

1. Correspondence to Cabinet Secretary Justice and Home Affairs – Prisoners (Early Release) (Scotland) Bill - 11th October 2024

From: **[redacted S.38(1)(b)]**
Date: Friday, October 11, 2024
Subject: Prisoner Early release plans
To: "angela.constance.msp@parliament.scot"
<angela.constance.msp@parliament.scot>
Cc: Communityjustice.consult@gov.scot

Dear Angela

My name is **[redacted S.38(1)(b)]** and I really hope and would be so grateful if you take the time when given the chance to read this message and if you wish feel free to share with others as I'm saying this from my own personal experience as a domestic abuse survivor.

However firstly I would like to start off by thanking you for your very proactive and speedy approach towards justice reform.

I recently became aware of the plans to reduce time prisoners spend in custody and really wish I was aware back when the consultation process was ongoing. I welcome these plans as I do believe in community based rehabilitation and diversion courses to prevent reoffending. My view is not all prisoners learn and rehabilitate by being locked in a cell for the majority of their sentence.

As a domestic abuse survivor What worries me the most is believe it or not is the planned blanket exclusion for domestic abuse offenders i myself know sometimes keeping them locked away and not addressing their behaviour does not always help stop reoffending on release. I understand not all domestic abusers should be given early release however I do believe if deemed suitable some should be given the chance to be included in the early release plans and placed on diversion programmes like the Caledonian project for example as conditions of their early release. There are tried and tested successful alternatives. I fear you are missing a crucial opportunity to help some domestic abusers in prison be included in this early release plan and if possible placed on diversion programmes to address their behaviour and educate them in the community to prevent them from reoffending and make them realise what they do is wrong and this could impact negatively on domestic abuse survivors as going by my own experience custodial sentences didn't deter **[redacted S.39(1)]** from further subjecting me to abuse.

[redacted S.39(1)]

Going by my own experience I do believe your bill could have a positive impact for domestic abuse victims and survivors if some but not all domestic offenders in prison were included in this early release plan subject to conditions and if they are deemed manageable by social workers for release on programmes like the Caledonian project then it should be allowed as it certainly helped not only me from being abused again but also helped **[redacted S.38(1)(b)]** realise and address his

domestic abuse problem and to prevent him ever doing it again. I write this to you as I believe many other survivors and victims like myself out there could get a positive outcome if you were to also look at alternatives for domestic abusers instead of just keeping them locked up which doesn't always teach them a lesson and stop them from reoffending.

Thanks I look forward to your acknowledgement of my message.

2. Correspondence to Cabinet Secretary Justice and Home Affairs – Prisoners (Early Release) (Scotland) Bill - 14th October 2024

From: **[redacted S.38(1)(b)]**

Sent: Monday, October 14, 2024 1:01 AM

To: Scottish.ministers@gov.scot

Cc: Constance A (Angela), MSP <Angela.Constance.msp@parliament.scot>;

Communityjustice.consult@gov.scot; McNeill P (Pauline), MSP

<Pauline.McNeill.msp@parliament.scot>; McArthur L (Liam), MSP

<Liam.McArthur.msp@parliament.scot>; Kerr L (Liam), MSP

<LIAM.KERR.msp@parliament.scot>

Subject: Scotlands Criminal Rehabilitation System

I write this to the Scottish ministers as i and many others like me being a criminal justice social worker feel let down by the governments recent surprisingly and shocking back tracking on the proposed plans for early release in regard to Long Term Prisoners as opposed to the clear majority of support for the plans the public consultation findings shows.

The proposed plans was welcomed by many who work in the social work and care sectors like myself and had a clear majority support which is evident in the findings of the public consultation that ran from July to August to change the arrangements back to the previous release process Scotland had in place pre 2016 when long term prisoners were released on license after serving two thirds of their sentence. This used to give us ample time to help reintegrate prisoners back into society while under strict supervision and identify needs on an Individual basis to combat and prevent prisoners reoffending once the remainder of their sentence spent in the community was over.

Going by the current draconian process most long term prisoners don't get released into the community until 6 months before their sentence ends which makes it quite frankly impossible for social workers and other support organisations to properly help reintegrate these people back into society in such a short time frame. It has a negative impact on all aspects of society such as members of the public, victims, prisoners themselves and including the mental health of social workers who had their workload ten folded into a short space of time by this wreckless process. This current process was championed by the government in 2016 as a deterrent to crime that would decrease crime rates which has been proven not to be the case as the crime rates have sky rocketed in Scotland over the past few years post pandemic, crime rates especially reoffending has been on the climb, also to add to that Scotlands prison population is one of the highest in Europe quite shockingly.

By back tracking on the initial plans and instead focusing on short term prisoners is nothing more than a short term solution by papering over the cracks, this is destined to fail as badly as a chocolate fire guard.

Long term prisoners are the individuals who have been convicted of the more serious brackets of crime and so it should be an absolute priority to focus on them when it comes to intervention and reintegration back into society the previous two thirds system worked very well as they served at least two thirds of a long sentence in custody and the remaining third was utilised to properly prepare and support these individuals for reintegrating back in to society on the correct path and not to reoffend. Now however most long term prisoners many of whom have been released with only 6 months left of their sentence after spending the best part of a decade in prison with little to no help to steer them on the right path and prevent them turning back as the current 6 month time scale we get given to accommodate them is simply not long enough and was always destined to be a failure, we have set them up to fall.

Scotland should take note from our UK counterparts and put the release process for long term prisoners back to the previous two thirds system that has now been proven to have worked better, which was a tried and tested successful process that got scrapped purely as a political bragging point by the previous government to say 'we got tough on criminals' not taking into account the reckless long term consequences this has had on society as a whole.

Moreover LTP's serving extended sentences must also be included for reintegration. There is no rationale given for the proposed exclusion on these prisoners in the governments initial plans. Using examples, if an individual is sentenced to 12 years and automatically released after 8 years, and be supported and supervised for 4 years. If an individual receives a 12 year sentence, and is given a further 12 month extended sentence, they would serve the full 12 years and only have 12 months of supervision, yet they are the ones who have been deemed to need more supervision. None of that makes any sense on the rationale and basis of the argument for a proportional approach. I disagree with excluding extended sentence prisoners. An extended sentence is not a more severe sentence, but a recognition that given the history and needs of an offender, they may require a further period of supervision and support in the community. Instead the proposed changes have the effect of making an extended sentence far more severe, by increasing the amount of time served in custody, and significantly reducing the amount of supervision that individual receives (in comparison with a prisoner serving the same sentence length without the extended sentence component). This flies in the face of the logic and rationale of extended sentences.

Extended sentence prisoners should not be excluded from the proposals for Long Term Prisoners in the same way that they were not prior to the 2016 changes.

In principle a longer period on supervision is more beneficial than a 6 month licence which has limited impact given the short period of time to work with someone. For those who engage they would receive support and be monitored for a much longer period, increasing chances of successful reintegration. Releasing long-term prisoners after serving two thirds of their sentence can and previously did provide a good balance between punishment and rehabilitation. This allowed sufficient time for

custody to act as a deterrent whilst the early release on licence provides an opportunity for reform.

Scotland is seeking to be a more progressive country, whilst our criminal justice system and penal attitudes remain regressive and punitive. These measures would be a small step back to a more common sense, evidence based and rationale approach which should never have been scrapped with such disregard in the first place.

3. Correspondence to Cabinet Secretary Justice and Home Affairs – Prisoners (Early Release) (Scotland) Bill - 10th October 2024- 7th November 2024

From: **[redacted S.38(1)(b)]** @children1st.org.uk
Sent: Monday, October 14, 2024 9:39 AM
To: CabSecforJHA@gov.scot
Cc: **[redacted S.38(1)(b)]**
Subject: FW: CORRESPONDENCE FROM ANGELA CONSTANCE MSP, CABINET SECRETARY FOR JUSTICE & HOME AFFAIRS

Good morning,

Thank you for this letter. **[redacted S.38(1)(b)]** would be pleased to take the Cabinet Secretary up on the offer of a meeting to discuss this further.

With annual leave we may need to look to the end of October/beginning of November for a time that suits, but I've copied in **[redacted S.38(1)(b)]** who will be able to help advise on dates when she is back from leave on the 21st.

Best wishes,
[redacted S.38(1)(b)]
www.children1st.org.uk

From: **[redacted S.38(1)(b)]** @children1st.org.uk
Sent: Tuesday, October 22, 2024 2:29 PM
To: Cabinet Secretary for Justice and Home Affairs 2024 <CabSecforJHA@gov.scot>; **[redacted S.38(1)(b)]**
Subject: RE: CORRESPONDENCE FROM ANGELA CONSTANCE MSP, CABINET SECRETARY FOR JUSTICE & HOME AFFAIRS

Good afternoon **[redacted S.38(1)(b)]** ,

[redacted S.38(1)(b)] would be available to meet the Cabinet Secretary via Teams on the following dates:

From 12pm on 15th November
From 2pm on 20th November
From 2pm on 22nd November

I hope one of these dates suits. If not, please let me know and I will look further ahead.

Best wishes

[redacted S.38(1)(b)]

www.children1st.org.uk

From: : **[redacted S.38(1)(b)]** On Behalf Of CabSecforJHA@gov.scot

Sent: Tuesday, October 22, 2024 4:04 PM

To: : **[redacted S.38(1)(b)]** @children1st.org.uk

Cc: CabSecforJHA@gov.scot

Subject: RE: CORRESPONDENCE FROM ANGELA CONSTANCE MSP, CABINET SECRETARY FOR JUSTICE & HOME AFFAIRS

Good Afternoon,

Unfortunately Ms Constance is unable to do the dates below, could you please let me know if any of the following dates suit:

- Wednesday 30th of October 3.30-4pm
- Wednesday 6th of November 11.30am-12pm

Thanks

[redacted S.38(1)(b)]

Email: CabSecforJHA@gov.scot

From: **[redacted S.38(1)(b)]** @children1st.org.uk

Sent: Tuesday, October 22, 2024 4:10 PM

To: Cabinet Secretary for Justice and Home Affairs 2024

<CabSecforJHA@gov.scot>; **[redacted S.38(1)(b)]**

Subject: RE: CORRESPONDENCE FROM ANGELA CONSTANCE MSP, CABINET SECRETARY FOR JUSTICE & HOME AFFAIRS

Hi **[redacted S.38(1)(b)]**

I'm afraid **[redacted S.38(1)(b)]** isn't available on those dates. Would you be able to offer some other dates when the Minister is available and I will check **[redacted S.38(1)(b)]** diaries?

Many thanks

[redacted S.38(1)(b)]

From: **[redacted S.38(1)(b)]** On Behalf Of CabSecforJHA@gov.scot

Sent: Monday, October 28, 2024 4:38 PM

To: **[redacted S.38(1)(b)]** @children1st.org.uk

Cc: CabSecforJHA@gov.scot

Subject: RE: CORRESPONDENCE FROM ANGELA CONSTANCE MSP, CABINET SECRETARY FOR JUSTICE & HOME AFFAIRS

Hi **[redacted S.38(1)(b)]**

I have had a look at Ms Constance's diary and she has the following availability:

- Wednesday 11th of December 1-1.30pm
- Thursday 12th of December 1.15-1.45pm

Thanks

[redacted S.38(1)(b)]

Email: CabSecforJHA@gov.scot

From: [redacted S.38(1)(b)] @children1st.org.uk

Sent: Thursday, October 31, 2024 12:18 PM

To: Cabinet Secretary for Justice and Home Affairs 2024

<CabSecforJHA@gov.scot>; [redacted S.38(1)(b)]

Subject: RE: CORRESPONDENCE FROM ANGELA CONSTANCE MSP, CABINET SECRETARY FOR JUSTICE & HOME AFFAIRS

Good afternoon [redacted S.38(1)(b)]

I'm afraid [redacted S.38(1)(b)] has other commitments at those times. Would Ms Constance be available on the Friday at all that week. [redacted S.38(1)(b)] has availability all day on 13th.

Best wishes

[redacted S.38(1)(b)]

From: [redacted S.38(1)(b)] On Behalf Of CabSecforJHA@gov.scot

Sent: Thursday, October 31, 2024 1:11 PM

To: [redacted S.38(1)(b)] @children1st.org.uk

Cc: CabSecforJHA@gov.scot

Subject: RE: CORRESPONDENCE FROM ANGELA CONSTANCE MSP, CABINET SECRETARY FOR JUSTICE & HOME AFFAIRS

Hi [redacted S.38(1)(b)]

Ms Constance is unable to do Fridays, I have had a look at Ms Constance's diary and she is available on the 18th at 11:30am. After this date the meeting would need to be in January.

Please let me know if this date and time suits?

Thanks

[redacted S.38(1)(b)]

Email: CabSecforJHA@gov.scot

From: [redacted S.38(1)(b)] @children1st.org.uk

Sent: 04 November 2024 12:32

To: Cabinet Secretary for Justice and Home Affairs 2024

<CabSecforJHA@gov.scot>; [redacted S.38(1)(b)]

Subject: RE: CORRESPONDENCE FROM ANGELA CONSTANCE MSP, CABINET SECRETARY FOR JUSTICE & HOME AFFAIRS

Hi [redacted S.38(1)(b)]

I'm really sorry but [redacted S.38(1)(b)] has another commitment with an external partner in Ayrshire that morning.

Would you be able to send some availability for January please?

Many thanks and best wishes

[redacted S.38(1)(b)]

From: [redacted S.38(1)(b)] On Behalf Of CabSecforJHA@gov.scot

Sent: Wednesday, November 6, 2024 11:38 AM

To: [redacted S.38(1)(b)] @children1st.org.uk

Cc: CabSecforJHA@gov.scot

Subject: RE: CORRESPONDENCE FROM ANGELA CONSTANCE MSP, CABINET SECRETARY FOR JUSTICE & HOME AFFAIRS

Hi [redacted S.38(1)(b)]

I have had a look at Ms Constance's diary in January, she has availability on the following:

- Wednesday 8th of January at 1pm
- Thursday 9th of January at 1.30pm
- Wednesday 15th of January at 1pm
- Thursday 16th of January at 1.30pm

Thanks

[redacted S.38(1)(b)]

Email: CabSecforJHA@gov.scot

From: [redacted S.38(1)(b)] @children1st.org.uk

Sent: 07 November 2024 09:58

To: Cabinet Secretary for Justice and Home Affairs 2024

<CabSecforJHA@gov.scot>; [redacted S.38(1)(b)]

Subject: RE: CORRESPONDENCE FROM ANGELA CONSTANCE MSP, CABINET SECRETARY FOR JUSTICE & HOME AFFAIRS

That's great, thanks [redacted S.38(1)(b)] . 9th January at 1.30pm is looking best. Shall I send over a Teams invite?

Best wishes

[redacted