Justice Committee

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

Written submission from Cornton Vale (under 21) Visiting Committee

**Whether or not the proposed changes are a positive step**

We thought that following full consultation with very many stakeholders, a report commissioned from Professor Coyle, many meetings (how much has this cost so far?) that Scotland would have a “gold standard” system of truly independent monitoring of the prison system. It still appears that this is not yet the case. Our committee feels that the new system must have **autonomy and independence**, allowing the local community access and transparency within a closed system.

Could the extra money that is so obviously available be better used for good recruitment, greater training (quality and quantity) and improved administration/support, rather than close supervision?

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

We note confirmation that monitoring will continue and would welcome the chance to shape the future model with emphasis on **INDEPENDENCE**.

The Chief Inspector would be responsible for combining inspection and monitoring. Does he realise the difference? It appears that some monitors will be paid (3-4) and others not, but will still be assisting. **WHY are some to be paid?**

If the PAID monitors will instruct the UNPAID monitors, we are very concerned that INDEPENDENCE will be lost.

**Whether or not the roles of the prison monitors and lay monitors are required and if so whether the roles are appropriately drawn**

We continue to be concerned that the distinction between inspection and monitoring is still indistinctive. (OPCAT recommends a layered approach to National Preventative Mechanisms.)

Note the confusion: Prison **monitors** to maintain records about matters **inspected**. Monitors are not willing to be used just to collect statistics for the inspector so that boxes can be ticked.

Presently, the requirements for the committee are quite detailed (including times for monitoring/numbers and make-up of committee/times for meeting as a committee/annual report etc.).

These arrangements do not seem to be as detailed in the new system. Does this give a less robust system? There is need for clarification.

At the moment monitors can report directly to the Governor of the prison and to Scottish Ministers. Will everything now have to go through the Chief Inspector? Will this stop the **immediacy** of some reports/comments or resolution?
How will appointments be advertised/made? Will this be an open process? Who will organise and pay for training for the CI and the monitors?

Any other comments you may have on the draft order
Currently, the lay monitors are drawn from the local community. This gives a good number of eyes and ears regularly seeing the day-to-day condition of the prison. What is particularly good about the system is that a committee is assigned to a particular establishment. They are aware of any local problems and detailed operation of the prison, including changes that are made, long term plans etc.

Our committed and qualified committee is made up by the following members:

1. Committee expertise and former Chairman of the Erskine Trust
2. JP, NHS non-exec, secondary school teaching
3. Lecturer and Researcher in Criminology
4. JP and CSA
5. Member with 10 years’ experience of IMB and former JP
6. GP
7. Architectural Designer and Parent Council Chair

These members make up the committee, together with an experienced administration staff member who services the committee meetings and acts as liaison between members in administrative matters. They have mixed ages and backgrounds and all have experience of young people.

They share their considerable expertise with each other, the wider group of visiting committees and regularly meet with the Governor.

In conclusion, we consider that prisoner confidence in the new system of independence is of utmost importance, especially if, as it seems, members of the Inspectorate come from the Prison Service, rather than unpaid members of the community.

Julie McEachern
Acting Chair
8 November 2013