

**ABERDEEN PRISON VISITING COMMITTEE -
ANNUAL REPORT FOR YEAR ENDING 31 MARCH 2012**

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Section 1: Statutory Role of the Visiting Committee

The statutory responsibilities of Visiting Committees (VCs) and of their members are set out in Part 17 of The Prisons and Young Offenders Institutions (Scotland) Rules 2011 made under Section 8(2) of the Prisons (Scotland) Act 1989 (c.45). That states:

"Rules made under section 39 of this Act shall prescribe the functions of visiting committees, and shall among other things require the members to pay frequent visits to the prison and hear any complaints which may be made by the prisoners and report to [Scottish Ministers] any matter which they consider it expedient to report; any member of a visiting committee may at any time enter the prison and shall have free access to every part thereof and to every prisoner".

A Visiting Committee is specifically charged to: -

General duties of Visiting Committees and Members of Committees

A visiting committee must:-

(149) (1) co-operate with the Scottish Ministers and the Governor of the relevant prison in promoting the efficiency of the prison, and inquire into and report upon any matter at the request of the Scottish Ministers;

- (2)
 - (a) immediately bring to the notice of the Governor any circumstances relating to the administration of the prison or the condition of any prisoner which appear to it to be expedient to report for the Governor's consideration; and
 - (b) bring such circumstances to the notice of the Scottish Ministers if it appears to the committee that the Governor has not remedied any matter which the Committee has notified to the Governor in terms of sub-paragraph (a) within such period as appears to the committee to be reasonable
- (3) from time to time inquire into the state of the prison remises and must:-
 - (a) inspect, in particular, the food and drink provided to prisoners; and
 - (b) in relation to any such inquiry
 - (i) record particulars of every visit made, together with any deficiencies found during such visits, in the committee's minute book; and
 - (ii) promptly send a copy of such particulars to the Scottish Ministers and to the Governor
- (4) discharge such other duties as the Scottish Ministers may from time to time assign to it
- (5) not disclose any information mentioned in paragraph (6) which the person holds or has held as a member
- (6) The information referred to in paragraph (5) is any information obtained:-
 - (a) by any member of a visiting committee which relates to the prison, any officer of the prison or any prisoner; and
 - (b) on terms or in circumstances requiring it to be held in confidence.
- (7) Paragraph (5) does not apply to any disclosure of information mentioned in paragraph (6) made to any person, or for any purpose, permitted by the provisions of this Part

Investigation of complaints

- (150)(1) The visiting committee or any member of the committee must hear and investigate any complaint which a prisoner makes to the committee or to the member
- (2) Where a member of the visiting committee wishes to see any prisoner in connection with a complaint, the Governor must make arrangements for the member to do so, whether in the prisoner's cell or room or in some other part of the prison, but in any case outwith the sight and hearing of an officer unless either party requests otherwise.
- (3) The visiting committee must
- (a) record particulars of its findings in relation to its investigation of a prisoner's complaint in its minute book;
 - (b) promptly send a copy of such findings to the Scottish Ministers and to the Governor of the relevant prison; and
 - (c) inform the prisoner concerned of its findings.

Visits to Prisons by Members of Visiting Committees

- (151)(1) At least two members of the visiting committee for a prison must visit the prison at least fortnightly;
- (2) In complying with paragraph (1), visiting committees must ensure that, in every fortnight, at least:-
- (a) one member visits the prison weekly, or
 - (b) two members visit the prison together in that fortnight;
 - (3) For the purposes of this rule, the visiting committee must arrange a rota of visits to the prison.

Inspection of Prison Records

- (152)(1) The visiting committee for a prison, or any member of the visiting committee, may
- inspect prison records other than:-
- (a) personnel records;
 - (b) prisoners' records; and
 - (c) security manuals or other papers which have implications for security;
- (2) The visiting committee must record particulars of any inspection of prison records in its minute book.

Annual Report

- (153)(1) The visiting committee for a prison must make an annual report for the period of twelve months ending on 31st March each year to the Scottish Ministers concerning the state of the prison and its administration and may include in the report any advice and suggestions it considers appropriate;
- (2) The visiting committee's annual report must be delivered to the Scottish Ministers as soon as possible after 31 March in each year.

Section 2: Description of the Prison

The Governor in charge of HMP Aberdeen is Audrey Mooney.

Aberdeen is the local prison for the north-east of Scotland and the Northern Isles. The prison accommodates all remand prisoners and male adults serving sentences of up to 4 years. Other prisoners out with these classifications received from court are housed and prepared for onward movement to appropriate establishments, although some prisoners are held out of classification where this meets the operational needs of the SPS. There is also a small Female Community Integration Unit that houses suitably risk assessed female prisoners from the local area to aid them linking back into the community for release.

HMP Aberdeen has a design capacity of 155.

2.1 Prison Population

Accommodation	Capacity	As at 31 March 2012
A Hall	99 cells	99 cells
B Hall	30 cells	30 cells
Community Integration Unit	6 cells	6 cells

2.2 Residential Accommodation

There are four accommodation areas: 'A' hall, 'B' hall, a Segregation Unit, and a female community integration unit. 'A' hall has three floors which have 99 cells and four dormitories. The hall contains adult convicted, adult remand, under 21 convicted and under 21 remand prisoners.

'B' hall has three floors which have 29 cells each, two anti-ligature rooms, a three bed dormitory and two four bed dormitories. It contains admissions on the ground floor and both convicted and prisoners on recall on floors two and three.

The Community Integration Unit, reopened in June 2010 and can hold 8 female prisoners. The Unit focuses on eligible low-supervision inmates approaching the end of their sentences. To qualify, the women must have lived locally to the prison, have a maximum of one year remaining to serve and be suitable for unsupervised community access.

Section 3: Areas of the Prison Regime to be reported on

3.1 Health Care and Mental Health

The VC noted that staffing within the Health Care team remained stable, and for the majority of the period at a full compliment, with one Clinical Manager In-Charge, eight nursing staff and admin support.

Following a lengthy transition period, the VC welcomed the full transition of all aspects of healthcare for prisoners within the establishment to the NHS. The Health Care team continues to review those who are on supervised medication, and random spot checks of medication issue will continue to safe guard against misuse.

Community Integration Unit prisoners are linked up with local GP's at Torry Neighbourhood Surgery, who also conduct surgery at prison Monday-Friday 9am-12 Saturday 9am- 12 and cover/advice is available when not in surgery as per rota.

Optical services are provided by McPherson's optician on a quarterly basis as per prisoners' requirements. Whilst, dental provision has recently been changed in line with the NHS transition, this is now available on a weekly basis (full day) by a local dentist attending the prison.

Prison admissions are seen within 24 hours of coming into custody. Average waiting times for a doctor is a day. Dental emergency appointments are dealt with immediately. Routine dental appointments are seen within a week.

Prisoners go to hospital for medical emergencies, all are triaged by the healthcare team who make the assessment on what the issues are before attending hospital. We will also request an ambulance should the emergency be critical and our own escort might delay in the individual receiving treatment

3.1.1 Support/Advice Services

Alcohol Support are available weekly for 16-25year olds to access advice and support. Similarly, Substance Misuse Service attend weekly to review clients and attend addiction meeting monthly NHS partners in Sexual Health/Diabetes/Learning Disability and Hepatology run prison clinics alongside nursing staff. In addition, smoking cessation assessment/support is provided by onsite Phoenix Futures, who support Addiction Nurse Tam Preston. Other clinics are planned but as yet to be developed. The Committee has had a keen interest over the year in the support and advice services delivered both internally by the prison and also by external organisations. The Committee supports the role of external partners in supporting prisons both during their time in prison, but also on preparing for release. VC members will continue to promote partnership working for the benefit of prisoners and look forward to further progress in this area.

3.1.2 ACT 2 CARE

Over the reporting period there have been 100 prisoners placed on ACT. This is a combination of High and Low Risk. 28 High Risk and 72 Low Risk.

3.1.3 Medication

Throughout the year, VC members raised concerns regarding prescription of methadone to prisoners and sought regular updates from the Governor in this regard. The VC are now content with the system in place and note that The health care team continue to monitor and review those on prescribed medication to safeguard misuse/assess effects and any adverse reactions.

3.1.4 Mental Health

Over the year, the Mental Health Team has been reformed. Mental health support is provided by a psychiatrist and also a psychologist. The psychiatrist attends the prison on a weekly basis to review the mental health case load. In addition, the prison has two mental health nurses. The Prison holds a Multi Disciplinary Mental Health Team Meeting monthly.

No waiting time. Referrals are triaged immediately on receipt by the mental health team and sign posted to the appropriate service.

3.1.5 Listener Scheme

The VC welcomed the training of six prisoners to become listeners using the local Samaritans group, and looked forward to continuing working relations with the Samaritans in this regard. Representatives of the Samaritans locally attended a meeting of the Committee to discuss the listener scheme and the role the Samaritans could play. The discussions were fruitful and dialogue between the VC and the Samaritans continues.

3.2 Food

The VC make regular visits to the kitchen. The catering department of HMP Aberdeen gained recognition earlier this year by successfully achieving the "Healthy Living Award". This is part of Scottish Government objective to improve health outcomes for the whole population by providing healthy menu options in establishments that provide catering facilities to the general public. The achievement of the award was a acknowledgement of the sustained efforts of the team to provide nutritious choices and promote healthy lifestyle choices. Against a backdrop of high prisoner numbers and produce price increases, it is to the credit of the team that they have achieved this within existing budget allocation. The Committee commended the prison on this achievement, and looked forward to this approach continuing.

In addition to the above, the catering team continues to give the wider population a voice by facilitating "Food Focus Groups" quarterly. The suggestions of the population are considered and incorporated into catering provision when possible and appropriate. The VC commended this engagement with all prisoners and look forward to receiving reports on the outcome of the Focus Groups.

3.3 Equality and Diversity

The prison has a local equality and diversity team in place within the prison. We also have an equality and diversity manager who provides a link to assisting managers with any issues relating to Equality and Diversity

3.4 Education, Training and Work

Over the period the prison has been preparing for and now seen the conclusion of the transition of the provision of education services from Motherwell College to Carnegie College.

This matter has been of high concern to the VC members who on their visits during the transition period heard worries of existing employees providing this service. The Committee discussed the transition at length, with this being a standing item for meetings over a period of many months. On discussing the transition the VC highlighted that their role was to ensure that the service provided was to the same or to a better quality that previously provided to prisoners, and ultimately to ensure that prisoners were not being negatively impacted by the new change to the provider. In this regard, the VC sought assurances from the SPS, the EIS and from the Governor. The Committee were reassured by the responses received and also by the regular updates, and they also ensured that the education centre was visited on all rotas during this time.

The Committee is now pleased that the new provider is now in place and welcomed assurances from the Governor that this service was working well and that the transition had been achieved with minimal disruption, and this had been to the credit of all learning centre staff.

The new contract offers exciting opportunities for partnership working which allows learning providers to engage out with the boundaries of the learning centre to work with the population in other areas of the prison with a view to taking learning to a wider population. For example we are currently working towards linking a learning Qualification to the Physical Education Department which will allow a popular area of the prison to achieve new potential and bring learning to a group which may not otherwise engage. In addition the Learning Centre staff are working with the Community Integration Unit to develop a qualification attached to cooking and life skills to the benefit of the female population.

Although the focus of the prison remains tackling those furthest from education in basic numerously and literacy, staff continue to be committed to offering a range of qualifications to support the needs of the population. In addition the prison provides access to employment by providing the population with the opportunity to achieve qualifications in Industrial Cleaning (BICS), CSCS cards which are required by workers entering the building trade and "Health and Hygiene" for the catering trade. Quarterly "Employability Days" have been providing tangible results with prisoners meeting both Employability professionals and potential employers.

3.5 Links Centre

The Links Centre continues to be a focus of interventions. Following the successful funding application for ADJUST the Committee and the prison have welcomed the appointment of an ADJUST Coordinator located from the prison. The ADJUST project is an initiative funded by the Robertson trust to coordinate through care services to support the transition from prison to community. To compliment this project, the prison have appointed a coordinator in the prison who works alongside ADJUST co-coordinator to adopt a more structured approach to short term sentence management. To date the first candidates for ADJUST have been identified and case conferences have taken place. The Committee receives regular updates on the progress made by ADJUST and welcome the positive outcome for prisoners.

The Link Centre has also welcomed several new initiatives including “The Law Society” who offer support and advice regarding employment disclosure and CV preparation, “The Sycamore Tree” run by the “Prison Fellowship” and “Toe by Toe” peer support for literacy. A second successful funding has supported the development of “Roots and Shoots” which is a new initiative based on horticulture. In partnership with Aberdeen Forward and Robert Gordon’s University, prisoners will have the opportunity to learn about gardening and environmental issues while within the prison. Six participants have been selected for the “Roots and Shoots” initiative. Work has commenced on the new work party “Recycling” which should be ready to receive prisoners late February/Early March. Learning will be supported by Carnegie College who will work with the prisoners with such issues as food preparation, budgeting and life skills. In addition, prior to liberation, prisoners have the opportunity to apply for work with Aberdeen Forward who will offer up to six months paid employment for six offenders with a view to supporting them into employment elsewhere. The Committee commends the partnership initiatives and the benefits these achieve for prisoners and welcome further progression in this area.

3.6 Residential Accommodation

The prison numbers have averaged at 243 for the year, over the contracted number of places of 220. During the period numbers peaked at 261.

Throughout, the population remains diverse with Adults, Young Offenders, Untried, single and double protections all being managed through a well coordinated and varied regime where high numbers can test the staff and prisoners alike. The working relationship between prisoners and staff is key to the smooth running of the establishment, and the VC commended the staff for their excellent relationships staff foster with those in their care from the vulnerable to those who present difficult situations for us to manage.

The Committee noted their concern that the staffing complement within the prison remained short throughout the period, and praised staff for their hard work and commitment. Members also welcomed the announcement that 2 of the officers had been promoted to manager positions through National Promotion Boards and have taken up duty in the residential function. Members concurred that this was a testimony to the experience staff gain whilst working in such a complex and busy establishment. Despite the staff shortages and high numbers the residential function remains very stable with excellent relationships between staff and prisoners, especially over the festive period which can be testing but this year ran very smooth with good spirits all round.

The prison continues to review the staffing position and regime within the prison and take steps to fulfill the impact of the staffing shortages, and to ensure that they can better meet the needs of the population and the prison as a whole.

As a result of the large amount of new promotions from C to D Band Residential, coupled with the very junior workforce in place, the prison has been working in tandem with Peterhead prison to temporary transfer some established officers to Aberdeen to provide stability to the regime and support the established Aberdeen staff in mentoring new promotions.

3.7 Community Integration Unit

The CIU can accommodate eight female prisoners and works with female offenders supporting transition from prison to community. The unit continues to deliver ongoing support to all of the women located in the unit and continues to maintain excellent community partnership links.

The Committee noted that accommodation of the unit has not been at capacity throughout the year, and highlighted their concern at this situation at a time when other prison establishments are over their designed capacity. In this regard the Committee have written to the Cabinet Minister to commend the opportunity for greater communication between establishments and transfer of female prisoners within the prison estate in order to alleviate pressures and utilise existing capacity within HMP Aberdeen. The prison acknowledges that it has struggled for some time to get clients to work with, and therefore have amended the criteria for the Unit slightly to include ladies who have been granted HDC prior to their actual release date. This allows the ladies to begin the process of Community Integration and building family contact before being released into the community.

HMP Aberdeen CIU staff continues to have a proactive approach and spends time at both HMP Edinburgh and HMP Cornton Vale to identify potential clients and promote the value of the CIU.

The unit was visited on Friday 20 January 2012 by the Commission for Female Offending. Although still awaiting the formal outcome of the visit, the VC commended the Governor and all prison staff associated with the unit for the delivery of ongoing support to the women located there as well as the excellent community partnership links which have been developed and further progressed.

3.8 Prison Estate and Administration

Throughout the year, the estates department have been working on a number of projects to support business improvement. Work is being undertaken in the activities two area to develop a recycling centre for the prison which in turn will provide new work places for prisoners. Work is also ongoing to fit window grilles to all cell windows in an attempt to reduce prisoner's ability to recover items that have been thrown over the prison perimeter wall. However, essential work is still to be carried out on the estate to ensure that it remains fit for purpose.

Section 4: Other Areas Reported on

4.1 Visits

Feedback from both visitors and staff continues to be positive. In an effort to maximize the use of the facility the prison are exploring the possibility of lowering the afternoon sessions from four to three, but increasing their length. It is expected this will improve uptake and increase family contact. We continue to prioritise the children's and families' agenda. Vending machines have been installed in the visit waiting area providing hot and cold drinks and snacks. Feedback from visitors is very positive. Training and development of family contact officers continues. The prison are in dialogue with the "Torry Trust" in an attempt to utilize their facilities and tea room on Walker Road as a visitor centre which can be used pre and post visit, and discussions in this regard have so far been positive. In addition, consideration is being given to "family breakfast sessions". This is in the initial stages with areas such as staffing, prisoner criteria and numbers being discussed.

4.2 Security

A number of steps regarding improved security have been taken by the prison over the year. Due to the location of Aberdeen prison we still have an issue with illegal items being thrown over the wall into the prison. In an effort to combat the ongoing problem of security breaches due to illicit items being thrown over the perimeter wall, window grilles have been installed in all residential cellular accommodation. Installation commenced in early December 2011 and was complete by mid February. Since the installation of the window grilles, the number of packages being introduced over the perimeter wall has reduced dramatically. November saw finds of 12 mobile phones this fell to 5 in December, and have been no finds in January. This result can clearly be attributed to the window grilles which prevent prisoners easily accessing packages introduced from Walker Road. Throughout December further evidence of the effectiveness of the grilles can be seen from an alteration to the introduction locations with the majority being introduced in the area of the exercise yard and B Hall. In cutting off the major supply route of packages into the prison, we expect to see a shift towards other introduction methods such as admission prisoners and prisoner visits. At present there is no indication that these routes are being taken advantage of. Staff will be briefed on looking out for new found ways that prisoners may exploit for introducing illicit items into the prison.

In addition to the above, the prison has held discussions with local residents, Grampian Police, and Torry Community Council with a view to introducing a 'Prison Watch' initiative to again assist with reducing the number of illegal items entering the prison. 'Prison Watch' is a very successful scheme which is operational at HMP Edinburgh. The prison has used their expertise and knowledge to mirror the scheme at Aberdeen. It encourages local residents participating in being 'our eyes and ears' in the local community. The prison provide a one stop contact number to the prison which people can use to phone in any concerns or issues they witness within the local area. The prison in turn will contact Grampian Police direct, who will dispatch any available resources accordingly. This scheme will become operational mid April.

The Committee commended the prison on the new measures being taken and welcomed the outcomes achieved from this.

4.3 Front of House

The prison plans to improve the entrance and access to the main prison, and as part of this they also plan to upgrade the Front of House. A business case has been submitted which will allow the prison to improve security and reception procedures for all visitors to the prison. At present there has been no decision made regarding the physical upgrade. However a number of national polices have now been introduced improving the security process for visitors to the establishment.

4.4 Tactical Dog Unit

The prison has increased the number of times that it deploys the SPS Tactical Dog Unit within Aberdeen. This is a proactive approach as we try and target visitors smuggling in illegal items into the prison. A number of visitors have been refused entry into the prison for refusing to be screened by the Drug Detection Dogs. A long term plan has been agreed with HMP Aberdeen which will see 2 dog handlers and a number of Tactical Dogs based at the prison. This Committee welcomed this addition to the prison's resources and looked forward to future updates regarding the impact of the tactical dog unit.

4.5 Escort Contract

On the 10 January 2012, G4S acquired responsibility for the prisoner escort contract taking over from Reliance. Initial indications are positive with only minor issues on a local level. The standard of vehicles has greatly improved from the previous providers.

Section 5: The Work of the Visiting Committee

5.1 VC Membership, Rotas

Throughout the year, the VC has been under strength. Three members resigned during the year, and three new members joined the Committee. Even so we recorded 25 number of visits to the prison, thanks to a few members who have exceeded the number of required visits. We had to initiate a recruitment campaign, and are delighted to welcome our three new members all of whom bring a great deal of knowledge, enthusiasm and required skills to the position.

As a result of the resignations, the Committee saw the appointment of a new Chair (Councillor Kiddie), and Vice-Chair (Councillor Dick), both have been longstanding members of the Committee and provide great support to all members. In addition, to holding the position of Vice-Chair, Councillor Dick is also the Committee's training co-ordinator. The Committee express thanks to Councillor Dick for her work in this role and in particular for the training rota established for members and the updates provided at each meeting.

The VC also lost the services of the longstanding VC clerk, David Wemyss, when he retired from Aberdeen City Council.

5.2 New Rotas

During the year the VC to ensure the new members were all supported, changed its rota to match an experienced member with each of the three new members. This has worked well and provided new members with advice and most importantly a sounding board for any queries they might have had regarding the position.

Regardless of issues such as the future of the prison, the fulfillment of its rota visits was at the heart of its moral and legal purpose, and these visits had been conducted timeously and properly throughout the reporting period.

5.3 Training

The Committee continue to undertake all necessary training and have throughout the report period undertaken refresher training on the following areas:-

- Breakaway training
- Hostage awareness briefing
- Fire awareness training
- Key training
- Introduction to ACT
- Psychological manipulation

In addition, training remains a standing item for each meeting of the VC, and Councillor Dick as training co-ordinator provides an update on training requirements.

All three new members have undertaken their induction training and continue to be trained as required by the prison.

5.4 Visiting Committee Statistics

Visiting Committee Statistics	2011/2012
Recommended complement of VC members (per Rule 155)	8
Number of VC members at start of reporting period	8
Number of VC members at end of reporting period	8
Number of new VC members joining within the reporting period	3
Number of VC members leaving within the reported period	3
Total number of VC committee meetings during reporting period	6
Average number of attendances at Board meetings during reporting period	6
Total number of visits to the prison	25
Councillor Allan – member as of 14 December	2
Councillor Carr	6
Steve Delaney – resigned 10 November	4
Councillor Dick	6
Rosalyn Downes	7
Fraser Forsyth – member as of 14 December	1
Councillor Kiddie	7
Eileen Lawson – member as of 14 December	2
Councillor Leslie – resigned 8 May	0
Duncan Stewart	6
Robyn Warrender	0

Applications/Complaints Statistics

There are a range of complaints raised by the Committee about, most notably over the period these complaints have focussed on disability conditions of cells drug tests access to open conditions visits (closed) transfers, medical treatment, overcrowding, food, canteen, access to programmes, education post transfer of contract to Carnegie College, and loss of personal property.

5.5 Scottish Government Consultation on Independent Monitoring of Prisons

In January 2011, the Scottish Government announced a 5 week consultation period on the Independent Monitoring of Prisons. The VC responded swiftly and members made considerable efforts to make a robust response, within the tight timescale. We submitted a robust response, with a range of examples of the value of the VC. In December 2012, the Cabinet Secretary for Justice informed of his decision to disband Visiting Committees and that these be replaced by a dedicated independent prisoner advocacy service which will be delivered by a consortium of third sector organisations across the whole prison estate.

The Committee was shocked and very concerned at this decision, and highlighted that it was not justified by the outcome of the consultation in which 98% of respondents, including prisoners, were in favour of retaining VCs. Members raised numerous concerns regarding various issues in relation to the future independent monitoring of prisons. The Committee agreed that advocacy within prisons was a positive step forward, however emphasised that this was separate, and different to, the independent monitoring role carried out by Visiting Committees. Instead they felt that advocacy should be complementary to the statutory functions and duties of VCs. Members also highlighted that the role for advocacy set out in the Cabinet Minister's letter was not what they defined advocacy as and hoped that this would be clarified with the Minister. In addition, members also expressed their concern that given the contract arrangements the new advocacy service would not be independent.

The Committee's main concerns have surrounded the following aspects:-

(a) Prisoner complaints

Prisoners presently have a statutory right to consult members of the VC. This is the only independent and external check on the otherwise wholly internal SPS processes provided for in the Prison Rules. If VCs are abolished this right will be removed and the prisoners' complaints process will not be subject to any external scrutiny: and prisoners who are dissatisfied with an internal SPS decision and disposal will have no further recourse except by way of appeal to the Scottish Public Services Ombudsman but only on a point of process, not substance or the merits.

(b) Monitoring

If VCs are abolished there will be no regular, external, independent monitoring of prisons and prisoners.

(c) Governor Accountability

Vcs hold regular formal meetings at the prison which the Governor attends and provides a comprehensive report to the VC on conditions in the prison. This includes reporting on prisoner numbers, violence, suicide risks, programmes to reduce reoffending, mental health and psychiatric provision and opportunities for work, education and training. VCs can and do question the Governor and seek further information as necessary. This accountability function would be lost if VCs are abolished.

In addition, the Committee with disappointment note that should the Minister proceed with the abolishment of VCs and the introduction of the new service, Scotland will be the only part of the UK and one of very few countries in Europe which does not have independent monitoring of prisons.

The Committee have been proactive since the Cabinet Secretary's announcement, and have continued to make the case for the retention of VCs. In this regard, the Committee have consulted local MSPs, have submitted motions to the appointing local authorities, and most importantly throughout this uncertain time have continued to fulfil the statutory duties placed on VCs. Members have also emphasised that they campaign for the retention of VCs for the interests of fairness, dignity and human rights for those whom the state detains and who are members of a completely closed society.

To date, the Committee have not been reassured by the responses received from the Cabinet Minister in relation to the future service.

5.6 Summary of Issues brought to the VC

Some issues raised concerns for VC members. Examples are several applications about health and dental care waiting times, overcrowding, transfer to other establishments, food handling, staff shortages and resulting operational difficulties. All issues were raised and discussed with the Governor.

The VC has visited the prison 25 times between 01-03-2011 and 12-03-2012. There is a range of complaints registered and these focussed on disability conditions of cells drug tests access to open conditions visits (closed) transfers, medical treatment overcrowding food canteen access to programmes education post transfer of contract to Carnegie College loss of personal property.

Members had raised a number of issues on behalf of prisoners, using the administrative arrangements in place in the establishment to pass on concerns from one rota visit to another, etc. Throughout the period members highlighted the positive comments from prisoners regarding prison staff and commended staff for their work with prisoners and the resulting reduction in prisoner complaints. In particular, prisoners had commented on the quality of the food provided.

An issue that remains a concern for the Committee is that of the lack of rehabilitation available to sex offenders across the prison estate. Members highlighted that HMP Aberdeen accommodated at times approximately 16 to 18 sex offenders prisoners and have discussed with the Depute Governor what treatment could be provided to prisoners located within the prison on a short term basis. The Depute Governor explained that this matter had been raised and discussed at the SPS quarterly review meeting in June, 2011. Once again, the Committee wrote to the Association of Visiting Committees (AVC) to suggest that this matter be discussed at the forthcoming annual AVC Conference, or at one of the AVC business meetings.

In addition, staffing shortages across the prison remained a concern for the Committee. The VC were equally concerned at the impact staffing shortages had on the prisoners, families, the operation of the prison and prison officers. Members noted that during some visits prison officers were stretched and in particular raised concern about the level of activity in the independent living unit were raised. With regards the independent living unit, members noted that due to long term staff illness, the member of staff employed within the unit had had to be relocated to provide cover in the kitchen. Members expressed their concern at the current position in the unit and emphasised the importance of rehabilitation and activities being available. However, they also commended staff for their flexibility and commitment to the prison and the good progress they had achieved. The VC also noted that staff the move to HMP Grampian would also have an impact on staff and were reassured by the Governor that staff were being updated on the relocation and transfer policies were being developed.

All-in-all, the reporting period ended with the members looking forward to continued support from both the Governor and her staff and coping not only with difficulties like overcrowding but also the uncertainty caused by the closure decision. Inevitably, given the nature of running a major penal establishment, there were unavoidable problems, but the Committee had been struck over the entire year by the reassuring tone of the Governor's regular reports.

5.7 HMP Grampian and VC Conference

In November 2011, the SPS announced its intention to award a contract to Skanska Construction UK Limited to design and construct HMP Grampian in Peterhead. As reported in previous annual reports, the VC has numerous concerns regarding the loss of a prison Aberdeen in particular the impact of this on remand prisoners, and as such campaigned vigorously for the retention of a community prison in Aberdeen.

In light of the Government's commitment to HMP Grampian in its spending review in 2011, and also the SPS's announcement to award the contract, the Committee have accepted that HMP Grampian will become a reality. The VC still feel that in years to come the loss of HMP Aberdeen will be regretted and criticised, but has taken the unanimous view that it cannot afford to expend its energies in that direction.

Instead, the important thing is to accept that the Scottish Government wants to make HMP Grampian a success, and believes that it can be a genuine community prison for the north-east of Scotland. We have to say that it can be a success too, whatever our former misgivings. One thing is for sure: it will be a much greater success with goodwill than without it, because goodwill can release the organisational efforts which are surely fundamental in a situation where logistical difficulties do obviously exist.

To this end, the Visiting Committee, held a one-day seminar at the Town House in Aberdeen on 23 March 2012 to reinforce work already underway to establish the contacts and protocols that can make "joined-up working" a set of real-world operational partnerships, and also to discuss the idea, and the practicalities of, establishing a standalone remand centre in Aberdeen.

The Committee was very fortunate in securing Baroness Linklater, Dr Nancy Loucks Chief Executive of Families Outside, and Mr Jim Farish, Governor Designate HMP Grampian, as key note speakers for the event. The event, which was by invitation only, attracted over 100 delegates representing many agencies who will play a vital part in ensuring the success of HMP Grampian for prisoners, their families, prison officers, and local community.

The event was equally rewarding for all, and the report from the seminar is attached at appendix A. The report has been sent to the Cabinet Secretary for Justice and the Chief Executive of the SPS for their consideration.

5.8 Association of Visiting Committees Visit to HMP Aberdeen

On Tuesday 11th Oct 2011, 16 members of the association visited Aberdeen Prison. Members were welcomed by the Depute Governor Stewart Campbell who provided a brief introduction to the local regime.

The visit started in the recently constructed Visitors Centre, the Depute Governor praised the efforts of HM Inspector of Prisons in achieving this after many years of campaigning by former VCs and Governors. In A Hall members saw the challenges faced by staff and prisoners alike given the mix of remand, young offenders, sex offenders, those on protection and long stay prisoners. The installation of CCTV cameras had helped reduce considerably the number of incidents. After A Hall members saw an employability session taking place in the church centre with representatives from a number of community organisations displaying literature and

explaining to prisoners the help they could provide. Mention was made of the innovative "Adjust" programme which the prison is developing in association with a number of community bodies which seeks to provide more effective prisoner rehabilitation.

In B Hall members saw the facilities for 72 hour assessment on arrival at the prison as well as the two anti-ligature cells. The recreation area had recently been enhanced by the provision of an excellent mural done by prisoners. The prison reception area was cramped and hot. Concern was expressed about how long prisoners could be kept in the airless reception cells. The Depute Governor conceded that this was an ongoing problem.

Following a brief stop in the activities centre members saw the upgraded women's rehabilitation unit where up to eight women are prepared for reentry to community life. Despite initial teething troubles in relation to transfer of prisoners from Cornton Vale, the facility is now working well. Members found the visit most instructive and Bob Freebairn gave a warm vote of thanks to the Depute Governor and his staff for the efforts which had been made to ensure a most successful visit.

6 Acknowledgments

The VC would like to thank the Governor, the Depute Governor, and all staff across the prison for their assistance and support throughout the year.

JAMES KIDDIE, Convener.

Appendix A – APVC Seminar report

Aberdeen Prison Visiting Committee Seminar 2012 Report

On 23 March 2012, Aberdeen Prison Visiting Committee hosted a seminar in the Town and County Hall, Aberdeen. The seminar, chaired by Councillor Kiddie, Convener of the Aberdeen Prison Visiting Committee, hosted approximately 100 delegates, as well as speakers from throughout the UK. This included people from a broad range of interests including families, practitioners, policymakers and academics from the fields of criminal justice, social work, health, education, and children and families.

The seminar aimed to allow for an open ended discussion about (1) joined up working that would clearly be very important if HMP Grampian was to work as well as possible; and (2) the particular possibility that a case might be made for the development of a small remand centre in the city. The event was designed to be of benefit to organisations and interest groups both in and out of the criminal justice system and, of course, to children and families affected by imprisonment.

The purpose of this seminar report was to give people who were unable to attend an insight into the content and to give those who were there a reminder of the day. We have attached links to all of the notes and presentations from keynote speakers available along with notes of Question and Answer sessions.

Introduction

Following a brief welcome and introductory statement from Lord Provost Peter Stephen, Councillor Kiddie started the day by thanking the keynote speakers for their contribution; the Visiting Committee for its work; and delegates for their attendance at this important and certainly timely seminar. Thereafter, he outlined the context and format for the day.

Councillor Kiddie advised that today's seminar would focus on identifying issues which would be faced by those charged with the responsibility of achieving and running HMP Grampian, and thereby would centre on promoting joined up working between the prison and organisations, local authorities etc to ensure the best possible delivery of HMP Grampian, and most importantly that the prison identified and met the needs of all prisoners, families and staff engaged. In addition, the seminar would focus on the specific needs of and issues that would arise in relation to remand prisoners at the new prison, and would discuss the possibility and practicality of a standalone remand centre being established in Aberdeen City. Also, there would be a focus on the impact the new prison would have on families, and how to ensure that all possible assistance was available to ensure families could continue to visit and support their loved one(s) serving a sentence. He emphasised the crucial role families play in a prisoner's rehabilitation process.

Councillor Kiddie explained the Visiting Committee's concerns at the Scottish Government's announcement to close HMP Aberdeen and to develop the new "community facing" prison at Peterhead, some 35 miles from Aberdeen City. He provided an overview of the Committee's activity in relation to the announcement of the new prison, which had seen the then Convener of the Committee and the then Clerk address the Scottish Government's Public Petitions Committee. In addition supportive local MSPs forced a Parliamentary debate, but that was effectively the end of the road. The Visiting Committee feel that in years to come the loss of HMP Aberdeen would be

regretted and criticised, but although human nature has a tendency to enjoy saying “I told you so”, the Visiting Committee had taken the unanimous view that it could not afford to expend its energies in that direction. Instead, the important thing was to accept that the Scottish Government wants to make HMP Grampian a success, and believes that it could be a genuine community prison for the north-east of Scotland. We have to say that it could be a success too, whatever our former misgivings. One thing was for sure: it would be a much greater success with goodwill than without it, because goodwill could release the organisational efforts which were surely fundamental in a situation where logistical difficulties do obviously exist.

Given this, today and from this point forward, was the time for all to join together to ensure that remaining concerns were addressed and the service provided was exemplary and in accordance with best practice.

During the introductory remarks Councillor Kiddie also highlighted the Cabinet Secretary for Justice’s recent announcement of his decision to disband Visiting Committees and that these be replaced by a dedicated independent prisoner advocacy service which would be delivered by a consortium of third sector organisations across the whole prison estate. He explained that the Committee, along with the Association of Visiting Committees, was shocked and very concerned at this decision, and highlighted that it was not justified by the outcome of the consultation in which 98% of respondents, including prisoners, were in favour of retaining VCs. Members had raised numerous concerns regarding various issues in relation to the future independent monitoring of prisons, and would continue to pursue this matter with the Cabinet Secretary.

Thereafter, Councillor Kiddie welcomed each of the speakers to deliver their presentations.

The Place of Prison in a Modern Democratic Britain

Baroness Linklater presented her findings of the criminal justice system in Britain. In particular, the Baroness focused on the five purposes of prisons and the alternatives to custodial sentences available within today’s society. She promoted the use of alternatives to custody and highlighted many examples of successful community projects that have provided lower re-offending rates than achieved by the current prison regimes. In order to increase the use of alternatives, she emphasised the requirement for sentencers to be informed, and to see the reality of, community based projects.

LINK: BARONESS LINKLATER PRESENTATION



Baroness Linklater

HMP Grampian: Finding Ways Forward for Families

Dr Nancy Loucks, Chief Executive of Families Outside, presented the findings of research into the impact of imprisonment on children and families, and spoke about the value of supporting families in relation to the successful rehabilitation of prisoners. She also spoke about the rights of a child, and also on the requirements to facilitate and/or subsidise travel for families and suggested ways in which this could be delivered. Each of the aspects raised focussed on the location of the new

prison and ways in which the prison could assist families to ensure visits were achieved and family ties sustained.

DR LOUCKS POWERPOINT



Dr Loucks
Presentation

HMP Grampian

Mr Farish, Governor Designate HMP Grampian, provided an overview of the new prison which included details of the prison accommodation and facilities available. He advised that the new prison would be unique for Scottish prison estate in that HMP Grampian would accommodate young offenders, female offenders, as well as adult male offenders. In line with the requirements of the legislation governing prison establishments each of the units for the three populations would be separate. Each of the units would have a degree of flexibility and would all be able to accommodate remand prisoners, the operation of this however would be dependent on the numbers of remand prisoners. The Governor Designate explained that he enthused about making the new prison a reality and would ensure that he worked with all organisations to alleviate issues that would inevitably arise, and also to identify and support the needs of each prisoner.

MR FARISH POWERPOINT



Mr Farish HMP
Grampian

Open Forum/Question and Answer Session

After hearing each of the keynote speakers, the Chair opened the seminar to questions and answers from delegates. The session focussed on sentencing, the operation of HMP Grampian, and in particular the impact of the new prison location on families and remand prisoners and the collaborative steps that could be taken by the prison and organisations from the public, private and third sector, in order to minimise the impact and to deliver effective rehabilitation.

A summary of the points raised in the session are provided below:-

Sentencing Policy - Alternatives to Custody

- Delegates discussed alternatives to custody and the effect of the introduction of the new community pay back orders, during which many raised concern regarding the current levels of engagement with sentencers in relation to the use of alternatives to custodial sentences. Delegates welcomed support and suggestions on how to improve engagement with sentencers, so as to increase their knowledge and awareness of successful schemes operating in the local area. It was noted that at present alternatives such as community based projects/schemes did not seem to be utilised as an option by the court system. It was agreed that this was a very important area and that ideally annual training on alternatives should be a statutory requirement for sentencers, but until that time local authorities and organisations should continue to pursue discussions

with the courts and provide opportunities for them to experience on a first hand basis the schemes available.

HMP Grampian Operation

- The opportunity to develop a visitors' centre beyond the new prison parameters to provide an opportunity to engage with and support families outwith the establishment. In response to this matter the Governor Designate explained that if the visitors' centre was a building then unfortunately the footprint of the new prison did not allow for a visitors centre external to the establishment, however there was space within the prison to work with and support families, as well as external organisations and community providers. He anticipated adopting a similar approach to that currently in operation in HMP Low Moss;
- The importance of ensuring purposeful and targeted activities were available to enable prisoners to prepare appropriately for their reintegration to the community. The Governor Designate explained that the prison regime had not yet been defined, however he envisioned it would mirror the traditional prison system with training to match the skills required by employers being provided and he highlighted that he would be happy to discuss any opportunities for training, skills, and rehabilitation programmes with organisations and employers directly. He hoped to introduce new services and encompass existing regimes. Training would be a key aspect of the rehabilitation process;
- It was noted that occupational therapy played an important roll in HMP Aberdeen and this service within the prison had ensured that prisoners' needs were suitably assessed so that they were ready for release. The seminar heard from the current OT service provider (The Robert Gordon University) to HMP Aberdeen who explained the benefits of the service to both prisoners and to students of the Robert Gordon University. The importance of individual assessments rather than new buildings and generic programmes was emphasised. The Governor Designate welcomed this information and would gratefully receive the continuation of this service in the new prison;
- The success and role of the Listener Scheme within prisons was highlighted. The Governor Designate confirmed that this would continue in the new prison. In line with this, it was noted that the scheme could not be provided after prisoners were locked in cells and it was asked whether prisoners would have access to a telephone to call Samaritans during periods when the Listener Scheme was not available. The Governor Designate advised that no decision on this had been made, and that he would need to discuss the logistics and challenges of this and would include the Samaritans in this area of discussion; and
- The variety of third sector and external service providers and programmes available were highlighted and the Governor Designate confirmed that he had the discretion to commission the services he required for the prison. He noted that a lot of good work was ongoing between HMP Aberdeen and the local community and he hoped that this would continue to HMP Grampian and expand in time. It was noted that it was a huge piece of work bringing together all service providers, however that the ADJUST programme in place in HMP Aberdeen had started this process. It was further noted that despite numerous projects being

available, this did not necessarily mean relevant support and rehabilitation was provided to all prisoners.

Staffing

- Given the ongoing staffing shortages experienced by both existing establishments, HMP Aberdeen and HMP Peterhead, it was asked if the SPS was confident that the new establishment could be staffed satisfactorily and had engagement with existing staff regarding transferring begun. The Governor Designate explained that engagement with staff had begun and that the opportunity to work in the new prison would be exciting and challenging and that he had no concern over the staffing regime not being deliverable.
- The fundamental role of prison officers, in comparison with work provided by external agencies was discussed, during which concerns about the availability of staff at present and the implications of staffing shortages on access to the prison and on prisoners engaging with agencies regarding housing, benefits etc were raised.

Location

Delegates discussed the location of the prison, which was an issue of concern for many. In particular, the discussion focused on the following:-

- The impact of the location on the ability of families, the majority of whom reside in Aberdeen City, visiting the prison – visiting was a vital part of a prisoner's rehabilitation, and the importance of the prison providing flexible visiting arrangements, especially for remand prisoner visitors;
- The cost families, many of whom would be underprivileged, would have to occur in order to visit a prisoner in HMP Grampian, in particular for families of remand prisoners who were entitled to a daily visit.. The cost for many families would be prohibitive;
- The impact of prison visitors on the Peterhead community and whether the area could accommodate visitors wishing to stay. It was anticipated that the majority of visitors would not choose to stay in the area prior to, or following a visit, however a number of factors would affect an individuals decision on this matter. Some families might choose to relocate on a permanent basis to Peterhead;
- The impact on the community of Peterhead given the change in prison population and the increased number of visitors to the area, and whether the Police force and SPS had undertaken an impact assessment of this and the possibility of increased criminal activity; and
- The weather in the north east in the winter months and the logistics of transporting prisoners from the courts in Aberdeen to HMP Grampian during this time It was asked whether any contingency plans had been developed for such circumstances. It was noted that Grampian Police were building new holding cells in the city and it was queried whether these facilities would be able to be utilised in emergencies. If there was a separate remand centre in the city this would alleviate this concern.

Visits/Family Ties

- Recognition of the impact of imprisonment on families and consequently support for families could be limited, even where the imprisonment had an immediate and detrimental impact;
- Parent/child visits should be seen as a right of the child rather than a tool for the prison;
- Need to accommodate visits where two family members were prisoners within the prison;
- The majority of prisoners to be resident in HMP Grampian would come from Aberdeen City, as would the majority of their families, and therefore they would require to undertake the 70 mile round journey in order to visit. This would be a costly and lengthy journey for a short visit, especially if the prisoner was entitled to daily visits. It was anticipated that without assistance the cost of travelling to Peterhead would impact negatively on the ability of families to visit, and therefore the number of visits made would be reduced;
- Given the location of HMP Grampian, travel to the prison for visits would be very challenging for families, specifically it was noted that given the transport network only two modes of transport would be available for this journey, those being car or bus, and either would be expensive. Efforts to make the experience easier for them, such as family days, extended visits, the Breakfast Club for children visiting HMP Shotts, which were seen as best practice and despite the location, HMP Grampian, should be aspiring to facilitate all possible connections between child, parent (prisoner) and their families. Flexibility to support engagement between families and a prisoner would be key. In addition, assistance for transport costs should be provided to alleviate the costs on families and the possibility of specific family transport being supplied should all be explored. It would also be vitally important that clear information on travel arrangements and support available be communicated with families. It was noted that other prisons did have commissioned transport services for visits, however these were not on a large scale; and
- Delegates unanimously emphasised the importance of maintaining a link between families and a prisoner and highlighted the benefits of continued contact for a prisoner's rehabilitation, however noted that not all prisoners would enter the establishment with family support.

In response to the points raised in the above sections, the Governor Designate welcomed the discussion and explained that the project was currently in its infancy and that over the forthcoming months he and his team would be working and engaging with local specialist providers to ensure that each of the points, which were valid concerns, were overcome in a joint collaborative way. He assured those present that he would consult with various organisations with specific experience in the various areas, such as the local police force, local authorities, local transport operators, third sector providers, faith organisations etc, to address the points raised. This process would also include him meeting with other Governors to identify best practice, and he would be engaging with Governors in other remote areas to explore the steps they have taken to facilitate and support visits, rehabilitation, visits by organisations, etc.

Thereafter, the seminar heard from Mr Willox, Northern Community Justice Authority (NCJA), who advised that the NCJA had established an HMP Grampian Implementation Group to identify and address issues. The Group would lead on coordinating the local authorities and other partner's response in terms of addressing the community issues and local service provision. It had a broad representation of organisations with members drawn from the CJA, SPS, local authorities, Grampian Police, Scottish Court Service, Crown Office and Procurator Fiscal Service amongst others.

The Group had agreed that a number of themes/workstreams should be developed and leads identified to take these forward. These were identified as:

1. Family Support Services – SPS would lead on Family Support Services;
2. Health and Wellbeing - NHS Grampian, would lead the Health and Wellbeing work stream;
3. Employment, Learning and Lifeskills - Job Centre Plus would lead this workstream; and
4. Community Re-integration - Head of Adult and Criminal Justice, Aberdeenshire Council would lead on this workstream.

Throughout the open discussion, a number of delegates paid tribute to the Governor and staff of HMP Aberdeen, for the tremendous work within the prison and the good relations with the community which continue to improve on the rehabilitation available for prisoners in the area.

Remand Prisoners

Delegates discussed the impact the location of the new prison would have on remand prisoners who were entitled to daily visits. In this regard many raised their concern and the unanimous view was that the new prison and its facilities were welcomed, however concurred that it was the wrong place for remand prisons. In line with this view, delegates discussed the practicality and possibility of a standalone remand centre being developed in Aberdeen City. It was agreed that such a facility would remove all of the ongoing concerns in relation to remand prisoners being located in HMP Grampian. Given the importance of family ties in the rehabilitation process, it was vital daily visits to remand prisoners should be encouraged and supported where possible. Following this discussion, the seminar agreed unanimously (by a show of hands) that a remand centre was required within Aberdeen City and agreed that this suggestion be put to the Cabinet Secretary for Justice for consideration, to ensure that in the future the needs of all prisoners were met.

Conclusions

Councillor Kiddie closed the seminar with a brief summary of the day's discussions and advised that the report from today would be sent to the Cabinet Secretary for Justice, and the Chief Executive of the SPS for their consideration, with the recommendation that a standalone remand centre be established in Aberdeen City.

Aberdeen Prison Visiting Committee would like to thank the Lord Provost of Aberdeen City for use of the venue, and also the three keynote speakers and everyone who attended the seminar for their contribution and insightful thoughts during the open session. The Committee hope that all found the event equally rewarding. Please feel

free to direct any queries or requests for further information to Allison Swanson, Clerk to the Aberdeen Prison Visiting Committee, email: aswanson@aberdeencity.gov.uk