

# **EQUAL OPPORTUNITIES COMMITTEE**

Tuesday 2 June 2009

Session 3

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## EQUAL OPPORTUNITIES COMMITTEE

### 9<sup>th</sup> Meeting 2009, Session 3

#### CONVENER

\*Margaret Mitchell (Central Scotland) (Con)

#### DEPUTY CONVENER

Marlyn Glen (North East Scotland) (Lab)

#### COMMITTEE MEMBERS

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

\*Willie Coffey (Kilmarnock and Loudon) (SNP)

\*Bill Kidd (Glasgow) (SNP)

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

Elaine Smith (Coatbridge and Chryston) (Lab)

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

#### COMMITTEE SUBSTITUTES

Jackie Baillie (Dumbarton) (Lab)

Mary Scanlon (Highlands and Islands) (Con)

Margaret Smith (Edinburgh West) (LD)

Shirley-Anne Somerville (Lothians) (SNP)

\*attended

#### THE FOLLOWING GAVE EVIDENCE:

Douglas Edw ards on (Association of Local Authority Chief Housing Officers)

Lorna Lumley

Aileen Macdonald (Apex Scotland)

Jane Martin (Association of Directors of Social Work)

Tim Richley (Sacro)

Marina Shaw (Circle)

Grant Sugden (Circle)

Dr Linda Treliving (NHS Grampian)

#### CLERK TO THE COMMITTEE

Terry Shevlin

#### ASSISTANT CLERK

Rebecca Lamb

#### LOCATION

Committee Room 1



## Scottish Parliament Equal Opportunities Committee

*Tuesday 2 June 2009*

[THE CONVENER *opened the meeting at 10:07*]

### Budget Process 2010-11 (Adviser)

**The Convener (Margaret Mitchell):** Good morning everyone, and welcome to the ninth meeting in 2009 of the Equal Opportunities Committee. I remind everyone present, including members, that mobile phones and BlackBerrys should be switched off completely, as they interfere with the sound system even when they are switched to silent. We have received apologies from Marlyn Glen and Elaine Smith.

Item 1 is to decide whether to seek approval for the appointment of an adviser to assist us with our scrutiny of the draft Scottish budget for 2010-11. A paper providing background information has been prepared. Do members agree that we wish to appoint an adviser?

**Members indicated agreement.**

**The Convener:** Do members agree the draft adviser specification?

**Members indicated agreement.**

**The Convener:** Do members agree to seek written evidence on equal pay claims in the national health service?

**Members indicated agreement.**

**The Convener:** That will help us to get some information before the draft budget is published in September so that, when it is published, we are up and running and ready to go.

## Female Offenders in the Criminal Justice System Inquiry

10:08

**The Convener:** Under item 2, we continue to take oral evidence for our inquiry into female offenders in the criminal justice system. The remit is to

"assess the prison experience for, and background of, female offenders, particularly the extent to which prison helps to prevent women from re-offending."

The theme of today's meeting is the availability and effectiveness of support for female ex-prisoners who might be likely to reoffend. I am pleased to welcome our first panel of witnesses: Aileen Macdonald is depute director of operations with Apex Scotland, and Tim Richley is criminal justice advisor with Sacro.

We move straight to questions. There is an apparently consensual view that the number of women in prison should decrease, so why has it not done so?

**Tim Richley (Sacro):** Over the past weeks and months the committee has heard evidence from other people about what the issues are. Sentencers have a limited range of options, and I think that they genuinely try to use community disposals when they can. However, they sometimes run out of patience with women and so feel that they have run out of options, which has the effect that women are subsequently placed in custody.

There are parallels with the male prison population, which is increasing all the time. There are a good range of community options, but they are not being used by sentencers—or, rather, they are being used, but not all the time. I suspect that sentencers give people a few chances, and then think, "Well, that's enough—I've got my credibility to worry about, and these people aren't learning. I need to give the community some respite," so they imprison the person.

A lot of the wisdom suggests that one should keep trying with people, time and again, but there needs to be a big shift towards that way of thinking if we want to reduce custodial sentences.

**The Convener:** Is another factor that women sometimes breach the orders because of their chaotic lifestyles, and a sentence escalates into a prison sentence when that was not the intention?

**Tim Richley:** Yes. Women offenders will breach orders, they will have chaotic lifestyles and they will be unreliable. When they are out there—often literally on their own—trying to manage all the things that people have to manage in the

community, in addition to managing a range of quite difficult and complex community disposal appointments, there will be breaches.

**The Convener:** So, do the orders almost automatically lead to prison?

**Tim Richley:** We need to move away from the idea that if an offender breaches an order, she will go to jail. In describing things as alternatives to custody, we paint ourselves into a corner. The alternative to an alternative to custody is custody. We need to move away from that mindset if we are to reduce the number of people who are going into custody, but the levels are rising.

**The Convener:** My next question is for Aileen Macdonald. In your experience, is it often the case that there are problems with male and female offenders working together on community sentences? Much of the evidence that we have heard so far suggests that the available community sentences are not appropriate for females, but are very much geared towards men.

**Aileen Macdonald (Apex Scotland):** The substance of most community sentences is geared towards the male population. We ran a female-only group in Glasgow, but it took us some time to get an appropriate number of females in the group. Some of them said, "No—we'll work with the main group." There is no definitive answer: some females are happy to go into a mixed group, while for others it is totally inappropriate, so an alternative needs to be considered.

**The Convener:** Is there no female-only option at present?

**Aileen Macdonald:** There could be. I can speak only from our experience, but if an appropriate number of females came in, we would be able to set up a female group as, I am sure, would Sacro and other organisations that deliver criminal justice services.

**Bill Kidd (Glasgow) (SNP):** Sacro has made various proposals for community justice authorities, and in your written submission you outline a number of areas in which you would like progress to be made. You state that such progress would involve preparing a plan to reduce the number of women imprisoned in each CJA area; and that work should take place between the Scottish Prison Service and criminal justice social work services to bring about a joined-up approach to justice interventions that are focused specifically on women. Has there been consistent progress across the CJAs, or is more work required?

**Tim Richley:** The CJAs all do things differently, and are within their rights to do so, but there needs to be joined-up thinking in relation to groups such as women offenders, as long as local needs can be met. Previous evidence to the committee in

relation to the south-west of Scotland mentions that there are a lot of rural issues in that area, and that the types of services that are needed and how they are designed will be different from those in an inner-city area.

CJAs therefore need flexibility, and proper planning for women offenders is not an issue for any single CJA. I am sure—without knowing them all very well—that each will reflect that in its strategic plan and will do its best in its area. However, some CJAs will have local initiatives that others may like but do not have the resources to undertake. In addition, a new initiative will have to be evaluated, which may take some time. I suspect that some CJAs will copy others' initiatives, while other CJAs will realise that, if they were to do the same, lack of money would mean that existing initiatives would be lost.

10:15

**Bill Kidd:** CJAs could learn across the different areas because there will be commonalities, although there may be specific differences between rural and urban areas. On that point, you said in your submission that the Scottish Prison Service should

"undertake short studies of women prisoners to identify where community services failed to address the underlying issues".

Could the CJAs work with the Scottish Prison Service to deliver that?

**Tim Richley:** Yes—that it is a possible way forward. People who are more directly involved than I am in CJAs will have provided the committee with evidence, but CJAs have a remit to monitor performance and generate research to find the most effective ways of working. I would not automatically link the SPS with such work. I did not write our submission, but I suspect that its suggestion is about ensuring that women who come out of Cornton Vale are followed up in their areas by an overarching piece of research. It would not have to be done by the SPS, which is not a research body. It delivers custody.

**Bill Kidd:** The selection of a group of women in Cornton Vale who had experienced the system would provide a source of material for research. The SPS would know the women's backgrounds, so perhaps prison would be the best place in which to conduct research, even if the SPS did not carry it out.

**Tim Richley:** It would be interesting to do a piece of work as suggested in our submission in which a cohort of women was followed from day 1 of their sentences right the way through to when they come out, with an assessment of how they fared in the community and what their issues were.

**Willie Coffey (Kilmarnock and Loudoun)**

**(SNP):** What factors would lead to a female offender successfully completing a community sentence? From experience, can Aileen Macdonald also tell us a wee bit about what factors would prevent that from happening?

**Aileen Macdonald:** There must be flexibility in a community sentence order for a woman to complete it successfully. There must also be top-up support and recognition that a woman will have lapses. So many other things are going on in women's lives that the community sentence is maybe not the most important thing for them. For example, if a woman has to take her child to school at the same time as she is meant to go somewhere for her CSO, she must choose which place she will get to on time. Invariably, she will ensure that the child gets to school on time, which will mean that she will be late for the CSO. If she is 15 minutes late for that, she will go away. There must therefore be recognition of what women must contend with in their lives before they can consider their CSOs.

The content of a CSO is important. We must consider what will be their use to women in helping them to progress. A CSO provides a good way of trying to break a cycle: it can be used to do work on budgeting, cooking or other life skills that would help the women's lives. Community sentencing probably does not work in the opposite situation, such as when it requires somebody to arrive on time. Community disposals should be robust, but they need to cope with, and take into account, other factors in people's lives.

**Willie Coffey:** Are such requirements sufficiently recognised in the proposed legislative changes?

**Aileen Macdonald:** Yes. The fact that 30 per cent of the new community payback order will be an educational element will be of tremendous use. At the moment, community service involves just work parties and placements. The educational element can never go amiss for some clients.

**Willie Coffey:** What are the flexibility issues to which you referred?

**Aileen Macdonald:** It is up to whoever will deliver a programme to take flexibility into account. Perhaps a 9-to-5 scenario should be avoided and arrangements should be more flexible. If someone is available later in the day, the aim should be to work on that basis.

**The Convener:** You talked about what can contribute to failure. Does being in a stable relationship help women to complete sentences successfully?

**Aileen Macdonald:** Yes. Stable relationships help men and women—it is not unique to the

female population. It depends on the type of stable relationship the female is in—it must be helpful rather than unhelpful.

**The Convener:** I call Bill Kidd.

**Bill Wilson (West of Scotland) (SNP):** I am asking the next question.

**The Convener:** I am sorry—I meant Bill Wilson.

**Bill Wilson:** These Bills are easily confused.

The Sacro framework calls for an early intervention strategy for young women who are at risk of entering criminal careers. Will you outline the evidence that suggests that such an approach would work to reduce offending?

**Tim Richley:** A wide range of evidence shows that early intervention can help to address the needs that are present and the needs that we suspect will emerge and about which we are, unfortunately, usually right. We can usually tell how things will pan out. Much of the desistance literature tells us that if we hold on with people, they will eventually reduce and stop their offending. That applies to the vast majority of people. All the research on offenders shows that offending generally tails off as people become older. Early intervention is really important.

**Bill Wilson:** At what age should early intervention start?

**Tim Richley:** We work with adults—technically, anyone who is over 16. Some 16-year-old males are in prison and I guess that some 16-year-old females are in prison. It is arguable that work should be done upstream with those people, to prevent their involvement in the custody experience. We know that for people who have been involved in the custody experience, it is difficult the first time, but not so difficult the second time. After that it is just considered to be something that happens to them and that they do. I suggest that work be done with teenagers.

**Bill Wilson:** Do you mean teenagers who are pre-16, before they start offending?

**Tim Richley:** Yes—definitely.

**Aileen Macdonald:** The research shows that early intervention is probably the way forward. It is a good idea to try to avoid offending as early as possible, but the caveat to early intervention is that we do not want to stigmatise children before they have offended. However, work should certainly be done with pre-16s and perhaps with 12 and 13-year-olds.

**Bill Wilson:** When you refer to stigmatisation, you are talking about the result of targeted intervention rather than general courses for a class as a whole.

**Aileen Macdonald:** Yes—I suppose that nobody would be stigmatised if a whole class was involved, so that would be my preference.

**Hugh O'Donnell (Central Scotland) (LD):** The Sacro framework suggests a couple of other measures, such as providing each woman with a personal worker, who will effectively act as a single gateway and will take responsibility for guiding her, for linking her to services and for negotiating access to other services. The other measure that the framework considers is a scheme of volunteering that would provide role models, given that we are talking about women who often have chaotic lifestyles and who come from families that have a history of chaotic lifestyles. Have you talked to the Association of Directors of Social Work about those suggestions? What was the nature of those discussions?

**Tim Richley:** As I said, I did not write the submission: the person who did it is no longer around to brief me. However, I have for quite a long time been pushing for individual case workers or mentors for female offenders—particularly young female offenders. The model is simple. You recruit volunteers and you find out whether young women—for example, 16 to 25-year-old women early in their sentences in Cornton Vale—would like a mentor to support them through their sentence and, more important, on release. You then match the mentee to a mentor, using a mentoring co-ordinator. The mentor would have periodic involvement and communication with the woman throughout her sentence and would consider what kind of things the woman wanted on release, what sort of supports could be provided and what kind of things they could do together. That would all be monitored and overseen by the mentoring co-ordinator. On release, mentors would take the lead and take the women by the hand back to their own communities and be there when they needed them.

It is important to note two points. First, there is the particular magic around matching a mentor to a mentee, so if a woman said that she would like a mentor, we would ask her to define the type of person she would want. Obviously, for female offenders it would be exclusively female mentors, but if the woman said, “I don’t want anyone that’s like my mum—I’d rather have somebody that’s like my Auntie Sadie,” that is the sort of volunteer that we would want to match them with.

The second point is the use of volunteers, which is another part of the magic of mentoring. Because someone is not paid to do something and they are doing it because they really want to—because they want to put something back or for a number of other reasons—something magical happens in that mentoring relationship. I am not too bothered

about the notion of having an allocated worker—that is fine, but the potential in mentoring is huge.

I will now answer your question. What we have done about our proposal is that I made a submission to the Government—to Mr MacAskill—on how mentoring would work. We met him and he likes the idea, but he advised us that he has no money to fund it. He rightly advised us that money goes out to the eight CJA areas and that they commission interventions locally. Later this week we will meet the SPS, which has also advised us that it likes the idea, but also has no money. We will try to develop those ideas. The third step would be to go out to community justice authorities and talk more about the model of women’s mentoring, particularly in respect of women from the ages of 16 to 25 who come out of Cornton Vale, have chaotic lives and are difficult to hold on to.

That approach has potential. It would not cost a fortune and has not been tried in Scotland. In the south-west of Scotland there is an embryonic women offenders mentoring project, which has just been funded by the community justice authority. However, it has been decided that it will not use a matching process or volunteers. The project involves paid workers, although they are called mentors. Mentees have no choice—if a mentee does not get on with a mentor, they cannot change. If I was the women offenders mentor for Dumfries and somebody did not like me, that would be tough, because I would be the worker down there. Using volunteers would provide more of a range.

10:30

**Hugh O'Donnell:** To summarise, you have submitted proposals and engaged with the relevant bodies but, despite the fact that people are supportive of the concept and the proposed model, they say, “Sorry, we’ve nae money at this stage.”

**Tim Richley:** That is the consistent response. Criminal justice moneys are devolved to community justice authorities, so all the money for criminal justice initiatives comes through them. If they have no money, Sacro can either sit back and do nothing or seek other ways to fund such initiatives, which we are doing.

There is a two-pronged approach. We are trying to foster among community justice authorities good will and interest in the mentoring initiative, but we are also looking for money elsewhere. Unfortunately, our experience is that when Sacro comes knocking on the door of community justice authorities with an idea for a new service, the local authorities and the CJAs know that the third thing we will say will be, “Oh, and it will cost £X.”



However, one really nice thing about the model is that it is not expensive. The scheme has not been tried in Scotland, but it has been trialled in England, where two projects have worked well. There is no reason why the scheme cannot work here. Of course, it is not the only thing that is needed—it is an as-well-as service. It would really work if we had female mentors for young and vulnerable chaotic offenders to show them how to do things, although that would be a difficult job for the mentors. A huge part of changing people's behaviour is positive role modelling, which is what the scheme offers.

**Malcolm Chisholm (Edinburgh North and Leith) (Lab):** We are interested in the 218 centre in Glasgow and similar centres. Last week, we heard from Baroness Corston about similar women's centres in England. My question again starts with a quote from Sacro's written submission, although it will be interesting to hear both witnesses' views. Sacro's framework calls for

"The provision of more supported accommodation services—such as supported flats—designed around the needs of women offenders to provide alternative accommodation to prison for the courts",

and continues to say that services could be offered

"based around the concepts developed in, and the lessons learned from, the 218 centre in Glasgow, but at more affordable costs. The small numbers of women offenders spread across Scotland would tend to rule out more 218 centres on the basis of their cost-effectiveness and low occupancy rates but similar services could be provided in other ways."

Tim Richley talked about knocking on the door of criminal justice authorities. To what extent have you discussed your suggestions with those bodies and with housing organisations, which are probably relevant? More fundamentally, will you say a little more about what you mean by "similar services"? What model do you suggest for the rest of Scotland, given that you say that the 218 centre model as such is not feasible?

**Tim Richley:** As our written submission says, the approach would be about using a range of properties in the community and furnishing them with a range of supports. You have heard from the 218 centre, Baroness Corston and others about how the centre works. There are a large number of 218-esque centres in England and Wales.

We suggest a model that reflects the fact that hostel-type accommodation costs an absolute fortune. In 2009, is such accommodation really the best way to go, especially for women offenders? There is the cost to consider and there are geographical issues. For Fife and the Forth valley for example, you might not want an eight-bed or 10-bed hostel in Stirling, Falkirk or Kirkcaldy, but a number of flats in the area with a range of support.

That model would be really dynamic and would help women to move out of the flats and onwards; you would not have the massive costs of big hostel-type accommodation, although I know that the 218 centre is far more than just a hostel.

**Malcolm Chisholm:** Would Aileen Macdonald like to comment on that model?

**Aileen Macdonald:** It is not really my area of expertise, but there is a bit of me that wonders where, if we are trying to avoid sending women offenders to Cornton Vale, where the community element would be in such supported accommodation. If we want to help women offenders and keep them in their communities to ensure that they do not lose contact with their families, would such supported accommodation be in their communities or would the women still need to travel from their homes to somewhere else? As I said, I am not an expert, but I think that we need to look more at trying to keep women offenders in their communities.

**Malcolm Chisholm:** Is that what Sacro suggests?

**Tim Richley:** Absolutely. Why would we want to send somebody 30 or 40 miles from their mum, sister, auntie or other positive role model?

We know that local authority housing provision varies radically and drastically throughout the country. Our typical models of supported accommodation have tended to use local authority properties—some of them use such properties well, but improvements could definitely be made by using housing associations more. They could provide us with several properties: they have nice properties in nice areas as well as difficult-to-let properties. There is no reason why we could not work more closely with housing associations to provide that service.

**The Convener:** You mentioned the cost of hostel accommodation. How does it compare with the cost of a prison place, which has been estimated at £40,000 a year?

**Tim Richley:** I do not know. I do not want to drop her in it, but one of your later witnesses—Jane Martin from Dundee City Council—has oversight of hostel-based accommodation and might be better placed to answer than I am.

**The Convener:** You said that hostel accommodation costs a fortune, so I wondered about that cost relative to the cost of a prison place.

**Tim Richley:** Yes. It is all relative, but hostel-based accommodation costs an awful lot of money. Although I hope that it is cheaper than prison, I do not think that there is massive difference between the costs.

**The Convener:** Given that female offenders have chaotic lifestyles, how realistic is it that you will be able to progress them towards employment, education and training?

**Aileen Macdonald:** That takes time because there are steps that must be taken on the journey to employment. It is not impossible, however. In each community service sentence, you need to look at the woman's needs. You can say that you will move someone into employment, but if that person does not have stable accommodation or access to health services, holding down a job will be impossible.

**The Convener:** Evidence suggests that a first step could be a focus on life skills.

**Aileen Macdonald:** That is right. Although some have done so, for many it is not simply a case of going straight from, say, Cornton Vale into a job. There needs to be a progression; indeed, there has been a lot of talk about the journey towards employment that such women take: a focus on life skills would certainly be the starting point of that.

**The Convener:** That is helpful.

**Hugh O'Donnell:** You have said on several occasions that interventions focusing on life skills and other aspects of moving people on—if I can call it that—can or may work. Is there evidence to show how successful such interventions actually are? Is any medium-term tracking done to find out whether people who have been the subject of such interventions have made any progress?

**Aileen Macdonald:** That is a challenge to us all. It is much easier to provide evidence on, for example, the harder outcomes of someone entering a job, training or a college place than it is to get evidence on impacts on life skills. In the first place, we have to examine the needs that must be addressed. We talk about action plans and reviews. Action plans are living documents. If a plan has been properly put together, it should show what the person needs to be doing to ensure that when the plan is reviewed the person can say, "Yes, I can do this and I can do that. I can now get on the bus myself and have been here on time every day for the past five weeks." Such evidence would show that an intervention has worked. Life skills sometimes have more intangible aspects: that challenge has exercised some of us for a number of years now.

**The Convener:** That completes our questions. If the witnesses have nothing further to add, I thank them both for their worthwhile evidence. What has come through loud and clear is that although there might be some excellent ideas around, they will not take us any further forward if they are not resourced.

10:42

*Meeting suspended.*

10:44

*On resuming—*

**The Convener:** I welcome to the meeting our second panel of witnesses: Douglas Edwardson, head of strategic development and support services at Aberdeenshire Council; Jane Martin, manager in criminal justice services at Dundee City Council; and Dr Linda Treliving, consultant psychiatrist in psychotherapy at NHS Grampian. I should point out that Jane Martin is appearing on behalf of the Association of Directors of Social Work and Douglas Edwardson is appearing on behalf of the Association of Local Authority Chief Housing Officers.

**Willie Coffey:** Earlier, we discussed supported accommodation, in particular the 218 centre in Glasgow. My question is primarily for Jane Martin and Douglas Edwardson, but I am also interested in Dr Treliving's views. Have your local authorities assessed whether it would be useful to implement the 218 model in your areas and, if so, whether it would be implemented in the same or a different form?

**Jane Martin (Association of Directors of Social Work):** The 218 centre is a good resource. It is questionable whether it could be replicated throughout the country in terms of scale and volume. It would be preferable to plan for the needs of women offenders on a much more localised basis, because their needs vary. We need to take into account the number of people whom we deal with and geographical differences such as rurality. Each local authority needs to plan for women offenders on a localised basis. It is not necessarily useful to have lots of hostel accommodation. Increasingly, we are trying to house offenders in much more mainstream housing provision, and that approach should be replicated for women offenders.

**Douglas Edwardson (Association of Local Authority Chief Housing Officers):** There is a range of housing support across Scotland, and I do not think that any one approach should apply generally. As Jane Martin said, local circumstances should dictate the local model. In Aberdeenshire, people are dispersed throughout the area, and we have outreach housing support workers who provide housing support to a range of people in vulnerable groups, including ex-offenders. That is successful, as it enables us to provide the service in people's homes when they want it and to create links with social work, health and education services, which form a major part of the inclusion agenda for offenders and other vulnerable groups.

**Willie Coffey:** It is interesting to hear the contrasting views from local authorities in Scotland. Does Dr Treliving have a view?

**Dr Linda Treliving (NHS Grampian):** As a psychiatrist, psychotherapist and chair of the Scottish personality disorder network, my approach is slightly different. Probably 20 or 30 per cent of female offenders have a diagnosis of borderline personality disorder. That is the group in which I am particularly interested.

The 218 centre is well thought out and integrated, which is the kind of approach that we need to take in relation to people with borderline personality disorders. Such people are a minority of the population, but they are a very expensive minority—I imagine that they comprise the greater part of the revolving-door population in Cornton Vale, but there is not a lot of research on them.

The 218 centre model is useful, but it does not seem to have the necessary mental health component that would make it particularly suited to dealing with people with a borderline personality disorder. Those people do not just need to learn life skills; they need a therapeutic approach that will enable them to co-operate with the life skill-type interventions.

**Willie Coffey:** On balance, would you say that any form of localised intervention is more advantageous than a model like Cornton Vale?

**Jane Martin:** A balance must be struck. For successful reintegration, there must be a localised element of service delivery. However, some women require the concentration of specialist services that are available at Cornton Vale.

**Douglas Edwardson:** It is wrong to generalise and assume that everyone has the same requirements. We need a range of options to suit the needs of this group of people, just as with other vulnerable groups.

**Dr Treliving:** We must have a needs-led approach. We are not sure exactly what these individuals require, but a one-size-fits-all approach does not really work.

**Hugh O'Donnell:** To what extent does where budget responsibility falls influence what is suitable for social work or housing services? Given that all the services that are currently provided at Cornton Vale are substantially funded through the resources there, would it be more economically advantageous to retain the current system?

**Jane Martin:** Would you run through the last bit of your question again for me?

**Hugh O'Donnell:** At the moment, economic responsibility for all the services that are centrally provided at Cornton Vale lies with Cornton Vale—it pays for them. To what extent does the

economic impact of dispersal influence local authority decisions on support or otherwise for social work or housing services?

**Douglas Edwardson:** That is an interesting question, which I hoped I would be asked.

The exercise is not as straightforward as simply prioritising within local government, although that is a major part of it. Since the ending of supporting people funding and the requirement for local authorities to define their own budget responsibilities, there has been an element of competition between groups of people in education and social work, for example, to determine where money should go. The belt is tightening for local authority budgets, and local authorities are required, as they always have been, to make the best use of the limited money that is available.

That said, a major housing issue is housing benefit, which is nothing to do with local government. Housing benefit arrangements often determine whether a person who has been convicted and sentenced and is in Cornton Vale or wherever can retain their tenancy. The housing benefit people pay benefit for up to 13 weeks. If a sentence is longer than 13 weeks, housing benefit will stop and the individual will require to pay the full rental cost. That is a major determinant of whether people will sustain tenancies, and it creates difficulties. Perhaps members have views on the matter. Local authorities have different responses. Some allow people to sublet their tenancies and some terminate tenancies or say that the person can terminate their tenancy when they are released from prison—they then give them priority homeless classification, which the person would have anyway. There is a range of financial options for local authorities and also a range of options from the housing perspective, basically around housing benefit.

Supporting people funding is also a housing issue. As I mentioned, many local authorities have used that money to provide low-level housing support, including to offenders, but a range of other local authority services is competing for that money, so it may be under threat.

**Jane Martin:** I emphasise that we must consider not just the housing needs of women who come out of Cornton Vale but the housing needs of women who, we hope, will never enter Cornton Vale. There is a local responsibility. We are not talking about a new responsibility for people who come out of custody. There is a more generic responsibility for women offenders.

**The Convener:** Those comments are useful. We have not covered benefits before. That is new evidence. Of course, there is always a balance to be struck.

**Malcolm Chisholm:** A key issue for us is how public authorities can intervene to reduce offending behaviour. We have received a lot of evidence that has strongly focused on tackling the underlying factors. Abuse and addictions have been mentioned quite a lot. In its written evidence, Sacro made the interesting statement that although research shows that female offenders

“are likely to respond better to interventions which address all of the problems they face in their lives, it is important not to lose the focus on their offending behaviour”.

Are there underlying reasons for women's offending behaviour that public bodies can address? I suppose that the reasons for offending behaviour are different for different women. Perhaps Dr Treliving would like to say something first about that fundamental question.

**Dr Treliving:** The group of people whom I am thinking about—those with a borderline personality disorder—usually commit quite trivial offences. They may commit a breach of the peace, not turn up for something, then not turn up for something else, and so on. We start to see a change in people's behaviour if they are engaged with. We must try to get folk to engage with services when they come out of prison or to get a diagnosis in prison and to begin to help them there. All sorts of people are not talking to one another, which is to the detriment of my patients.

**Malcolm Chisholm:** That is interesting. You emphasised borderline personality disorders, which we have not really heard about before. Are you saying that women with such disorders would have to be treated differently from the other women, who I suppose are in the majority?

**Dr Treliving:** The needs of women with such disorders are quite different from the needs of other mentally disordered offenders. People with a personality disorder have a much more profound difficulty with engaging. With any sort of rehabilitation, the main thing that you try to do is get initial engagement. A lot of the things that we take for granted in the medical model—admitting people to hospital and so on—are anathema to that group, because they make them worse. There is almost a back-to-front way of working with such folk. They are quite a different group.

**Malcolm Chisholm:** Are the underlying reasons quite different or is it just that you now treat those women differently from how you treat other women? Do you accept what others have said about the background factors in people's lives?

**Dr Treliving:** Are you talking about factors such as abuse and alcohol?

**Malcolm Chisholm:** Yes.

**Dr Treliving:** Eighty per cent of people with a borderline personality disorder have a history of

sexual abuse, and the majority of them are alcohol or drug dependent. Those are factors to consider in addition to the women's profound difficulty with attachment, forming relationships and self-harming.

**Malcolm Chisholm:** Do a lot of these women have that sort of background but it does not manifest itself in the same way?

**Dr Treliving:** Yes. Although they might have that sort of background, they do not necessarily develop a borderline personality disorder. There are resilience factors. Not everybody who has been abused develops a psychiatric disorder. We try to work out what are the vulnerabilities that lead to an individual developing a personality disorder.

**Malcolm Chisholm:** Presumably the problem is quite intractable.

Some people have asked what happens if public authorities fail. Should they be penalised financially or in some other way? Is it just very difficult to make progress? Should public authorities be able to make progress if they provide the right services? Should we be able to take an optimistic view of addressing people's offending and changing their behaviour?

**Dr Treliving:** I would address the group of people with a borderline personality disorder. One of the differences in the past few years, through the work of the personality disorder network, is that people are beginning to recognise and diagnose personality disorders and there is an evidence base for therapeutic interventions. Previously, people thought of personality disorder as a dead-end diagnosis, whereas nowadays it is much more widely accepted that interventions can make a considerable difference to the way that folk function.

**Malcolm Chisholm:** Does either of the other witnesses want to comment on the underlying reasons behind offending?

**Jane Martin:** On your point about engagement and optimism, we should be optimistic that we can work with people to reduce reoffending. We know that there are narrow windows of opportunity for engagement, such as court appearances and so on. We have to get much better at engaging appropriately at such points and getting people through the initial assessment so that they will engage with statutory or voluntary orders. We know from feedback from our women offenders that their relationship with their individual worker is crucial. Although we have said that there is complexity in our court disposals, we have quite a good range of disposals that could meet the needs of women offenders. Perhaps they could do better, but we have a reasonable range of disposals in our armoury.

**Douglas Edwardson:** The provision of appropriate accommodation in the right place is a major factor in giving people a sustainable life in which they have access to services, education, health and social inclusion. From a housing point of view, we understand that and we work towards it for all our tenants. It is particularly relevant for vulnerable groups to get that opportunity.

**The Convener:** We have been looking at disposals for young offenders. We are looking at this kind of behaviour very early. That was suggested in some of the written evidence. Would any of the panel like to comment on that?

**Jane Martin:** Sorry, could you repeat the question?

**The Convener:** Looking at disposals for young offenders and just concentrating on that, should some of the outcomes or interventions for young offenders be revisited to take account of the offending behaviour and what can be done to address it that is possibly not being done at present?

**Dr Treliving:** I am really sorry. I did not—

**The Convener:** I am asking specifically about young offenders and early intervention. Rather than just considering adult women at the stage when they appear to be sentenced, should we go right back, as I think Jane Martin said, and consider how we deal with young offenders?

11:00

**Dr Treliving:** Yes. People are reluctant to say that someone has a personality disorder when they are 16 or so, but most child psychiatrists would say that they can identify the folk who will get such a diagnosis later. Often, they have had different diagnoses that lead to a later diagnosis of personality disorder, and the early problems of sexual abuse, physical abuse and emotional neglect are reflected in that.

**Jane Martin:** We need to consider the children's hearings system and its response to young women who offend. I do not have the research to back this up, but my experience is that young female offenders are dealt with differently from their male counterparts because of issues of risk and vulnerability.

**The Convener:** My question was based on the submission from the Cornton Vale under-21s visiting committee, which says that young offenders are not treated differently but are treated as adults. It says that there should be more appropriate disposals.

**Douglas Edwardson:** We have some relevant projects in housing. We have provided specific grouped accommodation for 16 to 25-year-olds—

particularly for those who have come through the homelessness route, but also for those who have been looked-after children and have been in the system for a while. That has been successful, not in every case but for the majority. We give them basic domestic and lifestyle skills and move them on into satellite accommodation, where they still get some support. They are then moved on to permanent, independent, secure accommodation, sometimes with a support worker and sometimes not. That intervention is expensive, but it is successful. Local authorities have to consider the cost of not running such projects. We have one particularly successful model and others that follow on from it but on a less contained basis, with more of an outreach approach.

**Hugh O'Donnell:** Should women who are diagnosed with a borderline personality disorder be in prison at all? If not, where should they be?

**Dr Treliving:** It was fascinating to read about the remand group in the evidence from other witnesses. I do not work on the forensic side, but I see people who have come through the prison system, including people who keep being pulled back into prison because they do not turn up for this or that. That breaks any therapeutic contact that we make with them and does nobody any good. In that case, prison is not a deterrent; it certainly does not prevent them from not turning up the next time. I am not a sentencer, obviously, but prison is not the correct disposal for that group of people.

**Hugh O'Donnell:** What alternatives do you have in mind for that group of people?

**Dr Treliving:** They are a complex group and they need security. I work with people who are particularly unwell in an acute psychiatric ward, and we use that location to best advantage, because we have mental health nurses, skilled intervention, security, and expertise in de-escalation.

I spent last Thursday afternoon in the cells underneath the sheriff court, and every time the patient said something, everybody jumped on her and her arms were put up her back. That was their response to apparent violence, but as soon as she went to the ward, we de-escalated the situation, because we have a different approach. It is difficult for people to grasp—and it is difficult to put down on paper—the fact that different environments make a huge difference to the management of such folks and can allow them to progress in a more reasonable manner.

**Bill Kidd:** Community justice authorities and the gender equality duty both became operational in 2007. To what extent has the gender equality duty affected the way in which CJAs and social work departments work with female offenders?

**Jane Martin:** I cannot really speak for the community justice authorities, but all CJAs—as the committee heard earlier—include in their planning general arrangements for women offenders. All of us in local authorities are working hard on screening and considering the impact of policy issues on different groups of offenders, including women offenders. We have certainly involved our CJA colleagues in training and other issues connected with that.

**Bill Kidd:** How difficult is it for people in local authorities to judge the success of the gender equality duty, which was introduced less than two years ago? Can that be judged, or does the duty involve simply a tick-box exercise?

**Jane Martin:** At the moment, it is hard to judge the effect on women offenders, but I think that we have some way to go. We need to work at getting the issue of women offenders more on to local community planning agendas. There is probably a job to be done under the wider statutory duties, as we have possibly focused on other groups to a greater extent.

**The Convener:** That completes our generic questions. Our next set of questions will draw on the expertise of each of the witnesses, starting with Jane Martin.

Given the apparent reluctance of many female ex-offenders to request social work support voluntarily, what more realistically can be done to get those women to engage with social work services?

**Jane Martin:** Obviously, we have agreed priority groups for services, such as voluntary throughcare for ex-offenders. Generally, those priorities relate to risk, age and willingness to engage, but they increasingly include women offenders. Arrangements vary between local authorities in accordance with local circumstances. In my area, we have a specific project that tries to engage with women offenders from the point of sentencing onwards. We track the women offenders through their short period in Cornton Vale, work with them and prison staff prior to their coming out, pick them up at the gate when they are released and work with them in the community. That is intensive involvement which, to be frank, not all women want.

Consideration also needs to be given to the kind of support that we offer such women when they are released. We talk a lot about social work involvement, but much of the work requires the involvement not of a qualified social worker but of one of our paraprofessionals, who can focus on providing practical assistance with, for example, accessing accommodation and getting a general practitioner or dentist. Often, that kind of practical assistance can provide a road in, or hook, that

allows us to move on to work more on addressing their underlying offending behaviour.

**The Convener:** Could there be a greater role for volunteers, for example?

**Jane Martin:** Volunteering is an untapped resource across the criminal justice spectrum. It would be worth pursuing a greater role for volunteers for two reasons. First, volunteers can offer good role modelling, as was mentioned earlier. Secondly, those of us who work in criminal justice often have a job to do in advising communities about the work that we do with offenders. Volunteers could help to fill some of that gap.

**The Convener:** It occurs to me that the visiting committees do some excellent work that offers quite a different slant from that of prison professionals. Could more be done to harness the work of the visiting committees in helping to match up offenders with throughcare support when they are released?

**Jane Martin:** We are certainly working more closely with the prisons to do that, but short-term prisoners are problematic because of their volume and because of the short length of time for which they are in prison. In a sense, longer-term prisoners are less problematic, because they have an allocated worker from the point of sentencing who engages in on-going work with them. The revolving-door cases present more of a challenge.

**Hugh O'Donnell:** Some of the written evidence that we have received has criticised community penalties for not taking into account the specific needs of female offenders. How are local authorities beginning to fine tune the availability of gender-appropriate community disposals?

I have a second, fundamental question. Do you have any idea of what the impact will be on social work services as they are currently provided if existing and forthcoming legislation increases the number of women who receive community disposals?

**Jane Martin:** The first question was about the tweaking of community disposals. In most areas, the appropriateness of women-only squads for community service is considered. Most areas also consider provisions such as late starts for people—not just women—with child care responsibilities or with medical requirements that require them to take medication first thing in the morning. Different approaches are already being taken in that regard.

Sometimes, it is a matter of proactively considering how to engage with people and asking whether we can do things differently. Some areas are considering the introduction of text messaging to remind people of their appointments the day

before they happen—it is just a gentle reminder. That means moving away from the more traditional approach of, “Report, or you’ll get the letter.” Quite a bit of that work is going on now. Probation is more tailored to the needs of the individual anyway, so a different approach is taken with that.

On the second question, the Association of Directors of Social Work has been considering scoping requirements. I cannot give you a definitive answer on that point today, but I can certainly give you more information in writing, if that would be helpful. We have already begun to plan around that.

**Hugh O’Donnell:** You made an interesting reference to squads. That reflects my limited experience of community service, particularly for male offenders—a group goes off in a minibus to work on community gardens and so on. Given your remarks about probation services, to what extent is it possible to tailor community provision to take account of the social and psychological needs of individuals and their employment opportunities?

**Jane Martin:** I did indeed refer to squads. As we heard earlier, community service is very much an alternative to custody—it is unpaid work. At the moment, people basically turn up and do their work; there is not really scope for other interventions. That said, a good community service scheme would assess the offender and try to match the placement, as far as possible, to their needs. We see a lot of women in individualised placements. I am sorry about the generalisation earlier.

**Hugh O’Donnell:** Thanks for clarifying that. I knew that that was the case—I just wanted it on the record.

**Jane Martin:** Thank you.

**Bill Wilson:** We have taken quite a bit of evidence on the impact on children of a mother being imprisoned. How do you think that the needs of offenders’ children could best be taken into account when a woman is sentenced?

**Jane Martin:** By the point when they are sentenced, a lot of the women have lost care of their children. In our recent research into the women we were working with on our women’s project—women who were just coming out of custody—none of them had had care of their children at that point. That was a small-scale finding, but it was startling.

Regardless of whether the woman has care of the child, there are issues around custody, or rather access. A range of organisations, including Families Outside, is getting much better at raising issues around how we need to support women

and families more, and about how to keep in touch using visiting centres and so on.

**Bill Wilson:** I think you said that a lot of the women had lost care of their children when they were coming out of prison, which implies that they still had care of them when they went into prison. Had they in fact lost care of them before going into prison?

**Jane Martin:** Sorry—at the point at which they went into custody, many of them had lost care of their children.

**Bill Wilson:** Is that because of previous experience, or simply because of the lifestyles of the women?

**Jane Martin:** It is largely due to the chaotic lifestyles that are often associated with substance misuse.

**Bill Wilson:** Can anything extra be done for the women who have caring responsibilities—you have mentioned some things—to ensure that the children’s rights are recognised?

11:15

**Jane Martin:** Prisons are working hard to make any child’s experience of visiting their parent—male or female—much more positive. The statistics on children who are affected by a family member going into prison are quite staggering. I do not have them to hand, but many families are affected in that way. Local authorities must work closely with the prison service to ensure that, as far as possible, the care plans for those children are matched to the plans for the adults.

**Bill Wilson:** The care plans might include counselling for the children, for example. If a woman is sent to prison, do the children automatically receive counselling?

**Jane Martin:** I would not say that they would receive counselling automatically; it would depend on an assessment of the situation.

**Bill Wilson:** There would always be an assessment of the child’s needs.

**Jane Martin:** It depends on where the child goes. The child might go to family members for only a short period, in which case we would have limited involvement.

**Willie Coffey:** I want to know how you deal with ex-offenders’ drug addiction, reoffending and so on. How does your authority tackle addiction to try to reduce the level of reoffending? Can you share the experience of other local authorities in Scotland of dealing with addiction, to draw on best practice elsewhere?

**Jane Martin:** All local authorities have a throughcare addiction service, which prioritises

certain groups of substance misusers and works with the prisons and the voluntary agencies. However, a lot of the offenders whom we are talking about will not engage with that service. Until recently, in Tayside, we had a centralised resettlement service, which included a service for women offenders—I spoke about it earlier—that was very proactive from the point of sentence. The women were picked up at the gate.

We had some concerns about that service, though—Dundee is a very different area from Angus or Perth in terms of the rurality factors—and we are moving the resettlement service back to the individual local authorities. In Dundee, when someone writes a social inquiry report and a person gets a short period in custody, the case is generally closed to us. However, we are trying to keep it open within the team so that we can proactively follow the person from the point of sentence through prison and, ideally, out again. It is early days for that approach, so I cannot say how effective it is.

We have an offender accommodation unit—it, too, was mentioned earlier—that services Tayside predominantly but is available as a resource to the rest of Scotland. The unit can be used by people who are coming out of prison or as a condition of a probation order. It is used fairly extensively for women who are coming out of prison and has good links with the local authorities to ensure that the women can be reintegrated into mainstream housing and that they get balanced support.

We could get a lot better at sharing good practice throughout Scotland. The Criminal Justice Social Work Development Centre for Scotland, which is run by the University of Edinburgh, has a women offenders champion group that takes on that role. However, we do not hear about the learning points from a lot of pilot projects. Nationally, we could be better at doing that.

**Willie Coffey:** You say that some women fail to engage with social services after their release from prison. Is there a case for making that a requirement of the community part of their sentence?

**Jane Martin:** It is not just women who do not engage with social services; a lot of the males with whom we work do not engage either. However, I would be concerned about making that a requirement. As soon as something is made a requirement, there are issues around breach and what happens if the person does not comply. We need to get the different points of intervention right.

**Malcolm Chisholm:** I suppose that we all believe in early intervention, but how early should it be? To what extent could local authorities do more to prevent girls and young women from

becoming involved in crime? Do we need to look at the weighting of resources in social work budgets? Should more be spent on early years intervention as opposed to dealing with offenders? That is a bit of an impossible question, as we need to do both. What are your views on early intervention? Should we focus on the first three years, as many people argue, or are there other stages at which early intervention could be effective?

**Jane Martin:** I support the notion of early intervention. The early years strategy is vital. It is not just an issue for social work budgets; it is about looking at the role of universal services. By the time that women come into the criminal justice system, we have failed. We must examine the role of universal services.

**The Convener:** Our next set of questions is for Douglas Edwardson.

**Bill Kidd:** The committee has frequently been told that, as far as housing is concerned, prison has a greater impact on women than it does on men. With regard to continuing a tenancy, you mentioned the problem that is caused by the termination of housing benefit a certain number of weeks after sentencing, which puts a lady in severe financial difficulty when she comes out of prison and means that she does not have housing or a place to bring the children back to. How does that inform policy in your authority? Do you have information about how such situations are handled by other Scottish local authorities?

**Douglas Edwardson:** The main policy document is the Homelessness etc (Scotland) Act 2003, which updated the Housing (Scotland) Act 1987. It confirms that local authorities require to give priority for homelessness to people—not just women—who are released from prison.

The situation for local authorities is more difficult when a person is sentenced for a crime that they have committed and is in prison for a period, which could be 13 weeks. That is the guide period that I mentioned. The sentence could be slightly longer than that, but if they have a good service record in prison, they might get early release, which would make it less than 13 weeks. We reach the incredible position in which someone's whole life—their tenancy and their home—might be at risk depending on how they behave while they are in prison. That is a matter of fact. We try to sustain people's tenancies and to give them a home for themselves and their families but, under the system that we have, that can easily be taken away.

As has been mentioned, local authorities have an opportunity to address that issue through a variety of means. There could be another member of the household to whom the tenancy could be



assigned. If it was a joint tenancy and there was a child who was over the age of 16, that would be a possibility. The house could be sublet to someone else. There is a range of possibilities. Under the terms of the legislation, we require to take reasonable action to explore every opportunity to sustain the tenancy but, sadly, every local authority has a different approach, all of which are within the terms of the legislation.

**Bill Kidd:** We have been told repeatedly about the chaotic lifestyles of many female offenders. Their behaviour might have an impact on other tenants when they are released from prison and go back into local authority housing. How are the chaotic lifestyles of such tenants managed?

**Douglas Edwardson:** That is a good question. As far as behaviour is concerned, we would not discriminate against anyone, regardless of whether they were a former offender. Antisocial behaviour would not be acceptable and would be addressed using the local antisocial behaviour policies and the community safety policies in general. A range of interventions provides support in that regard, depending on the situation and what is causing it.

As the committee is probably aware, the design of a lot of local authority housing means that there is little sound insulation between properties. That is a big issue for people, but sadly it is not covered in the Scottish housing quality standard—different legislation requirements apply to that. Noise disturbance is often an issue in cases of antisocial behaviour.

If we can house people—particularly those with young families—in appropriate accommodation, such as semi-detached or terraced housing, the opportunity to provide noise nuisance to neighbours can be limited compared with tenemental or multistorey properties, where people are living in close proximity. That is an important issue to be aware of, not just in relation to offenders but to any tenant, and to the council too.

More extreme measures are available in local authorities, such as accommodation for people who have been subject to legal action for their behaviour, such as a repossession decree. We would provide such people with a short secure tenancy, and in some situations we would put them into specific accommodation. Some authorities have specifically designed accommodation, in which support and intervention are often provided, to help people out of that situation. That would be a more extreme measure, for a family that has real difficulties in a particular type of accommodation or area.

**Bill Kidd:** I want to ask about the circumstances of people who have chaotic lives because of a

psychiatric disorder of some description. How can that disorder be managed once a person has left prison and moved back into housing? Is it difficult to keep track? Even if you can keep track, is it difficult to help that person to become socially capable, so that they can deal with living in a house by themselves?

**Dr Treliving:** The short answer is yes. It goes back to the need for things to be joined up. The criminal justice social work folk work with me in relation to a female offender I am working with at the moment. They bring her to appointments—we work together, and we know that she is so chaotic that, without that support, she would not turn up anywhere. She gets to some places—it is that kind of support, but it is labour intensive. Such cases are in the minority but, as I said, it is an expensive minority.

**Hugh O'Donnell:** In an effort to satisfy expectations—and perhaps even the statutory situation, in relation to non-antisocial tenants—and avoid clashes, is there a danger that you might ghettoise those who have come from a prison situation and thereby potentially diminish their ability to integrate into the community?

**Douglas Edwardson:** That is a good question. Obviously, there is a need to create balance in that regard. We would not want to create ghettos, but there are ways of including people in communities that can be appropriate and supportive to their needs. One of the unsung skills of local government allocations officers is that, because of their knowledge of an area, they know where there is an opportunity for a family to thrive. That has to be done sensitively and equitably, and it can and will be done throughout the country. However, it is almost impossible to legislate for that requirement. It comes down to having the best information about an individual's or a family's needs, and how those needs can best be met. Local authorities often do not have a huge range of options, but we must make the best use of what we have; one way of doing that is to work closely with the individuals.

**The Convener:** Housing is at the heart of many social work policies and other policies that aim to help women when they leave prison, in an effort to stop them reoffending. We have heard a bit about centralised resettlement, secure accommodation and even—if there is a behavioural problem or some kind of antisocial problem when the women leave prison—specific supported accommodation. However, given that we have heard that many women use prison as a refuge—because of mental health problems, to escape an abusive partner or to sort out debt problems—how can local authorities intervene more proactively to help them, as they are coming out of prison with no income and no accommodation?

11:30

**Douglas Edwardson:** Much of the work must begin before individuals are released, through integrated case conferences towards the end of their time in prison. Often such conferences involve local authority housing services and social work services; children's services may also be included, if they are part of the picture. We must ensure that we are clear about people's needs and requirements on release from prison. It is important to understand what options an individual has, to provide them with support and a thriving environment after their release, and to provide them with security and certainty about the resources that we have and of which they can make use.

**The Convener:** If women do not get accommodation and they reoffend, they go back to prison, which has a horrendous cost. Should local authorities bid more robustly for resources for preventive work?

**Douglas Edwardson:** More resources should be available, but why should they be restricted to one vulnerable group? Equity must come into the matter. The legislation on homelessness requires local authorities to give everyone who is homeless priority by 2012, which is only three years away. At the moment, 50 per cent of all local authority houses that become available for let in Aberdeenshire are allocated to people who are homeless. The figure is higher in many local authority areas—in the central belt, it is up to 80 per cent. I reckon that by 2012 almost every local authority house will be let to someone who has been assessed as homeless. The only people who will not be housed in 2012 are those who are intentionally homeless. The result of the policy is that in Aberdeenshire families—including ex-offenders and their children—are living in temporary accommodation, which is often inappropriate, for up to two years while they wait for family housing. They do not have much choice in the matter, because of the lack of housing in the area. That is the reality of the situation. More resources would be excellent and would help to solve the problem for all vulnerable groups.

**The Convener:** Given how much money could be saved from the criminal justice budget, and given that the type of accommodation that the general homeless person is seeking may be quite different from the secure or supported accommodation that would be suitable for female offenders, could it not be argued that, by investing in accommodation for female offenders, we would be saving money that could be used to address the homelessness problem and to help those people who have been waiting for accommodation for many years?

**Douglas Edwardson:** Potentially. It would be hard to evidence and prove the argument, but you are right to say that there is no reason that resources should not be invested in accommodation for female offenders. I do not know which comes first, but more resources would be useful.

**Malcolm Chisholm:** In August 2007, the Scottish Government set up a multi-agency group whose remit was to develop a sustainable model for housing advice services for prisoners. I do not know whether you have been involved in the group's work, but can you give us an update on its progress?

**Douglas Edwardson:** I am afraid that I cannot, as I have not been involved. I can seek an update from the chief housing officers and forward it to the committee, if that would be useful.

**Malcolm Chisholm:** Thank you.

**The Convener:** That would be appreciated. Last but by no means least, we have some specific questions for Linda Treliving.

**Malcolm Chisholm:** My main question is about what happens to women when they leave prison. However, when I asked Jane Martin about early intervention, it struck me that it would be good to ask a psychiatrist about the issue. At what stage do you think that early intervention would be useful? What model of early intervention might be helpful, both for the women whom you have emphasised and more generally, to avoid many of the problems that arise? Can you suggest some type of intervention by public authorities—during the early years, or perhaps later—that would help to prevent some of those things from happening?

**Dr Treliving:** Jane Martin referred to the children's panel; the idea is that we should pick up children at that point. The figures for Aberdeen and Aberdeenshire show that the greater part of the group of children who have been reported as being at risk come from families with mental health issues.

We need to pay more attention to the fact that people with mental health issues—although not all of them—are a vulnerable parenting group. We need to find out which groups are vulnerable, so that we can intervene and help those children early. Such help might involve nursery placements, or the provision of additional input to allow them to have relationships.

One of the things that we know about the development of borderline personality disorder is that it is an attachment disturbance. Those folks have not been given a good enough experience of generally being looked after and responded to appropriately, because the parents have not been

able to do that. It is important to get in there and stop that cycle.

**Malcolm Chisholm:** The Scottish Association for Mental Health drew attention in its submission to what happens after women leave prison. The submission states:

"A gap in healthcare provision often occurs when a prisoner is released into society and this is a particularly important concern with regard to those who experience mental health problems, who find it very difficult to link into care in the community. SAMH has concerns that sometimes pre-release arrangements for prisoners are poor".

What is your experience with regard to women who come out of prison? What type of pre-release arrangements are in place, and how could they be improved?

**Dr Treliving:** In my experience of working in the community, it comes back to housing. Women are discharged from prison and have lost their tenancy, which they need to be able to register with a GP to get a referral to the community mental health team. There is already one step missing before we even begin to think further.

Members of that group, although they cause a lot of trouble, are not particularly proactive about seeking help from the appropriate authorities. We need to try to get in before things start to break down, but that is very difficult when those people do not have the necessary stability in their environment—when there is no housing, or temporary housing, and they are going into bed and breakfast accommodation.

**Malcolm Chisholm:** I appreciate that that is important. To what extent are specific mental health problems picked up when someone is in prison and followed up when they leave prison? To what extent are links kept with mental health services after someone has left prison?

**Dr Treliving:** Perhaps that happens in the forensic service, but in my work as a psychotherapist I deal mostly with people with personality disorders, who go largely undiagnosed in the prison service. They come out and just get on with it again.

**Malcolm Chisholm:** Why are they undiagnosed in the prison service?

**Dr Treliving:** It is largely because personality disorder has not been recognised as something that people want to flag up as a difficulty, because it was felt that nothing could be offered. The interventions for personality disorder largely involve psychological therapies, which are not the main provision of the forensic psychiatry services.

**Willie Coffey:** The committee heard from previous witnesses that 71 per cent of women who went into Cornton Vale prison had some kind of

illegal drugs in their system, and it has been revealed that some 32 per cent of women tested positive on release. From your perspective in the NHS, do you find that dealing with women who are abusing drugs on release and continue to do so in society places an increasing demand on resources in NHS Grampian?

**Dr Treliving:** That is not my area of expertise, but there is certainly a huge demand on the health service for drug rehabilitation, and a long waiting list to be engaged in therapy that focuses on that. It is a huge problem.

**Willie Coffey:** Do you have any views on how best it should be tackled? You must deal with many patients who have problems with drug abuse.

**Dr Treliving:** Again, from my experience working with personality disorders, many people take drugs not in a recreational way or to get high but simply to get by or to deal with very difficult and traumatic memories, feelings and flashbacks. If you like, their use of drugs and alcohol is self-medicating.

**Willie Coffey:** Do you often refer a patient with specific drug offending or drug addiction issues to other services?

**Dr Treliving:** We would not necessarily carry out psychotherapeutic work on a person until those issues had been dealt with adequately. After all, psychotherapy increases a person's anxiety and tensions, which they will want to alleviate as soon as they leave the room. If their coping skill is to take drugs, that is what they will do. If we can cut across that kind of response, we will work with them. However, if we feel that such issues are dominating their interaction, we will say, "Let's get these things sorted before you come our way."

**Willie Coffey:** That is very interesting.

**The Convener:** According to a recent survey, a very low percentage—less than 48 per cent—of women in prison engage with the health services. Moreover, women who engage with those services after leaving prison are very often struck off general practice lists if they miss an appointment. Could the NHS find a more imaginative way of working with these women such as, for example, phoning or texting them beforehand to remind them of their appointment, and making some allowances for them and giving them a second chance if they miss one?

**Dr Treliving:** That is a very important point. Of course, it is really frustrating to set aside an hour for someone, only for them not to pitch up. In such circumstances, you can say, "Well, that's it then" as a kind of punishment. In other areas—not including mental health, as far as I know—moves have been made to reduce the did-not-attend rate

for appointments by texting people or, as with hair appointments, phoning them and asking what would be a convenient time for them. Instead of simply setting an appointment and expecting the person to turn up at that time regardless of other factors, I think that we need to be more communicative. I have to say, though, that it is not really a matter of policy at the moment.

**The Convener:** If the women sort out their engagement with the health services, are they more inclined to deal with and take up other services?

**Dr Treliving:** Returning to borderline personality disorders, I think that if we can offer people who are chaotic and impulsive some containment and ensure that some part of their life is settled, there is at least a chance of their being able to engage with something else. However, if they are hurtling from one crisis to the next, they have no opportunity to turn up at appointments or to approach things in a considered, measured way.

**The Convener:** That completes our questions. Do the witnesses have any final comments?

**Jane Martin:** We work very closely with health and other services on drug treatment and testing orders and other such orders, and I think that there is much more scope for looking at co-located and multidisciplinary teams for women offenders.

**The Convener:** I thank the witnesses very much. We are always learning new things at these sessions, and I have no doubt that this very valuable evidence will make a tremendous contribution to our final report.

I suspend for five minutes for a comfort break and to allow our next group of witnesses to get settled.

11:44

*Meeting suspended.*

11:49

*On resuming—*

**The Convener:** I am pleased to welcome our third panel of witnesses: Lorna Lumley, who is an ex-offender and client of the Circle family support project; and Marina Shaw and Grant Sugden, both of whom are Circle workers.

I will ask the first question. To what extent is prison good at stopping women carrying out crime?

**Lorna Lumley:** Personally, I think that prison is not a place that stops women carrying out crime. I was a first-time offender in Cornton Vale, and—touch wood—I hope that it was my last time. I was in for three months and I came across a lot of

women from all walks of life who were constantly in and out of Cornton Vale—it was a way of life for them. They felt more secure and had more in Cornton Vale than they did on the outside—for example, they had three meals a day, a room and central heating; there was a shop every week; and they had no worries about council tax or gas and electricity bills. The kids of many of the women were in care, so their kids were being looked after. One girl I met had been in and out of the prison something like 26 times even though she was only in her 30s. Many of the women said to me that their room in prison was nicer than what they had on the outside. It was a way of life for them.

**The Convener:** They were getting many of the things that they were seeking in jail, such as three meals a day and safety.

**Lorna Lumley:** Safety, security, no pressure on them whatsoever. They do not have to live on benefits or go out and find employment. Their clothing is provided and so are their hairdryers, make-up, stereos and things like that. Cornton Vale is their way of life.

**The Convener:** So that should be available on the outside to stop people going back.

**Lorna Lumley:** Yes, definitely.

**Marina Shaw (Circle):** A lot of good work is being done in Cornton Vale and a lot of people aspire to do the work well. However, does Cornton Vale, in and of itself, stop people offending? I have no doubt that some people would say after a spell in Cornton Vale, “I do not want to be back there again.” Unfortunately, many of them do come back. As a support service, we are asking, “Why have they come back?” I do not meet them before they go into Cornton Vale; I work there on a Thursday and that is when I step into their lives. The Circle project started only last August and already I am recognising people who have come back in, although not in the group that I work with. Many of those who return might have said, “I don’t want to come back in.” I suggest that their return is probably something to do with the supports available. Fortunately, our project is in the happy position of being able to say that, of the 28 people with whom we have worked, only one person has gone back into prison. The project has been evaluated externally and it reflects that we offer a very intensive service.

Running in the face of what somebody else said today, I suggest that our work is all about professionalism. It is about the professionals being enough like a chameleon to identify with the person who is leaving prison. Okay, perhaps we are not necessarily matched with the person who is leaving prison, but we make sure that we match their requirements and their needs.

I work with some of the women, but I refer others to many colleagues in the community who work well with them and can address their needs in their own homes. For example, they can look at parenting issues that have perhaps impacted on them as adults and parenting deficits that impact on their own children and can lead to multigenerational problems. For example, there are four generations of one family and three generations of another in Compton Vale. Working in women's houses is crucial in addressing parenting deficits that they have experienced and which they pass on to their children.

We take women to any and every appointment, no matter how trivial. It is not up to us to decide whether it is trivial; if it is important to the women, we will take them. Women are referred to us when they are in prison, and we appear in court with them. Apart from Phoenix, we are the only organisation that works with prisoners on remand, who are an extremely chaotic group. It is very hard work, but it is particularly when women are on remand that they say that they do not want to come back to prison. For me, that is the defining time, when the women feel shock and horror and say that they never want to be there again and want us to help them to get out. I have had great success in explaining to the courts the service that we provide. I tell them that, if they offer women bail, we will work with them.

That is what we as an organisation do to try to prevent reoffending. It is much more complex than that, but I have tried to summarise.

**The Convener:** Thank you. Does Grant Sugden want to add anything?

**Grant Sugden (Circle):** Marina Shaw has given a good summary. A particular difficulty for the women is the transition from prison to the community. Our service tries to bridge that gap by getting to know women in prison and their families, too, and then continuing that support when they are back in the community. I do not believe that prison addresses many of the reasons why women go into prison in the first place. We work flexibly—and intensively, when required—with the women to address the underlying factors.

**The Convener:** Thank you.

**Willie Coffey:** My question is for Lorna Lumley and Marina Shaw. Are community sentences much better at preventing reoffending? If you think so, can you give a couple of examples from your experience of someone who has benefited in that respect from a community sentence?

**Lorna Lumley:** I have done community service, which worked well for me. I have a nine-year-old son, and I got to fit in my community service with taking him to school, picking him up from school and the school holidays—that worked well for me.

I got sentenced to prison last year for embezzlement. I am not saying that it was right or wrong that I got that sentence, but I feel that a community service order would have been more beneficial for my family and me. I repaid all the money that I embezzled, so what was the point in sentencing me to seven months' imprisonment—my son had to go and stay with his dad—when I could have done so many hours of unpaid work in the community for a CSO?

The prison sentence has happened now, but for my first offence I was given community service, which worked well for me. I did it in a charity shop, and I had no problems completing the CSO. As I said, it fitted in with my wee boy's schooling and school holidays, and so on.

**Willie Coffey:** What was it about that that perhaps stopped you offending again? You do not need to talk about your own circumstances, but how can the community sentence specifically help folk not to reoffend?

**Lorna Lumley:** I believe that many women are put in the wrong placement for community service, because not much is available for women. For example, when I went for my placement, I was told that I could not work with a squad of men and I could not go out and do gardens. I was told that I was going into a charity shop and that was it. That suited me, but it might not suit many women. I met a girl in the charity shop who took about three years to complete her CSO because she had young children in nursery and she could do only about an hour every couple of days for the CSO. You would get fed up with that. You would want it over and done with. If you were doing a couple of hours a week and it felt like the order would never be finished, that could make you reoffend.

To be honest, I quite enjoyed doing my community service. I know that it is meant to be a punishment, but I got a lot from it.

12:00

**Willie Coffey:** Marina, what is your view?

**The Convener:** Marina Shaw and Grant Sugden are here to support Lorna. We are really trying to get her views.

Without pre-empting your answer, Marina, I think that we already know where you are coming from. If you want to add anything that you feel that it is important that we hear, please do so. However, we are focusing primarily on Lorna.

**Marina Shaw:** Lorna enjoyed the community service because she formed a good relationship with the woman in the shop. The woman was non-discriminatory, did not stigmatise her and treated her with respect. She displayed all the classic signs of engagement and respect and ensured

that Lorna retained her dignity. That meant that Lorna was more likely to engage with her placement. That approach has been important in my work with other offenders, as they almost expect to be discriminated against and they feel stigmatised. How the relationship is handled is important.

**Bill Wilson:** Lorna, in the case of the woman who had to spend three years completing her sentence, you obviously feel that that was not an effective sentence. Do you have something else in mind that might have worked better for that lady?

**Lorna Lumley:** Probation would probably have worked better than community service, which was not an appropriate sentence for her because she had so many kids. Perhaps a fine would have been more appropriate. I do not know—I am not the court—but I think that it might be better to have made her pay a fine every week or every fortnight or to have given her some form of probation instead of making her do community service, which she was able to do for only two hours a week. That is not really ideal.

**Malcolm Chisholm:** You said that you were not offered the option of working with men, but we have heard some stories where that has happened, and some people have said that it is not a good idea. Do you think that there should be separate community service for men and women, or do you think that women should have some choice about what they do?

**Lorna Lumley:** I do not think that there should be separate community service for men and women. Men were doing community service in the charity shop that I worked in as well. It is not fair to say that men should be out sweeping the streets and women should be sitting tagging clothes in a charity shop. The decision should be made on an individual basis, based on what the person needs. Obviously, a woman with mental health issues should not be put in with 20 guys who are painting a church or something.

**Hugh O'Donnell:** Having met some of the people whom Circle supports in Lanarkshire, I commend the organisation for the work that it does.

Do you think that there is a single best thing that would help people to stop offending? Could you list in order of priority the things that are most important in that regard?

**Lorna Lumley:** I am fortunate in that I own my own home, so I did not have an issue with housing when I came out of Cornton Vale—I did not have to present myself to the local council as homeless. However, when I was released, I was given a week's money—£60—to last until my benefit payments started, and nobody told me that that

money had to last me for five or six weeks until my benefits were put in place.

As I said, I am fortunate in that I own my own home and have great support from my family. I spent three months in Cornton Vale. When I came out with £60, I had no phone line, there was no gas or electricity supply in the house and the council tax needed to be paid—blah, blah. It took me three days of being on the phone constantly to get through to the Department for Work and Pensions to apply for a crisis loan. By that time, my mum had paid BT to reconnect my phone line. If I had no land-line and had to phone from a mobile, that would cost money, whereas phoning the DWP is free from a BT land-line.

I was constantly on the phone to the DWP to try to get put through for a crisis loan. I could see that if somebody came out of Cornton Vale and had absolutely nothing—as I said, I had great support from my family—it would be easy for them to say, "To hang with this—I'm going to the first supermarket to shoplift my shopping." I would never have thought that until I had tried to contact the DWP. I could see how a woman who was starving, or who had a son who was needing fed, and who could not get through to the DWP to obtain £70 to last her another couple of weeks would thief from a supermarket or go into somebody's home to take something.

The benefits system is shocking, not just for people who are coming out of Cornton Vale, but for any people who are trying to get through for a crisis loan. I was on the phone for three days. I made not just one phone call, but about 20 or 30 phone calls a day to try to get through. If I had no land-line and had to use a mobile phone, I could not afford those calls.

**Hugh O'Donnell:** I am kind of pre-empting the answer, but does the opportunity exist for pre-release interviews with DWP staff that allow you to go through the bureaucratic process?

**Lorna Lumley:** I had a pre-release interview with the benefits officer in Cornton Vale, which lasted approximately 10 minutes. Last year, I was receiving incapacity benefit. When I was inside, that changed to employment and support allowance. As I was in for longer than 12 weeks—I served 13 weeks—I had to make a new claim for employment and support allowance, so I had to go through the whole process. I was not going to receive jobseekers allowance, which would mean signing on at the jobcentre, so I was handed a phone number to call, which would allow me to go through my application form with the DWP once I was out of Cornton Vale. That was it.

The same situation applied to my mortgage payments, which the DWP had been paying. When I came out, I was told that I would need to

wait 13 weeks until the DWP picked up the mortgage payments on my home again, because of the break in my benefits. I have since been told that that information was wrong, and the DWP has now started to pay the mortgage payments on the house. However, the benefits advice in Cornton Vale was a phone number, which I could have found in the phone book, to be honest. I was not given anything and I was told, "There's the phone number—you need to go through the application on the phone."

**Hugh O'Donnell:** Having been given that phone number, did you—or anyone else; I do not want to focus specifically on you and Marina Shaw might want to speak—have the opportunity during recreation time to access a phone to make arrangements before release?

**Lorna Lumley:** No. I saw the benefits officer on the Thursday and was released on the Monday.

**Hugh O'Donnell:** Two of the four days were over the weekend.

**Lorna Lumley:** Yes. For security reasons, a prisoner can make calls only to numbers on their phones that have been approved. That prevents someone from being able to stand behind another prisoner, take down their jail number and PIN and then make calls. In Cornton Vale it can take up to two weeks to get a number put on a phone. If I wanted, say, Marina's number put on my phone so that I could phone her office, that could take up to two weeks. I would need to put a sheet in and the prison does that for prisoners only every couple of weeks. Therefore, I could not have phoned the benefits office from Cornton Vale. If I had thought about it a month before I was going to be released, I could have had it done then, but the numbers are not put on people's phones every day—they are put on only once every couple of weeks, for security reasons. As I said, I saw the benefits officer on the Thursday and was released on the Monday.

Also, to have called the benefits office would have cost me money. I would have had to have money on my phone to make the phone call. Because it is an 0800 number, I might have been charged for the call on my phone, and the phone in Cornton Vale is a payphone—I do not think that it is like a BT land-line; it would be like a mobile phone and the credit would just go down even if I did not get an answer.

**Hugh O'Donnell:** Thank you. That was helpful.

**The Convener:** You have certainly raised an aspect of throughcare that we had not covered. You have also highlighted how important the support of the family is—certainly in your circumstances.

**Lorna Lumley:** It was for me, yes, but not every woman in Cornton Vale has that support. I am very fortunate to have that.

**Bill Kidd:** You have been very articulate in explaining the circumstances in answer to our questions so far. That suggests that you may have some idea, from meeting other people in Cornton Vale, how we might be able to prevent girls and young women from getting into those circumstances. How might we be able to turn them away from committing crimes?

**Lorna Lumley:** I think that the education system needs to be looked at. I have never come across as many women who cannot read or write as I met in Cornton Vale. Maybe I was naive, but I could not believe it. I have a nine-year-old son who has been brought up to read and write—that was the way that I was brought up. I was not in with the young offenders, but I met young girls in their early 20s as well as older women who could not write their name or even a letter. They could not add up, either. I do not know whether that was why they turned to crime; a lot of their crimes were drug related—shoplifting, blah, blah—and were done to feed their habit, but maybe they turned to crime when they could not get into employment because they could not read and write. That has to be addressed.

Why are they slipping through the net? What are they doing in schools? They are older women now, but what were they doing when they were in the classrooms that they were not noticed? I get a letter from the teacher if my son does not do his homework on time. What were the teachers doing 20-odd years ago? There needs to be more support for women who cannot read or write when they come out or while they are still in Cornton Vale.

**Bill Kidd:** Do you think that there is enough support for education in Cornton Vale and enough encouragement for prisoners to take it up? Some people may be too embarrassed or too gallus to ask for education.

**Lorna Lumley:** We were given a test when we went into Cornton Vale, as part of our induction. It was done on a computer and it was a test for numeracy and literacy. It was meant to determine how well we could read and write. One girl, who was sitting next to me, made the excuse that she had forgotten her glasses, but I used to have to read the television magazine to her, to tell her what was on the television. Obviously, she was too embarrassed to say that she could not read or write. It is an all-female environment, and nobody wants to admit that they cannot read or write. It is kind of personal.

**Bill Kidd:** That is extremely useful. Thank you.

12:15

**The Convener:** Did you find that women with a sentence of less than six months did anything productive with that time?

**Lorna Lumley:** My sentence was seven months and I spent three months in Cornton Vale. I was told that I could not do any education classes, because I was not in for long enough.

**The Convener:** You did not have the option.

**Lorna Lumley:** No. I went for the computer test. I am computer literate and I can read and write, but I would have quite enjoyed doing a course in Excel spreadsheets or Word. However, I was told that I could not, because I was not in for long enough. I ended up working in the gardens, but I would have preferred to have gone into the classroom.

**The Convener:** You wanted to use that time productively.

**Lorna Lumley:** Yes, definitely.

**The Convener:** That is useful.

When a woman goes to jail, how can her children best be helped and supported?

**Lorna Lumley:** My son was counselled before I went in, so it would not be a surprise to him that his mummy was going to prison—I knew that I was going to prison. I was on the phone to him constantly and he came to visit. When you phone someone they get a message saying, “This call originates from a Scottish prison.” My nine-year-old had to listen to that message every morning and every night.

The family contact development officers in Cornton Vale were second to none. My son was constantly losing his mobile phone, which was my only way of contacting him. The FCDOs would phone his dad, whom he was staying with, so that I could get hold of him.

In Cornton Vale, the family room for kids who come to see their mum is in the chapel. We did not like the fact that the kids have to walk through the grounds of the prison to get there. Neil was terrified. He did not know what to expect. He was there with me and a prison officer. I wondered why they did not have the room somewhere else so that the kids did not have to walk through the prison. Imagine what that is like for a nine-year-old. That was the only thing that I would fault about access. The contact that I had with my son was second to none. I got to write him letters, which were sent out for free. A lot of the girls do not have any money, so if they have to post letters, they get a second-class stamp paid for them. If I had any problems, I went down to see the FCDO. It was daunting for my son to come up to the prison, but I had great contact with him.

**The Convener:** Do Marina Shaw or Grant Sugden want to add to that?

**Grant Sugden:** Each woman’s situation is different. It is important to provide support that considers their children and the needs of the whole family, rather than focusing only on the woman’s drug problem or offending. When we work with women in prison to plan for the future, we consider the situation with their child, such as whether the mother will be resuming care of the child or whether they want to build up contact with their child, what we can do to support them and what has to change. We work quite intensively with people. Sometimes we look at the barriers to women taking on the care of their children, such as housing problems that have to be sorted out. Although there is a service in Cornton Vale that looks at women’s housing needs, their housing is often not sorted out when they leave and it takes months to sort it once they get back into the community. Our service is good, because there is a worker there who can provide a high level of support and advocacy for women so that they can get things sorted out on a practical level. All those things contribute to improving the situation for the children.

**Bill Wilson:** I want to follow up a couple of things that Lorna said. One was about education. You obviously passed the computer tests without any difficulty.

**Lorna Lumley:** But that was only to determine what level of education I was at. Passing the computer test did not mean that I did not need any education.

**Bill Wilson:** Perhaps that answers my question. What would have happened if you had not passed it? Do you know whether the women on short sentences who did not pass it got any education assistance? I am wondering about the situation for people who are illiterate or innumerate.

**Lorna Lumley:** Yes. At break times, I saw a couple of girls doing basic arithmetic or writing skills in books, which a prison officer would check. I was working all day so I am not sure whether anyone went to classes. Obviously, Cornton Vale cannot accommodate every offender on those programmes. When I was there, it had over 440 prisoners and the number is rising. As I said, because my sentence was not long enough, I was not offered any educational classes.

**Bill Wilson:** You emphasised the excellent family support that you had throughout your sentence. My impression is that your main concerns were telephone calls with your son and visiting arrangements. Clearly, other female prisoners who do not have the same family support will have other concerns about their children. What is your view on that?



**Lorna Lumley:** One girl with two small kids was due to attend a children's hearing. She had received an official letter about the hearing and had told prison officers that she needed an escort. Obviously, Reliance would have to take her from the prison to the hearing. She was looking forward to seeing her kids, whom she had not seen for months. However, on the morning of the hearing, she was told that, owing to a communication error, there was no escort available.

If a mother does not turn up to a hearing, it looks bad. That woman could not do anything about it, as she was in Cornton Vale. It was not as if she had told officers, "By the way, I have to go to Aberdeen tomorrow"—she had given them the letter when she received it and the hearing was in Glasgow. Despite that, on the day, she was told, "A mistake has been made. You won't be attending. We'll phone the children's reporter to let them know that you won't be at the hearing."

**Bill Wilson:** You said that she had not seen the children for several months.

**Lorna Lumley:** I think that the children were in care.

**Bill Wilson:** And children who are in care do not get to see their parents—their mother in this case.

**Lorna Lumley:** I am not sure because that did not happen to me. All the women in Cornton Vale whose kids come to visit—not just those whose kids are in care—have to have a drugs test. If a woman has a dirty drugs test, their kids are not allowed to come in for visits. That is because women are left on their own with their children in the room that is used for visits. A prison officer is in another room a couple of doors away. If someone fails a drugs test, that is it—the visit is cancelled. I never had a drugs test—I do not do drugs—but, obviously, officers could have tested me if they had wanted to do that. For many of the women, visits were cancelled over a number of months until they had given a number of clean drugs tests. You could say that that is up to the mother.

**Bill Wilson:** So, the visit is cancelled in those circumstances; it is not just that it is supervised. In effect, the child loses contact with the mother because she fails a drugs test.

**Lorna Lumley:** Yes. The visit is cancelled. The visits are called little cherubs visits. They are held not in the main visiting area at Cornton Vale but in a big room with a DVD player and a pool table. The prison does not want children in the main visiting room in case something kicks off, as there could be 10 or so other visitors there. Little cherubs visits are only for mothers and children; they are bonding visits. The thinking is that, if other adults were present, there would be no mother-child bonding. The adults would speak to

one another and the child or children would be left to play with the toys.

**Bill Wilson:** It seems extreme to have no intermediate stage of a supervised visit.

**Lorna Lumley:** I do not think that there are supervised visits—

**Marina Shaw:** If that arrangement breaks down, the woman is offered the opportunity to meet her children in the normal visiting section. However, there are only two such family visits a week, they are shorter, and they are supervised by prison officers, so the nature of the visit is radically changed. Because that did not happen to Lorna, she would not be aware of that.

**The Convener:** That completes our lines of questioning for the panel. If we think of other questions as we go over the evidence, we may come back to you for further information. Does any panel member want to say anything in closing?

**Lorna Lumley:** No.

**Marina Shaw:** Thank you for giving us an opportunity to talk about our service.

**The Convener:** Thank you for your evidence. In particular, I thank Lorna Lumley for her invaluable evidence. Her first-hand evidence was delivered well and with sensible comments. As I said, the evidence will be invaluable to the committee in writing our inquiry report.

12:25

*Meeting continued in private until 12:33.*



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