



HMIPS

HM Inspectorate of Prisons for Scotland
INSPECTING AND MONITORING

PRESS RELEASE

HM Inspectorate of Prisons for Scotland publishes report on Remand Prisoners' Experiences in the Scottish Prisons System

Date: 9 December 2025

His Majesty's Inspectorate of Prisons for Scotland (HMIPS) has today published a review on Remand Prisoners' Experiences in the Scottish Prison System.

New Review Exposes "Systemic Inequalities" in Treatment of Remand Prisoners Across Scotland

A new review has revealed that many individuals held on remand (those who are detained before trial with the presumption of innocence) in Scottish prisons are subjected to conditions that fall short of both national legislation and international standards.

The report, *Remand Prisoners' Experiences in the Scottish Prison System*, notes that while the number of people spending time on remand has risen in recent years, and the length of remand stays has increased, remanded prisoners tend to experience the harshest regime of all Scottish prisoners. It notes the severe impact that pre-trial detention can have on individuals and their families, often leading to loss of housing and employment, a deterioration in relationships, and increasing the risk of poor mental health and self-harm.

The remand prisoners who participated in this review spoke of deteriorating mental health and difficulty getting professional help; using illicit substances as a coping mechanism inside prison; difficulty accessing addiction support; the unavailability of routine medical services; severe boredom and lack of stimulation; and an inability to afford basic necessities.

Key Findings

The report found that remand prisoners experienced a harsher regime than their convicted counterparts.

Despite self-reporting higher rates of vulnerability than convicted prisoners, remanded prisoners tended to report receiving poorer treatment, more limited access to services, education, training and employment and poorer access to some health services.

Key findings included:

- 60% of remand prisoners reported being confined to their cells for more than 22 hours a day, in violation of Rule 45 of the UN Nelson Mandela Rules regarding solitary confinement.
- Remand prisoners reporting sharing cells or living spaces with convicted prisoners, contrary to international and Scottish prison standards.
- Few remand prisoners were able to access employment, in contravention of Rule 116 of the Nelson Mandela Rules, leading to boredom, isolation, and an inability to pay for basic items.

- Less than three-quarters (72%) of remanded prisoners said they were able to access one hour a day of exercise in the fresh air, in contravention of both Rule 23 of the Nelson Mandela Rules and Rule 87 of the Scottish Prison Rules.
- Some remand prisoners reported being unable to access, and sometimes being unaware of, their legal entitlement to daily visits under Rule 64 of the Scottish Prison Rules.

Calls for Urgent Reform

HMIPS warns that despite the Bail and Release from Custody (Scotland) Act 2023, which set new statutory limits on the use of remand, Scotland continues to detain thousands of untried individuals, placing further strain on an already overcrowded prison system. The report notes that many people are released directly from remand without receiving a prison sentence each year: Scottish Government statistics show that in 2023-24, there were 5,125 liberations from remand, 79% (4,031) of which were liberations from court or the procurator fiscal.

The Inspectorate calls on the Scottish Government and the Scottish Prison Service (SPS) to take decisive action to:

- Reduce the use and length of remand, ensuring it is used only as a last resort for public safety.
- Expand the use of bail and community-based alternatives to pre-trial detention.
- Ensure compliance with statutory minimum standards for remand prisoners, including adequate time out of cell, access to healthcare, exercise, and family contact.
- Develop a costed and time-bound strategy to improve conditions and support for those held on remand.

HMIPS also recommends a review of the Scottish Prison Rules to ensure that remand prisoners, who have not been convicted of any crime, are treated equitably while recognising their distinct legal status as untried individuals.

Quote from HM Chief Inspector of Prisons for Scotland

“Remand prisoners are among the most vulnerable people in custody. They deserve humane treatment, fair access to services, and the protections that international law guarantees. It is essential that Scotland ensures remand is truly a last resort and that when used, it upholds the dignity and rights of all individuals.”

About HMIPS

Her Majesty's Inspectorate of Prisons for Scotland is an independent body that monitors and reports on the conditions and treatment of people in custody.

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Notes to Editors:

- HM Chief Inspector of Prisons for Scotland, Sara Snell, was appointed in February 2025.
- The report is available at www.prisoninspectorescotland.gov.uk
- For further information please contact Kerry Love, Head of Business Management at kerry.love@gov.scot or on 07939 980452.