

Cross-Party Group on Women, Families and Justice

Tuesday 5th September 2023 6-7.30pm (Zoom meeting)

Minute

Chair: Rona Mackay MSP

Attended

MSPs

Rona Mackay	MSP
Audrey Nicoll	MSP
Collette Stevenson	MSP

Invited guests

Siobhan Brown	Minister for Victims and Community Safety
---------------	-------------------------------------------

Non-MSP Group Members and Other Attendees

Becky Reid	Glen Isla Project
Faye Keogh	Turning Point Scotland
Grace Gracie	Families Outside
Hawys Kilday	Apex Scotland
Heather Manclark	Families Outside
Helen Reilly	Queen's Nursing Institute Scotland
India Pemberton-Pigott	
Janine Bonner	Families Outside
Jeff Gibbons	Scottish Government
Jonathan Sher	Queen's Nursing Institute Scotland
Juliet Brock	Mental Welfare Commission
Karen Armstrong	Families Outside
Kate Watson	Scottish Government
Kerry Knox	Families Outside
Laura Mulcahy	Community Justice Voluntary Sector Forum
Lorna Kettles	Early Years Scotland
Mags Higgins	Justice for Women
Pete White	SCSN
Rose	
Sarah Rogers	Families Outside
Sharon Stirrat	Social Work Scotland
Shumela Ahmed	Resilience Learning Partnership
Tanya Jones	Scottish Parliament
Tricia Spacey	Fife Council
Toni Groundwater	Families Outside
Wendy Sinclair-Gieben	HMIPS

Agenda Item 1

Apologies

Jackie Baillie	MSP
Alison Bavidge	Scottish Association of Social Work
Anne Pinkman	Co-secretariat CPG on Women, Families and Justice
Gareth Rose	SPS
Georgina Lyttle	Circle
Kate Philbrick	
Nancy Loucks	Families Outside
Sarah Marshall	Police Scotland
Scott McLellan	SPS
Sheila Gordon	CrossReach
Tracey Thompson	Early Years Scotland

Agenda item 2

AGM of CPG on Women, Families and Justice

- Appointment of Convener – Rona Mackay, MSP proposed by Collette Stevenson, MSP and seconded by Audrey Nicoll, MSP.
- Appointment of Vice Convener – to be confirmed
- Appointment of Secretariat – Families Outside proposed by Rona Mackay, MSP and seconded by Faye Keogh.

Agenda item 3

Minutes of previous meeting of CPG Women, Families & Justice May 2023

- Approval of minutes by Audrey Nicoll, MSP and seconded by Pete White.
- Actions – no questions from attendees raised in relation to actions

Agenda item 4

Siobhan Brown, Minister for Victims and Community Safety

The Minister provided an update on the work of the Women's Justice Leadership Panel (The Panel) and the work of the Community Custody Units (CCUs). The Panel was established in January 2022 to consider gender and inequality and improve women's experiences within the justice system and published their [report](#) in August 2023. The Panel worked with experts from the third sector and academia and the report highlights experiences of women in the justice system from a victims and offenders' perspective and also from the perspective of those working within the system. The report considered the following themes: caring responsibilities and hidden sentences; the gap between policy and practice; culture, stigma and sexism; victim and offender status; and intersectionality. The Panel concluded:

- There is strong evidence which supports the view that women's experience of the justice system is very different to that of men.

- There is a need to improve gender and intersectional data collection and research across the justice system as well as deeper and meaningful engagement with women and girls with experience of the justice system.
- There is a need within the justice system for an agreed understanding of an intersectional and gender competent approach which is used to inform both policy and practice.
- That services provided should be person-centred and trauma informed, and consistent across the entire justice system.

The Minister noted this work is a foundation on which Government will work to make strategic change to the way justice is delivered in gendered and intersectional ways which improve outcomes, equality and fairness for women within the justice system.

The next phase is to disseminate the key findings and for the Panel to take conclusions to their own organisations and reflect on how they can implement the findings in their own practice.

The Government will also work closely with justice partners and others to spread the key findings and effect change in line with the commitment to improve justice for women.

The Minister noted she is happy to come to back to the CPG to give an update on progress.

The Minister also provided an update on the CCUs (Bella and Liliac Centres) stating that the CCUs are a genuine, positive step in the way Scotland supports women in custody and the first facilities of their kind in the UK. The CCUs are a gender specific, trauma informed approach that supports for successful reintegration back into communities therefore reducing the chance of reoffending. The units allow women to have closer community contact and access to local services and provide a range of opportunities to encourage individual choice and support self-management. The units also encourage family contact.

The Minister also spoke of the new HMP and YOI Stirling stating that it will deliver world leading and trauma informed care and management for women in custody, giving them the best possible chance of a successful return to their communities upon release.

The Minister noted that the CCUs are undercapacity and stated that the Cabinet Secretary for Justice asked the Minister to relay her commitment moving forward that the CCUs are maximised to their full potential. SPS are actively considering ways in which CCU criteria could be changed to maximise their use. In doing this, SPS will have to carefully consider the risks and needs of all women. The Minister noted that a formal evaluation of CCUs is currently underway.

Following the update, the Minister responded to a range of questions:

Rona Mackay thanked the Minister for her update and referred to the letter from SPS providing the CPG with an update on use of the CCUs. Rona highlighted the low use of CCUs at the moment and that SPS are actively considering changing the criteria

and noted it would be good to have an update at some point on progress around this.

The Minister responded that the Cabinet Secretary will ask for an update that will be passed on to the CPG.

Faye Keogh asked the Minister who is carrying out the evaluation of the CCUs? The Minister believes SPS are carrying out the review but will clarify this.

Jonathan Sher raised the issue of Fetal alcohol spectrum disorder (FASD) highlighting the lack of diagnosis / support for FASD and that many women in the justice system have FASD. He referred the group to the [‘Ticking Time Bomb’](#) article which considers the issue of FASD and Scotland’s justice system. Jonathan highlighted that consideration is only given to FASD after the fact and that nothing is being done in terms of prevention despite the high costs – societal, human and financial – of not preventing.

The Minister thanked Jonathan for raising this issue and for highlighting the importance of FASD within the context of her new remit.

Rona Mackay noted that the CPG could invite the Minister for Public Health to the next meeting of the CPG.

ACTION: Invite Minister for Public Health to future meeting of the CPG.

Lorna Kettles raised the issue of women not being held in the CCUs or HMP Stirling, for example those in HMP Edinburgh or HMP Greenock, and asked if they are getting the same opportunities and level of trauma informed care?

The Minister noted that HMP Stirling will review all women as there are no criteria and they will then move to where is most appropriate.

Wendy Sinclair-Gieben stated that women are starting to be moved out of HMP Edinburgh this week.

Audrey Nicoll flagged the Programme for Government and noted that children were referred to across a range of areas including free school meals, Scottish Child Payment and poverty. She suggested the CPG should keep a look out for the review of the Mental Health Strategy and flag children and young people affected by imprisonment within this review.

Both Rona Mackay and Collette Stevenson agreed with this point.

Collette Stevenson highlighted the work of the Timpson Foundation – she recently met with the Director who highlighted that in Scotland they are not allowed to provide a wage to people in prison who are working with them. They are keen to do more work in Scotland, particularly with the women’s estate and asked if this is an issue the CPG could do something about?

The Minister stated she would invite the Cabinet Secretary to arrange a joint meeting on this issue.

Becky Reid raised the issue of women being given custodial sentences because they are a risk to themselves and others. She gave the example of a woman who was on remand for over one year as a medium secure bed was being sought. In Angus there are women who belong in the mental health system but are in the justice system because the mental health system is not equipped to support them.

The Minister stated that the Scottish Government recognised the challenges in relation to this issue and know they have to do better.

Juliet Brock referred to Becky's question and noted that the Mental Welfare Commission are aware of delays in transferring people in prison to hospital care.

Agenda item 5

Briefing on 'The rights of children with a parent in the criminal justice system' (shared ahead of meeting)– discussion about next steps for the CPG on this issue

Rona Mackay suggested the group might want to consider next steps in terms of children's rights in relation to the Children's (Care and Justice) (Scotland) Bill.

Toni Groundwater suggested the group might want to consider the issue of children's rights in relation to a number of current legislative developments including the Victims, Witnesses and Justice Reform (Scotland) Bill and noted the CPG has a role to play in highlighting the indirect impacts the adult justice system can have in terms of UNCRC. How can the CPG work with committees to look at bills currently being considered?

Rona Mackay agreed the CPG need to look at what legislation is coming through Parliament and engage with all relevant committees.

ACTION: Formulate a timeline for Bills relating to the justice system with direct and indirect impacts on children's rights to share with group and share ahead of next meeting.

Agenda item 6

Discussion of SPS update (shared ahead of meeting) about Community Custody Units This item was discussed under agenda item 4 and the meeting therefore proceed to agenda item 7.

Agenda item 7

CPG Workplan 2021-26 – discussion about the workplan including current priorities, ideas for speakers, contributions etc. to future meetings.

Anne Pinkman is currently updating the CPG workplan.

Members suggested a range of possible speakers to contribute to future meetings of the CPG including: The Children's Parliament, Sheriff David Mackie, CYPCS, Gill Imery, and the Office of the Principal Medical Officer, Forensic Psychiatry.

Jonathan Sher highlighted that primary prevention is not explicit in the workplan – how can we prevent offending and reoffending?

Rona Mackay agreed and said this would be taken on board in the updated workplan.

ACTION: Updated workplan to be circulated ahead of the next meeting and added to agenda.

Agenda item 8

Agency Updates

Wendy Sinclair-Gieben highlighted the HMIPS conference is taking place on 20th September. She shared that HMPIS are just completing the Prisoner Progression Review which will probably be published in October. The Segregation Review is completed and HMIPS are happy to engage on this. The Transport Review is just beginning. Wendy also highlighted the opening of the National Secure Adolescent Inpatient Service.

Hawys Kilday introduced herself to the group as the new CEO at Apex Scotland and noted she will update the CPG on the organisation's work at future meetings.

Faye Keogh highlighted that Turning Point Scotland are planning work around justice and homelessness prevention that may be of interest to the group and offered to update on this work at a later date.

Juliet Brock highlighted that the Mental Welfare Commission is continuing the programme of visits to all prisons and is carrying out joint work with the Scottish Human Rights Commission to look specifically at the experiences of people who are held in segregation. Kerry Knox asked if feedback from families of people in segregation is collected and Juliet noted that families are contacted as part of their work.

Tricia Spacey raised the issue of cross-policy working noting this is key to the approach of the Safer Communities Team at Fife Council but that nationally it doesn't always feel like the policy agendas are joined up. She highlighted the helpfulness of ensuring cross-policy discussions are taking place in the group.

Agenda item 9

AOB

There was discussion about arrangements for future meetings being held online or in person at the Parliament.

ACTION: Seek feedback from members about preferences for future meetings.