order and ensuring that people were adhering to pandemic guidelines. The National Police Chiefs' Council described how the usual calls to the police via 999 and 101 (the non-emergency contact number for police forces in England and Wales) reduced early in the pandemic and police became principally concerned with Covid-19 and breaches of Covid-19 rules.

“Some of the policing role changed [due] to Covid-19 regulations. Indeed, a lot of our calls were around Covid-19 and breaches of restrictions.”

The National Police Chiefs' Council

The type and number of crimes committed was also said to have changed. For example, Inquest noted that there were fewer night-time economy offences because venues were closed. The National Police Chiefs' Council also explained that the closure of non-essential shops reduced retail crime and the rates of domestic burglaries declined rapidly because everyone was at home. They added that a consequence of the reduction in this type of crime was that the police were able to divert resources towards other outstanding investigations and this led to an increase in arrests relating to those investigations early in the pandemic.

However, levels of anti-social behaviour increased, including breaches of

Covid-19 rules, more disputes between neighbours and a rise in drug offences. There was also said to be an increase in online crime and fraud.

The pandemic meant that many public services such as social services and support organisations were closed or less accessible because they could not operate in person. Representatives said the services that remained open had to act as a safety net as a consequence, providing support outside their usual scope. The National Police Chiefs' Council gave examples of the police filling gaps in provision of other services that they were not properly trained to do.

“Policing had to go into a place where some services withdrew...we were asked to do home visits around children and probation visits. There were gaps that policing [was] asked to fill.”

The National Police Chiefs' Council

The Council also said the police found it difficult to investigate crimes and gather evidence and witness statements because they were required to limit face to face contact. This had an impact on how they managed cases and in some instances meant cases could not progress due to a lack of evidence.

“Collecting medical evidence, prison visits, going to businesses that were closed, trying to secure evidence and generally dealing with people with Covid, that all made witness gathering really difficult.”

The National Police Chiefs' Council

The National Police Chiefs' Council and Legal Aid Practitioners Group explained that more individuals were released on pre-charge bail conditions or released under investigation because of social distancing measures. This meant that investigations were delayed due to difficulties in getting charge decisions while suspects were not in custody, with some bail periods expiring without charges being brought.

Impact on justice sector workers

The Legal Aid Practitioners Group representative described how police and solicitors had to manage their own risk of contracting Covid-19 from those arrested during the pandemic. They said managing these risks often meant not having face to face contact with those arrested resulting in delays or insufficient information being collected, hindering the effective progression of cases.

“As a practitioner you have to make a decision about whether you will go into a cell where there are reported cases of Covid, what do you do? You have a duty to the client, but you know you're taking a significant personal risk.”

Legal Aid Practitioners Group

Justice sector organisations struggled to protect the health of their staff because many were not considered key workers. For example, the representative for Victim Support Scotland felt that because their staff were not on the health and social care register in Scotland they were not able to procure Personal Protective Equipment (PPE). This left some staff unprotected when delivering support in person. They also emphasised that their staff were not prioritised for vaccination, putting their staff at greater risk from the virus.

Similarly, the Immigration Law Practitioners Association said it was unclear who was a key worker within the justice system. They thought that anyone preparing a legal case that would be presented in court should have been considered a key worker, to allow them to continue their work. When restrictions meant they could not, this was concerning for staff and led to delays in progressing cases. Staff struggled to access court bundles or to meet clients in person to capture necessary evidence.

“Barristers didn't know during the pandemic whether they could go to chambers to collect bundles to review the evidence or whether they were only a key worker when they had a hearing. People were afraid to cycle into chambers and to get caught and told,

'You're not a key worker today, you'll be a key worker on Wednesday when your appeal hearing is listed for'."

Immigration Law Practitioners Association

Court operations and delays

There were widespread delays to legal proceedings caused by courts not sitting in person at the beginning of the pandemic and the resulting shift to remote hearings, particularly in civil courts in England and Wales. Andrew Dodsworth¹ said there was a willingness to adapt to remote hearings given the importance of doing so for victims and the justice system (in his experience sitting in England and Wales). Remote hearings initially took place via telephone conference calls and then moved to a mixture of telephone and video hearings. Representatives said that this approach helped to keep courts running while managing the risks from Covid-19.

Andrew Dodsworth also gave examples of civil courts using technology to adapt to remote hearings, even for those buildings that did not have Wi-Fi internet access. Audio and web-based solutions brought some benefits to court hearings, like being able to better manage disruptive participants by muting participants. Remote hearings also allowed for more flexible listing, making it easier and more efficient to book hearings.

"We all ended up doing things we didn't think we could do. If you'd asked us six weeks before the pandemic if we could move to all remote hearings, nobody would have said yes to that."

Andrew Dodsworth

However, it was not possible to move all court proceedings online across the UK. Representatives explained that in some instances, legislation requires that attendees are present in person. In other cases, there were questions about the ethics of providing video evidence, particularly in domestic abuse cases, as it was difficult to know if the perpetrator was with the victim and pressuring them while they gave evidence. Where

¹ Andrew Dodsworth is a District Judge and was President of His Majesty's Association of District Judges 2021/22. He attended this roundtable discussion in a personal capacity.

court proceedings could not be held online, the inability to hold them in person led to delays.

“On witnesses giving evidence by video, take a domestic abuse case, you could never be sure the perpetrator wasn't in the room or threatening that individual.”

National Police Chiefs' Council

Some hearings in civil courts in England and Wales largely stopped early in the pandemic. Andrew Dodsworth noted that for example, road traffic, credit hire and personal protection insurance consumer credit cases were effectively halted because they were deemed less critical than family cases. The Legal Aid Practitioners Group said that housing cases and evictions in England and Wales were also delayed due to societal concerns over homelessness during the pandemic.

“In family courts, if a hearing does not take place the consequences of that are so significant for children and victims and parents...so court hearings just had to happen.”

Legal Aid Practitioners Group

Criminal court hearings also faced substantial delays. According to the National Police Chiefs' Council, at the start of the pandemic criminal courts could only handle cases involving people held in custody awaiting trial. As the pandemic progressed cases were moved to video platforms, apart from jury trials. However, they felt that there was a reticence to move to remote hearings with only a small number of courts doing so. They also considered that the move to setting up temporary Nightingale Courts² to progress court cases was particularly slow. This meant that by June 2021 the Crown Court backlog was at 60,000 cases. Moreover, the delays to criminal court hearings resulted in a significant increase in the number of victims and witnesses who were being supported by police Witness Care units. The National Police Chiefs' Council indicated that there was an overall increase of 63% in caseloads on officers working in Witness Care units, which had a detrimental impact on victims, witnesses and staff within

² A Nightingale Court is a temporary court in England and Wales established in response to the Covid-19 pandemic.

the units.

“I think there was a reticence to use some of this technology. It was slow...for virtually all of the Covid time. It wasn't dynamic in the criminal court space.”

National Police Chiefs' Council

Despite remote hearings allowing some proceedings to continue and streamlining some processes, the Legal Aid Practitioners Group and Andrew Dodsworth said it was more difficult for legal representatives to advocate effectively online, particularly for vulnerable parties. Andrew Dodsworth highlighted that some remote cases were emotionally challenging, particularly cases involving vulnerable groups or sensitive issues. They said the lack of face to face support created an emotional distance and meant that Judges were not always able to see body language cues, such as someone getting distressed or emotional. This sometimes left people vulnerable and unsupported. They also felt the lack of face to face connection meant that remote hearings did not provide the same level of support, nor did they allow solicitors and clients to build strong relationships.

Representatives discussed how court cases were managed differently across the UK. There was a perceived reluctance in Scotland to move court proceedings online which contributed to court delays. As a result, there were a large number of individuals on bail or in custody as they awaited trial, particularly for more serious cases and hearings involving multiple defendants.

Victim Support Scotland explained that in Scotland, civil court cases were able to proceed online but they were less certain about how family courts adapted. They said that for criminal cases, jury trials were stopped from March 2020 and all but essential criminal trials were adjourned. While some trials began to take place again in June 2020, criminal courts were operating at a much-reduced capacity. This created a backlog of cases that continued to increase into 2021.³ To attempt to reduce these backlogs there was a pilot for remote hearings. However, only 10 remote sessions were conducted and this did not lead to an improvement in the backlog. Representatives for Victim Support Scotland also noted that there was

³ [‘Criminal courts backlog’. Audit Scotland \(May 2023\)](#)

already a pre-recorded evidence system introduced in 2017, which allowed evidence to be heard remotely. They said being able to use this system made it easier to conduct cases during the pandemic, but it was still difficult to implement social distancing if court rooms were not big enough. There was also still a need for defence lawyers to attend in person to conduct cross-examination. Victim Support Scotland felt the delays in Scotland were also influenced by the ageing population of judges, many of whom were required to shield during the pandemic. This significantly reduced capacity.

Scotland implemented a 90-day administrative adjournment which allowed a temporary suspension of legal proceedings for administrative tasks to be completed or to enable parties to prepare. The 90-day trial administrative adjournment could be used multiple times on a court case. Many trials were adjourned several times which reduced confidence that trials would take place and left people in a holding pattern, uncertain whether they should prepare for a case.

The pandemic exacerbated the workloads of legal professionals and was described as having a negative impact on their mental health. Legal professionals had to transition to different ways of working, including changes to evidence and information gathering processes and remote hearings. The Legal Aid Practitioners Group explained that the rapid transition meant legal professionals had to adapt quickly and this caused significant stress. The restrictions on in-person contact also hindered their ability to support clients effectively as they could not meet face to face and build rapport. There were no additional resources from the government to adapt office buildings to support social distancing so that clients could meet with their legal representatives or to make sure that the rooms were cleaned between client contacts. This meant they could not be certain they were operating in a Covid-19 secure way.

“It was admirable that there was a rapid development to move to telephone and remote hearings but what that tended to do was create an enormous amount of pressure on practitioners to facilitate client access, rather than the courts doing that because they couldn't. So, practitioners had to adapt very quickly, with no additional funding from

the government, adapt their office spaces so that they could comply with Covid-19 restrictions and have their clients in the office with them.”

Legal Aid Practitioners Group

The representative for Victim Support Scotland also discussed how the court system relied on volunteers, many of whom were older, to support victims in court. These volunteers typically offered practical and emotional help and provided information to enable individuals to understand the court process. Large numbers of volunteers stopped helping during the pandemic for health reasons, such as needing to shield and concerns about how courts were being managed to protect people from contracting Covid-19. According to the Victim Support Scotland representative, losing volunteers made it harder to manage courts effectively as the usual support for those navigating the legal system was no longer available.

“It's an ageing population of people and a real loss to the organisation, [we lost] 75% of our volunteers between March 2020 and April 2020. And mostly they did not return to the organisation.”

Victim Support Scotland

As the pandemic eased, there was a shift back to in person hearings but with social distancing in place. The Legal Aid Practitioners Group described how various factors contributed to further delays, including social distancing measures in courts, a reliance on technology that did not always work, limits on courtroom capacity, and positive Covid-19 tests. Andrew Dodsworth noted that some professionals were reluctant to go back to in person court hearings. For some this was based on legitimate concerns about their own health, but appearing remotely also offered advocates the ability to take cases in multiple court centres on the same day whilst working from home.

Victim Support Scotland described how Scottish courts took a different approach in an attempt to reduce court delays and backlogs. This was said to include reconfiguring the jury model, so that juries would observe the court proceedings remotely from cinemas, allowing for greater social distancing in the court room. Attempts were also made to redistribute cases amongst courts in more rural areas of Scotland, which were not as

busy. However, the representative for Victim Support Scotland spoke of the issues arising from this, including a lack of consultation, a lack of in court support and insufficient forward planning to enable them to provide victim support assistance in these locations, meaning some cases could not go ahead.

“It was temporary, using cinemas that were empty. It cost millions to re-do them to help them facilitate this whole situation. Then we came out of lockdown and people started going back to the cinema and they had to find a new solution.”

Victim Support Scotland

Impact on victims of crime

Access to support

The pandemic made it harder for victims of crime to access support from their families, friends and organisations. They had limited access to community and legal services like law centres and solicitors because these services were reduced or moved online. Representatives felt this created significant obstacles for victims seeking legal advice and essential emotional and practical support.

“People go to find legal advice from lawyers, law centres, Citizens Advice Bureaus, friends, family, priests, teachers, doctors, but during the pandemic if you can't see any people, you can't get that formal advice, then where do you go?”

Legal Aid Practitioners Group

This lack of support was described as disproportionately affecting individuals facing language barriers when navigating the justice system. Medical Justice noted that their usual practice of engaging family networks as translators was disrupted by social distancing measures. This meant many victims of crime had less information in their own language and understood less about what was happening with their case.

The representative for Victim Support also highlighted specific barriers to accessing justice faced by victims with physical conditions or disabilities, and older people because of their fears about contracting Covid-19. They said that they were reluctant to go to court in person and this made them less likely to engage with the justice system.

Victim Support Scotland found they were supporting clients with more complex needs because of the general impact of the pandemic on victims. They said that doing so was made harder because they were not included in planning for the response to the pandemic and did not know what changes were being made or how to best help their clients.

Representatives agreed that court delays during the pandemic undermined victims' confidence that they would achieve a timely outcome.

The Legal Aid Practitioners Group highlighted how delays to court proceedings meant numerous cases were unresolved or did not start. Legal practitioners struggled to provide realistic timelines to victims and witnesses. The National Police Chiefs' Council observed that in some cases people were told their case would not be heard for 2-3 years which made it hard for them to live their lives as they were in a 'state of limbo'. They said these delays discouraged participation in the justice system and caused many to withdraw from the legal process.

Access to technology

Many people faced technological barriers to accessing justice during the pandemic. Victims were often unfamiliar with the online processes, had limited access to the technology required or did not have a reliable enough internet connection to participate in online proceedings. Representatives said this made it almost impossible for the most vulnerable victims to access justice, including those supported by legal aid. Members of the Legal Aid Practitioners Group often had to lend technology to clients or pay for phone data, but there was no way for them to claim back those costs. Representatives felt that there was an assumption by the justice system that people had access to technology when that was not the case.

“[Parties] didn't have a basic phone or enough data to participate in hearings, never mind a laptop or tablet. That same limited resource was also needed to allow their children to access education. District Judges made this point but it took time for it to be accepted. The coal face of the family justice system is a very different world to the multi-million pound commercial cases where parties can move online much more easily.”

Andrew Dodsworth

However, representatives noted that some victims preferred the shift to remote court proceedings. Victim Support Scotland referred to positive feedback from a pilot scheme for remote hearings in criminal cases that indicated that online hearings removed the fear of seeing the accused in person at court which made the victim feel safer and better able to engage

in the court process.

Impact on prisons and prisoners

The Prison Reform Trust explained that early in the pandemic there was an initial decline in the prison population due to paused court proceedings, leading to fewer new prisoners. However, as the pandemic progressed court delays increased the number of prisoners held on remand⁴ and reduced prison capacity. The representative for Howard League said that once the pandemic restrictions eased, the capacity issues faced by prisons pre-pandemic worsened. Prisons faced issues with overcrowding and enforcing social distancing due to trials restarting and the resultant increase in the prison population. They said this was a particular problem in England and some parts of Scotland.

To reduce prisoner numbers, a policy was introduced in April 2020 to release prisoners on temporary licence if they had two months or less of their sentence still to serve. However, this scheme was halted in August 2020 due to administrative problems. The Howard League stated that only 262 people were released early by the end of the scheme. They said that as a result of the decision to halt the scheme, prisons could not operate safely under Covid-19 guidance and were vulnerable to overcrowding once pandemic measures eased. They thought that releasing more prisoners early would have allowed prisons to operate in a less restrictive way during lockdowns and would have made it easier for prisons to return to more open regimes after the pandemic.

“That early decision not to release people, not to create the head room, I think framing it in lessons learnt, a short-term decision for political expediency in a moment of national emergency is a mistake, it has long-term ramifications.”

Howard League

Prison operations

Representatives discussed the impact of the changes that were introduced in prisons to manage Covid-19 risks. In order to prevent the spread of Covid-19 in prisons a system was introduced called ‘cohorting’. Individuals

⁴ “Remand” refers to the practice of keeping defendants in custody while they await trial.

with Covid-19 symptoms were grouped in a cohort with other symptomatic prisoners in an 'isolation wing'. Medical Justice explained that in practice this often meant that symptomatic individuals were isolated for longer, because if there was another case in the cohort the isolation period would have to continue until all cases were cleared.

Most activities were suspended, including the suspension of prison education, non-essential offender behaviour programmes, family visits and prisoner transfers. They said that this meant prisoners were locked in their cells for around 23 hours a day. If prisoners had Covid-19 symptoms they were quarantined in a separate isolation wing. Prison transmission rates were monitored and if transmission rates lowered, Covid-19 restrictions were eased. However, they said this easing often took time and would be reversed quickly if there was another Covid-19 outbreak.

Parole hearings moved online and this had generally been successful. However, the Prison Reform Trust explained that due to the suspension of activities, prisoners did not have access to the usual offending behaviour programmes they relied on to demonstrate reduced risk for the purpose of parole applications. In addition, representatives said that prison transfers were stopped during the pandemic, which meant prisoners could not move to prisons with better access to support or activities they needed to support parole applications. The Prison Reform Trust said that this could have held back the progression of prisoners towards being granted parole.

Communication between prisoners and offender managers was also limited because they could not hold in-person meetings. Offender managers are responsible for managing prisoners' rehabilitation and assessing their risk to the public and likelihood of reoffending. According to the Prison Reform Trust, this relationship is crucial for setting goals and creating interventions tailored to prisoners' needs, helping to lower their risk of reoffending. Consequently, opportunities for prisoners to secure early release were reduced, adding more strain to prison operations and capacity.

“Communication between prisoners and offender managers became difficult. That relationship is important in terms of sentence planning. Without that, you may not be directed towards the activity you need to do.”

Prison Reform Trust

Vulnerability, isolation and mental health

The fear of Covid-19 transmission and changes to prison operations during the pandemic had profound negative consequences for prisoners. Inquest explained that prisoners are a vulnerable population, with higher rates of mental health problems than the general population. They discussed how the limitations on prisoner support and increased solitary confinement increased anxiety, depression, self-harm, suicide and unavoidable deaths. Prisoners feared the risk of transmission posed by staff coming in and out of prisons and not wearing PPE. Representatives thought this worsened anxiety amongst prisoners and reinforced their perception that it was not important to protect them from Covid-19.

“There was a feeling that prisoners were less important in terms of preventing their exposure. Whether that is true or not, that was the perception.”

Prison Reform Trust

More broadly, prisoners commonly experienced feelings of irritability, anger and frustration. Representatives said that the perceived lack of care for those in prisons during the pandemic reinforced the view among prisoners that they are less deserving of fair treatment than those in wider society.

“People in prisons are some of the most marginalised and disadvantaged people in society, so you have to have that as a starting point.”

Inquest

The Prison Reform Trust highlighted the cumulative impact on prisoners of being confined to their cells for up to 23 hours a day over extended

periods, and the resulting detriment to their mental health. In the limited time that prisoners were allowed out of their cells, the Medical Justice representative said they often had to decide between having a phone call, taking a shower or getting fresh air. Despite these negative consequences of the increased time in confinement, representatives remarked that one benefit was a reduction in levels of violence.

“There was less prisoner-on-prisoner violence and less prisoner-on-staff violence and I think that was an unintended consequence of ongoing isolation and time in cells. It was a good thing that there was less violence but the bad part is people had very limited access to their friends and family. Self-harm and mental health skyrocketed due to long periods of isolation with little meaningful or purposeful activity.”

National Preventive Mechanism

The National Police Chiefs' Council further described how prisoners experienced limited or no access to showers or exercise and were forced to urinate and defecate in their cells without access to hand sanitizers, and the negative impact this had on their mental health.

Further when family visits were stopped, prisoners lost their primary connection to their loved ones and their networks and communities outside prison. This led to a heightened sense of isolation, uncertainty, and fear among prisoners.

“Prisoners didn't have the ability to do the things we'd advise our patients to do, to contact somebody supportive, to go for a walk, get some fresh air. These are fundamental to all of our mental health, that was all gone, a situation that is as inherently about as damaging as you could think of, especially to this vulnerable group. I think there is no way to justify that medically. It was completely contradictory to treat people in that way. Prisoners still feel the

consequences of that.”

Medical Justice

Representatives discussed the impact on prisoners who experienced the death of family members during the pandemic. Inquest explained that prisoners were not given an opportunity to say goodbye to dying family members or attend funeral services, intensifying their fears about the impact of the pandemic on wider society and on their friends and family. Likewise, the pandemic and risk of Covid-19 transmission within prisons increased prisoner families’ anxieties about the safety and health of their loved ones.

Access to healthcare

Prisoners had significantly reduced access to healthcare during the pandemic according to representatives, exacerbating the physical health impacts of the changes to prison regimes. Inquest thought that the pandemic worsened a long-standing problem in prisons of dismissing health issues and prisoners having limited access to healthcare. Further, some prisoners were reluctant to disclose Covid-19 symptoms to avoid the period of extended isolation involved in the cohorting system and, as a result, may not have received the treatment they needed.

Medical Justice explained that individuals with chronic conditions such as diabetes and asthma missed routine external appointments. Prisoners were confined for 23 hours a day and had less frequent clinician visits, all of which negatively impacted their health. The National Preventive Mechanism provided an example from one prison where prisoners with Covid-19 were only visited by healthcare staff twice during a 14-day isolation period.

“For other medical conditions, we saw people missing appointments, lack of transport, lack of custodial staff to accompany them and that compounded by the extra stretches on the NHS, we saw physical illnesses, cancers, people missing their outpatient follow ups.”

Medical Justice

Medical Justice added that the pandemic caused delays in transferring very unwell prisoners requiring mental health support or medical treatment to hospitals. They highlighted how these situations made prisoners sharing cells with unwell prisoners feel uncomfortable and worried about the health of their cellmate.

“People weren't transferred until it was too late. Ambulances weren't called in a timely manner; there wasn't an acknowledgment of the seriousness.”

Medical Justice

There was a shift to providing remote medical assessments to prisoners during the pandemic according to Medical Justice. While not a substitute for face to face consultations, the remote appointments were described as both convenient and efficient. However, significant barriers to accessing healthcare remained for those who did not have English as their first language as they needed an interpreter. Prisoners with mental health issues who lacked the mental capacity to engage in their care also struggled with the transition to remote appointments.

Specialist referrals for mental health support were limited or delayed, with critical risk assessments and appointments not taking place. In some cases, Medical Justice said to treat post-traumatic stress prisoners were given a ‘psychological trauma pack’ which offered some self-care suggestions. However, they said many of the suggestions were not possible while detained and the packs were generally seen as inadequate in meeting their needs. The representative for Inquest remarked how other prisons failed to put in place risk assessments for prisoners who may have been suicidal during the pandemic. They thought this was because mental health practitioners were not able to visit prisons at the time and could not flag that prisoners may be experiencing suicidal thoughts.

Access to technology

Representatives said that access to technology was even more important for prisoner wellbeing during the pandemic than it had been before, allowing for family contact and remote access to services. However, access to technology was not equal across prisons, as only about half of

prison cells had telephones according to representatives. Early in the pandemic, in prisons where prisoners did not have in-cell telephones, the government distributed 900 secure phone handsets. Whilst this was seen by representatives as a positive development, they noted that the number of handsets was relatively small once they had been distributed across 60 prisons. In other cases, they gave examples of prisons where there may be only one telephone on the wing, leading to competition amongst prisoners for access.

“That differential access to a very basic piece of technology made a massive difference to people's isolation when they were under lockdown. It also made a difference to access to services – telemedicine could be done over the phone. If you have a phone in your cell, you have a relative amount of privacy, particularly if you're not sharing. If you're trying to do it on a wing phone with people around you, you won't have the confidentiality you'd want in a medical examination.”

Prison Reform Trust

Representatives pointed to the positive impact of introducing phones and video conferencing technology in prisons as it allowed prisoners to maintain contact with their families. In one prison, the Howard League said prisoners were encouraged to read bedtime stories to their children. In other cases, prisoners were given extra phone credit so that they could afford to call home more frequently. While not considered a sufficient substitute for in person visits, representatives believed that where these technologies were available, they helped to sustain connections between prisoners and their families.

“When that access to families worked, it really worked. It really had an impact on people's wellbeing once they could see their family members and talk to their family members.”

National Preventive Mechanism

Scrutiny

The National Preventive Mechanism representative explained how access for external organisations, like Independent Monitoring Boards (IMBs) who monitor the treatment and wellbeing of prisoners, was limited during the pandemic, reducing external oversight. Instead, IMBs had to rely on calls from prisoners to a freephone number to report problems. The National Preventive Mechanism explained that short scrutiny visits through HM Inspectorate of Prisons (HMIP) were put in place as the pandemic continued. These included some in person inspections, supplemented by remote inspections. They said this meant there was some prison oversight, but the reduced frequency and duration of these visits meant prisons were not comprehensively evaluated.

Long-term impact on the justice system

Delays and the impact on public confidence

There was a broad consensus among representatives that the court system lacked the resilience to cope with a pandemic. They said that the pandemic exacerbated long-standing problems with large caseloads and court backlogs.

“I think the systems weren't resilient at all. [The pandemic] has just exposed that. They were hollowed out to such an extent...there was very limited ability to flex in an agile way.”

Andrew Dodsworth

For example, the representative for Victim Support Scotland stated that there are still 2,000 high court trials in Scotland waiting to be heard. Given these relate to serious offences and are high priority cases, they thought these delays illustrate the long-lasting impact on the system and victims' access to justice.

The Legal Aid Practitioners Group described that the significant backlogs in the Crown and Magistrates courts in England and Wales meant that some cases run the risk of not being able to be prosecuted. They said the time that has passed may mean witnesses cannot give accurate statements, become unavailable or decide to withdraw from the process. They also said the continuing delays have an impact on the wellbeing of people waiting for cases to go to trial.

Representatives also discussed concerns that court backlogs may lead to fundamental changes to the legal system. The Legal Aid Practitioners Group suggested these changes could include reducing the right to a jury trial, introducing intermediate courts or increasing magistrates' sentencing powers.

“The government is talking about fundamental changes to structure that's developed for a very good reason over time to deal with a problem that wasn't caused by but was exacerbated by the pandemic because they don't have the resources to fix the problem. So, they're trying to find work arounds that have significant constitutional consequences.”

Legal Aid Practitioners Group

The public were thought to have initially been understanding about delays to court proceedings caused by the pandemic. However, this tolerance decreased as the pandemic went on and the delays to court cases continued. Representatives felt this has led to a significant decline in trust and confidence in the justice system. They described how these low levels of public trust in the police have persisted due to a belief that crimes will not be prosecuted and that cases will not go to court.

“If you don't trust the ability of the justice system to create a fair outcome and punish someone for something they've done, then you lose trust in institutions generally. We're seeing some of those implications in terms of that now, low levels of confidence across the board in vital, crucial public institutions.”

Legal Aid Practitioners Group

A consequence of declining public trust is a decrease in the number of victims reporting crimes, a trend representatives said began during the pandemic and continues today. Victim Support Scotland noted that the percentage of crime reported by those identifying as victims has dropped from around 40% before the pandemic to 29% now. The Legal Aid Practitioners Group said there is a risk that if people are less inclined to report crimes this could lead to more crime in the long term.

“We're far less likely to report a crime now than pre-Covid. The trust and confidence figures in terms

of the justice system and the police system saw a real dip during Covid and they've continued."

Victim Support Scotland

Access to legal representation

The Immigration Law Practitioners Association spoke about how the practice of providing legal advice remotely continued beyond the pandemic. While this was necessary during the pandemic due to social distancing restrictions and lockdowns, they suggested the practice continued post-pandemic because it was cheaper and easier than providing advice in person. They said the impact of this is that those who do not have access to digital devices now have reduced access to the justice system. They questioned the fairness of this shift in practice for those receiving legal advice.

"Some measures have endured from what were unprecedented circumstances of the pandemic, that might have been appropriate during the pandemic to ensure that some access to justice was provided, but we haven't recalibrated in the post-pandemic world. Instead, we've continued these measures, because they're efficient. By efficient, I don't mean fair. They were efficient in terms of saving time and money. So, we may be sacrificing fairness now for efficiency."

Immigration Law Practitioners Association

The Legal Aid Practitioners Group noted that while remote legal proceedings enabled practitioners to handle a larger number of cases across a bigger geographical area, due to not spending time attending physical court proceedings, this approach ultimately reduced the quality of service clients received. They suggested that providing legal advice remotely often came at the detriment of building relationships with clients, particularly for more vulnerable clients, affecting the quality of support that they received.

“What's always been consistently true from the feedback we've had from practitioners, there is a measurable difference in your ability to create a strong trusting relationship with a client [if you meet them in person] which is required if you're going to get good instructions, give good advice and help people through a process.”

Legal Aid Practitioners Group

Prison operations and capacity

Representatives highlighted the significant and long-lasting impact of the pandemic on prisons, particularly prison capacity. The Prison Reform Trust noted that the persistently high prison population has placed significant strain on the support services available within prisons. It has also affected the courts' ability to send prisoners to prisons that are already overcrowded.

Representatives also referred to the long-term impact on staffing levels and operations. The Howard League noted a lack of experience among current staff of how to manage prisons in non-pandemic times. Many prison staff members joined the Prison Service during the pandemic and have only experienced managing prisons under restrictive Covid measures. The Howard League also reported an impact on staff retention as prisons have experienced a high rate of staff turnover.

"I can't think of a public service that is still more affected by Covid-19. Schools and hospitals had a terrible impact during the pandemic, and they still have recovery issues, but if we take capacity in the broader sense, in terms of staff resourcing, in terms of what prisons offer, prisons are still struggling to get out of that pandemic state."

Howard League

Lessons for future pandemics

Representatives suggested key lessons that can be learned from the experience of the justice sector to better prepare for and respond to future pandemics.

- **Contingency planning for pandemic response and how to end restrictions:** There should be clear plans for how the police, courts and prisons respond to a pandemic, but also for easing and ending restrictions. This is important to reduce long term impact. Representatives want contingency planning to draw on lessons and best practice from the Covid-19 experience, including proper consideration of the impact of different approaches on the health and wellbeing of victims, prisoners and staff. As part of any contingency planning, buildings like prisons and courts should be assessed to see how suitable they would be for use if restrictions are imposed during a future pandemic.
- **Coordination and communication with key justice sector stakeholders:** There should be better engagement between the government and organisations working in different roles across the justice sector. They felt that improved communication would lead to better decision-making that considers the range of potential impacts on the sector.
- **Use and provision of access to technology:** It is important to reflect on the positive impact of use of technology during the pandemic and ensure that there is equal access to technology.
- **Implementation of better data collection methods to measure the impact of restrictions:** Representatives emphasised the importance of being able to make evidence-based decisions. They want improved data collection and analysis across the sector to better understand the ongoing impact of decisions.
- **Clear definition of key workers in the justice system:** All Justice workers should be given key worker status during a future pandemic to support them in performing essential duties, such as attending court proceedings and preparing evidence. It would also enhance their access to necessary PPE, safeguarding their health and ensuring

the continued functioning of the justice system.

- **Recognising the importance of contact with friends and family as a protective factor for those in detention:** Places of detention should find ways to provide those detained with access to their family and friends to support their mental health and wellbeing.
- **Treating those in detention fairly:** Representatives thought it was important to treat prisoners fairly during a future pandemic, including considering the impact of restrictions on their mental health and wellbeing and ensuring they can access the healthcare, vaccines and other services they need.

Part B: the impact on immigration and asylum

Key themes

Impact on the migration and asylum system

Impact on levels of migration

The Migration Observatory explained that the number of people migrating to the UK decreased significantly in 2020, attributing this decline to pandemic travel and other restrictions. This decline was brief as migration numbers rose again in 2021, exceeding pre-pandemic levels, which they put down in part to the easing of the pandemic restrictions.

They observed that for asylum applications there was a fall of around 20% in 2020, but a significant increase in small boat crossings, rising from 1-2,000 before the pandemic to about 8-9,000 in 2020, and a further significant increase in 2021-22. They suggested that rather than the pandemic deterring these crossings, both demand and the level of organisation of these activities increased.

The rise in small boat crossings meant more people were claiming asylum, increasing the waiting time for asylum seekers to have their claims processed.

“Arguably the pandemic didn't do much to deter the incentive to irregularly migrate to the UK. The small boat crossings were becoming more professional, demand was increasing, and [the pandemic] didn't make a dent in terms of crossing. In terms of overall application numbers, we reached record numbers

after the pandemic.”

Migration Observatory

Impact on migration data collection

Representatives discussed how the pandemic highlighted significant shortcomings in the UK's immigration data collection. They explained that the pandemic disrupted traditional data collection methods used prior to the pandemic, such as the International Passenger Survey which collapsed rapidly due to travel restrictions at airports.

The Labour Force Survey was also used but the response to the survey was already low and continued to fall during the pandemic, raising concerns about the reliability of the data. The Migration Observatory said that in the short term this made it difficult to understand what was happening to migration levels.

The Office for National Statistics (ONS) shifted to alternative data collection methods, such as using administrative data from National Insurance numbers and border checks. However, this shift was said to have created inconsistencies in the data, which made it difficult to understand migration trends and to make effective plans to address the impact of the pandemic on migrants.

Delays in case progression

The pandemic negatively impacted the quality of service provided to migrants navigating the immigration process according to representatives. The Immigration Law Practitioners Association explained that some immigration lawyers were furloughed during the pandemic, leaving migrants without legal support for their immigration cases.

There were difficulties in accessing immigration case documents during the pandemic which according to representatives delayed the progression of cases and was distressing for migrants. The Immigration Law Practitioners Association expressed that there was a significant lack of clarity regarding whether and when immigration lawyers were considered key workers, other than when they were attending or working on court and tribunal hearings. They highlighted an example of a practitioner working on an application to the Home Office and it being unclear if the practitioner was a key worker and was able to go and collect physical documents from

the office to progress these types of cases. The requirement to work from home impacted the ability to carry out essential tasks such as compiling documents or collecting evidence. The representative for the Joint Council for the Welfare of Immigrants highlighted delays in processing subject access requests, impacting on the ability to collate relevant material.

Similarly, the Migration Observatory highlighted the fact that the pandemic meant there were limits on conducting immigration interviews. They described how certain asylum application interviews could be skipped during the pandemic, but that this actually made it harder to progress applications because there was less information about individual cases.

Court hearings pausing during the pandemic delayed case progression and this meant migrants had to wait longer for cases to be resolved. The Migration Observatory highlighted that delays, particularly in processing asylum applications, have persisted. They said that by 2023 over half of the initial immigration decisions for asylum seekers were for individuals who had been waiting for more than 18 months. They thought this highlighted the enduring impact of disruptions during the pandemic on the immigration system.

“All those changes caused by the pandemic made it harder to progress applications. Moving into the post pandemic: applications, small boat arrivals jumped, everything jumped. Then you saw a system that was stuck with progressing applications.”

Migration Observatory

Changes to policy

The pandemic and resulting changes to the immigration system caused uncertainty around people's immigration status, with representatives citing examples of schemes implemented during the pandemic. For example, the Home Office introduced a Covid-19 concession scheme (the Coronavirus Extension Concession), which the representative for the Immigration Law Practitioners Association said extended the leave to remain for those whose visas were expiring in July 2020. This allowed them to stay in the UK longer during the pandemic. However, representatives said that a lack of clarity about the details of the various coronavirus immigration schemes

caused significant confusion and legal uncertainty about individuals' immigration status. Representatives explained that the absence of clear guidance left migrants in a vulnerable position, leading to a loss of regular immigration status and a subsequent decline in their ability to work and access essential services.

A separate discretionary scheme (the Exceptional Assurance Concession) was established during the pandemic which prevented migrants facing adverse consequences from overstaying for a defined period. However, representatives considered the process lacked transparency, with unclear guidelines on how decisions would be made and which individuals would be granted this status.

“It was only years after its introduction and after consistently seeking clarification from the Home Office that we found out that ‘exceptional assurance’ wasn't any form of assurance in law. It was a form of ‘protection’ but did not constitute lawful residence or presence in the UK. The legal power and mechanism underpinning this assurance was wholly unclear. For so many of the temporary policies during the pandemic, we had to ask the Home Office to keep archives of their own guidance as it continuously evolved, given these policies were not contained in the Immigration Rules.”

Immigration Law Practitioners Association

Representatives mentioned that the pandemic's effect on immigration was further complicated by the UK's exit from the European Union, which changed the immigration rights of EU citizens living in the UK. They explained that immigration rules were amended in response to the pandemic without consideration of the impact on EU citizens. For instance, EU citizens who went back to their home countries during lockdowns lost their right to stay in the UK, making it hard for them to come back.

“There was insufficient flexibility in immigration requirements during the Covid-19 pandemic. The overlap of the first worldwide pandemic with Brexit meant people were unable to meet requirements for reasons outside of their control.”

Immigration Law Practitioners Association

Impact on migrants and asylum seekers

Mental health and wellbeing

The representative for Project 17, who work to end destitution among migrant families with no recourse to public funds⁵, described how the pandemic meant migrants and asylum seekers did not have access to their usual support networks, such as using libraries for warmth, using internet facilities at food venues, or sharing food with friends, all of which affected their mental health. They also noted that some migrants lacked access to nearby outdoor spaces for fresh air and exercise during the pandemic, negatively impacting both their mental and physical health.

“Clients were interrogated for being on the park bench because they had no garden. They were trapped in their bedrooms then.”

Project 17

There was less support available to migrants and asylum seekers during the pandemic according to the representatives. This included mental health support and a general lack of support available in their own language. Representatives said this had a negative impact on wellbeing. In particular, Project 17 found that the lack of mental health support available during the pandemic exacerbated migrants' fears that the government would not provide assistance for them or their families. Bail for Immigration Detainees similarly noted that the pandemic and the treatment of migrants during this time fostered a sense that they were not important, reducing their sense of belonging and damaging their mental health.

“I can't remember any additional mental health support [during the pandemic] for people to reach their communities and family and friends.”

Immigration Law Practitioners Association

⁵ No recourse to public funds (NRPF): is a condition placed on some immigration statuses in the UK, meaning those with NRPF cannot claim most benefits, tax credits, or housing assistance from the state. This is part of many temporary visas and for those without any legal permission to be in the UK.

Detained migrants

Representatives said the pandemic had a substantial negative impact on the mental health and wellbeing of detained migrants. The representative for Bail for Immigration Detainees explained that detainees were subjected to extended periods of solitary confinement in an effort to reduce the spread of Covid-19 within detention facilities. They said some migrants were confined for over 23 hours each day. They highlighted that the lack of clear communication about the reasons for this and the expected duration of their confinement resulted in increased fear and anxiety among detainees.

“Because people were confined in their cells: they lived in fear that they might get Covid, might die, would not know what was happening in the outside world.”

Bail for Immigration Detainees

Bail for Immigration Detainees said that detained migrants did not have visits from family and friends in person or access to adequate technology such as video conferencing or telephones to communicate with their support networks. The lack of contact with support networks exacerbated their social isolation and made them feel that their mental health was not a priority. The Joint Council for the Welfare of Immigrants indicated that detained migrants also felt like they were being denied access to support services and Covid-19 vaccines. They said this worsened the impact on their mental health and increased fear about contracting Covid-19.

“It's the sense of control. Most of us in those circumstances, we can create the illusion of control by wearing a mask etc. For those in detention centres, it's like being in the blitz: hiding under the bunk and hoping you dodge the bomb. You can't do anything - someone else is controlling your life and the impact of that is tremendous.”

Project 17

Bail for Immigration Detainees further explained that immigration detention centres experienced difficulties in securing suitable alternative accommodation for high-risk detainees. This was due to delays in the approval process by probation services, leading to high-risk migrants being detained for extended periods despite having been granted bail. They highlighted that by May 2020, the average length of detention in cases for which it had provided representation or advised upon had risen to over 200 days, in contrast to the pre-pandemic average of 60 days.

Financial impact

The representative for Project 17 said that there was a 66% increase in applications for support with housing and financial assistance. There was also an increased reliance on foodbanks during the pandemic. They felt that some migrants did not comply with pandemic rules as they continued to work to support themselves and their families.

“We as a society sometimes feel like migrants don't matter. When faced with [a] pandemic [the] response relies effectively on the ability of people to comply. I think people want to, but if you have no food in the house, you can't. If no one provides a get-out you undermine the public response to government guidance.”

Project 17

Representatives discussed the impact of an increase in visa fees during the pandemic, which coincided with a rise in the cost of living. Project 17 noted that this often depleted any funds that migrants had saved and increased the financial strain during the immigration process, particularly for those ineligible for fee waivers during the pandemic.

Some migrants did not have enough money to deal with burial costs for family and friends who died during the pandemic, which significantly affected their bereavement experiences according to the representative for Project 17.

“Cruelty of not being able to access help with burial costs and bereavement. When they're not making

ends meet and facing destitution they couldn't deal with the burial costs for someone who passed away from the pandemic.”

Project 17

Access to accommodation

The pandemic led to changes in the accommodation provision for migrants due to a shortage of community-based housing. The Immigration Law Practitioners Association explained that the government began using contingency accommodation, such as hotels, army barracks and mixed-occupancy housing. The representative for Project 17 said these facilities were often overcrowded, increasing the risk of Covid-19 transmission and did not always provide nutritious and culturally appropriate food. They also cited one inspection which found 200 individuals sleeping on the floor in sleeping bags, which was not compliant with accommodation standards.

“A lot of the accommodation [the] council put people in were houses of mixed occupancy. People were told to shield but then put into places with others who might have substance abuse problems. They were scared to leave their rooms to go to the kitchen. Had to leave kids at home without childcare to then work.”

Project 17

The pandemic also led to long term impacts on the accommodation provided to asylum seekers, with a greater reliance on hotels. The Migration Observatory noted that the ongoing backlog of asylum applications means that asylum hotels continue to be used at a cost to the individual and the government.

“You have to offer support and put in accommodation for the people. But for the individual, they're stuck in limbo without the right to

work and living off of the Section 95 support.⁶ That comes with a lot of consequences for those people.”

Migration Observatory

Access to healthcare

The Immigration Law Practitioners Association noted that government guidance about Covid-19 and its impact on the immigration system was not provided in formats that migrants could understand, with literacy skills being a significant barrier. This created significant information gaps concerning Covid-19 measures, healthcare access, policy changes and vaccines. Consequently, many migrants were unaware of the healthcare resources available to them during the pandemic so did not access them.

The NHS exempted anyone living in the UK without permission from charges for Covid-19 healthcare, including testing for Covid-19, treatment for Covid-19 and vaccinations. Healthcare staff were also instructed not to conduct the usual immigration checks when providing Covid-19 healthcare services. However, representatives felt that migrants and asylum seekers remained fearful about accessing services due to their mistrust of authorities. This was driven by fears that their immigration status might be reported to the Home Office. The Immigration Law Practitioners Association also suggested that many migrants were not registered with GPs and did not have an NHS number and therefore could not access Covid-19 healthcare.

“Migrants who were discouraged from accessing healthcare for a long time were cynical at the prospects of accessing it suddenly during the Covid-19 pandemic.”

The Joint Council for the Welfare of Immigrants

The representative for Bail for Immigration Detainees also described a lack of clarity surrounding who was eligible to access a Covid-19 vaccine, which

⁶ Section 95 of the Immigration and Asylum Act 1999 allows asylum seekers who are destitute, or likely to become destitute, to get support from the UK Home Office. This support can include accommodation and financial assistance to cover essential living needs. The support continues while the asylum claim is being processed, including any appeals.

created uncertainty for migrant detainees about whether they could get a vaccine and protect themselves from Covid-19.

People without recourse to public funds

Representatives highlighted the detrimental impact of the pandemic on migrants living without recourse to public funds (NRPF), exacerbated by not having access to usual support networks, such as friends and family, as well as services like libraries.

Project 17 explained that migrants with NRPF were often employed in minimum wage jobs or the informal economy (jobs that are not taxed, monitored or regulated by the government) and that they often lived in overcrowded conditions. Despite government guidance, many felt they had no choice but to continue to work throughout the pandemic, risking Covid-19 infection and transmission within their households. Project 17 also noted an increase in domestic abuse and homelessness among migrants with NRPF during the pandemic.

“Because they had no access to public funds, they faced the real impact of starvation and not being able to feed their kids.”

Project 17

Lessons for future pandemics

Representatives suggested key lessons that can be learned from the experience of the immigration and asylum sector to better prepare for and respond to future pandemics.

- **Capture reliable migration data:** Representatives described the need to ensure that data collection can continue to operate during a pandemic to understand who is coming in and out of the UK. They highlighted that this system should also capture data on migrants who travelled illegally. They thought this data would assist in preparing effective migration policy in a pandemic.
- **Support the progression of immigration cases:** Legal representatives should be consistently recognised as key workers to enable them to continue working and progress cases.
- **Improve access to healthcare:** In future pandemics, effective steps should be taken to address the concern that healthcare data collected would be shared with immigration authorities. This was seen as important for building trust, which would then help alleviate fears and misinformation amongst migrants and asylum seekers. Healthcare should be made accessible by providing support and information in different languages.

Annex

Roundtable structure

In May 2025, the UK Covid Inquiry held a roundtable to discuss the impact of the pandemic on the criminal justice system and the immigration and asylum system. This roundtable included three breakout group discussions focused on the justice sector, the prison sector and the immigration and asylum sector.

This roundtable is one of a series carried out for Module 10 of the UK Covid-19 Inquiry, which is investigating the impact of the pandemic on the UK population. The module also aims to identify areas where societal strengths, resilience, and or innovation reduced any adverse impact of the pandemic.

The roundtable was facilitated by Ipsos UK and held at the UK Covid-19 Inquiry Hearing Centre.

A diverse range of organisations from across the UK were invited to the roundtable; the list of attendees includes only those who attended the discussion on the day. Attendees at the three-breakout group discussion were representatives for:

Justice sector:

- The Immigration Law Practitioners Association
- Victim Support Scotland
- Victim Support
- Legal Aid Practitioners Group
- District Judge Andrew Dodsworth (President of His Majesty's Association of District Judges 2021/22)*
- The National Police Chiefs' Council

*Attended in personal capacity.

Prison sector:

- Prison Reform Trust
- Medical Justice
- Inquest
- Howard League
- National Preventive Mechanism

Immigration and asylum sector:

- The Migration Observatory
- The Immigration Law Practitioners Association
- Project 17
- Bail for Immigration Detainees
- The Joint Council for the Welfare of Immigrants

Module 10 roundtables

In addition to the roundtable on the justice system, the UK Covid-19 Inquiry has held roundtable discussions on the following topics:

- The faith groups and places of worship roundtable heard from faith leaders and organisations representing religious groups about the unique pressures and risks they faced during the pandemic.
- The Domestic abuse support and safeguarding roundtable engaged with organisations that support victims and survivors of domestic abuse to understand how lockdown measures and restrictions impacted access to support services and their ability to provide assistance to those that needed it the most.
- The Funerals, burials, and bereavement support roundtable explored the effects of restrictions on funerals and how bereaved families navigated their grief during the pandemic.
- The Key workers roundtable heard from organisations representing key workers across a wide range of sectors about the unique pressures and risks they faced during the pandemic.
- The Hospitality, retail, travel, and tourism industries roundtable engaged with business leaders to examine how closures, restrictions and reopening measures impacted these critical sectors.
- The Community-level sport and leisure roundtable investigated the impact of restrictions on community level sports, fitness and recreational activities.
- The Cultural institutions roundtable considered the effects of closures and restrictions on museums, theatres and other cultural institutions.
- The Housing and homelessness roundtable explored how the pandemic affected housing insecurity, eviction protections and homelessness support services.

Figure 1. How each roundtable feeds into M10

