



Our Ref FOI 15265

17.02.2016

Dear ,

Thank you for your request dated the 20th January 2016 under the Freedom of Information (Scotland) Act 2002 (FOISA) for:

1. *How many prisoners have been let out in error from Scottish prisons over the past ten years?*
2. *Please give a breakdown i. by year? ii. by prison?*
3. *Please give a breakdown of what offences the inmates had been convicted – or accused of if on remand?*
4. *Please give a breakdown of how much of their sentences was left to serve?*
5. *Please give a breakdown of how long it took to return prisoners to custody?*

We received your request on the 20th January 2016 - this gave a statutory deadline of the 17th February 2016 for responding under the terms of the Freedom of Information (Scotland) Act 2002. We have now completed our search for the information you request, please see the following.

1.

Releases in Error	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
Totals	4	11	5	4	6	3	11	1	9	8

2. Please see the attached spreadsheet.

3. We do endeavour to provide information whenever possible. However, in this instance the costs of locating, retrieving and providing the information requested would exceed the upper cost limit of £600. We would have to manually interrogate every individual prisoner record and warrant (most records containing multiple warrants) for the ten years. A search of individual records would therefore exceed the cost limit on this occasion. 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.

4. Please see the attached spreadsheet. Please note that those marked N/A were not convicted prisoners. This means that they would not have a sentence at the time of the liberation in error.

5. Please see the attached spreadsheet.

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