Justice Committee  

Public Services Reform (Prison Visiting Committees) (Scotland) Order 2014  

Written submission from Barlinnie Visiting Committee  

Whether or not the proposed changes are a positive step  

The Scottish Government has moved from its initial position of abolishing VCs and replacing them with an Independent Advocacy Service. Under this proposal, independent monitoring of prisons would have ceased to exist. We welcome the change to this proposal and the commitment to prison monitoring. However we are not convinced that the new format will be an improvement and would make the following comments.

1. At the moment there is a dedicated VC to each prison, where members visit on a rota basis. Members, staff and management all get to know each other which makes visiting, problem solving and advocacy much easier. Lines of communication are easily identified and uncomplicated. It would seem that in the new proposals there will be a reporting system from lay member to paid monitor to the Chief Inspector of Prisons. Furthermore lay members may be allocated to more than one prison and ‘local knowledge’ will be lost. There is no mention of holding regular monitor meetings which are so essential for information and training.

2. The new system will be more expensive than present. In addition to paid monitors, the expansion of the Chief Inspector’s role will come at a cost and there must be a question about value for money. At the moment the job is done by unpaid volunteers at the cell-face every week.

3. We have concern about the creation of a two tier monitoring system with paid monitors being seen as the professionals and lay monitors as the amateurs.

4. VCs will lose their independence and autonomy. At the moment we are an easily identifiable neutral body which prisoners see as independent and separate from SPS. To become part of a new hierarchical structure of monitoring will erode our independence.

5. At the moment arrangements for complaint handling are simple and can be dealt with speedily. It is unclear if the new arrangements will be as robust.

Whether or not the proposed structure of monitoring becoming part of the Chief Inspector’s functions is to be welcomed  

We consider inspection and monitoring to be two separate functions. In previous consultation there was a very large (96%) opposition to merging these functions and at the time the Chief Inspector was against taking responsibility for monitoring. Prisoner confidence has to be considered, and they do not see the Chief Inspector as completely independent and any merger would erode their confidence in raising complaints with lay monitors who are ultimately responsible to the Chief Inspector.
Whether or not the roles of the prison monitors and lay monitors are required and if so whether the roles are appropriately drawn.

The notion of lay monitors is easy to understand because that is what we have now. Men and women with a wide variety of skills, from a local community, trained in their appointed prison, volunteer to undertake this important work. We are uncomfortable with the paid monitors. The cost is significant, their role is unclear and there is a doubt about the value they will add. Paid monitors just do not sit well with independent monitoring. What demands and directions will they put on lay monitors? How will prisoners react to the idea that lay monitors work under a ‘boss’?

Other comments

No mention is made in the Draft Order about the recruitment process, training – both local and national, administrative support for lay monitors, e.g. preparation of the rota and organization and preparation of meetings if there are to be any and re-imbursement of travel and subsistence claims. There is no mention of submission of an Annual Report for each establishment which VCs are currently obliged to prepare and is a very useful snapshot of a prison from the lay perspective. Also missing is the recommendation in the Coyle report to bring to the attention of the Governor any matter of concern. The Draft Order makes no reference to The Advisory Group.

The current system is straightforward, easy to operate and is understood. The change to a hierarchical system of paid and unpaid monitoring has the potential to delay and confuse outcomes.

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Secretary
4 November 2013