

Cross-Party Group on Women, Families and Justice

Tuesday 9 September 2024 6-7.30pm (Zoom meeting)

Minute

Chair: Rona Mackay MSP

Attended MSPs

Rona Mackay	MSP
Audrey Nicoll	MSP

Non-MSP Group Members and Other Attendees

Deborah Russo	Queens University Belfast
Ellen Cowan	Salvesen Mindroom Centre
Emma Mitchell	Midlothian Justice Service
Hannah Graham	SCCJR, University of Stirling
Jacky Close	Families Outside
Janice Wilson	Soroptimist
Janine Bonner	Families Outside
Jodie Sutherland	
Jonathan Sher	
Martyn Evans	Sentencing and Penal Policy Commission
Nancy Loucks	Families Outside
Quentin Fisher	Scottish Government
Rose McConnachie	Community Justice Scotland
Sarah Angus	Scottish Prison Service
Sarah Rogers	Families Outside
Shumela Ahmed	Resilience Learning Partnership
Stephen Sandham	HMIPS

Agenda Item 1

Apologies	
Margaret Malloch	SCCJR, University of Stirling
Sara Snell	HMIPS
Toni Groundwater	Families Outside

Agenda item 2

AGM of CPG on Women, Families and Justice

- Appointment of Convener – Rona Mackay, MSP proposed by Sarah Rogers and seconded by Audrey Nicoll, MSP.
- Appointment of Vice Convener – Collette Stevenson, MSP proposed by Rona Mackay, MSP and seconded by Audrey Nicoll, MSP
- Appointment of Secretariat – Families Outside proposed by Rona Mackay, MSP and seconded by Jonathan Sher.

Agenda item 3

Minutes of previous meeting of CPG Women, Families & Justice 11 March 2025

- Approval of minutes – Nancy Loucks highlighted an omission in the minutes with only one MSP recorded as present. Both Rona Mackay and Audrey Nicoll had attended the meeting. It was agreed the minutes would be amended and they were then proposed by Nancy Louck and seconded by Rona Mackay, MSP.
- Update from Rona Mackay regarding response received from Cabinet Secretary for Justice to CPG letter regarding HMIPS inspections of the women's estate. Sarah Rogers noted that SPS had followed up with SPS regarding the 200 free minutes for foreign nationals – Families Outside are concerned if an individual in custody has no family or friends to contact in the UK they are not benefiting from the free minutes as they are only for use within the UK. SPS notified there is a discretionary process whereby individuals can apply to use minutes for calls outside the UK. There are concerns that there is not enough awareness about the discretionary process amongst individuals in custody and their families. Rona invited attendees to get in touch with any further feedback on the Cabinet Secretary's letter.

Agenda item 4

Sentencing and Penal Policy Commission – contribution from Chair, Martyn Evans, followed by opportunity for CPG members to share views.

Martyn explained the Commission was set up to take a fresh, independent look at how sentencing and penal policy work in Scotland. Martyn is supported by Commissioners with experience in law, justice, social work, academia, and community work and a secretariat. The Commission's job is to gather evidence, listen to lived experience and make recommendation for reform for a fairer and more effective system. The Commission has a broad remit in areas including bail and remand, sentencing – community and custodial options, and release. Martyn noted that prison has an important place in our criminal justice system but given the consequences of imprisonment we do need to think carefully about how we use it, and also why we use it – are we using it for punishment, rehabilitation, public safety or another reason and we need to be sure we have evidence it is achieving those goals. We also need to ask ourselves if there could be a different route to the same end.

Martyn noted the Commission published a primer at the end of July that sets out the key issues facing our criminal justice system and presents high level statistical trends. The facts are well known – despite a significant drop in recorded crime, down 40% since 2006, we have one of the highest rates of imprisonment in Western Europe. Our high prison population is as a result of policy choices made by successive governments going back decades, and it is something that can be addressed by the policies of future governments.

Martyn emphasised that the Commission is still in the evidence gathering phase of its work. The Commission received over one hundred response to its call for evidence – 48 from individuals and 53 from organisations and the Commission intends to publish that evidence along with the report. The report will be submitted to the Cabinet Secretary for Justice at the end of this calendar year. Martyn noted he has been impressed by the breadth of stakeholders who have engaged with the Commission's work – including victim support organisations, those experiencing the system, legal professionals, social workers, and many more. Despite the profound challenges facing the justice sector, there is no shortage of informed and passionate people, but the evidence received is very good at describing the problems but less effective at providing actionable solutions. In terms of women in the justice system, the evidence is clear, their experiences are different from men, and if we treat them the same, we often get poorer outcomes for women, their children, and their communities. At

the moment there are over 300 women in prison in Scotland – only about 4% of the prison population. Behind that small number lies a very serious picture. There are some worrying trends that the number of women in prison has actually started to slightly increase after dropping for some time. Similarly with short sentences, having decreased for a while, there is evidence there may be some increase. Women in prison have faced trauma, abuse and poverty and significant numbers have a disability, many grew up in care, and too many have self-harmed or thought about suicide. These problems do not start in prison but prison makes them worse. The impact of prison on women is huge and short sentences in particular can cause them to lose their homes, lose their jobs, and often their children. Evidence also tells us that short sentences do not reduce reoffending but can make it worse for both women and their families. Martyn noted his judgment so far is that with regard to women in Scotland we have taken a more radical systematic approach moving away from large prisons towards small trauma-informed units and community solutions underpinned by law. Martyn noted his view that England has the right policy solutions on paper but continues to rely heavily on custody with inconsistent community provision and ongoing prison expansion. The cost of prison expansion, a policy approach suggested by a vanishingly small number of respondents to the consultation, and the estimates of the capital costs varied between £500,000 and £1million per extra cell, plus the £500,000 per cell of annual revenue costs.

Martyn noted his view that a high, rising prison population is not inevitable, change is possible. Between 2006 and 2016 the prison population in the Netherlands was reduced by 51%, and over the last 15 years the Spanish prison population has been considerably lowered.

Martyn asked for attendees' views on three themes:

- How should our system cut down on the use of prison for women where it isn't really needed, serving it for cases where there is a genuine risk to public safety?
- Should sentencing decisions take even more account of women's lives, with judges considering whether a woman has caring responsibilities, has experienced trauma and abuse, and to what extent should the needs of the child be part of that decision?
- Can we expand women's justice services across Scotland? There are already some great examples but they aren't everywhere and it's a very patchwork system – access should not depend on where you live.

Martyn noted that overall it's quite clear that the academic evidence shows that community sentences are more effective than short-term sentence at cutting reoffending and helping women rebuild their lives. If we get this right, we will not only improve outcomes for women, we'll also help children, reduce pressure on prisons, and make our communities safer. The Commission will continue to listen to women with lived experience, to families, to professionals. Martyn noted that together he hopes we can shape a sentencing system that is fair, humane and effective.

Discussion points raised:

Rona Mackay noted that Martyn's presentation raised all the key issues regularly discussed by the CPG and asked his opinion as to why the number of women going to prison is not coming down, do we not have enough alternative options, is it not funded well enough – why are judges still sending women to prison for short sentences?

Martyn responded we are on the right track with policy toward women. We have done well in Scotland but we haven't done well enough. One of the real complexities of this is people revolving through the prison system where they're failed by a whole range of services leading up to being in conflict with the criminal justice system. This is often a failure of our

public services, that they are quite siloed, fragmented, and if they lose touch with one of their clients there's not a great incentive to get back in touch, and the evidence is that person slowly but surely heads towards the criminal justice system which is a blunt instrument for dealing with trauma and addiction. Prison has a place but we use prison too often. In terms of alternatives to custody, there is not a consistent provision of service across Scotland in terms of criminal justice social work – there are some fantastic services but they are highly geographically based.

Jonathan Sher thanked Martyn for an excellent presentation. He highlighted that prevention hadn't featured in the conversation so far because the criminal justice system is set up to deal after the fact. But when we are spending the amount of money that Martyn described for each cell, it seems that even a very modest investment in genuine prevention would be an important way of improving the entire system. Jonathan noted the importance of preventing Fetal Alcohol Spectrum Disorder (FASD) – it's likely that a significant number of the prison population in Scotland is affected to a greater or lesser extent by FASD. FASD is known to increase the likelihood of anti-social criminal behaviour. FASD is in theory entirely preventable but is not prevented. As the discussion around reform continues we must try to incorporate a prevention element that is meaningful and has long-term effects on the system itself.

Shumela Ahmed asked if the Commission has had any interaction with the new voluntary throughcare and aftercare service, if not are there plans to, and if there has been engagement what role could the new service play?

Martyn noted in response to Jonathan that without a real focus on prevention we have no hope, we've got to go upstream and mend the broken fence by which people are falling in the river. Prevention is very important. That journey to being in conflict with the law starts very early and even in terms of in the womb as Jonathan highlighted.

In response to Shumela, Martyn noted yes he has spoken to throughcare providers and noted that like a lot of things in Scotland, we're getting our strategy right on throughcare but are we delivering it yet? Martyn noted it was too early to say yet in relation to the new service – we don't have the evidence from it but it's the right thing to do to have a coherent approach. From what has been heard from those with lived experience, Martyn noted that your first day in the prison should be the point at which you start that journey to being released - not just as you come to the end of your sentence. Quentin Fisher (Secretariat for the Commission) noted there had been lots of engagement with organisations around throughcare and that the issue had been raised consistently in responses. Throughcare is not new in Scotland and its credentials are established but its current delivery model is new and we'll need to see how it goes.

Emma Mitchell noted in terms of the new throughcare service, Upside, one of the things that differs to the previous Shine service is that it does not provide services to women that are currently on community supervision - so there is a gap there. Emma noted that in Midlothian they have been working closely with Families Outside on a project looking specifically at how we try and raise awareness within justice social work and the courts around mother's caring responsibilities where children are in their care or they have a significant amount of contact. Whilst Midlothian are also looking to develop practice in relation to fathers, specifically the priority is to keep women out of custody and to that end Midlothian are looking to rewrite the practice guidance to social workers so that at every point during the justice journey women's needs are being better represented, children's needs are better represented, and the responsibilities under the UNCRC to Sheriffs and the Parole Board are highlighted. Midlothian are trying to take forward with Families Outside contact with local Sheriffs to try

and understand how to better represent women's needs within justice social work reports. Nationally, Midlothian have also been trying to highlight these issues through the Women's National Justice Network. Emma noted she has been trying to establish whether there is local appetite for a women's court – in pilots elsewhere that has been really successful in terms of understanding the roots into women becoming involved with the justice system and also the support that can be given to help them out of that.

Martyn responded to Emma that one of the key things for the Commission was to look at criminal justice social work and broadly the evidence is that local criminal justice social work is the right model. It has local accountability, it has clear ability to innovate, both of which are very important. But that very pluralism is a problem – it creates real challenges including inconsistencies of service and standards. This is going to have to be addressed by the Commission. To take a service away from local authorities is to lose an enormous amount but how can we make this any better? Martyn noted he spoke to COSLA at length and a range of others about how we can set standards and monitor the standards of criminal justice social work. In relation to the question of whether we have specialist courts or whether you have every court being aware of what specialist courts are aware of – this is another area for discussion and the Commission have received a lot of evidence on this matter.

Audrey Nicoll, MSP asked about consideration of the ECHR in terms of looking at whether sentencing should consider women differently in terms of their complex backgrounds that often lead them to becoming involved in the criminal justice system – what consideration has been given to how we balance penal reform in the context of protecting women within the context of human rights provisions?

Martyn responded noting that the Commission has to be very careful – the Commission is looking at policy not sentencing which is the role of the Sentencing Council. One of the clear areas of discussion however is children's rights – are we alive enough to the obligations towards children? Sheriff Mackie (one of the Commissioners) has been very clear of his view that we are behind the curve in addressing the rights of children in this area. The Commission is trying to find a way that adds value to the various institutions that are there and try to raise the profile of the rights of children in sentencing. It's not yet clear what that will mean but that is the focus.

Hannah Graham (one of the Commissioners) noted that where these different Conventions (such as the ECHR and the UNCRC) come up, they get raised in different forums the Commission meets with in different ways. Discussions with victim organisations regularly raise the rights of women, particularly in the context of victims. There have been numerous lived experience workshops as well as lived experience meetings with women specifically where issues around human rights have come up – women have questioned how do our rights as a victim correspond with a short term sentence, community payback order etc? Rights are coming up in various ways. The Commission is also mindful that there are limits and the need to keep in mind judicial independence. Rights will come through in the report.

Nancy Loucks noted that in relation to consideration of the UNCRC and children's rights in sentencing decisions, the Sentencing Guidelines in Scotland already have reference to caring responsibilities as a factor in mitigation but the UNCRC Act places an obligation on everybody to look more broadly at what decisions and processes actually mean for children and making sure that children have a voice in those decisions and processes that affect them. It's therefore not so much about whether, or to what extent, we consider UNCRC incorporation but how?

Martyn agreed the key point is how. We are all very good at describing the problem but what recommendations could the Commission make in this area – what does that mean in practice? It would help the Commission hugely for suggestions of practical solutions.

Martyn highlighted his shock at the lack of data. Data sharing is a real challenge and a real dilemma for not just the Commission but public services and government. We need to know who is travelling towards our criminal justice system, and what evidence is there that interventions make a difference? We know that our criminal justice system is not very efficient – we have evidence of that. We have no real evidence of how effective it is which is quite shocking – we have some evidence but not great evidence.

Jonathan Sher – there is no violation of children's rights more profound than having your life permanently messed up before you are born – that is not ok. It happens every day with FASD which is the most common neurodevelopmental problem. It is dramatically underdiagnosed and even more dramatically not prevented - it's not going to be the Ministry of Justice it has to be health or education. There needs to be the equivalent of the old motto 'if you drink don't drive, and if you drive don't drink'. The equivalent of that is 'if you're drinking don't get pregnant and if you're pregnant or could be pregnant don't drink'. The problem with that is that we are a nation where half of all pregnancies are unintended, mis-timed, accidental. In that situation, since it takes 6-8 or more weeks for a pregnancy to be realised, a woman who is continuing to drink thinking she is not pregnant who intends to stop drinking when she is pregnant is still drinking in the weeks before she knows she is pregnant and that doesn't change the effects on that foetus who becomes a child who becomes permanently disenfranchised in a variety of ways. So if we want to do something on the prevention side, the cost of doing that kind of campaign is dramatically cheaper than the cost to society of not doing it. There are lots of children who are born with adversities who have poor childhoods but a number of their problems can be diminished if not completely reversed through excellent services. FASD is not one of those – there has never been a service that could reverse FASD. There are things you can do to help people with FASD live more manageable lives but the neurodevelopmental damage is permanent. We need to keep this in mind when we look at how do we actually do prevention. Isn't time that we do something about this and prevent this?

Martyn agreed these were important points. Due to the scope of the Commission's remit they are trying not to reinvent the wheel. Previous recommendations from reports into health prevention and prisons are being considered including those that looked at the significant health inequalities caused by drinking and smoking – these will be referenced. One of the big pieces of evidence coming through is how siloed services are, how people fall between services and now people lose touch with services. The Christie Commission called for person centred and preventative action. The Commission can only repeat some of the great work done previously and recommendations that have been made and does want to acknowledge previous work looking at health inequalities and involvement with the justice system.

Jonathan noted that this is the problem Martyn referred to earlier – we are not suffering from a lack of reports. We're suffering from a lack of action.

Martyn agreed – we don't need another strategy. We're not lacking strategies – we're lacking in delivery, oversight, engagement and improvement. That is no criticism of the services, it is a criticism of the system.

Agenda item 5

'Nothing to See Here? Deaths in Custody and their Investigation in Scotland' – contribution from Dr. Deborah Russo followed by discussion.

Dr Deborah Russo introduced the report – the fourth annual monitoring report in Scotland presenting information about deaths in Scotland in a range of custodial settings including in prison, policy custody, migration detention, detention under the Mental Health Act, children and young people in care, and people with learning disabilities and autistic people living in hospital. The report found over the most recent year, at least 244 people in Scotland died in one of these settings of state control. This amounts to a total of almost five people dying each week. The majority of these deaths will have no public investigation. We do not know the names, gender, ages, ethnicities of many nor the circumstances in which they died.

Deborah highlighted that during the preparation of the report the FAI of Katie Allan and William Lindsay was published. It was a groundbreaking report containing a number of really significant recommendations which it is hoped will be followed through. This FAI demonstrates a degree of thoroughness and robustness that was absent in most of the other FAIs analysed over a 20-year period. Deborah noted there is a tendency in FAIs to construe the cause and circumstances of death very narrowly, so that systemic and structural factors fall outside the consideration of how and why people have died, against the spirit and interpretation of Article 2 of the European Convention on Human Rights (ECHR).

Deborah noted she will be focusing on part 1 of the report which provides information and analysis about deaths in a wide range of compulsory settings.

The cross cutting themes covered by the report are:

- Across settings were signs of people stuck in detention or compulsory state care, wrongly or for excessive periods.
- Public investigations apply to only a small minority of deaths in Scottish state care and custody. Applied to only 67 of the 244 deaths analysed.
- The people affected most by a death, a person's family and other loved ones, are routinely excluded from meaningfully participating in death investigations.
- Significantly, the same groups of people are repeatedly showing up in deaths recorded in different settings but connections are not being made. Deprivation, class, gender, addiction, mental health issues drive both being put into detention and also dying there.
- Drug deaths, so often fitted into a dismissive narrative of 'just another addict dying' were much more complicated and many included an element of state action or inaction.
- The quality of information available about people who die in state custody continues to suffer from gaps, inconsistencies and errors. Poor data in terms of ethnicity, gender. The data that was available showed that women, though making up a smaller share of those who died, are dying at younger ages than men. Transgender people are completely invisible in recorded data.

Key themes looking at women specifically dying in detention included:

- Intersections of gender and class/deprivation
- Signs of vulnerability – younger average age at death than men
- Lack of information is a problem - very little information in public domain about most deaths of women in detention, especially mental health, young people in care, people with learning disabilities or autism
- More women than men are held under mental health detention (but more men die)

- More women than men died in asylum accommodation (but data is unreliable)

Looking at the police settings, key findings included:

- Out of 3 people who died in police custody over the last year, all were men, in their 30s and 40s.
- Of the 19 people who died after police contact in this one-year period, five were women. One woman was in her 20s, two were in their 30s, one woman was in her 40s, and one woman was in her late 70s. Nothing is known about who these women were or the context of these deaths.
- In terms of investigations, only deaths in police custody are legally required to have a fatal accident inquiry and families do not appear to be engaged closely in these investigations and are denied access to information about the process.
- For deaths after police contact, an FAI is at the discretion of the Crown.

In mental health setting, key findings included:

- 138 people detained under the Mental Health Act died in Scotland (1,232 over the past decade)
- Use of MH Act orders of detention is used disproportionately for people from more deprived backgrounds.
- The review and consent of emergency detention orders is lower than it has been for 10 years and orders without consent are concentrated among those under 25 years.
- Important information, such as cause of death and ethnicity, are not available for those who died.
- In ten years, (totalling over 1,000 deaths) the Mental Welfare Commission has published a total of 11 investigations.
- Over a year when 138 people died, there were just two FAIs published of people detained on mental health grounds (both involving women).
- The two FAIs identified significant concerns about quality of care, sufficiency of record keeping and communication. These two FAIs, of women who died of the same cause and in similar contexts but who had different socioeconomic backgrounds, feature strikingly different tones; one is more empathetic, the other is more criminalising of the person who died.
- More women than men are detained every year on mental health grounds. However more men than women died in the last year.
- The average ages of men (64.7) and women (67.3) who die during mental health detention is lower than life expectancy for both men and women in Scotland by more than ten years.

Deborah explained that two kinds of investigations are summarised in the report: internal investigations where the Mental Welfare Commission (MWC) published a report, and FAIs where the discretionary power to hold a hearing has been made - unlike in England and Wales where all deaths in mental health detention will be investigated via a public coronial inquest.

Deborah explained that during a period when over 130 people died while detained in Scotland on mental health grounds, there were a total of only two FAIs published into the deaths of people in this group. Both women, both suicide, there were findings in both. Both these FAIs took many years to complete, over four years in one and six in the other. One of the determinations makes multiple findings (Dr SM). The other, into the death of Ms EM, makes only a single finding – of a precaution that a check of EM's possessions should have been carried out, despite noting many significant failings in EM's care. The differing approach to differing socioeconomic backgrounds was really notable about these two cases.

In migration detention and asylum accommodation settings:

- There is no mandatory public investigation into the deaths of people who die in migration detention nor into the deaths of those who die in migrant accommodation in Scotland, in contrast to other parts of the UK.
- Between 2021-2024, at least 10 women died while in asylum accommodation (out of 15 known deaths) in Scotland, including two infants. The average age of adult women dying was 36 years.

Deborah highlighted the Asylum Seeker Memorial Project supported by Liberty Investigates which has provided more information about some of those who died including:

- A 34-year old woman from China dependent on dialysis was found dead in her flat in 2023 two months after her asylum application was refused and all support was withdrawn - she had waited seven years for a decision.
- The five-week-old child of a mother from China died in 2020 after the mother was seen in the street in distress carrying her baby, who had been unwell. The family had called NHS 111 for help; it is not clear if any was provided.

In the context of children and young people in care, key findings included:

- Over four years, 72 children and young people died in care in Scotland. In the past year, at least 16 have died.
- Data from different sources is incomplete and conflicting.
- Mortality for children and young people in care is at least twice that of those not in care and strongly associated with high levels of deprivation.
- Suicide and drugs are a leading cause of death for young people in care and are more common among care experienced people.
- Lack of family involvement in reviews of deaths was reported in a significant proportion of cases as well as lack of family understanding of the review process and of their rights.
- Data on deaths of looked after children and young people is gathered from multiple sources but not routinely published by any of them. There are no gender breakdowns and there's a huge discrepancy in the data.
- 18 of 36 deaths between 2021-24 where cause provided (50%) was due to suicide, drugs or murder.
- The youngest person to have suicide listed as a cause of death was 11 years old, and the average age of death by suicide was 15.9 years.
- The average age of young people dying from drug overdoses was 18 years.

In the context of learning disability and autism, key findings included:

- People with learning disabilities experience a 20-year mortality gap compared to the wider Scottish population.
- At least 16 autistic people or people with a learning disability have died whilst in patients over the past decade with 6 of these deaths occurring in recent years.
- Almost no information is available about those who have died including their age, gender, ethnicity, deprivation, as well as the circumstances or cause of their deaths.
- This is especially concerning for a group where there is evidence of human rights violations and lack of safeguards, and a sense of people falling off all radar systems.
- There is no mandatory inquiry into the deaths of people with learning disabilities and autistic people who are in hospital for non-medical reasons.

In the context of prison, including some coverage of earlier years, key findings include:

- 64 people died in prison in 2024, a 60% increase from 2023.

- There was one death of a trans woman in 2024; the remaining 63 deaths were men.
- Deaths of women 2021-2024: 5 in prison and 2 on Home Detention Curfew (HDC) – of these deaths - 2 drug related, 3 suicides, 1 health related, 1 unknown
- Between 2004 – 2024 (inclusive) - 25 women died in prison aged between 19 and 60
- Average age of death is 35 (younger than for the average age of men dying in prison)
- All but nine (64%) died from suicide or drugs
- Average time to death of younger women dying (aged under 30) is 70 days from being detained (2004-2024)

Deborah finished by sharing the story of Caroline (with the consent of the family). Caroline died in 2019 after being in police custody and then in court cells. Her FAI was completed in 2021. Neighbours had seen Caroline wandering outside in her pyjamas on a cold night. They gave her a cup of tea and called the police out of concern. The police came, ran her name in their system and saw there was a warrant out for her arrest for petty theft and they took her into cells. The police missed a health flag on her record. She was moved over night to a different police custody suite – they also missed the health care flag. She was taken to court the next day and held in cells. She was not called for her case for many hours and by the time she was called to court to give evidence she couldn't stand and had vomited on herself. She was placed in a wheelchair. The Procurator Fiscal opposed bail and the Sheriff remanded her. She went back down to court cells and by the time the court hearings were completed and the prison escort van was ready to collect her, she was so unwell she was taken directly to hospital. She died a few days later. The FAI that followed made no findings about the police decision to take an unwell person into custody, the multiple failures of police to see she had serious health care needs, the Procurator Fiscal and Sheriff decisions to remand someone who was obviously very unwell. Caroline had long-term drug issues – the normal pattern was for her to hit a rough patch, turn to drugs and shoplift. She would be taken into police custody and her father who lived near her would always be called and he would go to collect her, but no one called him this time. Caroline experienced much trauma in life – her mother had rejected her, her brother was murdered, and her children were taken into care. Her older brother and father are now in recovery and Caroline might have made it into her own recovery but this was not to be. This was a very sad story but important to share.

Discussion points raised:

Shumela Ahmed noted how stark the findings were, particularly the stats around care experienced young people. These stats need to be talked about publicly – 72 young people to have died in four years is an unbelievable number – 16 in the past year is frightening. People in the care experienced community are not hearing about this information – this is very important and telling. Considering the prominence of The Promise, this should be front and centre in any discussions around The Promise. More people need to know about this and it needs to be shared carefully amongst the care experienced community. Shumela noted that as Chair of Each and Every Child, she will take this report to her Director and discuss how to do that.

Sarah Angus agreed the report findings were so stark and noted for anyone touched by suicide, that nobody could be untouched by sharing the stories described. Sarah agreed that the FAIs for Katie and William were groundbreaking. SPS has rightly taken criticism which is accepted but the SPS can't solve this problem on their own. We also need to look upstream – the wider mental health figures are shocking and not highlighted in the same way that prison figures perhaps are. That is not meant to be defensive – we need to use all the figures highlighted to move into positive action. There is an opportunity for action but we all need to grasp this. If we particularly look at the women that are in prison, they are some

of the most vulnerable people. There is no way someone could walk around HMP Stirling and think that everyone in there should be in prison. Sarah noted that both presentations from this evening call for us to take collective action to make an impact on the problems.

Hannah Graham noted that the Sentencing and Penal Policy Commission is very much aware of this research and we can reasonably expect to see this research and the wider findings to feature. The Council of Europe Committee for the Prevention of Torture did a nation visit to Scotland in June 2025 – they have a copy of this research – their interest is in the health and wellbeing of women at different points in custody and they've already given stark warnings to other nations about the length of time in which FAIs / other coronial inquiries took to respond. They are also interested in children and young people's experiences of detention and secure care. In terms of human rights conventions Scotland can probably expect to hear quite a profound and pressing reflection on that group and others.

Agenda item 6 Agency updates – there was no time for agency updates.

Agenda item 7 AOB - It was noted that the next meeting of the CPG would be held in December with the date still to be confirmed.