

Annual Report 2005

To the Minister for Justice

I am pleased to submit the seventeenth annual report of the Association of Visiting Committees.

This report is written according to the statutory basis for the creation and operation of visiting committees as contained in the Prisons (Scotland) Act Of 1989, as amended in the Prisons and Young Offenders Institutions Rules 1994.

The Association is pleased that you have set up a Review Group, under the chairmanship of one of your heads department, to look at the role and function of Visiting Committees in the 21st century. Although this is not an independent review like the Lloyd Review in England and Wales, it is the first review of any kind since visiting committees were set up over a hundred years ago and we compliment you for your initiative. It is our earnest hope that the outcome will be a clear monitoring role for independent visiting committees, your "local watchdogs", which will result in a very specific definition of our weekly responsibilities to complement the work of the Chief Inspector of Prisons and the Scottish Prisons Complaints Commissioner.

Much has changed since committees were first created in 1887 and the pace of change has accelerated in the last two decades. A great deal has been said by yourself and others about the need to create a Scottish Prison Service fit for the 21st century. We agree with that aim and we would also like to see the modernisation of Visiting Committees to match that prison service by their ability to deliver effective scrutiny of the fairness and humanity that is being delivered within prison walls.

Bob Shewan
Convener,
Association of Visiting Committees.



1. Association Meetings

There have been four meetings of the Association throughout the year ending on 31 March 2005. These have been held Council Offices in Perth, Stirling, and Dundee (twice). We are very grateful to Councils for the support and hospitality they give the Association and for the ready recognition that their responsibility goes further than the mere appointment of visiting committees.

We have been pleased to welcome three speakers to address members at start of these meetings. These were:-

1. **Campbell O'Connell** of Reliance Custodial Services.
Mr O'Connell spoke frankly of the problems of his company had encountered in providing the new private prisoner escort service to the SPS, which had been widely reported in the media, and of the measures which were being introduced to resolve them. He responded fully to members' questions.
2. **Vaughan Barrett**, Scottish Prisons Complaints Commissioner:
Mr Barrett detailed his work on behalf of prisoners and indicated the complaints, which were outwith his competency. He detailed matters that visiting committees could deal more efficiently. He concluded with a question and answer session.
3. **Janice Hewitt**, SPS Head of Inclusion.
M/s Hewitt presented a full account of the SPS inclusion policy, based on assessment of need, priority planning, interventions, transition from custody to community, and information sharing to maximise integration and support on release. This was a very valuable session for members in that many current issues for committees in their establishments were dealt with.

Issues raised at Association meetings by Visiting Committees:

- **Transport for prisoners' visitors at outlying establishments.** This particular problem occurred when transport previously supplied by SPS was withdrawn. However it was noted that "Families Outside" had prepared a Transport Report and that SPS had appointed an official to deal with it.
- **Food in prisons.** Members frequently raised the inadequacy of the daily food allowance of £1.57 per prisoner, which had remained unchanged since 1997. It was stressed that food was important for morale. There were constant complaints about the quantity, quality and temperature on delivery. The milk ration for women was insufficient. Portions were too small for Young Offenders. Packed lunches for prisoners on placement were unappealing. Ethnic needs put pressure on daily allowances. Catering Officers needed flexibility from central purchasing to take advantage of local suppliers during seasonal gluts.
- **Lack of work and programmes for too many prisoners.** Staff shortages were closing down workshops. There was often no continuity of work and programmes when prisoners were moved to another establishment. This left prisoners demoralised and disillusioned. Work in prison did not prepare prisoners for employability on release. Basic literacy and numeracy remained poor in many prisoners due for release.
- **Budget strategies.** 5% cuts, year on year, were seriously affecting the delivery of the service in our prisons. Education and Social Work sections were seriously stretched. There was widespread fear that staffing levels would be the next reduction.



- **Threatening behaviour of prisoners towards VC members.** It was felt that there were implications for risk and needs assessments. Members were encouraged to have regular training in restraint and breakaway techniques.
- **Involvement of members in prisoner induction programmes.** A small number of committees had regular involvement in prisoner induction courses. This was an excellent opportunity to explain the role of the VC and how to make applications when necessary.
- **Medical records.** One specific report from a Fatal Accident Inquiry had criticised the unavailability of medical records to medical and nursing staff. Although medical records are not available to visiting committees members were encouraged to enquire that duplicate medical records, and records of needs for prisoners in the Special Educational Needs category, are always available to medical and nursing personnel.

2. Prisons Visited

There were three visits to prisons in Scotland during the reporting year.

1. HMP Peterhead.

This is the national prison for sex offenders. It is acknowledged to have the worst accommodation in Scotland. Cells use chemical toilets and a major refurbishment is needed to create in-cell sanitation. There is also need for a top-end facility to prepare prisoners for release. One third of prisoners are in denial of their crimes and therefore cannot be included in the STOP programme for sex offenders. The average age of prisoners is around 50, and some are aged 70–80 years. The staff at Peterhead deserves great credit for the dedicated service they give in trying and sometimes depressing circumstances.

2. HMP Dumfries,

The Association paid a short visit to Dumfries Prison. The changes in prisoner population make serious demands upon staffing arrangements in this prison. The rising prisoner population poses serious challenges for work and programmes, complicated further by the continuous need to develop the Female Unit. Prisoner numbers result in the necessity to deal with prisoner on prisoner assault in the most effective way. Despite this the good relationship between staff and prisoners was evident.

3. HMP Kilmarnock

This is the only private prison in Scotland. The establishment is compact and modern, and full of state of the art technology including 221 CCTV cameras. Three prison officers can monitor a wing of 80 – 90 prisoners. The prison has been open for six years and has a capacity for 596 prisoners, 252 of whom are long term. A large number of the staff of 310 persons is female, which we were given to believe has a positive influence on prisoners. Kilmarnock has a contract with SPS comprising 72 performance measures, which are monitored by 3 SPS controllers to ensure value for money. The prison has received Investors in People and Sword of Honour awards for their Health provision. The party toured the residential blocks, segregation area, the library and the visits room. The workshops were closed for lunch-time but the well-equipped gym was busy as was the Health Centre. The library was well provided with books, videos, CDs and DVDs – all bar-coded and leant on production of the prisoners' swipe cards. The Education Centre had the usual range of curriculum provision on offer. Telford College is contracted to commence an open learning course.

As part of its programme of training and widening experience for its members, the Association arranged for a party of 18 to visit two prisons in Northern Ireland.

1. HMP Maghaberry.

This is the main committal prison in NI. It has an average of 700 prisoners, half of whom are on remand, and a staff of 890. It holds every category of prisoner



and is described as “the most complex prison in the UK”. New to most of the party was the highly sophisticated video-links with the courts, which permit court proceedings to progress without the prisoner leaving the jail. There was an excellent programme of child centred visits to “dads” and a progressive resettlement programme was described. The prison still has a para-military factor to deal with, requiring prisoners to be separated for their own safety.

2. HMYOC Hydebank Wood.

This centre housed 209 young males from 16-21 years. Half were on remand and the rest were serving from 7 days to life. There was a staff of 281, who did not wear uniform but maintained excellent discipline. YOs have to earn their privileges, like a TV in the cell. The use of drugs or the failure to work can result in demotion and the loss of privileges. Many progressive programmes, like the Duke of Edinburgh Awards, are in place. YOs can join a “working out” scheme, which leads to “working from home” in the last 8 weeks before release. There is an anti-bullying committee, which is very relevant to young offenders who have suffered punishment beatings in the community. In three years this dangerous Centre has been brought under control.

A few of our members have also visited the 218 Hostel in Glasgow and Eastport House in Dundee, where programmes to keep people out of prison and a safe half-way house for prisoners on release are proving very successful.

3. Conferences

It has been a privilege for the Association to be represented at the conferences of our sister organisations in England & Wales and in Northern Ireland.

- **The NIAMBOV Conference** in Northern Ireland for Boards of Visitors and Visiting Committees was held in the Hilton Hotel, Belfast in May 2004 under the title “Frequently Asked Questions”. This took place over two days. The Annual General Meeting was held on the Friday afternoon and was followed by the Director General’s evening Reception. After dinner the Director General welcomed members and spoke of his appreciation of the work of the Boards and VCs. The Chairman in her reply said that Boards and Committees were pleased to work for the benefit of healthy prisons. She was pleased that the Director General, Ministers and the NIAMBOV Association were working together towards establishing the new name of Independent Monitoring Boards, in line with the change in England and Wales. More important than the name was the maintenance of independence in monitoring the treatment of prisoners and the provision of programmes, which addressed offending behaviour and prisoner resettlement.

Two speakers addressed the conference on Saturday. The first dealt with the frequently asked questions, which gave rise to the title of the conference. The second speaker was our own Scottish Prisons Complaints Commissioner who spoke of his work in the light of the appointment of a Northern Ireland ombudsman, shortly to be appointed to a similar role in the province. Mr Vaughan was well received and answered many questions in his accustomed manner.

The conference ended at lunchtime.

- **The IMB Conference** for England and Wales was held at Keele University over three days in September 2004. This was a large conference of approximately 300 delegates, gathered to consider the theme: “Working in Partnership – Raising our Independent Profile”.

Sir Peter Lloyd, the President of the National Council, set the framework for the Conference by stressing the focus on partnership through the development of links with other agencies while maintaining the independence of the IMB role. There were presentations by Paul Goggins, the Minister for Prisons and Phil Wheatley, the Director General of the Prison Service. The Ombudsman and the Chief Inspector were also major speakers, while Professor Andrew Coyle provided an international perspective.



There were 21 top rate speakers in total, which proved a hectic schedule for three very full days. 53% of the delegates were attending their first conference and the provision of breakout groups relevant to each of the establishment types proved very popular.

Delegates had much to ponder as they returned home, such the increase in prison suicides, the decline in prison numbers, refurbishments costing £20 million, a new women's prison to replace the wing at Durham, foreign nationals in prison and positive developments in mental health programmes.

This was a very valuable experience for our delegates, as many of the problems north and south of the border are the same.

- **Our own AVC Conference** was held in October 2005, on the theme of “**Keeping an Eye on the Ball**”. We were pleased to welcome delegates from the IMB and NIAMBOV reciprocating our attendance at their conferences. We were pleased also that Mike Duffy, Director of Prisons in Scotland, was able to be present throughout the conference.

There were three main speakers who each brought great knowledge and experience to their subjects.

Roger Houchin, who is the Co-Director of the Glasgow Centre for the Study of Violence and Senior Lecturer in Criminal Justice at Glasgow Caledonian University, gave an informed talk on “Prisoners, Offenders and Members of the Public”. He had telling points to make on each category. In the course of his talk, he compared prison conditions in Scotland with some prisons that he had visited in Eastern Europe. It was a surprise for some of us to learn that, although conditions in Eastern European prisons could compare unfavourably with ours, the treatment of prisoners and respect for their values could teach us important lessons.

Andy Jeanes from HMP Maghaberry in Northern Ireland gave a fascinating account of the new approaches to the resettlement of prisoners, which were being pioneered in the largest of the three NI prisons. This involved a concerted effort to keep families together while men were in prison. It involved bringing wives and partners with their children on special visits. The women were informed about prison life and children spent time with their fathers. Open days were arranged to foster good family relationships. Prison Staff were committed to the initiative, believing that a stable home and family life and the prospect of a job upon release gave the best prospect of reducing re-offending.

Angela Morgan, the Director of Families Outside, gave a very informative address on her Scottish charity, which supports families when a relative is serving a custodial sentence. She made conference aware that imprisonment is a family experience. Thousands of children were separated from an imprisoned parent. These families outside need support while their relative is in prison. They find court proceedings and the subsequent imprisonment of their relative intimidating and beyond their control, through no fault of their own. They need understanding during the period of imprisonment and continuing support after their relative's release from custody. A confidential Helpline is provided free by the organisation for the families with relatives who are serving prison sentences.

All three speakers participated in a question and answer session which brought a very the conference day to a close.

Members of the Association keep themselves informed by attending conferences organised by others who are involved in prisoner welfare and support. The Association is pleased to acknowledge and support their fine work. The following are examples of such organisations and the issues that they have highlighted.

- SACRO “Restorative Justice Issues”
- PRISON REFORM TRUST “The Revolving Door”
- FAMILIES OUTSIDE “Young People and Families”
- APSA “Breaking the Cycle of Crime”



4. **Significant Developments**

The Association has welcomed three specific opportunities during the year.

- Firstly, two Association members were able to give oral evidence in September 2004 to Justice Committee 1, which was enquiring into "Rehabilitation Programmes in Prison". Having submitted our response to the consultation paper we had the opportunity to answer the questions of the committee, which our responses provoked. This was a valuable exchange, which we hope will be repeated as often as it is recognised that our experience in monitoring prisons independently has value to members of the Scottish Parliament.
- Secondly, the Executive Committee of the Association met with the Minister for Justice in December 2005 to discuss some of the concerns of Visiting Committees enumerated on Pages 2 and 3 of this report. The Minister listened sympathetically and responded positively showing that she was fully briefed on most of the issues raised and was ready to take action to deal with them.
- Thirdly, the Minister for Justice agreed that a review of the role and function of Visiting Committees in the 21st century was required and she promised to set this in motion at the earliest opportunity.

5. **Training**

Training has gone on throughout the year by bringing guest speakers to our Association meetings, by arranging visits to prisons in Scotland and Northern Ireland, as already described. The annual training day for new members, which was scheduled to be held in Aberdeen City Chambers, had to be cancelled because members were involved in conflicting events in March 2005.

However members of the Executive Committee were able to use the day to prepare programmes of training, which could be delivered at local Committee level or at joint meetings of committees in regional areas. It has been proposed to trial regional "roadshows" later this year using various delivery techniques as appropriate.

6. **The Way Forward**

As reported in the letter to the Minister for Justice at the beginning of this report, the Association is pleased that a group has been set up to review the role and functions of Visiting Committees. It is our intention to keep members informed of developments and to highlight the New Directions for Visiting Committees in conference at the earliest opportunity.

It is also proposed to inform the public of the work of Visiting Committees by establishing a website, which we hope will promote interest in this voluntary public service and aid recruitment to monitor the work of local and national prisons.