

Our Ref HQ16068

Dear [REDACTED]

20 July 2016

Thank you for your request dated 23 June 2016 under the Freedom of Information (Scotland) Act 2002 (FOISA).

For reference, you asked for:

- A) The top ten lengths of time that prisoners have spent in solitary confinement for each of the last 5 years in each of the prisons throughout Scotland?*
- B) The top five lengths of time being currently spent in solitary confinement by prisoners in each of the prisons in Scotland.*

*For A, I would like Microsoft Excel columns in this order to signify the following:*

- 1. The prisoner's name (if not possible can some form of identification be given e.g. 'Inmate 1' etc.*
- 2. The date of the prisoner's entry to solitary confinement.*
- 3. The date the prisoner left solitary confinement.*
- 4. The length stayed by prisoner in solitary confinement in days*
- 5. The prison rule or piece of legislation used to justify the prisoner's stay in solitary confinement.*
- 6. The reason the prisoner was sent to solitary confinement e.g. violence toward prison officers or drug debt owed to fellow prisoners etc.*
- 7. The individual or relevant group of representatives who authorised the prisoners stay in solitary confinement.*
- 8. The reason given to justify a prisoners release from solitary confinement e.g. improvement in behaviour or solitary confinement having a poor impact on prisoners mental health etc.*

*For B, I would like Microsoft Excel columns in this order to signify the following:*

- 1. The prisoner's name (if not possible can some form of identification be given e.g. 'Inmate 1' etc.*
- 2. The date of the prisoner's entry to solitary confinement.*
- 3. The current length of time the prisoner has stayed in solitary confinement in days*
- 4. The prison rule or piece of legislation used to justify the prisoner's stay in solitary confinement.*
- 5. The reason the prisoner was sent to solitary confinement e.g. violence toward prison officers or drug debt owed to fellow prisoners etc.*

**6. *The individual or relevant group of representatives who authorised the prisoners stay in solitary confinement.***

We have now completed our search for the information you request, and a copy of what is available is enclosed. The attached spreadsheets provide the top length of time prisoners have spent in one or more of our SRUs for going back to 2014. You should note that it is not always possible to have a 'top ten lengths of time' due to the vast majority of prisoners held out of association being accommodated in an SRU for less than one month. I have provided a total number of those prisoners on each spread sheet. Please note that the information we have provided covers the questions you ask in A & B.

As per your telephone conversation with my colleague, the Scottish Prison Service (SPS) does not hold prisoners in solitary confinement. The SPS has Separation and Re-integration Units (SRU) in establishments where those prisoners in our care who have been removed from association for specified periods of time may be accommodated. It should be noted that prisoners can be held out of association in normal cells. This is the case for those establishments who do not have an SRU. The length of time spent out of association is decided by the Governor.

Please note that the information provided answers both questions A & B.

We do endeavour to provide information whenever possible. Unfortunately, we are not able to provide the information covering the past 10 years as that information is not available in a format that would allow us to interrogate files and gather the information you need. In this instance the costs of locating, retrieving and providing the information requested would exceed the upper cost limit of £600. In order for this information to be provided a manual search of both our electronic records system as well as a manual file search would have to be carried out. The SPS current has over 7500 prisoners in our care with a search of each individual prisoner taking 4-5 minutes, and would result in over 600 hours work.

**Example of how this was calculated;**

***7500 x 5 minutes = 37,000 minutes divided by 60 = 625 hours. 625 hours x £15:00 per hour = £9375:00. The upper cost limit being £600:00.***

Under section 12 of FOISA public authorities are not required to comply with a request for information if the authority estimates that the cost of complying would exceed the upper cost limit, which is currently set at £600 by Regulations made under section 12. You may, however, wish to consider reducing the scope of your request in order that the costs can be brought below £600. Given the amount of time it would take to provide this information it would not be possible to provide any additional information by reducing the scope of your request.

If you are unhappy with this response to your request, you may ask us to carry out an internal review, by writing to The Chief Executive, Calton House, 5 Redheughs Rigg, Edinburgh, EH12 9HW. Your request should explain why you wish a review to be carried out, and should be made within 40 working days of receipt of this letter, and we will reply within 20 working days of receipt. If you are not satisfied with the result of the review, you then have the right to make a formal complaint to the Scottish Information Commissioner.

Yours sincerely

Corporate Communications Manager  
Scottish Prison Service