

LEARNING AND INNOVATION WORKSHOP



Families Affected by Imprisonment

August 2013

WELCOME AND INTRODUCTIONS

Rob Strachan, Chief Officer of Lothian & Borders CJA, welcomed everyone to the workshop and introduced Councillor K Johnston (Chairman - Lothian and Borders CJA), David Strang (HM Chief Inspector of Prisons for Scotland), Nancy Loucks (Chief Executive of Families Outside), Adelle Gardener (Families Outside), Justina Murray (Chief Officer of South West Scotland CJA), Councillor P McNamara (Convenor, National CJA Convenors Group).

LAUNCH OF DRAFT CONSULTATION – FRAMEWORK FOR THE SUPPORT OF FAMILIES AFFECTED BY THE CRIMINAL JUSTICE SYSTEM

The Chief Officer welcomed David Strang to the meeting in his new role as Chief Inspector for Prisons. Mr Strang introduced himself and gave a brief background of his previous occupations. Mr Strang went on to advise that he was delighted to be in attendance as a member of the Lothian and Borders Criminal Justice Board. There is a cluttered world of organisations, partnerships and Three Letter Acronyms - CJA or CJB?

J = Justice. All agreed this was a fundamental principle of a civilised society. System of Justice, rule of law. Principles of fairness, due process, predictability. To protect the interests of victims; to deliver justice for communities and of course to provide justice for those accused of crimes. Tackling inequalities and upholding Human Rights for all.

A = Authority

B = Board

C = Criminal and Community. There is a tendency to use different terms, as if the two can be separated into criminal and community - But of course they're not. We know that those involved in the Criminal Justice System, who have committed crimes, come from the community and return to the community, especially those sentenced to imprisonment. To prison from community and return from prison to community. Mr Strang commended the joint workshop between the CJA and CJB.

Mr Strang highlighted that Communities were made up of families, in all their varied forms and the impact on the families of people in the CJS, especially in prison, should not be underestimated as imprisonment had a profound impact on the family. Often the family were forgotten about – the silent sufferers - fear, anxiety, pain, harm, damaged relationships and children separated from a parent. There was also the stigma, bullying at school, and feeling of isolation and the long term impact. It was of course necessary to send offenders to prison as a consequence of their crimes, but it's not the family who should be punished, although it often feels like that.

Research had identified the importance of maintaining family contact, and therefore the importance of supporting the families of those in prison at each stage in the CJS – at point of arrest, court and sentencing, imprisonment and release. Families needed support, understanding, knowledge and assistance to tackle problems they faced – financial, emotional, health, housing, even travel to prison if far from home. Of course Contact with Family was not just important for the family, but also reduced the likelihood of reoffending on release from prison, if positive family contact was maintained throughout the sentence, where appropriate.

Mr Strang further reported that in his first two months as Chief Inspector of Prisons, he had visited all 16 prisons in Scotland and Family visits were an important part of prison life. Some facilities were good – spacious, bright, with activities for children, others made an effort to include families, at events such as family days and barbeques and others had a lot of room for improvement. Mr

Strang had evidence of good family visits, prisoners being encouraged to be involved with their children, help them with homework etc. There were good visitors centres, designed to improve the experience of families visiting prisons and more could be done to encourage families to attend – inductions and case conferences, where decisions were made about the prisoner's future.

In conclusion Mr Strang was of the opinion that the workshop was important, where you were asked to look at the draft framework and to suggest improvements, from experience. It was important to get the support for families right – to improve the outcomes for families, the outcomes for those who offend, and the outcomes for all our communities.

Nancy Louckas (Chief Executive of Families Outside) explained that the 'Framework for the Support of Families affected by the Criminal Justice System' aimed to improve the life chances of families affected by the criminal justice system. It was highlighted that Imprisonment was a family event and had both a physical and mental effects on everyone involved. The Framework worked to achieve this by ensuring the rights and needs of families were considered at every stage of the criminal justice process, by all agencies directly or indirectly involved in the support of families. It was designed to have application to any setting and circumstances where agencies were working with families affected by the criminal justice system.

Adelle Gardener (Families Outside) who had worked on the Framework for 12 months explained that the Framework was to support anyone who was connected to someone on a prison sentence. The Family Outcome Group spoke with families about their concerns and issues at each stage. The Framework was to encourage agencies to look at how they were supporting families. It was further explained that the Framework's thirteen outcomes presented an ideal minimum standard of support that should be consistently available to families. It was recognised that there were many examples throughout Scotland of good practice in the support of families affected by the criminal justice system, and many of the activities listed by the Framework were already achieved by some agencies while others were aspirational and agencies should take steps towards achieving these. The Framework was organised into five levels of information: guiding principles, topics, outcomes and activities. The three guiding principles were the backbone of the framework and should inform all practice relating to families affected by the Criminal Justice system. Four topics subdivided the remainder of the framework into informed practice; Families are included and engaged; Families are connected and Families are safe and well. All activities were arranged into the Criminal Justice process – Arrest and Charge; Court and Sentencing; Custodial Measures and Non-custodial Measures. Adelle Gardener went on to explain that the ultimate goal would be to have a minimum standard recorded in one place, with a consistent approach and agencies working together. The Framework had been designed to for all agencies to use at different stages as it was appropriate or possible for everyone to be involved in all activities and particular agencies had been identified as taking the lead and if an agency had been omitted please advise Adelle Gardener.

LAUNCHING THE CONSULTATION

The consultation which was on the CJA Website would close on 3rd October 2013 and honest feedback was requested as it was paramount to get it right. Feedback on any concerns; what practise/information would be required to implement; aspirations – which were short to medium term.

Cllr Peter McNamara, Convener, National CJA Conveners Group and Cristina Ayala spoke about how families were very much the hidden victims and went on to explain about 'Women in Focus' and of the story of a young girl whose Mother was beaten by her father who took drugs and alcohol and was in and out of prison. The young girl started a relationship which lead to drinking and drug abuse, she became pregnant and following the birth of her baby her partner started to abuse her, by the time she broke free from her abusive partner she was dependent on drugs and alcohol so started to steal to finance her habit, her baby was taken from her and she was give an custodial sentence. On release she was not given the support required until stepped in and through her own courage and determination she had been able to buy her first ever carpet. Councillor McNamara welcomed the framework but would only work if everyone bought into it.

LESSONS LEARNED

- A lot of people do not know about services available
- Some people need to be convinced – Did not work with Police just assumed
- Hard to prioritise Court Work
- Can not take mainstream strategies for granted – true for all children - Scotland best place to grow up.

QUESTIONS & ANSWERS

Susan Lawson (WLC) – Important to support but can be very complex.

Nancy Loucks – Not always best to continue to have contact – that was why looking at Family – awareness of support for keeping them safe – target families and support.

Cllr McNamara – Page 8 of the Framework addressed how to achieve.

Kirsty Pate (Willow) – Issues for Women very different – spoke about male prisoners was it open to everyone.

Adelle Gardener – Yes – Women did not engage as well.

Lindsay Jessiman (Scottish Legal Aid Board) - A good thing – very good practise but room for improvement. Manage Family expectations – Offenders may not want family contact.

Visiting process is changing but family's book accommodation and then the prisoner refuses to meet them. Work being done with prisoners to encourage them to continue contact with their family.

Cristina Ayala – bespoke service needed a lot of development in past year.

David Strang – Evidence is, that where appropriate, must centre on Family – engagement with families is very low and trying to improve this.

Marina Shaw (Circle) – started work with families in 2007 – elements very interesting – thinks document prevents further harm to the families – protecting public and further children coming into the Criminal Justice System.

Peter Neild (Barnardos) – Relationships between families and the community document refers to signposting and raising awareness - concern about families being moved from pillar to post and need to go beyond sign posting in aspirations.

Nancy Loucks – concern between signposting and raising awareness – doing work with Teachers and support staff in the School, who are often better placed to support the family.

Paul Streater (WLC) – Framework easy to read – follows through – noted judicially.

Adelle Gardener – A lot of problems with that section and would welcome feedback.

Rob Strachan – Need to talk about the buy in with David Shand and Dougie Imery

David Strang – in relation to Page 17 of the Framework (para 2.3.5) – should Sherriff change sentencing because of evidence presented by a family member and should this be challenged.

Cristina Ayala – Some would support and others not so. Ayrshire welcome Family Support service and must take into consideration the effect on children.

Nancy Loucks – cross party group – child impact assessment on arrest of parent look in detail in the autumn. Should family be taken into consideration – a lot of questions.

Rob Strachan - need to engage with Sherriff Principal.

KEY MESSAGES

- Families as victims – more detail
- How to tie in strategy – The prisoner being best family members
- Roles and Responsibilities must be clear for the whole process
- Prisoner does not want Social Work involved then another agency should lead
- Achievable milestones identified – looks overwhelming otherwise
- Aspirational and those which are practical

The Chief Officer thanked the speakers for their excellent presentations and advised that the next CJA workshop being held on 21 November 2013 would be ‘Public Social Partnerships’ Workshop. Participants were advised that a note of the workshop would be circulated before the next meeting of the CJA.

FEEDBACK FROM ATTENDEES

Consider each of the Framework’s 13 outcomes in turn. In your opinion, what key issues or considerations is it important the activities address?

1.1

This will apply to all sections really but who is to provide funding and training

Health – Important to engage wide range of Offenders many disciplines. How much buy-in? need targeting at early stage of key staff (eg Health Visitors, School Nurses etc)

Children and Young people allowed to submit evidence on how a sentencing decision may affect them – Our View would be that the child/young person could be used/ exploited by (offender, lawyers/family member/parents) to provide evidence that meets the needs of others rather than protect the child or Young person as a victim of (family affected by imprisonment

1.2

Aspirational and would agreed with the aims

Ok – less guidance for judiciary about this issue ?

1.3

Some already actioned, some not and may be difficult too.

Appears to be assumption that all families want to engage – what are the processes for giving them an informed choice ?

Information showing processes fairly well developed.

1,4

1.5

Should consider family impact when reviewing all policies. This should be achievable incrementally

2.1

Wide ranging and may be a Challenge.

2.2

Achievable

2.3

May be possible but hard to achieve consistently – will depend on issues presented

2.3.1 – very unclear

3.1

Will be challenging community facing prisons improving

3.3

Parenting programmes are improving generally with support from early Years Change Fund etc.

4.1

Strong public protection arrangements in place.

What concerns would you have about applying the Framework to your work?

Cost and Prioritisation

What practices or information would support you to apply the Framework to your work ?

Free Training

Which aspect of the Framework would your agency find difficult to deliver by the end of year one ? consistently – will depend on issue

Informed Practice: Cost and training across all aspects

Please tell us any other comments, queries or concerns you have about the Framework.

Generally a good document at first reading

Need to continue to help prisoner be the best possible parent/partner etc use of 'all' in terms of responsibilities – suggest no one had responsibility!