Dear Prison Group Directors,

**Re: Prioritising official/legal visits**

As you are aware we reduced official/legal visits during the height of COVID restrictions. Whilst we could not restrict access completely due to ongoing court matters, we provided guidance stating that official visits should be reduced to those that needed to proceed under exceptional circumstances (e.g. only for ongoing court matters) and in greatly reduced numbers. This was a temporary position that was justifiable at a time when it was against lockdown rules to visit a prison and we needed robust measures to mitigate every avenue of potential transmission to protect those living and working in our establishments. We recognised from the outset that legal visits needed to be prioritised as soon as risks reduced and court workload increased. On 14 August an EDM was introduced for official visits at level 3 that required all prisons to develop a local operating procedure (LOP) for facilitating legal visits  during stage 3. However we now face a series of legal actions brought against HMPPS for impeding access to legal representatives during the COVID restrictions. The purpose of this briefing is to ask that legal visits are prioritised for reintroduction.

A data capture undertaken on my behalf this morning showed that approximately 2/3 of prisons across the estate have not yet submitted approval to Gold under the Professional visits EDM at stage 3. Whilst I appreciate the operational pressures and competing demands on your resources, we are extremely vulnerable to further legal challenge, particularly as the precedent to initiate action has recently been set and cannot continue to inhibit access to legal representatives. We must reintroduce official visits at all sites at the earliest opportunity. I appreciate from recent contact with Governors that some social visits sessions are being de-commissioned  due to a poor take up or have spare capacity, may I respectfully suggest that this may offer an opportunity to quickly re-purpose these sessions.   Governors will determine the best model locally but we do need to address this swiftly please to avoid litigation or wider criticism.

For further information or queries in relation to this briefing please the COVID regime managament team mailbox (COVID19.Regimes&OpsGuidance@justice.gov.uk)