

Note of Meeting Between Cabinet Secretary for Justice and Home Affairs and Howard League Scotland

Wednesday 16 August 2023

Present:

Cabinet Secretary for Justice and Home Affairs

Sheriff David Mackie, Convener, Howard League Scotland (HLS)

[REDACTED], Howard League Scotland

[REDACTED], SG (Prisons Unit)

[REDACTED], SG (Private Office)

Context

1. This was schedule out of Micase reference number [REDACTED] between the Cabinet Secretary (CS) and Howard League Scotland to discuss key issues relating to justice within Scotland.

Note of key points of discussion, decisions and action points

2. [REDACTED] gave a brief introduction of work of HLS and emphasised that HLS is keen to be involved and engaged in any justice reforms. Sheriff David Mackie (DM) emphasised that HLS offer idea, fresh perspective and even possible solutions.

HMP BARLINNINE- HIGH OCCUPANCY RATE AND REPLACEMENT PLANS

3. [REDACTED] raised that the high occupancy rate at HMP Barlinnie raises infrastructure and human right concerns. She enquired about the plans for replacement of HMP Barlinnie and whether the 2027 date for its replacement is confirmed.
4. Cabinet Secretary responded that the financial position on HMP Glasgow is not yet confirmed, we are committed to ensure that infrastructure is fit for purpose and we are working towards 2027 for replacement of HMP Barlinnie.

5. **[REDACTED]** raised that the problems at HMP Barlinnie cannot wait to be resolved till then and we need to ensure the estate can be managed till its replacements is in place.

PRISON POPULATION

6. DM added that looking at the wider nature of accommodation SPS offers, whether there is scope of creating of another kind of secure accommodations that don't need this kind of secured custody for specific population like older prisoners and individuals with mental health conditions.
7. Cabinet Secretary responded that there are range of actions we are doing for prison population and looking at short, medium and long term solutions.
8. Cabinet Secretary added that the aging population in prisons is stark and shared the experience of summer tour at HMP Dumfries where older prisoners were held. **[REDACTED]**
9. **[REDACTED]**
10. **[REDACTED]** highlighted that HMP Dumfries do not run any offending behaviour programme and for the purpose of progression individuals have to move out of there.
11. It was agreed that there is need to think out of the box and bold decision are to be taken to solve this problem.
12. Cabinet Secretary highlighted that the crux of the problem is we need to stop sending more people to custody.
13. DM agreed with Cabinet Secretary that too many people are being sent to prison then what is needed. He added that the bigger problem is that people are not getting through the system via progression- this is a multi-facet issue.

HOME DETENTION CURFEW (HDC)

14. Cabinet Secretary mentioned that the numbers over all of individuals sent to prison are going down but people are spending more time in prison. CS raised that we are looking for any ideas on Home Detention Curfew(HDC).
15. **[REDACTED]** responded that the need for mentoring scheme, if every single person combined with a mentor that will be helpful on HDC. The problem with HDC, we need to have a package of care and need to loop in third sector organisations.

16. DM added that the Throughcare organisation is doing a good job; a combination of release programme with mentoring in the community will be helpful in securing HDC kind of arrangements.

PROGRESSION

17. Cabinet Secretary raised that lot of people are recalled on license and we are way more risk averse and asked if they had any insight on any trends around that.

18. [REDACTED] responded that HLS are not in a position yet to look at the overall trends and as per their view, Parole Board(PB) has risk aversive nature. The PB is absolutely fixed on evidence on risk and the evidence is when individual have access to national programmes.

19. Cabinet Secretary added that with launch of In-cell telephony within prisons - there are huge opportunities however highlighted that if prisons are too full, it's a barrier for progression.

20. [REDACTED] responded that there are procedural barriers to progressions. There are definite bottlenecks there and we have seen people should have passed progression but have not due to lack of admin support. The lack of programme is one of the reasons as if someone isn't going on programme we don't have enough evidence to support that. PB has no tools to get them out as they don't have evidence on that.

21. DM added that HDC and policies like that- when sentencing Sheriff know that prisons have an option to release people this can have an impact on sentencing as well. They may tilt more towards community based sentences and other measure short of custody.

COMMUNITY CUSTODY UNITS (CCUs)

22. [REDACTED] raised the issue of underutilisation of CCUs, adding that SPS are really reviewing the eligibility criteria. She added that we need to look into other options like situations where women can spend some time in CCUs.

23. Cabinet Secretary agreed that we need to ensure that we are making best use of these facilities and more women needs to be there.

24. [REDACTED] added that HMP Stirling is commendable but we need to make sure more women move through their sentences and a better assessment of CCUs eligibility.

HIGH SECURE SETTING FOR WOMEN PRISONERS.

25. [REDACTED] raised that in 2021 Forensic health service mentioned a review will be held re women in prisons who should be in high secure settings. That the review hasn't happened and CPT has an interest in this.

26. Cabinet Secretary responded there is history to it and Minister for Social Care, Mental Wellbeing and Sports is looking into it.

CLOSING REMARK

28. Sheriff David Mackie mentioned that some form of accommodation short of prisons half-way houses but something in between- where we can manage and help people coming out of custody can be one of the solutions to be considered.

[REDACTED], Community Justice Division

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