



HEADQUARTERS
One Lochside
1 Lochside Avenue
Edinburgh
EH12 9DJ

Our Ref: HQ24145

4 October 2024

Dear

Thank you for your request dated 5 September 2024 under the Freedom of Information (Scotland) Act 2002 (FOI(S)A).

For reference, you requested:

RFI 1: "Is there a limit to the number of books prisoners are allowed in their cells?"

RFI 2: "If a prison refuses to give a prisoner access to books sent into them by family or friends via Amazon how can the individual that sent the book in receive at back? At no expense to themselves in terms of finance or time.

RFI 3: "Does the SPS accept book deliveries from independent retailers or only Amazon?"

RFI 4: "Does the SPS ban books? If yes, what books are banned? How is this information shared with the public? What is the decision making process involved in banning books? Is there an oversight panel on banning books?"

RFI 5: "What does the SPS do to promote literacy and learning amongst all prisoners?"

RFI 6: "What is the CS for Justice position on prisoners accessing books? Is there a banned list issued by the Scottish Govt?"

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

RFI 1 Response: The Scottish Prison Rules (Storage of Property) Direction 2023 states:

Property which may be kept in a prisoner's cell or room

2.—(1) Subject to sub-paragraphs (2) and (3), every prisoner is entitled to keep in his or her cell or room the following items of property:—

- a. a reasonable supply of toiletries;
- b. a reasonable number of photographs;
- c. a reasonable supply of pens, pencils and writing paper;
- d. a reasonable quantity of any other item, including nicotine vapour products, which may be purchased by a prisoner from time to time from the prison canteen; and

- e. a reasonable amount of reading material.

Additionally, Rule 47 of The Prisons and Young Offenders Institutions (Scotland) Rules 2011 states:

Storage of prisoners' personal property in cells or rooms

47.—(1) Every prisoner is entitled to keep in their cell or room such items of the prisoner's personal property as may be specified in a direction by the Scottish Ministers.

(2) Without prejudice to paragraph (1), the Governor may refuse to allow a prisoner to have in their possession or to keep in their cell or room any items which the Governor considers to be –

(a) prejudicial to the security or good order of the prison;

(b) prejudicial to the health and safety of any person within the prison; or

(c) incompatible with the size or furnishings of the prisoner's cell or room.

(3) Where the Governor refuses to allow a prisoner to store any item of the prisoner's personal property in their cell or room under paragraph (2) –

(a) the Governor must notify the prisoner; and

(b) the property must either –

(i) be stored in the prison storage facilities in accordance with rule 48; or

(ii) where the Governor is entitled, under rule 48(2), to refuse to store the property in the prison storage facilities, be disposed of by the Governor or the prisoner in accordance with rule 49.

(4) The Governor may, where practicable, provide secure lockers within a prisoner's cell or room to enable the prisoner to store medication and personal property.

Therefore, only where there are Health & Safety or Fire Safety concerns due to fire loading a limit may be put in place. In cases where there is a limit on the number of books allowed, additional books can be held within the individual's property and swapped with books currently in use.

RFI 2 Response: Arrangements are in place in each establishment for property to be handed out at visits. Therefore, an individual could receive the property (book/s) back the next time they attended the prison for a visit.

RFI 3 Response: Some establishments have local arrangements with suppliers other than Amazon e.g. Waterstones.

RFI 4 Response: The SPS does not have a list of banned books, publications, or periodicals. All literature requested is assessed on an individual basis. The Governor of each establishment will decide what is allowed into their establishment.

Rule 53 of The Prisons and Young Offenders Institutions (Scotland) Rules 2011 states:

Prisoners' Correspondence and Other Communications

Current affairs

53.(1) Subject to paragraph (2), every prisoner may be kept informed of current affairs by means of:

(a) books, newspapers, periodicals, or a radio: and

(b) any other medium the Governor may allow.

(2) The Governor may restrict, or impose conditions as to, the exercise of the entitlement referred to in paragraph (1) where the Governor considers it is necessary in order to:

(a) protect the prisoner from self-injury: or

(b) prevent the prisoner from injuring others.”

RFI 5 Response: Since 2017 learning provision within the SPS has been provided by Fife College. As part of that learning provision, upon admission to an establishment, an individual within our care will be invited to the learning centre to engage in education. Attendance is voluntary, and it is entirely up to the individual whether they choose to engage.

Within custody all individuals can engage in formal learning, with a wide range of curriculum available across the SPS estate, that mirrors many of the subjects available in the community.

Literacy/learning is further promoted through events held in collaboration with SPS/Fife College, which anyone can attend, regardless of whether they engage with the Learning Centre. There are also activity packs (with subjects such as Maths, English etc.) available within residential areas for individuals to complete if they do not feel comfortable attending the Learning Centre.

Additionally, learning opportunities are promoted via internal TV Channels and posters throughout the establishments as well as via radio stations where available in establishments.

RFI 6 Response: Under section 17 of FOI(S)A I can advise that SPS do not hold this information.

In accordance with section 15 of FOI(S)A, to be helpful, I have provided the link to the Scottish Government Freedom of Information page below who may be able to provide you with this information:

[Request information - gov.scot \(www.gov.scot\)](http://www.gov.scot)

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