

**Cross-Party Group on Children and Families
Affected by Imprisonment
Wednesday 4 February 2015
1-2pm**

Attendance: Mary Fee MSP, Richard Lyle MSP, Richard Simpson MSP, Nancy Loucks, Michelle Martin, Daniel Cairns, Sarah McHardy, Janice McGowan, Julie McMahon, Nicole McMahon, Donna Paterson, Billie Weallans, Carol Robinson, Martin Slater, Joan Alexander, Donald Dickie, Don Miller, Dinah Aitken, Oliver Aldridge, Susan Galloway, Mark Ballard, Mark Kennedy, Sam Patterson, Jayne Middleton, Margaret Houston, Rebecca Foster, Fiona Barlow, Maura Daly.

Apologies: Kate Philbrick, Georgina Lyttle, Jennifer Graham, Viv Dickenson, Jane Miller, Sara Watkin, Tim Parkinson, Irene Kitson, Justina Murray, Christine Baird.

Welcome and apologies	Action
Ms Fee MSP welcomed those in attendance. Apologies were noted prior to the meeting and were not read out.	
Election of office bearers	Action
In accordance with the terms of Cross-Party Groups for the Scottish Parliament, election of office bearers is held on an annual basis. Ms Fee was re-elected as Convenor of the Cross Party Group, Ms Margaret McDougal and Mr Richard Lye were re-elected as Vice Convenors, and Nancy Loucks was elected as Secretariat.	
Minutes of last meeting and matters arising	Action
Minutes of previous meeting were agreed as accurate.	
Helen McClymont noted that there was a third SLAB funded project in Glasgow. This is a partnership between CAB, the Croft and Families Outside with Barlinnie Prison to provide financial advice to families.	
Update On Parliamentary Business	Action
Note of previous meeting was agreed unanimously.	
Ms Fee informed the group that she is now Shadow Secretary for Infrastructure and Capital Investment.	
Ms Fee also expressed her delight that the Scottish Government has u-turned on the decision to build HMP Inverclyde and looks forward to working with Michael Matheson MSP as he takes forward the agenda for change for women offenders Ms Fee confirmed that Mr Matheson has expressed an interest in attending a future CPG; he is in receipt of the next meeting dates and will attend where possible. Ms Fee suggested the group might look at holding an evening event with a Q & A with Mr Matheson.	Ms Fee: consider evening CPG event with Michael Matheson
By Families, For Families	Action
Donna introduced herself to the group as a family member who has been affected by imprisonment. She informed the group that she had attended a number of CPGs but felt that families weren't well represented, as the group membership was mostly made up of organisations. Donna noted that it is not always necessary for professional to speak for family members and that four families were here today to talk about key issues for families. Donna noted that each family member would tell their story in turn and that there would be an opportunity to ask questions at the end.	
Donna started by telling the group that her son went in to a prison in Scotland and came out a heroin addict. Donna expressed that it was her last expectation that her son would become	

addicted within a prison setting. Donna shared that her son committed suicide three years ago, and that was linked with drug abuse and poor mental health. Donna expressed that she felt that more needed to be done to prevent this type of thing occurring. She suggested that first time offenders be separated from known drug users/dealers etc. Donna also suggested that the Prison Service invest in detox programmes as well as methadone. Donna informed the group that she had been previously been told that “that is just the way the NHS does it.” Donna felt that this wasn’t good enough.

Leading on from this, Donna expressed that family members should be involved in a prisoner’s health care, as is the case in the community. Donna noted the need for prisoners to be supported to come off drugs, given care when in prison, and aftercare when released. Donna concluded by saying that too many suicides happen in prisons, and it’s because vulnerable individuals are simply left to get on with it. Donna suggested all prisoners should have access to jobs, as prison officers don’t know what’s going on with prisoners if they are sitting in their cell all day, behind a door with no-one speaking to them.

Ms Fee asked Richard Simpson MSP to respond. Dr Simpson provided a bit of background as to why methadone was introduced in prisons. Until the early ‘90s there were very few addicts in the prison system: in 1987 there were only 10 women in prison who were known to have used drugs, but by 2003 this had increased to 70%. Unfortunately, the initial approach was to detox anyone who came into prison, regardless of what drug they were using. The result was that there was a high percentage of deaths in the first four weeks of coming out of prison, because individuals has lost their tolerance to drugs but were still taking the same dosage. Dr Simpson informed the group that they had pressed very hard to get methadone introduced in prisons at the time, but agreed that it needed to be connected to the community resource. When Dr Simpson was the consultant to West Lothian between 2005-2007 they had West Lothian Drug and Alcohol Service come into the prison and assess individuals before they came out. Dr Simpson noted that he believed methadone is still the best treatment but that individuals should be offered detox, but only when they are ready and provided with full information and Naloxone on release. Dr Simpson agreed that individuals do go into prison and come out with addictions and suggested that this was around 7%. Dr Simpson informed the group that it was quite clear, from Home Office research, that if you put minor drug users with minor offences into prison all you are doing is creating the networks for them to become minor dealers when they are released. That is why Dr Simpson commissioned the McLean report when he was the Justice Minister. The findings from this report resulted in 500 women who would otherwise been in prison sent to the 218 centre. Dr Simpson agreed that they need to change the system so that low level offenders did not go to prison. Dr Simpson noted that the SNP had introduced Community Payback Orders to try and improve on this, but noted that there had been a 30% increase in prisoners being held on remand since 2002. Dr Simpson suggested that individuals should only be sent to prison when they were violent and there was a need for the community to be protected from them, otherwise individuals should be sent to treatment programmes like DTTOs.

Oliver Aldridge thanked Donna for sharing her story with the group. He then went on to say that he recognised the problem as about 25% of the people he sees in his clinic had their first dose of heroin in custody. Oliver noted that it was desperately important that we try to move people into recovery, as methadone is ‘scaffolding’. Oliver suggested that custody tends to be viewed as place where people are likely to be safe, but they may not recover well. Oliver suggested that getting rid of methadone in prisons would be an incredibly retrograde step although noted that this wasn’t what Donna was calling for.

Donna responded that she was not calling for methadone to be removed from prisons, as she was calling for more help for people with drug addiction and agreed that many prisoners should be diverted from prison. If they are sent to prison, then they should be kept separate from individuals that they are vulnerable to.

Next, Donna read two stories on behalf of family members regarding the role of the media:

“The media has to take responsibility for what they decide to put in the media about offenders’ families. The victims of crimes don’t get their home address put in papers, so why should innocent family members of an offender have theirs out there? Why should children and families be put in danger just to make a story? I think it’s shocking that the media can use offenders’ innocent children to make headlines. In my family’s case the headline was ‘Father of two’. My children didn’t commit a crime, so why make this the headline? This has to stop, as it is tearing families apart. Family life can be hard enough when you have someone in prison, never mind having the family’s life put in the papers for everyone to judge you.”

“A family case came to court for a second time as reported nationally and locally. The next day the family member’s tyres were slashed. They were vulnerable at home, as the prisoner was in prison, why then was the address printed? It is not a matter of public interest”

Next, Julie spoke about disability and reasonable adjustment for visitors. Julie informed the group that her husband is serving a long term sentence. They have 6 children, and Julie has a disability. Her GP wrote to the prison with details of her condition to help staff better understand how stressful prison visits are for her. Julie informed the group that this didn’t make any difference as she would repeatedly be mistaken for being under the influence. Julie shared that she had requested to be seated facing a wall as her levels of anxiety are high when around lots of people. Staff did not take this on board. Julie was once put on a closed visit, and the procedure was not explained beforehand. Julie informed the group that being locked in the room caused her to have a panic attack, and on top of this her 6-year old daughter was screaming and shaking. Julie noted that this incident was so awful for her and her children that they stopped visiting altogether and they only saw her husband again when he was moved to the Open Estate. Julie concluded by saying that she is not the only person visiting with a disability. ‘One size fits all’ does not work for visitors. Julie asked what reasonable adjustments can be made for people with a disability in a prison setting.

Next, Janice spoke about consistency across the prison estate. Janice informed the group that her son is in prison and that she had been visiting him over a 10-year period. Janice noted that during this time she has found that prison staff attitudes towards visitors and visits are influenced by who the Governor is and who is on the senior staff team This means that if the Governor and senior staff team change, then the whole visit policy in that prison changes. At present the rules around visits can change on a weekly basis. Janice suggested that the SPS as a whole needs to have one set policy around visits that is shared with families so they know what is expected of them. Staff should also be trained in the policy so that the rules aren’t simply interpreted by whoever is in charge at that given time. Janice shared that her son is HMP Shotts, and this is the third time that she has been asked to sit on a visits review. For nearly 10 years they have been having meetings to discuss best practice for visits, but when the regime changes and someone new comes in, they are back to square one. Janice commented that if a prisoner gets moved, you have to learn the rules for that prison all over again. Janice feels this shouldn’t be the case as there should be a set policy across the estate. Janice noted that families need consistency to be able to keep families together. Janice then went on to comment on her own experience of not being kept involved in her son’s health care. Janice shared that her son was going through a tough time and that no one was willing to engage with her. Janice commented that families know their imprisoned relatives better than anyone, yet no one is interested in involving and listening to them. Janice noted how scary it is when you can’t support someone when no-one will support you.

Ms Fee noted that Colin McConnell had made a commitment to improving things for families and asked the family representatives if anything had improved since he had come into post. Janice answered no and expanded on this by saying not day to day with regards to visits. Sarah McHardy commented that part of the difficulty is that prison Governors have a fair bit of autonomy and so it all depends on the Governor’s attitude towards the family agenda. Janice agreed and said that this filters down to the front line staff that families come into contact with.

<p>Ms Fee thanked the family members for sharing their stories and opened the group up to general discussion and questions.</p> <p>Nancy commented that reasonable adjustments for visitors with disabilities was a keen concern of Families Outside. Nancy noted that she was aware of a situation where Families Outside staff had been asked to push a visitor in a wheelchair because prison staff weren't allowed to. Nancy suggested asking who is ultimately responsible for health and wellbeing of families when they are visiting the prison.</p> <p>Mr Lyle also thanked the families for their contributions and offered to speak to Janice in more detail about visiting issues at Shotts. Mr Lyle commented that policies should be relevant across the prison estate, reasonable adjustment should be made for visitors with disabilities, and prisoners should be supported in their recovery.</p> <p>Donna commented that she was never aware of the role of Family Contact Officers while her son was in prison. Donna suggested that Family Contact Officers should not be involved in watching and searching visitors etc. They should be there to support families, build relationships and assist visitors with disabilities etc. Donna suggested they should make themselves more visible to families and should wear different colours from other prison officers.</p> <p>Janice commented that the difficulty with this suggestion was that the SPS doesn't universally recognise the FCO as a dedicate role.</p> <p>Ms Fee suggested the CPG pushes for more recognition for FCOs and campaign for it to be a dedicated role within the prison. Nancy noted that it is a dedicated post in some prisons. Ms Fee then suggested that this become standardised practice across the estate. Janice commented that the role was often not taken seriously by other officers as it was viewed a 'too soft'. Nancy noted that it was also the lowest pay grade of officers.</p> <p>Donald Dickie echoed how difficult it was for families with disabilities and how much stress comes from inconsistency in rules for visiting.</p> <p>Ms Fee commented that she herself had found visiting a prison intimidating and scary at first and noted how much more stressful this must be for visitors, especially when they are confronted by unfriendly staff.</p> <p>Ms Fee noted that there had been a CPG meeting focused on the role of the media last year and how frustrated she had been with their comments and failure to take responsibility for what they print and the inflammatory language they use. Ms Fee commented that children and families are the hidden victims, yet they are criminalised along with their loved ones. Ms Fee suggested bringing the media back to a future meeting.</p> <p>Donna suggested asking if there was any legislation to stop the media from naming families or printing their addresses.</p> <p>Carol Robinson suggested that part of the issues was Sheriffs allowing the media into the courts and felt there may be a need for more closed courts when families are involved.</p> <p>Mark Ballard queried whether reporting restrictions were a matter for Westminster. Mark also commented that there might be resistance to closed courts as justice must be seen to be done.</p> <p>Sarah suggested that it was a wider issue. She had attended a recent Howard League lecture where a Sheriff had made a comment about a journalist loitering around his home before a decision. Sarah pointed out that this was a common occurrence for families, but regardless if it is directed at a Sherriff or family member, the practice needs to stop.</p>	<p>Ms Fee: PQ about the role of FCOs?</p> <p>Ms Fee: CPG to hold a further event on the role of the media</p> <p>Nancy to check whether reporting restrictions are a devolved issue</p>
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Oliver commented that he was slightly anxious that the CPG doesn't get into an adversarial relationship with the media, noting there were some journalists who are trying to raise important issues around penal reform. Oliver suggested finding a way to encourage journalists to highlight issues for families so that the media was pressuring the issues.

Ms Fee agreed their need to be a balanced approach but was concerned that the balance was not in favour families in the way that the media reports crime.

Jane Middleton was new to the group and asked if anyone from the SPS had attended the CPG. Ms Fee confirmed that Colin McConnell had attended in the past. Nancy noted that SPS staff can attend in an individual capacity but that SPS employees can't be a members as it is a public body.

Joan Alexander informed the group that she was aware that Lothian Buses had a Thistle Assistance Card which allows passengers to communicate with the driver, in a discrete manner, that they need additional support. Joan queried whether prison visitors with disabilities could have a similar card to show prison officers so that they could recognise that person might need additional support. Joan also noted that there was an In Case of Emergency card. The group agreed that this was a good suggestion, especially as many disabilities were not always apparent.

Dinah Aitken spoke about families trying to speak to prison staff about a prisoner's health care needs and noted that there is often misunderstanding around the Data Protection Act. Janice commented that it was more difficult to speak to someone regarding health since the NHS took over health care in prisons in 2011.

Mary, a family member, spoke about difficulties trying to get family visits. Mary shared that she has a 13-year old son who is severely autistic and has ADHD. Her son wasn't able to have visits with his dad, as other prisoners had complained about his behaviour at visits. Mary informed the group that prison staff were unwilling to accommodate her family and that her son only seen their dad once in a 3-month period.

Nancy asked Sarah if this was something the Family Contact Officer is responsible for assisting with. Sarah responded that the difficulty is that visits do tend to follow a 'one size fits all' approach and that allowances aren't always made for individuals with additional support needs. In terms of children's visits, these are usually only available to very young children. Sarah suggested that prisons need to move away from just having one large visiting room and recommended the need for an additional smaller visit room. Mary agreed and shared that her partner died in September, and that she and her husband had to tell her children that he had terminal cancer in a busy visiting room, as the prison wouldn't allow them to have a private visit. Nancy shared that she had heard of a similar situation where a young boy had died and the parents had to break the news to his brother in a busy visiting room.

Donna noted that the prison have a limit on the number of children that can visit at any one time. Donna noted this put additional pressure and strain on families that have more than three children. Julie agreed and noted that not once were all her children able to see their dad at one time, as she had to take three children one week and three children the next.

Nancy asked if this was still the case for children's visits. Sarah responded that it depended on which prison you were visiting.

Margaret Houston highlighted Barlinnie as good practice, as she felt that they have particular good facilities for children, and that it was her experience working in Barlinnie that staff couldn't be more accommodating. Janice noted that Shotts used to be like that but that it all changed when the regime changed.

Mark noted that there was Cross Party Group on disabilities and stigma and suggested it might be worth having a conversation with them to take forward the issues discussed at the meeting. Sarah

Nancy to check with Capability Scotland about i.d. for disabled visitors

Ms Fee to consider joint event with CPG on Disabilities

queried whether the SPS was in breach of the Equality Act by not providing reasonable adjustments for visitors with disabilities.	and Stigma
AOB	
Nancy informed the group that there would be a joint CPG meeting on Children and Young People and CPG on Families Affected by Imprisonment on Wednesday 25 th February, 1pm-2.30pm. The meeting will focus on NSPCC and Barnardo's recently published report, An unfair sentence. All Babies Count: Spotlight on the criminal justice system.	

Date of Next Meeting: Q&A with David Strang Chief Inspector of Prisons 1 April 2015