

# Cross-Party Group on Women, Families & Justice

Tuesday 21<sup>st</sup> February 2023 6-7.30pm (Zoom meeting)

Minute

Present

MSPs

Rona Mackay	MSP
Collette Stevenson	MSP
Audrey Nicoll	MSP

Invited guests

Sarah Beresford	Prison Reform Trust
Jennifer Stoddart	Scottish Government

Non-MSP Group Members

Juliet Brock	Mental Welfare Commission
Toni Groundwater	Families Outside
Nancy Loucks	Families Outside
Briege Nugent	Independent Researcher
Wendy Sinclair-Gieben	HMIPS
Kerry Knox	Families Outside
Alison Hendry	Angus Council
Stephen Sandham	HMIPS
Anne Pinkman	Secretariat, CPG Women, Families & Justice
Janice Wilson	Soroptomist
Tracey McFall	Stirling Community Enterprise
Margaret Muir	Barlinnie Visitor Centre
Adele Hill	Access to Industry
Judith Stewart	Fife College (SPS Education Provider)
Shumela Ahmed	Community Resilience Partnership Network
Mags Higgins	Justice for Women
Elaine Stalker	Families Outside
L Robertson	Glen Isla and Glen Clova Projects (female projects)

# Apologies

Georgina Lyttle  
Rose McConnachie  
Margaret Malloch  
Margaret Mowat  
Gareth Rose

Circle Scotland  
Community Justice Scotland  
University of Stirling  
Soroptimist International  
SPS

## Agenda item 1

Minutes of previous meeting of CPG Women, Families & Justice Nov 2022

- Approval of minutes– Rona Mackay MSP and seconded by Kerry Knox, Families Outside
- Actions – there were no actions or matters arising from the previous meeting

## Agenda item 2

### **Child Impact Assessments Presentation - Sarah Beresford**

#### **Child Impact Assessments**

Co-created with children and young people with lived experience of having a parent in the criminal justice system, the *This Is Me* toolkit provides practical guidance to practitioners working with children affected by maternal imprisonment. It aims to ensure the voices of children are heard and that they get the support they need at the earliest opportunity in the justice system.

Sarah highlighted the work done on child impact assessments and described them as a useful resource to hear from children affected by the justice system. Sarah highlighted children are often not considered and their views not asked for. Sarah highlighted Scotland's obligation to implement UNCRC noting a tool like this will be of vital importance to support children's voices to be heard.

Sarah played a podcast that goes alongside the toolkit in conversation with children affected by a parent's imprisonment. The children on the podcast highlighted issues of the impact of seeing your parent get arrested, stigma, being forgotten about and not being asked what's important for you and being judged when people assume you will get into trouble with the police too. Children described hearing statements like 'the apple doesn't fall far from the tree' as being really damaging for children.

The child impact assessments and presentation highlighted the importance of providing an opportunity to revisit the conversation and how children feel about their parent's imprisonment. The work to develop the toolkit found that children want a chance to change their minds. For instance, initially they might be angry and not want to see their parent but they want a chance to change their mind.

Children also noted that they are more than just their parent's imprisonment and urged professionals not to assume that their parent's imprisonment is the only thing that is going on for them. A lot of the things children wanted were really simple asks that could easily be taken forward if children were listened to.

A strong message throughout the work with young people was that Sarah highlighted children did not want to be 'written off' as future offenders because of their parent's offending. Sarah highlighted that often if children are noted in justice approaches it is sometimes with the narrative of either 'reducing future offending' or that by including children they will support the 'reduction of reoffending of their parent'. It was noted as a plea to include children first and foremost because they need and deserve support. Unhelpful narratives leave children feeling their parent's reoffending is somehow on their shoulders or we are only helping you so you don't end up in prison too is often not helpful for children to hear or how to frame support for them. How we message and frame support for children affected by imprisonment is important to think about as services and as policy makers. Sarah urged the CPG and Scottish Government to make the justice system a bit more child focussed and not to see children as future problems but as people with lots of potential.

### Call to Action

#### **The Scottish Parliament can:**

- ✓ Ensure measures are in place to minimise the use of imprisonment for sole and primary carers;
- ✓ Ensure legislation and policy documents recognise and mitigate the impact on children of having a primary carer in the criminal justice system;
- ✓ Recognise that children with a parent in the criminal justice system deserve support in and of their own right and not as a means of influencing their parent's rehabilitation;
- ✓ Encourage all criminal justice stakeholders (police, sentencers, probation, prison staff) to consider, and mitigate, the impact on children of having a primary carer in the criminal justice system;
- ✓ Call for data collection and sharing about children to be open, transparent, and sensitive;
- ✓ Provide sustainable funding to specialist organisations that support children and families affected by imprisonment;
- ✓ Invest in one-stop places of safety where women can receive emotional support and practical help with parenting; and
- ✓ Support the use of Child Impact Assessments at all stages of a parent's journey through the criminal justice system to ensure children get the support they need.

#### **Discussion and key points**

- Nancy Loucks confirmed Families Outside was involved in the development of the toolkit and it translates to the Scottish context. Noting that children not to be used as a tool for sentencing.
- Care and Justice Scotland Bill – Rona Mackay highlighted that perhaps the child impact assessments could be added as part of this Bill's progression.
- Pilots to progress the impact assessments as part of social work reports are underway in England
- Kerry Knox highlighted some early indication of potential pilot areas in Scotland are emerging with Perth and Kinross Community Planning Partnership interested and exploring options – specifically around the point of arrest
- Anne Pinkman raised the point regarding engaging Police Scotland to capitalise on the opportunities presented at point of arrest

- Rona Mackay agreed that it would be vital for the CPG to engage with all possible players who may have a part to play in supporting the rights of children affected by the justice system to be realised.
- Agreed to be a topical discussion at the next CPG
- Collette Stevenson MSP highlighted the important role of the courts and what we might do there in relation to children affected
- Adele Hill – reminded the group that this is a human rights issue – and wondered if a funder would be interested in supporting a pilot – e.g. fits with Robertson Trust’s new strategy
- Audrey Nicol MSP highlighted that she will be supportive of making those links with colleagues in Police Scotland – and feels there have been positive steps made within Police Scotland to understand and better plan for the impacts of arrest on children
- Shumela Ahmed mentioned the important role Community Justice Partnerships could play alongside Community Justice Scotland and agreed to share the toolkit

## Agenda item 3

### **Bail & Release from Custody Bill Update – Jennifer Stoddart**

- Update provided on both parts of the Bill – Part 1 Bail and Remand and Part 2 – Release
- Bill intends to reduce crime, reduce reoffending and protect victim safety
- Bill intends to refocus how remand is used – it doesn’t set a target for a reduction in remand but rather refocus how it is used
- This needs to come with robust alternatives to remand – this work is going on alongside the Bill but it doesn’t require changes to legislation.
- Bill also requires reasons for refusing Bail to be recorded
- Lots in the Bill and Jennifer happy to take any questions or follow ups

### **Discussion**

- Wendy Sinclair-Gieben highlighted the Bill may miss people who are released straight from court on a Friday with no warning and released to nothing
- The Bill prevents SPS liberations on a Friday but doesn’t extend to the points made by Wendy in relation to courts
- It was noted by Jennifer that better information sharing to courts is required to ensure a person’s needs are met if they are quickly liberated from court. In the drafting of this Bill it was decided that it didn’t require legislation but that doesn’t mean it’s not an issue
- Shumela Ahmed asked if there anything in the Bill in relation to CJSW Reports and preventing people from having to continually retell their story at different stages
- Nothing in the Bill that specifically relates to this, but work is currently being done on other areas such as justice social work reports – to recognise and prevent people having to continually share traumatic experiences
- Rona Mackay highlighted concerns to victims in relation to Section 23d and what has been considered around emergency release.
- Jennifer highlighted that considerations to ensure protections are in place for victims are in place.

## Agenda item 4

### Agency Updates

- Nancy Loucks highlighted Families Outside work on the financial impact of imprisonment and Rona noted a parliamentary debate will be held on the matter on 7<sup>th</sup> March
- Wendy Sinclair-Gieben updated that the diversion from prosecution report is published. Also that they are concerned about the number of women currently in custody awaiting a bed elsewhere.
- Juliet Brock expressed concerns for people in prison who are acutely mentally ill. There are some issues with spaces in the forensic estate for both women and men and this is being looked at
- Wendy updated - The Forensic Estate are having a stakeholder event on this issue on 7<sup>th</sup> March
- Rona Mackay agreed potentially questions could be asked around this area and both Rona and Audrey Nicoll will keep this in mind
- Shumela Ahmed updated that Authentic Voice have launched a new website <https://authenticvoice.scot/> The aim is to help ensure that local authorities and other community planning organisations have the knowledge, confidence, and tools they need to embed survivor voice into local system and service design processes in a robust, trauma informed and meaningful way.

## Agenda item 5

### AOCB

**Date of next meeting** – Tuesday 9<sup>th</sup> May 6-7.30pm