Good Morning,

Please see below a briefing in relation to our response to local restrictions.

 *This briefing supersedes the briefing published on the 9 September 2020 and clarifies the position on social visits eligibility for people from Caerphilly Borough Council.*

Dear all

There continue to be an increasing number of local and national restrictions imposed in the community that we must consider in our response and the risk around the regimes we offer. We will continue to update you as these change and will look to the future to build this into the heat map approach being considered for the management of prisons at are a higher risk (red sites) due to prison or community risk factors.

**Rule of Six**

On 08 September 2020, HM Government announced that from Monday 14 September 2020, social gatherings of more than six people will be illegal in England.  However prisons and secure custodial settings are exempt both as “workplaces”, Criminal Justice settings and on the basis that we operate in a COVID secure manner with significant COVID controls, including reverse cohorting of every prisoner on arrival. Establishments therefore do not need to make any changes to their regime delivery on account of the latest Government announcement.

This announcement does however signal an increased level of community infection and we must be vigilant at this time notably to the risk of infection incursion.  The level of infection in prisons remains low and therefore we must be alert to the transmission of the infection through staff, through escorts and bedwatches, those release on temporary licence and social and professional visitors.  Adherence to our safe operating procedures is the best way to manage this risk.

**Bolton**

UK Government have also announced the latest round of localised restrictions in different parts of the country and some of these restrictions will affect prisons, albeit to varying degrees. Recently announced restrictions in Bolton affect the operation of hospitality businesses and introduce a ban on the mixing of households. Criminal Justice settings such as prisons are exempt from such regulations and therefore these restrictions will not affect social visits or any other areas. We expect the exemption from restrictions in Bolton to be typical of the localised restrictions we will see in other areas. However there may be cases where prison settings are not exempt and we cannot assume it will always be the case.

**Caerphilly**

On 8September 2020, more stringent localised restrictions have been introduced in Caerphilly Borough Council. With immediate effect residents from Caerphilly will not be able to enter or leave the County Borough Council area without “exceptional excuse”. Everyone over 11 will be required to wear face coverings indoors with limited exemptions. People will only be able to meet outdoors and will not be able to meet those from other households indoors, people will not be able to form an extended household with others and will not be permitted to travel without “exceptional excuse”. ***Social visits to prisons will generally not be allowed for individuals from the Caerphilly CBC area***. The exception to this is where a visit may be allowed on compassionate grounds. This decision will be taken by the prison on a case by case basis and may include the consideration of the relationship or circumstances of visit. For young people, the guidance from WG states that visits to a young offenders institution may be considered as a visit on compassionate grounds. Official visits from individuals within the lockdown area should be undertaken wherever possible by virtual means (phone, video etc.), but where this is not possible and the visit needs to go ahead, physical visits would be permitted.

We are legally advised that prisons are unable to impose blanket restrictions or ban visitors from making a social visit booking based on their home location.  However Governors are able to make decisions about whether to permit entry to social visits on a case by case basis and are therefore advised to determine whether mitigations in place in a visit facility are sufficient to enable a visit to take place, should a member of the public arrive from within the Caerphilly restricted area, considering the public health guidance that they present a higher risk.  We must consider the Article 8 rights of children and families in our decisions and also whether there are exceptional compassionate reasons to permit a visit if there is a concern.  The escalation of controls to manage the risk may be one means to manage the increased risk but permit it to still go ahead. Establishments are advised to check home postcodes of any arriving visitor (using the existing data supplied when booking a visit) to determine whether they are from Caerphilly and to consider whether their visit should be permitted to proceed. Establishments may wish to utilise the online postcode linked below for this purpose. [https://www.gov.uk/find-local-council](https://eur01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.gov.uk%2Ffind-local-council&data=02%7C01%7CJonathan.Jones1%40gov.wales%7Cc2b5ddba08aa4007745d08d853d3d195%7Ca2cc36c592804ae78887d06dab89216b%7C0%7C0%7C637351516495860136&sdata=ub6DnQcujFhdiL6gDXyXpSPyKXfTHkFSUjwDzhFpUNA%3D&reserved=0)

**Rhondda Cynon Taf**

From 6pm 17th September Rhondda Cynon Taf will instigate the same stringent localised restrictions as Caerphilly Borough Council prohibiting movement out of the area with additional regulations of licensed premise. The above advice regarding social visits generally not being permitted from residents of Rhondda Cynon Taf the same as Caerphilly apply. The must be though consideration of individual circumstances and whether an express compassionate reason exists to allow a visit to be permitted.

**North East, North West, Yorkshire & West Midlands**

We anticipate the likelihood of further restrictions in the coming day(s) in a number of the above regions due to the current higher prevalence rate of the infection in the community.

Queries related to the implementation of localised restrictions should be directed to COVID19.Regimes&OpsGuidance@justice.gov.uk in the first instance.

Kind Regards,

Ed Cornmell

COVID Gold - Prisons