

# scottish justice matters

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## **SPECIAL ISSUE ON DESISTANCE**

Edited by  
Fergus McNeill

### **ALSO**

Mike Nellis on  
Electronic Monitoring

Andrew Coyle on  
early prison reform in Scotland

Bernadette Monaghan on  
Children's Hearings

Interview with  
HMIP David Strang



# **DESISTANCE**

**MOVING ON: DESISTANCE AND REHABILITATION**

Scottish Justice Matters is a publication of the Scottish Consortium of Crime and Criminal Justice (SCCCJ). The Consortium is an alliance of organisations and individuals committed to better criminal justice policies. It works to stimulate well informed debate and to promote discussion and analysis of new ideas: it seeks a rational, humane, constructive and rights-based approach to questions of justice and crime in Scotland.

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**David Strang** talked to **Nancy Loucks** about his new role as Chief Inspector of Prisons in Scotland.

# TESTING TIMES

## NL: Tell me a bit about your background

**DS:** I originally set out to be an engineer but being a police officer sounded more exciting. I joined the Met and spent 18 years there, then 15 years as a Chief Officer in Scotland, the last 12 as Chief Constable in Dumfries and Galloway, and then Lothian and Borders.

I wanted to work with people, a job that had variety and was unpredictable. As a Chief Constable I loved feeling that you're contributing to improving the wellbeing of the communities, and particularly supporting those who are most vulnerable and on the margins of society. Those are the things that gave me enormous satisfaction.

## Coming into your Inspectorate role from your role as Chief Constable, are there parallels between the two?

Obviously it's involved with the criminal justice system in Scotland, and both in policing and the Scottish Prison Service there's a strong ethos of public service, the notion of doing something that is for the greater good of Scotland. Also strongly in the Prison Service is a clear sense that running a good prison is contributing to protecting the public: the notion that what we do, while it involves individual tasks from day to day, is part of a bigger whole about protecting the vulnerable, reducing crime, keeping people safe, and improving the wellbeing of communities. Those are some similarities.

What's very different for me is an inspecting function. The importance and the strength of the role of the Chief Inspector of Prisons is that it is an independent office, independent of Scottish Government and of the Scottish Prison Service, and I have legal duties to inspect prisons, particularly the conditions in prison and the treatment of prisoners. I have the authority to visit any prison at any time and speak to anyone I wish.

I won't understand prisons as intimately as someone who's worked in the Prison Service, but I do bring a different perspective, and a kind of questioning attitude, which is to say "Why do you do it this way?"

One thing that strikes me about the Prison Service is not having control over demand. As a prison Governor, you have to take whoever the court sends you; if someone turns up with a warrant, then you have to house them. The police were able to influence demand slightly better; with prevention strategies and problem-solving and so on. The Prison Service has a long-term vision to reduce reoffending, so if that is done successfully, then hopefully in three of four years' time, the demand reduces, but you can't reduce demand here and now.

## You spent your first weeks visiting all the prisons in Scotland; did anything strike you particularly?

It was fascinating.

I was struck with the complexity of the task of running a prison, particularly where you've got a very mixed population. I was struck with the level of commitment and care that people have, wanting to do a good, professional job. There's a strong ethos now of wanting to work with prisoners to address their needs so that when they leave, they're less likely to reoffend, and I find that very impressive.

The other thing that struck me was identifying lots of good practice and then wondering why this wasn't implemented everywhere. What I might want to do would be to identify what's being done well and then encouraging implementation everywhere. [The prisons are] all very different, and each Governor works hard to develop links with local communities and third sector organisations, and of course those vary all over Scotland. So there are good reasons why there are initiatives in some places and not in another.

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## **You're not a novice to prisons, as part of the Prisons Commission. Have the recommendations from the Commission been taken forward?**

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Partially, we certainly haven't accomplished everything. The report was called Scotland's Choice, because we were saying that Scotland has a choice about how it [uses] imprisonment. There were a couple of profound things: one was a recognition that law enforcement on its own will not solve Scotland's crime problem.

[The report] says if you're really going to tackle the problem of criminality and offending, then you need to tackle poverty and inequality and health issues and education and employment, and I still stand by that. Scotland has made a lot of progress: there's much better joined-up activity between public sector organisations, third sector, private sector, and a lot of the work on things like Early Years. I'm convinced that that will have an impact on how young people grow up in terms of health, education, employment and therefore the absence of criminal activity.

A number of our recommendations are significant [and] have been implemented. At its heart was a greater emphasis on community sentences and rather than short-term imprisonment. All of us in criminal justice know the depressingly frustrating revolving door of offending which is still too prevalent. Our recommendation about the introduction of Community Payback Orders has been implemented, as has the presumption against short prison sentences.

We'll always need to have prisons but there's still a long way to go in our suggested reduction of the number of people in prison from 8,000 to 5,000: we're nowhere near that, but I do feel the report made a difference.

I still see too many headlines which say so-and-so 'walked free from court' as if they were unpunished when actually they might have had a severe fine and 300 hours of community service. One of the contributions I hope to make as Chief Inspector is to contribute to that debate.

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## **What are your particular goals as Chief Inspector?**

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There are some specific things. One is that we're revising the standards against which the Inspectorate inspects. It's important that the public and prisons know what we're expecting of a well-run prison and how we inspect against it. The second is the implementation of the new independent prison monitoring over the next 18 months.

My motivation is about [how we can] improve how prisons are run and my legal duties about inspecting conditions in prison and treatment of prisoners, but I'm also interested on the impact of imprisonment. Is someone who's been through prison less likely to reoffend when they leave, are they better equipped to be a responsible citizen? It's through that lens that I'll be viewing how prisons are run.

What I find fascinating is that, on the one hand, you are inspecting a room and making sure the bedding's clean and the food decent, and what are the activities, but then there is also a much bigger strategic question about the impact of the process, and it is complex, because offenders are sent to prison as a punishment. It's not just about locking and unlocking a door and making sure that they're fed, but actually you're working with sometimes the most challenging and difficult of people. But then you're also working with people who are the most damaged and broken.

We fall into the danger of just talking about 'prisoners', whereas actually there are 8,000 very different people on any one night. There are some who might be classed as violent and dangerous, and then also there are hundreds that have severe mental health problems, addiction, literacy and numeracy problems, victims of crime themselves, particularly women offenders who have been victims of abuse in their past. The contribution I hope to make is in encouraging the Prison Service to be as imaginative as they can be in working with prisoners so that the prisoner's time in prison, while it's a punishment, will also be an opportunity to address some of their needs and to help prisoners to be more optimistic, more hopeful about their future.

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## **Having finished your first full inspection, did anything unexpected come out of that?**

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I was struck by how much you can find out in 10 days. We're always keen to get information from lots of different places so you don't just see one thing once and then draw a conclusion. I think the strength of the Inspectorate is not just that we're independent, but that we base our findings on evidence, and that brings quite a discipline to us as a team, because you can't just say 'I felt this' or 'I had a hunch about that'. You actually have to say 'Well let's go and test that out'. Everything in an Inspection report should be based on evidence.

There's good practice, but there's also great potential for improving things. In every prison we're in, there will be examples of good practice I want to highlight. I want to encourage other prisons in Scotland to take up the best practice so that across the Service we can improve how things are done.

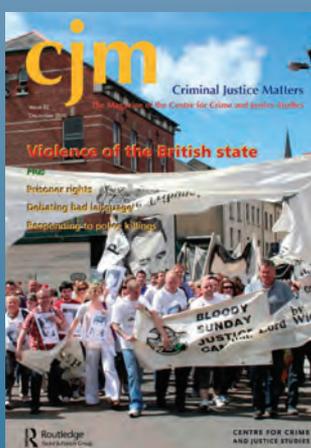
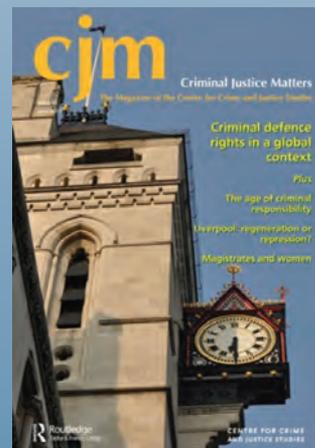
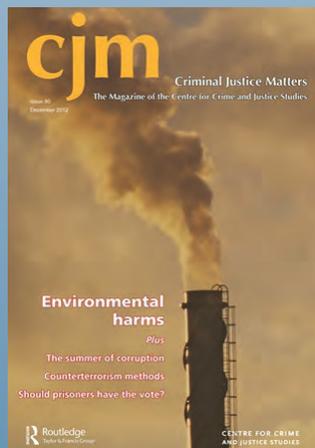
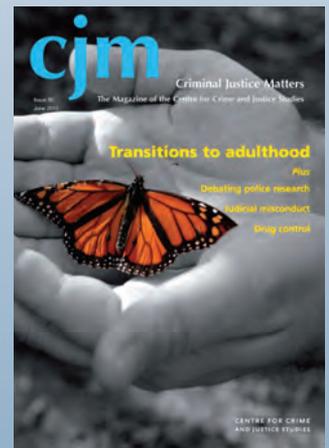
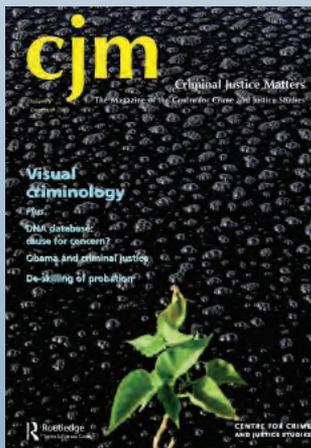
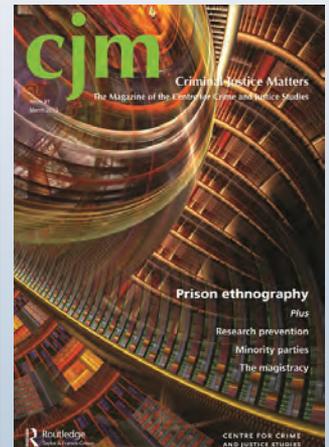
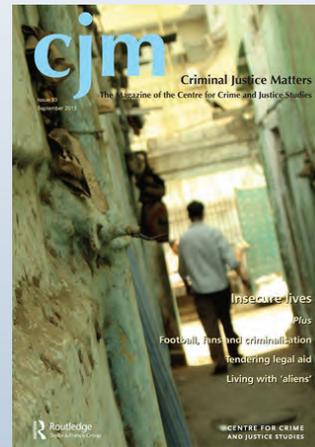
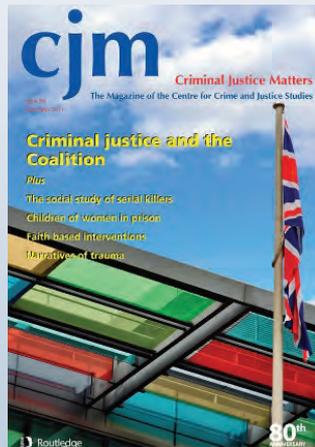
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## **Anything else?**

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I think it's really important that the human rights, the legal rights of prisoners are protected, and part of my job on behalf of the citizen, on behalf of society, is to make sure that prisoners are properly looked after, and more.

'If **cjm** did not exist, someone would have to invent it'  
 Professor Tim Newburn, London School of Economics.



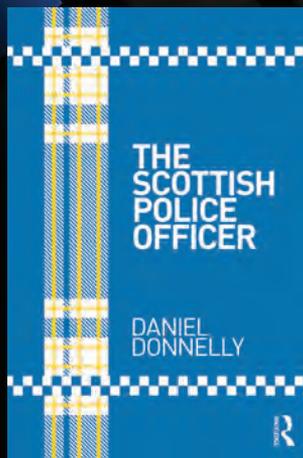
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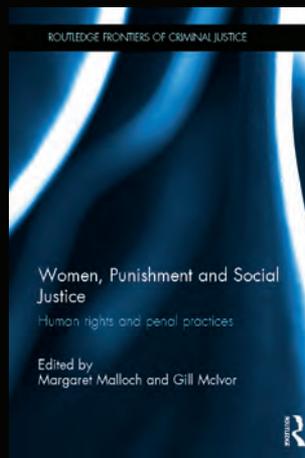
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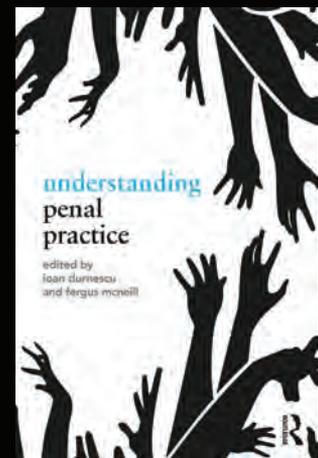
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