

Cross Party Group on Women's Justice Virtual Meeting

10 February 2021, 6pm-8pm

Minute of meeting

1 Attendance

Rona MacKay , MSP.	Convenor CPG Women & Justice
Richard Lyall	MSP
Liam Keir	MSP
Maurice Corry	MSP
Rhoda Grant	MSP
Liam MacArthur	MSP
Elaine Smith	MSP
Anne Pinkman	Secretariat, CPG Women & Justice
Wendy Sinclair- Giebens	HM Chief Inspector of Prisons, Scotland
Julie Brock	Mental Welfare Commission
Yvonne Robson	Shine
Georgina Lyttle	Circle Scotland
Sharon Stirratt	Sacro
Tracey McFall	Criminal Justice Voluntary Sector (CJVSF)/ Partnership in Advocacy
Mags Higgins	Women for Independence
Maggie Mellon	
Fiona Campbell	Apex Scotland
Annie Maguer Thompson	Sacro
Adam Wilson	Families Outside
Lesley Simpson	Social Work Scotland Justice Standing Committee
Alison Hendry	Social Work Scotland Justice Standing Committee
Margaret Mowatt	Soroptomists International
Dr Margaret Malloch	Stirling University/ SCCJR
Kirsty Pate	City of Edinburgh Council /Willow Project

Prof Michele Burman	Glasgow University/ SCCJR
Shumela Ahmed	Resilience Learning Partnership
Fiona MacKinnon	Shine
Ann Henderson	
Lyndsey Hague Williams	Phoenix Futures

2 Apologies

Kirsty Abercrombie	Sacro
Tom Fox	SPS

3 Minutes of previous meeting 1 October 2020

Approved as an accurate record – Tracey McFall

Seconded – Wendy Sinclair Giebens

4 Matters arising

Rona Mackay to write to Hamza Yousaf, MSP, Cabinet Secretary for Justice who had agreed to provide written information to the CPG Women & Justice outlining the information gathered by the Justice Department on the impact of covid and learning from this. Mr Yousaf to advise how this information can be shared with local Community Justice Partnerships.

5 Findings and recommendations from Council of Europe's Committee for the Prevention of Tortures (CPT) report on prisons in Scotland -presented by Wendy Sinclair -Gieben, HM Chief Inspector of Prisons Scotland

A copy of her presentation is attached to these minutes.

Ms Sinclair -Gieben provided an outline of the inspection by the Council of Europe's Committee on the Prevention of Torture to several of Scotland's prisons and police custody cells in 2018 and again in 2019. This included a visit to HMP Cornton Vale.

In relation to HMP Cornton Vale the CPT were impressed at the design by of the new estate including the Community Custody Units but they expressed concern in relation to :

- The need to reduce the population – estate design of 240 vs ~400 women in prison (now ~300)
- Many women still held in male facilities
- Serious allegations of ill treatment need inves
- Concern over the frequency of the use of force
- They considered the use of segregation/solitary confinement to be worrying

There were also a number of recommendations regarding mental health

- At least 2 hours meaningful interaction daily for those on segregation should be provided

- Need for greater psychosocial support
- Transfers for inpatient unit delays must be overcome
- Develop a psychiatric unit for women in Scotland to close the gap between high secure places across the UK

The Scottish Government's response includes

- Evaluating the introduction of Body Worn Cameras for prison officers, similar to those worn by police officers
- the progression of the new custodial estate for women
- reviewing the use of force
- undertaking a review of Forensic mental health services
- Scottish Government Justice Board are examining alternatives to custody

In addition to that

- The National Prevention Mechanism have commissioned a report into progress against CPT recommendations
- HMIPS undertook a short inspection of HMP YOI Cornton Vale with Healthcare Improvement Scotland
- The Mental Welfare Commission's work with the SPS has seen a reduction in the delays in mental health transfers to in-patient units
- SPS has seen a significant reduction in the use of force in HMP YOI Cornton vale

Following on from Ms Sinclair -Giben's presentation, Julie Brock, Medical Officer for the Mental Welfare Commission provided the following information

The Mental Welfare Commission for Scotland are currently completing a Case Series Review looking at the mental health records of a number of women in prison custody. The nine cases we reviewed included the women highlighted in the Council for Prevention of Torture's 2019 report. We looked at concerns raised by the CPT following their visit to Cornton Vale and have compiled a report focussing on a number of themes. These themes include the segregation of women with mental health issues and delays in transferring mentally unwell women from prison to hospital care. The Commission's report will be published in the coming months.

The Commission will also be undertaking a national themed looking at the mental health care in prisoners. This visit, which will involve visiting all prisons in Scotland, had to be postponed in 2020 due to Covid-19. We hope to commence visits in Spring/Summer 2021 if Covid restrictions allow. In the interim, we remain in contact with SPS and HMIPS and liaise with prison mental health services when individual issues arise.

Julie Brock offered to attend a future meeting of this Cross Party Group to present the findings and recommendations of the Mental Welfare Commissions report.

Questions were raised in relation to the 2 serious allegations of assault that the CPT said needed to be investigated. Wendy Sinclair -Gieben confirmed that there had been a police investigation into both allegations who found that there was no case to answer and advised the complainant of this. The SPS also undertook an internal investigation once the police investigation was complete.

Concern was expressed by the continued practice of sending girls aged up to 18 to prison, either on remand or sentenced, rather than use alternatives.

6 Scottish Prison Service (SPS) update on development of new custodial estate for women - Tom Fox, SPS

Unfortunately Tom Fox was unable to attend the meeting but provided an update following the meeting which is included below.

Work on the new national facilities and the two Community Custody Units (CCU's) is continuing to progress. Although there have been inevitable delays as a consequence of Covid 19 and the restrictions this has caused.

Construction of all of the facilities will be complete by Spring 2022 with openings in the early summer thereafter. There are provisions for visitor facilities in the national facility and the flexibility in the CUU's will allow consideration to be given to how best to support the women there.

Mother and Baby facilities will be provided within the new national establishment at Cornton Vale, however there would require to be some changes to the Prison Rules to allow children to stay with their mothers overnight, in either the prison or the CCU's. It is unlikely therefore that it will be achievable for children to stay overnight when the new facilities open.

In relation to imprisonment of women and the new womens estate members expressed concern in relation to the poor mental health of women in custody and instances of self harm. The solutions for women who offend lie outwith the criminal justice system.

Lyndsey Hague Williams reminded members of the recently established National Prisoner Rehabilitation Pathway that allows prisoners to enter rehabilitation directly on release from prison. There has been low numbers transferring to date.

7 Going Forward - Priorities and Challenges

Rona Mackay reflected on the variety of issues the CPG Women & Justice had considered since the group was established in 2018. Originally it had been intended that a report would be produced. Work on the new national facilities and the two CCU's is continuing to progress. Although there have been inevitable delays as a consequence of Covid 19 and the restrictions this has caused.

Construction of all of the facilities will be complete by Spring 2022 with openings in the early summer thereafter. There are provisions for visitor facilities in the national facility and the flexibility in the CUU's to allow consideration to be given to how best to support the women there. You are correct in saying that there would require to be some changes to the Prison Rules to allow children to stay with their mothers overnight, in any of these facilities so it is unlikely that it will be achievable from the start.

The Group has benefitted from a broad range of members and has generated interest on the impact of women in the criminal justice system. There is a genuine appetite for the CPG to continue after the Scottish Government elections. Rona invited members to identify specific areas of concern that the CPG should concentrate on in the next session of the Scottish Parliament. Areas identified included Continued

- high levels of women being remanded into custody, and the particular challenges for community based services engaging with women on remand during covid restrictions
- Girls up to age of 18 being routinely remanded or sentenced to prison rather than use of residential / secure care
- Need for more alternatives to custody
- Need for investment in early intervention and prevention
- Ongoing monitoring of development of the new custodial estate for women

Rona Mackay invited members to contact her with any other ideas. She will then collate a letter for Hunza Yousaf, Cabinet Secretary for Justice. The ideas will also be used to inform the agenda for future meetings of the CPG.

Rona Mackay thanked Paula Mitchell and Anne Pinkman for their Secretariat support to the CPG

8 Agency Updates

Shumela Ahmed confirmed that the Resilience Learning Partnership had successfully obtained funding for the provision of a programme for women from the Forth Valley area.

Sharon Stirrat, Sacro repeated concerns of numbers of women on remand and the challenges of engaging with women on liberation. The ability to provide women on liberation with a mobile phone as described as a lifeline. The mobile phones are preset with contact details of all relevant agencies for each individual.

Anne Pinkman informed that the films she has been producing on the impact on children when a mother goes to prison are now complete. There are 4 films, entitled Safeguarding Children when a mother goes to prison, one for Sentencers, one for Advocates, Defence Agents and Criminal Justice Social Workers, one for women with children who are at risk of custody and a final stand alone film telling her story of the impact her imprisonment had on her 2 children. The films will be launched within the next 2 months. Invitations will be sent to all CPG members.

Tracey McFall informed the group of a recent Scottish Government publication that may be of interest to members, Understanding the Social Care Needs of Scotland's Prison Population. This report can be accessed on the following link

<https://www.gov.scot/binaries/content/documents/govscot/publications/research-and-analysis/2021/01/understanding-social-care-support-needs-scotlands-prison-population/documents/understanding-social-care-support-needs-scotlands-prison-population/understanding-social-care-support-needs-scotlands-prison-population/govscot%3Adocument/understanding-social-care-support-needs-scotlands-prison-population.pdf>

9 Date of next meeting to be advised after Scottish Parliament elections