

Scottish Parliament Cross Party Group on Women and Justice

Minutes of Meeting 15 May 2019

Present

Rona McKay MSP

Maurice Corry MSP

Margaret Mowatt, Soroptomist International, Scotland

Adele Hill, Access to Industry

Jan Anderson, ShineLily Humphreys

Wendy Sinclair-Gieben, Her Majesty's Inspectorate of Prisons

Tom Fox, Scottish Prison Service

Nancy Louks, Families Outside

Lily Humphreys, Research Officer for Liam McArthur MSP

Deborah Russo, Prisoners Advice

Pierre Joubert, Parliamentary Intern for Richard Lyall MSP

Amy Callaghan, Parliamentary Officer for Rona McKay MSP

Carol Dearie, Kenmore Secure School

Rose McConnachie, Community Justice Scotland

Anne Pinkman, Prison Reform Trust/ Scottish Working Group on Women's Offending (SWGWO)

Apologies

1,AGM

Election of Office Bearers

Rona McKay MSP – Co Chair

Proposed Nancy Louks Seconded Rose McConnachie

Mary Fee MSP – Co Chair

Proposed Rona McKay Seconded Anne Pinkman

Anne Pinkman – Secretariat

Proposed Rona McKay Seconded Adele Hill

2.Minutes of meeting 16 January 2019

Accepted as a correct record of meeting.

Proposed Carol Dearie, seconded Rona McKay

3.Update on Development of the new custodial estate

Presentation – Tom Fox, Head of Corporate Affairs, Scottish Prison Service (SPS)

Background

Following a negative inspection of HMP & YOI Cornton Vale where it was the view of the then Chief Inspector of Prisons that Cornton Vale was not fit for purpose, the then Cabinet Secretary established a Commission for Women Offenders, chaired by Dame Ailish Angiolini in 2011. The Commission reported back in 2012 making 37 recommendations, 6 of which were specific to the SPS. The Commission recommended that a small national facility should be built for women alongside a number of small local units across the country.

Initially the SPS planned to build a new national prison for women at Inverclyde with smaller units being built at HMP's Grampian and Edinburgh. This decision was not popular and was eventually revoked in 2015 when a new Cabinet Secretary for Justice, Michael Mathieson, took up post. He did not think the plans reflected his vision for justice. The Scottish Government and SPS undertook a series of consultations across the country. They also held an international symposium to consider research evidence and best practice.

New Prison Estate for Women

It was agreed in 2015 that a new national facility for 80 women would be built at Cornton Vale and 5 Community Custody Units (CCU's) would be built across the country to accommodate 100 women. The intention is that these new facilities will provide a consistency of approach in how women in custody are cared for. The approach will be trauma informed and gender specific.

The new facilities at Cornton Vale and in the CCUs will provide safe and secure accommodation for women. Externally the buildings will look more akin to a residential facility. There will be boundary fencing but this will be very much dual purpose, in recognition of the safety and need for protection of women in custody. Security will be designed into each facility to ensure there is no need for bars- security glass will be used as an alternative. Design will be take into account building materials, lighting, colours and textures, noise and ventilation and open spaces. The design of open spaces will allow for prisoners to interact with their families.

Facilities for external service providers will be located front of house replacing traditional Link Centres. The rooms for women will be similar to student accommodation.

It is intended to that the buildings will not only be fit for purpose but will also be future proof and enable future developments in relation to in cell technology and telephony can be managed.

The national facility will incorporate within the access point a toilet facility that will be available for public use. This, it is hoped, will encourage members of the local community to come into the prison and use the facilities that are available.

In terms of culture SPS are keen to create an environment that reflects the needs, assets and risks of women in their care. The hope is to create a safe and caring environment where women can turn their lives around-a huge challenge for many of the women in prison.

Changes will be made to searching procedures, and staff uniforms, especially in the CCUs may change.

Opportunities for work and occupational therapy will build upon best practice elsewhere such as the henitentiary at HMP Edinburgh and the work with Dogs Trust at HMPs Polmont and Castle Huntly.

The overall design capacity of the new estate for women will be 230 : 80places at national facility at Cornton Vale; 100 places in CCUs and 50 places at the womens unit at HMP Grampian. There will also be a new Assessment Centre in the grounds of Cornton Vale. All women who receive a prison a

prison sentence will go the Assessment Centre for a period of time before being transferred to the most appropriate prison to serve their sentence.

Community Custody Units

A decision has been made to build the first 2 CCUs in Maryhill, Glasgow, and Dundee. Maryhill will provide accommodation for 24 women and Dundee for 16 women. The other 3 CCUs will not be developed until the first 2 CCUs are operational and can be evaluated.

Community Engagement

Four Community Stakeholder events have been held in Maryhill and Tom Fox has visited every Community Council in that area. Community Stakeholder events have also been held in Dundee. This has helped to dispel myths and provided an opportunity for the SPS to explain why the CCUs are being built within local communities. The SPS have provided detail of the challenges faced by women in custody, the community benefits and making communities safer. Tom is now confident that "when we talk to people, they get it".

The SPS are keen to maintain community involvement and support for CCUs and want communities to be involved with the CCUs when they are operational. As part of this commitment SPS are developing storyboards to share with communities.

Community access

It is envisaged that within each CCU approximately one third of the women resident there will live independently and be responsible for their own cooking and shopping. They will have unescorted access to the local communities. Other women will have no immediate access to the communities but will, it is hoped, progress to escorted community access before obtaining independent access. This will better equip women to cope on their release.

Flythrough of CCUs

A flythrough of the planners design of the CCUs was shown

Strategy for Women who Offend

SPS are in the process of completing a new strategy for women that they hope to publish in a couple of months

Questions/ Discussion

Ability to accommodate children overnight within CCUs

Existing Prison Rules allow only for children up to the age of 12 months to be accommodated overnight in prison. Can this be changed?

Parliamentary approval is required to change Prison Rules.

Tom Fox confirmed that the new CCUs are being designed to accommodate mothers and babies and should be flexible enough in design to accommodate older children on overnight stays if Prison Rules are changed.

Frustration was expressed that despite an aspiration mentioned at the SPS International Symposium in 2015 for any new facilities to accommodate older children nothing is being done at present to have Prison Rules amended.

ACTION To pursue amendment of Prison Rules to allow children to be able to have overnight stays in CCUs.

Young women

Carol Dearie, Kenmore School advised that she was struck by the similarities of issues the SPS were considering. These same issues have previously been addressed in Secure Care. This seems to be

a missed opportunity for coworking in relation to the development of trauma informed practice and gender specific services. Kenmore are willing to share their experiences with SPS.

It was asked what arrangements were being made for women under 21 years of age?

Tom Fox confirmed that arrangements will be incorporated into the new custodial estate for young women. The number of female YOIs is very small.

Prison Population

A more pressing concern is the increasing prison population, this weeks total prison population is 8250, 700 more than the same period last year. There were 385 women in prison this week (296 convicted, 93 on remand) which is considerably higher than the planned provision of 230 spaces in the new custodial estate.

Rona McKay asked what will the outcome be if the planned extension of the presumption against short term sentences up to 12 months does not bring about a significant reduction in the numbers of women in custody (*90% of sentences imposed on women are up to 12 months in length*).

Tom Fox advised that although the majority of prison sentences (90%) are up to 12 months here is an increasing number of women serving long sentences : 44 women are serving life sentences and 40 women are serving sentences of 4 years or more. These numbers do impact on the overall female prison population.

Currently there are more than 200 women being accommodated in prison facilities that were designed for men (Edinburgh, Greenock and Polmont). Whilst some of the facilities and accommodation in these prisons are better than others none provide the correct environment for women.

Community Custody Units

Tom Fox confirmed that the first 2 Community Custody Units will be operational by 2020. He also confirmed there would be a change in risk assessment policies to enable women serving long term sentences to be able to access CCUs.

Arrangements for women in the CCUs receiving visits from family and friends are currently being considered by SPS.

Support needs for women who offend

Most women in custody represent no threat to communities. There has been however an increase over recent years in the number of women in prison with complex mental health issues whose challenging behaviour is dealt with as a criminal matter. This increase corresponds with a decrease in the numbers of residential facilities for women with complex needs in the community.

While mental health issues are very prevalent in the female prisoner population the most common denominator is poverty.

Access to support and health services on release is variable despite the success of through the gate initiatives such as Shine.

It was confirmed that all staff who will work in the CCUs, and across the female prison estate will be trained on trauma informed practice and gender c specific responses

General issues

Tom Fox was asked if the SPS had any intention of undertaking an evaluation of the successful Whole System Approach to young offenders and within that evaluation consider the merits of developing the same approach to adult prisoners both male and female. Tom advised that this would require Sustainable Pathways to be developed for all offenders coming into prison, and returning to communities.

The discussion concluded with agreement that there is requirement to reduce overall prisoner numbers but an acknowledgement that this will be influenced by the rise in long term prisoners, including those serving life sentences. (The average length of a life sentence 20 years ago was 11 years , today the average is 19 years).

4.Second Chancers, Rose McConnachie, Policy Development Lead, Community Justice Scotland

Second Chancers is a series of short films telling the stories of a number of individuals who became involved in the criminal justice system. The films were developed in a response to research Community Justice Scotland (CJS)has undertaken on the attitudes of the general public in Scotland towards community justice. Most people did not know what community justice was, lots of negative attitudes were expressed, which although disheartening, were not surprising.

The films feature men and women and young people. Rose spoke of the stories of 2 women

Jenny who was expelled from school in 3rd year and eventually came involved in offending. She has since turned her life around and has a BA Honours in Criminal Justice;

Morags' use of alcohol increased over a period of time and she was convicted of drink driving. She received a Community Payback Order where she was required to undertake unpaid work. Morag spoke of the embarrassment and shame she felt and still feels to this day. She spoke too of her fear about how her sons would react to her arrest and conviction.

The Second Chancers films were launched in October 2018 and targeted at the 18-24 age group who, from the research conducted by CJS, had the least awareness of community justice. The films and interactive displays, have been displayed across the country in Community Centres, Colleges and cinemas.

All Second Chancers films can be viewed at <https://secondchancers.tv/>

General discussion

The importance of early intervention was acknowledged especially when young people are at risk of being excluded from school.

Often the causes of disruptive behaviours are misinterpreted.

There has been a decrease in recent years in the number of residential units and small education bases for young people over recent years.

There is a need for training on trauma informed practice to be delivered to both qualified teachers and social workers and those in training.

Children's Panel Members are trained in trauma informed practice.

ACTION: Rose McConnachie to find out if trauma informed practice is provided to both qualified teachers and those in training.

Next Steps

A new series of Second Chancers is currently being produced. It is intended that the new series will be shown on television.

Rona McKay offered to host an event for Second Chancers in Parliament and arrange for a Minister to be present.

Rose McConnachie accepted this offer and conformed that she would arrange for some of the individuals whose stories were featured in Second Chancers to be attend the event.

ACTION: Rona McKay and Rose McConnachie to arrange for Second Chancers event in Parliament

5. Agency Updates

Carol Dearie, St Marys, Kenmore advised that she is to give evidence to the Justice Committee on 28 May 2019 in relation to secure care and the mental health provision for young people.

She advised too that there has been a significant increase in the number of referrals for secure accommodation and there are currently no beds available across the secure estate in Scotland.

There has been a significant reduction in the use of restraints used and staff assaults at St Marys Kenmore.

Carol spoke of the pride in the achievements of young people in secure care despite their previous experiences.

Adele Hill confirmed that Shine, the national mentoring project for women, have secured funding for this year, 2019-2020. While this is good news it was recognised that the uncertainty of annual funding affects staff retention and stifles development.

Wendy Sinclair Giebens, HMIP, Wendy advised that she is also giving evidence to the Justice Committee on 28th May on the recent HMIP review of mental health services at HM YOI Polmont.

Recent inspections reports have been produced for HMP & YOI Polmont and HMP Grampian and an update report on the use of Home Detention Curfews. These are available at <https://www.prisonsscotland.gov.uk/publications>

A copy of the Justice Committee meeting on 28 May 2019 on secure care and mental health can be accessed at <http://www.parliament.scot/parliamentarybusiness/report.aspx?r=12130>

Nancy Louks, Families Outside informed that Families Outside has undertaken a brief review to assess Scotland's compliance with the Council of Europe's recommendations concerning children with imprisoned parents. The recommendations have been grouped into three categories: full compliance; partial compliance; and non-compliant.

Independent Care Review, Nancy continues to Co Chair the Justice and Care Work Group

The next meeting of the CPG Children and Families will take place on Wednesday 5 June at the Scottish Parliament from 6pm to 7.30pm

Deborah Russo, Prisoners Advice asked members to consider if there is an appetite for an Advice Service in Womens Prisons on Family Law? This is available in English prisons estate.

6. AOCB

Rona McKay advised that the Vulnerable Witness Bill has now been passed. She also advised that the Age of Criminal Responsibility has been raised to 12 years. The Scottish Government have committed to establishing a Review Advisory Panel to consider whether the age should be increased further. It is unknown how long this process will take.

Rona has introduced a Members Bill that will allow Police Scotland to apply for Stalking Orders on behalf of victims. This will be at no cost to the victim. It is possible this proposal maybe incorporated into another Bill.

Support for this proposed Bill can be made via Ronas website <https://www.ronamackay.scot/membersbill>

7. Date of Next Meeting The next meeting will take place on Wednesday 25 September 2019 from 6pm to 7.30 pm at the Scottish Parliament. It is planned to have Claire Haughey, MSP, Minister for Mental Health and Maggie Bing, Chief Executive for Housing First both speak at this meeting

