

REPORT

To: CORPORATE SERVICES COMMITTEE		Subject: APPOINTMENTS TO PRISON VISITING COMMITTEES
From: HEAD OF CENTRAL SERVICES		
Date: 25 May 2012	Ref: CA/Prison/1 LD/EH	

1. Purpose of Report

The report submits for the consideration of the Committee recommendations with regard to appointments to Prison Visiting Committees.

2. Background

Visiting Committees act as independent observers on behalf of the Justice Minister, are statutory bodies and are appointed by local authorities.

The Council, in terms of the Prisons and Young Offenders Institutions (Scotland) Rules 1994, as amended, are responsible for the appointment of members to Shotts, Barlinnie and Addiewell Prison Visiting Committees.

In terms of the Rules, members to be appointed after a Local Government Election shall take office on the day which falls two months after the date of the Election and shall hold office, unless he/she earlier ceases to hold office for reasons specified in the Rules, until the day prior to the day which falls two months after the date of the next Local Government Election. The term of appointment for existing Prison Visiting Committee members is due to expire on 2 July 2012.

The Council are responsible for the appointment of members to those Prison Visiting Committees as follows:-

- Shotts – 9 members of whom 3 or more must not be elected members of the Council
- Barlinnie – 4 members of whom 2 or more must not be elected members of the Council
- Addiewell – 5 members of whom 2 or more must not be elected members of the Council

The Committee, at its meeting on 2 February 2012, having been advised that the Scottish Government, following the conclusion of its consultation on the 'Independent Monitoring of Prisons' had plans to replace Prison Visiting Committees with an independent prisoner advocacy service, agreed to make representations to the Cabinet Secretary for Justice to express extreme concern that areas of work of the Visiting Committee could not be covered by the proposed advocacy service and the very grave risk if those areas of work were not covered, and, for that reason, to urge the Cabinet Secretary to take no action to abolish Prison Visiting Committees until this matter has been fully considered. The Convener subsequently wrote to the Cabinet Secretary on the terms agreed by the Committee.

3. **Re-appointment of Existing Members**

Notwithstanding the Scottish Government's plans for the future monitoring of prisons and as the current term of membership is due to cease on 2 July 2012, it is incumbent on the Council to appoint members to Shotts, Barlinnie and Addiewell Prison Visiting Committees. Members currently appointed by North Lanarkshire Council to those Prison Visiting Committees have been contacted to ascertain if they were willing to continue to serve as a member of a prison visiting committee for a further period of time. The following members have confirmed their wish to be re-appointed:-

- Shotts Prison Visiting Committee

Mr. Michael Baxter, Motherwell
Mr. Andy Jordan, Cumbernauld
Mr. Charles Heberton, Uddingston
Ms. Theresa Gallacher, Glasgow
Mr. Samuel Barr, Lennoxton
Ms. Anne Marie McPartland, Airdrie

- Barlinnie Prison Visiting Committee

Mr. Gerard McElroy, Cumbernauld
Mr. Alan Devlin, Cumbernauld

- Addiewell Prison Visiting Committee

Mr Charles Heberton, Uddingston
Mr. Patrick Moran, Wishaw
Mr. Patrick Rolink, Airdrie

Mr. McElroy, a former Elected Member of North Lanarkshire Council and an existing member of Barlinnie Prison Visiting Committee until 2 July, has expressed an interest in re-appointment as a Non-Elected Member of that Visiting Committee.

It is proposed therefore, that the Committee recommend to the Council the re-appointment of all of those persons listed above to the respective Prison Visiting Committees.

Should the Committee approve these appointments, Shotts Visiting Committee would have three vacancies; Barlinnie Visiting Committees would have two vacancies and Addiewell Visiting Committee would have one vacancy.

4. **Appointment of New Members**

An expression of interest in being appointed by North Lanarkshire Council as a member of Shotts Prison Visiting Committee has been received from Mr. Patrick Ross-Taylor. Mr. Ross-Taylor is currently an existing member of Shotts Prison Visiting Committee by virtue of South Lanarkshire Council. However, as a result of the recent Local Government Election, his membership of the Visiting Committee will expire on 2 July. Given that Mr. Ross-Taylor is an experienced prison visitor, it is considered appropriate to appoint him as a nominee of North Lanarkshire Council to one of the vacant positions on the Visiting Committee, thereby leaving a balance of two vacancies on that Visiting Committee.

The Committee is asked to consider the nomination of members of the Council to four of the resulting vacancies.

An application for membership of a Prison Visiting Committee has been received from Mr. Daniel Reilly, Baillieston. As there remains a vacancy, it would be appropriate to call Mr. Reilly for interview by the Prison Visiting Committee Appointments Panel.

5. Recommendations

- 5.1. That the Committee agree to recommend to the Council, the re-appointment of the existing members of Shotts, Barlinnie and Addiewell Prison Visiting Committees as detailed in Section 3 of the report;
- 5.2. That the Committee agree to recommend to the Council, the appointment of Mr. Patrick Ross-Taylor as a North Lanarkshire Council nominee to membership of Shotts Prison Visiting Committee;
- 5.3. That the Committee note that both Shotts and Barlinnie Prison Visiting Committees each have two vacancies and Addiewell Prison Visiting Committee has one vacancy on their membership and agree to nominate members of the Council to four of these vacancies, and
- 5.4. That the Committee agree to call Mr. Daniel Reilly for interview by the Prison Visiting Committee Appointments Panel as a potential candidate for appointment as a member of a Prison Visiting Committee.

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Head of Central Services

Members wishing further information please contact Lesley Deverick on Ext. 2434.