Pandemic within a Pandemic

The impact of COVID-19 on prisoners and their families

Report prepared by

Mothers 4 Justice Ubuntu

Table of Contents

ABOUT M4JU

Mothers 4 Justice Ubuntu is a community group based in Oxford.

We are a collective of mothers and family members of people in prison campaigning for justice, change, and accountability within the police and criminal justice system.

OUR AIMS

To support people going through the criminal justice system, and their families and loved ones, through advocacy, campaigns and direct action.

To shine a spotlight on local injustices in the criminal justice system and work with those affected to campaign for truth, justice and accountability.

To create spaces for local conversations about how to create tangible change across all elements of the local criminal justice system, to ensure our systems work as services to keep our community safe rather than as a force to criminalise us.

OUR MISSION

We are a collective of family members and activists directly supporting people who have come into contact with the criminal justice system.

We seek to centre and empower those with personal experience of the criminal justice system, and to organise within the community to campaign for truth, justice and accountability at all levels.

We see so many of our children trapped in the revolving door of the criminal justice system. From the preschool to prison pipeline, to probation services and beyond – our communities are criminalised and denied basic justice, liberties, and life opportunities.

We work to tackle injustices and discrimination across multiple systems that exist to oppress our communities, that are deeply embedded in our history of colonialism and slavery and are international in their scope.

Mothers 4 Justice-Ubuntu seeks to create a space for us to come together, empower and support one another, and fight for justice.

executive summary

The aim of this report was to get a view of the families that are supporting people who are currently locked behind bars or those who have been through the system – both before and during the pandemic.

The focus was on comparing how they felt the pandemic changed the way they could support their loved ones, examining whether they came across more or different barriers or if they felt it made a negligible difference to the existing conditions. The conversations we had then grew into an examination of the conditions that led to incarceration and delved deeper into experiences around economic and social drivers of crime, criminalisation of Black and poor communities and barriers to rehabilitation.

Through examining the challenges to prisoners and their families while going through the criminal justice system, and the struggle for rehabilitation, this research aims to shine a light on the underlying issues to help identify solutions for better support and recidivism rates for offenders.

This report examines the underlying themes of poverty and financial insecurity, the criminalisation of poor young people, racism, and inequality. We chose to begin by examining different sources relating to drivers behind the disproportionate imprisonment of young, Black, working-class men and the resulting impacts.

"The conditions which led their loved ones on a pathway to prison predated the pandemic"

The findings show that across the board Covid-19 has exacerbated inequalities and shone a light on the problems that pre-existed the pandemic. While the conditions of the pandemic certainly sharpened these inequalities, each of the interviewees was clear that the conditions which led their loved ones on a pathway to prison predated the pandemic and have their roots in the poor economic conditions and opportunities for working-class communities, barriers within services, and the long-term chronic under-resourcing of communities and services.

Prisons at a glance

drug usage in prison has increased

500%

in the last 10 years

prisoner COVID-19 deaths were

3.3x

the rate of the general population

in 2021

371

people died in custody

use of stop and search rose

24%

during the 1st year of the pandemic

in 2021, suicide increased by

30%

compared to 2020

during the March 2020 lockdown

2/3

of prisoners were in conditions amounting to solitary confinement

acknowledgements

This research project is based around the work of Mothers 4 Justice Ubuntu, an Oxford-based organisation that supports people and their families going through the criminal justice system, and closely examines the experiences of five people who have family members that have had dealings with the police and the justice system. It looks at how they have been affected by the pandemic and how they see the pandemic in relation to the existing inequalities, such as the disproportionate numbers of young Black men in prison.

The research consisted of semi-structured interviews that took place in October – December 2021, with five mothers and sisters of young Black men in Oxford who have been through various stages of the criminal justice system or who are currently behind bars.

The choice to interview women only was intentional. It stems from the work of Mothers 4 Justice Ubuntu, and the gendered nature of care and the role of the mother in the family home, which extends into the nature of support for their children as they go through the criminal justice system.

The majority of interviewees live in some of the most deprived areas in the country--council houses on estates in Oxford including Blackbird Leys, Barton and Rose Hill. The majority of the sample have interacted with social services from childhood, and some were removed and placed in care. All are working-class and Black, apart from one White woman who is raising her biracial son who is in prison.

This report begins with a quick overview of existing research in this area - examining different sources relating to the impact of the pandemic on the prison population in England and internationally, as well as sources that explore the underlying themes such as poverty and financial insecurity which form social drivers of crime and underpin the criminalisation of poor and Black communities.

It then draws on this research and the five interviews conducted by Mothers 4 Justice Ubuntu to outline key themes and pull together the qualitative and quantitative information to assess the impact of the pandemic on prisoners and those supporting them during the pandemic.

To protect anonymity given the hyper-local nature of our research, we used pseudonyms for the interviewees and removed any reference to the names of their family members and any other people altogether.

INTRODUCTION

Prisoners are an overwhelmingly overlooked and voiceless community, the world over. The same is perhaps even more so for the families and loved ones of the incarcerated, who are abandoned without support or resource to navigate the systems for support, communication and visitation of loved ones in prison, and probationary and rehabilitative systems as they support their loved ones on their journey out of incarceration.

Of the limited and marginal research and reporting on the plight of prisoners before and during Covid, most focused on statistics relating directly to the pandemic, including; infection and mortality rates; hygiene levels and access to water and sanitation; rates of overcrowding rates of self-harm and suicide; vaccination rates; etc. Where reference was paid to socialising and relationships and the significant impact that Covid measures on these aspects of the lives of prisoners, research into the impact on families have been incredibly lacking and usually forms only a small side note amongst a body of wider research.

Given the vital importance of familial support in recidivism and rehabilitation, this oversight in examining the impact of Covid-measures on families is glaring. To make sure societal systems can provide prisoners with the best chances of rehabilitation, it is vital that we understand the impact on families so we can gain a better understanding of how to support them – and therefore a better understanding of how to support people who have been incarcerated on their journey leaving prison and give them the best chance at full rehabilitation, full and happy lives, along with their families and support systems.

PRE-COVID SYSTEMIC PROBLEMS

Significant research prior to the pandemic detailed the difficult conditions faced by prisoners and staff in England and Wales, particularly as a result of austerity cuts over the last decade. Prisons were understaffed, dilapidated, dangerous and overcrowded. Drug usage in prison has soared 500 per cent over the last decade. Assaults in prisons have doubled and self-harming incidents have increased by 132 per cent since 2010, and the prison budget was slashed by nearly 20 per cent during the same time.
A staggering three-quarters of prisoners re-offend within five years of release, showing despairing levels of recidivism and demonstrating the utter failure of rehabilitation services.

International studies, such as the report by Amnesty International into Covid-19 and prisons, recognise the widespread and systemic conditions which make prison communities significantly higher risk than the general population to pandemic outbreaks and broader public health concerns. These interlinked systemic factors include higher concentrations of disease and negative health conditions in prisons due to poor and overcrowded living conditions; difficulties in achieving physical distancing; and limited health care availability.

Work by leading prison-focused organisations including Penal Reform International backed up this evidence, drawing attention to the pre-Covid mortality rates in custody which was already as much as 50 per cent higher than for the general population. They pointed to the hygiene standards in prisons which are commonly much lower than those found in the community. They also noted the lack of funding for prisons has resulted in low healthcare provision, poor living conditions and low levels of well-trained staff It was also recognised that people in prison are likely to come from marginalised backgrounds where they may have already been exposed to transmissible diseases and inadequate nutrition, as well as barriers to accessing good quality health services

Research that looked at the infection and morbidity rates of Covid in prisons when compared with the general population invariably referenced the reality that Covid-19 had lain bare years of underinvestment and neglect of health care services in prisons. These were the conditions underlying the acute shortages of testing capacity, practices inconsistent with public health guidance and concerning examples of discriminatory and punitive measures, including in relation to provision of testing and personal protective equipment for prison staff. The conclusion is irrefutable – years of budget cuts and neglect left prisons vulnerable to the pandemic and led directly to the high infection and morbidity rates, as well as the draconian and damaging measures that will have immeasurable lasting effects on prisoners and their families

The impact of COVID-19

When the pandemic hit in the UK in March 2020, patterns were predicted and then detected in the data for the infection and mortality rates for coronavirus that mirrored existing inequalities in society. Black and ethnic minority and working-class communities were particularly susceptible and this pattern was clearly evident within prison populations too. Prisoners from Black and South Asian ethnic groups in UK prisons were more likely to experience severe symptoms and death, reflecting the social and economic disparities in the general population as well as the health inequalities that stem from these material conditions

Indeed, despite the alleged physical distancing measures implemented in prisons in England and Wales to combat the pandemic, research a year into the pandemic revealed that prisoners were dying from coronavirus at 3.3 times the rate of the general population – prompting calls for prisoners and prison staff to be prioritised during the vaccine rollout. Infection rates in prisons were so high that local areas containing prisons often topped the tables for the highest rates of Covid in England.

In anticipation of – and later in response to – these stark disparities which have seen prisoners suffering the sharp edge of the pandemic, campaign groups and charities have been highly critical of the government's response to Covid-19 in relation to prison services, prisoners and staff. Leading organisations in this field – including the Prison Reform Trust and the Howard League – decried the government's actions as 'too little, too late,' and calling the situation in prisons 'inhumane and untenable.' Much of the research on prisons during the pandemic focuses on this data and provides recommendations to mitigate the worst of the inequalities relating to infection and morbidity rates.

As collective spaces such as schools and workplaces in wider society were 'locked down', to mitigate the impact of the pandemic in prisons regimes immediately moved to a strict regime of physical isolation. Most prisoners were spending 23 hours per day or more in their cells, being let out for sometimes as little as 15 minutes at a time to shower, exercise and contact family. Her Majesty's Inspectorate of Prisons considered that in the most extreme cases, where some prisoners spent only 1.5 hours per week out of their cells, effectively constituted solitary confinement, in conditions usually regarded as torture under international law.

What limited reporting was made in the British mainstream media on the conditions in prisons mostly focused on human impact stories. As well as examining the statistics relating to the pandemic in prisons, these stories focused on the impact of the suspension of family visits, education classes, intervention work and the closure of gyms and draw attention to human rights legislation that defines solitary confinement for longer than 15 days as torture.

The impact of COVID-19

News reports highlighted the impact of the reduction in services and interventions as a result of the pandemic measures, including an increased reliance on technology which left tech-illiterate people going through the criminal justice systems – already many of the most marginalised and vulnerable in these systems – 'struggling massively.' Reports noted that – behind official statistics where violent incidences were dropping in prisons due to the physical isolation measures – prisoners were reporting that violence, intimidation and bullying had not in fact stopped by had begun to take other forms, and many were turning to drugs and other unhealthy coping strategies to manage their isolation and boredom.

The Prison Reform Trust also referenced the severe disruption to probation services as staff were placed on furlough however in the vast majority of the research and reporting very little attention was paid to the impact of coronavirus measures on people in bail hostels, or those out on bail or on license. More in-depth research by civil rights and campaigning organisations also focused on the impact on prisoners of the extreme physical isolation measures, as well as the devastating impact of coronavirus on the health and wellbeing of prisoners.

The Prison Reform Trust's "*Captive Families*" report, conducted several extensive reports on the impact of Covid-measures on the prison community, including an in-depth exploration into how families coped with the new procedures (15). It examined the devastating impact of the loss of visits on families, particularly noting the 'extreme distress and devastation caused by the extensiveness of the separation which stretched on for over three months in many cases. Families spoke of high levels of stress and sleepless nights, as well as practical concerns around the cost of calls and the lack of flexibility with access to phone calls if families are unavailable when the prisoner is timetabled for their daily release.

Their findings showed that as a result of Covid-19 measures, families and prisoners lost; parents' personal presence with children; opportunities for meaningful conversations between prisoners and their families; compassionate leave (to attend funerals or visit dying relatives; parents keeping up to date with their children's development.'

This piece of research was unusual in its in-depth focus on the families. In the overwhelming majority of the research around Covid in prisons, the impact of Covid-measures on their relationships with their families and the short- and long-term repercussions barely featured. However, it could more often be detected in some of the undercurrents of the conclusions and demands made by prisoner and civil rights groups.

In Amnesty International's seminal report Forgotten Behind Bars: Covid-19 and Prisons, the overwhelming emphasis focused on calling for comprehensive measures to protect the right to health in prisons by reducing infection and mortality rates. In arguing to reduce overcrowding in prison estates, Amnesty argued that priority should be given to various groups, including those with underlying health conditions, older prisoners and those convicted of minor offences who did not present a significant threat to society. Amongst these groups, Amnesty also called for 'women with dependent children to be released. Although they did not specifically refer to the acute and devastating impact that the extreme physical isolation measures and suspension to family visits would have on this particular group – and did not draw any significant reference to the impact of these measures on the broader prison population – the implications are that Amnesty did recognise the need to prioritise familial relationships and contact with loved ones, despite the unprecedented pressures of the pandemic.

In the entire report, only a single sub-chapter of 3 pages out of the total 57 was dedicated to 'Reduced Access to Families.' It noted that: 'Family visits are essential to detainees, contributing not only to their emotional but also their physical, wellbeing. Detainees often rely on their families for food and medicine, when criminal justice systems fail to provide them with adequate food and healthcare.' (19) Interestingly, this framing still emphasises the impact of family contact on the physical wellbeing of prisoners – perhaps a reflection of the complete lack of sympathy for the prison population from society at large or those in decision making positions which meant that a public health framing in the context of the pandemic was the most effective approach for Amnesty to win action on their recommendations.

Amnesty's report did also state that: 'blanket bans on social visits without ensuring alternative means of communication would be disproportionate and increase the risk of violence and further human rights violations.' Despite this reference, none of its recommendations refer to the damage to personal relationships and long-term problems this will cause for prisoners and rehabilitation efforts, or to the rights of prisoners and their families to maintain contact with each other. This can be starkly seen in the report's Chapter 6 on State Obligations, which refers solely to the rights of prisoners to health, including water and sanitation, with no mention of any right to family.

Where reference was made to the impact of lockdown measures on prison visits by Amnesty International, research showed the disparities in access to prisoners. Some prison systems did more to retain visits by adapting conditions for them, while others resorted to banning visitors – 'effectively depriving [prisoners] from their lifeline to the outside world.'

Positive measures included: the introduction of video calls; a push for in-cell telephony – which covered 60 per cent of the prison estate by December 2020; the rollout of 1,200 mobile handsets; and an additional credit of £5 per week for phone calls at no personal cost to prisoners. Best practice included initiatives such as 'Bedtime Stories' whereby detainees were permitted to record themselves reading a story to their child. However despite some positive case studies of prisoner communication with families during the pandemic regime, Amnesty received many complaints from the families of prisoners, especially during the early phase of the pandemic. They raised concerns that some prisons only permitted one 30-minute video call per month, which was often poor quality. [22]

In a key report on the impact of Covid on prisons by the Prison Reform Trust – another leading organisation with a UK-based focus on prisons – they recognised that they could not provide strong evidence about how families viewed the efforts of prisons to facilitate communications because there was a lack of readily-available evidence. They did note that their limited research demonstrated a failure to communicate properly with families – leaving them anxious, in fear and exhausted trying to chase up any information about what was happening to their loved ones while they were separated [20] This unique report was vital in recording the devastating impact of the cessation of visits to prisons, which left families without seeing incarcerated loved ones for three months or sometimes longer. This caused extreme stress and desperation, and risked a significant long-term impact on relationships, particularly with children. [21]

This framework may help us to understand why there has been such a lack of focus on research into the impact of the prison system – both before and during the pandemic – on families. While their emphasis is understandable given the urgency of the public health crisis, it erases the vital role families play in supporting prisoners and their own struggle in navigating the criminal justice systems so they can advocate and be there for their loved ones while they are incarcerated, and after they are released. We hope that our contribution – which will examine how families of prisoners coped with the drastic changes in response to the pandemic – can help to re-centre the role of the family, and in doing so provide further analysis and understanding on the best ways to support prisoners and their families through the rehabilitation process so they can thrive.

Economic & Social Drivers of Crime

There is overwhelming research that links crime and criminalisation with social and material circumstances, specifically class, poverty and race. Major organisations including the World Health Organisation and Public Health England recognise poverty as a driving factor behind the crime and in particular advocate a public health approach in response to serious violence (24). The UK government has also taken on this approach in their policymaking and recognises, at least through lip service, the importance of tackling crime through preventative measures through a public health approach (25)

However, they have come under sustained criticism for slashing budgets for local authorities, which has led to a drop by nearly a fifth in the last decade on local services. A total of 859 children's centres and family hubs have been closed, alongside nearly 1000 youth centres. On top of this, their approach to crime has become increasingly draconian, with Black, disabled, working class and asylum seekers and refugees all disproportionately represented in prisons and interactions with police.

We are now seeing further developments in relation to the new Police, Crime, Sentencing and Courts bill, whereby a public health approach to crime is still being advocated. However instead of pursuing the fundamental principles of the framework whereby crime is prevented through better support and service provision, the bill is threatening to introduce the police into services such as education, youth and social work which instead of preventing crime will ramp up the criminalisation of disadvantaged, marginalised and racialised communities.

more than

1800

children's centres, family hubs, and youth centres have closed in the last 10 years

there has been nearly a

20%↓

in local service budgets since 2010

30%

of Britain's children live in poverty

the highest level since 2010

What's happening in Prisons?

When Covid-19 hit the UK in March 2020, drastic public health measures were immediately put into place across society. None more draconian than in prisons, where social distancing measures were put into place which left people isolated in their cells for up to 23 hours per day – strippe of their rights to exercise or socialise. Almost all prisoners in England and Wales spent 23 hours per day or more in their cells, typically around 2m by 3m in size – eating, sleeping and defecating in this space. Two-thirds of prisoners were left in conditions that amount to solitary confinement. Everyone on the prison estate was living and working in an environment with the potential to be a perfect incubator for the deadly virus.

As the virus spread and the death toll mounted, prisons were quickly recognised as 'Covid hotspot areas' and major health risk due to the crowded and unsanitary conditions. Campaign groups were fast to respond, raising concerns that the lack of voice and visibility and general stigma around the prison population posed an extra risk that those in charge would overlook their needs and undermine their safety at this time of unprecedented public health dangers.

Recognising the greatly heightened risk to prisoners and prison staff posed by the pandemic, in May 2020 the World Health Organisation and other United Nations agencies called on governments around the world to release prisoners who were 'at particular risk of Covid-19' and whose who 'could be released without compromising public safety.'

Internationally, countries that succumbed to Covid-19 early on including Northern Ireland, Ireland, France, Netherlands, the USA, Iran and Italy made fast moves to decrease the numbers interned on their prison estates. According to the UN Office on Drugs and Crime, there was an unprecedented wave of prisoner releases in 2020 – with more than 600,000 prisoners in more than 100 countries released as of July 2020 To date, the largest-scale releases have been reported in Turkey (more than 114,000 prisoners), Iran (104,000), The Philippines (82,000), India (68,000), Iraq (62,000), and Ethiopia (40,000). France and Norway reportedly released more than 15 per cent of their prison populations, and Jordan released 30 per cent (30)

Demands were made in the UK 'to prevent a loss of life on an unprecedented scale,' (31) and by the end of March 2020, the Ministry of Justice had agreed to release certain pregnant women and mothers in Mothers and Baby Units on a temporary basis. However, despite government commitments to release 4000 prisoners by April 2020, only 57 had been released by May that year. By September, only 316 detainees had been released under Covid measures (32)

What's happening in Prisons?

Within just a couple of months of the pandemic hitting, campaign groups had formally raised concerns about the injustices the response to coronavirus had exacerbated with regards to the criminal justice system. These included: the excessive periods of detention, especially for the most disadvantaged; the serious shortage of probation Approved Premises; detrimental impact on ensuring effective participation requirements that lead to hearings being extended on the basis of accessibility needs; delays to complex cases, including for people in case or people on parole for outstanding prosecutions; prisoners including child prisoners being held indefinitely on remand due to trial delays. Serious concerns were also raised around the low levels of hygiene in prisons which threatened to undermine the pandemic response: 'Many prisons are filthy and disgustingly unhygienic. Staff, visitors and inmates are not able to wash and soap is frequently impossible to obtain. Lavatories and sinks in cells are ingrained with years of human waste.' (33)

Already by April 2020, organisations had raised two confirmed deaths in Category C prisons, as well as staff shortages of up to 4000 prison staffers due to self-isolation. They noted dangerous practices in combining prisoners with symptoms of Coronavirus who had not received confirmed diagnoses, with Covid-positive inmates. They also noted reports that certain prisons were only providing one pre-packed meal per day. They also noted reports that phone calls had been limited to only 5 minutes per day, lack of provisions for self-isolation, lack of cleaning products, hot water and guidance, and the shocking use of pots for prisoners to urinate and defecate into where there was a lack of in-cell sanitation (34)

The Howard League reported that young adults among others in prison were routinely spending up to 23 hours per day locked up in solitary confinement. One testimony went: 'They are making everything ten times worse. They get us up at 7:45 in the morning... your 25 minutes out of cell start from them shouting you awake, not when you get to the social room, it doesn't leave enough time for a shower and to get outside.' There was also a rising concern around the paralysis of the parole system, delaying the release of inmates in already overcrowded conditions and By 17 April 2020, it was reported that coronavirus had been detected in over half the prisons in England and Wales, with 232 prisoners testing positive across 60 prisons as well as 96 staff in nearly 40 prisons.

Several charities made demands to ministers to act faster as by 14 April only 18 prisoners had been released, despite a key report by Professor Richard Coker, Emeritus Professor of Public Health at London School of Hygiene & Tropical Medicine which stated that the risk of exposure to prisoners and staff is far, far greater than to the wider community given the almost impossible potential for social distancing and personal infection control.

What's happening in Prisons?

To help prisoners maintain contact with their loved ones during the new regimes of extreme physical isolation, in-cell telephones were provided and video calls were rolled out. However, in-cell phones were only supplied to fewer than half the prisons. 900 mobile phones were distributed among the remainder – to cover up to 40,000 prisoners spread over 55 prisons – a miserable attempt to offset the profound impact of cutting off family contact.

People in prison must pay for their own phone calls, and costs are high – calling mobiles can cost over 13 pence at the weekend and 20 pence on weekdays. Prisoners in employment can be paid as little as £4 per week, and those not in work can earn as little as £2.50 per week. In suspending visits, the government announced an extra £5 on phone credit per week to be provided at no extra cost to prisoners and some prisons announced reductions in the cost of phone calls. But these measures had limited impact and their implementation varied across prison sites.

The dire lack of communications devices and technologies means that for the short time prisoners were allowed out of their cells they had to prioritise between showering, exercising and calling loved ones. This meant many prisoners could go days without speaking to their families. This was particularly distressing given the heightened anxieties around the serious health threats in the context of the pandemic, which amplified the concerns of prisoners and families when they were in inconsistent contact and significantly worsened their feelings of hopelessness and loss (36)

From the start of the pandemic in March 2020 to the end of December 2021, 117 people in prison died within 28 days of having a positive Covid-19 test or here there was a clinical assessment that coronavirus was a factor in their deaths. The number of suicides rocketed – up 30% in 2021 from the previous year. However, despite the widely documented evidence showing prisoners and staff are at heightened risk from coronavirus the government chose not to prioritise them as a group when it came to accessing personal protective equipment or vaccines. (38)

At the time of writing, recent reports from the Ministry of Justice as reported by the Howard League show the number of people dying behind bars in the UK has reached an all-time high. (39) In 2021, a shocking 371 people died in police custody – a 17% rise on the year before, when 318 people died. Despite evidence that pre-pandemic the rates of suicide in prison were nearly 4 times higher than the general population, Ministers failed to enact an early release scheme that would have protected as many prisoners as possible (40)

Police and COVID-19

Use of stop and search rose 24% in England and Wales during the first year of the pandemic from march 2020-21, with the equivalent of one in five male ethnic minority teenagers stopped. this was during a time when crime rates declined as a result of the pandemic measures. These disparities were so stark that in November 2020, campaign groups liberty and big brother watch called on the chief constables at 10 police forces to take action on discrimination and misuse of powers in relation to their issuing of on-the-spot fines of up to £10,000 to enforce the lockdown, where there was evidence of stark disparity in the use of these powers against people of colour compared with white people. (41)
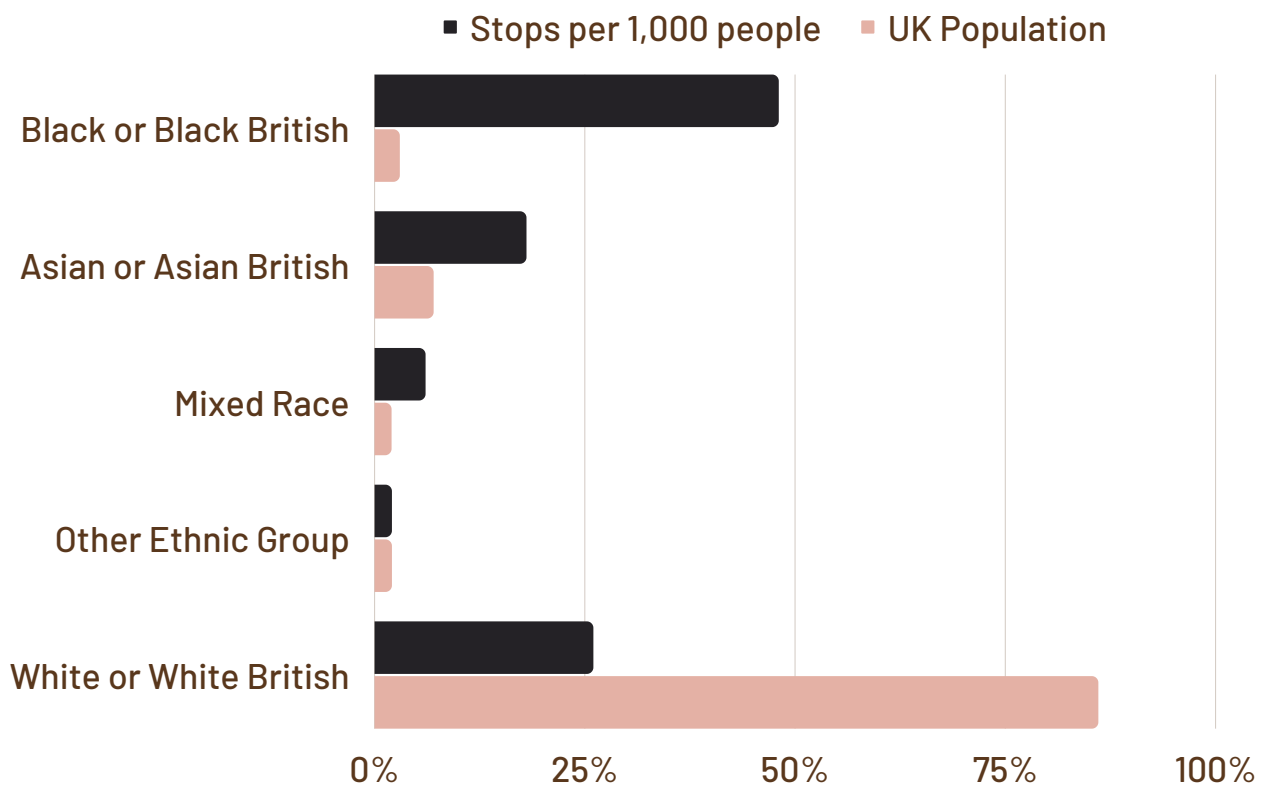
An additional spotlight had been shone on this issue with the explosion of the black lives matter movement in June 2020, which despite erupting in response to the death of George Floyd at the hands of American police was immediately related to the UK context as parallels were drawn with the 183 people of colour who have died at the hands of the police in England and Wales in the last 30 years. the health inequalities and disproportionate policing of black communities during the pandemic shone a spotlight on the over-policing and under-protection of black communities. Analysis by liberty found that people of colour in the UK were over 50% more likely to be handed a fine for breaching the lockdown. in some places, forces were nearly seven times more likely to find people of colour than white people. liberty recognises that covid did not create new problems as much as expose pre-existing inequalities.

Visiting Conditions

'I've only had one visit a month. Then you have to do Covid tests to get in. Then it's not been too bad, but in the beginning it was really hard because I'm on my own, I don't drive for a start. One visit a month is had, and I've got a little boy at school so he couldn't go. So then I couldn't go because I'd have to get a babysitter which was even harder.'

'They're banged up 23 hours a day. He gets let out – they wake him up to go to the shower and he exercises in the shower.'

'They'd get all their food at one time, so that would be their breakfast, lunch and their dinner. And even down to that it sounded like they were getting less food then what they was getting before. I think he [her brother] said they had a choice of like a sausage roll? That's a snack, that's not a meal do you know what I mean.'

'Since the pandemic... they've had to have individual phones in cells so they don't have to come out of the cells. They're on lockdown pretty much a lot of the time, they're only out of their cells for a little while in the yard.'

'They introduced these purple visits, so it's an online thing and again they're very strict with that. So my daughter – I'm not too techy on the phones... she's been trying to use it all this time and it never worked.'

The pandemic fundamentally changed the conditions under which families could communicate and support their loved ones going through the criminal justice system, with the most drastic changes falling on those with loved ones in prison.

Everyone we interviewed spoke about the impact of the drastic prison lockdown policies on their sons, brothers and fathers in prison. This mostly took the form of heavily restricted contact and the lack of communication from the prison authorities about the new regulations.

The themes included the difficulty of fitting their responsibilities and lives around the strict prison regimes, and difficulties with navigating the new technological communications systems and the limited support they received. All interviewees identified poverty as a major cause of their difficulties in accessing prisons, from access to childcare and transport to visitations to the digital divide.

Visiting Conditions

For example Sienna struggled with the online system to contact her family member in prison as she didn't have the right mobile phone and wasn't proficient in technological skills. Even when her daughter stepped in to help, the system itself was unmanageable and they were unable to make it work for most of the time visits had been suspended, which understandable took a massive toll on the family. She had no support from the prison authorities to ensure that communications between the prisoners in their care and their loved ones in the outside world could continue, and this vital lifeline for them could be lost for weeks or months at a time.

Rania noted the difficulty in getting to the prison by public transport, saying she was 'lucky' she has a lift from one of her son's friends. She noted there's some financial support for travel for families on low incomes, but 'it's long' to organise.

Now, the visits are up to weekly in some prisons and you have to bring your own Covid test otherwise you don't get to 'see or touch' the prisoners – something which is likely to impact on families on low incomes now that tests are no longer free. One of the interviewees, Rania, told us that she wasn't made aware by the prison authorities that she had to do a Covid test before visiting, and found out through a friend – in another instance of failed communication from prisons.

Two of the interviewees also raised concerns that prisons were using the pandemic as an excuse to keep prisoners in their cells for longer periods of time.

'It might not even be to do with Covid because they're short-staffed, they're so slow, and they're stuck in their cells 23 hours a day which is hard.'

'[This] is unfair because [prisoners] need a time out of their cells to feel normal.'

This indicates a lack of trust in the systems and prison authorities as families are raising concerns that prisons are taking advantage of the pandemic to keep restrictions in place to cope with funding and resource deficits. This could in part be driven by the failure in communications by prisons regarding other aspects of the pandemic, or broader visiting and communications regimes. This failure in trust with the authorities was a common theme throughout, which extended to various services including health and social work which will be explored more in later chapters.

Visiting Conditions

Interestingly, 3 of the 5 women we interviewed said that there wasn't much change from before the pandemic, aside from the obvious lockdown measures. When asked the question 'what has changed,' the replies of most of the interviewees focused on the underlying issues of poor race relations with the police and discrimination within the criminal justice system (number of respondents, e.g. 2 women), poverty (number of respondents, e.g. 2 women), lack of resources for services (number of respondents, e.g. 2 women), difficulties with access to work after prison (number of respondents, e.g. 2 women), barriers in education (number of respondents, e.g. 2 women) and mental health (number of respondents, e.g. 2 women).

Interviewee Responses to '"what has changed, as result of the COVID-19 pandemic?"

Mental Health 5.6%
Education 5.6%
Work after Release 22.2%
Poverty 55.6%
Resources for Services 11.1%
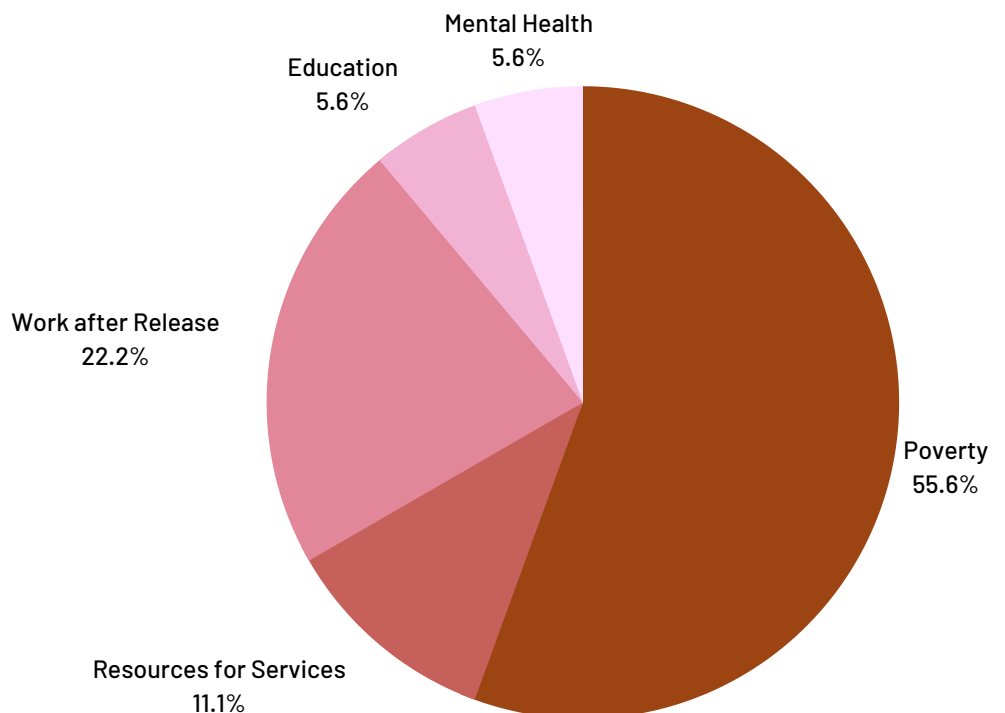
For example, in response to a question about disproportionate police fines on Black people during the pandemic, Sienna refuted that this behaviour was new or shocking. 'They did the same thing when they had the London riots, they went round and started imposing fines. People lost their homes and all sorts. I'm not sure exactly on the stats or the proportion of what colour they were, but that was happening.'

Communication was another area where similarities were raised about the poor communication between prison authorities and the families of those under their care from before and during the pandemic. When Larissa discovered her son was in prison in January 2020, she wasn't able to gain access to him because she: 'didn't know anything about criminal justice or people being in prison or how to access them.' She said 'whenever our children are taken, why are we not contacted? Because a child is a child.' This reveals a concerning lack of support for families, who should have been contacted about the incarceration of a close family member and notified of how to communicate with them and support them.

Recommendations

While prison visiting regimes are still evolving as they're reopening and responding to the lifting of the legal lockdown restrictions, there are still some preliminary lessons we can learn.

As the pandemic continues, public health measures to keep prisoners hygienic and safe must be considered alongside the damaging effects of long term social isolation. These plans must be transparent and accessible for scrutiny by prisoners and their families to build trust in the actions of the authorities, and they must be proactively consulted where possible.

While technological advancements and the spread of in-cell calling and video calling facilities is to be broadly welcomed, prison authorities have a responsibility to support those in their care to ensure these systems are working properly and they and their loved ones have proper support in place so that precious communication time isn't wasted.

Lack of communication or support from prison authorities helps to perpetuate a lack of trust of families in these systems, and this must be significantly improved.

Financial support for families on low incomes to travel to visit their loved ones in prison is vital, but the bureaucracy provides a significant barrier and the system must be streamlined to ensure prisoners with families on low incomes do not miss out on their visiting rights.

Policing & criminalisation of communities

The pandemic impacted all aspects of the criminal justice system, from bobbies on the beat to the courts, to probation and bail facilities, and to the prison estates. The delays in processing cases and probations are likely to have a knock-on effect for many months and years to come. However, every single person we interviewed about this chose to focus their answers on the fact that these systems were on their knees long before the pandemic, and particularly the desperately high rates of recidivism demonstrated the failure of any attempts at rehabilitative processes.

When asked directly about the impact of the pandemic on their experiences of the criminal justice system and prisons, 4 out of 5 of the women interviewed answered in terms of the broader context of racism and discrimination in the system that predated coronavirus. For example, when pushed on the subject Carrie told us: 'There isn't much difference other than the fact that you have to follow Covid procedures... The process is a little longer.' She then added that she thought prisons were using the pandemic as an excuse to keep prisoners locked in their cells, demonstrating a clear and deep rooted lack of trust of the systems and authorities that predated the pandemic but was evident in the families' responses to the public health measures taken on prison estates.

Some further examples of this included:

'I have seen the criminal justice system be unfair and it's scary. You worry about your sibling and their wellbeing... I worry that the criminal justice system does not have enough in place to properly rehabilitate the prisoners. I feel as though they may not be guided well or prepared for when they come home and this is why they continue to reoffend.'

'I think our children are not supported in the way they're supposed to be supported. I think they are being neglected big time.'

Policing & criminalisation of communities

'My one boy, in particular, that has encountered [stop and search], once he's been in problems with the law once... every time now he's targeted... Does that mean there's no scope for growing, maturing and changing? You're just a criminal because you've done one thing? So then it becomes a self-fulfilling prophecy.'

"I feel as though my brother has made efforts to change, however again the justice system fails them as when they are released sometimes the environments they are released into – i.e. bail hostels – can lead to them reoffending due to their surroundings and also frustrations of not being able to find work and positive things to do in order to stop them from reoffending.'

'If they're a Black youth it's a self-fulfilling prophecy, it's expected that they'll be criminals anyway and from there forth they're targeted as a criminal without the opportunity to change. Is the justice system not supposed to be a system that enables change and rehabilitation? It doesn't seem that's the case when it comes to our young people.'

'Every time [my son] gets stopped by the police he fits the stereotype. One time someone rang me because he was down the shops with his White friends and the police went straight for him and my mate was watching. They didn't go for the other ones they went straight for my son. And when he got stabbed, it wasn't taken seriously... Nothing happened, the police didn't do anything, it wasn't even in the news.'

'I'm saying that they are still treated as prisoners even when they are at home as they have to attend probation and the probation is not always a positive meeting. They are constantly being harassed by police even when they do nothing wrong and they just feel that they are better off in jail because they're treated differently when they come home.'

The criminalisation of Black and working class communities at the hands of the police and the criminal justice system was described in detail in each of our interviews. They were all clear that it is this revolving door of criminalisation, crime and a lack of proper support or resource in place for serious rehabilitation efforts that mean people become trapped in a never-ending cycle.

Policing & criminalisation of communities

In three of the five interviews , drugs were featured as a key theme for discussion. Sienna's boys were excluded from school and one of her sons was moved to Cherwell School, an outstanding state school located in one of the most affluent areas of Oxford. She described how many of the pupils from wealthier families were still involved in selling and consuming recreational drugs and noted:

'There's loads of people who do drugs up there – because they can do. Because they have access to money because their parents give them money to keep them occupied and all the rest of it.'

'I think they are more likely to go under the radar because of where they live, do you know what I mean? The colour of their skin, let's be honest.'

The criminalisation of working-class communities is well documented, and this testimony speaks to the huge chasm between children from working-class families and children from more affluent backgrounds who fall foul of the law.

Larissa migrated to the UK from Nigeria, and her son joined her a few years later aged 16 and went straight to college where he was groomed by county lines drug dealers. She said:

"to me it is also a system where everybody is just benefitting from someone. So if [the police have] left these drug dealers to operate and use these young children, why are our children being punished in such a fashion?... It is upsetting and something needs to really be put in place to protect these poor vulnerable young people.'

Her comments add to the understanding about the disproportionate policing of young Black men, and go further to accuse police forces of failing Black and working class communities when they are in need of help – allowing the continued exploitation of children, who are then incarcerated for crimes while those that benefit from these crimes continue to walk free.

Policing & criminalisation of communities

Larissa also noted the failure by his legal representation to properly defend her son, leaving him currently serving over double the sentence he was given. His visa is now no longer valid and he has no status, and he now continues to be held under immigration legislation. She described how his solicitor and lawyer told them he hadn't received 'proper representation' during his trial. Even now, despite signing up for voluntary deportation to escape his circumstances, the authorities had assigned him the wrong country and airport for travel. This testimony reflects multiple systemic failures which are sharpened for migrant communities, whose immigration status is threatened once they come into contact with the criminal justice system. It also speaks to the under-resourcing of legal aid for families who cannot afford private representation, as well as some of the repercussions of the plea bargain system whereby defendants can be coerced even by their own legal representatives into pleading guilty in order to cut a deal for a shorter sentence even if the charges are contestable.

When questioned on the racism of the pandemic fines, which saw the Met police fine Black young people twice as much as their White counterparts for breaching lockdown legislation, Sienna said she wasn't surprised because the same thing had happened during the London riots ten years ago, indicating exhaustion and hopelessness at the lack of progress and a feeling that the discriminatory policing during the pandemic was nothing out of the ordinary, but merely the latest iteration of racist criminalisation of Black communities with no hope of accountability or justice.

Our research showed that the families we interviewed did not see the impact of the pandemic as a dominant dynamic in terms of their interaction with the criminal justice system. Instead, they focused unanimously on the systemic racism, classism and discrimination that was prevalent long before the pandemic hit. This was the primary concern and experience of everyone we interviewed and clearly influenced their response to the public health measures taken by prison estates and criminal justice authorities in response to the pandemic, which prompted responses of scepticism, hopeless and exhaustion from those we interviewed at the barriers to justice and rehabilitation of their loved ones.

Experiences of the criminal justice system during the pandemic continued to be primarily defined by racism, classism and discrimination which drove the response of the families of those incarcerated during the pandemic to the public health measures. As such, we must continue to highlight racism, discrimination and abuse of power at all levels of the criminal justice system if we are to build trust and cooperation. This is a fundamental step toward improving rates of recidivism.

There needs to be a fundamental overhaul of the approach to prisons, shifting to a focus on rehabilitation and drastically improving rates of recidivism. This needs significant funding to be allocated if it is to be successful.

Poverty

It is widely recognised and documented that economic factors play a significant role in driving crime and criminalisation of impoverished communities that lack economic opportunities. A 'public health approach to reducing crime and supporting people who have fallen foul of the law - through a focus on improving material conditions and interventions that prioritise rehabilitation rates - must therefore form a key cornerstone of strategies to reduce crime, especially violence and drug-related crime.

This was reflected in our own research. All of the women we interviewed live in the wards of Barton, Blackbird Leys and Rose Hill, among the most deprived in the country. All of them brought up the impact of low pay, poverty and living paycheck to paycheck and were clearly conscious of the criminalisation of working-class communities living in poverty such as theirs. When asked how their immediate environment contributed towards their family member's journey into the criminal justice system, every single one of the people we interviewed agreed it was a key factor.

"I'm not saying money will help everything, but you can't say okay you're free now and you should forget all about the system of apartheid and the system of slavery is still there in terms of economics and how you give jobs, and how you elevate people or keep people down. It's just hidden and covert now, it's not as overt. So it's still there, it hasn't gone anywhere.'

'It's his environment. This house that I live in – they don't bother. I've rung them, I've sent messages, I've sent emails saying come and look at my house I've got broken windows, stuff in the bedroom that's all broke, the bath drain, but no one comes. Without [my son] as my carer I've got no one to help me, do you know what I mean.'

'I think as poor people we all experience low wages. So what the issue is – for an older person that's grounded and knows how to hold their life together and approach their life, fine. For young people going into work – especially this generation where they feel they're going to be treated the same as anybody else... Young people in this generation can't cope and won't put up with [discrimination at work].'

'The majority of the time we end up as single parents – not because we are more useless than anyone else, but it goes back again to the system psychologically physically and emotionally abusing Black men. Therefore they become emotionally unavailable. When they get into relationships, those relationships break down because a lot of those external factors from racism – going to the grind of workplaces and suffering that discrimination, it impacts your home. And when it comes into the home then that breaks the home, and its like a circle... And then they create children that come through the same cycle again.'

Those we interviewed identified issues such as poor housing, low paid work and pressures due to discrimination and poverty. This generational poverty and degradation place incredible strains on families, which creates patterns of behaviour in parents and families facing difficult social and material conditions that trickle down to the children and manifest in the same cycles.

Sienna gave testimony on the difficulties of parenting children who are engaging in activities that fall foul of the law. She told us that she perceives a moral difference between turning a blind eye, and profiting from their behaviours even if the family is in need of financial support. She said: 'For example my son needs to borrow some money and he says mum can I borrow £100, and I lend him £100. Obviously I know where that money's come from when it comes back to me. So does that mean I shouldn't lend him the money? Do you know what I mean? So to me that's different, That's not me expecting you to help me pay my bills from what you're doing. That's me, you know, trying to be a mum. I'm not asking no questions I'm just trying to help.'

She noted the role of her own behaviours in influencing her children. She said, 'I do smoke weed and I do have a moral dilemma within myself because on the one hand I know it's not right because the law says so. But then on the other hand it's like if I'm doing it the children are going to follow and what kind of role model am I being because I am already setting them up to be in that system.' Her experiences are a window into the life of many families with loved ones in prison, and are shared by so many in her position

Florence drew out some interesting points regarding the difference in experiences between generations, noting that older generations perhaps put up with worse treatment at work whereas younger generations – who were born and grew up alongside their White peers – are less prepared to put up with such discrimination.

Carrie highlighted the waste of life and the role of drugs and peer pressure in drawing people in her community and her loved ones into a revolving door of crime and criminalisation.

'When [NAME WITHELD] died the community changed forever. Everyone kind of went their separate ways and it was no longer a happy place and everyone was on edge and scared and the people who committed that crime – I grew up with all of them and I would like to say that drugs has really affected a lot of people and a lot of these crimes are committed when people are highly intoxicated... during this time they will come up with irrational thoughts and act on impulse and end up committing crimes that give them life but they're actually nice people and probably wouldn't have done that stuff if they hadn't been taking all those drugs.'

'It's sad as a lot of the people I know who go to prison, they have great attributes and qualities and they could do greater things with their time.'

Her experiences reflect how environments influence people who partake in criminal behaviour, including how it can lead to serious and violent crime. However, Sienna's testimony describes how children from more affluent backgrounds are also drawn into drug taking and usage. She told us: 'parents are working, so you know they're more susceptible to grooming to be involved in other things, to drug use. They have a free house and there's a lot more things they could be doing that maybe someone from an area that's not so affluent wouldn't have access to... I think they are more likely to go under the radar because of their status, because of where they live.'

This shines a spotlight on the difference in experience based on class and race in terms of how these children are criminalised, with a gaping chasm between their life chances if they are caught with drugs or doing other criminal activities. All the people we interviewed recognised the criminal justice system treats people differently based on their socio-economic backgrounds.

Services

Everyone we spoke to referred to the failure of various services – both in a capacity of supporting their family members through the criminal justice system, and also preventative services such as youth and social work. Common themes included the last decade of austerity cuts to local authorities and vital services. Many of the interviewees recalled better services in the area when they were growing up, which were successful in keeping young people in engaging, healthy and productive activities. Nowadays, accessing activities such as sports, arts and crafts costs significantly more and is inaccessible to those families most in need of these services.

The drastic underfunding of preventative and rehabilitative services is trapping prisoners and their families in a cycle of misery, at no benefit to society. When asked about the impact of the pandemic, everyone we interviewed pointed to the historic underfunding of these services, and the barriers they faced in getting help which long predated the pandemic.

"I feel like the system has affected us because when you end up in certain environments such as bail hostels, hostels, social services, probation, prisons – they only tend to focus on the ones who are doing well and I think that's wrong because the ones who struggle they also need that support so like the system constantly fails us because once they see you mess up a few times they give up on you, and sometimes it feels like they never even really did bother with you to help you at all. It's almost like they just gather us all together and just let us run wild so that we can continue to fail.'

'I'm not sure about services, because where I live there's not any… When I was younger I remember going to community clubs, going to what you call they have like a community centre and there's youth things on. You can play games, you can interact with young people, you can do arts, you can do crafts, you can do different things and that gives young people a focus. Somewhere to go on Friday night… What I found is my boys by the time they were growing up they got rid of all the youth centres. And yes they are out there, but the things that are out there are so expensive – these things used to be free. But now you have to pay to go to football club, pay to go here, and as a poor person I can't afford those things. So your young people have got nothing to do and that's where they can become targets.'

Services

'I don't think these young children, these young innocent boys or young adults if I can say are really getting enough support. Personally, my son told me that his probation officer for example is not being helpful or has not been helpful. I believe that that is a big problem that these people are not really being helped as much as they should.'

'These are just kids who have been labelled... Even when I was young it was just the same, that was a meeting point, and they're called a gang by they're not they're just groups of kids and this is an estate. You put kids on an estate and different people on the estate and these kids are going to grow. So there should be stuff for them to do. They know that this is an estate with kids on, and they put us here. They're not just going to stay babies for ever, they're going to grow. So they should be nurtured throughout.'

As well as recognising the need for productive and engaging youth services to help support young people and keep them from behaviours that will get them into trouble with the law, these testimonies were also revealing in acknowledging the criminalisation of the behaviours of young people with nowhere to go. Young people meeting together in public and socialising are castigated as gangs, and targeted by police despite not engaging in criminal behaviour. As services have been cut, they have no other place to go and are criminalised simply for existing, with policing activity focusing on the estates and targeting working class children – who have the least access to services and activities. The revolving door nature of the criminal justice system means that once they are targeted by police, these children often end up spending a lifetime in and out of police stations, courts and prisons and the cycle of poverty and criminalisation continues unabated.

Carrie spoke about the positive impact that properly resourced, local youth services had in her community during her childhood. She told us: 'Youth club was fun. We would do many activities. We would go to trips, we would go to Thorpe Park, we would do barbecues in the park, we would do painting, we would do activities, sports, they had a studio in there where people would make songs and sing and stuff like that and people were allowed to express themselves. Especially the young men in my area, they could make songs singing about their lives and their struggles and it was just a very relaxing environment. And if you had problems or you were you know not as clever as others you weren't judged. You would never be banned. Of course you would be disciplined if you misbehaved - it would always be a lesson rather than a punishment.'

Services

The message from those we interviewed was that free, local and accessible youth services were a lifeline to many of those most in need in their communities, and provided young people with an alternative to getting into trouble on the streets. Mentorship and resources to support young people, rather than criminalise them, allow them to flourish and build healthy, happy and lives. Moreover, keeping them out of trouble with the law would save resources currently spent on punitive measures, which could be invested into preventative measures.

As well as services to support young people and prevent them from coming into contact with the police and courts, some of the women we interviewed also spoke about the failures of services that were in place to support struggling families. Larissa and Sienna had similar experiences with social services, whereby they felt they weren't listened to or treated as partners with a role in deciding their plans to support their families and their children.

'For me, my understanding is that we are less listened to. What is there to work with you, they just want to follow what they have drawn that they should do with you. But they don't listen to you. It's like if something is wrong with your child you are the problem, the first person they are going to look is you, you know… I think our children are not supported in the way they're supposed to be supported. I think they are neglected big time.'

'It's just rubbish. There's no continuity in anything that these services do. And I've been hearing probably since I was 18, we need to work in partnership. I'm so sick of that, that should have been happening already. Because I've been hearing it since I was 19, I'm 45. How long have we got to keep saying we need to work in partnership before it starts actually happening?'

'What I got was I was a neglective parent that couldn't set boundaries and routines… All you're doing – as far as I'm concerned – is putting the blame on. They're putting the blame on. And I remember them asking me would I be prepared to say names and everything else and the superintendent would be happy to come and talk to me – I was more than prepared. But do you think anyone came and spoke to me? No they didn't because they didn't care. They did not care. Same way one time I called and reported my son missing, the operators trying to tell me why can't I keep my son. Excuse me, do you have children?'

Services

Regarding her relationship with the social services who came to support the family after her son disappeared, Larissa said she and her partner were treated as suspect or it was implied that they were somehow at fault, and did not feel that there was a partnership between her and the social services and there was no flexibility or scope to personalise their workplan for her family. She felt that they did not understand her life or the difficulties she was having in keeping her son from harm, and instead of supporting her they blamed her. She also noted that her son didn't have access to proper legal advice and representation, so has now ended up serving far longer than his original sentence and is being kept under immigration legislation after being pressured to sign an agreement to give his consent to being deported. She raised concerns about the lack of communication between prisons and parents or families, particularly when they are first arrested.

Sienna told us about one of the courses she and her daughter attended at the request of social services called the Freedom Programme. It aimed to educate people in families where abuse is prevalent about why abuse manifests based on history and learned patterns of behaviour. She said: 'It's very contradictory and actually it's not helping anybody and its not actually true about what's happening because you're not helping... Everyone has behaviours that they've learned, and everyone's got patterns that they've learned through life to survive and for some people they choose to try and unpick it and understand it. But a lot of people don't. But a lot of that is down to lack of education and that lack of knowledge – it's what we teach our children.'
There was a general current of mistrust of police and social services that ran throughout each of the interviews, a feeling that these services and authorities did not understand the lives these families are living and the challenges they face daily. They feel let down, as well as targeted and blamed. These perceptions could also be traced in relation to the prison authorities, and clearly impact on the attitude of the families towards the pandemic restrictions and concerns about the treatment of their loved ones trapped in these systems.

Significant resources for preventative and supportive services including youth and social services need to be committed to address this revolving door of criminalisation and criminal behaviours for especially young, Black and working class men and people. The current system perpetuates a tragic waste of opportunity in the lives of so many, who could and should be supported to lead happy, healthy and productive lives.

Work

Each of the women we spoke to raised the difficulty of getting back into work after spending time in prison. Despite often working various jobs inside prisons, the experiences and post-prison support do little to prepare prisoners for workplace culture and expectations in the outside world. As work is a key cornerstone to rebuilding lives after imprisonment, the failure of these services to support people back into work is a key barrier to breaking the cycle of recidivism.

The lack of skills and tools to deal with racism and discrimination in the workplace was the predominant theme in each of these discussions, as well as the devastating impact this has on especially young Black men who opt to leave jobs and 'gravitate back to the street because it feels more free.' This leads them inevitably back into conflict with the criminal justice system, and is a cycle that must be understood in order for it to be challenged through providing the best support to get people into good, sustainable jobs after leaving prison and providing them with the best opportunities to stay out of the criminal justice system and live healthy, happy lives.

'Now I know young people know right from wrong, my son knows right from wrong. But then he will try to get a job. They will go into these workplaces, they experience racism and they try their hardest to do all the things you tell them to do – get a job, do the right way, and it's made so hard from them in terms of they can't cope with the racial tensions in work and being picked on – so they find it easier just to gravitate back to the street because it feels more free. And yet it's not free because that's where they're targeted and drawn into things that they shouldn't be.'

'Those who haven't really excelled at school or have been in trouble and haven't had that opportunity to work – they come home and they're told by their youth workers or probation officers or social workers that they need to get a job, but they don't actually tell them that when you start working you might face such and such issues and give them real life scenarios of what happens.'

'When they are in prison, there is a lot of arguing and fighting and it's not necessarily a professional environment, even though they are being given jobs. It's not the same as actually being out in the real world where you have to remain professional at all times, even when you are being antagonised. And that there are procedures you can go through such as reporting, speaking to HR, writing letters and making complaints. They don't understand this and this can cause them to lash out in the moment out of impulse and then they are labelled as being bad people.'

Work

For young people going into work – especially this generation where they feel they're going to be treated the same as anybody else. For example my son starts a job, he does all I've said, he gets a job and tries to pull himself up and then he's told "I've been here for 25 years and we've never had Blacks before now." How's my son supposed to feel about that?... "Boy come here!", "Boy do this!"... Young people in this generation can't cope and won't put up with that.'

'But for young Black people who are born here – sometimes I think the people who are deported are more fortunate than the ones that are born here. Because you are born here but yet you never feel you never belong here. You are told overtly and covertly that you're British, but you're not English. So you're not really part of the fabric. Someone like me, someone from Windrush and my parents we can claim the fact that we were invited here and helped build this country. Our young people were born here and why do they still not feel like they belong here.'

'I feel like sometimes when they do enter a place of work they become disheartened from how they are spoken to by other staff members and other employers and they're not prepared for what it's like to be in a working environment and they can't cope with the constructive criticism and all the conflict at work and all the things that some of us have to face in a working environment.'

'It goes back again to the system psychologically, physically and emotionally abusing Black men... Going to the grind of the workplace and suffering that discrimination, it impacts your home. And when it comes into the home then that breaks the home, and it's like a circle.'

In speaking about her brother's experiences, Carrie told us her brother was picked on by colleagues while working on a production line which made him feel pressured and uncomfortable. She said: 'When you're a new started you're not going to be working at the same speed as other people. I've also experienced that too and I wish that my brother had been given the training so that he could be able to say in a positive way that he is a new starter and that he will soon be excelling at what he is doing, and also being able to have the bravery to go and speak to his supervisors to report the person who was antagonising him.'

'For example, my son he's supposed to do what everyone else does, but when it comes to the warehouse they always call him from the shop floor through to life all the heavy stuff. But yet there are other people already in there why are you calling me through to do it? My other son also said everyone's supposed to do their share of carrying the sacks but yet he gets called. So when it comes to doing the dirty work, the jobs that they don't want to do – even if it's not in our job specs – then they call us to do that. And our young people will see that and they know it and they get tired of doing I have to mute me and put up with rubbish to say I have a job when I know you are outwardly discriminating against me. The difficulty is that in the past people were openly discriminating, now it's a kind of covert discrimination.'

Carrie added that people judge people who leave prison when they see they don't have previous work experience, and they've come straight from jail and not from employment. She suggested solutions could involve colleges, universities and places of work playing a greater role in rehabilitation of prisoners, including training and upskilling for reoffenders as well as schemes to get people into work who don't have an excelling CV and those who did not excel in education. If done collaboratively, such a scheme could provide employers with the opportunity to recognise that ex-offenders have made an effort to being the process of rehabilitation. However, in response to a question about how young Black men could be supported to handle racism in the workplace she replied: 'I think that in that scenario they need to understand that we will always have to fight for our colour.' But she added, training in how to manage this in the workplace could be helpful, including on how to log the issues and speak to management about it, and take it higher if necessary.

The pandemic fundamentally changed the nature of workplaces, and had a massive impact on the labour market. However, the underlying dynamics that ex-offenders have to navigate, including racism and discrimination and difficulty in accessing work, remained. The people we interviewed noted the key challenges were getting a job in the first place, and managing to hold it down in the face of blatant discrimination.

Education

There is a wealth of research that points to education as a fundamental driver in the criminalisation of Black and working class children. With rates of exclusion revealing the highly racialised and class-based discrimination in the system, the 13,000 young people excluded from school each year might as well be given a date by which to join the prison service some time later down the line. 80 per cent of those excluded are Black boys.(42)

Each of the people we interviewed identified the detrimental impact of discrimination in an education setting right from early years, on a race and class basis. This consciousness of racism in the education system added to their misgivings in social services and criminal justice systems, and an understanding that these systems are rigged against poor and marginalised communities. As with the other systems we discussed, these experiences were talked about in far more depth than any barriers that the pandemic posed to the people we interviewed as they considered what support their families needed, pointing to a need to focus on structural and systemic change across the board if we are to truly tackle inequalities. Some examples of their thoughts include:

'I don't know about the colour of my skin, but school definitely focused more on the children who came from the middle class families. It was rare to see someone from a council estate partaking in lessons and after school club, it was always the kids who came from the less poorer families. Also the kids who were always in isolation and detention – us who came from council estates were the kids who always ended up in trouble and I feel like many schools that I attended it was the same. And once you were naughty you were labelled as a naughty kid and it was very hard to shake that reputation. And even if you did do well, praise was rarely given.'

Education

'When I think back about my children in the pre-school, nursery. Tiny – 3, 4, 5 years old. Innocent. They're just children. I noticed that there were always certain words that were used when it came to my children, for example when I pick my children up: "Oh he's been good today," "Oh she's been on the naughty stool all day." A three-year-old! On the naughty chair practically most of the day. Or they say you child's stubborn. Or when other children do it – oh they're just a little bit exuberant, a little bit over-excitable. But from the get-go, our children all seem as naughty and shouted at... And I'm like what do you mean by that, they're just being children like any other children.'

'Our children are very clever. From my own experience with my kids, I have 2 children, they're very intelligent, and I know a lot of Black children especially who are very intelligent education-wise. But there are lots of things that interlink with education which needs addressing.'

'My little girl is very intelligent and interested in history, she loves reading and writing. And she did something to do with Black Lives Matter, and she did mention that there was a song that she sung and she was stopped from singing that song or was told to stop singing.'

'My son was always isolated from his friends, he was always labelled. The teachers didn't relate to him. When he got stabbed they said he was showing off. With his scar. I said how dare you, my son is traumatised.'

'I think there's been a lack of support for parents, especially younger parents in terms of trying to fight the education system and stuff, the support you get is very limited. But equally the system is in one sense it's set up to do exactly what it's doing so you can't say oh well it should be being better... There's always an agenda, there's always going to be an agenda and that's what people fail to recognise.'

'I've got a friend who home schooled her children and they've done really well. They did go into the education system eventually in their teens but even after that they were top of their class, they just proved that she was more than capable of teaching her own children at home. The education system didn't do that for them, she did it... Then you have to question why?'

Education

'My younger son got labelled as having behavioural issues coming out of reception... But straight away it was all about his behaviour and I literally feel like I've been battling for the last however many years to get them to focus on his education... Because one of my issues was they were dumbing him down, you know, they were saying he had a reading age of this and whatever and I was just like I didn't be there, and I didn't want to be there and that's why I didn't push him. And that's why when I took him out of school, October last year, and then ended up getting a tutor to come and do some lessons with him and I explained to her that I don't think he's at these levels. Within the first couple of weeks she said their assessment of him is completely wrong, he's not where they've put him at all. So I was glad I did that because I needed confirmation for myself, do you know what I mean. So I knew I wasn't just talking for the sake of talking and fighting for the sake of fighting... one of the reasons I pulled my son out of school is because of the unequal treatment.'

'My son was threatened to be stabbed by a fellow student, it wasn't reported to me... now my son has been upset from when it happened up until it started to get resolved, and he still isn't happy with what happened in the end... And his first thing to me was mum if that was me I would have been excluded – he already knows this. This is the reality for him as far as he's concerned.'

These conversations paint a picture of a family dynamic where families from working class and marginalised backgrounds are constantly having to battle services for fair treatment, so their children and siblings stand a chance. Education plays a central role in this, given it represents a lifeline of social mobility for many working class and marginalised communities, but also because it defines the life chances of its pupils from the very earliest stages – instead of challenging inequalities, it entrenches them.

Rania's testimony highlighted the poor support she and her son received from their school when her son was stabbed, and later when he himself got into trouble with the law. She told us how the school reacted by stigmatising and blaming her son, and if they had provided the right support instead he may not have ended up going to prison himself. Schools and educative settings are prime areas where effective interventions can be made early on in peoples lives to ensure they don't end up coming into contact with the police and courts. Much more resource needs to be put into supporting and servicing those who are vulnerable to getting into these situations, and a wholesale overhaul of the approach to school exclusions, police in schools and education as a whole is needed.

Mental Health

Our discussions around mental health perhaps evidenced the starkest differences between the experiences and perceptions of prisoners in relation to the pandemic, and that of their families.

Copious research has been done to expose the devastating impact of the draconian lockdown restrictions on prisons, which saw prisoners locked up for up to 23 hours per day to enforce social distancing measures and stop the spread of the virus. This was incredibly distressing for prisoners, and reports from human rights organisations such as Amnesty flagged that this practice contravened international definitions of torture. As such, they called for authorities to consider measures that did not amount to de facto solitary confinement and are 'legal, proportional, strictly necessary, time-bound and subject to review by a competent medical professional. They also called for additional measures to ease the detrimental effects of isolation and lack of activity and human contact, including daily access to fresh aid, physical activity, additional phone time, video calls and other opportunities for entertainment and contact with family and friends.

However, the people we interviewed again chose to direct their answers to questions around mental health towards more long term concerns around the impact of imprisonment on the mental health and development of their loved ones. This could perhaps have been the result of a culture of stigma and a resultant lack of communication around mental health issues, or more probably could reflect the focus of families supporting loved ones going through the criminal justice system on the longer term rehabilitation of their loved ones, and how to break the cycle of reoffending.

'My goals for when my brother comes home is to encourage him to do things that improve your wellbeing and your mental health such as starting activities at the gym, joining classes of things that he may be interested in such as his talents in music... I would also be focusing on reminding him what stage we're at in life, because I'm aware of the fact that every time he goes inside he's stuck in time. So sometimes he does still have the mind set of when he was younger. So I want to constantly remind him of the fact that this is what it's like to be an adult and you know we're no longer kids and it's time to let go of that. [Going inside] has definitely hindered him and it's sad but all I can do is try and be a good example and also just show him things to look forward to and help him see that those days are gone.'

'You can't disconnect physical from emotional. Okay Apartheid was over, slavery was over, so that's emotional they want us to move on emotionally. However, the systems that benefited that were in place at the time continue to benefit financially and still continue to exist... So even though apartheid is over, apartheid still exists in terms of the economies that benefited, the businesses that were set up on the back of apartheid, that money is still funnelled into the same people that help apartheid... I'm not saying money will help everything, but you can't say okay you're free now and you should forget about all of that when the system of apartheid and the system of slavery is still there.'

Research by the Howard League in 2019 showed the neurological and psychological evidence that the frontal lobes – the area of the brain that helps to regulate decision-making and the control of impulses that underpin criminal behaviour- do not stop developing until the age of about 25, which has implications for how we should think about sentencing and rehabilitation for young people. Just before the pandemic hit, the Howard League called for a change in approach towards young people in the criminal justice system, saying that: 'sending a young person to prison damages them and holds them back.' (45)

Many of those we interviewed were concerned about the long-term developmental damage done to their loved ones by the prison system, demonstrating their focus on the rehabilitative process. Even despite the harsh conditions in prison as a result of the pandemic, this continued to be a priority concern for the families.

Sienna also spoke about the impact that the discourse around inequalities during the pandemic took on Black and minoritised working class communities, who were over represented in frontline jobs and already suffering from health and housing inequalities which made them more susceptible to getting seriously ill and dying from coronavirus. She told us: 'I just think it's a way of fear mongering at the end of the day, you're just putting more stress on people... If you're a frontline worker and you're being threatened with potentially dying, losing your life because you are a frontline worker, what is that going to do to you? You're stressing about whether you're going to survive this, your family, what situation you're going to leave your family in.' Her mistrust of professionals and the dominant narrative and statistics around the impact of the virus is consistent with the broader discussions we had with our interviewees, which highlighted a lack of trust with the prison authorities among other authorities, including perceiving an ulterior motive for continuing to implement lockdown measures in prisons.

references

Pandemic within a Pandemic

The impact of COVID-19 on prisoners and their families

Questions? Contact us.

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