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[REDACTED]  
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[REDACTED]

8 April 2014

Dear [REDACTED]

Thank you for your request dated 18 March 2014 under the Freedom of Information (Scotland) Act 2002 (FOISA) for:

***Q1 How many transgender people are in prison in Scotland***

There is at the time of your request, 5 people that under the 2010 Equality Act have the protected characteristic of Gender Reassignment.

***Q2 Please provide a breakdown of costs incurred through producing / distributing the DVD the press release, including the wages of those paid to produce it, any consultants, production and distribution costs?***

The contract was awarded to Production Attic video who cover all production costs which are totalled £4,000

***Q3 Please can you say who meets these costs?***

The Scottish Prison Service and Scottish Government Equality Unit

***Q4 How many copies of the DVD have been produced?***

Two

***Q5 How many have been sent out to prisons and to which prisons have they been sent?***

None

***Q6 Please can you send me a copy of the DVD?***

We do endeavour to provide information whenever possible. However, in this instance an exemption under section 35(1)(f) "the maintenance of security and good order in prisons" of FOISA applies to the information requested in Q6. As the exemption is conditional we have applied the 'public interest test'. This means we have, in all the circumstances of this case, considered if the public interest in disclosing the information outweighs the public interest in applying the exemption. We have found that, on balance, the public interest lies in favour of upholding the exemption. While we recognise that there is some public interest in release to demonstrate the transparency and adherence to legislation and good practice, this is outweighed by the public interest in ensuring that prisons keep in custody those committed to it by the courts. The procedures and practices deployed by the SPS are scrutinised by internal and external audit which provides assurance that it operates in compliance with legislation and policy.