The Scottish Parliament
Pàrlamaid na h-Alba

Criminal Justice Committee

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Scottish Government
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Dear Cabinet Secretary and Ms Pollock,

Parliamentary Oversight, Incident Risk Management, and Operational Security (HMP Polmont)

I am writing on behalf of the Criminal Justice Committee to formally register our serious concerns regarding the communication, transparency, and strategic oversight surrounding major operational disturbances within the Scottish Prison Service estate.

The Committee remains deeply dissatisfied with the handling of information following the serious disorder at HMP Polmont in late September 2026. While members commend the courage and professional response of officers from across the estate who moved quickly to restore order, it is entirely unacceptable that Parliament's primary scrutiny body learned of an incident requiring multi-establishment mutual aid solely through press coverage six weeks after the event occurred.

During recent exchanges at First Minister's Questions and before the Committee on 4 November, both the First Minister and the Cabinet Secretary defended the non-disclosure to Parliament on the basis that the incident was an operational matter and that publicising details posed a risk of copycat disorder across a prison network operating at approximately 109 per cent capacity. The Committee finds this rationale fundamentally unpersuasive. The argument for operational confidentiality is rendered untenable by the fact that details and characterisations of the disturbance, including describing it as the worst disorder in a decade, appeared in the media long before Parliament was afforded any notification. Furthermore, this position incorrectly conflates public announcements with confidential parliamentary oversight. The Committee routinely handles sensitive information, and respecting operational independence does not require keeping parliamentary scrutiny in the dark.

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The Committee requires a clear explanation of who took the decision not to inform Parliament, when Ministers first became aware of the incident and its seriousness, and whether the Cabinet Secretary knew that the Committee had not been notified. We also seek an explanation of the reasons for that decision and who was ultimately responsible for it. An incident of this magnitude cannot take place, with Parliament remaining uninformed for six weeks, without proper accountability for the decisions taken.

Beyond the immediate issues of transparency, the Committee is urgently concerned with how the Scottish Prison Service is assessing and mitigating the ongoing risk of recurrence. SPS leadership has publicly linked the Polmont incident to systemic tension and severe capacity constraints. Relying on mutual aid after an escalation takes place is a reactive operational response rather than a preventive strategy. The Committee requires clear assurances on the concrete steps being taken to manage volatile conditions across high-density establishments, including a written assessment of the risks arising from overcrowding and staffing pressures, the measures being taken to mitigate those risks, and the timescales for their implementation. We also require an explanation of the contingency arrangements should serious disturbances occur simultaneously at more than one establishment.

Significant questions also remain regarding the precise sequence of events and operational reality on the ground during the Polmont incident, including whether initial public summaries fully captured the severity of the threat encountered by staff. The Committee therefore requests a full chronology of the incident, details of any injuries sustained by prison officers and prisoners, the extent of the threats faced by staff, and the findings and recommendations of any internal review. We also seek assurances about the welfare and support provided to the officers involved and the steps taken to improve their safety.

To address these outstanding matters and establish a constructive framework for the future, I request that we cover these details fully through a dedicated item during our scheduled meeting on Thursday 12 November 2026. Wider Committee members would also appreciate a joint private briefing within the following fortnight, including access to any sensitive operational information that cannot appropriately be discussed in public.

Additionally, we call on the Scottish Government and the Scottish Prison Service to co-design a formal protocol for confidential parliamentary notification when major operational emergencies, such as the one in question, take place. This should establish clear criteria for notification, responsibility for ensuring that the Committee

is informed, and the timescale within which such notification must take place. Operational independence must not become a justification for avoiding parliamentary accountability.

We request a substantive written response within seven days, addressing the questions raised in this letter and setting out a timetable for providing any outstanding information and agreeing the proposed notification protocol.

I look forward to your response.

Kind regards,

David Linden MSP
Convener
Criminal Justice Committee