



Ministry  
of Justice

The Right Honourable  
**Robert Buckland QC MP**  
Lord Chancellor & Secretary of  
State for Justice

**Andrew Sperling**  
Legal Aid Practitioners Group  
12 Baylis Road,  
London,  
SE1 7AA

**Rikki Garg**  
The Association of Prison Lawyers  
PO Box 46199  
London  
EC1M 4XA

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13th July 2020

Dear Andrew and Rikki

**RE: ACCESS TO JUSTICE FOR PEOPLE IN CUSTODY DURING THE COVID-19 PANDEMIC**

Thank you for your letter of 12 June 2020 regarding prisoner access to legal representatives and the Parole Board during the COVID-19 pandemic.

As you know, alongside the closure of courts, the Government suspended all but exceptional official visits to prisons in March. This was to ensure the safety of both prisoners and our staff through the pandemic. As I said in my previous letter, we do recognise the impact this has had on the legal sector and on prisoners in need of legal representation and advice.

Despite the absence of visits, prisoners do maintain the right to access legal advice, and we have looked to ensure that prisoners continue to have the tools to make contact with their legal representatives via telephone or written correspondence. I would like to take this opportunity to assure you and your colleagues who work with prisoners that we acknowledge the fundamental importance of ensuring that prisoners do have meaningful access to legal advice and support.

I welcome your acknowledgement of the hard work that has been going on in many prisons to ensure that prisoners have access to legal representation where possible.

In my previous letter I set out some of the measures we were putting in place to facilitate greater access to legal representation despite the significant operational challenges on the front line. These included enhancing the capability of prison videoconferencing facilities, particularly to support priority court work such as sentencing hearings and prisoners approaching their parole hearing dates. They also included making use of the additional 1,250 mobile phones issued to prisons without in-cell telephony in order to facilitate private conversations with legal advisors, alongside encouraging Governors to make necessary arrangements to ensure prisoners can have conversations with the representatives in confidence.

I acknowledge that COVID 19 has presented significant challenges. However I understand that, in spite of the fact that the Parole Board has had to pause face-to-face hearings, nearly 1,300 remote parole hearings have been facilitated, nearly 900 prisoners have been released, and the number of cases awaiting a hearing has remained stable.

We are continuing to work to increase access to legal representation and increase our video link capacity across the prison estate whilst government restrictions remain in place. We are committed to this endeavor and are taking action in the following ways.

First, we are taking steps to increase the available capacity of video conferencing across the estate through increased operating hours to include longer hours during the weekdays, and at some locations on Saturdays. This will sit alongside renewed guidance to all governors on the importance of making sure that adequate time for legal advice is made available to prisoners where possible.

Second, we are increasing the physical number of video link outlets at a number of sites to ensure that prisoners can access legal advice and attend Parole Board Hearings remotely in a timely way during this period, as well as to support specialist courts including Youth and women's prisons, together with the repurposing of some unused spaces within prisons for more video link capacity.

I acknowledge, that even with the additional capacity created from these measures, it is important that we return to a more familiar operating model. So we are also looking to re-introduce general face-to-face access over the coming weeks and months, in line with the easing of Government restrictions and advice from Public Health England. Advice to governors will be published as part of the National Framework. We are also agreeing a protocol to manage the competing demands between court and parole business.

In the longer term, our ambition remains to continue investing in video-conferencing to all those prisons which have not yet been equipped with the new technology.

A handwritten signature in black ink that reads "Robert Buckland". The script is cursive and fluid, with the first letters of each word being capitalized and prominent.

**RT HON ROBERT BUCKLAND QC MP**