



HMIPS
HM Inspectorate of Prisons for Scotland
INSPECTING AND MONITORING

News Release
Annual Report 2023-24

HM Chief Inspector of prisons for Scotland, Wendy Sinclair-Gieben stated:

As I prepare to demit office on 31 August 2024, this will be my sixth and final annual report.

Over the past decades, there has been increasing emphasis on human rights and a recognition of the need for strengthened transparency and independent monitoring of places of detention. Prisons pose unique challenges for the promotion of human dignity, far from public view and containing people who garner little public sympathy.

Despite the welcome investment in new modern prisons over the last 25 years there is one particular issue with far reaching consequences that I and my predecessors have consistently reported on: the stubbornly entrenched issue of overcrowding in Scotland's prisons. The high numbers in Scotland's prisons and the issues that it causes are sadly not unexpected and remain a serious concern.

Matthew Parris, Author at the Spectator magazine wrote on 30 March 2024 that "Britain's prisons shame us all" and claims that future generations will be "aghast at the blind eye we turn to the abuse, the numbers and the futility of prisons", and will compare it to the perplexity we feel about child labour in the Victorian era before the 7th Earl of Shaftesbury campaigner's achievements in the reform of child-labour legislation and the lunacy laws.

In 2020, I warned The Scottish Parliament that "The choice is stark – either we put fewer people in prison, or we recognise that we have to pay for the prison population that we do have." In 2024, Scotland reached a crisis point with a prison population far in excess of the ability for the Scottish Prison Service (SPS) to provide a humane, rehabilitative experience.

Victims and the general public have the right to expect that prisons will hold securely and safely those sent to them by the courts. They also have the right to expect that whilst in custody their criminogenic behaviours will be addressed. This cannot happen with the large complex population the SPS is required to hold.

There is therefore a need to think creatively. Whilst I have always accepted that Scotland should not build its way out of a problem, we should be building our way into safe communities. In a fiscally challenging environment, every opportunity to invest to save elsewhere must be actively considered. The ambitious development of HMP & YOI Stirling and the two women's Community Custody Units were a groundbreaking and commendable approach to women in custody; it would be good to see that creativity applied equally ambitiously to radical justice options that might lead to fewer people being sent to prison, less time having to be spent in prison, more effective use of any time spent there and robust release planning and support.

The opportunity of co-locating community justice centres incorporating prison, courts and a forensic unit could see a paradigm shift in some of the current pressing issues on mental health and prisoner transport but could also provide a centre of excellence in prisoner assessment of risk and custody planning.

Regrettably, despite many examples of good practice, for example the growth of Recovery Cafés, use of community hubs, a drop in the use of segregation with young people and greater use of technology to support family contact, the problems identified over many years through our monitoring and inspection programme remain entrenched. The rise in remand, overcrowding, social isolation, an ageing estate, very limited access to purposeful and rehabilitative activity, the backlog in offending behaviour work, alcohol and substance issues, prisoner transport failures and inequitable access to good healthcare remain highly problematic across the estate. Too many acutely mentally unwell people are being held in custody. Prison and NHS staff do their best but have to cope with profoundly distressed patients experiencing delays in transfer to in-patient care and people who may not meet the threshold for inpatient care but who have disturbing and challenging behaviour.

Ensuring that Governors, Directors, education providers and the NHS do everything within their power to enhance the likelihood of a crime free life and reduce the risk to the community on liberation can only be achieved with either a smaller prison population or an increased level of resource. I of course commend the action taken by the Scottish Government to ease overcrowding through the recent Early Release Scheme which will relieve pressure temporarily. The possible changes to the point of release for Long Term Prisoners, on which the Scottish Government is currently consulting, would also help but must be matched by adequate investment in services that support those released back into their community.

A bold and brave transformational justice agenda could allow Scotland to reduce the prison population, affording the SPS the opportunity to deliver greater rehabilitative opportunities with the possibility of being able to close some of the ageing and expensive buildings. Scotland does not lack a positive vision, but if current levels of resourcing and population remain static, containment rather than The Vision for Justice in Scotland will be the order of the day. It would also be a travesty to see any delay in the arrival of the much-needed HMPs Glasgow and Highland.

Finally I would like to take this opportunity to thank all those who contributed to the work of HMIPS during 2023-24, with particular admiration of course for the dedicated service of HMIPS staff and our wonderful team of volunteer IPMs.

NOTES TO EDITORS

1. HM Chief Inspector of Prisons for Scotland, Wendy Sinclair-Gieben was appointed in July 2018.
2. On publication the report can be found at www.prisoninspectorscotland.gov.uk
3. For further information please contact Kerry Love, Business Manager, at Kerry.Love@gov.scot or on 07939 980452.

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