



# HOUSES OF PARLIAMENT

## Joint Committee on Human Rights

Corrected oral evidence: [The Government's response to Covid-19: human rights implications to long lockdown, HC 1004](#)

Wednesday 13 January 2021

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Members present: Ms Harriet Harman (Chair); Lord Brabazon of Tara; Ms Karen Buck; Joanna Cherry; Lord Dubs; Baroness Ludford; Dean Russell; Lord Singh of Wimbledon.

Questions 1-20

Witnesses

[I](#): John, husband of a care home resident; Helen Wildbore, Director, Relatives and Residents Association.

[II](#): Alison, mother of young person detained in an assessment and treatment unit; Matt Clifton, Chief Executive, bemix; Alexis Quinn, Rightful Lives.

[III](#): Sarah Burrows, Founder and Director, Children Heard and Seen.

## Examination of witnesses

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Sarah Burrows.

**Chair:** We turn now to the question of children and their ability to visit mothers who are imprisoned. I ask Karen Buck to ask the next question of Sarah, who runs Children Heard and Seen.

Q16 **Ms Karen Buck:** Thank you very much. Good afternoon, Sarah, and thank you for coming to give evidence to us. Before Covid, we heard evidence from children about their experiences of visiting their mothers in prison and the difficulties that was causing to them. Are you able to tell us a little about what that experience has been like over the course of recent months? There was a suspension during lockdown, then a release of some of those restrictions when there was some visiting, and then back into lockdown again. How has that experience unfolded over those months, and what have you been hearing from the families?

**Sarah Burrows:** To clarify, this is about face-to-face prison visits.

**Ms Karen Buck:** Yes. I will come on to some of the other contacts after that.

**Sarah Burrows:** Okay. There was only quite a short window of the opportunity for the children to visit their mothers in the summer and autumn. Generally, for the ones who went, the visits were offered monthly but the numbers of how many could go changed. It was different at different prisons. Some had restrictions on ages and numbers. We had families who had to pick one child to go. We had families who had to pick two children to go.

The visitor centres were closed. There has always been a problem with where mothers are in prison and the distance children need to travel and getting up really early. This made it trickier, because families were having to leave the children behind, get childcare to look after the children, travel the distance and then, because visitor centres were closed, queue outside to go into the prison. The children could not nip to the loo when they arrived or get a snack or have a bit of running around. It was pretty depressing. The canteens were not open. One of the ways to entertain children had been to let them have a snack as a distraction technique.

One of the families said, "Our visit was behind a Perspex screen and we struggled to hear anything. I didn't want to shout a private conversation. It was difficult for the children not to have a hug, and heartbreaking to leave. If only we could have heard each other, it would have made the visit a lot easier. But now we have to wait another month before we can go again".

**Ms Karen Buck:** What was the particular cause of that? Was it just a hastily and not very well erected screen?

**Sarah Burrows:** It was about having to have a Perspex screen because of Covid. Prisons have wanted to take the safety of the prisoners seriously, but of course the knock-on effect for the families has been immense.

Another family said, "We struggled to have a private conversation, because the seating was so far away". They said it was four metres away. The fact that they were wearing masks made it difficult to have a conversation. There were age restrictions, with some children being too young to go. It was tricky.

The majority of the families we support chose not to go, because there would be no touch and it would be difficult for children to see their mother and not hug her. Also, going around on social media—I have no idea whether it was an accurate statement or not—was the story of a child who had hugged a parent and all their visits were then cancelled. That had also worried families about what might happen.

Families were feeling like they might take Covid in and did not want to have that responsibility for the person they loved. Social visits were generally available only on weekdays and some families were working. That had made it difficult.

A lot of the children whose mothers are in prison have their grandparents looking after them. Their grandparents might have underlying health conditions or just be fearful about visiting and feel scared. One family said, "I have four children and I can't just pick one child to go. What if they think that the child who is picked is loved more?" Two metres distance in place, no cuddle, after not seeing them for half a year. How will a three year-old understand that?

Q17 **Ms Karen Buck:** Thank you for that. That is helpful. I was going to ask you to convey to us, which you have clearly done with that, what the children involved would want to say to us if they were here, if they were able to tell the committee what the experience has been like.

**Sarah Burrows:** About social visits?

**Ms Karen Buck:** Yes. I will ask you about the video calls and how that is working in a second.

**Sarah Burrows:** The reality is that very, very few of the families who we support have social visits and they have really struggled with it. With those who have, they have gone and it has not been

what they have wanted, and the anxiety has been really high. There is difficulty as well, of course, about the number of children. I feel that children have had to become older than they are. Parents have decided that the older ones will not go and the younger ones will go first, because the older ones will understand why they cannot see mummy.

We have a situation with a family with a nine year-old, a four year-old and an 11 year-old. Their mother is in prison, and the 11 year-old did not go. He was meant to go on 2 January, and obviously visits were suspended. It feels like children are having to be much older and understanding because of the younger children. How do you make those decisions? Children want to be able to communicate and have that conversation.

**Q18 Ms Karen Buck:** What has your experience been of the effectiveness of the video links? We were assured that there was progress on the rollout, but obviously that will not necessarily solve all the problems about getting access to that link. How has that been working in practice?

**Sarah Burrows:** In practice, the video calls of the families we support have only been once a month for only 30 minutes, and there have been many glitches. It is quite distressing for families to try to manage the limitations of technology. I have lots of different examples in video calls of nudity, families worried about moving around and small children needing to sit down, which can be difficult. Again, the number of people on a video is a problem. If you can only have four people on a video call and you have more than three children in the house, how do you choose?

One of the problems with having video calls only once a month for 30 minutes, however great the call is, is that the anticipation and the expectations are so high for everybody. Only something small needs to go wrong for it to be quite triggering and distressing for families. Obviously for the women it must be difficult seeing family in their own home. We have had situations when women have not wanted to do the video calls. That is quite hard. Calls only once a month for half an hour is nothing for children, really.

**Ms Karen Buck:** No, and I can understand how triggering that could be. Is there a sense of progress and that there will continue to be progress, or at the moment is it as good as it is going to get?

**Sarah Burrows:** I hope that as families begin to understand the technology more, and, I hope, as the glitches are sorted, they will increase. If you ask, "What do children want?", the answer is that they want that access. There is no meaningful contact in half an hour, once a month. How can a video call be meaningful? If women

had in-cell access to phones, that would not be a problem because the child could have a meaningful relationship with their parent.

We have a situation with one family where the mother and father are in prison. The father has in-cell access, whereas the mother has a video call once a month. How do you keep the attachment going? How do you make children feel safe when women are saying that they are out of their cells for an hour and an hour to make a phone call, but they have to share the phone with 30 others, with the pressure from other women around them? How can you have a meaningful relationship? For the child it is so hard. Somebody in my team told a family yesterday that I was coming to do this, and asked if they wanted to say anything. Can I play it for you? It is a few seconds.

**Ms Karen Buck:** That is absolutely fine.

**Chair:** Sarah, just tell us again who is on this call that you are going to play, so that we can be clear.

**Sarah Burrows:** It is a family with a child of four, a nine year-old, and an 11 year-old. The 11 year-old chose not to participate. Their mother is in prison.

**Chair:** Thank you. Please play it.

*Recording:*

"I want the children to have a video call with their mum more than once a month, and without the security settings closing the video every 10 seconds. This causes so much distress to us all. It's not fair. The children can go days without speaking to their mum, as the latest lockdown has made the situation with contact even worse. I would like to speak to my wife for more than a few minutes a day, and without the pressure of others wanting to use the only phone shared between 30 other women."

**Sarah Burrows:** This is the nine year-old.

*Recording:*

"I wish I could see my mum on the purple visit calls more often and without any glitching and cutting out. I used to speak to my mum on the phone lots, but now she has moved, I rarely get to speak to her. She used to have a phone in her room, but now she doesn't anymore. She—so she can't call me like she did."

**Sarah Burrows:** Finally, the four year-old.

*Recording:*

“I love mummy lots.”

**Chair:** Okay. Thank you very much for playing that for us.

Q19 **Joanna Cherry:** I want to ask about the compassionate release of pregnant women and mums. As I understand it, the early-release scheme for low-risk offenders in England and Wales that was introduced at the start of the pandemic has been suspended, but it is still possible for pregnant women and mothers with babies to be released on compassionate grounds. Are you aware whether that is actually happening?

**Sarah Burrows:** I took advice from Birth Companions on this one, because it is a charity that specialises in supporting pregnant women and mothers of infants in the criminal justice system. They told me that although women can still be assessed for release under the compassionate ROTL scheme if they are pregnant or on mother-and-baby units, they have not seen these releases taking place in any great numbers.

Meanwhile, pregnant women continue to enter prisons during the pandemic. Mothers of infants who are not with them in prison do not have access to the scheme. In fact, we talked to the previous committee about a family with a grandmother and a one year-old baby who we were supporting at the time.

I am aware that Birth Companions has written to the Prison Minister, Lucy Frazer, requesting that the scheme is reinvigorated and extended to include mothers who have children under the age of two in the community. These children are, for obvious reasons, unable to benefit in any meaningful way through the monthly video calls, which can often be more traumatic than anything. The Minister has refused this extension, and I know that Birth Companions is continuing to lobby on that in the light of the new lockdown and continued restrictions.

**Joanna Cherry:** Do you know if any reason was given for the refusal of the extension?

**Sarah Burrows:** I do not, I am afraid.

Q20 **Joanna Cherry:** That is something we would need to check. Going back to how we facilitate visits, clearly we are in a situation where the number of Covid cases has risen again and is continuing to rise. Within prisons, cases are also rising, as I understand it. Bearing in mind the practical background situation, what do you think could be done differently to make sure that we protect life but also the right to family for mothers in prison, and very importantly, for their children? What could be done differently to try to address these issues?

**Sarah Burrows:** Birth Companions also told me that the Ministry of Justice stated before the latest lockdown that discretion is being provided to governors to arrange in-person contact with a number of children, including those under the age of two who are unable to benefit from video calls. I believe that it is seeking clarity from the Ministry of Justice as to whether this provision is still available under the new lockdown rules. That option, combined with increased use of extended ROTL and child-caring responsibilities would make a positive difference.

Birth Companions also told me, and I will share this with you, that ultimately the drivers of the offending behaviour of many of these women would, as the Government's own female offender strategy states, be better addressed in the community, where they could focus on caring for their children in these incredibly challenging times. Releasing as many of these women as possible with the right support from statutory voluntary agencies would be the best way to protect them. This resonates with our previous submissions of the recordings of families.

**Joanna Cherry:** As I understand the position in Scotland—I know you were talking about England and Wales today—at present you can still have a visit on compassionate grounds, and that includes visits involving children under 18 who are visiting a parent, grandparent or sibling. I do not have a great deal of information about how that is working practically on the ground in Scotland, but as a principle would you agree with me that if that can be done in one country that is in lockdown, it ought to be done in another country in lockdown?

**Sarah Burrows:** It certainly should, but there are prisons that can have access to phones and other prisons cannot, for example. There are parts that cannot learn from one another. Definitely, yes, it should be done.

**Joanna Cherry:** Again in Scotland, the plan was to give every prisoner a mobile phone. I do not mean a mobile phone that they could just do whatever they wanted with, but a mobile phone to facilitate these kinds of calls.

**Sarah Burrows:** That would be amazing.

**Joanna Cherry:** There would have to be all sorts of security procedures and a basic phone, and they could only contact certain numbers. We are all aware of security issues with mobile-phone use. If the security issues could be addressed, do you agree that that would assist?

**Sarah Burrows:** Undoubtedly. We talk about family ties, their benefit for people serving prison sentences and how important they are, but the children are the ones that are forgotten here. It is their mother who is in prison, and how they feel and their sense of self and identity, and their sense of being cared for is so important for them and for their future. They experience trauma, and it would be so easy to ensure that they could make contact so that they could talk about their day at school and their life, instead of a mother standing on a phone with 30 other women around them.

**Joanna Cherry:** With no privacy.

**Sarah Burrows:** With no privacy, and with siblings having to share the call. It is not meaningful family contact for children. They are what is important here.

**Joanna Cherry:** I do not have any further questions, but it has been extremely helpful. Thank you.

**Chair:** Thank you very much indeed, Sarah, for your testimony on behalf of the people you advocate for. This has been a very important session on people in residential care homes, young people in assessment and treatment units, and the children of mothers in prison. We are well aware that time is of the essence here, so we will draw the Government's attention to your testimony immediately. We will also produce a report swiftly and make recommendations. Thank you very much for your testimony. We will be taking action on the basis of it.