

ANNUAL REPORT 2006

On behalf of the Association of Visiting Committees it gives me much pleasure to present our Annual Report conscious that it will only reflect in part the committed work of our members across Scotland.

This has been a particularly significant year in criminal justice in Scotland with the focus on reducing re-offending and the publishing of the ambitious and wide ranging document, *Supporting Safer, Stronger Communities: Scotland's Criminal Justice Plan*. This was followed by the National Strategy for the Management of Offenders and we look forward to seeing the results of its implementation. As Visiting Committees we deal with offenders during their period of incarceration but we wholeheartedly support the drive to reduce re-offending, the use of other diversions to imprisonment and support in the community which helps offenders to return to a law-abiding lifestyle.

Monitoring the care of those persons held in detention within our prisons and the conditions in which they are held, is one of the hallmarks of a humane and just society. Our long tradition of service, unbroken since 1877, serves as a reminder that the humane and decent treatment of prisoners can never be assumed or taken for granted.

Our dedicated members continue that tradition against a background of change. Significant in this is the Justice Minister's Review of Visiting Committees, a report prepared and recommendations made on how best to improve delivery of our independent role and function. This should take Visiting Committees forward to meet the challenges of the national strategy.

This report outlines our wide and varied duties and highlights our significant role amongst the many agencies which support Scotland's criminal justice system. We strive to achieve the highest of standards, putting the wellbeing of prisoners at the forefront of our duties. Scottish society is much indebted to our individual members for the committed, voluntary and independent service which they provide. Within each establishment, the work of our members has rendered valuable service to many individuals.

May I also record my appreciation to my Vice-Convenor, Mrs Moira Graham, and to members of the Executive Committee, not only for their service on behalf of the Association, but for their unstinting support, guidance and wise counsel. It has been a pleasure to work with all our members and to see the growing enthusiasm for change to meet the needs of Scotland in the future.

Bailie Neil I C Powrie JP - Convenor



Bailie Neil I C Powrie JP

THE ASSOCIATION OF VISITING COMMITTEES

was formed in 1988 to promote the effective operation of Visiting Committees which are statutory bodies of volunteers appointed to monitor conditions in prisons. Visiting Committee members are expected to understand the requirements of prison management and the difficulties of prisoners, and to exercise their judgements without fear or partiality as completely independent arbiters of the prison system.

The key objectives of the Association are:-

- To provide a forum for committees to discuss and exchange information
- To recommend standard practices by which committees should operate
- To discuss penal affairs and make recommendations to relevant parties
- To run training programmes for members
- To produce training literature for members
- To clarify prison rules for members
- To set standards for members' attendances and visits to establishments
- To publicise the role of Visiting Committees for the benefit of the public

MEMBERSHIP - All Visiting Committees (including legalised police cells) are entitled to membership of the Association. Appendix I on page 8 shows a breakdown of the number of members in each committee. Full meetings of Association members are held quarterly throughout the year, with meetings held in June, September and December of 2005 and March 2006.

MANAGEMENT - Management of Association affairs is devolved to an Executive Committee, including development and delivery of training programmes and the Association's annual conference. During the year under review, the Executive Committee met on seven occasions in Edinburgh. Members comprised:-

Cllr William Clarke	Convenor, Glenochil VC (appointed September 2005)
The Lady Cullen	Convenor, Polmont YO1 (retired September 2005)
Mrs Moira Graham	Convenor, Cornton Vale VC (over 21s) & Association Vice-Convenor
Mr Charles Heberton MBE	Convenor, Shotts VC
Cllr Gordon Leslie	Convenor, Aberdeen VC
Mr Bruce Logan	Convenor, Edinburgh VC
Bailie Neil Powrie JP	Convenor, Noranside & Association Convenor
Mr Jim Scott	Convenor, Cornton Vale (under 21s)
Cllr Ron Scrimgeour	Noranside VC member
Mr Bob Shewan	Perth VC member (retired as Association Convenor September 2005)

REVIEW OF VISITING COMMITTEES

In light of the proposals in the Criminal Justice Plan to improve the integration of offender management services, including the establishment of Community Justice Authorities, a Review Group was formed in May 2005, to:-

- Consider whether the role and functions of prison visiting committees and visiting committees for legalised police cells should be altered or extended: and
- Consider whether the current arrangements for the establishment, composition, appointment of members, funding and performance monitoring of prison visiting committees and visiting committees for legalised police cells should be altered.
- Make an interim report to the Minister of Justice on the need for any changes to primary legislation by end June 2005.
- Make a final report to the Minister of Justice by end November 2005.

Membership of the Review Group comprised:-

- Ms Lucy Hunter**, Head of Reducing Re-offending Division, Scottish Executive (Chair)
- The Lady Cullen**, Association of Visiting Committees
- Mrs Moira Graham**, Association of Visiting Committees
- Mr Bob Shewan**, Association of Visiting Committees (Convener)
- Baillie Neil Powrie JP**, Association of Visiting Committees (Vice Convener)
- Mr Philip English**, Convention of Scottish Local Authorities
- Ms Angela Morgan**, Families Outside
- Ms Rona Sweeney**, Scottish Prison Service

The group was supported by staff from the Scottish Executive Reducing Re-offending Division including Derek Gunn, Shirley McCoard, Lorna Innes and Michael Davidson.

Ron Scrimgeour (Association of Visiting Committees) and Dan Gunn (Scottish Prison Service) deputised on occasion. Stephen Coulter, Deputy Governor, HMP Perth and Vaughan Barrett, Scottish Prisons Complaints Commissioner contributed to discussions on 29 July and 9 September respectively.

Members of all visiting committees and legalised police cells were regularly appraised of the Review Group's progress and held two special general meetings (on 26 August 2005 and 20 January 2006). At its meeting on 20 January 2006, Association members considered the thirty-seven recommendations of the Review Group and prepared a formal response to the Justice Minister.

At the time of writing Association members await a suitable response from the Minister whose support for maintaining and strengthening the role and function of Visiting Committees has been warmly appreciated.



HMP Noranside



HMP Edinburgh - Visitor Centre

TRAINING & DEVELOPMENT

As part of on-going training, Visiting Committee members are encouraged to participate in visits to establishments across Scotland and the UK. In the period 2005-2006 the Association organised visits as follows:

Date	Establishment	No of VC participants
4 May 05	HMP Castle Huntly	27
14 June 05	HMP Eastwood Park, Gloucester, England	6
14 June 05	HMP Leyhill, Gloucester, England	15
15 June 05	HMP Parc, Bridgend, South Wales	20
4 October 05	HMP Greenock	15
9 November 06	HMP Aberdeen	21

Throughout the year and particularly at the Annual Conference in Tulliallan, members had been asking about new member training. A training day scheduled for September had been cancelled but reinforced the need for a co-ordinated approach to meeting the needs of VC members. A working group of AVC Executive members, led by Ron Scrimgeour, met several times to produce a range of topics and outline material that could be delivered in-house.

With the assistance of additional secretarial support, funded from the AVC budget, training materials were prepared and provided the basis for two training sessions.

New Member Training – March 2006

The March training day took place in Glasgow and was attended by 36 VC members covering 12 establishments. The topics delivered by Executive Committee members included:-

- History of Visiting Committees
- Role and Purpose of visits
- How to go conduct a rota visit
- Dealing with issues arising from visits
- Recording visits.

All those who attended were positive and enthusiastic about the training provided and made a number of valuable suggestions for future training days.



VC members concentrate during training session

CONFERENCE AND DISCUSSION

Conferences provide valuable learning experiences, both in the formal presentations and in the opportunities for informal discussion.

The 2005 AVC Annual Conference, held at the Scottish Police College, Tulliallan, provided a forum for members to consider, in detail, the implications of the ongoing Review of Visiting Committees. The keynote presentation from Lucy Hunter, Head of Reducing Re-offending Division, covered the work undertaken by the Review Group and highlighted some of the recommendations the Group proposed to take forward to the Justice Minister. VC workshops provided additional input for further consideration by the Review Group, whilst presentations from Brian Pirie, Scottish Administrator of the Independent Custody Visitors Association and Norman McLean, Head of Secretariat, IMB England & Wales, offered valuable insight into working practices of organizations with similar roles to Visiting Committees. A total of 67 delegates, representing most Visiting Committees and Legalised Police Cells, attended the event and the positive feedback from evaluation responses confirmed the AVC Executive Committee's decision to break from normal tradition and devote the annual conference to discussion of internal matters, namely the ongoing Review.

In addition, throughout the year, several members of the Association have welcomed the opportunity to attend conferences, including:-

- IMB (Independent Monitoring Board Northern Ireland) Annual Conference – Belfast, 22 & 23 April 2005
- Independent Monitoring Boards for England & Wales (IMB) Annual Conference - Keele, 8-10 September 2005
- SPS Annual Conference - Beardmore Hotel, Clydebank, September 2005.
- ICPA Conference and AGM - Edinburgh, 30 October - 4 November 2005

The International Corrections and Prisons Association held its 7th AGM & Conference in Edinburgh and was attended by the AVC Convener and Vice-Convener.

ICPA is an organization for the advancement of professional corrections and enjoys international membership. It provides a forum for criminal justice professionals to join in dialogue and to share ideas and practices aimed at advancing professional corrections.

The Conference was hosted by Scottish Prison Service Chief Executive, Tony Cameron, ICPA President.

Over 200 delegates from over 50 countries attended the Conference which involved discussion groups, plenary sessions and an awards ceremony.

Conference sessions included speakers from England, USA, South Africa, Hong Kong, Finland, Scotland, Singapore, Canada, Jamaica, New Zealand, Australia and Belgium.

Presentations covered:-

- Health and mental health
- Effective interventions
- Managing increasing numbers
- Managing high risk offenders
- Treatment and rehabilitation programmes

Directed discussion groups debated the following:-

- Prison services
- Correctional training and development
- Private section
- Developing countries
- Research and community corrections



HMP Castle Huntly



HMP Kilmarnock

The conference brought together the widest possible range of countries, criminal justice and prison systems. It was apparent that most countries do not have an independent Visiting Committee system similar to our own and it is hoped that this organization will place high on its agenda the introduction of an independent monitoring system throughout its member countries.

POINTS OF CONCERN

Quarterly Association meetings provide members with an opportunity to discuss areas of mutual concern. Points of particular concern, raised by members from many visiting committees during the period under review, included:-

Food

Concern continues to be expressed regarding the poor quality, quantity and variety of food served to prisoners. The daily spend per prisoner remains at the 1997 figure of £1.57. It may be that the 5% budget cuts being sought from Governors are a contributing factor. The Association has energetically pursued this issue with SPS which has recognized that food matters require greater attention. A Good Food Group has now been established under the chairmanship of Dr Andrew Fraser, to look carefully at all aspects of food in prisons, including the desirability of providing a healthier diet.

Escorts/Reliance Contract

Clarification is still required to determine who has responsibility for monitoring the transport of prisoners and detainees. Police cell visitors (ICVA) only have jurisdiction over the areas under the control and supervision of the police authority and VC members have a duty extending to prison establishments and legalized police cells. Given that the Reliance contract is with the SPS it would seem logical that it was VC members who had the responsibility for monitoring the transport and welfare of prisoners while under the care of Reliance. Issues that need addressed are:

- Length of time in transit
- Driving standards and related health and safety issues
- Drugs and medication while under Reliance care
- Escorts of male prisoners by female Reliance staff to attend medical appointments and who remain present during consultations.
- Delays with prisoner escorts, resulting in late arrival for family funerals and medical appointments and failure to actually arrive for escort.
- Food and water needs while in Reliance care
- Returning to prisons outwith normal working hours
- Property and possession of prisoners

Mental Health Issues

From time to time it is obvious that prisoners can be given a custodial sentence when they clearly need psychiatric or psychological treatment. It is also a concern that the drug regime that some prisoners, particularly women have been prescribed by their GP, is stopped on arrival at prison. Either an alternative prescription is given or none at all. This issue and the whole area of mental health and wellbeing requires attention and investigation.

Deaths in Custody

Members noted that in the report of a Fatal Accident Inquiry during 2005, although no fault had been found, criticism of medical treatment had been expressed. In this particular incident the medical records of the prisoner had not been kept up to date. Visiting Committees recognize the importance of accurate record keeping in health centres and will continue to monitor this practice.

Member Disputes

The AVC has become increasingly aware of the need to have a procedure or guidelines for dealing with disputes which may arise when Visiting Committee members are going about their front line statutory duties. Independent monitoring carries a significant responsibility with it and we need to ensure that when a dispute arises there are procedures for dealing with any allegations and/or complaints about conduct and poor performance. Generally VCs have little difficulty in discharging their duties on the basis of co-operation between members, and between the VC and the prison with which they work, even though that relationship must respect their different roles and responsibilities.

The main difficulty is that Scottish Prison Service staff are employees and Visiting Committee members are volunteers. A procedure for discipline and grievance which may apply to employees may not be appropriate for volunteers. It may be that a complaint against or dispute with a volunteer should be referred to the Association for investigation while a complaint from a VC member against a member of staff should be referred to the SPS for investigation. We require the detail of such a procedure to be drafted to assist in any future situations.

LINKS WITH OTHER ORGANISATIONS

HMCIP

The Association maintains a good working relationship with the Chief Inspector of Prisons, Dr Andrew McLellan, who meets with Visiting Committees during his inspection of establishments. Visiting Committees are encouraged to monitor the implementation of HMCIP recommendations within their establishments. The Association is keen to forge closer links with HM Inspectorate and would welcome an annual meeting where many important topics affecting the whole of the prison estate could be discussed.

Regular contact between the two statutory bodies charged with the task of monitoring conditions within which prisons are detained should not only be encouraged but should be regarded as a welcome initiative.

Independent Monitoring Boards for Northern Ireland and England & Wales

As part of an initiative to forge closer links with sister organizations in Northern Ireland and England & Wales, inaugural Tripartite Talks were held in Belfast on 22 and 23 August 2005. The main objectives of the talks were to discuss individual organizational structures, identify similarities as well as differences in working practices and discuss issues of mutual concern. Representatives from the National Councils of the IMB (Independent Monitoring Board) in Northern Ireland and England & Wales, together with office bearers from the Association and members of secretariat participated in the discussions. Discussion centered around recruitment and retention of VC/IMB members; performance monitoring; members' safety; training and funding. In addition, wider discussions were held on the subjects of prison population and overcrowding; reducing re-offending and issues specific to women in prison. Members of secretariat outlined the structure and support mechanisms offered to their respective organizations.

Such talks proved a most valuable source of information exchange and cross border co-operation and it was the general consensus that these should be nurtured and held on an annual basis.



Convener Bruce Logan chairs Edinburgh VC

PUBLICISING THE ROLE OF VISITING COMMITTEES

The Association is committed to raising awareness of the work of Visiting Committees within the community and development of a website is currently underway with its launch expected in early 2007.

It is the hope of the Association that the website will prove to be a valuable reference point for both visiting committee members and the general public by providing appropriate training materials and resources and a clear understanding of the role of Visiting Committees within the criminal justice system.



VISITING COMMITTEE AND ASSOCIATED BUDGETS

Committees

Individual Visiting Committees continue to be financed from Governor's prison budgets, the generosity of which seems dependent on the individual Governor.

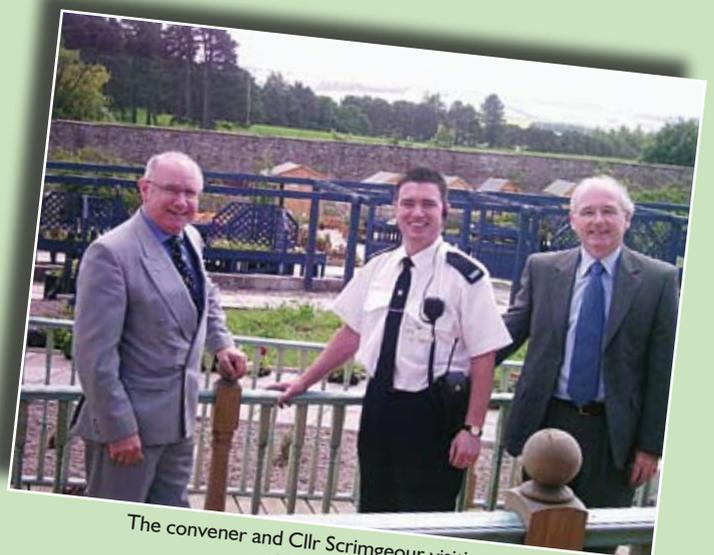
During the past year representatives of committees have consistently highlighted difficulties they have experienced with budgetary pressures. Many VC budgets are £3,000 or less per annum which requires to pay for secretarial services, travel and loss of earnings for VC members. Budgets have been subject to the SPS 5% cut which has compromised the ability to undertake rota visits and attendance at Association meetings as well as other functions of the role.

However, it must be said that this situation does not exist across the board. Some Visiting Committees have no such financial strictures. The Association has written to SPS seeking a level playing field and adequate budgets which do not compromise the ability of a committee to undertake its statutory duties.

The response from SPS stated that it would not be possible for SPS Director of Prisons to cut across the autonomy that Governors have and dictate that they should favour Visiting Committees. Once the budget is granted to an establishment, then the Governor

has autonomy within the financial guidelines to allocate money according to needs.

The advice is that members should approach the Governor for additional funding.



The convener and Cllr Scrimgeour visiting the garden centre at HMP Noranside with Officer Graeme Ross



HMP Shotts - exhibition of prisoner's art

The Association

Whilst committees are financed by their prison, the Association is financed by SPS HQ in Calton House, Edinburgh. The functions carried out by the Association are wide and varied and the responsibilities and workload increase each year.

This year's £28,000 budget is £8,000 short of our requirements and if granted in full still represents immense value for money, the equivalent of £115 per year for each of our 242 Visiting Committee and legalized police cell visitors.

Whilst our Association continues to foster a professional working relationship with the SPS it is untenable and absurd that the public agency which Visiting Committees must, under statute, monitor, sets our budget.

Visiting Committees are an independent body, not part of SPS and should not be subject to SPS budget constraints which compromise our independence and ability to undertake our duties. We must work with the present system and make our case to SPS which has hitherto given a sympathetic ear. However, this method of financial support must be ended for the good of both SPS and the AVC and its member committees.

It is essential that individual committees be financed by the new Community Justice Authorities and the Association by the Scottish Executive.

Appendix I

Visiting Committee	Members
Aberdeen	8
Barlinnie	25
Castle Huntly	8
Cornton Vale Over 21	15
Cornton Vale Under 21	6
Dumfries	11
Edinburgh	17
Glenochil	14
Greenock	8
Inverness	10
Kilmarnock	15
Low Moss	10
Noranside	8
Perth	19
Peterhead	8
Polmont YO1	16
Shotts	17
Total	215
Legalised Police Cells	Members
Campbeltown	3
Dunoon	3
Hawick	3
Lerwick	3
Lochmaddy	3
Oban	3
Orkney	3
Thurso	3
Stornoway	3
Total	27
Grand Total	242