

Prison Visiting Committees

Purpose

1. The purpose of this report is to inform members of the outcome of the Scottish Government Consultation on Prison Visiting Committees.

Recommendations

2. Members of the Executive Group are asked to note the report and agree that COSLA officers should work with civil servants to present a future report on further actions and improving local connections in relation to Prison Visiting Committees.

Background

3. The Scottish Government launched a consultation on Independent Monitoring of Prisons in January 2011. The Consultation was launched within the context of the then Scottish Government's commitment to rationalise the public sector landscape through the commitment to a 25% reduction in the number of public bodies. The Consultation was also framed within the context of the Crerar Review. Through the Consultation the Scottish Government was aiming to:
 - improve the way in which external scrutiny is undertaken – ensuring that it is proportionate, based on assessment of risk and targeted on priority areas; and
 - simplify the scrutiny landscape – seeking opportunities to combine scrutiny functions where this is appropriate.
4. The Consultation focused on three questions
 - **Is the monitoring role of Visiting Committees for Scottish Penal Establishments required to complement the scrutiny role of HM Inspectorate of Prisons?** – Most respondents believe that it is.
 - **Should Visiting Committees be developed, as envisaged by the 2005 Review of Visiting Committees, and re-established as Independent Monitoring Boards?** – Most respondents agreed that they should
 - **Could the Government integrate the monitoring functions of Visiting Committees into HM Inspectorate of Prisons and remove Visiting Committees as separate public bodies?** – Most respondents did not believe this was appropriate or desirable.
5. The Scottish Government also undertook a number of focus groups with prisoners to establish their experiences. Scottish Government reported that 50% of those involved in the focus groups did not know of the Visiting Committee or its role but that, once they knew, they would want to use them. The unannounced monitoring role was particularly supported by prisoners.
6. Scottish Government and COSLA have met to discuss the wider outcomes of the consultation and possible paths forward. The decisions taken will, however, be dependent on the outcome of the Scottish Election and the views of the new Ministers, once in place. However, Scottish Government officials were able to identify common

themes from the consultation and to point to issues they would like to resolve over the immediate future.

7. In short, Scottish Government noted that there was no great appetite from respondents to abolish Visiting Committees but there was a recognition that Visiting Committees needed:
 - better and independent support
 - guidance in terms of roles and responsibilities – building on the good practice already evident in some areas
 - an improved local connection/relationship between the Visiting Committee, Communities and the Local Authorities.
8. COSLA agreed to work with Scottish Government in the months ahead to explore how these areas might be addressed. Civil servants were keen to engage with the Community Safety Executive Group as well as other partners such as the Scottish Prison Service and the CJAs.

Conclusion

9. The final outcome from this consultation will depend on the results of the election and the decisions made by the in-coming Government. However, civil servants are keen to continue to work with COSLA and the Community Safety Executive Group to explore some of the issues identified through this process. Members are asked to agree that COSLA work with civil servants to present a future report on future actions and improving the local connections.

Paula Evans
Policy Manager
0131 474 9371
paula.evans@cosla.gov.uk