



THE ASSOCIATION OF PRISON LAWYERS
THE APL IS THE PROFESSIONAL ASSOCIATION OF PRISON LAWYERS IN ENGLAND & WALES

Justice Still Barred

Update on survey by APL on prison visits January to April 2024

[Justice Barred](#), published by the Association of Prison Lawyers (APL)¹ in January 2024 on the difficulties in accessing legal visits with clients in prison covered data from August 2022 to January 2024. Practitioners provided 78 examples of their experiences in seeking visits by video link or in person across 46 jails in England and Wales.

Common concerns included:

- Prisons providing no video links for solicitors at all: 34 examples were provided where practitioners were advised there were no links for solicitors across 16 prisons
- Limited availability for video links: 25 examples were provided across 18 prisons where practitioners were told that they could book a video link but would have to wait for excessive periods of time
- Limited availability for in person visits: 13 examples were provided across 12 prisons where in person visits were extremely limited
- Ineffective visits: 6 examples across 6 different prisons were provided where visits had been completely ineffective because the client was not produced, or a laptop not allowed in

In an article in the [Financial Times](#), the following response was recorded on behalf of the prison service:

“HM Prison and Probation Service said it had invested significantly in video technology and that between January and November, 96,000 video calls were made between lawyers and prisoners, up 16 per cent since 2022.

¹ The Association of Prison Lawyers was formed in 2008 by a group of specialist lawyers, to provide a voice during the Legal Aid Agency’s funding consultation process that led to the 2010 prison law contract. The APL continues to represent and provide training for its members, comprising specialist barristers, solicitors and legal representatives across England & Wales, and endeavours to represent members’ views in policy development.

It said all prisons have video capability to facilitate meetings between lawyers and offenders.

“Our continued investment in new technology — and the thousands more prison officers we’ve hired — has helped to increase the number of visits taking place in the past 12 months”, it said in a statement.

It also said more than 4,000 prison officers had been hired since March 2017 helping more in-person meetings to take place each day.”

Since the report was published, APL has continued to collect examples. This note is based on 80 examples of difficulties in accessing legal visits across 35 prisons between January and April 2024 (listed in Appendix 1).

There continue to be many prisons that offer no video links at all, prisons that do not offer in person visits and prisons where there are excessive delays in obtaining a visit or practitioners simply cannot get through to the prison to arrange a visit.

No video links for legal visits

Practitioners stated that the following prisons provide **no video links at all** for legal visits:

- Downview
- Erlestoke
- Featherstone
- Gartree
- Guys Marsh
- Highpoint
- Hindley
- Humber
- Lancaster Farms
- Northumberland
- Ranby
- Swaleside
- The Mount
- Wymott

No in person visits

- Leeds
- Whitemoor

Difficulties in getting through to arrange a visit

Practitioners reported being unable to get through to certain prisons by email or phone:

- Bure
- Erlestoke
- Featherstone
- Rochester

- Whatton

Examples of particularly poor practice

Particularly concerning examples included the following:

- Erlestoke emailed one practitioner in January 2024 as follows: “Unfortunately we do not currently have the resources to provide legal visits via video link. We have recommenced in-person legal visits, on Friday mornings only from 09:00 to 11:00. However, unless a face to face visit is absolutely necessary, telephone calls between the visitor and the client can be arranged via a headed R39 letter to the client, who will then make contact with their Keyworker, Unit Manager or Unit staff to make arrangements in facilitating the phone call.”
- Lewes: one practitioner reported in January 2024: “in-person visits can only be booked for a maximum of 1 hour on a weekday. They only do 2 hour visits on weekends.”
- Gartree: One practitioner noted in March 2024: “No video links and they do not permit you to take in any paper even Parole dossiers. So, you have to pre book a laptop and have it fully charged. Not permitted to take a note pad or pen to make notes.”
- High Point: One practitioner stated in March 2024: “the only option is in person - my client has no credit and cannot call me as he has been put on basic for refusing to be shipped out to London to attend a hearing he was not even required for” and another noted “Prison does not offer VL and visits in open visit hall. Totally inappropriate for any case but with particular cases, could even put client at risk.”
- Fosse Way emailed a practitioner requesting a video link in early April 2024 stating: “Apologies, due to high demand our next availability will be the w/c 3rd of June.”
- Hindley: One practitioner noted in April 2024: “requested a visit to prepare for oral hearing. reports only received 4 weeks before hearing. tried to book a month in advance. told they don't do video links at all and no face to face for over a month, after the clients hearing.”
- Humber: One practitioner reported: “Request made for remote visit in mid April. Response: Good afternoon, There are no tele-conferences available until Monday 10th June. HMP Humber Do Not Offer Video links for legal/official visits.”
- Leeds: One practitioner reported in April 2024: “Leeds does not offer face to face legal visits.”
- Rochester: One practitioner reported in April 2024: “Absolutely impossible to obtain access to my client in this prison. I have telephoned the visits line over 12 times and there is never a response. I have requested another telephone number and email but there are no other means of arranging a visit.”
- Whitemoor: One practitioner reported in April 2024: “We are acting for our client for his Cat A review and have to see the client to take instructions on the dossier of reports before submitting reps. The client will be given his dossier at the end of April and we will need to have taken instructions and submitted reps by end of May. We requested a video link on 16th April. The first video link available is

10th July. There are no in person visits. I will not be able to see my client at all before we have to submit representations.”

Prisons where there were multiple examples of concerns by practitioners

There were seven examples of poor practice at Northumberland:

- Northumberland provides no video links for solicitors or psychologists
- One practitioner reported: “Client originally from Yorkshire, moved to HMP Northumberland even though OH had been listed. This is a significant distance, informed there was no availability to have a CVP and that the visit would have to be in person and the only option was 1 afternoon in the week. On that basis as we have 2 clients thought we could kill two birds and visit both, informed one prisoner per visit.”

There were six examples of poor practice at Stocken:

- Practitioners noted there was very limited availability for video links.
- One practitioner, who requested a link in early March 2024, reported: “Response [by] email after requesting to book a video link before client’s oral hearing on 8th April was VIDEO APPOINTMENTS ARE FULLY BOOKED FOR MARCH AND APRIL.”
- Another practitioner, who also requested a link in March 2024, reported: “No availability for March or April - have to take a face to face visits and we are capped on our mileage following an audit”. This means that they will not be paid for all travel expenses incurred.

There were five examples of poor practice at Wymott:

- One practitioner reported: “No video links offered to Solicitors, and legal visits only offered on Tuesday & Thursday mornings.”

Next steps

Since our report in January 2024, the situation appears not to have improved. Meanwhile, the prison system is on its knees, as demonstrated by urgent measures that have been taken to reduce the flow of people into the system and facilitate early release.

APL has met with the prisons minister and presented a draft copy of this report to him. APL will be meeting with officials in June to see what practical steps can be taken to remedy the appalling lack of access to justice in prisons.

**Analysis by Dr Laura Janes on behalf of APL
29 May 2024**

Appendix 1: prisons referred to in examples about difficulties in obtaining visits between January and April 2024

- Berwyn
- Bure
- Downview
- Erlestoke
- Featherstone
- Fosse Way
- Full Sutton
- Garth
- Gartree
- Guys Marsh
- Haverigg
- Highpoint
- Hindley
- Humber
- Lancaster Farms
- Leeds
- Lewes
- Lowdham Grange
- Moorland
- Northumberland
- Oakwood
- Onley
- Ranby
- Rislely
- Rochester
- Stocken
- Swaleside
- Thameside
- The mount
- The Verne
- Warren Hill
- Whatton
- Whitemoor
- Wormwood scrubs
- Wymott