

## **Criminal Justice Committee**

### **Automatic early release of prisoners and prosecution policy on public safety and prison population**

#### **Written submission by the Prison Officers' Association (Scotland), November 2024**

The Prison Officers' Association note with great interest the announcement by the Cabinet Secretary for Justice in regard to the Prisoners (Early Release) (Scotland) Bill, and we are supportive of the aims of the Bill. Our support for the Bill is caveated by the fact that we recognise it is a step in the right direction in helping to reduce prisoner numbers in our prisons, but that it is one of a series of steps that will be required if the very concerning and real issue of prison overcrowding is to be tackled longer term.

The Convener and committee will be aware that we welcomed the previous emergency measures earlier this year that saw some 477 prisoners released, and we did so on the basis that it would provide our prisons with no more than some 'time and space' to catch our breath and give a desperately required 'breather' to all those inside our prisons. While today's population figures tell that was indeed short lived, we acknowledge that the current proposal will have a more meaningful and sustained impact on our numbers, potentially to around 5% continued reduction to numbers going forward.

I don't think it will come as a surprise to anyone that while we are extremely proud of the incredible work our members are doing on a daily basis in our prisons, we are also extremely fearful for their physical and mental health the longer they are asked to put themselves in harm's way in seriously overcrowded, dangerous and violent prisons, and being asked to manage the most complex of prisoner groups with significant mental health issues. Violence inside our prisons both on staff and on prisoners continues to rise, temperatures relating to tension and frustration are also on the rise and our members are reporting to us the fragmentation and concern of a breakdown of the crucially important relationships between staff and prisoners that allows them to share those confined spaces in a way that allows good order, discipline, and productive rehabilitative work to be undertaken, while attempting to keep everyone safe.

This has been made all the more challenging and dangerous for staff with the significant numbers of serious organised crime gang members in the system, where the type and level of threat and danger the staff face is unprecedented. This Bill is not a panacea to the problem of prison overcrowding, but given the environment I have just described above, it is absolutely a necessary step that needs to happen without delay.

As a trade union we are grateful when we hear the debates in parliament that demonstrate to us that those issues are well understood by the elected members, including the Cabinet Secretary who has made those points herself several times.

While we welcome this direction, it does not help to tackle another significant prisoner group who's numbers remain stubbornly high and have a significant impact on our members ability to effectively manage the wider prisoner numbers, and that is the remand population. Currently that group make up around 25% of the prisoner population, and despite the little we are able to do with them while in prison custody, they take up a large proportion of staff time and resources, to do no more than warehouse them awaiting the court process to catch up.

As a trade union we have said many times that there is a need for a much wider and fundamental debate in Scotland about what it is we want from our prisons, a review of sentencing policy, and a debate about the whole justice approach. We would welcome the opportunity to contribute to that debate on the prisons element of the justice system.

In the meantime, however, our members are tired, they are stressed, they are being assaulted in increasing numbers, they are having to intervene into prisoner assaults at an increasing level, while dealing with more and more issues of complex mental health deteriorations and self-harm episodes amongst the prisoner groups, which in turn is all having significant impacts on the mental health of our members too.

We are grateful that the extent of the problem appears to be getting recognised and that this step is one at least, that has the ability to make a small, but very much needed and welcomed contribution to helping to ease the enormous strain, while the longer term more permanent solutions are sought.

On behalf of POA Scotland

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