

Evidence on the use of remand for the Scottish Parliament's Justice Committee Inquiry

Barnardo's Scotland works with children, young people and adults on remand or who have experienced remand, as well as children of parents on remand. The needs and profiles of both groups are well documented and include exposure to trauma, bereavement and loss ¹ as well as multiple adverse childhood experiences (ACEs). For those who come into contact with the Criminal Justice System this means they may not be able to comply with community alternatives to custody and are more likely to be remanded. The nature of remand itself often limits the services and opportunities to those in custody and there are further issues which arise on release from prison.

Key messages

- Approaches to young people involved with the justice system should take into account their **complex needs, experiences and life circumstances**.
- Where people have parental responsibilities, particularly care of children, every effort should be made to **minimise the disruption** in children's lives and reduce the number of children who experience ACEs associated with parental imprisonment.
- Whilst on remand individual assessments and responses should identify the needs and risks for individuals and promote a support plan during their period of remand, when sentenced (if convicted of offence) and upon release. This approach should be **evidence based and robust, trauma informed and holistic** to prevent circumstances which may result in further offending, promote rehabilitation and improve life chances.

Young people

Our Here and Now service works with young men and women within HMP & YOI Polmont to address issues around trauma, bereavement and loss. This service was established due to a **high level of need** being identified through research by Strathclyde University, with 91% of the research participants having experienced at least one bereavement, and 67% experiencing 4 or more bereavements each, many in traumatic circumstances. ² This is therefore a particularly vulnerable population with high levels of need relating to experiences of trauma.

¹ <http://www.cycj.org.uk/wp-content/uploads/2016/11/Our-Lives-with-Others-Evaluation-Report-.pdf>

² <https://www.crimeactions/cjm/article/bereavement-among-young-men-prison>

Since the establishment of the service in 2015, **60 referrals for young men on remand have been received**, out of a total of 350 referrals.³ However, only 29% of the young men have completed a service with Here and Now. Reasons for non-completion of the service include liberation, transfer and disengagement mid-service.

As part of the Here and Now development research, **a significant gap was identified in the transition of therapeutic support from custody to the community**; this is particularly noticeable in the remand population. As a result, Here and Now Link was established as an additional service. The service offers intervention for those on remand, or with limited time until liberation. The purpose of Link is to attend to short term management of identified need with onward referral to identified community based services. This has proved to be a crucial service for many young people who are not in Polmont for long enough to receive a full service. **The prevalence of trauma is extremely high for both the men and the women** and we believe it is crucial that there are services in place within their communities which can support them on release if needs are identified during their period on remand.

As highlighted by witnesses during previous evidence sessions, **it is difficult for people to access services and programmes whilst on remand**. We remain concerned that there is still a cohort of men and women referred to us on remand who are released before they are able to receive a service. Strong partnerships between agencies are crucial to enable people to continue to receive the support and services they need once released.

An example of this is a recently established partnership between Here and Now and Tomorrow's Women, an organisation that offers multiple support opportunities including trauma services in Glasgow. So far 2 females have been referred to Tomorrow's Women following engagement with Here and Now with positive outcomes being identified. Additionally, a further 3 females have been referred to community support services following engagement with Here and Now.

We would ask that the Committee **consider the issue of support services for those people on remand, particularly young people who we know have very high levels of need**. Our Here and Now service is evidencing particular needs around trauma and bereavement, engagement with this service is around 90% for women and between 80-90% for men.

We know symptoms relating to trauma spike before liberation and the first 6-8 weeks back in the community are the most critical. It is crucial that services are joined up and that therapeutic support is available within custody as well as within communities. Our experience is that there is often difficulty in identifying external agencies to refer on to and in quantifying their suitability.

A Committee member highlighted the below quote from the 2008 report of the Scottish Prisons Commission, in a previous evidence session:

³ The women's service is relatively new and data is not yet available.

*"Often remands are the result of lack of information or lack of services in the community to support people on bail."*⁴

In the context of our evidence above we would argue that being remanded to custody should not be the only way people get the support and help they need. If prison is the first place these needs are being identified then robust pathways should be in place to ensure that they continue to receive appropriate support on release.

Children and families

Our work at Edinburgh Prison Visitors Centre supports children and families who have a family member in HMP Edinburgh. We know that parental imprisonment is an established adverse childhood experience which has the potential to have a severe and lasting negative impact on children.

Through this service we see the difficulties placed on families when a family member is remanded to custody. The high level of visits afforded to prisoners on remand can put pressure on families to attend and provide financial support. Children are often taken out of school and have to travel long distances for visits. Whilst visits are often the only activity individuals on remand have, this does place **added pressure, on the family.**

Women

There are still very high numbers of women on remand and only approximately 30% will go on to receive a custodial sentence. Our Shine partnership which mentors women who have been in contact with the justice system has highlighted the need for **better access for women on remand and on release to services** such as mental health, addictions and support to leave abusive relationships. Practical support is required including housing and basic living skills.

Women who are remanded face additional disruption to their life that has far reaching consequences such as their children having to be accommodated or placed in kinship care, loss of housing, loss of employment or education placement, as well as supports and local networks being disrupted.

For more information about our work please contact:

Nicki Wray– Policy and Public Affairs Officer
Nicki.Wray@barnardos.org.uk

⁴ <http://www.parliament.scot/parliamentarybusiness/report.aspx?r=11307&mode=pdf> – Page 22