

Document Details**INDEPENDENT PRISON MONITORING ADVISORY GROUP TERMS OF REFERENCE**

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Document approval

Name	Job Role	Date approved
Sara Snell	His Majesty's Chief Inspector of Prisons for Scotland.	

INDEPENDENT PRISON MONITORING ADVISORY GROUP

TERMS OF REFERENCE

Background and Context

The new system of independent prison monitoring came into effect from 31 August 2015 and operates from the office of His Majesty's Chief Inspector of Prisons for Scotland (HMCIPS).

Prison Monitoring is an organisational function within His Majesty's Inspectorate of Prisons for Scotland (HMIPS) with volunteer Independent Prison Monitors (IPMs) and regional Prison Monitoring Co-ordinators (PMCs). This function is independent of but complementary to the Prisons Inspection process in terms of ensuring the humane treatment and conditions of prisoners.

The role of the Independent Prison Monitoring Advisory Group (IPMAG) is specified under the Public Services Reform (Inspection and Monitoring of Prisons) (Scotland) Order 2015 (the Order 2015). Section 7(2)(f) of the Order 2015 specifies that HMCIPS must establish a prison monitoring Advisory Group.

The IPMAG plays a significant role in ensuring the continued success of independent prison monitoring in Scotland. It is an essential role within the Scottish Justice System as it ensures continued compliance with the legislation establishing IPMs and supports the development of an efficient system of independent prison monitoring.

The IPMAG enables strategic discussion on the impact of current and future challenges to the independent prison monitoring service. This includes incorporation of relevant emerging evidence to ensure that prison monitoring continues to be an effective preventive measure in Scottish prisons.

The IPMAG includes people with specific skills considered by HMCIPS to be appropriate, who will be active in augmenting the knowledge, understanding and overall thinking of the group and HMCIPS.

While the IPMAG supports the effectiveness of independent prison monitoring in Scotland, it should be noted that decision making authority for the function remains with HMCIPS.

Functions

The functions of the IPMAG, as set out in the legislation, are to:

1. keep the effectiveness of prison monitoring under review
2. contribute to the preparation of the guidance published by HMCIPS under section 7(2)(f) of the Order 2015
3. keep the guidance published by HMCIPS under review
4. keep the training arrangements for IPMs under review and
5. make recommendations for improvement in respect of any of the matters referred to in functions 1 - 4.

Objectives

In fulfilling the functions and principles set out above, the IPMAG has the following objectives:

Objective 1 - Effectiveness Review

The IPMAG will provide assurance that the routine and regular monitoring of our Scottish Prisons is performed by representatives of our civil society. As part of their role in the IPMAG, members will provide expert opinion on the effectiveness and impact of independent prison monitoring in Scotland.

The IPMAG will receive at their meetings a report from HMCIPS that provides:

- a statistical summary of IPM business to assess compliance with the legislation.
- the trends in IPMs' monitoring findings.
- any other significant regional and national updates.
- the reporting and escalation process implemented with regards to concerning findings, and the progress on their resolution.

The IPMAG will review the report and any other papers provided by HMIPS and advise HMCIPS on further action to be taken based on discussion about the emerging themes from the supporting data provided by the IPMs.

Objective 2 – Guidance

The IPMAG will conduct an annual review of the Guidance published by HMCIPS, or where legislation or circumstances dictate an earlier review, and make recommendations to HMCIPS for improvements. The IPMAG should consult with IPMs during the process of any review. HMIPS may also seek the advice of the IPMAG on any additional guidance on specific issues that it deems necessary to provide IPMs.

Objective 3 – Training

The IPMAG will regularly review the validity and effectiveness of the induction and training requirements for the PMCs and the IPMs. The IPMAG will approve

an annual training plan informed by a training needs analysis with the PMCs and the IPMs.

Objective 4 - Recommendations for Improvement

The IPMAG will provide a forum for discussion of progress against agreed reviews and independent prison monitoring data by prison, region and nationally.

Members will provide expert advice on relevant emerging legislative direction at a national and international level, evidence-based research, and other relevant issues that would support HMCIPS and IPMs knowledge and understanding.

The IPMAG will gather, understand and identify areas of good practice or improvements noted by the IPMs.

The IPMAG will discuss and advise on the content, consistency and relevance of the section on independent monitoring in HMCIPS's annual report prior to submission to the Scottish Parliament.

The Chair

The IPMAG will be chaired by a person appointed by HMCIPS for a period of three years with the possibility of extension for a second term. In the absence of such a person HMCIPS will chair the IPMAG.

The Chair:

- provides effective leadership to the IPMAG
- is responsible for ensuring that the work of the IPMAG meets the objectives and fulfils the functions set out above
- is responsible for ensuring that the minutes of the meetings and any reports accurately record the decisions taken, whilst also ensuring that the views of individual members of the IPMAG have been taken into account
- agrees the draft minutes of IPMAG meetings prior to circulation to the IPMAG and IPMs

Members

The membership of the IPMAG will be as provided in section 7(2)(f) of the Order 2015 and will include:

- a. HMCIPS
- b. PMCs
- c. IPMs from across the separate regions
- d. such other persons as HMCIPS considers appropriate.

Persons appointed to the IPMAG by HMCIPS under sub-sections c. and d. above will be appointed for such period as HMCIPS considers appropriate and may be

reappointed. IPMs will come from different prisons and, where possible one IPM from each region will be appointed.

In addition to the membership set out in the Order 2015, the membership will include representatives from key fields and/or stakeholder groups that will provide the levels of expertise considered necessary and appropriate by HMCIPS.

It is expected that in their role as a member of the IPMAG each person will act in the public interest and in the interest of Scotland's prisoners. While IPMAG members will serve in a personal capacity, they will draw on their experience as members of their respective organisations, their core skills and knowledge and relevant areas of interest.

Observers and Contributors

Experts, mostly with criminal justice, health, human rights or an academic background may be invited to meetings or sessions of meetings on an ad hoc basis to provide opinion, information and evidence on specific matters.

Representatives from the Scottish Government (as policy owners), on agreement, can attend sessions of the group in an observation capacity.

Governance

The IPMAG will meet quarterly. Should the need arise, IPMAG members may be contacted between meetings for advice on issues.

The agenda and papers for meetings will be issued approximately one week before each meeting. Minutes of the meeting will be taken and approved by the IPMAG Chair prior to circulation to the group members.

The agenda will be constructed by the IPMAG secretariat in consultation with HMCIPS and the IPMAG Chair. The secretariat function will be provided by HMIPS.

Before all meetings, members of the IPMAG will be invited to contribute to the agenda. The agenda will have standing items as outlined below which can be reviewed as and when required:

- HMCIPS report
- Report comprising:
 - a statistical summary of visits made, visits missed, monitoring hours completed and the number of operational IPMs in each prison
 - the training arrangements for IPMS
 - recommendations for improvement in respect of any of the matters referred to
- Progress of implementation of action points from previous IPMAG meetings and recommendations for further developments
- Findings from IPMs regarding areas of concern and/or identified good practice

Procedural items for the Advisory Group:

- Welcome and Introductions
- Approval of Minutes
- Matters Arising
- Dates of Meetings

From time-to-time sub-groups may be formed to work on specific issues as appropriate; and individuals may be co-opted to provide specific advice and expertise as required.

Membership will be reviewed annually or where circumstances dictate in consultation with the Chair. New members will be appointed by HMCIPS.

Remuneration

Members of the IPMAG are unpaid for their role in the group. All travel and subsistence will be paid for and co-ordinated by HMIPS.

HMCIPS

May 2025