

ABERDEEN CITY COUNCIL

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| COMMITTEE | Council |
| DATE | 13 June 2012 |
| DIRECTOR | Director of Corporate Governance |
| TITLE OF REPORT | Aberdeen Prison Visiting Committee – Appointment of Replacement Member |
| REPORT NUMBER | CG/12/066 |

1. PURPOSE OF REPORT

This report intimates the requirement to find and select one replacement Aberdeen City Council appointee on the Visiting Committee.

2. RECOMMENDATION

That the Council appoint Ms Rae Ingham as the remaining external member to the Aberdeen Prison Visiting Committee.

3. FINANCIAL IMPLICATIONS

Democratic Services has traditionally supplied a Committee Services Officer to act as Clerk to Aberdeen Prison Visiting Committee. This has been done gratis on account of what is usually the relatively low workload implications.

However, the Cabinet Secretary on 5 December 2011, announced his decision to disband Visiting Committees. On the basis of the latest update from the Minister, it is anticipated that Visiting Committees will be disbanded as of 1 April 2013, and the new service will begin. Therefore the services of Democratic Services will no longer be required from then on.

4. SERVICE & COMMUNITY IMPACT

The value judgements underpinning the existence of Visiting Committees are outlined in Section 6.

5. OTHER IMPLICATIONS

None.

6. REPORT

6.1 **Background**

- 6.1.1 Many elected members will be familiar with the role of Prison Visiting Committees which, very broadly, act on behalf of the First Minister as independent observers concentrating on the conditions in prisons and, in particular, the treatment of prisoners.
- 6.1.2 Some form of independent oversight of prisons in Scotland has existed for well over a century. The modern context of the Visiting Committee is a sophisticated one which assumes harmony between the Committee and the Governor but, ultimately, provides for the possibility that the Committee might not be satisfied by remedial action taken by the Governor in response to its concerns, and for the referral of difficulties to the First Minister.
- 6.1.3 Ideally, the Governor welcomes the involvement and participation of the Visiting Committee in the strategic planning process but, ultimately, the Committee has no veto on value judgements reached in the course of that process. However, the absence of ultimate managerial responsibility does not entail lack of real influence.
- 6.1.4 Every member of a Visiting Committee has the right to enter the establishment at any time, and to have access to every part of it and to every prisoner. This right must of course be exercised with common sense, and with due regard to the routines of the establishment. A visiting rota is arranged, with a minimum of two members visiting every fortnight. These rota visits are at the heart of the Committee's moral and legal purpose.

6.2 **Current Position**

- 6.2.1 The Aberdeen Committee is supported by the City Council. The statutory rules for Aberdeen stipulate that the Council needs to appoint four representatives (whereas for the Peterhead Committee we are obliged to appoint only three). All four Aberdeen appointments can be external members but at the very least (in any mixture of external members and Councillors) external members must not be outnumbered.
- 6.2.2 As members will recall the Council on 16 May 2012, the Council agreed to appoint Councillors Allan and Forsyth and Ms Eileen Lawson to the Visiting Committee. This left one external member still to be appointed.

6.3 **Appointments Required**

- 6.3.1 On the basis of the current position detailed above, the Council now needs to make one external member appointment to the Committee.
- 6.3.2 Although some broad civic experience is desirable, and some knowledge of the justice system preferable, any new appointment with commitment to the role is eminently suitable, and the Scottish Prison Service and the Association of Visiting Committees provide a wide range of training opportunities for new members. Previous experience suggests that Community Councils and the Civic Forum will not yield many expressions of interest here, reflecting perhaps the

likelihood that many people would find entering a prison to be a daunting prospect.

6.3.3 One note of interest has been received for the vacant position from Ms Rae Ingham. Ms Ingham has a wealth of knowledge of the justice system, and in particular of counselling and rehabilitation services both within the city and on a national basis. She has worked with a variety of organisations providing counselling and also assisting prisoners on their transition back into the community. In addition, she has dedicated a vast number of years helping the homeless in Aberdeen and continues her work in this area today. On the basis of her knowledge and experience, it would seem that Ms Ingham would be an ideal candidate for the vacancy; therefore it is recommended that Council appoint Ms Ingham as the remaining external member on the Visiting Committee.

7. AUTHORISED SIGNATURE

Stewart Carruth
Director of Corporate Governance
scarruth@aberdeencity.gov.uk
(01224) 522550

8. REPORT AUTHOR DETAILS

Allison Swanson
Committee Services Officer
aswanson@aberdeencity.gov.uk
(01224) 522822

9. BACKGROUND PAPERS

No background papers were used as a point of departure for writing this report.