

**To: North Strathclyde Community Justice Authority**

**On: 12<sup>th</sup> June 2015**

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**Report by: Chief Officer**

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**Heading: Services to Women who Offend**

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## **1. Summary**

- 1.1 At the meeting of NSCJA on 13<sup>th</sup> March, Members and Officers had a full discussion on the recent consultation events held to develop a new prison estate for women in Scotland. As the discussion concluded, Members requested that the Convener of NSCJA write to Scottish Government and COSLA expressing their concern that we should not concentrate solely on the prison estate but should take the opportunity to develop better community services as an alternative to custodial sentences and remand.
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## **2. Recommendations**

- 2.1 Members are asked to note the correspondence attached.
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## **3. Background**

- 3.1 This paper outlines key issues in relation to the resilience for Community Justice. The focus is on the role of Community Justice Authorities (CJAs), with a particular recognition to the critical time period of October 2016 through to the proposed disestablishment of CJAs in March 2017 (when staffing arrangements are most likely to be impacted upon). The issues highlighted are necessarily cast more widely than organisational resilience, in acknowledgement of the importance to minimise disruption to the work of the CJAs and partnerships beyond the CJA structural lifespan.

- 3.2** The Scottish Commission on Women Offenders published its final report and recommendations in April 2012. Dame Elish Angiolini QC chaired the commission which recognised that female offenders have very different needs to their male counterparts and require very specific support. One of the key recommendations was that HMP Cornton Vale should be closed and replaced by developing smaller regional units.
- 3.3** At the press conference on January 26<sup>th</sup>, 2015 Mr Matheson said “I believe we should be investing in smaller regional and community-based custodial facilities rather than a large new prison for women. This approach would be more closely aligned with the vision set out by Dame Elish. It also demonstrates the Scottish Governments commitment to tackling inequalities”.

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## **Implications of the Report**

### **Equality & Human Rights**

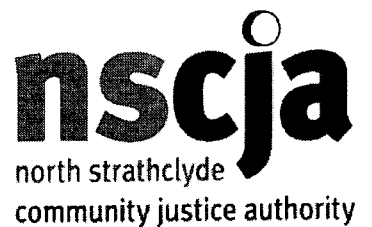
The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals’ human rights have been identified arising from the recommendations contained in the report. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Authorities website.

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Our Ref: JH/AT

Date: 25th March 2015

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Dear Andy

## **WOMEN'S PRISON ESTATE CONSULTATION**

At a recent NSCJA meeting, members and officers had a full discussion about the reconfiguration of the Women's Prison Estate. All were agreed that we need to do what is best for women but there was also a common view that the current exercise is too narrow in focus and is missing the opportunity to address the high rate of imprisonment for women in Scotland. This latter point was raised when we were discussing the development of smaller bedded units with many members questioning the need for women on such low security to actually be in prison at all. They questioned the wisdom of spending a large amount of public money on a wide-ranging, variety of buildings in which to hold women on sentences which are arguably inappropriate in the first place. The direction of the discussion we had was to examine how we could use such a significant investment to develop better continuity of services for women which could both divert them from the criminal justice system in the first place or from custody as a viable alternative to imprisonment, given the impact of a prison sentence on re-integration/rehabilitation. Members were also concerned at an increased risk of uptariffing women due to custody seeming less institutional and more homely/normal.

At the conclusion, members asked that I write to you outlining their concerns and to also make COSLA aware of the discussion. I understand that similar views were expressed during the recent consultation event in Greenock and, I suspect, in similar events elsewhere.

I hope that it is not too late for you to give these issues due consideration.

Yours sincerely

Cllr Tommy Williams  
NSCJA Convener  
cc: Anil Gupta, Senior Policy Officer, COSLA



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8 May 2015

Dear Cllr Williams

Thank you for your letter of 25 March. I am sorry that it has taken so long for me to reply.

I am very grateful to you and your colleagues from the other CJAs for hosting the engagement events that took place throughout March. As you know, we used those events to seek views on a new proposition for what the future custodial estate for women might look like. The events proved invaluable in providing us with views on the "3 tier model" that was presented. A report on the engagement events is currently being prepared by the independent company that facilitated the events and will be published shortly. This, along with comments we have received subsequently, including those raised in your letter, will inform the advice we provide to the Cabinet Secretary for Justice on the way forward.

Your letter also raised the importance of ensuring the appropriate use of custody. Whilst the engagement events deliberately focussed on the custodial element of the system, I made clear at each of the events that any developments in this regard would be supplemented by a concerted effort to ensure that custody was used as infrequently as possible. As you may be aware, we are now working with CJAs to ascertain the range of diversions and alternatives to prosecution and custody currently available, with a view to ensuring the consistent provision – and increased usage – of such services.

Whilst the Scottish Government is committed to providing high quality custodial facilities for women, the wider aspiration is to reduce the use of custody as a disposal, with as many women as possible being supported in the community.

I would, as ever, be very happy to discuss these issues further. However, in the meantime, I hope this letter provides you with the reassurance you are seeking. I am copying this letter to Jim Hunter and Anil Gupta.

Yours sincerely



**ANDY BRUCE, Deputy Director, Community Justice Division**