

JUSTICE 1 COMMITTEE

Tuesday 7 May 2002
(*Afternoon*)

Session 1

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JUSTICE 1 COMMITTEE

† 17th Meeting 2002, Session 1

CONVENER

*Christine Grahame (South of Scotland) (SNP)

DEPUTY CONVENER

*Maureen Macmillan (Highlands and Islands) (Lab)

COMMITTEE MEMBERS

*Lord James Douglas-Hamilton (Lothians) (Con)

*Donald Gorrie (Central Scotland) (LD)

Angus MacKay (Edinburgh South) (Lab)

Paul Martin (Glasgow Springburn) (Lab)

*Michael Matheson (Central Scotland) (SNP)

*attended

ACTING CLERK TO THE COMMITTEE

Alison Taylor

SENIOR ASSISTANT CLERK

Claire Menzies

ASSISTANT CLERK

Jenny Goldsmith

LOCATION

Committee Room 1

† 15th and 16th Meetings 2002, Session 1—joint meetings with Justice 2 Committee.

Scottish Parliament

Justice 1 Committee

Tuesday 7 May 2002

(Afternoon)

[THE CONVENER opened the meeting at 15:36]

Item in Private

The Convener (Christine Grahame): I convene the 17th meeting of the Justice 1 Committee. I ask committee members to turn off mobile phones and pagers if they have had the temerity to switch them on since the joint Justice 1 Committee and Justice 2 Committee meeting concluded a couple of minutes ago.

We have apologies from Paul Martin, which means that we will not have a report from him on the Audit Committee's consideration of the Scottish Prison Service accounts. I will ask him to give that report in another convenient slot.

I ask the committee to agree to take item 3 in private. I wish to discuss it in private because it concerns expenses for individual witnesses. It would not be appropriate to discuss that in public.

Members indicated agreement.

Prison Estates Review

The Convener: The committee is probably all talked out from the joint Justice 1 Committee and Justice 2 Committee meeting, but I could be hoping for too much. I ask the starring duo of Donald Gorrie and Michael Matheson to give an oral report on the visit to HMP Barlinnie. I will ask Maureen Macmillan to report on the visit to HMP Edinburgh, with a bit of a supporting role from me.

Donald Gorrie (Central Scotland) (LD): The visit was my first one to Barlinnie. I think that Michael Matheson had been there before. I was pleasantly surprised—that is my overall conclusion. The staff try to do a lot of good work, but they appear to be swamped with movements of prisoners, mostly to go to court or to see their lawyer, but also for visits and other reasons. So much of the staff time is taken up in prisoner movements that the amount of one-to-one interaction with prisoners and the promotion of various good programmes are less than they should be.

The main lesson for me was that all short sentences—that is, sentences of six months or less—are a complete waste of time and we should ban them. That came across to me even more than before, but I know that that is a difficult view in a liberal society. The people are excellent—they have the right ideals and are competent—but they seem to be overwhelmed by the sausage machine aspect of the prison.

The Convener: That is a very crisp report: Peterhead sausage machines.

Donald Gorrie: It was Barlinnie.

The Convener: I beg your pardon.

Michael Matheson (Central Scotland) (SNP): You are mixing up your sausage machines, convener.

The Convener: Yes, I am. It is no wonder.

Michael Matheson: The visit was my second to Barlinnie. It had been organised well. As with Donald Gorrie, what struck me most was the number of movements that take place in Barlinnie prison every day because of prisoners going to and from the courts and other places. At times, I felt as though the staff was going to be overwhelmed by the number of movements that need to take place. However, they seem to be able to cope with and absorb that daily because the service is demand led.

The other aspect of the prison that struck me was the number of prisoners who are in Barlinnie for short periods of time. I seriously question the value of their being there. That demonstrates the

need not only to improve the take-up of those alternatives to custody that are already in place, but to consider other alternatives to custody that could be introduced to help to reduce the number of short-term prisoners who end up in a prison such as Barlinnie.

The halls that have been renovated, which we were able to visit, are of a reasonably good standard. There are problems about hotplates for food and staffing accommodation. However, broadly, the accommodation was reasonable and in good condition, particularly when compared with the conditions in the halls that have not been renovated. It is clear that the conditions in those halls, with slopping out and everything, are not acceptable. However, staff managed well to maintain as high a level of hygiene as possible, despite the limitations of the environment.

While I was in Barlinnie—Maureen Macmillan might comment on this in relation to Saughton, which she visited—I felt that the jury was out on throughcare provision and its effectiveness. The programme has been introduced only recently and there is confusion among the prisoners about how it operates. There is considerable pressure to undergo the programme and even though the throughcare provision has just been introduced, there is not enough to meet the demands placed on it.

It will be interesting to see how throughcare beds down. There is a need for an evaluation system, probably at a national level, to monitor how throughcare is operating and what improvements could be made. I do not want to slight the staff at Barlinnie, but I know that if someone is too close to something, they will look for the good things, whereas more independent people might evaluate the system to see what improvements could be made. It would be good to put such monitoring in place at an early stage. I am sure that there will be benefits from throughcare. It is a case of assessing what they will be and how the system could be improved even further.

The Convener: I will ask Maureen Macmillan and Lord James Douglas-Hamilton to comment on the visit to Edinburgh prison.

Maureen Macmillan (Highlands and Islands) (Lab): In Saughton, as in Barlinnie, there is a tremendous contrast between the old and new buildings. The old buildings, A hall in particular, were dreadful because of slopping out and the state of the furnishings. Some of that is a result of overcrowding. I talked to the prison officers about the state of the mattresses and stained mattress covers and they told me that that was because every bed and mattress was being pressed into service. They told me that mattresses in such a bad state would usually be condemned, but that

they had to use inappropriate furnishings because of the pressure of prisoner numbers.

In contrast, Glenesk hall had good facilities and a lot of space for the prisoners to walk about and chat to each other. However, I was concerned about the mixture of types of prisoner in the same hall in Saughton. The staff felt that they could cope with that, although it was not ideal. There are sex offenders, young offenders, remand prisoners and convicted prisoners, and it is difficult to keep them separate. It is not appropriate for young offenders, particularly those on remand, to mix with older, convicted prisoners.

There was great pressure on people in A hall to get up to Glenesk hall. It was used as a carrot and stick: if prisoners behave themselves in Glenesk hall they will not get sent to the dungeons—or A hall as it is called.

It was interesting to see how the segregation unit operated at Saughton. It is a national facility and has offenders from various parts of the country.

I think that there are two things at Saughton that require attention. First, the health service is under pressure, having to maintain its detoxification programme. It is a very good programme and aims to get the prisoners drug free. We saw that the service was making terrific strides in that regard, but it was under terrible pressure. I do not have the statistics to hand—Tony Reilly and the clerking team probably have a note of this—but I think that the service has 1,200 to 6,000 calls for nurse contacts. Despite that pressure, it was hoped that a few more nurses or auxiliary nurses could be secured to help out.

15:45

Apart from that, I reiterate what Michael Matheson said in the context of throughcare. We did not see prisoners actually accessing it because we were held up in the course of our visit. However, the people running the throughcare facilities were enthusiastic and I am sure that they want throughcare to succeed. The prisoners to whom we spoke did not seem to know terribly much about what was going on with throughcare, although we spoke to only one or two prisoners about that. It was being made as easy as possible for prisoners to access the throughcare. They could phone the throughcare centre directly from the house blocks to ask for information. The prisoners to whom we spoke might have been the ones who would moan anyway, and we might have spoken to more positive prisoners.

That situation needs to be monitored. We have to see how it works for prisoners once they leave prison and go out into the community. We will have to find out about the interaction between

social work departments, housing departments and the people who have left prison. If we are to stop people reoffending, we have to consider throughcare programmes as among the most important.

The Convener: I think that 125 applications were made for twice-daily nurse contacts as part of the detox programme, and that takes up so much time. That is one of the figures that stuck in my mind.

Lord James Douglas-Hamilton (Lothians) (Con): I think that it is absolutely necessary to renew the Edinburgh prison estate on a rolling basis. The deputy governor of Edinburgh prison said that it would take 10 years to put in place all the proposed improvements. That goes well beyond the estates review, but the improvements will be necessary for the good administration of Scotland's prisons whether or not two or three new prisons are built.

Glenesk hall, which is for remand prisoners, was impressive, and I thought that the facilities for throughcare were an innovation. Donald Gorrie recommended the one-to-one counselling facilities. Those should be put in place wherever possible, and my understanding is that the authorities were trying to do that.

In the sex offenders unit, we saw elderly men putting strings through labels, which is not the most challenging of jobs. It is not easy to get companies to provide prisoners with interesting work, but I issue a reminder that there should be a continual search for innovative ideas from companies, so that prisoners can be faced with more challenging work. Apparently the most challenging tasks are in woodworking, and prisoners get considerable training in joinery and other skills of that nature. Innovative ideas for work for prisoners would be welcome, because the work programmes seem to be limited in most of Scotland's prisons.

The Convener: I would add to that the fact that the seven or eight sex offenders never left their rooms to work, which was another sign of why they should have been, in my view, in a sex offenders unit, at Peterhead or wherever else. It seemed that they were in their rooms all day long. That is their life, apart from the little bit of exercise that they might take. Whatever anyone may think about those offenders, I did not think that that was an appropriate way to run their custodial sentences.

To turn to what is perhaps a more controversial point, the new house block that is being built on site—and without disturbing anything that is going on—is off the peg, with only a slight adaptation because it is being built on a slope. We pursued that matter and considered whether the same

thing could happen on other prison sites. It seems to be open to the Scottish Executive to consider building new house blocks in that way. There appears to be no difficulty. The deputy governor could simply order a new block and it could be adapted. Prisoners could be moved into the new area on a rolling programme, as has been said, over a period of 10 years. That was extremely interesting. Does anybody wish to come back on that point?

Michael Matheson: I wish to make a brief point about sex offenders. When we were in the visitors area of Saughton prison, I raised with the deputy governor the issue of vulnerable prisoners and sex offenders meeting their relatives at the same time as the rest of the prison population. It was confirmed that there were no separate visiting times for vulnerable prisoners and sex offenders, but that they were kept over to the side. Those prisoners have said that they and their families have been subject to verbal and physical abuse. The deputy governor confirmed that there are occasions on which there is verbal abuse of vulnerable offenders and sex offenders and their families in the visitors centre. That was not the case in Barlinnie, because there is a different arrangement. Saughton prison is the first example of a prison where that behaviour occurs.

Maureen Macmillan: The abuse did not happen in the prison, but it did happen at the visitors centre. Of course, Saughton is not doing the STOP 2000 programme. There is no programme for sex offenders.

Donald Gorrie: The view that is expressed in the prison estates review about the huge difficulties of redevelopment on site is a load of rubbish. At Saughton, for example, the management said that for a short while there was a problem—just while they were starting—but soon after, the builders got themselves sorted out. They had a separate entrance, and there were no problems. The argument for redeveloping, where land is available, is strong.

I failed to mention two points about Barlinnie. Michael Matheson and I referred to the staff feeling overwhelmed with work. Overcrowding is a major factor in that. On the issue of drugs, Barlinnie is the biggest dispenser of methadone in Scotland. The prison does that quite well, but it is a huge problem.

Michael Matheson: Methadone is required on a daily basis by about 150 prisoners at Barlinnie and by about 125 prisoners at Saughton.

The Convener: For the record, 70 per cent or 80 per cent of prisoners test positive for drugs when they go into prison. That gives an idea of the situation with inmates and the problems that prison officers face.

Maureen Macmillan: One issue that comes up at every prison one visits is the amount of time that is taken up with escort duty. Prison officers cannot deliver programmes, and prisoners are on waiting lists to get on those programmes, because they are on escort duty. I know that that is being examined, but sorting out escort duty must be a priority.

We heard from the prison officers that they are interested in the way that escort duty is dealt with in Northern Ireland, where there is a separate escort service, whose members are like the police or prison officers. That service is not privatised; it is a public sector organisation. It is a third service, if you like. Scottish prison officers are interested to examine that situation. I do not get the feeling that they would be happy if escort services were privatised.

Prison officers were also keen to examine the use of video links for remand prisoners. Those prisoners go to court for a few seconds just to stand up and say, "Not guilty", and then go back to jail. It would be much more cost-effective to have a video link from the prison to the court. The prisoner could be taken to a room and he could make a plea to a camera rather than directly to a sheriff.

The Convener: In discussing alternatives to custody, it was mooted that we should look into the Scandinavian practice of weekend imprisonment for certain minor offences. As Donald Gorrie said, in the current system, short sentences are a waste of time. Weekend imprisonment would be punitive and would withdraw liberty, but it would not cause offenders to lose their job, family and home.

Is it fair to say that the committee feels that in discussing the prison estates review, we have to consider the whole penal system and alternatives to custody? As Donald Gorrie said, we cannot examine the issue in a vacuum. I am sorry, it was Michael Matheson who said that. I give credit to the originator of the thought. Even if some of us shared it, Michael was the first to voice it.

I am glad that nobody mentioned why the prison officers in the reception area of Saughton prison wore white coats. We will put off that discussion. Do not mention why they wore white coats. I want to eat my tea.

The next item on the agenda is witness expenses. We have agreed to take this item in private, so I ask the one stalwart member of the press and public who is present to remove herself.

15:55

Meeting continued in private until 16:01.

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