

Scottish Parliament Cross Party Working Group, Women & Justice

Meeting 1 October 2020

1. Attendance

Rona Mackay	MSP, Convenor CPG Women & Justice
Mary Fee	MSP, Depute Convenor CPG Women & Justice
Humza Yousaf	MSP, Cabinet Secretary for Justice
Liam Mac Arthur	MSP
Anne Pinkman	Secretariat CPG Women & Justice
Jacqueline Clinton	Governor HMP Cornton Vale
Tom Fox	SPS
Kirstin Abercrombie	Sacro
Valerie Lawrie	Edinburgh CJS
Prof Michelle Burman	Glasgow University
Prof Margaret Malloch	Stirling University
Yvonne Robson	Shine
Lyndsey Wilson-Hague	Phoenix Futures
Tracey McFall	CJVSF/ Partners in Advocacy
Adele Hill	CJVSF/ Access to Industry
Fiona Mackinnon	Shine
Mags Higgins	Justice Watch
Maggie Mellon	
Sharon Stirrat	SACRO
Carol Dearie	St Marys Kenmure
Wendy Sinclair Giebens	Her Majestys Inspector of Prisons
Ron Lancashire	Scottish Working Group on Women's Offending
Rose McConnachoe	Community Justice Scotland
Shumela Ahmed	Resilience Learning Partnership
Debbie Russo	PhD student
Lynne Ross	Cyrennians
Anne Wardlaw	Inverclyde Community Justice

These virtual visits coupled with the allocation of mobile phones to every prisoner have alleviated some issues. However, concerns remain in relation to increasing prison numbers (male and female), access to purposeful activity and mental health and well being.

Efforts are being made by the Scottish Government to increase court business. Arrangements are being made to establish external jury centres for High Court trials and other measures for Sheriff and Jury trials. Mr Yousaf acknowledged however that 80% of all trials that take place are summary trials in the Sheriff courts. The impact of lengthy delays in cases being dealt with was similarly acknowledged. A significant proportion of cases that involve sexual and /or domestic violence disproportionately affect women. Mr Yousaf reported that last month (likely August 2020?) Police Scotland statistics illustrated a 8% increase in domestic abuse cases when compared to the same month last year.

Mr Yousaf highlighted the challenges for all offenders subject to community supervision, particularly those required to undertake unpaid work

Questions to the Cabinet Secretary for Justice

Mary Fee MSP- What additional support is available for families of prisoners?

Mr Yousaf advised that the Scottish Government are engaging with agencies, particularly Families Outside to identify what additional support is required for families. He acknowledged that communication with families was an issue and were engaging with Families Outside to look at ways of getting information direct to families in a timely manner.

Digital exclusion was identified as a challenge and again with Families Outside efforts were being made to enable families to access laptops.

Mr Yousaf invited Tom Fox from SPS to provide additional information.

Tom Fox confirmed that SPS were aware that following lockdown all prisoners were effectively isolated from the outside world. Efforts to improve communication and contact with families have included the provision of a pre-programmed mobile phone to every prisoner that allows increased phone call time with families and friends. The introduction of Virtual Visits has been a real success and now SPS are working with Prison Visitor Centres to host equipment to enable and support families to access these virtual visits where access to laptops etc is an issue for families. SPS are looking at the possibility of extending virtual visits to reintroduce, and where possible expand, homework clubs to enable imprisoned parents help their children with homework.

Additional benefits of virtual visits has enabled overseas prisoners have virtual contact with their families. and in one case a woman, who gave birth to her baby whilst in prison, the opportunity to show her baby to her parents.

In recent weeks regular visits have resumed allowing families to visit prisons. However, many families have been reluctant to visit in the current climate, preferring to have virtual visits instead. They incur no cost to the family and are less disruptive to family life, e.g. requiring to take children out of school.

The capacity for virtual visits exceeds demand.

Current issues for SPS during this pandemic are to improve engagement with partners and to develop a route map out of COVID.

Carol Dearie, St Marys, Kenmure: Many of the women in prison are yesterday's girls who were in the Secure Estate for young people. The young girls in Secure Care are a very vulnerable group and particular attention requires to be given to them. There is a real need for trauma training to be given to those involved in the Children's Hearing system.

Humza Yousaf encouraged Carol Dearie to continue 'banging the drum' on the issue of too many young people in secure care later ending up in prison. The proportion of young men in HMP YOI Polmont who have been in the care system is no coincidence and similarly the amount of trauma experienced by women in prison extremely high.

Mr Yousaf believes there is a lot of work being done, he is Co-Chair of the Scottish Government Victim Task Force. This task Force has a very broad definition of violence.

Mr Yousaf advised that he had visited a lot of projects that deliver credible alternatives to custody. Many sheriffs believe in the benefits of these projects. Mr Yousaf acknowledged however that we are still not getting it right, as the number of women is still too high.

He spoke of his hopes and plans for the new community custody units (CCUs) that are being created that will provide the opportunity for women in prison to address the root causes of their offending and reduce the likelihood of them reoffending.

Tracey McFall, CEO of Partners of Advocacy and Chair of the Criminal Justice Voluntary Forum:

What role do you see the third sector playing as we emerge from the Covid Pandemic ? What role do you see the third sector playing in the future in relation to the new CCUs, Youth Justice and the broader Justice strategy?

The Minister confirmed that the third sector has a critical role to play. In the relation to the strategy for young people, he mentioned the success in reducing the number of young people in custody which has fallen by over 80% in the last decade. The Minister recognised the contributions made by the Children's Hearing System and the focus on preventative measures where the third sector made a valuable contribution.

The Minister made particular mention of the Wise Group and the Shine Project who played a major role in support of the Early Release Scheme for prisoners that was introduced in response to covid restrictions. (10% of those that were released on this scheme were women). In all aspects of community justice the Minister confirmed that the third sector has, and will continue to have, a crucial role to play given their expertise, knowledge and connections.

Tina Goode, Coordinator North Lanarkshire Community Justice Partnership: What steps have been taken to ensure that the data, information and learning and impact of Covid will be shared with local community justice partnerships? Will there be clear lines of communication at national level that will be driven down to local level?

Mr Yousaf advised that a significant amount of information has been collected on a national basis. In terms of communication he has regular contact with COSLA and the Justice Board where this information is exchanged. The minister offered to provide written information to the CJPP on how that information can be shared on a more local level.

In responding to the issue of communication on a broader level, Mr Yousaf made mention of the introduction of mobile phones into prison. He confirmed that mobile phones would not be removed from prisons once Covid restrictions are lifted.

Sharon Stirrat, Operational Lead, SACRO : There is concern about the backlog of trials within the court system that have accumulated during lockdown. There is the potential for a large number of women being sent to prison when court business resumes. The McLeish Commission recommended that prison should be reserved for the most dangerous offenders, but we still see too many women being sent to prison. Can the Scottish Government work with Sentencers to bring about a reduction in prison numbers as recommended by the McLeish Commission and the Commission for Women Offenders?

The Minister responded by mentioning the introduction of the extension of the presumption of Short Term Sentences (PASS) where it is known that sentences of 12 months or less disproportionately affect women. He has already made a commitment to invest in the third sector and alternative to custody projects.

In relation to remand, Mr Yousaf again acknowledged the continual and unacceptable numbers of individuals on remand and the fact that these numbers have increased during the pandemic. The

Minister is working with the judiciary on this issue. He has introduced GPS electronic monitoring which he hopes will encourage Sentencers to increase their use of bail and bail supervision.

Although not probably possible until after the 2021 Scottish Parliament Elections, the Minister believes we require to have a national conversation on how we do justice. We are, as a country, too punitive and too conservative.

Ron Lancashire, SWGWO Member: The Scottish Government publication, A Safer Way, in December 1998 set a target for female offender populations to be reduced from 199 to 100 by the year 2000. That figure has never been achieved. Do you as a Minister for Justice, have a target for women in T prison?

The Minister stated there is no target for the number of women in custody. What the Scottish Government's aim is to have as few women as possible in prison. The Government are also aware of the disproportionate impact on women who are imprisoned and their families. They are also aware that the new custodial estate does not have sufficient capacity to accommodate the current number of women in custody. This reinforces the need to invest in an alternative to custody. It is hoped that the work Community Justice Scotland are currently undertaking with Sheriffs to raise their awareness of local alternatives to custody interventions and programmes will encourage them to impose non-custodial sentences with increased confidence.

Deborah Russo, PHD Student: What is the effect of the Restricted Regime on segregated prisoners?

The Chair mentioned that due to time restraints this question may well be answered in the following presentation on the Female Custodial Estate and if not could be followed up.

PRESENTATION

Jacqueline Quentin, Governor HMP Cornton Vale

Jacqueline began by giving an update on the new national facility for female prisoners at Cornton Vale. A contract was awarded to Morrison earlier this year in 2020 and construction began in February 2020 and due to the pandemic this work was suspended in March 2020 and recommenced in June 2020. Completion is expected by April 2022. In relation to the CCUs in Glasgow and Dundee the contract was awarded to Ogilvie Construction, construction was paused due to Covid restrictions and planning but resumed in October 2020. The completion dates for both units in early 2022. The completion dates for the National facility and the 2 units will be kept under continual review.

The Women's Strategy team was paused but recommenced in July 2020 and are working to develop new regimes and services in consultation with key partners. There will be a trauma informed approach which will underpin the regimes aimed at delivering core values safety, trust, empowerment, choice and collaboration. A high number of women suffer trauma, and they see the world in a different place, safety is an important part to move forward.

A new bespoke Case Management System will be developed, a new Female Offender programme will be developed and there will be a focus on life skills and independent living. The development of the regimes and CCUs will be taken forward by the 2 separate interface groups at Glasgow and Dundee. This will involve representation by local authority and health and social care partnerships and the third Sector. There will be a specific focus on in-reach services.

Update on Impact on Covid at HMP Cornton Vale

The important issues for Cornton Vale were safety and wellbeing of the women and communication with the outside world and internally. The women's response to the pandemic proved to be very positive and responsible. Women worked alongside the staff to ensure the continued operation of

services such as delivered infection control measures, catering and laundry. The regime was adapted to allow women maximum access to fresh air and showers. External gardens were a great benefit to prisoners during the pandemic. Each woman was allocated their own room due to the release of 84 prisoners.

Integrated case management continued.

Comprehensive risk assessments underpinned successful infection Control,

A variety of Communication initiatives to ensure communication with their families. The “email a prisoner scheme” was extended to include voicemail, each prisoner was allocated £2.50 per week for phone calls before mobile phones were introduced, allowing every prisoner 300 minutes phone calls per week to approved family members and friends. To date, approximately 200 virtual visits have been undertaken at Cornton Vale which has been highly appreciated by the women.

There was an awareness of psychological impact on women in prison during the pandemic, Prison Psychology Services and the NHS staff developed self-help leaflets and in cell activity was also introduced. There was and continues to be on going monitoring and assessment of the risk of self-harm.

Twice daily well-being checks were undertaken, daily Governor chats and surveys were introduced too. NHS and local authority social work services continued.

A number of women managed as suspected Covid cases according to NHS guidelines.

The Link Centre coordinated remotely service provision agencies such as, Shine, Womens Aid and Shelter, to ensure that individual liberation packs detailing appointment and travel plans. Liberation packs were also provided including mobile phones and where necessary additional help was provided to get women back to their respected homes.

As lockdown restriction have eased, services such as hairdressing and education have resumed.

Face coverings are now worn on a mandatory basis.

The independent monitoring services have continued remotely, and Her Majesties Inspector of Prisons (HMIP) are to undertake an inspection at Cornton Vale this month in relation to Covid.

Twenty five percent of staff have been unavailable due to shielding requirements. Despite these challenges the women at Cornton Vale have responded positively to the restrictions imposed upon them.

Questions

Shumela Ahmed, CEO Resilience Learning Partnership expressed the importance of safe and secure accommodation being required for women on release. She was aware of a Housing Association that is keen to be the first trauma informed Housing Association in Scotland and would be keen to be involved with the CCU's.

Jacqui Clinton acknowledged that suitable housing is an essential requirement for women moving on from the CCU's. Housing is an issue that is on the agenda for the 2 CCU Strategic Interface Groups. If Shumela can provide details of the Housing Association she will share with the Strategic Interface Groups. The way CCUs will function will enable housing services to provide in-reach services and the women, where appropriate, will also be able to attend community based appointments.

Tom Fox, SPS, provided reassurance that there is considerable partnership working already with a wide range of strategy and third sector partners to ensure that a smooth transition from prison and the CCUs to the community, there is a genuine commitment between the SPS and the partners to make this work and to ensure no women leaves the CCUs homeless.

Tracey McFall, Chair of CJVSF – confirmed that statutory and third sector partners are very much involved in the strategic interface group for the Glasgow CCU and the need for external services to be engaged from the time a woman is admitted to the CCU was essential.

Fiona MacKinnon – Shine Fiona raised several concerns. One was the provision of Housing, Fiona said Shine Mentors were impressed with the speed in which housing was arranged for women leaving custody during the early release scheme at the start of Covid restrictions. Unfortunately, this arrangement is disappearing, and there is concern now that will be a return to the previous position where some women are released without accommodation being confirmed or available.

The second area of concern was in relation with DWP where the focus is very much on employment and training, but women leaving custody are more often, than not, not ready for employment or education and maybe lost in the system.

A final concern related to a lack of support for women to apply for housing benefits to prevent housing arrears whilst on remand.

Adam Wilson Family's Outside enquired about the number of virtual visits that had been taken and was aware that there is still excess capacity. In response Jacqui Clinton confirmed approximately 200 visits had been undertaken to date. Original allocation of 2 virtual visits per month have now been removed and women can book as many virtual visits as they wish. A dedicated officer has been tasked with providing information and advice to the women amid some concern that they and their families were unsure as to how a virtual visit worked.

The Cornton Vale has also extended the prison visitor scheme to the virtual visits.

Adele Hill Lead CJVSF – Adele informed the group of a new small pilot project at HMP Edinburgh with Edinvar Castle Rock Housing Association to provide accommodation to men and women leaving prison. Two women involved with Shine have been allocated tenancies on this project. The first has proven to be extremely successful the second about to commence. Much learning has been gained by this project and Edinvar Castle Rock are keen to do more. SPS may wish to contact them. Jacqui Clinton thanked the group members for their very helpful suggestions and constructive questions and the shared desire for the provision for safe and suitable accommodation for women on release.

Val Lawrie Social Work Scotland Representative – (apologies from Kirsty Pake) – Val Lawrie spoke to the paper that was circulated outlining the impact Covid restrictions on the delivery of the criminal social work services for women. (CGWS) The position of CGWS across the country was that they found themselves in a situation they were unprepared for or had experienced before. New ways of working had to be identified giving the limitation of the physical environment CGWS operated in.

Individual group work sessions were replaced by virtual contact, doorstep visits and outdoor walks, that said it was acknowledged that the level of communication of the workers and the women actually increased. There were some innovated new ways of working, developed often in partnership with other services such as in Aberdeenshire where CGWS and Housing Services worked together to ensure that women being released from prison, were not just allocated a tenancy but that tenancy was furnished and equipped to provide a safe and secure environment for the women.

The loss of group work services was missed by many women who regarded the venues for these as safe spaces, reported increased levels of self-isolation throughout lockdown. Many women failed to access support and health services. It was believed in some areas there was also an increase in non fatal overdoses. Going forward it was clear CGWS required to learn from the experiences during lockdown and develop and provide services in a more coordinated way which involve universal services.

Adele Hill CGVSF Lead - Adele spoke to the paper prepared by the CGVSF on the impact of their services. Adele outlined the major impacts that included the inability to access prisoners, the inability to access women in courts and inability to have face to face contacts with women in the community. The lack of access to prisons and courts impacted significantly on the number of women referred to their services.

Weekly meetings with the Scottish Government with SPS have resolved some of these issues, such as the ability to access client information at SPS Headquarters,

To address the challenges in maintaining contact and supporting women in prison and in community a number of initiatives were introduced such as:

- Use of email a prisoner scheme
- Provision of liberation packs including the provision of mobile phones, which proves to be a lifeline for many women
- Addressing digital exclusion by provision of mobile phones, laptops and connection to internet through funding of the Wellbeing and Connect Scotland fund
- Risk assessment procedure to enable face to face interviews where necessary
- A new pathway established by Phoenix Futures to enable prisoners to access rehabilitation treatment services

Challenges:

- Inability for Case Workers to have face to face contact with women who were involved in abusive relationships.
- Additional operational costs for organisations
- Existing buildings were not fit for purpose
- Inability to access community facilities
- Staffing issues, e.g motivation, staff burnout and working from home

There has been an increase in demand for some services, such as requests from Police Scotland to provide welfare checks on vulnerable women.