

The Youth Justice System's Response to the Covid-19 Pandemic

The Impact in a Secure Children's Home
Research Paper 8

Dr Deborah Jump
Professor Hannah Smithson
Andrea Nisbet

April 2022

About this Research

During and after the Covid-19 pandemic, there will be societal implications for all children. However, for those in the youth justice system the impacts are likely to be particularly detrimental. There is an urgent need to develop a clear understanding of the impact of the pandemic on these children and those who work with them.

This research project aims to understand the unprecedented implications that the Covid-19 pandemic has had on each stage of the youth justice system. Delivered in partnership between the Manchester Centre for Youth Studies (MCYS) at the Manchester Metropolitan University (MMU) and the Alliance for Youth Justice (AYJ), the project documents the impact of the pandemic on policy and practice responses, barriers and enablers to effective adaptation, and children's perspectives. While the Greater Manchester (GM) region provides an in-depth case study for the project, we additionally draw heavily on the national literature and in-depth interviews with national stakeholders from the youth justice sector. Funded by the Economic and Social Research Council (ESRC) as part of the UK Research and Innovation's rapid response to Covid-19. Findings and recommendations from the 18-month project will be shared widely with practitioners and decision-makers to shape future policy and practice.

About the Manchester Centre for Youth Studies (MCYS)

The MCYS is an award-winning interdisciplinary research centre at MMU, specialising in participatory, youth-informed research that positively influences the lives of young people. MCYS believes young people should have the opportunity to participate meaningfully in decisions that affect them and employs participatory approaches to engage with young people across a range of issues. As an interdisciplinary research centre, the MCYS team brings together academics and practitioners from a range of disciplines. In addition to collaborating with young people and their communities, MCYS works with agencies and organisations across the public, private and voluntary sectors, both in the UK and internationally.

About the Alliance for Youth Justice (AYJ)

The AYJ brings together over 70 organisations, advocating for and with children to drive positive change in youth justice in England and Wales. Members range from large national charities and advocacy organisations to numerous smaller grassroots and community organisations. The AYJ advocates for distinct systems, services and support that treat children as children first and foremost - underpinned by social justice, children's rights, and a focus on positive long-term outcomes. AYJ aims to promote widespread understanding about the underlying causes of children coming to the attention of the criminal justice system, and champion approaches that enable them to reach their full potential.

Acknowledgements

The authors wish to thank all our colleagues who took part in the interviews. We would also like to thank the AYJ team: Pippa Goodfellow, Millie Harris and Millie Hall, and members of the project steering group: Shadae Cazeau, Kay Davies, Iman Haji and Hazel Williamson, for their invaluable input and support.

Glossary of Acronyms

- Alliance for Youth Justice (AYJ)
- Economic and Social Research Council (ESRC)
- Greater Manchester (GM)
- Independent Managing Board (IMB)
- Manchester Centre for Youth Studies (MCYS)
- Manchester Metropolitan University (MMU)
- Personal Protective Equipment (PPE)
- Public Health England (PHE)
- Release on Temporary Licence (ROTL)
- Secure Children's Home (SCH)
- Secure Training Centre (STC)
- Youth Custody Service (YCS)
- Youth Justice Board (YJB)
- Young Offenders Institution (YOI)
- Youth Offending Teams (YOTs)

Key Findings

- Children were held in isolation in the early stages of the pandemic. This contravened the recommendation to the UK government from the Joint Committee on Human Rights. SCH A differed from YOI X in that staff maintained daily contact with parents/carers and made it a priority to maintain children's emotional and mental wellbeing while contained in their bedrooms.
- The Ofsted Inspector's report published as a blog in June 2020 stated that Secure Children's Homes (SCHs) are managing to keep 'an almost normal routine'. This paper somewhat contradicts this statement and recognises that whilst necessary adaptations were made, the negative impacts that these adaptations had on children's wellbeing cannot be overlooked.
- First time new entrants to SCH A were particularly affected by isolation and mandatory quarantine measures.
- On-site health and mental health services continued unabated in SCH A throughout the pandemic, therefore contributing towards the somewhat maintenance of children's emotional and mental wellbeing.
- Staff were able to access clinical supervision from on-site health and mental health services and this maintained positive staff morale, yet staff absences and shielding requirements created significant challenges for SCH A.
- Contacts and visits from family, friends, and external organisations/professionals were significantly impacted during the pandemic.
- Free access to in-room telephones and iPads on units helped children maintain contact with family and friends and this mitigated some anxieties, however, lines could be overwhelmed with children and families regularly having interrupted communication.
- Some children preferred phone contact over visits through Perspex screens without physical contact.
- The pandemic has highlighted opportunities for investment in technology and the use of it within SCH A.
- Children's education was considerably impacted during the pandemic. Education was stopped during the early stages of the pandemic and replaced with work packs that received mixed responses from children, thus impacting on attainment and inequality for an already marginalised and disadvantaged population.
- Lack of physical activity and lack of gym access on SCH units was a priority concern for children and staff.
- The creation of unit bubbles and lack of mixing with other children led to boredom and frustration for the majority of children in SCH A.
- Children's release and re-settlement plans were significantly affected by the pandemic and lack of access to external organisations and partners was a concern for SCH A staff and YOT workers.

The Impact of Covid-19 on Youth Custody

Introduction

This paper is the 8th research paper from this project, which explores the impact of Covid-19 on the children's secure estate. It focuses on the following areas: the impact on children including isolation, contacts and visits, education, mental health concerns, relationships with staff and relationships with other children; the impact on custodial regime changes; communication and national guidance; strengths and limitations of regime adaptations; and opportunities for the secure estate in a post-Covid world. The research underpinning this paper was undertaken in an English SCH (referred to hereafter as SCH A) between March 2021 and November 2021. It involved telephone interviews with seven members of staff (unit managers, nurses, residential workers and intervention workers). 21 children were involved in the research: 14 were interviewed via Zoom and six took part in three participatory workshops held on site. The children involved in the research were all male, aged between 15 and 17 and over half self-identified as having ethnic minority heritage.

We use the project literature review authored by Harris and Goodfellow to provide the context and literature for each section of this report (see Harris and Goodfellow, July 2021, chapter 3 for a detailed overview of the impacts of Covid-19 on custody).²

** Identifiers from interview extracts from those undertaken at SCH A have been kept generic so as not to identify the respondents. Respondents are referred to as either, management, practitioner or child*

1 The Youth Justice System's Response to the Covid-19 Pandemic, Literature Review: <https://static1.squarespace.com/static/5f75bfbbfb67fc5ab41154d6/t/618bdf2a6166520207116da5/1636556588695/Impact+of+COVID+-+Literature+Review+FINAL+Updated+Oct+21.pdf>

2 *ibid*

Secure Children's Homes

There are three types of establishment in England and Wales where children (10 – 17 year olds) sentenced to remand or custody can be placed: secure children's homes (SCHs), secure training centres (STCs) and Youth Offending Institutions (YOIs).³ SCHs are run by either local authorities or by private companies. They are usually smaller in capacity and house children who have been assessed as vulnerable and requiring extra care. They provide care for boys and girls aged between 10 and 17 years old, covering full residential care including education and healthcare provision. There are two purpose-built STCs currently operating, run privately to meet contracted arrangements for the Youth Custody Service (YCS) and cater for vulnerable children. There are five under 18 YOIs, either run by the prison service or by the private sector which hold larger numbers of children, thus less likely to be able to meet children's individual needs. There are 14 SCHs across England and Wales as of 2020.⁴ These comprise full residential care and Ofsted inspected education support, whilst providing a therapeutic environment for those children classed as particularly vulnerable. Across March 2020-March 2021, on average YOIs held 497 (76%) children, STCs held 98 (15%) children, and SCHs held 61 (9%) of children.⁵

In the review of the project literature, Harris and Goodfellow⁶ found that the majority of national government guidance for the secure estate during the pandemic (March 2020 – 2021) concentrated on STCs and YOIs. Consequently, there is a paucity of knowledge about the impact of Covid-19 on SCHs, even though SCHs make up 9% of the secure estate population (ibid).⁷ Furthermore, there are long waiting lists for vulnerable children assessed as having complex needs and requiring the specialist care that SCHs can provide. During the pandemic, waiting lists for SCHs doubled.⁸

3 Youth Custody Service:

<https://www.gov.uk/government/organisations/youth-custody-service/about>

4 Secure Children's Homes:

<http://securechildrenshomes.org.uk/index.htm>

5 HM Prison and Probation Service, Ministry of Justice (2021) Youth custody data:

<https://www.gov.uk/government/statistics/youth-custody-data>

6 The Youth Justice System's Response to the COVID-19 Pandemic: Literature Review:

<https://static1.squarespace.com/static/5f75bfbbfb67fc5ab41154d6/t/618bdf2a6166520207116da5/1636556588695/Impact+of+COVID+-+Literature+Review+FINAL+Updated+Oct+21.pdf>

7 bid <https://static1.squarespace.com/static/5f75bfbbfb67fc5ab41154d6/t/618bdf2a6166520207116da5/1636556588695/Impact+of+COVID+-+Literature+Review+FINAL+Updated+Oct+21.pdf>

8 Secure Children's Homes – Ofsted Blog

<https://socialcareinspection.blog.gov.uk/2020/06/09/secure-childrens-homes-helping-the-most-vulnerable-children/>

Covid-19: Its impact on children in custody

An on-line blog by Ofsted's Senior Officer for the secure estate in June 2020 noted that 'staff and managers in SCHs are managing to keep an almost normal routine for children.' The publication stated that 'children were still attending education and most of their usual activities', and 'that some SCHs have had really positive feedback about how staff are looking after them and the care they are receiving.'⁹ The findings presented in this paper somewhat contradict this report and therefore offer a different account.

Isolation

Staff reported that SCH A went into lockdown at the beginning of the pandemic in March 2020. During this period, children were required to isolate and stay in their rooms. Accordingly, adapted routines were introduced that took account of restrictive measures advised by the government to minimise the spread of infection. Staff spoke of the need for social distancing and a new timetable for the daily routine was implemented during this time.

"...we had to isolate the young people at first, so in the initial lockdown, the young people literally spent 23 and a half hours in their rooms, they got a fresh air break two times, 20 minutes each shift." (Practitioner)

"It was a two-week isolation to start with which is quite bad because obviously young people in their rooms, who don't want to be in their rooms constantly, we can't do any activities with them and it was quite bad at first. But once that all settled down, it was much better." (Practitioner)

Harris and Goodfellow (2021)¹⁰ highlight in the literature review:

The Joint Committee on Human Rights told the UK government that children must not under any circumstances be subject to restrictions amounting to solitary confinement.¹¹ As set out by the Howard League for Penal Reform in its May 2020 briefing on children in custody during COVID-19:

The internationally accepted definition of solitary confinement is the physical isolation of individuals who are confined to their cells for twenty-two to twenty-four hours a day.¹²

9 ibid

10 The Youth Justice System's Response to the COVID-19 Pandemic: Literature Review: <https://static1.squarespace.com/static/5f75bfbbfb67fc5ab41154d6/t/618bdf2a6166520207116da5/1636556588695/Impact+of+COVID+-+Literature+Review+FINAL+Updated+Oct+21.pdf>

11 Secretary of State for Health and Social Care (December 2020) The Government's Response to the Joint Committee on Human Rights Report: The Government's Response: <https://committees.parliament.uk/work/218/the-governments-response-to-covid19-human-rights-implications/publications/>

12 United Nations General Assembly (2016) United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) 70/175: https://www.unodc.org/documents/justice-and-prison-reform/Nelson_Mandela_Rules-E-ebook.pdf

After 15 days, solitary confinement becomes prolonged, which the Supreme Court has noted can cause irreversible psychological harm. ¹³

Nonetheless, children had to quarantine on arrival at SCH A for at least a ten-day period, or when staff or children tested positive, or a positive case had been detected within a unit bubble. Some children experienced multiple periods of isolation because of staff testing positive.

“I had ten days isolation even though I didn’t have it. And then I had a week out. And then I got it then. So, I had another ten days after. But I was still showing symptoms, so I had another fourteen days. So, in total I had about 25 days... We got PlayStations for the first ten days because I had nothing. And then I couldn’t have anything in the second isolation because I tested positive for Covid. So, couldn’t do anything.” (16-year-old child)

Staff recounted their eagerness to support children through quarantine and isolation.

“On the first day that we found out about this [Covid-19], me and my colleagues went to B&M and tried to find loads of activities for them that they could do in their rooms to try and keep them occupied, basically, because these kids have a lot of emotional and behavioural issues and having them locked up for two weeks straight – for anyone that would be difficult let alone children as young as 13, 14...” (Practitioner)

Staff introduced a timetable for children (in their rooms) during the initial lockdown to provide some structure and focus to their day. This timetable was in conjunction with a more lenient routine, whereby children were allowed to start the day later, and televisions were allowed to be viewed later than normal in the evening. The daytime timetable included a range of activities including reading, quizzes, competitions and bingo – played with the children using an intercom system.

“Even though they were behind closed doors, we had a timetable which said they had activities on. ... we had that structured throughout the day all the way through until bedtime and then also we’d leave the tellies on a little bit longer during the night-time because if it was under normal conditions they’d be on an incentive scheme depending on their behaviour and their age so TVs would go off at certain times. But with Covid being on, we left the tellies on a little bit longer for most of them but we made sure that the day was structured so they had focus, so that they weren’t just deteriorating in their rooms.” (Manager)

“So, the first lockdown was quite hard but the staff was doing the best they could, really, to do activities. So, they were doing activities while we was in our rooms. We was playing bingo from our back windows. So, yeah, they were still getting us up doing stuff. It was quite hard at first though...” (16-year-old child)

Children described watching television and playing on gaming consoles provided in their rooms. Children had telephones in their rooms and unlike YOIs, phone calls were free.¹⁴ They spent a considerable amount of time talking to family and friends on the phone and communicated with their friends on the unit by shouting through the walls and windows of their rooms.

¹³ R (on the application of Bourgass and another) (Appellants) v Secretary of State for Justice (Respondent): <https://www.supremecourt.uk/cases/uksc-2013-0230.html>

¹⁴ The Youth Justice System’s Response to the Covid-19 Pandemic; The Impact on Youth Custody: (pending publication)

“I watched TV, played cards and dominos - the staff was like, you have to stay in your room for 14 days now and it was my first day and I’d come and I had a cast on my arm because I’d been stabbed and it was just all crazy for me and then I was in my room for two weeks and I’d just be in bed because I couldn’t really move anyway because of my injuries, so it was just a bit mad for me- I think I wanted to be by myself for a bit, after what had happened. So, it was alright but then after a week, you start getting a bit lonely. So, I just used to really have phone calls to my family, and I used to speak to them.” (16-year-old child)

Staff reported that they kept parents and professionals informed of children’s well-being during periods of isolation and quarantine. (See below for consideration of virtual contacts with YOT workers.)

“...when a young person’s in isolation we phone the parents every day to let them know how we were going. We were letting YOTs know as well. We’ve been very transparent in our communication to keep letting them know.” (Manager)

Some staff spoke of the opportunity that isolation had for getting to know the children. They were able to provide information about SCH A and therefore attempt to alleviate fears that children may have had about integrating onto the unit and mixing with other children.

“... keeping interaction at their door as much as possible... speaking to them one-to-one at the door, getting them out for fresh air, we get to know a lot more about them and then we can, kind of, get in their heads first, almost, about the expectations here and everything before they meet the other young people and then they get the perspective from their side. So it has been good but also a lot of kids have been anxious to come out their room after the ten days because they’ve got so used to being in that one room and then having to come out to the group after that is quite difficult. Whereas when they first come straight out into the group, they’re being thrown in at the deep end but they get used to it, so yes, it’s been strange.” (Practitioner)

Children would see residential staff throughout the day when they came to deliver meals in full Personal Protective Equipment (PPE), as well as when they helped to clean and sanitise their rooms. As children were mostly restricted to their rooms during the initial lockdown, back doors were opened to let in fresh air.

“So they had a lot of human contact as well as obviously the contact that they had from the families through telephone calls and such. Then we progressed to iPads and Skype calls and video calls so they could see their family just on the screen rather than just on a telephone. So it did progress. So they was well catered for...” (Manager)

“I think, some of the young people we’re working with, because of their journeys and their stories and the trauma that they’ve brought along with them, coming into SCH A it was more about checking their emotional thermometers, seeing where they were at with emotional health and wellbeing, did they understand what was going on? ... And just telling them, “Listen, you’re safe in here. You are safe.” (Practitioner)

Staff explained that as the situation evolved adaptations to isolation evolved. Restrictive measures reduced when it felt safe to do so, therefore concomitant with the ongoing wider pandemic guidance.

“We’ve evolved as a unit, as things have, as we got to know Covid better, really, we’ve evolved. When we first had Covid last March, the kids were only allowed to stand at the door for fresh air. Now we take them through, we take them in a designated area, and they go to the AstroTurf

and they play football for half an hour, or they walk around whatever they want to do, so we have evolved, I think, to ensure that we're making sure the best for that young person. Some young people don't want to go outside, they're happy with a book and a word search, it is dependent on that young person, but they are offered more opportunities now to go outside and do physical activity." (Manager)

Staff reported that they had managed quarantine and isolation of children effectively and felt that they had provided as much support as possible during the difficult period when children had been locked in their rooms. They spoke about the impact on children, and how some accepted and complied with isolation without much complaint. Staff teams undertook questionnaires with children about the impact of the pandemic and discovered that most children had reported dealing with it relatively well. Staff were very positive about the way children had responded to lockdown and new requirements, stating how well behaved the children were.

"So, absolutely, of course, they will have been affected but I think that not in the way that we thought they might have been, and I think that it's been very, very well managed and supported. I think it's had a little, that's had the little impact. I think interventions have done some work speaking to young people when they've been in isolation and how it felt and the impact of Covid. So, I think there has been some kind of small questionnaires with young people and yes, most of them have been fine." (Practitioner)

"...I think they coped with it amazing. We didn't have any incidents really that I can think of. A lot of, yeah, I'm a bit bored. A few of them absolutely loved it and just slept all day and thought it was great, but no, very, very little pushback or complaint from them..." (Practitioner)

Staff further reported that the children during isolation were content with being in their rooms, which is in stark contrast to YOIs (see Smithson et al, April 2022 for further discussion).¹⁵ Staff further noted that most children under their supervision had coped well mentally with prolonged periods of isolation. Similar findings were identified in YOIs with a notable reduction in self harm and suicide. However, this could be happenchance, and the full implications of the mental health of children and children is yet to be realised.

"... surprisingly they were happy really, as I said, I'd expected them to be kicking off or just be worse than what they were but yes, they were great, I can't say anything bad about them during those times. You get the odd introvert who likes to be in their room anyway, so they're just happy to be in their room and get waited on hand and foot, it's great for them. So, some of them did like it....I wouldn't say I've seen any young people struggle myself, personally...I imagine there are young people here who probably aren't as honest with staff and are probably more honest with a professional about how they feel, there probably are young people who have struggled here but from my experience, I've not come across any of them." (Practitioner)

However, in contrast to what the staff felt, it was evident when speaking to children about quarantine how traumatic some found the experience. As previously stated, children were confined in their rooms for 14 (reduced to 10) days and only allowed out for short periods of time. They expressed how difficult they found it, highlighting feelings of isolation and loneliness when in quarantine and spoke about the impact it had on their health and wellbeing.

¹⁵ The Youth Justice System's Response to the Covid-19 Pandemic; The Impact on Youth Custody: (pending publication)

This scenario actually chimed more with what children reported in regards to the impact of isolation on their emotional and mental wellbeing:

“Just, like, when you’re on your own you’ve got no one at all to talk to. You know you’re isolated from everyone. Like, not just physically to protect everyone. It’s mentally as well. No one speaks to you. Or if they did, they speak to you through a mask or something like that, you know. It’s hard because I don’t know how I’ve made it through two isolations without talking to people.”
(15-year-old child)

“It’s just difficult ... Honestly, I felt like, you know, I was all alone. I couldn’t speak to anyone. I could speak to family and stuff (on the phone) whilst I was in my room, but it’s not the same as face-to-face. [Pause] I was on my own for, like, every day except, like, one or two hours when I could go out for exercise. And I honestly, just don’t want that to happen again because I don’t know what I’d do... I was angry at the fact that I had to isolate. I was really sad that I couldn’t talk to anyone. And it was... I don’t know what I’d do if I had to isolate again.” (16-year-old child)

In addition to the one-to-one interviews with staff and children at SCH A, the research team conducted a series of focus groups with children to ascertain the impact of Covid-19 on issues ranging from mental health, education, court proceedings and contacts and visits. The following interview extracts from one such group further reveals the impact that the pandemic and isolation had on children’s mental health.

Interview Extract – Mental Health (Workshop)

P3 = Participant

I2 = Interviewer

P3: Everyone in here’s fucked, man. Everyone’s head in here is fucked, man.

I2: Because of Covid?

P3: Mostly Covid, yeah. Being locked in this place is fucking shit. Like, you know, not hugging your mum, fucks with your head. this place might be like a care unit. I mean, it’s not a jail and that. It’s chilling, innit, man. But like, for anyone, even for you, man. I mean it’s fucked with your head man.

Interview Extract – Impact of Isolation (Workshop)

P1 & P2 = Participants

I2 = Interviewer

P1: It messes with your mental health and that, you’re mentally just stuck in a room, probably that’s about it.

I2: Tell me more about that.

P1: What the mental health?

I2: Yeah.

P1: It’s just being stuck, isn’t it? You just feel like you’ve got no one in there, you’re just stuck and then obviously you start thinking and thinking and praying and that...

P2: And not being able to see a lot of your family as well and worrying if they’ve got Covid or if they’re going to get it, knowing that you can’t really be there to take care of them or something like that.

HM Inspectorate of Prisons inspection report (February 2021) states the question in its thematic review, 'What happens to prisoners in a pandemic?' arguably raising concerns about insufficient mental health support 'at a time of heightened anxiety', including 'limited specialist secondary mental health services'.¹⁶ Indeed, in our prior YOI briefing paper (see Smithson et al, April 2022)¹⁷ we identified this as an area of concern regarding the accessibility and availability of mental health services available to children during the early stages of the pandemic.

In contrast to YOIs, health and mental health support was available at SCH A throughout the pandemic as it was deemed an essential service. A doctor and nurse were on site throughout the week and psychiatry services were available weekly. Children explained that they could press their buzzer in their room if they were isolating and felt ill.

"Yeah. Still got all the doctors and stuff. And all the doctors are all still here and that. Obviously, we got like an on-site, like, doctor who comes in Monday to Friday. They've got mental health and all that stuff." (16-year-old child)

"...the mental health nurse who was talking with young people to assess their frame of mind. I had a psychologist that was making the rounds, just checking if everything was alright. But most of the support from the rest of them was remote learning, remote support should I say. It was phone calls or coming on the screen which is no good for the young people." (Manager)

"...we've got a good health team upstairs who are always there, if there are any issues with the young people, we'll call the health team, mental health-wise or anything like that or harm-wise. I feel like we've had enough support, a lot of support from staff, professionals, family, yes, I think we've had plenty of support..." (Practitioner)

A manager further explained that there was mental health staff to constantly help and support children:

"... On top of that we did have one or two mental health workers that wasn't obviously impacted by shielding. So we'd have people coming to sit with them through the door. The door could be open, the young person sits at the back of the bedroom but the member of staff would be sitting just on a chair in front. They'd be interviewing them and talking to them and making sure that they're alright as well... I think all we were concerned about was making sure that their emotional health and wellbeing was not going to be hampered too much while they were obviously separated to bedrooms because some of them did feel like they were being punished when it wasn't their fault." (Manager)

¹⁶ HM Inspectorate of Prisons (February 2021) What happens to prisoners in a pandemic? A thematic review: <https://www.justiceinspectors.gov.uk/hmiprison/inspections/what-happens-to-prisoners-in-a-pandemic/>

¹⁷ The Youth Justice System's Response to the Covid-19 Pandemic: The Impact on Youth Custody (April 2022) pending publication

Impact of Family Groups: The formation of unit bubbles

After the initial lockdown, children were put in bubbles of four with others on their unit. According to Harris and Goodfellow (July, 2021)¹⁸ in December 2020 the Government highlighted that the 'family groups' formed for children to access out of cell activities had expanded and retracted in size depending on Covid-19 risk factors.¹⁹

Children at SCH A stated that they missed mixing and talking with children on the other units during education and at mealtimes, because under normal circumstances they would be allowed to mix with other children in classrooms and corridors. Children disclosed that relationships could often become strained, as people in their unit bubble annoyed them due to being with the same people constantly. As a result, arguments with others in their allocated bubble became an issue.

"... It's quite sad really because now we have to stay in our own unit bubble. We don't get to know other people and don't meet people from other units. So, it is quite sad because you're only living with the people you already know." (16-year-old child)

"I don't get on with all of them, but you just make do..." (16-year-old child)

When asked about being in unit bubbles, children stated that they felt estranged from friends as the inability to mix between units dragged on.

"It's mad. It feels mad. It's mental... It feels weird. It feels like we're being controlled. I've moved units. I moved units not long ago so the people who I know from that unit, I'm not able to see them so it's mad. It's like you're mates but you can't actually see them." (16-year-old child)

Consequently, staff reported rising tensions between children as they had been cohabiting in the same unit bubbles for such long periods with no indication of when the guidance might change.

"For about a year now we've been totally separate which has been a challenge in itself because the kids, they're living together, they're going to school together, they're spending all evening together, and tensions start to rise as well because there's a small group of them just being together constantly. Whereas when you can mix the units a bit, they've got a bit more variety about who they can hang out with." (Practitioner)

Although children were allowed to socialise in small groups, social distancing continued to be observed. For example, at mealtimes children could not sit together at a table and they received colour coded plastic plates and cutlery for their individual use.

18 The Youth Justice System's Response to the Covid-19 Pandemic, Literature Review:

<https://static1.squarespace.com/static/5f75bfbfb67fc5ab41154d6/t/618bdf2a6166520207116da5/1636556588695/Impact+of+COVID+-+Literature+Review+FINAL+Updated+Oct+21.pdf>

19 Justice Select Committee (December 2020) Coronavirus Covid-19: The impact on prisons: Government Response to the Committee's Fourth Report of Session 2019–21:

<https://committees.parliament.uk/publications/4074/documents/40487/default/>

“So basically, we would have to get certain coloured plates for an individual young person, blue, green, and pink or something like that, had them marked and basically just treat them as if they had Covid.” (Practitioner)

One child explained that he found some of the rules confusing and contradictory,

“You see with Covid, this is me like, I don’t get it because it’s like, we can play, we can play cards, or we can play Monopoly around the same table, like all four of us can be at the same table. But when it comes to dinner, when it comes to eating dinner, we have to go into our home bases, and we were just sitting around a table with each other, laughing, smiling. I mean, but when it comes to food and that, we still can’t sit in the same room or anything...” (15- year-old child)

By March 2021 staff explained that unit bubbles and social distancing measures had been in place for over a year and SCH A was still not running a pre-pandemic regime. Staff continued to be anxious about Covid-19 spreading through the establishment, and as a result, when another child tested positive for the virus and staff had been working across units, SCH A went back into full lockdown.

“...another adaptation was trying to social distance for staff. Here, it’s a very home environment, so social distancing from staff and kids when you’re playing Monopoly or cards and teaching the kids how to adapt as well because they’re here – we watched the news and everything but they couldn’t see in the outside world what was going on. They just didn’t understand it. So to try and teach them about social distancing with us and each other and how their hygiene needed to increase, it was a lot.” (Practitioner)

“...sometimes we would go to the door (of a child’s room), obviously at the start it was like, we shouldn’t open the door and we’ve got to socially distance from them but it’s literally impossible to socially distance from young people, especially when they’re out on the units and you’re playing cards at a table and there’s five of you or something, it’s physically impossible.” (Practitioner)

New Entrants

Due to the national guidance surrounding isolation²⁰, new entrants were kept separate from other children, other than those who had arrived on the same day. If they arrived by themselves, they would have no interaction with any other children for two weeks (Harris and Goodfellow, July 2021).²¹ Inspectors noted that these conditions were, *‘tantamount to solitary confinement’, and would be ‘highly likely to be damaging to [children’s] emotional and physical well-being’*.²² In further inspections it was stated that the regime for new arrivals, those who were kept in separate units for a 14-day-period, was particularly restrictive.²³ This was also confirmed by our own findings in a previous paper (see Smithson et al, April, 2022).²⁴

20 Ministry of Justice, HM Prison and Probation Service (June 2020) COVID-19: National Framework for Prison Regimes and Services:
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1011828/prisons-national-framework-august-2021.pdf

21 The Youth Justice System’s Response to the Covid-19 Pandemic, Literature Review:
<https://static1.squarespace.com/static/5f75bfbfb67fc5ab41154d6/t/618bdf2a6166520207116da5/1636556588695/Impact+of+COVID+-+Literature+Review+FINAL+Updated+Oct+21.pdf>

22 HM Inspectorate of Prisons (April 2020) Report on short scrutiny visits to Young offender institutions holding children:
<https://www.justiceinspectorates.gov.uk/hmiprison/wp-content/uploads/sites/4/2020/05/YOIs-SSV-Web-2020-1.pdf>

23 Ibid; HM Inspectorate of Prisons (July 2020) Report on short scrutiny visits to Young offender institutions holding children:
<https://www.justiceinspectorates.gov.uk/hmiprison/wp-content/uploads/sites/4/2020/07/YOI-SSV-2.pdf>;
Care Quality Commission, HM Inspectorate of Prisons, Ofsted (December 2020) Rainsbrook Secure Training Centre Assurance Visit:
<https://www.gov.uk/government/news/inspectorates-urgent-action-needed-at-rainsbrook>

24 The Youth Justice System’s Response to the Covid-19 Pandemic; The Impact on Youth Custody: (pending publication)

In the early stages of the pandemic new admissions to SCH A were completely stopped to try and limit the transmission of Covid-19 infections. Occupancy at SCH A fell below full capacity during the pandemic, and this was influenced by reduced court hearings, staff sickness levels, and a lack of capacity to supervise children. By March 2021 staff confirmed that the numbers of new entrants had increased. Furthermore, other establishments had begun to request transfers for children who had been placed in a YOI or STC temporarily.

“... I think definitely courts are back and up and running again. We’re getting young people back in because at one point we had like, I think we only have 11 young people in, which has probably helped during Covid, have the numbers low. But I think, yeah, we’re definitely filling up, although we’ve got two lads leaving this week, so we’re back to low numbers again...” (Practitioner)

“I think the door was more or less shut on the ground at the time when we took a hit with staffing going off shielding and such. I think there was dialogue between [SCH] at senior management level with the YCS who obviously pop the young people here from the courts. It was more or less agreed where possible that young people will be diverted away from coming to [SCH] while we were trying to get through the restrictions because like I said, there was a lot of staff that went off at the beginning so to increase young people’s admissions, we would have had a bit of a stretch on the staffing of managing them.” (Management)

Staff had to carefully manage the integration of new children into the SCH A routine once their Covid-19 quarantine period had ended. This involved introducing them to other children and managing children’s anxieties around mixing with other children after a period of imposed isolation.

“So we’ve got two admissions units and long-term young people move over to the long-term unit, and what’s happened now is that there’s lots of anxieties for that young person to move over because they don’t know any of the other lads because they’ve never mixed with them.” (Manager)

These anxieties were felt by new children and those already established at SCH A. New entrants explained that they missed seeing new faces and the opportunity to meet others and get to know them. Children already at SCH A spoke about feeling anxious about new children being in the building who they couldn’t see or speak with.

“It felt a bit weird because you used to see them (lads) out through your door and that and you just used to see them and it’s all a bit weird.” (16-year-old child)

“We’re on a long-term unit so I’d like to do something where new admissions come in. It would be good to be able to speak to them and tell them how it is.” (16-year-old child)

Furthermore, some children reported never meeting some new entrants as their period in SCH A ended prior to the restrictions ending. Additionally, children raised concerns that friends left SCH A without being able to say goodbye due to restrictions on mixing and unit bubbles. Whilst keeping children relatively safe, the ban on mixing negatively impacted on friendships and new entrants coming into SCH A.

Contacts and Visits

Harris and Goodfellow (July, 2021)²⁵ provide a detailed account of the impact of Covid-19 on children's access to social visits and contact:

In March 2020, the MoJ announced that all face-to-face visits to prisons were cancelled.²⁶ While the announcement did not mention the children's secure estate, it is confirmed by inspectorate reports,²⁷ and in evidence to the Justice Select Committee, including from then Youth Justice Minister Lucy Frazer, that visits were suspended for children in YOIs and STCs. Between March 2020-2021 children were also subject to restrictions on contact with those outside of custody, in order to meet national lockdown and social distancing guidelines. Then Secretary of State for Justice Robert Buckland, in the Government's response to the Justice Select Committee's report on COVID-19 in prisons, stated that the Youth Custody Service had been able to 'take a bespoke approach to social visits, maintaining face-to-face visits throughout the pandemic.'²⁸

HM Inspectorate of Prisons' reports on custody during Covid-19 highlighted that children's main complaint was the suspension of social visits,²⁹ and that those in custody found it difficult to cope.³⁰ They stated that the suspension of visits from friends and family had a 'dramatic' and 'significant' impact on many children,³¹ who went months without any face-to-face contact with friends and family.³² Despite understanding why visits had been suspended³³ children told inspectors that

25 The Youth Justice System's Response to the Covid-19 Pandemic, Literature Review:

<https://static1.squarespace.com/static/5f75bfbfb67fc5ab41154d6/t/618bdf2a6166520207116da5/1636556588695/Impact+of+COVID+-+Literature+Review+FINAL+Updated+Oct+21.pdf>

26 Ministry of Justice (March 2020) Prison visits cancelled:

<https://www.gov.uk/guidance/coronavirus-covid-19-and-prisons>

27 HM Inspectorate of Prisons (April 2020) Report on short scrutiny visits to Young offender institutions holding children:

<https://www.justiceinspectorates.gov.uk/hmiprison/wp-content/uploads/sites/4/2020/05/YOIs-SSV-Web-2020-1.pdf>.

HM Inspectorate of Prisons (July 2020) Report on short scrutiny visits to Young offender institutions holding children:

<https://www.justiceinspectorates.gov.uk/hmiprison/wp-content/uploads/sites/4/2020/07/YOI-SSV-2.pdf>.

Care Quality Commission, HM Inspectorate of Prisons, Ofsted (December 2020) Rainsbrook Secure Training Centre Assurance Visit:

<https://www.gov.uk/government/news/inspectorates-urgent-action-needed-at-rainsbrook>

28 Justice Select Committee (December 2020) Coronavirus (Covid-19): The impact on prisons: Government Response to the Committee's Fourth Report of Session 2019–21:

<https://committees.parliament.uk/publications/4074/documents/40487/default/>

29 HM Inspectorate of Prisons (July 2020) Aggregate report on Short scrutiny visits:

<https://www.justiceinspectorates.gov.uk/hmiprison/wp-content/uploads/sites/4/2020/08/SSV-aggregate-report-web-2020.pdf>

30 HM Inspectorate of Prisons (February 2021) What happens to prisoners in a pandemic? A thematic review:

<https://www.justiceinspectorates.gov.uk/hmiprison/inspections/what-happens-to-prisoners-in-a-pandemic/>

31 HM Inspectorate of Prisons (April 2020) Report on short scrutiny visits to Young offender institutions holding children:

<https://www.justiceinspectorates.gov.uk/hmiprison/wp-content/uploads/sites/4/2020/05/YOIs-SSV-Web-2020-1.pdf>; HM

HM Inspectorate of Prisons (July 2020) Report on short scrutiny visits to Young offender institutions holding children:

<https://www.justiceinspectorates.gov.uk/hmiprison/wp-content/uploads/sites/4/2020/07/YOI-SSV-2.pdf>

32 Ibid;

33 Care Quality Commission, HM Inspectorate of Prisons, Ofsted (January 2021) Oakhill Secure Training Centre Assurance Visit:

<https://files.ofsted.gov.uk/v1/file/50174862>;

Care Quality Commission, HM Inspectorate of Prisons, Ofsted (December 2020) Rainsbrook Secure Training Centre Assurance Visit:

<https://www.gov.uk/government/news/inspectorates-urgent-action-needed-at-rainsbrook>

HM Inspectorate of Prisons (April 2020) Report on short scrutiny visits to Young offender institutions holding children:

<https://www.justiceinspectorates.gov.uk/hmiprison/wp-content/uploads/sites/4/2020/05/YOIs-SSV-Web-2020-1.pdf>

they were concerned and frustrated about not seeing parents, a worry that was exacerbated by not knowing how long the situation would last. Socially distanced face-to-face visits were reintroduced in summer 2020,³⁴ the extent to which was dependent on which tier the establishment was in.³⁵ Social visits restarted in YOIs in mid-July 2020 as they did in adult prisons. The number of visits permitted a month reportedly reduced to allow for social distancing,³⁶ with mixed reports that children were able to have only one,³⁷ or up to two visits a month,³⁸ or later in the year one a week.³⁹

As discussed above, and also in Smithson et al (April, 2022),⁴⁰ the situation regarding YOIs and contacts and visits was an area of concern. SCHs were different in the respect that staff were able to provide daily updates to parents/carers as to the welfare of the children. This was supported by visits being allowed behind Perspex screens but with no physical contact. **Children welcomed the return of visits from parents/carers but felt restricted behind the Perspex and upset at not being able to receive hugs from parents/carers.**

Telephone calls

Harris and Goodfellow, (July 2021)⁴¹ explain the new arrangements for telephony in the secure estate:

The MoJ announced in March 2020 it was working to ensure the secure estate had more secure phone handsets,⁴² and in November 2020 in response to Parliamentary Questions they confirmed that additional funding had been provided for the rollout of in-cell telephony, with the children's estate prioritised.⁴³ Therefore, all public sector YOIs now had in-cell phones.⁴⁴ HM Inspectorate of Prisons noted the quick response by the children's secure estate to give children extra phone credit.⁴⁵

34 HM Inspectorate of Prisons (July 2020) Report on short scrutiny visits to Young offender institutions holding children: <https://www.justiceinspectorates.gov.uk/hmiprison/wp-content/uploads/sites/4/2020/07/YOI-SSV-2.pdf>; Care Quality Commission, HM Inspectorate of Prisons, Ofsted (December 2020) Rainsbrook Secure Training Centre Assurance Visit: <https://www.justiceinspectorates.gov.uk/hmiprison/wp-content/uploads/sites/4/2020/05/YOIs-SSV-Web-2020-1.pdf>; Care Quality Commission, HM Inspectorate of Prisons, Ofsted (January 2021) Oakhill Secure Training Centre Assurance Visit: <https://files.ofsted.gov.uk/v1/file/50174862>

35 ibid

36 HM Inspectorate of Prisons (February 2021) What happens to prisoners in a pandemic? A thematic review: <https://www.justiceinspectorates.gov.uk/hmiprison/inspections/what-happens-to-prisoners-in-a-pandemic/>

37 Independent Monitoring Boards (June 2021) Young Offender Institutions (YOIs) in England 2019/20 annual report: <https://s3-eu-west-2.amazonaws.com/imb-prod-storage-1ocod6bqky0vo/uploads/2021/06/YOI-annual-report-2019-20-for-circulation.pdf>

38 HM Inspectorate of Prisons (July 2020) Report on short scrutiny visits to Young offender institutions holding children: <https://www.justiceinspectorates.gov.uk/hmiprison/wp-content/uploads/sites/4/2020/07/YOI-SSV-2.pdf>

39 HM Inspectorate of Prisons (February 2021) Report on a scrutiny visit to HMYOI Wetherby and the Keppel unit: <https://www.justiceinspectorates.gov.uk/hmiprison/wp-content/uploads/sites/4/2021/02/Wetherby-and-Keppel-web-2021.pdf>

40 The Youth Justice System's Response to the Covid-19 Pandemic; The Impact on Youth Custody: (pending publication)

41 The Youth Justice System's Response to the Covid-19 Pandemic, Literature Review: <https://static1.squarespace.com/static/5f75bfbbfb67fc5ab41154d6/t/618bdf2a6166520207116da5/1636556588695/Impact+of+COVID+-+Literature+Review+FINAL+Updated+Oct+21.pdf>

42 Ministry of Justice (March 2020) Prison visits cancelled: <https://www.gov.uk/guidance/coronavirus-covid-19-and-prisons>

43 Kyle, P. (November 2020) Young Offender Institutions. UK Parliament: Question for Ministry of Justice UIN 114977: : <https://questions-statements.parliament.uk/written-questions/detail/2020-11-12/114977>

44 Brown, L. (November 2020) Prisons: Telecommunications. UK Parliament: Question for Ministry of Justice UIN 114121 <https://questions-statements.parliament.uk/written-questions/detail/2020-11-11/114121>

45 HM Inspectorate of Prisons (April 2020) Report on short scrutiny visits to Young offender institutions holding children: <https://www.justiceinspectorates.gov.uk/hmiprison/wp-content/uploads/sites/4/2020/05/YOIs-SSV-Web-2020-1.pdf>; HM Inspectorate of Prisons (July 2020) Report on short scrutiny visits to Young offender institutions holding children:

Communicating with family and friends was identified as a priority by all children during the pandemic. The main method for children to keep in touch with their family and friends at the beginning of the Covid-19 pandemic was by telephone, which were already installed in their rooms. Unlike some other establishments in the children's secure estate, children at SCH A were able to make and receive as many calls as they wished at no expense to themselves as long as people were approved on their contacts list.

"I have about two phone calls a day-it helped just speaking to them, it helped me a lot." (15-year-old child)

"... that's what's good about here, you don't have to pay for phone calls and stuff." (16-year-old child)

This guidance from the Department for Education for Children's Social Care services states that face-to-face contact with families and professionals was always allowed in SCHs throughout the pandemic, and should be prioritised, as well as changes being made to regulations to also allow for virtual visits.⁴⁶ This vastly differs from the experience of children held in YOIs during the pandemic where they reported having limited phone calls, and although given additional credit, complained about the expense of their calls.

Phone calls were not without problems, however: children and staff at SCH A conveyed issues with temperamental equipment which did not work effectively. They spoke about being cut off due to the system not being able to cope with the high volume of calls, and this particular issue caused anxiety for children and families.

⁴⁶ Covid-19: Guidance for children's social care service, Department of Education
<https://www.gov.uk/government/publications/coronavirus-covid-19-guidance-for-childrens-social-care-services>

“...I couldn’t help but put myself in the parents’ and carers’ situations of their children. I was able to see my kids on a daily basis, and make sure they were okay. These parents or these carers weren’t. Yes, they could have telephone calls, yes, we set up Skype so they could speak and see them visually. But that wasn’t reliable all the time, and sometimes the phone lines went down because all the young people wanted to speak to their parents and carers and their loved ones. And the phone lines became overwhelmed. And so sometimes they drop. That then creates an anxiety, not just for the parents and carers but for the young people as well.” (Practitioner)

Virtual Contacts

Another method of communication used by children was virtual contacts; using an iPad shared between children on each unit. This was used for communication between children and their families as well as professionals. Virtual communication was also used in some instances for court appearances and meetings with children’s legal teams prior to appearing in court. Many of the children welcomed this virtual adaptation as a good method of communication during the pandemic.

“Yes, we’ve got our own iPad on the unit, so it’s Skype but you take it on this iPad, take it in the visiting room and just see them over that.” (16 year old child)

Harris and Goodfellow (July 2021)⁴⁷ highlight that the Association of YOT Managers raised concerns that children were not building relationships with and feeling connected to their YOT workers.⁴⁸ In addition to the suspension of social visits, the suspension of visits from children’s YOT workers was a source of concern for YOT professionals. Children in SHC A said that they were able to keep in touch with youth offending practitioners via phone calls, some reporting weekly contacts.

“I can talk to them (YOT), but they can’t come visit because it’s family only at the minute.” (16-year-old child)

Children’s contact with their solicitors was also affected by the lack of face-to-face contact and visits to SCH A (see our earlier papers on courts for a detailed discussion, Larner et al, March 2022).⁴⁹ At various points of the pandemic, solicitors were not allowed into the establishment and video links had to be set up to enable children to speak with their legal teams. While there was no mention of live links for court hearings amongst children at YOI X (see Smithson et al, April 2022)⁵⁰, the evidence suggests that video links are likely to impede children’s ability to effectively participate in court proceedings (The Youth Justice Legal Centre).⁵¹ Legal visits are also likely to have been impeded. This is particularly concerning given the numbers of children with SEND and communication difficulties.

47 The Youth Justice System’s Response to the Covid-19 Pandemic, Literature Review:

<https://static1.squarespace.com/static/5f755bfbbfb67fc5ab41154d6/t/618bdf2a6166520207116da5/1636556588695/Impact+of+COVID+-+Literature+Review+FINAL+Updated+Oct+21.pdf>

48 Association of YOT Managers (June 2020) Addendum to the AYM’s submission to the Enquiry of the Justice Committee into Youth Justice dated September 2019

<https://aym.org.uk/publications/consultations/>

49 The Youth Justice System’s Response to the Covid-19 Pandemic; Introduction to the Youth Courts:

https://www.mmu.ac.uk/media/mmuacuk/content/documents/mcys/COVID-19_and_Youth_Justice_Paper_5.pdf;

The Youth Justice System’s Response to the Covid-19 Pandemic; Court Adaptations :

https://www.mmu.ac.uk/media/mmuacuk/content/documents/mcys/COVID-19_and_Youth_Justice_Paper_6.pdf

50 The Youth Justice System’s Response to the Covid-19 Pandemic; The Impact on Youth Custody: (pending publication)

51 Youth Justice Legal Centre (April 2020) COVID-19: Delays, video link hearings and custody time limits for children in the criminal courts:

<https://yjlc.uk/resources/legal-updates/covid-19-delays-video-link-hearings-and-custody-time-limits-children>

“I asked my solicitor if I could do video court as I didn’t want to isolate when I came back.” (16-year-old child)

“It’s better being sentenced over video link – it would have been worse in court” (16-year-old child)

Whilst children recognised the advantages of video links and methods of virtual communication especially concerning remote access and legal proceedings, they also raised concerns. For example, children did not like staff being present when they were talking with family, friends and professionals – they felt awkward and said that it impacted on the confidentiality of their conversations. Although staff expressed that they were there to ensure that equipment was not damaged, they said they could understand children’s worries, and eventually headphones were introduced to enable conversations to go ahead more discreetly.

“My Brief calls on computer- I don’t like it when they talk about your crime with staff there.” (16-year-old child)

“...I would reassure the solicitor that anything that was said that I wouldn’t obviously pass that on, that I was only there really to check that, because there’s equipment, that was why I needed to sit in the room... I was really worried about that young person being able to talk to the solicitor and feel comfortable given that I was sat there. They now wear headphones. some of the aspects of those conversations, can be quite harrowing..... this was without headphones... I felt awkward because he felt awkward and I thought I need to do something here because this isn’t fair... the next time I sat with that same young person and they had headphones on, and he was like, “That was so much better.” He felt so much better in himself that there was that barrier of me not hearing what was being said.” (Practitioner)

Staff reported technical glitches with the internet going down and learning to how use the equipment but mostly these were overcome.

“... It took a bit of getting used to though, them sitting there with all these people on the screen and everyone taking it in turns. And then having the mute button and knowing when to turn the mute off and the signal going. A lot of them were in court and the internet would go and they’d get stressed out with that...” (Practitioner)

“Prior to March 2020, we never facilitated court hearings here via any kind of link, all our young people used to go out to court, however, since March 2020, we’ve developed that role, and court hearings happen virtually now at [SCH A], as do all the sentence review meetings, the remand meetings. Again, that’s developed since March, we started off doing them as telephone conferencing and very quickly developed them to video links. So, we’ve not missed any sentence reviews for young people or remand reviews, any professional meetings, we’ve been able to have because we’ve been very quickly given the equipment to allow us to do that.” (Practitioner)

Whilst every effort was made to maintain contact with family, friends, and professionals via virtual adaptations, the scale of the issue cannot be ignored, particularly in relation to children's rights to confidentiality and legal representation. Moreover, the diminishing relationship with YOT workers as a result of professionals only being able to contact children via phone is also an area of concern. Children did recognise the benefits to them in relation to sentencing, and some felt that virtual court appearances were easier to come to terms with than in-person proceedings. SCH A slightly differed from YOIs in the sense that children did not have limitations on phone credit and staff made a conscious effort to contact parents/carers to report on their child's wellbeing. This was possible due to smaller cohorts of children in SCH A yet the difference of investment in children's emotional and mental wellbeing cannot be ignored.

Re-introduction of face-to-face visits

As restrictions eased further, SCH A started to allow face-to-face visits with family; initially these were conducted outdoors, subsequently they were relocated to an inside room but a Perspex screen was erected as a barrier to limit infection and no physical contact was permitted. As space was limited to one room for all the children, appointments were allocated to visitors from one single household per visit to prevent social mixing as per the Covid-19 restrictions at the time.

A residential worker explained how contact and visits changed with family members and professionals alike, there were concerns that parents and carers were unable to see their children to ensure they were safe during this unprecedented time.

"...the first couple of months visits were stopped but then obviously we realised how important they are for these kids' mental health. We've had a lot on here [MS Teams], especially professional calls. Maybe even done a lot of calls on this when they've gone to court... That's been a really big thing and yes, professional calls because at first it was just family, like essential visits, and it was outside - this was before it got really cold. So it was outside and there was a big glass screen between the young person and the family. So that was an adaptation for them because obviously they're not allowed to hug or touch or anything and it was outside as well and there was just this glass window between them. That was quite strange but they just got on with it and were grateful to see family..." (Practitioner)

"... we only have one room for a visiting room, so there's one room that we all share with all the other kids, so you just have to book in the time slots for when you can come and it's only one household is allowed to come together. So, my little brother, he lives with my auntie and he can't come with my mum because they're not from the same household..." (16-year-old child)

Children gave their views about face-to-face visits being re-introduced, expressing how they appreciated seeing their families.

"I see them and my little sister as well. I enjoy seeing them. It's something to look forward to. (15-year-old child)"

“We’re allowed visits now as well but it’s just behind a screen so obviously we can’t give them a hug which is the worst bit about it but the big bit is actually being able to see them. But when we were in quarantine, we weren’t allowed to see them for the two weeks but for another two or three weeks we didn’t see our family, nobody, for ages. That was horrible as well...” (16-year-old child)

Concerns were expressed by both children and staff about the new visitor’s environment mirroring that of a YOI rather than the more relaxed setting usually in place at SCHs.

“I think that has been the difficult bit seeing the young people not being able to have visits, like they used to have them, they’ll talk to us about that, that they miss being able to give their parents a hug because we’ve got like a very prisony visiting room at the moment. It’s like got a big screen all the way, just so germs can’t be passed. It feels very prisony, there’s no touch, we have got a roadmap to recovery, so that is, by the 18th May (2020), I think visits can go back to, so there is progression.” (Manager)

“My dad thought the glass screen was always there as I’m in prison” (16-year-old child)

Children stated their dislike of the Perspex screens because of the inability for physical contact with their family and friends, with some preferring to use the telephone or video link whilst these restrictions were in place. Staff echoed these concerns. **Limited visits and lack of physical contact can impact on the important elements of maintaining family relationships whilst a young person is imprisoned, as well as opportunities for rehabilitation and their likelihood of re-offending on release.**

“Not being able to give them a hug and that, it’s just seeing them through a screen, that’s why my mum’s not coming up until it’s changed. She was supposed to come up last Friday but she said she won’t be able to do it because of the screens and that’ll break her so I said, “Just don’t worry.” (16-year-old child)

“These poor guys that are essentially imprisoned in a care home and then imprisoned within a bubble and then the parents couldn’t come in while there was an outbreak. The parents still can’t hug them. There’s still a screen in between. It’s sad, you could have someone that’s made a mistake and be looking at potentially a very hefty jail sentence that will take them into an adult establishment, and then their mum can’t give them a hug and then the unit staff can’t give them a hug and I can’t give him a hug, and it’s like, Oh God, this is so unnatural.” (Practitioner)

Furthermore, children reported various issues with visiting including lengthy periods without seeing family members, visits not taking place due to family members shielding and Covid-19 tiered systems preventing travel between difference areas.

“Sad, I didn’t see my mum for about five months.” (16-year-old child)

“So, basically my mum’s scared to come and see me and that because of Covid... We have to be locked in our rooms and stuff. You know, what I mean. And my mum, like... I want to see my mum but I can’t. And sometimes they don’t let us go on the Skype call. And she can’t even get to us. She can’t get to us safely, you know what I mean... It makes me feel like I’m here all alone, in it?... I’ve only been here, like, a month. It’s a shock to me, in it? As Covid’s happening as well, yeah.” (16-year-old child)

“They can visit, but because we’re from (out of area), they can’t. Because of this lockdown, they can’t come out the area... it’s not good, really. I’d rather just wait until it’s back to normal so you can come into contact with them...” (17-year-old child)

Safeguarding and vulnerabilities

No safeguarding issues were reported by staff at SCH A. According to staff reports, there were no perceived increases in self-harm, and staff felt this was because of the support systems in place and the continued interaction with family and friends. Moreover, the telephones and intercoms installed in individual rooms enabled children to ask for help at any time if they were struggling, and staff felt this was a benefit to children’s wellbeing. Staff also made regular safeguarding assessments and checks for children if there were any concerns with specific individuals.

“I’ve been here, like, a year and five months now and self-harm here doesn’t seem to be that high. I didn’t feel that there was an increase in that at all but I think because we made such an effort to make sure they were busy to keep the interactions going, to encourage them to speak to family and carers, I think there was a massive effort to stop that happening because obviously it would be understandable if it did.” (Practitioner)

“I think we were more worried and concerned about the emotional health and wellbeing, the deterioration of a young person once they go into separation, they feel caged off and they can’t leave their room and all that. So we were monitoring that on a day to day... we had one or two mental health workers and psychologists and a mental health clinical nurse physician who was on site so they were obviously assessing young people as well...” (Manager)

The following account is provided in the project literature review:⁵²

In February 2021 the Justice Select Committee stated it is ‘not yet clear’ what the effect has been on children’s mental health and levels of self-harm.⁵³ ... In June 2020 Keith Fraser, Chair of the YJB, told the Justice Select Committee that ‘there is some evidence at the moment, and we are testing its validity, of additional self-harm and an increase in attempted suicide’. Conversely, HM Inspectorate of Prisons noted recorded self-harm had reduced or was stable in YOIs in April 2020 and July 2020,⁵⁴ and available reports on YOIs in early 2021 found self-harm had remained lower than before the pandemic.⁵⁵

52 The Youth Justice System’s Response to the Covid-19 Pandemic, Literature Review:

<https://static1.squarespace.com/static/5f75bfbbfb67fc5ab41154d6/t/618bdf2a6166520207116da5/1636556588695/Impact+of+COVID+-+Literature+Review+FINAL+Updated+Oct+21.pdf>

53 Justice Select Committee (February 2021) Children and Young People in Custody (part 2): The Youth Secure Estate and Resettlement:

<https://publications.parliament.uk/pa/cm5801/cmselect/cmjust/1357/135702.htm>

54 HM Inspectorate of Prisons (April 2020) Report on short scrutiny visits to Young offender institutions holding children:

<https://www.justiceinspectorates.gov.uk/hmiprisonswp-content/uploads/sites/4/2020/05/YOIs-SSV-Web-2020-1.pdf>;

HM Inspectorate of Prisons (July 2020) Report on short scrutiny visits to Young offender institutions holding children:

<https://www.justiceinspectorates.gov.uk/hmiprisonswp-content/uploads/sites/4/2020/07/YOI-SSV-2.pdf>

55 HM Inspectorate of Prisons (February 2021) Report on a scrutiny visit to HMYOI Wetherby and the Keppel unit

<https://www.justiceinspectorates.gov.uk/hmiprisonswp-content/uploads/sites/4/2021/02/Wetherby-and-Keppel-web-2021.pdf>;

HM Inspectorate of Prisons (March 2021) Report on a scrutiny visit to HMYOI Feltham A:

<https://www.justiceinspectorates.gov.uk/hmiprisonswp-content/uploads/sites/4/2021/03/Feltham-SV-web-2021.pdf>

The impact on rates of self-harm and suicide are yet to be realised, however, SCH A and YOIs did report an initial reduction in these issues during lockdown periods.

Education

Formal education at SCH A stopped entirely for a short period of time in the initial phase of the pandemic. Children were given worksheets to complete in their rooms during quarantine, but feedback suggests that this was optional, and some children chose not to engage. Children spoke about not wanting to do schoolwork in their room when isolating, they reported that there was not as much schoolwork or homework being offered and that school activities were less stimulating during Covid-19.

“They just came and gave us a big file of work to do. I said, “I’m not doing work while I’m stuck in my room. I need to be taught.” (16-year-old child)

“They gave you like a pack thing, but they were like do it if you want. You won’t lose any points if you didn’t do it.” (16-year-old child)

According to the project literature review:⁵⁶

The IMB stated in-cell provision in YOIs was, ‘woefully lacking and poorly delivered, largely consisting of distraction packs rather than learning materials’.⁵⁷ ... Francesca Cooney, Head of Policy at Prisoners’ Education Trust also raised concern about the impact of in-cell learning: *...in-cell activities and even digital technology are a poor substitute for classroom learning and engaging with teachers and peers. Children – especially those with disrupted, disjointed or even damaging prior experiences of education – need personal support and interaction to learn*⁵⁸

In the early stages of the pandemic, SCH A experienced similar challenges.

“...education usually sent down a little pack. It’s quite light work, I’d say, because I don’t want to give them too much to start off with and, kind of, set them on the wrong foot about education. It’s usually a bit of artwork. The teacher will write the kid’s name in nice bubble art and then they can just colour it in. And a bit of basic maths and English...with education, they try and send as much as possible but a lot of the kids say, “Do I have to do it?” and we say “No, you don’t have to do it. It’s just if you need something to keep you occupied.” (Practitioner)

There was a problem with some qualified teaching staff feeling unsafe going into SCH A in the early stages of the Covid-19 pandemic which resulted with the education union instructing its members to work from home rather than a classroom setting. Teaching assistants were able to continue constructively with some support onsite and continued coming into work to deliver a reduced timetable. Other qualified teachers were unhappy about this decision as they wanted to remain physically onsite but were unable to as a manager explained:

56 The Youth Justice System’s Response to the Covid-19 Pandemic, Literature Review:

<https://static1.squarespace.com/static/5f755bfbbfb67fc5ab41154d6/t/618bdf2a6166520207116da5/1636556588695/Impact+of+COVID+-+Literature+Review+FINAL+Updated+Oct+21.pdf>

57 Independent Monitoring Boards (June 2021) Young Offender Institutions (YOIs) in England 2019/20 annual report:

<https://s3-eu-west-2.amazonaws.com/imb-prod-storage-1ocod6bgky0vo/uploads/2021/06/YOI-annual-report-2019-20-for-circulation.pdf>

58 H Russell Webster (July 2020) Locked Down, Locked Out Of Education:

<https://www.russellwebster.com/locked-out-of-education/>

“They felt that they were letting down their colleagues who were caring for the young people on a day to day... The education went off site. But we had one or two teacher assistants who obviously volunteered to still work, doing additional hours but even I think the teaching union wasn’t quite happy with that happening because they just wanted the support. ... the timetable had activity, well that had to cater for most of the education. It didn’t obviously tick boxes for maths and English and all of that but it was stimuli nonetheless because there was reading involved in it. There was more vocational stuff, model making and things like that, more practical things for the young people. It wasn’t until the teachers got told they can return that things changed.” (Manager)

Education provision resumed after the first lockdown, however not in its normal form, teachers would come onto the individual units to provide lessons. Instead of children being taught in assessed capability groups, they were taught in their unit bubbles of four. When the school area did re-open children continued to be taught in their separate groups in one classroom for all lessons which was sterilised at the end of the session to meet increased hygiene standards and avoid cross-contamination. Being in small unit groups caused conflict and disputes between children:

“...it was back to school but normally school would be ... the class would just go to maths and they would have the maths class but now it’s unit bubbles... So, it would just be the lads off one unit going and they would have to have a timetable for the day, so they would have maths first, English and art or something like that. So, that all had to get changed and the unit bubbles which caused quite a lot of friction at [SCH] between young people, for example, say one of the units was going to school in the morning, it would have to be staggered times, so one would go earlier than the others. Say for example, one of the units, say [Unit1] was walking past [Unit2] in the morning, the young people, they started just creating beef for no reason and started putting fingers up at the lads and this kind of thing. It caused a bit of division between the units, I would say at first because the lads were like, having rivalries with each other, if you know what I mean, kicking off or just showing off probably.” (Practitioner)

Children voiced their opinions about the changes made to education provision during the pandemic. Some said that they missed being in the usual classroom environment with focused learning and the interaction with children on other units, they missed the change of scene and the variety of activities which prevented boredom. Children spoke about a more laidback approach to education, and consequently this is likely to compound further the inequalities of educational attainment for justice-involved children.

“Feel like the time I’ve got here, I won’t have enough time to do my education because we’re not even doing education much. It’s more video games and playing cards and board games and that. I want to get something good out of this, but I can’t because of staffing and education. (15-year-old child)

“I couldn’t wait for us to get back into normal education because it really affected that because we weren’t with the actual education staff. It was just a lot of messing around with different staff who couldn’t teach us certain subjects. So it was a pain because I just wanted to learn. (16 year old child)

Conversely, other children expressed negative feelings and said they wanted to catch Covid-19 so that they would not have to attend lessons and felt it was unfair that they had to attend lessons when out in the community schools were closed. Getting back into a more structured routine was difficult for some children.

“I try to go to school every day but sometimes it’s hard waking up in the morning and just another day and you just have to get through it.” (16-year-old child)

“I just thought what’s the point in going to school when other people on the out aren’t? (16-year-old child)

Additionally, some of the social distancing rules did not make sense to the children and one child questioned the logic of the restrictions:

“I’ll have a Maths teacher and then go English and have a different teacher but then kids aren’t allowed to mix but the teachers are mixing, and I don’t understand that, that’s a bit weird.” (16-year-old child)

As restrictions eased further, education provision developed, albeit slowly at first to introduce children to the new routine. They were able to move around different classrooms and the timetable broadened to cater for a more wide-ranging curriculum.

“So they wanted to stretch their legs and go off the unit and go into the education provision. So that’s started to happen now.... So we’re getting back into that routine. Then they do educational lessons. But it was a drip-fed timetable. If they did English at 10 o’clock in the morning, they’d still get some lovely activity type sessions straight after and then they’ll do another serious lesson of science or something in the afternoon. Then they built it up, phased it up so that it was a proper timetable...” (Manager)

“It’s going a bit better now because like four weeks ago, three weeks ago, we were only allowed in one classroom. Now we get to move around classrooms. Like I just had ICT, then I got to do music because I do music. So I go from my IT lesson, whenever I go from my IT lesson, I get to do music, and after that, we got PE, before we weren’t allowed to do PE or none of those stuff or cooking, and that, we just had to do one lesson for the whole day.” (16-year-old child)

Staff sickness, including teachers, impacted on educational provision with different staff having to cover lessons which caused some issues for some children:

“... some of the teachers were off, so you’d have a different teacher teaching this class and obviously the lads don’t like school anyway, so when it’s different, it just causes chaos sometimes or dramas.” (Practitioner)

Like YOIs, face-to-face education and class-based activities in SCH A was completely suspended for 16 weeks from March 2020, replaced by in-cell education packs⁵⁹ The Prisoners’ Education Trust described these as ‘distraction packs’ of activities in the immediate term, then curriculum-based packs⁶⁰

59 HM Inspectorate of Prisons (July 2020) Report on short scrutiny visits to Young offender institutions holding children: <https://www.justiceinspectorates.gov.uk/hmiprisoners/wp-content/uploads/sites/4/2020/07/YOI-SSV-2.pdf>.

HM Inspectorate of Prisons (July 2020) Aggregate report on Short scrutiny visits:

<https://www.justiceinspectorates.gov.uk/hmiprisoners/wp-content/uploads/sites/4/2020/08/SSV-aggregate-report-web-2020.pdf>

60 Russell Webster (July 2020) Locked Down, Locked Out Of Education:

<https://www.russellwebster.com/locked-out-of-education/>

Harris and Goodfellow⁶¹, (July 2021) further state:

The Government confirmed ‘some form’ of face-to-face education had resumed across YOIs by July 2020.⁶² With education and training restricted, concerns were raised, including by the Prisoner’s Education Trust, about the ‘significant’ impact on children’s wellbeing, highlighting that the ‘blanket ban’ on education in line with the adult estate was ‘certainly not in children’s best interests.’⁶³

The reduction in education provision is particularly concerning given children in custody already have some of the lowest levels of educational attainment and engagement compared to custody.

Recreation and activities

Children reported a lack of leisure activities during Covid-19 leading to restlessness and boredom. The main cause of distress was the gym being closed for over a year and although it reopened in April 2021, booking a slot was necessary, and only one unit bubble was permitted at any one time.

Playing football was forbidden, and other enrichment activities were curtailed including youth clubs and the music studio. Children said they were unimpressed that the tuck shop was often closed due to staff sickness and too few staff to oversee it. Activities to keep young people occupied consisted of playing cards and pool, as well as each unit being supplied with a gaming console. Children reported that their main source of amusement and distraction was watching a lot of television and said they were grateful that more channels had been provided so they had increased choice of programmes to watch.

“It’s done my head in no football and gym and no mixing.” (15-year-old child)

“We wasn’t allowed to go to the astro and now we have to have separate days when someone wants to go in the sports hall and there are just so many new rules because of Covid.” (16-year old-child)

Children were asked what they were most looking forward to when the Covid-19 rules were relaxed, and the main responses were focused on physical activities and mixing with more children.

“They said when it comes to mixing soon in bubbles, we’ll be playing a football match. So they have their own little club, [name]. It’s like we’ll be playing football matches and stuff so I can’t wait for that because I’m into my football.” (16-year-old child)

61 The Youth Justice System’s Response to the Covid-19 Pandemic, Literature Review:

<https://static1.squarespace.com/static/5f75bfbfb67fc5ab41154d6/t/618bdf2a6166520207116da5/1636556588695/Impact+of+COVID+-+Literature+Review+FINAL+Updated+Oct+21.pdf>

62 HM Inspectorate of Prisons (July 2020) Report on short scrutiny visits to Young offender institutions holding children:

<https://www.justiceinspectors.gov.uk/hmiprison/wp-content/uploads/sites/4/2020/07/YOI-SSV-2.pdf>.

HM Inspectorate of Prisons (July 2020) Aggregate report on Short scrutiny visits:

<https://www.justiceinspectors.gov.uk/hmiprison/wp-content/uploads/sites/4/2020/08/SSV-aggregate-report-web-2020.pdf>

63 Russell Webster (July 2020) Locked Down, Locked Out Of Education:

<https://www.russellwebster.com/locked-out-of-education/>

“I think the gym is open in a couple of weeks, two weeks or something so I can go to the proper gym. At the moment we’ve just got a few weights on the unit... I can’t wait. I’ll get more of an opportunity and a decision to make. Now it’s just weights and that but they’ve got the proper machine in there and the cardio room.” (16-year-old child)

Staff explained that physical activities started to be introduced within unit bubbles. Children could use the outside area attached to the unit and although the gym was closed, some of the equipment was brought onto units so that children could keep fit and work-out.

“...we followed what it was like outside, especially in the gym, when people are breathing heavily and stuff and sweating, the gym was considered a really high risk for the spread of coronavirus. But since they opened last week, the gym is open again, so they’re really enjoying that. We’ve got the AstroTurf open as well and the sports hall, so now there are so many more options which they’re really happy about because it just gives us a different thing to do each night... and it just gives them so much more variety. Sports is a huge thing here anyway. Football is the main thing with these kids...” (Practitioner)

Some children expressed concerns about mixing again after prolonged periods in rooms without regular enrichment activities.

“I’m just used to like isolating and stuff or whatever because of Covid and just, it’s definitely changed me because like before Covid I always used to be out on the unit now I’m more in my room just watching TV and stuff. So, it has changed me definitely... probably for the worst.” (16-year-old child)

Furthermore, the loss of activities and having to stay on the unit was difficult for children to tolerate. They found it claustrophobic, and it impacted on wellbeing causing boredom and frustration.

“I think the restricted activities is really difficult because we have to be in conjunction with Public Health [area] and England who give us all the advice and they say to us why can’t we do this? ... activities is a really big thing here, especially for the kids that have been here before Corona, so have seen the change....the kids that have been here before, they saw it in normal times and having to get used to still being here really restricted. And when they get bored that’s when they get stressed out about things because activities in the evening is how they release anxieties and take their mind off things.” (Practitioner)

It is clear that the ability to be able to participate in physical activity is an important facet for children and staff. The unit bubbles allowed young people to return to the gym, yet mixing units to enable the football team to restart was not allowed. Concerns were raised by children and staff regarding the pent-up frustration and boredom as a result of not being able to use the gym, and staff mitigated this by introducing weights onto units. Whilst only temporary (from March 2020—April 2021) the closing of gyms and lack of sport-based activities for children is an area of concern.

Release and Resettlement

The project's literature review⁶⁴ states:

According to inspectorate reports, release planning with external partners continued, with most training and remand planning processes continued, and expectations on the provision of accommodation and health care on release were unchanged.⁶⁵

Staff at SCH A discussed at length the impact of the challenges of communicating with external organisations regarding release and re-settlement. They talked about the ongoing Covid-19 restrictions in the community and preparing children about what to expect. The lack of resources available for children on release including education placements and accommodation and the support from YOTs were concerns voiced by staff. Staff provided children with information about Covid-19 and legal restrictions in place in the community, which children found difficult to understand even though they had been watching developments on television during their sentence. Usual resettlement practices such as semi-independent living units were hampered, they were unable to go shopping, and children could not visit their planned placements out in the community.

The IMBs' annual report highlighted concerns that a lack of release on temporary licence (ROTL) in YOIs during the pandemic meant children could not evidence progress and therefore risked being denied early release.⁶⁶ Children at SCH were also denied ROTL.

"...we had a couple of young people who I was particularly working with, they were ready to leave, you know, because their time was spent within [SCH]. But one particular lad, he had ASD, and he struggled with any kind of change. So I had to kind of get videos up for him of what it's like just, queuing up to get into supermarkets, what people walking round in masks is like. And we had to prepare him as best we could, because he couldn't go out on his ROTL which is 'Released on Temporary Licence' because of the Covid restrictions. So it was encountering those kind of issues as well, so that he had a smoother transition into the wider community." (Practitioner)

"We used to have kids go out to gardening projects, fishing projects, mentors, and I think as government funding is slowly cut off then the kids are really going out to nothing, added in then Covid.... I feel for our young people going out. I mean, at least they can go to school now, we've had kids leaving who couldn't even go to school because they were all isolating. It's a problem out there in terms of the resource, there's not the same resources that there once was..." (Manager)

The project literature review⁶⁷ concludes:

64 The Youth Justice System's Response to the Covid-19 Pandemic, Literature Review:

<https://static1.squarespace.com/static/5f75bfbfb67fc5ab41154d6/t/618bdf2a6166520207116da5/1636556588695/Impact+of+COVID+-+Literature+Review+FINAL+Updated+Oct+21.pdf>

65 HM Inspectorate of Prisons (April 2020) Report on short scrutiny visits to Young offender institutions holding children:

<https://www.justiceinspectorates.gov.uk/hmiprison/wp-content/uploads/sites/4/2020/05/YOIs-SSV-Web-2020-1.pdf>;

HM Inspectorate of Prisons (July 2020) Report on short scrutiny visits to Young offender institutions holding children:

<https://www.justiceinspectorates.gov.uk/hmiprison/wp-content/uploads/sites/4/2020/07/YOI-SSV-2.pdf>;

HM Inspectorate of Prisons (February 2021) Report on a scrutiny visit to HMYOI Wetherby and the Keppel unit

<https://www.justiceinspectorates.gov.uk/hmiprison/wp-content/uploads/sites/4/2021/02/Wetherby-and-Keppel-web-2021.pdf>;

HM Inspectorate of Prisons (March 2021) Report on a scrutiny visit to HMYOI Feltham A:

<https://www.justiceinspectorates.gov.uk/hmiprison/wp-content/uploads/sites/4/2021/03/Feltham-SV-web-2021.pdf>

66 Independent Monitoring Boards (June 2021) Young Offender Institutions (YOIs) in England 2019/20 annual report:

<https://s3-eu-west-2.amazonaws.com/imb-prod-storage-1ocod6bqky0vo/uploads/2021/06/YOI-annual-report-2019-20-for-circulation.pdf>

67 The Youth Justice System's Response to the Covid-19 Pandemic, Literature Review:

<https://static1.squarespace.com/static/5f75bfbfb67fc5ab41154d6/t/618bdf2a6166520207116da5/1636556588695/Impact+of+COVID+-+Literature+Review+FINAL+Updated+Oct+21.pdf>

Little is known about children's experiences of release and resettlement during this time. The Howard League for Penal Reform highlighted that children have faced difficulties accessing support for release planning.⁶⁸ The HM Inspectorate of Prisons thematic report on custody during Covid-19 did not specifically discuss release planning for children, but highlighted that 'limited' planning had left those in custody feeling 'ill-prepared, vulnerable and worried about the practicalities of being released'.⁶⁹

There is a paucity of reports about the impact of Covid-19 on the release and resettlement of children from SCHs.

Covid-19 outbreaks, staffing and shielding

According to the project literature review:⁷⁰

HMPPS began publishing data on staff absences due to Covid-19 in August 2020, but the quarterly statistics do not disaggregate between Prison and YCS staff.⁷¹ Data was provided for April-July 2020 for SCHs, STCs and YOIs which showed total staff absences of 171 in April, 149 in May, 178 in June, and 160 in July.... Reports on initial visits to YOIs highlighted 'significant' staffing shortfalls in March and April 2020, but staffing levels had 'recovered'.⁷² ... However, the reports indicate that despite staff shortages, as regimes were restricted, staffing levels were generally sufficient.

Staff responses suggest there were very few Covid-19 outbreaks in SCH A. However, at the start of the pandemic, in March 2020, managers undertook staff risk assessments and a number of staff had to shield because they were considered medically vulnerable. This left SCH A with staff shortages and created a divide between those shielding and those expected to continue working in the SCH.

"I think that created a divide between the staff that were still working, and the staff sent home to shield because a lot of the people that had to shield didn't want to shield and wanted to be in work, but they can't. [Area] told them that they can't come to work and then there were the people that were still working and think, "Well I'm working full time when they get to sit at home," then it was ... it did really create a divide between them." (Practitioner)

68 Howard League for Penal Reform (May 2020) Children in prison during the Covid-19 pandemic: <https://howardleague.org/publications/children-in-prison-during-the-covid-19-pandemic/>

69 HM Inspectorate of Prisons (February 2021) What happens to prisoners in a pandemic? A thematic review: <https://www.justiceinspectorates.gov.uk/hmiprison/inspections/what-happens-to-prisoners-in-a-pandemic/>

70 The Youth Justice System's Response to the Covid-19 Pandemic, Literature Review: <https://static1.squarespace.com/static/5f75bfbfb67fc5ab41154d6/t/618bdf2a6166520207116da5/1636556588695/Impact+of+COVID+-+Literature+Review+FINAL+Updated+Oct+21.pdf>

71 Ministry of Justice (August 2020) Her Majesty's Prison and Probation Service workforce quarterly: June 2020 - HMPPS COVID-19 experimental statistics annex: <https://www.gov.uk/government/statistics/her-majestys-prison-and-probation-service-workforce-quarterly-june-2020>; Ministry of Justice, HM Prison and Probation Service (February 2021) Her Majesty's Prison and Probation Service workforce quarterly: December 2020: <https://www.gov.uk/government/collections/national-offender-management-service-workforce-statistics>

72 HM Inspectorate of Prisons (May 2020) Report on short scrutiny visits to Young offender institutions holding children: <https://www.justiceinspectorates.gov.uk/hmiprison/wp-content/uploads/sites/4/2020/05/YOIs-SSV-Web-2020-1.pdf>

As the pandemic continued, risk assessments evolved following updated guidance from Public Health England (PHE) about vulnerable health conditions, and some staff returned to work. However, staff shortages continued as many had to self-isolate due to testing positive for Covid-19.

“Things moved on - the risk assessments were getting changed by the department. So they were then changing the goalposts as to what met the criteria for shielding. So you either had one or two more staff coming back into the workplace because they were no longer under the shielding umbrella because I think Public Health England got more of an understanding of who is more vulnerable to the virus. So one or two more staff did come in but then at the same time one or two staff also went back out as well.” (Manager)

Staff rotas had to be to be reconfigured to cover high sickness levels, some staff were moved around, and others volunteered to help to cover vacant shifts.

“I mean, [name] and myself, we work Monday to Friday, but because of staff shortages we volunteered to help out on the units, so we were put on the rota for a few months. Just to cover staff shortages on there. Which was good because it gives you that chance to kind of maintain the relationships with the young people...” (Manager)

Children were aware of staff shortages, and they were candid about the impact that it had on them and their routine.

P1 and 2 = Participants

I = Interviewer

P2: See, every week at one point we were in our room, and not anyone came. Not last weekend, I think the weekend before last weekend, we were in our rooms.

I: And why do you think that was?

P1: Staffing.

P2: It was really like short-staff as well where it was like the biggest issue.

P1: Yeah, my unit, one staff member on a unit a couple of times. Even interventions had to come and help on short staff.

If children were showing signs of having Covid-19 they had to test and isolate in their rooms until the test came back. Two children spoke about contracting Covid-19 while in SCH A. The following interview extracts describe how they felt and the impact it had on them.

P= Participant

I = Interviewer

P: I was proper ill at first. I think it was six days, and then after that, I'd be able to get up and move around my room but it was quite hard to move around at first... I was able to go out and do the half an hour of fresh air after them six days. We still had to isolate for the 14 days...

I: Were you worried? Were you scared?

R: Can't really say I weren't. To me, I've never been ill like that before, do you know what I mean?

P = Participant

I = Interviewer

P: Well, you see, what it is, like, when they put us in our rooms and that, I just knew I had Covid because my chest was killing, really bad. And obviously, I had, like, a bad headache. But it wasn't like a headache. But I could still have the light on and the TV on. I felt like Covid was swimming in my head and that, man.

I1: Covid swimming in your head. No, that's a nice way of describing it.

P3: No. It did. It felt like it was going through my head and that. And then my chest and my eyes and that's it. I wasn't sick. My smell and my taste went...

Children were worried about their safety in relation to staff bringing Covid-19 into SCH A especially as it was virtually impossible to social distance in the establishment. Conversely, other children felt they were safe as staff were frequently testing for the virus and they knew staff well. Face masks were mentioned frequently by children. The children themselves did not have to wear masks unless they were attending court in person. Staff were mandated to wear them in the SCH to limit the spread of the virus and it was reported that some staff were not wearing masks properly to cover both their nose and mouth. Children were genuinely positive about staff wearing masks as they felt it protected them, yet they found it strange when in isolation and staff had to wear goggles and full PPE. Furthermore, children found it was difficult to recognise faces properly, especially new members of staff and reported that communication was impaired.

"...masks are stupid... new staff, we can't see them." (15-year-old child)

Interview extract about staff wearing masks

P = Participant

I = Interviewer

I: Have you been able to make good relationships with staff at [SCH A]?

R: Yeah. I think I have. But it wouldn't be the same if... it would be different if they didn't have to wear facemasks... you kind of understand someone more when you can see their mouth moving rather than just hearing them.

Due to mask mandates in the secure estate, HM Inspectorate of Probation stated that 'Children who had speech, language and communication difficulties were especially disadvantaged'.⁷³ This concern was echoed some staff at SCH A:

"I do feel for the young people with communication difficulties because sometimes they need to see faces, but they understand. I think we've done a lot of work around, we explained to the young people, we sat them down and said that staff are going to be wearing masks and the reasons for this, and we want to keep everyone safe, so they get that." (Manager)

A practitioner explained the difficulties faced by children with learning difficulties by staff wearing masks and how this impacted on communication:

"There's things like here we have some autistic children who have communication difficulties, to take away the entire bottom half of your face when these children struggle with reading social and emotional situations anyway, given the fact it's been so long... this has got to have some sort of impact." (Practitioner)

Children spoke about themselves being at a higher risk of becoming infected with Covid-19 when sentenced to custody and therefore presenting as a static population. They suggested that there should have been alternatives to custody to limit the spread of the disease and the risk this posed to those unable to control their immediate environment:

⁷³ HM Inspectorate of Probation (November 2020) A thematic review of the work of youth offending services during the COVID-19 pandemic:

<https://www.justiceinspectorates.gov.uk/hmiprobation/inspections/edmyouth/>

Interview Extract - Alternative to custody

P1 = Participant

I2 = Interviewer

P1: In regard to what he's saying as well, for people with not as bad offences like his they should look for alternatives for them to serve a sentence on the outside instead of coming in here. Like he says, when he first came here, it was next door to a kid that had Covid and it's put him at risk, they should have looked for him to do his sentence on the outside instead of coming in here.

I2: Do you think coming to [SCH A] put you at higher risk of getting Covid then if you were on the out?

P1: Yeah because on the out, you know what you're doing, you know where you're going, in here you're just meeting up with people who have been everywhere. Personally, when I'm out, my mask never comes off, I come home, I got undressed, eat my food and that, go to bed and I've been in bed and I've looked on my Snapchat and I've still got my mask on underneath and I didn't even realise, that's how much I wear my mask.

I2: So are you worried about getting it?

P1: I'm worried about getting it but I'm more worried about passing it onto my family and that and just passing it onto other people. Personally, I reckon I'd be able to cope with it.

Running a SCH during Covid-19

Harris and Goodfellow (July, 2021),⁷⁴ note that:

the literature reveals concerns that the approach to implementing restrictions across the secure estate was too centrally driven, leaving insufficient room for flexibility at an establishment level.

Communication

Staff reported that most of the information and guidance they received was from local sources, either from managers or directly from local public health guidance. Although staff felt they were often bombarded with information, they mostly felt well informed and were positive about managers' motivation and commitment to prioritising the welfare of staff and children. Some felt that messages were confusing but understood the lack of knowledge initially surrounding Covid-19, they reported that communication improved as the pandemic progressed.

"I will say that everything that I feel like was the guidance I was given by the senior leadership team, I think the staff welfare and the young people's welfare were at the forefront of all the decisions that were made...guidance around social distancing changed on a daily basis. And like I say, the management here were really receptive and, you know, again, as I said, I genuinely feel my welfare and the young persons' welfare was at the front of everything that they planned, you know..." (Practitioner)

"...it was the managers that dealt with what to do but I think everyone knows that no one really had a clue. Although they gave advice, it wasn't really sure. They were just doing the best that they could with what they knew as well but it was nice that the decision came from other people, I think, and they just told us what to do and we did it!" (Practitioner)

The management team reported being in daily contact with the local public health service to ensure that they had the most up-to-date information which was translated into policy and procedures for staff to keep everyone safe. Management reported frustration at the constantly changing information being received from PHE, and having to remind staff of safety measures including increased hygiene measures and wearing PPE correctly.

74 The Youth Justice System's Response to the Covid-19 Pandemic, Literature Review:

<https://static1.squarespace.com/static/5f75bfbfb67fc5ab41154d6/t/618bdf2a6166520207116da5/1636556588695/Impact+of+COVID+-+Literature+Review+FINAL+Updated+Oct+21.pdf>

“Within a matter of days everything just came to a standstill. The stresses were mad because we were getting emails to do individual staff risk assessments on staff and that. It was like the blind leading the blind because no one seemed to know what was going on. The information was coming thick and fast... It was changing from every ten to twenty minutes... when it progressed to the second time round, there was more confidence because there was more information, we got used to it...” (Manager)

Children were asked how they were kept up to date with what was happening in relation to the pandemic, and the main source of information was from watching the news on the television. Children said they received leaflets explaining the rules about Covid-19 and staff informed them of the rules in SCH A on arrival in their unit as part of their induction. Children’s reaction to the pandemic when it first became apparent was mostly disbelief and astonishment.

“I was shocked when we first heard of Covid... I didn’t think it would come to the UK- I took it as a joke.” (16-year-old child)

“The staff just let us know, you can’t do this because of Covid and Public Health England this, everything that happens now is just Covid this, Covid, Covid...” (16-year-old child)

Staff support and morale

At the beginning of the pandemic, staff reported feeling anxious because of the unknowns of Covid-19. For instance, having to wear full PPE to go onto the units felt unfamiliar, there were worries about how children would react and how they were coping with being in isolation. **Staff said they felt supported by managers, they understood personal caring responsibilities, and would support each other as well as being offered support from professionals to address any anxieties they had.**

“...some of the fear factors for staff - well what happens if a young person’s obviously kicking off in the bedroom or playing up type thing and we’ve got to go into make sure they’re alright but what happens if they grab the PPE gear off us? What happens if we get contaminated? So they had all anxieties and such but fortunately, touch wood, none of that materialised. We got through it as best we could. I think it was a bit of a blessing to be fair.” (Manager)

“The mental health team supported staff as well. We had drop-ins for staff because it was difficult seeing, for me, it goes against everything that I believe in that the young people are locked in the rooms 24/7, so there was drop-ins for the staff to talk to mental health as well, to explore their feelings...” (Manager)

It became evident from speaking to staff at SCH A that staff morale had been more or less maintained throughout the pandemic. Although affected by staff sickness and staff anxiety regarding the transmission of Covid-19, most staff managed to preserve a health outlook towards the regime change and adaptations to working patterns. Children felt supported by staff and staff felt comfortable managing their relationships with children on the units. This is in stark contrast to YOIs (see Smithson et al, April 2022 for further discussion), where staff reported morale to be at “an all time low”.⁷⁵ Staff supervision from mental health teams was reported at SCH A and this may have been a contributory factor in maintaining staff morale. As far as we are aware supervision was not available to staff at the YOI.

75 The Youth Justice System’s Response to the Covid-19 Pandemic: The Impact on Youth Custody. (pending publication)

Cultural changes and lessons learned in SCH A

During the participatory focus groups with children in SCH A we posed the question: “if you had a million pounds to spend on SCH A to make it better after Covid-19, what would you spend it on?” Children’s responses were modest but reflect the need for a cultural change with a significant investment in infrastructure. Children’s responses are listed below:

Freeview TV, new TVs, Sky boxes, access to Netflix

PS4s & 5s in each room

Windows that open so that they can get fresh air

Heating & Air conditioning that works

Better laptops

Better tuck shop – it’s a ‘rip-off’

New beds

Mental Health Support

More staff

Educational books

Staff were also asked about their considerations moving forward in a post-Covid world. The main issues were reported in both short term and long terms goals. Getting back to normality was the main concern especially the mandate on masks and PPE. The ability for children to mix again, and therefore to be able to participate fully in physical and enrichment activities was a unanimous goal among staff and children.

Among staff, supporting colleagues was an important issue raised, and the ability to delegate and share workloads was something staff looked forward to. In the longer term, staff cited that a change of management was needed, and with that, more employment of technology for use with children and their families.

Conclusions and Considerations

Amidst the paucity of literature currently available regarding the impact of Covid-19 on SCHs this paper makes a significant contribution to the knowledge base. The findings from this research highlight the experiences of children in SCH A, and while arguably not as severe as those in YOIs (see Smithson et al, April 2022 for further discussion)⁷⁶ they still endured many hardships for lengthy periods of time. This paper therefore proposes the following considerations:

Based on the findings described in this paper we consider the following areas to be central for developing a safer, smaller, and more purposeful children's secure estate.

- The findings from this briefing paper somewhat contradict the Ofsted Inspector's report published as a blog in June 2020. Whilst we recognise the adaptations made and the improvements in comparison to our report into YOI X (Smithson et al April 2022) , we cannot negate the negative impacts that these adaptations had on children's wellbeing.
- The impact of isolation and lockdown on children's wellbeing is yet to be fully realised, particularly for first time entrants. The mandate to quarantine on arrival in SCH A for the first time was an alarming experience for most, if not directly articulated.
- The longer-term impact of the experiences of the secure estate during the Covid-19 pandemic on children's mental health needs significant funding and investment.
- Face-to-face visits with family, friends, and professionals needs to be maintained throughout any future public health emergencies: it is central to maintaining children's rights and wellbeing
- Education needs to return to pre-pandemic levels. Children in SCH A are still reporting a lack of subjects in preparation for GCSE exams. The SCH curriculum needs to reflect the wider educational offer, or it could significantly impact on attainment and inequality for an already marginalised and disadvantaged population.
- Lack of physical activities and enrichment outside of bedrooms and units was a priority concern for children and staff. Whilst understandable, the over-reliance on TV and games consoles led to a lack of stimulation for most children.
- Lack of targeted interventions to address offending behaviour in preparation for release needs to return to, at the very least, pre-pandemic levels. This could be helped by ensuring that communication between YOT staff and SCH A returns to pre-pandemic protocols.

⁷⁶ The Youth Justice System's Response to the Covid-19 Pandemic: The Impact on Youth Custody (pending publication)

- Technology needs to be further harnessed in SCHs to enable children to be active participants in the digital world.
- Staff morale is an important factor in keeping staff and children safe from harm. Staff working in the secure estate need regular access to supervision and mental health support should a situation arise whereby staff morale can be significantly impacted by factors beyond their control.

For further information about the project, please contact,
Professor Hannah Smithson h.i.smithson@mmu.ac.uk

