



**HEADQUARTERS**  
 One Lochside  
 1 Lochside Avenue  
 Edinburgh  
 EH12 9DJ

**Our Ref:** HQ24101

22 August 2024

Dear

Thank you for your request dated 24 July 2024 under the Freedom of Information (Scotland) Act 2002 (FOI(S)A).

For reference, you requested:

**RFI 1:** “The number of individuals currently in Scotland’s prison population who are foreign nationals, that is to say they do not have UK citizenship. If possible, please break this down by the legal status of these individuals who are in prison and do not have UK citizenship.

**RFI 2:** “The average number of foreign nationals in Scotland’s prison population in the last five full financial years (starting from 2023-24 and going backwards). Again, please break this down by the legal status of these individuals if possible.

**RFI 3:** “The proportion of foreign nationals in Scotland’s prison population in the last five full financial years (starting from 2023-24 and going backwards). Again, please break this down by the legal status of these individuals if possible.”

We have now completed our search for the information you requested.

**RFI 1 Response:** On the date of your request there were 569 foreign nationals in SPS custody. Of those, 258 were Untried and 311 were convicted.

**RFI 2 Response:** Please see table below:

Year	Average Foreign National Prisoners
2019 – 2020	345
2020 – 2021	344
2021 – 2022	420
2022 – 2023	431
2023 – 2024	502

We cannot provide the legal status of each prisoner at the time as this is only recorded on a current basis and isn’t available in retrospect.

**RFI 3 Response:** Please see table below:

Year	Average Percentage Foreign National Prisoners
2019 – 2020	4.2%
2020 – 2021	4.7%
2021 – 2022	5.6%
2022 – 2023	5.8%
2023 – 2024	6.4%

We cannot provide the legal status of each prisoner at the time as this is only recorded on a current basis and isn't available in retrospect.

This concludes our response to your request.

If you are unhappy with this response to your request, you may ask us to conduct an internal review, by writing to The Chief Executive, One Lochside, 1 Lochside Avenue, Edinburgh, EH12 9DJ. Your request should explain why you wish a review to be conducted and should be made within forty working days of receipt of this letter, and we will reply within twenty 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

Freedom of Information Manager