

Criminal Justice Committee

**16th Meeting, 2022 (Session 6),
Wednesday, 18 May 2022**

**Proposed Bail and Release Bill – Visit to
the Wise Group, Glasgow, 11 May**

Note by the clerk

Introduction

1. The Committee expects to begin scrutiny of the Scottish Government's **proposed Bail and Release Bill** which is expected to be introduced in the coming weeks.
2. This Bill is expected to introduce a number of reforms designed to deliver on the Scottish Government's commitment to refocus how imprisonment is used. They intended to ensure that, as much as possible, the use of custody for remand is a last resort for the court, and to give a greater focus to the rehabilitation and reintegration of individuals leaving custody. The provisions are also expected to be underpinned by a commitment to public safety and the protection of victims and are intended to lead to a reduction in the risk of future reoffending, leading to fewer victims in the future.
3. As part of the Committee's preparations for scrutiny of this proposed Bill, Members visited the offices of the [Wise Group](#) in Glasgow to meet with staff and customers of its services.
4. The Wise Group's community justice mentoring services provide wraparound support and guidance to people serving short-term sentences. Prison mentors support their transition from prison to the community, reducing their chances of re-offending. Mentors help people to overcome issues such as homelessness, poor mental health, addiction and finance.
5. At least 50% of the Wise Group mentors have personal experience of the justice system. Their services to support people in the justice system include (see **Annex**):
 - New Routes Mentoring
 - SHINE Women's Mentoring
 - Early intervention – No Limits

6. According to the Wise Group, its approach is proven to reduce reoffending too. Around 90% of people sign up for the programmes upon liberation and it has a less than 9% reoffending rate.

Immediate follow-up issues suggested

7. During the discussion, a number of issues were raised which, with the Committee's agreement, could be followed up in advance of its consideration of the forthcoming Bill.

Changes to dispensing rules in Scottish prisons

8. The Committee understands that rules and procedures for the issuing of medical slips to prisoners on their liberation has changed. Previously, these would have been handwritten and given to a prisoner upon release to take to a GP to gain immediate access to any medicines necessary on their release.
9. We understand that this procedure was changed to prevent tampering with the notes. Prisoners are now requested to ask the GPs to phone the prison/NHS services after they are released. However, this is leading to delays in receiving necessary medicines which in turn can lead to problems and re-offending behaviour.
10. It is not clear why medical slips containing details of a prisoner's medicines cannot be printed instead of handwritten, which would prevent tampering but reduce any delays in receiving prescriptions after seeing a GP.
11. **The Committee could ask the Scottish Prison Service for an update on why the policy was changed and whether the printing of medical slips is possible.**

Friday and bank holiday liberations

12. At present, prisoners can still be released on a Friday or in advance of a bank holiday which can cause problems in accessing accommodation, benefit and health services (because they are closed), thereby causing stress and pressures to reoffend.
13. Such releases are also problematic for some victims as Kate Wallace from Victim Support Scotland has previously told the Committee. She has said, "All that people are entitled to is to know that the perpetrator has been released", adding that notifications are sent by letter which can arrive without prior warning or the offer of support and, if received a letter on a Friday afternoon, there is often no-one available for them to speak to until the following Monday.
14. This issue has been raised previously by the Committee which has supported an ending to the practice¹.

¹ Paragraph 149, *Judged on progress: The need for urgent delivery on Scottish justice sector reforms*: <https://www.parliament.scot/-/media/files/committees/criminal-justice-committee/judged-on-progress-the-need-for-urgent-delivery-on-scottish-justice-sector-reforms.pdf>

15. Under the Prisoners (Control of Release) (Scotland) Act 2015, where there is compelling evidence that suitable arrangements are required to address their reintegration needs and these cannot be addressed immediately upon release, the Scottish Ministers have the discretion to release an offender up to two days in advance of their release date. In cases where a prisoner's release date falls on either a weekend or a public holiday, they should then be released on the previous working day. If this is a Friday, the Scottish Prison Service has discretion to decide whether to bring forward release to either Wednesday or Thursday.
16. Despite this change to the law, we heard that the current process is cumbersome and bureaucratic and requires someone else other than the prisoner to make such a request. As such, the Wise Group reported that there were still issues with Friday/bank holiday liberations.
17. The Scottish Government has said previously that this issue may be part of the proposed Bail and Release Bill. **As such, the Committee could seek assurances that this will be the case and for any provisions to be introduced to be straightforward to use and meet the issues raised by the Wise Group and others.** The Committee could also see if there are interim measures that can be put in place now.

Access to employability programme

18. The Committee also understands from our visit that there are problems when prisoners are liberated in accessing employability programmes because of eligibility issues. We heard that prisoners are not able to apply whilst in prison prior to release, which then delays access to the programmes on liberation. Such delays can lead to problems with seeking accommodation and a risk of a return to reoffending behaviour
19. **The Committee could highlight this issue to the Scottish Government and ask how it is being addressed.**

Coordination between criminal justice, health and mental health portfolios

20. Finally, the Committee heard that more could be done to improve coordination between the work of various government directorates and public bodies to join up initiatives that cross the criminal justice, health and mental health portfolios. We heard that mental health issues were one of the main challenges faced by bodies such as the Wise Group.
21. **The Committee could ask the Scottish Government whether this is an issue which the Health and Justice Collaboration Improvement Board is considering, as one of its three priority areas is mental health and distress.**

Action/Recommendation

22. Members of the Committee are invited to discuss the visit to the Wise Group and any follow-up. Additionally, Members are asked if they agree with the suggestions in paragraphs 11, 17, 19 and 21 above.

**Clerks to the Committee
May 2022**

ANNEX

New Routes Throughcare Mentoring Service

New Routes Throughcare Mentoring Service offers support, guidance and mentoring for short term male prison leavers to help them re-integrate with their communities. The Wise Group mentors provide prison leavers with specialist one-to-one support through mentoring, while promoting strong partnerships between other organisations.

Customers are supported by Wise Group mentors for six months before release, and for a further six months post liberation as they reintegrate back into the community. Working across Scotland, New Routes Throughcare Mentoring Service is delivered as a Public Social Partnership (PSP), funded by the Scottish Government and led by the Wise Group. Delivery partners include Sacro, Apex Scotland, SAMH and Families Outside.

SHINE Women's Mentoring

The Wise Group is one of the delivery partners for Shine, a national mentoring service for women offenders. The service is provided as a Public Social Partnership (PSP); a strategic partnership between public and voluntary sector organisations. Shine was launched in April 2013 and is now available all across Scotland.

The service is available to all adult females who are:

- currently serving a custodial sentence in Scotland of less than four years and
- not subject to a statutory order or;
- on remand or;
- subject to a Community Payback Order.

Mentoring is a way of helping and supporting people in achieving their goals. The Shine Women's Mentoring service provides women with a mentor who will provide support on a one-to-one basis with many of the issues they might face in the community. A Shine mentor will discuss any issues the woman may have before participation with the programme. This will be done in prison, prior to release or in the community if serving a CPO.

No Limits

No Limits is an early intervention programme to divert young people aged 11 – 14 from offending and criminal activity.

Group activities and one-to-one mentoring are delivered by a trained team of mentors. Wise Group mentors have personal experience of the challenges facing young people. This experience provides credible, relatable and knowledgeable support.

The early intervention programme provided by No Limits was co-designed with schools, young people and community police officers.

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Sessions take place in a relaxed and interactive way. A mix of games, teamwork, discussion and education on the root causes of offending behaviour form the bulk of the sessions. Topics include:

- drugs
- alcohol
- knives
- peer pressure
- relationships
- mental health