



Equality and Human Rights Impact Assessment (EHRIA) Publication Document

This template summarises the key decisions/actions taken by the SPS in the development of the EHRIA, and has been separated from the full EHRIA document for publication on the SPS external website in compliance with statutory requirements.

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| Background | |
| Title of the Policy | Help with Prison Visits – Island Community Scheme |
| Date EHRIA completed | 18/07/2025 |
| Review date and frequency | June 2027 |
| Is this a new or revised policy/practice? | New <input type="checkbox"/> Revised <input checked="" type="checkbox"/> |

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| Scoping |
| <p>What are the aims of this policy/practice?</p> <p>In 2024, a pilot initiative was launched to provide biannual discretionary payments to families in Orkney, Shetland, and the Western Isles visiting a prison establishment. Administered through the current Help with Prison Visits Scheme, the initiative aimed to support families not receiving benefits but residing in the aforementioned areas and therefore ineligible under standard criteria. A review of the pilot was undertaken to assess its uptake and considered potential enhancements. Several options for expanding the scheme were explored, with proposals suggesting that broader eligibility would improve inclusion for families residing in island communities across Scotland. Notably, the initial six-month custody requirement absent from the standard scheme was identified as a barrier to access.</p> <p>Expanding the discretionary payment aligns with the objectives of the SPS Family and Parenting Strategy 2024-2029 and works to</p> <ul style="list-style-type: none">Mitigate Financial Impact: It helps to alleviate some of the negative financial impacts that imprisonment has on families, children, and young people. |

- **Promote Health and Wellbeing:** Expanding the scheme to ensure as many families as possible can utilise the scheme will support increased family contact. Increased physical visit interactions promote the health and wellbeing of those in our care and their families, leading to improved outcomes.
- **Support Government Objectives:** It supports improving the health and wellbeing of island communities, ensuring that residents of the Islands can maintain regular in-person family contact.
- **Address Higher Costs:** Residents of Orkney, Shetland, and the Western Isles face significantly higher costs to attend physical visits, including expenses for plane or ferry travel, bus fares, food, and potential hotel stays, with travel times extending up to 12 hours.

WHO did you consult with?

- Meeting held with the manager of the Help with Prison Visit scheme.
- Enquiries made through an external service to SPS requesting discretionary support for cases where families resided in Island community.
- Feedback from those attending Family Contact Officer forum on awareness of scheme and any feedback they may have had from families they are in contact with held in May 2025.
- Consultation with SPS Finance manager on the feasibility of financial arrangements and budgetary considerations.
- Review of the application data provided from Help with prison visit scheme on claims.
- Review of population data held on SPS PR2 system to identify numbers of potential applications by local authorities.
- Feedback received from Families Outside on aspects of the scheme, in particular the 6 month custody limit and accessibility of families residing in Island Communities.

WHAT did you learn?

Families are disproportionately disadvantaged when a loved one is in custody and “overwhelmingly live on very low incomes” with the “impact of the additional costs on families is that they often experience extreme food and fuel poverty” (Families Outside, 2023, p4). The cost of travelling to an establishment within a cost-of-living crisis can be overwhelming. The SPS Visitor Survey (2018) identified travel and transport challenges among visitors. While island communities were not specifically mentioned, the findings underscored the need for financial support due to the geographic barriers faced by rural communities across Scotland, particularly those ineligible under the scheme’s benefit criteria (Cohen, 2019). The Families Outside (2024) travel report further highlighted the lack of accessibility for families from rural areas, particularly in relation to the Help with Prison Visits Scheme. The help with prison visit scheme provides financial contributions for those visiting a loved one in custody who meet

qualifying criteria, particularly those on low income and certain benefits. This scheme is national and operates in England, Scotland, and Wales. The scheme helps with one visit every two weeks with a maximum of 26 in a 12-month period.

Whilst it is acknowledged that virtual visits and in-cell telephony have provided valuable avenues for contact between families and those in our care, thus reducing some of the impact of travel and transport barriers that often hinder attendance at establishments these do not fully address the broader accessibility challenges faced by some families. More crucially, whilst these options complement face-to-face visits, they cannot replace the unique benefits and meaningful interaction of in-person visits. In addition to this, the Islands suffer from poorer and unreliable internet connection in contrast to the mainland, which can make virtual visits, at times, more challenging. According to the SPS Prison Survey (2024), nearly half of respondents who addressed issues related to receiving visits in prison reported challenges, primarily citing distance (37%), cost (28%), and the prison's location (19%) as key barriers. While island communities are not explicitly mentioned, the findings reflect broader challenges related to distance and cost faced by families traveling to SPS establishments.

From consultation with HMPPS on the current administration of the scheme detailed practice similar in island communities such as Jersey and Guernsey who provide a twice a year discretionary payment for its island community to access. The Islands (Scotland) Act 2018 introduced measures to support Scottish Government objectives of meeting the needs of island communities across Scotland and therefore improving outcomes, in particular promoting health and wellbeing (Scottish Government, 2019). Additionally, a comprehensive review of all island communities within local authorities in Scotland was conducted to gain a clearer understanding of potential eligibility should the scheme be expanded across the prison estate. This review included Argyll & Bute, which comprises approximately 12 islands, Highland Council with 4 islands, and North Ayrshire, representing 2 islands.

Monitoring of approved applications from Orkney, Shetland, and the Western Isles was undertaken to assess scheme uptake and determine if amendments were necessary. Initial estimates were based on the prison population at the time. However, the data derived from the addresses of individuals in our care does not accurately reflect the locations from which visitors, such as family or friends, travel from. A review of the prison population at the time of assessment identified individuals from the specified island communities who met the scheme's eligibility criteria, particularly those in custody for over six months. This data was compared with individuals who did not meet the criteria, due to a shorter custody duration and/or reside on

island communities not included in the scheme. Currently, the SPS is experiencing a high prison population, which is impacting the housing of individuals across the prison estate. Consequently, family members are required to travel even greater distances than initially intended, thereby incurring additional costs, including hotel stays.

It is crucial to consider the fluctuation of the prison population, as any amendments and adaptations to the scheme will be based on the maximum number at the time of reporting. The report identified additional potential applicants from three local authority areas not currently included in the scheme, as well as applicants unable to access the scheme due to not having spent more than six months in custody. This amounted to approximately 21 individuals unable to access the scheme within a population of approximately 63 across the entire estate.

HOW will this shape your policy/practice?

Understanding the scope, challenges, and needs of families residing in Scotland's Island communities is essential to enhancing the discretionary Islands scheme. Amending the scheme to provide more comprehensive support would further advance key outcomes of the Family and Parenting Strategy 2024–2029:

- Families and wider social networks will be supported to maintain positive relationships with people in our care and have a positive experience when visiting establishments.
- Families are safe and well and have access to a range of services and supports designed to improve their safety and wellbeing whilst maintaining and upholding children's rights.

Furthermore, understanding the needs and supports of those families residing in island communities better supports improvement of their health and wellbeing and those in custody. The review demonstrates the need to consider widening the scheme to create a better and more equal offer of support to families residing in island communities.

What quantitative and/or qualitative evidence as well as case law relating to equality and human rights have you considered when deciding to develop new or revise current policy/practice?

Academic research and reports were reviewed alongside legislation and internal collected data to understand the use of the scheme and its impact.

- The Islands (Scotland) Act 2018
- Fairer Scotland Duty 2018
- Equality Act 2010
- Children and Young People (Scotland) Act 2014

- Children and Young People (Scotland) Act 2020
- HMPPS, Assisted Prison Visits Scheme Visitor Guidance, July 2017.
- Family Feedback on Help with Prison Visits Benefit Report, September 2023.
- Data Review: Data received from the Help to Visit Scheme on applications reviewed over the six-month period since the Island scheme's initiation.
- Eligibility Assessment: A review of data from PR2 systems was conducted to identify individuals in our care who would be eligible should the scheme be expanded. This included an assessment of their legal status, such as remand, short-term, and long-term custody.
- The SPS Family & Parenting Strategy 2024-2029
- Recommendation CM/Rec(2018)5 of the Committee of Ministers to member States concerning children with imprisoned parents, Council of Europe, December 2018, Printed at the Council of Europe.
- Scottish Government. (2019) The National Plan for Scotland's islands.
- Paying the price: A project on the financial impact on families of imprisonment and release, Families Outside, 2023.
- No easy Journey the costs and barriers to visiting prison for family's report, Families outside, 2024.
- Understanding Family Support Needs of People in Prison Custody, Diffley Partnership and KSO Research, Feb 2025.
- SPS Prison Survey 2024, 18th Series, Published April 2025.
- Griffin N, Loucks N, Minson S, Shildrick T, Young t, Crowe L and Scott S (2025). 'Divided Households', Supporting children and young people with a family member in prison. Newcastle University: Newcastle UK.

Impact

Will the impact and outcomes of the new/revised policy/practice:

Contribute to eliminating discrimination, harassment and victimisation?
E.g.

- Raise awareness of our SPS vision and values for equality and diversity
- Challenge appropriately any behaviours or procedures which do not value diversity and advance equality of opportunity

- POSITIVE:**
It will contribute to eliminating discrimination, harassment, victimisation ☐
- NO EFFECT:**
It will have no effect on discrimination, harassment and victimisation ☒
- NEGATIVE:**
It will make discrimination, harassment and victimisation worse ☐

Advance equality of opportunity between those who share a protected characteristic and those who do not?
E.g.

- POSITIVE:**
It will advance equality of opportunity ☒
- NO EFFECT:**
It will have no effect on equality of opportunity ☐

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| Impact Will the impact and outcomes of the new/revised policy/practice: | |
| <ul style="list-style-type: none"> Remove or minimise disadvantage Meet the needs of equality groups that are different from the needs of others participation in public life | NEGATIVE: It will reduce equality of opportunity <input type="checkbox"/> |
| Foster good relations between those who share a protected characteristic and those who do not? E.g. <ul style="list-style-type: none"> Tackle prejudice Promote understanding | POSITIVE: It will foster good relations <input type="checkbox"/> |
| | NO EFFECT: It will have no effect on good relations <input checked="" type="checkbox"/> |
| | NEGATIVE: It will cause good relations to deteriorate <input type="checkbox"/> |
| Will the policy reduce inequalities of outcome as described within the Fairer Scotland Duty 2018? | It will take steps to reduce socio-economic inequalities. <input checked="" type="checkbox"/> |
| | It will make no impact on reducing socio-economic inequalities. <input type="checkbox"/> |
| Will it uphold human rights? | It will uphold human rights articles. <input type="checkbox"/> |
| | It will breach human rights articles. <input type="checkbox"/> |

Please summarise the results of the Equality & Human Rights Impact Assessment, including the likely impact of the proposed policy/practice advancing equality and human rights.

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| Positive Impacts |
| Protected characteristics affected: |
| <p>Age: The expansion of the scheme will support those from the age of 16 and above as this is the age of which applications can be made. This revised practice may improve financial accessibility for younger and older island residents who rely on public transport but are currently limited by high travel costs.</p> |
| <p>Race: This revised practice will open the scheme up to more families residing across Scotland regardless of race.</p> |
| <p>Gender: This strategy supports both men and women in increasing accessibility to financial supports to attend physical visits who are otherwise restricted due to high travel costs.</p> |
| <p>Maternity & Pregnancy: This could positively impact mothers on maternity leave who are financially unable to attend a visit due to financial restrictions.</p> |

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| Positive Impacts |
| <p>Marriage & civil partnership: The expansion of the scheme aims to improve family contact and positive relationships with those in our care and positively supports this by mitigating some of the financial impact associated with travel to visits from Island communities.</p> <p>Socio-Ecomonic Considerations:This scheme offers the potential for positive impacts on socioeconomic groups by supporting families and loved ones through financial assistance for travel, helping to address the disproportionate challenges faced by those in island communities. As part of the evidence-gathering process, additional financial support options were promoted on the SPS website, including free travel for individuals aged 21 and under, and the Air Discount Scheme, which provides a 50% discount on core air fares for residents of Shetland, Orkney, the Western Isles, Islay, Jura, Colonsay, Caithness, and north-west Sutherland.</p> <p>Human Rights: This scheme was reviewed and developed to support families disproportionately affected by geographic location, offering non-means-tested assistance to help maintain and strengthen relationships with their loved ones in prison. It aims to positively impact all human rights articles by fostering meaningful connections, which can mitigate the negative effects of imprisonment on families and individuals in our care, while also helping to reduce associated stigma and financial impact placed on families when their loved one is imprisoned.</p> |

Negative Impacts

There is currently no evidence indicating negative impacts on individuals with protected characteristics arising from the development of this scheme. However, it is acknowledged that the non-means-tested element is limited to island communities, excluding mainland residents who must apply through the standard means-tested scheme. Ongoing monitoring and reviewing of both the standard and island schemes is essential to gather further data and feedback, ensuring any potential impacts are identified and addressed in future reviews.

Socio-Ecomonic Considerations:This scheme was initially developed to support residents of Orkney, Shetland, and the Western Isles, with subsequent reviews expanding consideration to other island communities. As the first non-means-tested initiative of its kind, it contrasts with the standard, means-tested scheme, which may disadvantage individuals who do not receive benefits but still face financial hardship due to travel costs. SPS continues to monitor the scheme to identify potential improvements within existing budgetary constraints.

Human Rights:There is no evidence that proposed amendments will negatively impact Human rights compliance. However, this will be monitored through continued monitoring of the scheme and through consultation with families, those in our care and external agencies wherever possible

| Impact | Mitigation |
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Recommended course of action

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| Outcome 1: Proceed – no potential for unlawful discrimination or adverse impact or breach of human rights articles has been identified. | <input checked="" type="checkbox"/> |
| Outcome 2: Proceed with adjustments to remove barriers identified for discrimination, advancement of equality of opportunity and fostering good relations or breach of human rights articles. | <input type="checkbox"/> |
| Outcome 3: Continue despite having identified some potential for adverse impact or missed opportunity to advance equality and human rights (justification to be clearly set out). | <input type="checkbox"/> |
| Outcome 4: Stop and rethink as actual or potential unlawful discrimination or breach of human rights articles has been identified. | <input type="checkbox"/> |

Summary of Outcome decision and Recommendations

The scheme will be subject to ongoing monitoring, with continued consultation with families and external partners to assess its effectiveness. Efforts will be made to promote the scheme through various formats to ensure families are aware of its availability and application process. Should the scheme be expanded or amended, promotional materials will be updated accordingly and disseminated through establishments, partner agencies, and social media channels.

Next steps

- Should new evidence emerge that warrants reconsideration of the scheme options, a review may be initiated.
- Policy lead to continue to collect data on scheme usage across the Scottish estate to support ongoing monitoring and evaluation.

If you require this document in an alternative format, please contact ASKERandR@prisons.gov.scot