

Legal visits in prisons

Questionnaire response analysis

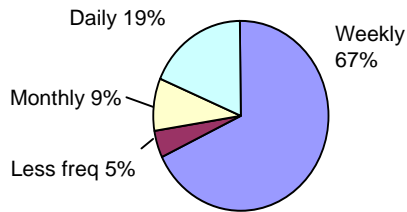
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# Part 1 : Overview

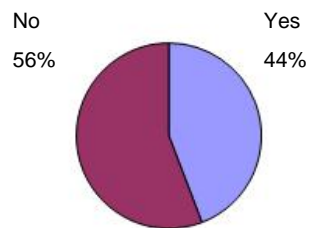
## Introduction

In November 2008 the LSC conducted a month long on-line survey which invited defence practitioners to answer questions regarding prison visits, prison to court video links and whether they felt the 'Legal Visits in Prisons: Good Practice Guide' produced in 2007 had been useful. 43 defence practitioners responded\*.



37 of the respondents had visited prisons daily/weekly over the previous six months.

Is booking a legal visit an easy process?



19 respondents found that booking a prison visit was fairly straight forward.

24 stated that booking a visit was difficult.

\* In July 2009 c1700 firms held a Crime Unified Contract

## Part 2 : Question Analysis for Legal Visits in Prisons

### The Good Practice Guidance

- 29 respondents were not aware of the guidance, or where to get a copy of it.

- Those respondents that had read it were generally receptive of its key points and message, but did show concerns that the prison service application of the guidance was not as good as it could be.

- Respondents suggested that the best avenues to publicise the guidance would be via a number of websites including the Prison Service, LSC, Law Society, HMCS Courts, Association of Prison Lawyers & Crimeline.

- Respondents also suggested that posters & flyers in prison waiting areas could also be used and articles within 'The Law Gazette' or 'Inside Time' may help, as will inclusion on the agenda of all prison law groups.

#### **Typical supplier quotes on how useful the guidance has been –**

“The guidance is useful - but the Prison Service seems to operate on an agenda known only to them and totally at their administrative convenience.”

“I have used it to point out inappropriate procedures at prisons and inappropriate policies by booking staff, to no avail. Have found it of no effective use at all.”

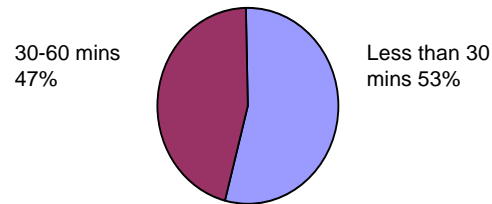
“Have sent it to the prison governor following serious problems with visits, such as checking in through biometrics and then waiting 2 hours to be told that your prisoner is transferred.”

“It is helpful in that it lays down a set of guidelines, which if adhered to, will improve both the prison service and practitioners experience of dealing with each other. The majority of points raised re visits are common sense and should be adhered to on both sides as a matter of professional courtesy.”

## Part 2 : Question Analysis for Legal Visits in Prisons

### Waiting Time

How long on average per visit do you wait at prison before you see your client?



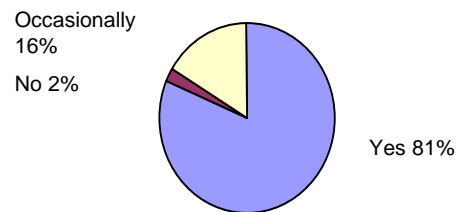
#### Summary findings:

23 respondents were with their client within 30 minutes of arrival.

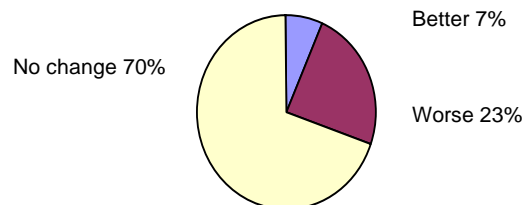
Survey feedback suggest 20 minutes to be a reasonably acceptable delay for legal visitors.

20 respondents usually waited between 30-60 minutes to see a client for a pre-arranged visit.

Does waiting generally result in less time being spent with your client?



Is the waiting time better or worse than 12 months ago?



## Part 2 : Question Analysis for Legal Visits in Prisons

### Entry procedures

**There were 39 responses to the question “how could visiting slots be used more effectively” and below is a summary of the most common suggestions:**

**Clients should be collected from the wings on time for scheduled meetings.** This was the most common complaint regarding prison visits by those responding to the survey. Some respondents stated that a 30-40 minute delay was not unusual. Others suggested that as at minimum, clients should be fetched while the visitor pass through security, not upon completion of security checks.

**Legal visitors should have preferential treatment over family visitors** when passing through booking and security procedures. Some respondents felt that delays caused by prison staff, directly increased public fund spend on legal aid, and in a post fixed fee arena, solicitors profitability.

**Uniform procedures should be followed at all prisons,** and unnecessary red tape removed where appropriate. Some respondents felt this should apply to ID requirements, introduction procedures for solicitors & non-solicitor visitors, prohibited items (elastic bands, paperclips, tissues, belts, laptops, phones etc) and booking procedures.

**Booking procedures.** Several respondents suggested dedicated telephone lines are the preferred option so long as they are sufficiently manned, as it enables the firm to be certain of a booking then they can inform their clients/experts and pre-book transport at cheaper rates. If the dedicated telephone line is only available at certain times, then allow email or fax booking in conjunction.

**Six respondents thought visiting slots were used to their full capacity**

## Part 2 : Question Analysis for Legal Visits in Prisons

### **Entry procedures continued**

#### **Further suggestions from the 39 respondents included:**

- Allow change of name for legal visitors to allow an alternate solicitor from the same firm to use the visiting slot, especially if they have previously passed the full entry procedure.
- Longer visiting hours are important to solicitors.
- Full days instead of half days, and early/late/weekend slots would also be appreciated.
- Mixed time slots to allow solicitors to book several attendances on one visit

## Part 2 : Question Analysis for Legal Visits in Prisons

### **Why solicitors cancel appointments**

Within the 36 responses to question 13, the following reasons were given as explanations for solicitor cancellation, many of which could be avoided by a colleague taking their place.

- Illness (12)
- Emergency elsewhere, eg another client arrested (11)
- Delay at court or police station (9)
- Another client produced at court at short notice (8)
- Transport difficulties, traffic, accidents or delayed public transport (8)
- Client has requested cancellation (4)
- Client papers not arrived (3)
- Workload (3)
- Booking system delay - by the time visit is confirmed its too late (1)
- Advisors wallet stolen en-route, therefore unable to pass entry identification requirements (1)

9 respondents said that they never cancelled appointments

## Part 3 : Question Analysis for Prison to Court Video Links (PCVL)

28 respondents had previously used a PCVL

31 respondents were not aware of the HMCS Guidance titled – ‘Prison Video Link Booking Procedures and Contact Numbers’

18 respondents stated that equipment was either ‘not available’ or ‘did not know if it was available’

24 of respondents that have not previously used a PCVL, would be willing to do so in the future. Only one of those responding to the questionnaire stated that they would not use the PCVL. (25 responses)

### Observations from survey comments

- More work must be done on availability for client visits.
- Where solicitors have their own VL equipment, they must be allowed to use it for prison visits
- Process change is required to allow more time for solicitor-client video links to prisons.
- Court downtimes between 8-10am, 12-2pm and 4-6pm could be utilised for attendances.
- If set times are available at courts for bookings, then access should be the same within prisons.

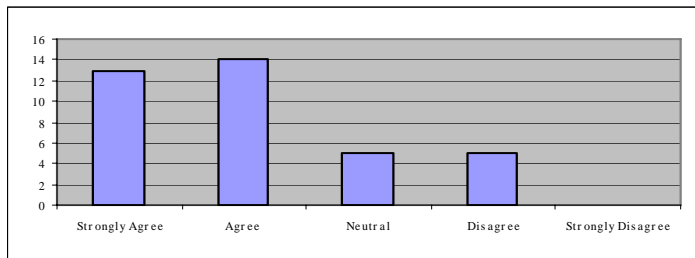
## Part 3 : Question Analysis for Prison to Court Video Links

### Suppliers experience of using PCVL

We asked suppliers six questions on their experiences with PCVL, and on the whole opinion was generally neutral but dissatisfaction was shown on the following grounds\* -

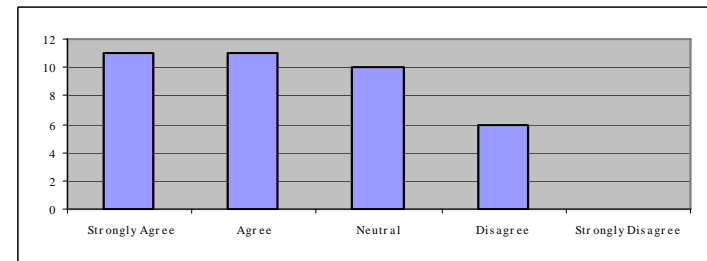
- Information not available
- not easy to access
- not always available
- not easy to book

Travel times – if video link facilities are available it will improve my travel times



27 of the 37 respondents believed PCVL would improve their travel times, and none strongly disagreed

Waiting times – if video link facilities are available it will improve my waiting times



21 of the 38 respondents believed PCVL would improve their waiting times, and none strongly disagreed

\* across the 4 questions 25% positive, 41% neutral & 34% negative

## Part 3 : Question Analysis for Prison to Court Video Links

### Barriers to PCVL

**27 of the 38 respondents have experienced barriers to using the link for either pre trial hearings or for video conferences at other times.**

Of the 61 responses provided to questions 20 & 22 of the survey, the following key issues were raised. (frequency provided)

- Face to face visits preferred by the client or advisor (15)
- Difficult to view documents or sign relevant paperwork (15)
- Not all courts/prisons have video links or they are not adequately advertised (13)
- Reliability or quality issues (10)
- Insufficient availability or time slots not long enough (10)
- Trials take priority over pre-booked attendances – resulting in cancellations (6)
- Privacy concerns, especially for Prison Law matters involving that prison (5)
- Courts/prisons unwilling to allow equipment use (4)
- Difficult process to book a visit (4)
- Prisoners not produced or not ready on time (4)
- Have own video link equipment, but unable to use (1)
- Fee to use equipment in local courts (1)

## Annex 1 : List of Prisons visited

List of 133 prisons specifically mentioned as having been visited over the previous six months

Acklington, Albany, Altcourse, Armley, Ashwell, Askham Grange, Bedford, Belmarsh, Birmingham, Blantyre House, Brinsford, Bristol, Brixton, Bronzefield, Buckley Hall, Bullingdon, Camp Hill, Canterbury, Cardiff, Castington, Channings Wood, Chelmsford, Coldingley, Cookham Wood, Dartmoor, Deerbolt, Doncaster, Dovegate, Downview, Drake Hall, Durham, East Sutton, Eastwood Park, Edmonds Hill, Elmley, Erlestoke, Everthorpe, Exeter, Farms, Featherstone, Feltham, Ford, Forest Bank, Foston Hall, Frankland, Garside, Garth, Gartree, Glen Parva, Grange, Guys Marsh, Haverigg, Hewell, Highdown, Highpoint, Hindley, Holme House, Hull, Hulleverthorpe, Huntercombe, Kennet, Kingston, Kirkham, Kirklington Grange, Lancaster Castle, Lancaster Farms, Leeds, Leicester, Lewes, Leyhill, Lincoln, Lindholme, Littlehey, Liverpool, Long Lartin, Low Newton, Lowdham Grange, Maidstone, Manchester, Moorlands Open & Closed, Morton Hall, New Hall, North Allerton, North Sea Camp, Norwich, Nottingham, Onley, Parc, Parkhurst, Pentonville, Peterborough, Prescoed, Preston, Ranby, Reading, Risley, Rochester, Rye Hill, Send, Shepton Mallet, Shrewsbury, Spring Hill, St Edmunds Hill, Stafford, Standford Hill, Stocken, Stoke Heath, Styal, Sudbury, Swaleside, Swansea, Swinfen Hall, The Mount, The Verne, The Wolds, Usk, Wakefield, Walton, Wandsworth, Wayland, Wealstun, Wellingborough, Werrington, Westhill, Wetherby, Whaiton, Whitemoor, Winchester, Winson Green, Wolds, Woodhill, Wormwood Scrubs and Wymott.