

**Cross-Party Group on Children and Families  
Affected by Imprisonment  
Wednesday 9<sup>th</sup> September 2015  
1-2pm**

**Attendance:** Mary Fee MSP, Nancy Loucks, Karen Armstrong, Elaine Stalker, Jude Clarke, Emma Youens, Christine Bain, Lisa Mackenzie, Carol Robinson, Margaret Slater, Janice Wilson, Lexi Smart, Georgina Lyttle, Susan Galloway, Richard Simpson MSP, Gwen Edwards, Eddie Follan, Dan Cairns, Dawn Henderson, Niki Stark

**Apologies:**, Ann Darlington, Shirley Melvin, Anne Pinkman, Don Millar, Billie Wealleans, Valerie Macniven, Donald Dickie, Janice McGowan

<b>Welcome and apologies</b>	<b>Action</b>
Ms Fee MSP welcomed everyone. Apologies have been submitted by E-Mail and will be circulated with the next minutes.	
<b>Minutes of last meeting and matters arising</b>	<b>Action</b>
The minutes were agreed as an accurate note of the discussion.	
<b>Update on Parliamentary Business</b>	<b>Action</b>
<p>Ms Fee MSP thanked all who had responded to the consultations on her Private Member's Bill - the 'support for children impacted by parental imprisonment bill'. Particular thanks were expressed to Barnardo's Scotland and Dan Cairns for their help and support with the proposal and consultation process.</p> <p>Ms Fee explained that the aim of the Bill was to legislate so that children affected by parental imprisonment are no longer overlooked, but receive appropriate services and support. The aim of the consultation was to receive comments, views, provide analysis, gauge public interest and consider how these issues should be brought forward. Unfortunately there was not enough time for the final proposal to be lodged after the consultation had closed.</p> <p>On week beginning 31<sup>st</sup> August 2015, Ms Fee lodged a number of amendments to the Criminal Justice (Scotland) Bill around child and family impact assessments. Three of Ms Fee's amendments were heard at the Justice Committee on 8<sup>th</sup> September 2015. The amendments included a national strategy on the impact of sentencing on children and families affected by parental imprisonment; a reporting requirement on Scottish ministers; and the introduction of child and family impact assessments. There was cross-party support for the amendment around child and family impact assessments. The Justice Committee questioned at what point the child and family impact assessment would be carried out. Ms Fee explained to the Committee that it would be done when someone was taken into custody, awaiting sentencing or at the point of sentencing. The Government rejected all three amendments and are of the view that GIRFEC is sufficient and another layer of bureaucracy is not necessary in the court system. The first amendment on the national strategy and the impact of sentencing on children and families affected by imprisonment had a hung vote. The Committee Convener had the casting vote and voted against, so the amendment fell. The second amendment around the reporting requirement fell. However the amendment around the introduction of child and family impact assessments went through. Ms Fee is of the view that the other amendments need to be pressed at stage 3 and that the CPG need to campaign and lobby support in order to get another amendment through, given that the vote was so close.</p>	

Child & Family Impact Assessments	Action
<p>The published summary of consultation responses can be found on the Scottish Parliament website, Ms Fee’s website, Barnardo’s website, individual copies of the consultation are available from Dan Cairns.</p>	
<p>Ms Fee highlighted the main points of the consultation. There were 102 responses, 82 from individuals who agreed with the proposal, 20 were received from organisations and individuals who directly engaged with the questions. 79% of respondents supported the general aims of the Bill. Respondents from interested organisations highlighted deficiencies in current measures such as GIRFEC. The overall support for the bill was positive. The main reason for supporting the bill was that it supported the UNCRC and in particular article two which states that no child should be discriminated against because of the situation of their parents. The main theme running through responses was that the current systems are failing children who have a parent in prison. Several respondents highlighted that criminal justice social work reports are not fit for purpose. Barnardo’s fed back that criminal justice social work reports focus on what the family can do for the offender not what the statutory services can do for the family. 42% of respondents raised the issue of remand and the importance of accessing the impact of this on children and families. Ms Fee stated that the area of remand is an area that the CPG could focus on and lobby the Government about.</p>	
<p>Some respondents suggested that assessments should be made throughout the criminal justice process, some felt the scope of the bill may be too narrow and the policy intention of providing more support to families as well as children should be made more explicit. The majority of respondents supported the need for child and family impact assessments. Views differed about whether child and family impact assessments be made for each child in the family or one per family. Scottish Courts and Tribunal Services lodged an objection stating that there was no role for SCTS in the process and the proposal would provide additional duties for the courts whose involvement in criminal proceedings ended at the point of sentencing.</p>	
<p>The consultation asked for comments and suggestions to changes to the second part of the Bill which would have amended additional support for learning to include children of prisoners as an at risk group. The majority of respondents supported this proposal.</p>	
<p>Prof Nancy Loucks asked that the wording of the amendments be circulated to the group. Ms Fee agreed that the amendments and details of the reasons behind them be circulated to CPG members to help them understand them better.</p>	<p><b>Dan Cairns to circulate amendments to Ms Fee’s bill to CPG members</b></p>
<p>Mr Eddie Follan, Barnardo’s acknowledged Ms Fee’s achievement in getting the amendment through. Mr Follan said that the amendments that did not go through should be presented again at stage 3. Ms Fee supported with Mr Follan’s proposal to keep the campaign going.</p>	<p><b>CPG Convener to write to Government about objections and how they can be addressed</b></p>
<p>Mr Richard Simpson, MSP, agreed that there was support around for the amendments and highlighted the role of publicity and support in making it harder for the government to reverse the amendment. Mr Simpson suggested that the Convener of the CPG write to the government advising that the group had noted their objections and work with the government to addresses them. Ms Fee supported this idea, stating that the main objection from the cabinet secretary on 08/09/15 had been that GIRFEC was sufficient. Ms Fee agreed that a letter be written to the government and have an organised campaign.</p>	<p><b>Eddie Follan to direct task of drafting a template letter for</b></p>
<p>Prof Loucks reminded the group that at the last CPG Mark Ballard had agreed to draft a template letter for people to send to MSP’s. Prof Loucks stated that it would be useful to circulate the template letter through the CPG. Mr Follan agreed that Barnardo’s would undertake the task of drafting a template letter.</p>	

Ms Fee raised the issue of remand. Particularly how prisoners and families of prisoners on remand are supported. Ms Fee asked the CPG to consider the issue and whether this is a topic that the CPG should get more involved with.

Mr Simpson was invited to discuss health issues. Mr Simpson highlighted serious problems in the area of child and adolescent mental health. First, waiting time targets are not being met by health boards. Secondly, since 2012, 16,500 children referred to Child and Adolescent Mental Health Services by professionals have had their referrals rejected. Mr Simpson has written to the Health Minister to ask what has happened to these children. Mr Simpson stated that within the children rejected there will be some very vulnerable children, and some may be those impacted by parental imprisonment. Mr Simpson asked that anyone who has case studies where referrals have been rejected or not taken up by CAMHS services let him know. Case studies can be used to put pressure on the government about this issue. Third, there have been no additional child psychiatrists appointed since 2008 despite the number of children increasing, referrals increasing and waiting time increasing. Mr Simpson's asked what assessments are being done on children and whether tiers of the CAHMs service are responding, he also asked whether prison related social work services are assessing these children

Prof Loucks responded to Mr Simpson, stating that prison based social workers' remit is around those held in custody. This is where the child and family impact assessments would play a big role as there are a lot of children who will not be assessed. Prof Loucks asked if one of the potential problems with the introduction of child impact assessments is that costs will be increased if more children that need support are identified via the assessment. Ms Fee acknowledged that this would be an issue. Mr Simpson explained that there are varying tiers of the service, which have differing costs and some services may be more accessible than others.

Prof Loucks said that lack of access to mental health services is an example of where services are falling down for children affected by imprisonment, because of both lack of identification and lack of support to refer them on to. Prof Loucks also highlighted that children affected by sibling imprisonment, as well as parental imprisonment, need support.

Ms Susan Galloway, NSPCC Scotland, highlighted the need to think about babies and younger children, who mental health services are not available to. Ms Fee said that these issues that have been raised can be included in campaigns made to the government.

Prof Loucks clarified that the point of the amendment is to make connections between current systems, such as GIRFEC, so that they work at their optimum.

In conclusion to this discussion Ms Fee said that the CPG needed to decide:

- How the CPG lobby?
- Who the CPG lobby?
- What publicity the CPG send out e.g. letters?
- Consider what to do with the amendments that have been rejected.

**campaigners**

**CPG members: relevant CAMHS case studies to be forwarded to Mr Simpson**

**CPG members: consider how to progress support for amendments**

<b>AOB</b>	
<p>Mr Simpson raised the issue of female offenders and in particular remand facilities, including bail facilities and tagging. The development of new resources such as ‘Time Out’ centres would make a big difference to children. Mr Simpson is keen see these facilities progressed and suggested that the CPG consider inviting a representative along to take account of where things are at.</p> <p>Prof Loucks asked if a parliamentary question could be lodged relating to progress of plans to publish results of consultation of Community Justice Authorities and about Aberlour Family Support Service, the only Scottish residential family addiction centre, which has been closed due to the end of funding.</p> <p>Following on from previous CPG, Prof Loucks has contacted Police Scotland and SPS to invite them to address a future meeting. Police Scotland are looking at national implementation information cards originally developed with SW CJA to leave with families at the point of arrest. Police Scotland are also looking at developing protocols for supporting children at the point of parental arrest.</p>	<p><b>CPG: Invite Michael Mathieson along to take account of current issues.</b></p> <p><b>Dan Cairns to arrange for parliamentary questions to be lodged</b></p> <p><b>Prof Loucks: follow up CPG invitation to Police Scotland and SPS.</b></p>

**Date of Next Meeting: 11<sup>th</sup> November from 1-2pm**