

Richard Leonard MSP  
Convenor  
Public Audit Committee  
Scottish Parliament

30 June 2025

Dear Mr Leonard

### **The 2022/23 Audit of the Scottish Prison Service**

Thank you for your letter of 2 June 2025, inviting me to comment on the progress made in addressing the issues raised in the committee's report of 10 June 2024 into the Section 22 Audit Scotland report on their 2022/23 Audit of the Scottish Prison Service, and in particular the areas of concern raised by my predecessor Wendy Sinclair-Gieben as Chief Inspector of Prisons for Scotland. I am grateful too for sight of the progress report provided to your committee by Neil Rennick, Director General for Education and Justice at the Scottish Government, on 31 March 2025.

During her evidence session with the Committee on 14 March 2024 my predecessor Wendy raised four main areas of concern with the Committee:

- The performance of the Scottish Courts Custody Prisoner Escort Services transport provider
- Overcrowding and the remand population
- An ageing prison estate
- Other challenges including mental health and addictions

For ease of reference, I will provide an update on my thoughts as the new Chief Inspector on these issues in the same order:

### **Performance of the current Scottish Courts Custody Prisoner Escorting Services**

As Mr Rennick acknowledged in his update of 31 March 2025, our Thematic Review of Prisoner Transport which we published in December 2024 highlighted a range of challenges faced by the provider GEOAmev in recruiting and retaining staff.

[HMIPS - "Planned Failure" - A Thematic Review of Prisoner Transport in Scotland - Website PDF](#)

Your own committee report of June 2024 correctly highlighted the increased demands placed upon that service following the pandemic. Mr Rennick's update identified the steps taken to assist stabilisation of the service which had helped lift staffing levels from 510 in September 2023 to 640 by January 2025. Our thematic review highlighted the impact of these operating challenges and pressures on the human rights of those held in prison, with prisoners enduring unnecessarily long journeys for very short court appearances, and delayed transfers to other

prisons that delayed timely access to offender behaviour programmes which are essential to their rehabilitation and prospects for securing release via the Parole Board. Our review also drew out that prisoners had missed the funerals of close family members, seen compassionate visits to terminally ill partners postponed multiple times and missed important secondary healthcare appointments.

While HMIPS have not seen any recent stats on the overall performance of the contractor to know whether performance in all these aspects has improved, there has been an improvement regarding missed hospital appointments. The Scottish Health in Custody Network has been helpfully keeping track of that. The data provided is incomplete, as it covers only 12 of the 15 main prison establishments, but nevertheless shows that the number of missed appointments fell from a high of 826 in July-September 2023 to 379 in April-June 2024 and down again to 110 in January-March 2025. In percentage terms this represents a reduction from 36% of appointments for those in prison being missed in July-September 2023 to only 6% of appointments being missed in January-March 2025.

We welcome that sustained reduction and the guidance provided by the Scottish Government that patients in the care of the Scottish Prison Service should not be removed from waiting lists or deprioritised on that waiting list because of missed appointments that are clearly outside of their control. Nevertheless, it is of course still the case that the State has an obligation to ensure no one held in custody is denied access to potentially crucial healthcare appointments. Moreover, information collected by the Scottish Health in Custody network indicated that between January and March 2025 four of the twelve prison establishments indicated that some patients were still being reprioritised, sometimes having missed only one appointment through no fault of their own.

## **Development of the new prisoner transport contract**

The existing contract with GEOAmev continues until January 2027. HMIPS welcomes the fact that action has already been taken to begin the re-tendering exercise and the commitment that has been made by both the Scottish Government and the Scottish Prison Service that the new contract specification will take account of the findings and recommendations in our thematic review. We note the commitment in Mr Rennick's progress report of 31 March 2025 that 'the strategic objectives of the new contract will focus primarily on care and welfare of prisoners and custodies, enhanced level of care for those who are identified and vulnerable, with a clear focus on women and young people transitioning through the justice system.' The latter is important because our thematic review drew attention to significant concerns regarding the transportation of women and young people, with women forced to share vans with men and struggling to secure toilet breaks and young people being required to leave Polmont early in the morning and not returning until the early hours of the following morning, some 16 hours later, to attend a court hearing lasting only a few minutes. Small steps which were taken towards virtual hearings during the pandemic have not been built on, unlike the introduction of virtual visits with family which have continued despite the in person visits subsequently being possible. We think this bears greater consideration as it reduces the number of escorts as well as being better for an individual who might otherwise spend hours on the road in prisoner transport vehicles.

We welcome the lessons learned review, which was one of the recommendations in our thematic review, and that 'any future contract must be sustainable, with a commercial model which rewards good levels of service, care and welfare, prioritisation of prisoner's human rights and investment and innovation in the prisoner transport fleet'. Only time will tell of course

whether the new contract delivers the sustained improvements in both performance and outcomes that are so clearly essential.

We note that there is a risk with any retendering exercise if the current service provider withdraws from the retendering exercise that the management of the remainder of the existing contract could become more difficult, despite the continued ability to apply financial sanctions if performance does not comply with contractual requirements. This is particularly the case where there may be limited scope for another provider to step in and take over the service before the scheduled end of the current contract. Clearly the incentives to invest in the transport fleet may also be severely compromised.

## **Overcrowding and the remand population**

HMIPS welcomes the action taken by the Scottish Government to address the acute pressures on Scottish Prison Service staff and the impact of overcrowding on prisoners. We note that the Prisoners (Early Release) (Scotland) Act came into force in February 2025, changing the automatic release point for most short term prisoners from 50% to 40% of their sentence, and that this resulted in the earlier release of 320 prisoners in three tranches soon after enactment and is expected to bring about a 5% reduction in the sentenced prison population compared with what would have occurred without the legislative change. Some action was essential, and this has released some pressure on the prison system. The average prison population had been building from 7,941 in January to March 2024 to 8,267 in the period January to March 2025 representing an increase of 4.1%. The daily prison population increased throughout January and February, peaking at 8,379 on 3 March 2025. From mid-March 2025, the daily prison population decreased quickly directly because of the early release scheme, down to 8,143 on 28 March 2025. It is the increased length of time being served by the long-term population which is causing the real pressure points and which, furthermore, means long-term prisoners who are not granted parole only have six months support and supervision in the community when previously they could have had as much as 25% of their sentence under licence.

Since then, the prison population has remained broadly stable and was 8,147 on the date of this report. All these figures need to be viewed against an overall design capacity of 7773, however and even after the early release scheme, the prison population remains more than 4% higher than the system was designed to accommodate. If we exclude the small women's community custody units then more than half (9) of the 15 main prison establishments remain over their design capacity.

It will not surprise you to hear that HMP Barlinnie remains by far the most overcrowded prison in Scotland, with a population of 1361 (more than 30% higher than its design capacity of 1021). We last inspected HMP Barlinnie in November 2024 and our inspection report published in February 2025 highlighted the impact of overcrowding there:

"The Victorians who built Barlinnie, who would not nowadays be noted for their enlightened approach to penology, designed it for single occupancy. Unfortunately, at the time of our inspection it was more than 30% above its design capacity with almost two thirds of prisoners having to share cells designed for one person.

Overcrowding makes it harder to access basic entitlements, and the prison was not able to offer daily showers. It also makes it harder for staff to build and retain positive relationships with new arrivals, and the additional daily transactional work in dealing with more prisoners than a prison is designed to accommodate can put a strain on services and relationships.

The need to hold mixed categories of prisoner in A and B hall due to overcrowding limited the ability of staff to get people out of their cells safely. This meant that prisoners who were not at education or work could be locked up for 22 hours a day, which is unacceptable.

As a result of overcrowding there was a shortage of employment opportunities and long waiting lists for prisoners wishing to work.

Progression and waiting lists for rehabilitation programmes remained a problem in Barlinnie, with 200 prisoners awaiting an assessment of what programmes they might need to complete. The capacity of the Integrated Care Management (ICM) and Social Work teams was impacting on aspirations for targeted ICM work and timeous support for prisoners' rehabilitation journey. There were also lengthy waiting lists for addiction and alcohol recovery services. The prison needs to work with partners to address these capacity issues."

Our inspection report finished by strongly urging the Scottish Government to do more to reduce the overall prison population and tackle the fundamental problem of overcrowding that affected HMP Barlinnie.

While welcoming the action taken through the prisoner early release scheme, and the way that has released some pressure on the prison system, it is disappointing to have to record that HMP Barlinnie remains over 30% above its design capacity. It is therefore hard to see how the fundamental challenges facing that prison that we identified above can be resolved without further action to reduce the overall prison population and an acceleration in action to address the blockages in the progression system which we identified in our Progression Review of June 2024 which lie at the heart of the SPS' continuing struggle to make best use of capacity in the Open Estate at HMP Castle Huntly.

#### [HMIPS - A Thematic Review of Prisoner Progression in Scottish Prisons - Website PDF](#)

Until these twin challenges can be addressed the number of single cells having to be used for double occupancy will continue to cause HMIPS concern. The latest statistics provided to us by the SPS show that the monthly average number of single cells used for double occupancy increased from 992 in January 2025 to 1,001 in March 2025, a 2.2% increase from April 2024. There may have been a small reduction since then because of the early release scheme, but the number of single cells having to be used to accommodate two people remains unacceptable. We continue to see evidence of cells being used for double occupancy that are well below the internationally recognised minimum space standards set by the European Committee for the Prevention of Torture.

In her evidence in March 2024 my predecessor Wendy drew attention to the impact of a historically high level of remand prisoners because there is no legislative requirement for the prison service to provide work opportunities for them. Accordingly, although we do see some prisons trying to provide such opportunities, in general there are far fewer opportunities for remand prisoners to attend work. Time out of cell and access to purposeful activity therefore continues to be more restricted for remand prisoners, although they can usually access education. As Wendy also highlighted, while remand prisoners get access to healthcare, it continues to be the case that remand prisoners do not get access to routine dental treatment, only emergency treatment.

We will shortly be publishing a thematic review based on the results of the pre-inspection surveys we have now completed for all prisons. It reflects remand prisoners' perceptions of their treatment and conditions and how that compares with that of convicted prisoners. I will be pleased to pass a copy to the committee when it is published. The latest statistics from the Scottish Prison Service that the remand population is still at historically high levels. Compared with the same period last year, the remand population rose slightly by 0.9%, from an average of 1,859 in January to March 2024 to an average of 1,876 in January to March 2025.

### **An ageing prison estate**

We welcome the progress that has been made in recent years to improve the quality of the prison estate for women through the new HMP and YOI Stirling, and HMP Community Custody Units Lillias and Bella. I visited Stirling and Lillias last week and these new facilities provide an environment in which staff are enabled to adopt a more trauma-informed approach.

We look forward to the arrival of HMP Highland in 2026 and HMP Glasgow. We hope neither of these crucial projects is delayed further, as the challenges of an ageing infrastructure and inadequate number of accessible cells in both HMP Barlinnie and HMP Inverness are well documented in HMIPS inspection reports. There are only 5 accessible cells in HMP Barlinnie for a current population of over 1,300, which is simply not enough and limits the prison's ability to accommodate less mobile prisoners who cannot deal with the steep stairwells.

I note that Wendy in her oral evidence to the committee discussed the idea of a separate facility for older prisoners. I share her concern that our prisons are currently having to accommodate and care for extremely frail older prisoners with very limited mobility, some of whom pose little physical threat to others in society. Recognising that those guilty of serious crimes should be brought to justice, we question the environment in which many ageing prisoners are now serving long sentences with serious physical and mental health issues, including dementia, and whose care is more requiring of health and social care professionals than prison officers.

### **Other challenges including mental health and addictions**

It is important to recognise the many other challenges facing the Scottish Prison Service. The number of long-term prisoners increased by 1.7% in January-March 2025 compared with the previous quarter with a total increase of 7% between April 2024 and March 2025. Life sentences also increased by 1.4% between the same period so the prison service is dealing with prisoners on longer sentences, possibly with more significant offending behaviour issues to address.

The need to separate prisoners due to their links to different Serious Organised Crime groups remains extremely difficult to manage and for many different reasons approximately 61% of the prison population are required to be kept separate from others. The number of prisoners having to be kept separate from other prisoners, either for their own safety or the safety of others, now regularly exceeds capacity in the Separation and Reintegration Units, requiring them to be held separate from other prisoners on 'Rules' in mainstream halls. This makes it even harder for prison staff to ensure their basic entitlements, such as access to time in the fresh air and showers, are met safely without disrupting the regime for the remainder of the mainstream population. The number of prisoners held in isolation for extended periods, some for several years continuously, deeply troubles me. I have not yet seen any sense of the SPS having any alternative model in mind beyond transferring such individuals between one SRU and another one in a different prison.



Preventing the circulation of illicit substances and dealing with the consequences when they are taken also remains deeply challenging for the Scottish Prison Service and affects both SPS and NHS staff. As we indicated in our Barlinnie inspection report access to recovery services for prisoners recognising their need to address drug or alcohol issues can sometimes be problematic. Access to healthcare and mental health support can also vary across the estate. My visit to HMP & YOI Stirling last week highlighted that there are several women with very complex mental health issues who are being looked after with great care and compassion by the team there, but the lack of secure psychiatric beds for women in Scotland almost certainly means prison is being used as a substitute.

Finally, and most importantly, the rise in the number of deaths in custody is the most troubling aspect of all. Every death in custody is a tragedy that affects families, friends, prisoners and prison staff, from officer to governor. In 2024/25, the number of deaths in custody increased by 13% compared with the previous year (54 to 61). Over the same period, the number of confirmed suicide and drug overdoses increased by 45.5% and 41.7%, respectively, while natural causes reduced by 6.7%. We welcome the role that the Cabinet Secretary for Justice has asked us to play regarding implementation of recommendations made in two recent Fatal Accident Inquiries (FAIs) relating to the deaths of individuals in HMP & YOI Polmont. We are in the process of developing a new methodology for assessing in future inspections the steps taken by prisons to learn from previous deaths in custody and implement recommendations from SPS and NHS internal review processes and FAI reports.

I hope this update is useful to the committee. Do please come back to me if I can be of further assistance.

A copy goes to the clerk of the Criminal Justice Committee for their information, and to Cat Dalrymple, Director of Justice, Scottish Government.

Yours sincerely

Sara Snell  
Chief Inspector of Prisons for Scotland