

# **Bail and Release from Custody (Scotland) Bill – Engagement with frontline workers**

**Friday 9 December 2022**

## **Shine Women's Mentoring Service, Edinburgh**

### **Introduction**

On 9 December 2022, Jamie Greene MSP visited the Shine Women's Mentoring Service in Edinburgh which is delivered by Access to Industry.

In attendance were the Co-Chief Executive of Access to Industry and a Shine Mentor.

Access to Industry delivers Shine in the communities across Edinburgh and the Lothians. It provides prison-based champion support to women residing in HMP Edinburgh; HMYOI Polmont; and HMP Cornton Vale.

The Service provides practical and emotional support to women, using a trauma-informed approach that is person-centred and strength-based. Mentors work with women to identify challenges and support them to overcome these challenges and progress onto positive destinations.

The Service is for women involved within the justice system: whether on a Community order and at risk of custody; serving a short-term custodial sentence and being released with no formal supervision; or on remand.

Shine works with women for a minimum of six months. For women in custody, Shine engages with women pre-liberation and continues this support into the community post-liberation. For community referrals, Shine works with women in their own community.

The Service gives women the opportunity to build safe and positive relationships with the professionals who can assist them. It allows them to work through an action plan that will help them reintegrate into society and significantly reduce their risks of re-offending.

The following note summarises the key themes to emerge from the discussion.

### **Key issues emerging**

- Many women in prison have complex health issues which can make it hard for them to be supported, for example many are neurodiverse which can make it difficult for them to understand information presented to them by the authorities. Many women shouldn't be in prison and should instead be supported and treated in the community or hospital for mental health issues.

- Many women in custody are victims of domestic violence or having been coerced into illegal activities. Most women are in custody through crimes of dishonesty to fund their addiction.
- The impact of being held on remand can be significant. Individuals can lose their tenancies. There is often a 'ripple effect' which negatively affects the children of those on remand. One problem is that sometimes when a person is found guilty they are released immediately due to time served on remand, but they find that the support they require has been stopped.
- There is a long way to go in respect of sheriffs fully taking into account the family circumstances of women who are in court. One example discussed was where a women had dropped off her children at school in the morning, but later that day she received a custodial sentence. There is a lack of information in front of sheriffs as to the impact of imposing custodial sentences on a woman's family circumstances.
- There is a need to have someone who is accountable for providing support to women on release in order to ensure delivery of that support. The existence of guidance that particular support should be provided is not sufficient.
- Sometimes when a person is released they face so many practical difficulties that it seems to them that it is easier to be rearrested. A particular problem that women face is a lack of safe housing on release. Some sheriffs take the view that the safest place for a women is in custody due to a lack of any better alternative option. Some women have questioned why they have been released when no support is in place, such as access to prescriptions or accommodation.
- In terms of rehabilitation outside prison, there are pockets of expertise and funding but provision is patchy between local authorities. Some women are reluctant to keep going to rehabilitation programmes on release from prison. It is important to minimise the gap between release from prison and the restarting of rehabilitation programmes. A couple of days can be long enough to return to previous patterns of behaviour.
- The opening of the Liliac and Bella Centres has been positive as arrangements can be put in place for support ahead of release, however this is less useful for women who normally live in parts in Scotland away from the two centres.
- There is a need for better communication between courts, the Scottish Prison Service and third sector organisations. This is particularly the case in respect of the arrangements for release, given the importance of gate pick-ups in order to provide support to women on release.
- A challenge can be not knowing if and when a women is due to be released. Sometimes Shine are not notified of a women's release or they are released to a non-safe location. An example of poor practice is when a women is released from court with no prior warning after 4.30pm. On one occasion, a women had to be bailed to her lawyer's address as the local shelter for homeless people had closed at 5pm. There is a sense that if a women is being released without the necessary support being in place, then she is being set up to fail.

- Shine mentors try to build good local relationships with lawyers and justice social workers in their area. There is also a sense that if a case comes before a sheriff and it is apparent that the woman is seeking to address wider issues (for example, through rehabilitation) then sheriffs can be more sympathetic and are less likely to impose a custodial sentence.
- There was a discussion of the Willow Service, which provides services to women resident in Edinburgh or returning to Edinburgh from custody. CGL also undertakes work across prisons, police stations, and in the community to provide advice, support, and recovery options to people with alcohol or drug issues.