

# **EQUAL OPPORTUNITIES COMMITTEE**

Tuesday 10 February 2009

Session 3

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## EQUAL OPPORTUNITIES COMMITTEE

### 2<sup>nd</sup> Meeting 2009, Session 3

#### CONVENER

\*Margaret Mitchell (Central Scotland) (Con)

#### DEPUTY CONVENER

Elaine Smith (Coatbridge and Chryston) (Lab)

#### COMMITTEE MEMBERS

\*Malcolm Chisholm (Edinburgh North and Leith) (Lab)

\*Marlyn Glen (North East Scotland) (Lab)

\*Bill Kidd (Glasgow) (SNP)

\*Hugh O'Donnell (Central Scotland) (LD)

\*Sandra White (Glasgow) (SNP)

\*Bill Wilson (West of Scotland) (SNP)

#### COMMITTEE SUBSTITUTES

Willie Coffey (Kilmarnock and Loudon) (SNP)

\*Johann Lamont (Glasgow Pollok) (Lab)

Mary Scanlon (Highlands and Islands) (Con)

Margaret Smith (Edinburgh West) (LD)

\*attended

#### THE FOLLOWING GAVE EVIDENCE:

Brian Cole (Scottish Government Criminal Justice Directorate)

Mike Ewart (Scottish Prison Service)

Sharon Grant (Scottish Government Criminal Justice Directorate)

#### CLERK TO THE COMMITTEE

Terry Shevlin

#### ASSISTANT CLERK

Rebecca Lamb

#### LOCATION

Committee Room 2



## Scottish Parliament

### Equal Opportunities Committee

*Tuesday 10 February 2009*

[THE CONVENER *opened the meeting at 10:03*]

### Decision on Taking Business in Private

**The Convener (Margaret Mitchell):** Good morning and welcome to the second meeting in 2009 of the Equal Opportunities Committee. I remind all those present that mobile phones and BlackBerrys should be switched off, as they interfere with the sound system even when they are switched to silent.

We have received apologies from Elaine Smith. I welcome Johann Lamont, who is attending as her committee substitute. I also welcome Alastair Macfie, the senior assistant clerk to the Transport, Infrastructure and Climate Change Committee, who is substituting for our clerk, Terry Shevlin, who is on jury duty. We are pleased to have you at committee, Alastair.

Under item 1, I ask members to agree to take in private item 4, which is our consideration of a paper on commissioning research on sexual imagery in goods that are aimed at children. Are we agreed?

**Members indicated agreement.**

## Female Offenders in the Criminal Justice System Inquiry

10:04

**The Convener:** Item 2 is the first evidence-taking session in the committee's inquiry into female offenders in the criminal justice system. We will have an update from Scottish Government officials and the Scottish Prison Service on the key questions that we set out when we launched the inquiry. It is my pleasure to welcome Brian Cole, who is head of branch 1 of the Scottish Government's community justice service division, and Sharon Grant, who is head of branch 2. I also welcome Mike Ewart, the chief executive of the Scottish Prison Service. Perhaps Brian Cole and Sharon Grant will explain the difference between branch 1 and branch 2.

**Brian Cole (Scottish Government Criminal Justice Directorate):** I deal with community penalties and reports for the courts.

**Sharon Grant (Scottish Government Criminal Justice Directorate):** I deal with throughcare, which is supervision of offenders in the community.

**The Convener:** Thank you. That was helpful. We will ask you some broad-brush questions to get a feel for the issue. What is the profile of, and availability of services to, women in prison?

**Mike Ewart (Scottish Prison Service):** I read the evidence that you took from Ian Gunn, the governor of Cornton Vale, and from Nancy Loucks and the other academics you spoke to before you began the inquiry. Their evidence remains a good summary of the detailed picture of the provision of services to women in prison and the make-up of the female population in the SPS.

There are some gender-specific issues, particularly the fact that women are most often the principal carer in a relationship, which means that issues of responsibility for families are more significant for female prisoners than they are for male prisoners. However, the real definition of the particularity of the female population is that although women prisoners are affected by issues that affect both male and female prisoners across the system, in almost every case those issues are more significant and more prominent for women. Women are more likely to suffer from mental illness or mental disorder, they are more likely to have been victims of abuse, and they are more likely to have drug or alcohol issues, or both. They are also more likely to face significant resource and domestic issues and, as I said, they are more likely to be the principal carer.

The other issue that you may want to explore a little in discussion is that although the figure for the absolute number of women that we lock up is large, it is a small proportion of the overall prison population and it is concentrated in a single establishment: Cornton Vale. Given the way in which we deliver the prison service to women, we take a lot of them further away from their families and their communities than is the case for some male prisoners.

The range of services that is available in prison for women offenders was well laid out in Ian Gunn's written and oral evidence, so I will not go over that again. The broad picture is that there is a significant level of partnership with other organisations that bring services into the prison, and there are significant levels of intervention, both general and specific, which the SPS itself can deliver for women. However, there are some major constraints on our capacity to intervene positively. Those are to do with the overall numbers in the female population and the substantial proportion who are serving short-term sentences: it is very difficult to make effective interventions with people who are in prison for only a short time.

I mentioned the number of women in prison. As of unlock this morning, there are 431 women in Cornton Vale and 36 women on home detention curfew, using a tag, who are still technically committed to prison. The female population is 467, which is too many, and the proportion of women serving short-term sentences in that population is too large.

Last April, Her Majesty's chief inspector of prisons for Scotland did an unannounced inspection of Inverness prison. He said that the treatment of women prisoners in Inverness reflected everything that is good and everything that is bad about the treatment of women in prison—I think that his comments apply generally and are a good summary of the position. What was good was the level of service that was available and the relationships that staff had with women prisoners. I am pleased that the chief inspector was able to be so positive about how Scottish Prison Service staff treat women prisoners and what they can do for them. What was bad was that women were in prison at all to serve short sentences, during which little impact was made on their personal circumstances and offending behaviour.

That reflects in a profound way the difficulties with the use of prison in general. We lock up far too many people and we use prison wholly inappropriately. Prison can do some good, but prison always does harm. The introduction of somebody into the prison system means that it is likely that they will lose their job, if they have one, and their home or tenancy. It is also likely that

their family and community relationships will be seriously damaged. All the evidence that we have, from years of research, is that three things contribute to reducing a person's offending behaviour: their having a job, a home and a family. When we put people into prison we damage those three things.

We need to think carefully about how we use prison, in particular in relation to women offenders. The question that might be uppermost in committee members' minds is whether we are currently using prison effectively, appropriately and properly. We can do something for the women who are put into our care and it is our intention and desire across the Scottish Prison Service to do as much good as we can. However, we know that by the very fact of introducing people into prison we are making them more likely to reoffend. That cannot be the way ahead.

**The Convener:** You said that the majority of women prisoners are carers. Is that recognised in the provision of service? You said that having a job leads to stability, but is it realistic to expect that the vast majority of women offenders who leave prison will go into employment as opposed to performing the main caring role? How is the service tailored to cater for women's caring roles?

**Mike Ewart:** I need to tease out a couple of issues. Given where the economy is heading, I do not think that people who leave prison are likely to be able to move into employment. My concern is that by bringing them into prison in the first place, employment that they might have had prior to being in prison is likely to be damaged and their chances of finding employment subsequently are less than they would otherwise have been.

There are various ways in which we can deal with the needs of women as carers. For example, in the extreme case of a woman who is pregnant or has a young child, there is provision in Cornton Vale prison for women and babies to be kept together.

**The Convener:** I think that you misunderstood my question. We are where we are, and women are in prison, although we might wish that some things were different. What services are available in Cornton Vale to cater for what might be a woman's main function and to provide stability when the woman returns to the family?

**Mike Ewart:** Various interventions are helpful. There are opportunities for women to maintain relationships with their children, albeit at a distance, and various constructs, including cognitive behavioural therapy treatments, are designed to help women think about their roles and address their own behaviour. Such services are not so much about women's specific roles as carers as they are about helping them to address

issues in their lives, so that they are better able to deal with their circumstances when they leave prison.

10:15

**The Convener:** I am pressing you particularly on this because when we had a very good round-table discussion at Cornton Vale with people from all over, including the prison visiting committee and outside agencies, participants made the point that most of the women will not go into employment and that the concern was stability. In that regard, are simple housekeeping courses available, such as how to make a pot of soup, how to balance a budget, or how to get some normality into family life? Are there tailored programmes for women leaving prison that try to prepare them for normal, everyday life?

**Mike Ewart:** Yes.

**The Convener:** In what way? It would be helpful if you could expand on that.

**Mike Ewart:** Such programmes are available in ways that will help the individuals. The programmes tend to be tailored to the individual's needs and include aspects such as simple housekeeping and budgeting. Basic literacy and numeracy are part of the education programme.

**The Convener:** Are the resources sufficient? Is there a problem at any time in delivering the programmes because of, for example, absence cover? Our impression was that that was an issue.

**Mike Ewart:** It will have been explained to the committee during its visit that the overall resource is less important than prioritising the available resource. That means that people, particularly those on short-term sentences, are not getting the kind of service that you might think it would be most desirable for them to get. That is not just a question—

**The Convener:** Is prioritising done because of physical constraints or because of the availability of people to deliver the service?

**Mike Ewart:** There is prioritising because of the overall pressure of numbers and the physical constraint of available spaces on courses. In addition, it takes an appreciable amount of time to make an impact on somebody's behaviour. That cannot be done with somebody who, once they have settled down, is with us for only a matter of weeks before they are liberated.

**The Convener:** I am conscious that neither Brian Cole nor Sharon Grant has come in. Can we hear from them? I will then bring in the two members who want to ask questions.

**Sharon Grant:** As part of the work on the skills strategy, the Government has just appointed three

independent chairs to three work streams on offender learning. The work stream groups have just started their work and are due to report in June. They are mapping out the journey of young and adult offenders in custody and in the community and assessing available opportunities for learning. The groups have taken an early view that it is not all about avenues leading to employment because they realise that people in prison may not have the skills to go directly into employment when they come out.

The groups are therefore considering different ways of working and are exploring different avenues around how someone in prison can begin learning or attaining skills, such as parenting or basic housekeeping skills. The groups are also considering the journey that people make into the community and the services that they would be able to access in the community to help them continue that journey. It may not be all about getting employment at the end, but about skilling people up to become more effective in their day-to-day living.

**The Convener:** Programmes on parenting skills would be very welcome and of tremendous value. Does Brian Cole want to add anything?

**Brian Cole:** In the context of community penalties, people can undertake the type of work that Mike Ewart mentioned under court imposed orders that require the offender to serve their sentence in the community. For example, supervised attendance orders, which are effectively a fine on time, will encompass work on life skills, money management and so on. Similarly, part of a probation order addresses the offender's needs. A probation order can cover the elements that have just been discussed.

**Sandra White (Glasgow) (SNP):** I want to take a step back. Mr Ewart mentioned that perhaps some women should not be in prison at all, particularly those with a mental illness. Mr Cole talked about community penalties. Is someone's mental health problem taken into account by the court when it considers community service or incarceration? When we visited Cornton Vale, I got the impression that some of the women there should not be in prison. What input do you have in giving evidence to judges, who could decide on treatment rather than incarceration? I know that that is taking a step backwards, but if we can get that right perhaps we will not have as many women in prison. What is your opinion on that?

**Brian Cole:** In the vast majority of cases, offenders will not end up in custody if the court has had access to a social inquiry report. Those reports are prepared by criminal justice social work services and are designed to report on the offender's circumstances and the offence. They

offer the court options for how the offender might be dealt with.

Under the current legislation, there are certain situations in which a social inquiry report is mandatory; in other situations, it can be called for by the sentencer. A social inquiry report is a prerequisite when a community disposal is recommended, and the report will go into great detail about the offender's circumstances. If someone has a mental health issue, that will be reported by the social worker. In the context of probation, a court is able to impose a condition of mental health treatment as part of an order. In recent years, courts have used that approach in about 170 to 180 cases throughout Scotland.

**Hugh O'Donnell (Central Scotland) (LD):** Your observations on the value and usefulness of short-term sentences are well founded. As someone who worked in the Prison Service for a very brief time, I concur that there is almost a revolving door. Someone who gets arrested on a particular day and in particular circumstances can spend 24 hours in jail, which is useless to all intents and purposes.

My main point is about your comments on the things that people will lose as a consequence of serving a prison sentence. Do we have any substantive figures—particularly in relation to the female prison population—on the percentage of offenders who, as a result of a custodial sentence, lost their employment, lost their tenancy or had their home repossessed or had their children taken into care? Are any figures available on those issues?

**Mike Ewart:** I do not think that I have seen any comprehensive research that would give figures across the board for people in all those categories. They are not figures that the SPS would hold. However, I can ask my colleagues whether there has been any such research, if it would be useful for the committee to get a summary of that. We will write to you if that information is available.

**Hugh O'Donnell:** That would be very helpful, thank you. Perhaps someone from the Government knows what is happening in relation to the collation of such information.

**Brian Cole:** Information is collated on the number of offenders who are in employment and who are given a community penalty. It is expected that someone's employment will be maintained if they are given such an order. We collate statistics on those who are in employment or training at the point of sentencing.

**Hugh O'Donnell:** I am trying to build a picture of the on-cost to the individual and society of a custodial sentence, such as the pressure points that it creates. I understand all the reasons for custodial sentences, but I get the sense that we do

not have a clear picture of the on-cost in human and economic terms—the on-going impact on the individual and on society more generally—of short-term custodial sentences. It appears from the responses that we have heard that we do not have a clear picture of that. I believe that we need to get that picture.

**The Convener:** We would certainly appreciate any information that the witnesses could get. It is important that we have a record of such statistics.

**Bill Wilson (West of Scotland) (SNP):** I had one question, but now I have two.

I want to follow up Hugh O'Donnell's question first. If we took one group of prisoners who received short sentences and one group who received community sentences, it would be interesting to know how many from each group were in jobs, how many were in jobs a year later, and how many lost their homes over the same period. That would give us some of the comparisons that Hugh O'Donnell might be looking for.

I also want to follow up Sandra White's question about prisoners, or people who are convicted, with mental health problems. If someone has to meet the requirements of a community sentence, they must have an element of self-discipline because such a sentence will impose certain conditions on them. Individuals with mental health problems might have greater difficulty meeting those requirements. To what extent is the community sentence capable of adapting to individuals with mental health problems and helping them to exercise that self-discipline so that they complete the sentence, rather than ending up in prison almost as a result of the fact that they have that extra difficulty?

**Brian Cole:** One can reasonably assume that supervising officers for community penalties and probation will take a sympathetic, understanding view of the situation of that particular group of offenders. Supervising officers have a degree of discretion about the stage at which they report breaches to courts. There are various stages to go through. I think that an understanding perspective would be taken. If the circumstances warranted the reporting of a breach to the court, I imagine that the court would be sympathetic and might take actions other than returning an offender to custody.

**Marlyn Glen (North East Scotland) (Lab):** I want to return to the profile of women in prison. We have already taken evidence on this, but I wonder whether the witnesses would like to add to that evidence. I appreciate that there are issues in all prisons, but some things are more of an issue in Cornton Vale. That seems like a good reason



for the inquiry; it is a good idea to look at the situation through the gender lens, as it is called.

On the profile of women in prison, including women on long-term sentences, is there evidence that female prisoners' attitude to violence is different from that of male prisoners? Are they more likely to have been victims of abuse? Are the types of crime and the sentences similar? Do they match across male and female prisoners?

**Mike Ewart:** I will try to summarise the position on the categories that you have set out. I do not think that there is evidence of a significantly different pattern of criminal offences, within the individual groups of offending. Overall, however, women are much less likely to be involved in what is called acquisitive crime.

As the Lord Advocate pointed out, the evidence is that there has been a growth in recent years in violent offences by women, but that is a proportionate growth in what is a very small base figure. One must always be cautious about changes in small numbers—

**Bill Wilson:** Is the number of women involved in violent offences still very small?

10:30

**Mike Ewart:** Only a small number of women are involved in violent crime, but there has been a significant proportional increase in the recorded number of such violent crimes.

**Bill Wilson:** As I recall, the last time that we took evidence as part of our inquiry, press reports concentrated on that increase and rather missed the fact that the number of women involved in such crimes is still very small. I apologise for interrupting your answer.

**Mike Ewart:** Some research also points to the fact that what is known in the jargon as the criminogenic motivation of women is different—in other words, the things that lead women into criminal behaviour are different. Women prisoners are more likely than their male counterparts to have been persuaded or driven into behaviour by others, particularly by men. Arguably, there might be people in the male prison population who have been led and persuaded into crime, but that just happens in different ways.

On sentences, the proportion of short-term sentences to long-term sentences is greater in the female prison population. That reflects the nature of the underlying offending patterns. As was pointed out in the evidence that the committee took last year, there is a significant growth in the female remand population. It appears that, in comparison with men, a greater proportion of women are remanded. However, the conversion rate from remand into sentence is lower among

women. In other words, more women are remanded and then go on not to receive a determinate sentence.

I think that I have covered all Marlyn Glen's categories. If she wants to come back with some more, I am happy to respond.

**The Convener:** Our opening questions covered a big area, so I do not apologise for spending quite a bit of time on it. I want to press you on literacy and numeracy. Do you have figures on how many women prisoners have literacy and numeracy problems?

**Mike Ewart:** I do not have specific figures for the female prison population, but I am sure that we can obtain them. It is significant that the levels of literacy and numeracy problems in the prison population are significantly higher than those in the general population. That goes along with all the other indicators of deprivation that are associated with offending behaviour. I undertake to give what figures we can to the clerk.

**The Convener:** That would be helpful. Literacy and numeracy problems could contribute to behaviour that leads eventually to offending. At what point are those problems addressed? When women are on remand, does the prison attempt to establish whether they have literacy or numeracy problems? If it does not, should it do so?

**Mike Ewart:** Particularly with literacy issues, people who come into prison are of sufficient age to have developed strategies to deal with their problem, which they often seek to conceal. Obviously, when people are admitted to prison, details need to be taken and forms need to be completed, but those are normally completed on the individual's behalf, so the prisoner does not need to fill them out personally. It takes some time before we can discover the extent of someone's issues. With literacy issues, it might be necessary for individuals to come to us rather than for us to go to them. However, literacy and numeracy problems are not specific to prison—they are issues in other services as well.

**The Convener:** Is there room for improvement? Might those issues be addressed much earlier, perhaps as soon as the person is on remand, never mind serving a short-term sentence?

**Mike Ewart:** There is always room for improvement—I would never deny that—so if we can find better tools to address those issues, we will be delighted to use them.

**The Convener:** Let me finish by asking about one aspect that you mentioned previously. You said that the profile of the female prison population includes many victims of abuse, which I presume includes sexual abuse. You will be aware that ChildLine said yesterday that calls to it to report

sexual abuse were up 50 per cent. Is any specific sexual abuse support given to women in prison?

**Mike Ewart:** Yes.

**The Convener:** Will you elaborate? I believe that a pilot is being run.

**Mike Ewart:** Yes. As you say, a service is available through that pilot, but there is also support within the service through relationships with staff, particularly with health care staff. Dealing with abuse is difficult for all kinds of services, and again, if we can find better ways of dealing with it, we will use them.

**The Convener:** I am given to understand that there have been positive outcomes from the pilot. Are you aware, for example, of people moving on and finding employment, whether solely or partly because of the pilot?

**Mike Ewart:** I do not have the detail of the outcomes with me.

**The Convener:** Is the pilot funded by the Scottish Government? Are the Government representatives aware of the programme?

**Brian Cole:** No.

**The Convener:** Perhaps we will get more detail about it as the inquiry moves on.

**Malcolm Chisholm (Edinburgh North and Leith) (Lab):** I want to continue the theme of the effectiveness of treatment and rehabilitation programmes. An issue was raised about the number of short-term prisoners. Do you have specific figures on that? Of the 467 female prisoners, do you have any sense of the percentage of them who are serving sentences of less than six months? It would be useful to have an indication of that.

**Mike Ewart:** Over the piece, more than 80 per cent of those prisoners are short term.

**Malcolm Chisholm:** That is one problem that you have highlighted. Another is the prevalence of prisoners' mental health problems. You mentioned in passing cognitive behavioural therapy. To what extent are there effective interventions for prisoners with mental health problems, or are they pretty difficult to effect in prison?

**Mike Ewart:** You will have seen on your visit to Cornton Vale that it is difficult to provide specific interventions for people with mental illness or disorders. There are ways of dealing with behaviour and helping people to come to terms with their circumstances in the context of the establishment, but we do not claim to deal with mental health conditions in a way that would be regarded formally as complete treatment. The health care interventions are the best that we are able to provide, but they do not deal radically with

people's underlying problems, nor do we claim that they do.

**Malcolm Chisholm:** Is that just because they are intrinsically difficult to deal with? Members will ask about community sentences later, but do they afford more scope to deal with such problems?

**Mike Ewart:** Some of the issues that we are dealing with are significantly difficult, whether dealt with in community health care facilities or the establishment. There might be a question about whether settings other than prison establishments are more appropriate in which to carry out what are essentially health care interventions, for example an alternative form of secure establishment—secure in the sense of providing security for the inmate, rather than the community.

**Malcolm Chisholm:** You said at the beginning that mental health problems are more prevalent in the female than in the male prison population. Some of those problems will be related to sexual abuse, as Marlyn Glen mentioned, but is that the main factor or are there lots of others?

**Mike Ewart:** There is a significant range of factors, including abuse and substance abuse. There are also underlying issues of self-esteem that go right the way back to early childhood experiences.

**The Convener:** Although the majority of people with mental health problems fit into the category that we have described, a small proportion are violent. Carstairs deals with male prisoners who fall into that category. Is there similar provision for women? Are they able to go to Carstairs if it is deemed appropriate?

**Mike Ewart:** Carstairs is operated as a health establishment rather than as a prison establishment, so I defer to my health colleagues on its management.

**The Convener:** Are there any women at Carstairs? I might be wrong, but I thought that women who previously could have been admitted to Carstairs are no longer admitted there.

**Mike Ewart:** I cannot answer that.

**The Convener:** Can you find out?

**Mike Ewart:** I can.

**The Convener:** That would be worth while.

**Sandra White:** I have a quick follow-up. When we visited Cornton Vale, we met a lady who had mental health problems: I do not want to name her. She had been in and out of the system for 17 years. It was clear just from speaking to her that she had mental health problems. She was kept in a locked cell. Would a male prisoner who had mental health problems have the same experience, or would other forms of help be

available? Is there a distinction between female and male prisoners when it comes to the treatment of mental health problems? Does one gender get extra help?

**Mike Ewart:** The circumstances in which male and female prisoners present for health care provision in prisons are likely to be slightly different, but any difference in the quality or kind of provision is not to do with gender. Differences in the quality and kind of provision are to do with individual needs; they are not the result of the needs of particular genders.

**Marlyn Glen:** When we visited Cornton Vale, we saw one of the cells that had been adapted for prisoners with disabilities. Can you give us an idea of how the Scottish Prison Service copes with offenders who have disabilities?

**Mike Ewart:** The honest answer is that we try to cope with them as well as we can. As you know, we are making significant inroads into modernising the prison estate, to which the Government has committed significant investment. However, a substantial part of the estate is still not well adapted to deal with people who have particular needs. The problem is probably more significant in the male prison estate than in the female prison estate. Cornton Vale is a relatively new establishment, but it has significant difficulties with the physical infrastructure, as I am sure you saw when you went there. In particular, access to sanitation at night is an issue that the chief inspector of prisons has commented on repeatedly.

**Marlyn Glen:** Given the various duties that the Government has to fulfil, I am not reassured to learn that although the situation is bad at Cornton Vale, it is even worse everywhere else. There is a concern about prisoners with disabilities.

**Mike Ewart:** I would not want to be characterised as saying that the situation is bad in Cornton Vale but worse elsewhere. I began by saying that we are investing significantly in making the estate fit for purpose. However, I am not trying to minimise the problems with some of the infrastructure.

**The Convener:** We saw people who were in the high-dependency unit. How many of them, on average, would you say had mental health problems? How much does it cost to look after prisoners in that unit, compared with the cost of looking after the rest of the female population?

**Mike Ewart:** I am sorry, but I do not have specific figures on the cost of operating the high-dependency unit. It will be possible to get an indication of the relative costs of operation within the establishment, but I suspect that it will not be easy to disentangle the information that you would like.

**The Convener:** Do the Government officials have any further information on that?

**Brian Cole:** No.

**Sharon Grant:** No.

**The Convener:** We are already beginning to understand that statistics are key to our inquiry. If we want to make progress, information must be recorded.

**Hugh O'Donnell:** Mr Ewart, is it the case that people who are on remand—who are untried and therefore innocent—cannot be obliged to participate in programmes that are on offer to people who have been convicted?

**Mike Ewart:** Yes, that is the case.

10:45

**Hugh O'Donnell:** Therefore, engaging remand prisoners in literacy, numeracy or other programmes presents major challenges.

**Mike Ewart:** It is true that obliging people to engage in programmes presents more difficulties, for the reason that you gave. However, it is important to emphasise that most of the programmes that we are talking about require willing, not coercive, participation, if they are to make a difference in people's lives.

**Hugh O'Donnell:** Is the existing range of alternatives to incarceration appropriate for women? Are the alternatives limited?

**Brian Cole:** It might be useful if I briefly describe alternatives to custody. In essence, five statutory orders are available to all sheriff courts in Scotland and, on a restricted basis, to district/justice of the peace courts. The principal community penalty is the probation order. Approximately 9,000 probation orders are made each year. The order is flexible, and a range of conditions can be added to it, so it can be adapted to the circumstances of the offender. The community service order is an order of the court that requires the offender to undertake a specified number of hours of unpaid work. The order does what it says on the tin and nothing more. Drug treatment and testing orders are available for people who have serious addiction issues. They are high-tariff disposals, which I can explain more about later. Restriction of liberty orders are electronic tagging orders. Finally, supervised attendance orders are used with fine defaulters as a second disposal. Such orders are, in essence, a fine on time through modular or unpaid work.

Those are the five orders that are currently available. The Government has announced its intention to reduce the number of orders and adopt a more flexible approach. In the forthcoming criminal justice and licensing bill, probation orders,

community service orders and supervised attendance orders will be wrapped up into one order, which will be known as a community payback sentence. The order will include a number of requirements, such as a drug or alcohol treatment requirement, a supervision requirement or an unpaid work or other activity requirement. The intention is to introduce more flexibility within the new sentence. The proposed new order could require an offender to undertake unpaid work but, unlike the community service order, it could also provide for work with the offender to address employability skills, for example. A proportion of the requirement will be about considering the offender's needs and how to reduce the prospect of reoffending when the sentence is completed.

A range of programmes and work underpins the statutory orders. In that context, addressing the needs of women offenders is more problematic, because in contrast with the custodial situation, in which women prisoners are in a single establishment, the community penalty agenda in Scotland involves a relatively small number of women in any local authority area—local authorities are the delivery agents for community penalties. The fact that the vast majority of offenders are male gives rise to issues about how one deals with women offenders and ensures that their needs are best addressed. For example, if one wished to introduce a women-only programme, it might take a bit of time to ensure that there were sufficient women to undertake it. That would work against the principle of swift justice and could be problematic.

**Hugh O'Donnell:** I want to expand a little on the role of local authorities in that context. From what you have said, I get the sense that an economic imperative is involved, in terms of economies of scale. Is that a front-line consideration or are the needs of the prisoner or the offender the front-line consideration? Where does the Government's priority lie in relation to that?

**Brian Cole:** Both are factors in how local authorities' criminal justice social work services engage with offenders. The ring-fenced funding arrangements for the delivery of those services will continue. I suggest that the needs of the offender are paramount. Nevertheless, we operate in a world of finite resources and the challenge is in finding how best to gear the intervention to the needs of the offender.

**Hugh O'Donnell:** If that is the case, maintaining a silo approach to the budget of the criminal justice system might have consequences for other aspects of how local authorities and other bits of our society deal with or interact with individuals. In the wider picture, there is the potential for a narrow focus on that budget to have consequences for other aspects, for example

health services. That brings us back to my original point about how we view the whole situation and its economics.

**Brian Cole:** It is important to point out that the ring-fenced funding is for the criminal justice aspect. That does not prevent local authorities from engaging with health agencies or other appropriate delivery agencies to deliver services for offenders—that happens routinely. The ring-fenced funding is for the delivery of criminal justice aspects of interventions—it covers the costs associated with supervising officers. If an offender has needs beyond that, local authorities can engage with other service delivery agencies to provide the relevant intervention.

**Hugh O'Donnell:** However, the same economies-of-scale principle that applies to the criminal justice system applies to the other agencies, so we are no further forward, as I understand it.

**The Convener:** Let me clarify this. The money is ring fenced in the criminal justice system budget and therefore is not part of or affected by the concordat.

**Brian Cole:** Not directly, but it clearly has an eye on the concordat. It is one of the ring-fenced funding arrangements that is being retained in the meantime.

**The Convener:** So it is when local authorities seek to involve other agencies that an offender's needs could fall victim to the concordat. That is a cause for concern to the committee.

Did you say that certain orders, such as the supervised attendance order, are being rolled into the community payback order?

**Brian Cole:** That is the intention of the forthcoming bill. When the community payback sentence is introduced, the existing drug treatment and testing orders and restriction of liberty orders will be retained as options to courts alongside the new sentence.

**The Convener:** On a technical point, at present, supervised attendance orders kick in only when there has been a fine default. In other words, they are not a first disposal. Will that be rectified with the new payback orders?

**Brian Cole:** Yes. Supervised attendance orders are made for between 10 and 100 hours—they are a fine on time, and at the moment are used largely for fine defaulters. In two pilots in Renfrewshire and Dunbartonshire they are being used as a disposal of first instance. With the new payback sentence, that will become universal across Scotland.

**The Convener:** That is to be welcomed. We are looking at early intervention and providing

modules that help with offending behaviour. Offering the orders as a first disposal will be a marked improvement.

**Bill Wilson:** If I understood you correctly, you said that drug treatment and testing orders will be rolled into the new orders but will also be maintained separately.

**Brian Cole:** There are two aspects to that. Yes, we are retaining DTTOs, which currently are the highest tariff community sentence. In addition, a condition of drug treatment can be applied to probation. That is the parallel that will be put in place in terms of the new community payback sentence. It is slightly lower tariff than DTTOs, but the courts will still have the ability to impose a community payback sentence with a drug treatment requirement.

**Bill Wilson:** I am trying to get this clear. I am trying to work out what the difference is to the prisoner. It seems to me that a drug treatment order under probation and a drug treatment order under the new order will have the same effect. I presume that the higher tariff is a factor. How would one or the other affect the prisoner's life?

**Brian Cole:** DTTOs are targeted at those who have a considerable history of criminal behaviour and, typically, a number of custodial sentences. They are designed to address the acquisitive crime that such offenders commit and have a certain proven success.

Probation with treatment is slightly lower tariff and less intensive than DTTOs. One differentiator to date, for example, has been that DTTOs require the offender to attend four-weekly hearings with the sentencing sheriff. Probation with drug treatment does not carry that requirement, so it is slightly less intrusive and less intensive than DTTOs.

When we introduced DTTOs, we were concerned about not up-tariffing people for whom a probation order was a more appropriate order. We are trying to retain that in the new sentencing regime.

**Bill Wilson:** If DTTOs are more effective, is there a risk that if someone who is guilty of an acquisitive crime—a particular group or gender is more likely to be guilty of committing such crime because of a drug problem—gets probation, which is a bit less effective, they will be more liable to end up more heavily engaged in the system, because they did not get more intensive help earlier on?

**Brian Cole:** I am not sure that I suggested that DTTOs are more effective. Each disposal has a place in the sentencing tariff. There are more data on the effectiveness of DTTOs. It is difficult to drill

down into the information on probation, because probation orders are so flexible.

**Marlyn Glen:** I turn to the support that is available for women offenders on release—throughcare, I guess. How available is support and how effective is it? I guess that that links into a lot of what has already been said.

11:00

**Sharon Grant:** To give some background, I should explain that prisoners who have been sentenced to four years or more are subject to statutory supervision on release, usually under the authority of a supervising social worker. The Parole Board sets licence conditions, the requirements of which must be fulfilled by the prisoner on release. Those conditions can be very much like those that are set on probation, and can include health treatment interventions for addiction or abuse as well as interventions to address offending behaviour. They can also include a list of other restrictions on the person's ability to engage with others or to go to certain places. The conditions might require the person to attend an intervention programme. All of that is done under the supervision of a supervising social worker.

To maintain continuity throughout the prison sentence and into release, the local authority appoints a supervising social worker at the point of imprisonment. The supervising social worker has at least one annual visit with the prisoner and has an annual case conference—which the prisoner may attend if he or she wishes—to discuss progress during the prison sentence and planning for release. If the prisoner and the prisoner's family agree, the supervising social worker will also visit the prisoner's family on an annual basis to try to maintain the link between the prisoner and the family and to try to refer on any problems that the family experiences due to the prisoner's imprisonment.

Basically, that is what happens with the statutory group. The other group—

**Marlyn Glen:** I want to ask about that statutory group. The fact that all those women are centralised in Cornton Vale must add to the difficulties. Personally, I would not call an annual visit or annual case conference keeping in touch—that is quite shocking—but visiting a prisoner in Cornton Vale is quite difficult if the supervising social worker comes from Aberdeen or Dundee.

**Sharon Grant:** I should say that an annual visit by the supervising social worker is the minimum requirement. As the prisoner nears release, the case conferences become more frequent. If a person is in for a 10-year sentence, the first few years of the sentence—Mike Ewart will be able to talk about this better than I can—are about settling

in. The case conferences are about planning for release by building up a picture of the prisoner. The Prison Service works with the prisoner to address issues that need to be addressed while they are in prison. Obviously, the supervising social worker keeps up to speed on that. Once planning for release starts—a couple of years before release—the case conferences become more regular and possibly, depending on the needs of the prisoner, more intensive.

**Marlyn Glen:** Do all prisoners face similar problems, given that there are smaller numbers of women in that position?

**Sharon Grant:** All long-term prisoners, whether male or female, should have a supervising social worker allocated by the local authority. That is a prerequisite that has been agreed with and between the local authorities. That system has operated for a number of years. I do not think that female prisoners present more difficulties. Social work is required to provide supervision.

**Marlyn Glen:** I just wondered whether, to put it bluntly, the programmes are mainly for men and are designed with men in mind. I suggest that trying to keep a mother in touch with her children—if she is the primary carer—is a much bigger problem than trying to keep someone who is not the primary carer in touch with the family.

**Sharon Grant:** The important thing to remember is that, while the person is in prison, the Prison Service works with them to maintain family contact. Mike Ewart alluded to that. The service has personal officers, part of whose role is to ensure that family contact is maintained. If there is a crisis and the prisoner or their family is having difficulty, the prison officer facilitates contact by visits, telephone or other means, which works well for prisoners.

**Hugh O'Donnell:** I have two questions. First, what is the average length of stay for a remand prisoner? Secondly, if a female remand prisoner is subsequently found innocent, what interventions are there for her, given that she may have been on remand for some time and may have lost her job, be under pressure as an owner-occupier or tenant, or have a child in care? What support and throughcare interventions are there for such prisoners when they come out of the system?

**Sharon Grant:** There is no statutory support for short-term or remand prisoners, which means that no licence conditions are attached to them. However, whether they are short-term or remand prisoners, women qualify, and are—as are young offenders—a priority for local authorities in terms of access to what we call voluntary throughcare, which is delivered through advice, guidance and support. They are signposted to other services or supported in making housing applications and so

on. Local authorities are generally proactive in offering it, but it is difficult to say whether the majority of offenders take it up. Some do, but some do not because they want to leave as soon as the gate is open and do not want contact with statutory agencies again.

There are also prison link centres, in which advice from voluntary sector agencies and other agencies is provided to prisoners. I think that that service is extended to remand prisoners in some prisons.

**Sandra White:** Sharon Grant said that there is no statutory obligation in respect of remand prisoners who are released. I have met women who are involved in prostitution and, obviously, we see reports about prostitution in the newspapers and so on. Unfortunately, prostitution tends to be gender specific because more women are involved in it than men, although there are some male prostitutes. However, prostitution seems to be a revolving door for those women. Voluntary services might be offered, but are such women put in touch with, for instance, Routes Out of Prostitution? The women can get out of prison after being on remand, but then have to go back in again because they cannot pay a fine. They end up prostituting themselves again to get the money and will use drugs and so on. There seems to be nothing in place to prevent such women from reoffending because prostitution is the only life they know and the only way they can keep their children and so on. Is anything gender specific planned to help such women?

**Brian Cole:** It might be useful to mention an initiative in the Lothian and Borders sheriffdom. This comes back to what we said earlier about drug treatment and testing orders. A pilot exercise is taking place in the majority of courts in Lothian and Borders that is designed to use the DTTO with lower-tariff offenders—typically, female offenders have less criminal history than their male counterparts do. The pilot also provides for the new justice of the peace courts to make the order.

Among the issues that have cropped up in relation to DTTOs is that fiscals mark many cases as being for district/justice of the peace courts, to which DTTOs have not previously been available. In the first six months of the pilot, which has been running since last June, seven of the 12 offenders who have been made subject to such orders are female. A significant proportion of them are young females, which is not the usual DTTO offender group. It will be interesting to see whether, over time, that continues to be a feature and whether it will afford the opportunity for those who engage in prostitution to be made the subject of DTTOs. Anecdotally, I hear from the DTTO scheme managers that the young females who are being

put on the orders are the most challenging in respect of the work that is done within the order.

**The Convener:** You say that it is a prerequisite that local authorities provide social workers for all long-term prisoners at their annual assessments. Given the high absence rate in local authorities and the fact that social workers are often under intense pressure, meaning that the absence rate among social workers can be particularly high, where are the checks and balances to ensure that that work is being carried out?

**Sharon Grant:** The system that I have described is called integrated case management, and there are performance measures in place whereby local authorities and the Scottish Prison Service jointly measure attendance at case conferences. We are also measuring the quality of case conferences to ensure that they consider the individual and do not become just a process. The integrated case management steering group—which involves local authorities, the Government and the SPS—monitors targets annually and considers ways of improving areas that need it. The last ICM meeting that I attended—I think it was last year—considered the attendance performance of social workers at integrated case management conferences and found that there is around 90 per cent attendance. Steps were being taken to improve on that. So, local authorities are engaged in work with the Prison Service and other agencies to consider offenders on an individual basis and ensure that their needs are met.

**The Convener:** What happens to the 10 per cent of case conferences that are not covered?

**Sharon Grant:** The case conference still goes ahead, but the local authority—at quite a senior level—must provide a reason why there was no social worker in attendance at the meeting. That requirement to provide a reason and the fact that attendance is monitored have driven up attendance at case conferences. I cannot give you the latest figures just now, but I can find them.

**The Convener:** I presume that the figure of 90 per cent is the average for Scotland and that there are variations among local authorities.

**Sharon Grant:** There will be variations. However, videoconferencing arrangements are in place for when a local authority cannot physically attend a meeting because that meeting is being held in another part of the country and there is bad weather. Also, if a supervising officer supervises a number of prisoners in the same establishment, the Prison Service will arrange case conferences for all those prisoners on the same day if that is possible, so that we do not have people shooting all over the country. Local authorities and the Prison Service are putting in a lot of work to

deliver an optimum service for integrated case management.

**The Convener:** Let me pick up on Sandra White's point. In addition to the signposting activity that is going on in throughcare, is there a move to increase specific contact with voluntary groups and rehabilitation groups while the prisoner is still in prison, so that such contact is made easier when they are released?

11:15

**Sharon Grant:** Yes. We are probably talking about short-term prisoners, because statutory prisoners have the case-management process. Short-term prisoners have what we call a community integration plan. When someone enters the prison system, the SPS considers some of their needs. A brief risk and needs assessment is carried out, which identifies key areas that the SPS could try to address. If a prisoner is to be in prison for a short time, links will be made through link centres or through the local authority voluntary throughcare service so that onward referral can take place when that person is released. The difficulty that we have with short-term prisoners is in keeping them engaged and motivated to take up such services. It is a two-way street. It is an extremely difficult process, especially with women offenders, whose problems might be much deeper than those of male offenders.

**Sandra White:** I could go on about that issue forever, but I have a specific question about the gender equality duty. To what extent might—I stress “might”—that duty affect how the relevant bodies in the justice system deal with female offenders? I give the example of community orders, which Mr Cole mentioned. He said that because the number of female prisoners is so small, it is simply not possible to provide swift justice. That is an example of where the gender equality duty could be used. People might use the fact that there are not enough women prisoners as an excuse for not providing community sentencing or community orders specifically for female offenders. I hope you get my meaning.

**Brian Cole:** I think I do.

One of our new initiatives is that we now make equality impact statements. We are working on that in the context of the proposed criminal justice and licensing bill and the introduction of the community payback sentence. Another feature of that bill that has a bearing on this morning's discussions is that it will make provision for a presumption against custodial sentences of six months or less, which might have a positive impact on the number of offenders who find themselves in Cornton Vale on short-term sentences.

A number of offender initiatives specifically for women are taking place across the country, the most notable of which is the 218 centre in Glasgow, which provides residential and community-based programmes for women offenders. Another project that is being developed by the authorities in the south-west Scotland community justice authority area is a mentoring link programme for women offenders, which is specifically on community penalties. The use of mentors is not often found in the criminal justice system. We want to test an approach that recognises the specific needs of women and acknowledges that those needs might be met by a key individual who might not be from one of the statutory agencies. That approach could be applied not just to offenders on community penalties, but to those who are released from short-term sentences, so that they would know that a mentor was available to assist them. A number of initiatives are geared specifically to the needs of women offenders.

**Sandra White:** Basically, you are saying that the gender equality duty is being used positively. I might have been disingenuous when I gave my example of the gender equality duty being used as an excuse; you are saying that, in this instance, it is being used positively.

**Brian Cole:** Yes.

**Johann Lamont (Glasgow Pollok) (Lab):** On the gender equality duty, people's experiences of which services are flexible and which understand their needs can differ. The projects that you identified perhaps demonstrate awareness of different needs, but that is not quite what the gender equality duty is about. It must be to do with how people spend their money, what kind of decisions they make and so on. I am interested in the process, I suppose. For example, would you expect local authorities, as criminal justice authorities, to carry out an equality impact assessment of their budgets?

**Brian Cole:** I understand that the eight community justice authorities are using that tool with regard to their area plans and their budget decisions. In turn, that will filter down to the local authorities, which are the operational deliverers.

**Johann Lamont:** There must be a process by which local authorities take that on. If it is a duty, it cannot just "filter down". Is there a process by which it is ensured that the Scottish Prison Service and local authorities meet their obligations under the gender equality duty? Have you brought people together to discuss that and to agree how it will be done?

**Brian Cole:** That has not been done so far. In a sense, the key role lies with the community justice authorities, because they set the planning regime

for management of offenders in their areas and are the holders of the ring-fenced funding that is made available by the Scottish Government. The CJAs were very much the new kids on the block when they were asked to do their first three-year area plans, which run to March 2011. We are now at the very early stages in thinking about the next planning round. When they work up their plans for the period after March 2011, the CJAs will have an opportunity to think proactively about equality impact assessments in their areas.

**Johann Lamont:** In terms of thinking proactively, is there currently a gathering of people from the Scottish Prison Service, the local authorities and the Scottish Government who are actively considering the implications of the gender equality duty with regard to how they deliver their services?

**Brian Cole:** There is not, at the moment.

**Johann Lamont:** Are individual processes under way within each identifiable group, so that everyone knows what is expected of them?

**Brian Cole:** I believe so.

**Mike Ewart:** In the SPS, there is a process by which we can consider the impact of equalities requirements around gender, race and disability. The question of conducting the impact assessment will lead us to interesting questions about use of the prison estate: for example, should women prisoners be concentrated in one institution, in which particular and specific programmes can be applied, or would it be better to have women housed closer to their communities, in what are described in the jargon as community-facing prisons, such as the one that we are looking to develop in the new prison in the north-east of Scotland? It might prove challenging to provide the range of services that are specific to women in institutions in which there would not be a critical mass of female prisoners. The question is not only about the availability of resource; it is also about the availability of an audience that is wide enough to enable the desired curriculum of services to be delivered.

We are beginning to discuss such issues with our CJA partners. The kind of discussion that we are having would be sharply defined with regard to such an issue, as it involves a precise balance between the need to make services available to a certain group of prisoners and the need to ensure that they are close to their communities.

**The Convener:** Yes—that came out of the round-table discussion. At Cornton Vale, there is a one-stop shop and whatever the need is, it can be more or less dealt with, at present. Were that to be spread to other prisons, perhaps there would be a different level of service. We look forward to following that line of thought.



Bill Wilson has our last question.

**Bill Wilson:** It is a fairly general question. To what extent do any of the issues that we have raised in respect of female prisoners also affect male prisoners? Are any of the issues that we have raised specific to, or almost specific to, female prisoners?

**Mike Ewart:** I return to where I began. All the issues that we have discussed in some way reflect back on the male population, although they always seem to be sharper and more deeply defined for women.

A specific problem for women relates to their caring role and their imprisonment's impact on their children, which came across in the evidence that you received from Nancy Loucks. We will see what research we can find on the figures for that. We know that the number of children who are taken into care as the result of a woman going into prison is significantly higher than the number who are taken into care when a male member of a family goes into prison. Normally, the caring responsibilities are passed on to another person; however, when it is the woman who goes into prison, that is less easily done.

The broad issues apply across the gender divide and return us to the question of whether we are—as a country and as a jurisdiction—using the disposal of prison appropriately, given that we have a disproportionately large prison population—female and male—and a disproportionately large number of people serving relatively short sentences.

**Bill Wilson:** When you say “disproportionately”, do you mean in comparison to other countries?

**Mike Ewart:** I mean in comparison to other countries in Europe, with the exception of the jurisdiction in England and Wales. Scotland is significantly out of line in the number of people that it imprisons. Although the bald figures for England and Wales appear to be more or less the same, the non-national population in English and Welsh prisons is about 20 per cent, whereas in Scottish prisons it is slightly less than 2 per cent. We could say proudly that we take the European *Palme d'or* for imprisoning our own people, but I do not think that that is something we should be proud of at all.

**The Convener:** I put to you something that was put to us at the round-table discussion, which I found shocking and which I think the committee found shocking, too. Often, women prisoners are happy to be in prison rather than face what they would have to face in the outside world. What are your comments on that? How can we address that?

**Mike Ewart:** That is a shocking fact. You will have heard anecdotally of women asking what they have to do to come back to prison. That suggests that there is something missing in our collective provision, to which I referred earlier as an alternative form of secure establishment—not one that keeps women locked securely inside, but one that keeps women secure.

There might be an opportunity to consider alternative kinds of provision, such as the Scandinavian models. The Norwegian prison service, for example, runs establishments that we might more commonly describe as hostels. People live in them and go out to work or to undertake education or programmes to improve their personal and social skills. Such things are managed within a broader sense of correctional disposal than we currently have.

**The Convener:** I presume that such disposals are not available for violent offenders or anyone who poses a threat to the public—or to themselves.

**Mike Ewart:** There is certainly a role for prison in dealing with such people in keeping them secure and keeping the rest of the community secure from them. However, there is a missing part of our provision: consideration of the impact of the criminal justice system on women offenders, which the committee is undertaking, probably enables us to define that missing part most sharply.

**The Convener:** I think that all members will agree that this session has been useful. Many issues have been raised. We look forward to receiving more information on the percentage of remand prisoners, on literacy and numeracy, and other facts and figures. I thank the witnesses for attending.

## Northern Ireland Assembly (Visit)

11:31

**The Convener:** Item 3 is consideration of a paper on the committee's proposed visit to the Northern Ireland Assembly. The paper concludes with a series of questions, but before we consider them I invite members to make general remarks.

I think that we all found our visit to the National Assembly for Wales extremely worth while. I do not know whether members were surprised to learn that, like us, the Assembly has problems with mainstreaming. It was good to hear about that and about inquiries into equal opportunities matters, and it was good to consider how we can share information. Assembly members were particularly interested in our forthcoming debate on unpaid carers and are keen to receive the *Official Report* of the debate.

**Bill Kidd (Glasgow) (SNP):** A visit to the Northern Ireland Assembly would be useful. From our visit to the National Assembly for Wales, we found that the Assembly and the Scottish Parliament face similar issues with regard to our relationship with Westminster. It would be worth our while to build on what we started in Wales. The Northern Ireland Assembly has powers that are in many ways variations of the powers that we have, so it would be useful to compare our powers and consider how we can learn from each other and establish best practice in our relationships with Westminster.

**Marlyn Glen:** I enjoyed our visit to Cardiff and I learned a lot, but we must be careful to use visits to other Parliaments and Assemblies to consider aspects of our work that are similar. I do not doubt the worth of such visits, but their worth is limited.

However, I would be delighted if the committee could meet members of the Northern Ireland Assembly's Committee for the Office of the First Minister and deputy First Minister. It would be worth our while also to visit a women's prison in Northern Ireland.

**The Convener:** That is a fair point—we must share experience on the basis of the powers that we have and not on the basis of blue-sky thinking.

Members of the Equality of Opportunity Committee in the National Assembly for Wales made interesting points about how they deal with the thorny issue of mainstreaming. There is a feeling that if the committees in Northern Ireland, Wales and Scotland work together, we can underline the importance of ensuring that the equalities strand runs through all committees and is not just the responsibility of equal opportunities committees.

I would certainly want to pass on the new guidelines that we have just agreed to the Standards, Procedures and Public Appointments Committee for its consideration. Perhaps the committees in the devolved assemblies would find that helpful.

**Sandra White:** I was really impressed with what we heard about the way that the Sinn Féin, Democratic Unionist Party and other members of the Northern Irish committee work together for the good of Northern Ireland. That is excellent. One interesting fact that I learned from speaking to members of the NI committee was that they have more powers than we do in certain respects. I would be interested in considering and exploring that, as well.

**Bill Wilson:** To be honest, we can always find interesting discussions to have but if, by the end of the next meeting, we do not have definite things to work on and some clear objectives, it will not be worth our while to have regular meetings. We will simply have interesting discussions out of which nothing constructive comes. At the end of the meeting with the relevant committee of the Northern Ireland Assembly, we need to have some clear ideas of what we hope the three committees can achieve by coming together.

**The Convener:** A statement came out of the previous meeting, which could be aired. That would underline what the visit to the Welsh Assembly achieved, which was considerable.

**Johann Lamont:** I was not at the Welsh meeting and I do not expect still to be on the committee when the Northern Irish meeting takes place, so perhaps I can apply an objective eye. I recall going, in a former life, to a joint conference in Northern Ireland for women from the Welsh Assembly, the Northern Ireland Assembly, the Scottish Parliament, the Channel Islands and Westminster. Perhaps that event, which happens regularly and goes to different places, provides the opportunity for discussion about what our powers are, how we use them and how we learn from one another. Other delegates were particularly impressed by the work that the Scottish Parliament had done on violence against women, which was a feature of that conference.

We do not need to replicate that event. My impression is that we are starting from the desire to meet and then thinking of the things that we want to do. There are interesting issues to discuss, such as how the Equality Commission for Northern Ireland operates. The circumstances are distinct, but we may be able to take from it general lessons for our work. I am not saying that we should not have a meeting, but I am not sure about setting up a structure for engagement when one already exists. It might be worth our while to consider how we feed into that existing structure.

**The Convener:** The benefit was in meeting the members of the other committees one to one. As Sandra White said, it was amazing to see how, from the varied background of the NI committee, they had come to work together. It was also interesting to see how that had been achieved.

The added value of the proposed meeting is the fact that, if members are so inclined, we could link it to a visit to Hydebank Wood prison in Belfast, which is Northern Ireland's only prison for women offenders. I am particularly interested in the draft strategy for management of women offenders that the governor has said will be available at the end of February. It has five strands, and we could examine and discuss it in more detail in June if the visit takes place. That would be a unique opportunity to see how Northern Ireland deals with its female offenders.

Also, the committee has a long-standing commitment to hear from the Equality Commission for Northern Ireland, which I understand has an excellent record for its work. Our Equality and Human Rights Commission is just getting off the ground, so to take the opportunity for a briefing from the Northern Irish commission would be worth our while.

I am in members' hands. Do we want to meet our counterparts in Northern Ireland? The visit would probably take place in June.

**Members indicated agreement.**

**The Convener:** Would members like to discuss any specific matters with the other committees? If they do not have a list just now and need more time to think about it, they can pass issues to the clerks by e-mail.

**Bill Kidd:** The main issue that resonates with me is how sectarianism is being addressed in Northern Ireland. It was particularly interesting to meet the Northern Irish committee members and to observe how, for instance, the Sinn Féin and DUP members work closely on the committee's approach to matters. I would like to find out more about how they tackle, and have tackled, sectarianism. The resonance between Northern Ireland and Scotland is strong, so we should be able to learn from their work.

**The Convener:** I ask members to let the clerks know about any other items that they would like to put on the agenda for discussion.

Do members also agree to visit Hydebank Wood prison? The governor has indicated that he would be delighted to spend time with the committee. It would be a morning visit.

**Members indicated agreement.**

**The Convener:** Do we agree to receive a briefing from the Equality Commission for Northern Ireland?

**Members indicated agreement.**

**The Convener:** As agreed at the start of our meeting, we move into private session to consider a paper on commissioning research on sexual imagery in goods aimed at children.

11:41

*Meeting continued in private until 12:38.*



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