

Public Audit Committee

11th Meeting, 2024 (Session 6), Thursday, 28 March 2024

The 2022/23 audit of the Scottish Prison Service

Introduction

1. At its meeting today, the Public Audit Committee will take evidence from GEOAmey on the Auditor General for Scotland's (AGS) section 22 report, [The 2022/23 audit of the Scottish Prison Service](#), which was published on 12 December 2023. The report can be found at **Annexe A**.
2. The Committee previously took evidence from the AGS on the report on [1 February 2024](#), and from HM Chief Inspector of Prisons for Scotland on [14 March 2024](#).
3. GEOAmey has provided a written submission to help inform today's evidence session. It can be found at **Annexe B**.
4. At its meeting on 1 February 2024, the Committee agreed to seek written evidence from the following organisations:
 - Crown Office and Procurator Fiscal Service
 - NHS in Scotland
 - Scottish Courts and Tribunals Service
 - Police Scotland
5. The written responses received from these organisations can be found at **Annexe C**.
6. The Public and Commercial Services (PCS) Union have also provided the Committee with a copy of a letter it sent to the Cabinet Secretary for Justice and Home Affairs on the impact of the Scottish Courts Custody Prisoner Escorting Services (SCCPES) contract, awarded to GEOAmey PECS Ltd (GeoAmey) in the Scottish Justice Sector. This can be found at **Annexe D**.

7. The Committee will take evidence from the Scottish Prison Service and the Scottish Government at a future meeting.

**Clerks to the Committee,
25 March 2024**

The 2022/23 audit of the Scottish Prison Service



AUDITOR GENERAL 

Prepared for the Public Audit Committee by the Auditor General for Scotland
Made under section 22 of the Public Finance and Accountability (Scotland) Act 2000

December 2023

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The 2022/23 audit of the Scottish Prison Service

1. I have received the audited annual report and accounts and the independent auditor's report for the Scottish Prison Service (SPS) for 2022/23. I am submitting these financial statements and the auditor's report under section 22(4) of the Public Finance and Accountability (Scotland) Act 2000, together with this report that I have prepared under section 22(3) of the Act.

2. My report brings to the Scottish Parliament's attention issues relating to the Scottish Courts Custody Prisoner Escorting Services (SCCPES) contract managed by SPS on behalf of the Justice Multi Agency Liaison Group, as well as wider concerns about the projected increases in the prisoner population and the impact this will have on the prison estate.

3. The auditor issued an unqualified opinion on the financial statements of SPS for 2022/23.

Key messages

- The SCCPES contract was awarded to GEOAmeY PECS Ltd (GEOAmeY) in March 2018. The contract, managed by SPS on behalf of justice partners, is for the safe and secure transfer of prisoners in Scotland between specified locations such as prisons, courts, police custody units and healthcare facilities. Its successful delivery is critical to the effective operation of the criminal justice system in Scotland.
- In recent years, GEOAmeY has been unable to achieve the staffing levels required to effectively deliver the contract. Between April 2022 and October 2023, staffing levels at GEOAmeY decreased from around 660 to around 520 full-time equivalents, around 25 per cent less than the estimated 670 to 700 needed to deliver the required levels of service. Between July and September 2023, only 62 per cent of prisoners due in court arrived on time and only 63 per cent returning from court arrived back on time. Similarly, only 65 per cent of non-court escort services such as transfers to hospitals, police identification parades or special escorted leave, took place on time. The ongoing poor performance of the contract is resulting in delays and inefficiencies across the justice sector, impacting on policing, prison services and the courts.

- SPS has taken several actions to support improvement in GEOAmeys performance. This has included issuing Improvement Notices and applying financial penalties of around £4 million (to 2022/23) in line with the contract's terms. These have had limited impact. SPS is now taking more direct action including financial support to GEOAmeys to aid staff recruitment and retention, while at the same time limiting the use of performance measures and financial penalties. SPS anticipate that these actions will take around six months to take effect.
- Scotland's prison population is increasing and becoming more complex. Greater proportions of prisoners are required to be accommodated separately due to a wide range of issues including their legal status (remand or convicted), sex, age or offending history. In 2022/23, the average population was 7,426. By 13 November 2023, the population had increased to 7,948. Forecasts by SPS show that the population is expected to increase further over the next six months to 8,166 by the end of March 2024.
- Significant investment is required to create a fit-for-purpose prison estate. Since a major review of its estate in 2002, SPS has carried out extensive redevelopment work to parts of its estate to improve living conditions. Four new prisons were constructed during this time including the most recent, HMP Stirling, in June 2023. Two new community custody facilities were also opened during 2023 to support female prisoners prior to release and work has commenced on a replacement for HMP Inverness. Despite this investment, the forecast increases in the prison population will put additional, extensive pressure on the existing estate.
- His Majesty's Inspectorate of Prisons in Scotland (HMIPS) highlighted in her 2022/23 annual report that 'the ageing infrastructure and general condition of some of Scotland's prison buildings are ill-suited to a modern prison system'. This includes HMP Barlinnie, HMP Castle Huntly, HMP Dumfries, HMP Greenock, HMP Inverness and HMP Perth. Combined these prisons provide accommodation for approximately 35 per cent of Scotland's current prison population. As at March 2023, around a third of prisoners were in cells of double occupancy, many of them in HMP Barlinnie which is relied upon to accommodate significant rises in population.
- Plans for a replacement prison for HMP Barlinnie, HMP Glasgow, are being progressed. A full business case is expected to be considered by Scottish ministers before the end of 2023. The total cost of the project is expected to be significantly higher than an earlier cost estimate of £387.6 million in October 2019. This is attributed to inflationary pressures and an updated

design to reflect 'Net-Zero' commitments and changing requirements post-Covid to safely manage the prison population.

Background

4. SPS is an executive agency of the Scottish Government. It is responsible for those who are committed to care by the Courts and is accountable to the Scottish Parliament for its functions in accordance with The Prisons and Young Offenders Institutions (Scotland) Rules 2011.

5. SPS directly operates 15 prisons across Scotland ([Appendix 1](#)). A further two, HMP Addiewell and HMP Kilmarnock, are run under Private Finance Initiative (PFI) contracts. The PFI contract for HMP Kilmarnock will end on 17 March 2024, when the prison will return to public ownership under the operation of SPS.

6. SPS is also responsible for managing the SCCPES contract on behalf of the Justice Multi Agency Liaison Group (MALG). This group includes SPS, the Scottish Courts and Tribunals Service (SCTS), the Crown Office and Procurator Fiscal Service (COPFS) and Police Scotland.

7. SPS continues to manage significant risks that impact on the operational sustainability of the service. This includes increasing prisoner numbers; increasing complexities of the prison population (for example, adequate separation of prisoner groups and increasing numbers of older prisoners); a challenging financial environment; and managing a large estate which includes establishments that are no longer fit for a modern prison system.

8. As an executive agency, SPS is funded by the Scottish Government. In 2022/23 SPS spent £499 million including £70.9 million on capital expenditure. Of the resource expenditure, a total of £221.7 million was spent on staff costs covering a staffing establishment of 4,562.

The Scottish Court Custody and Prisoner Escorting Service contract was awarded to GEOAmey PECS Ltd in March 2018

9. In March 2018, Scottish ministers awarded the SCCPES contract to GEOAmey PECS Ltd (GEOAmey). GEOAmey was the sole bidder. The contract commenced in January 2019 and is for a period of eight years with the option to extend by a further four years. The estimated value of the contract at the time of award was between £238 million and £250 million over the initial eight-year term.

10. GEOAmey is a joint venture between GEO Group and Amey, with each parent company a 50 per cent shareholder. GEO Group operates a number of correctional and rehabilitation services in the USA. Amey is a UK public services provider working across areas such as transportation and the management of complex facilities.

11. GEOAmeY provides prisoner escort services on behalf of the Ministry of Justice in England and Wales. The contractual terms in England are different to Scotland, as the SCCPES contract includes a number of additional requirements.

12. In Scotland, the contract provides for the safe and secure transfer of prisoners between specified locations such as prisons, courts, police custody units and healthcare facilities. It also includes additional services such as funeral escorts; bed watch activity when those in custody are detained for medical treatment; and transfers to Police Scotland interviews and identification parades.

Delivery of the SCCPES contract is critical to the effective operation of the criminal justice system in Scotland

13. The SCCPES contract is managed by SPS on behalf of the MALG. Justice partners across Scotland are reliant on the contract to ensure the effective delivery of services including policing, court proceedings, prosecution services and prison operations.

14. There are several risks associated with the contract if the supplier fails to deliver the required levels of service. These include the impact on prisoner welfare; the reputational risk to SPS and other justice partners; and the ability to deliver effective services and achieve value for money.

15. For example, planned court cases or police identification parades may have to be postponed, prisoner hospital appointments deferred or delays in providing prisoners with special escorted leave for rehabilitation purposes. There is also the opportunity cost associated with using police officers or prison officers to substitute for escorts that have not been delivered under the contract.

The operating environment has changed since the SCCPES contract was awarded to GEOAmeY

16. Since the contract award, the Covid-19 pandemic, subsequent lockdown and other external factors changed many aspects of the contract's operating environment. For example, during the Covid-19 pandemic (between April 2020 and June 2021) financial support totalling £6.3 million was given by SPS to GEOAmeY to ensure normal contractual delivery by avoiding staff being furloughed. At the same time, the introduction of temporary virtual courts and social distancing measures changed the nature and type of work required.

17. Since Covid-19 restrictions were lifted, higher prisoner numbers have seen increased volumes of prison-to-prison transfers and greater volumes of hospital appointments and bed-watches. There has also been changing demands on prisoner court transfer numbers requiring the use of smaller fleet vehicles but using the same number of escort staff.

18. As the contract is volume-led, these changes to demand levels, or the type of escort support required, has a direct impact on the service levels required of GEOAmeY and therefore the level of payments made to them.

GEOAmeY has been unable to achieve the staffing levels required to effectively deliver the contract

19. In its initial projections, GEOAmeY estimated that it would need to employ around 670 to 700 full-time equivalent (FTE) prison custody officers (PCOs) to successfully deliver its contractual obligations. These levels were achieved over the first two years of the contract to 2021 but have not been reached since.

20. SPS reported that a challenging labour market significantly increased staffing costs for GEOAmeY compared to those anticipated when the contract was signed. GEOAmeY also reported to SPS that changes in service requirement post-Covid have made the contract financially unsustainable. This was particularly in relation to the changes in demand profile and new initiatives to address the backlog of court cases arising during the pandemic.

21. In its 2022/23 Annual Report and Accounts, SPS reported that while court volumes increased, other contractual elements remained at significantly lower levels than pre-Covid.

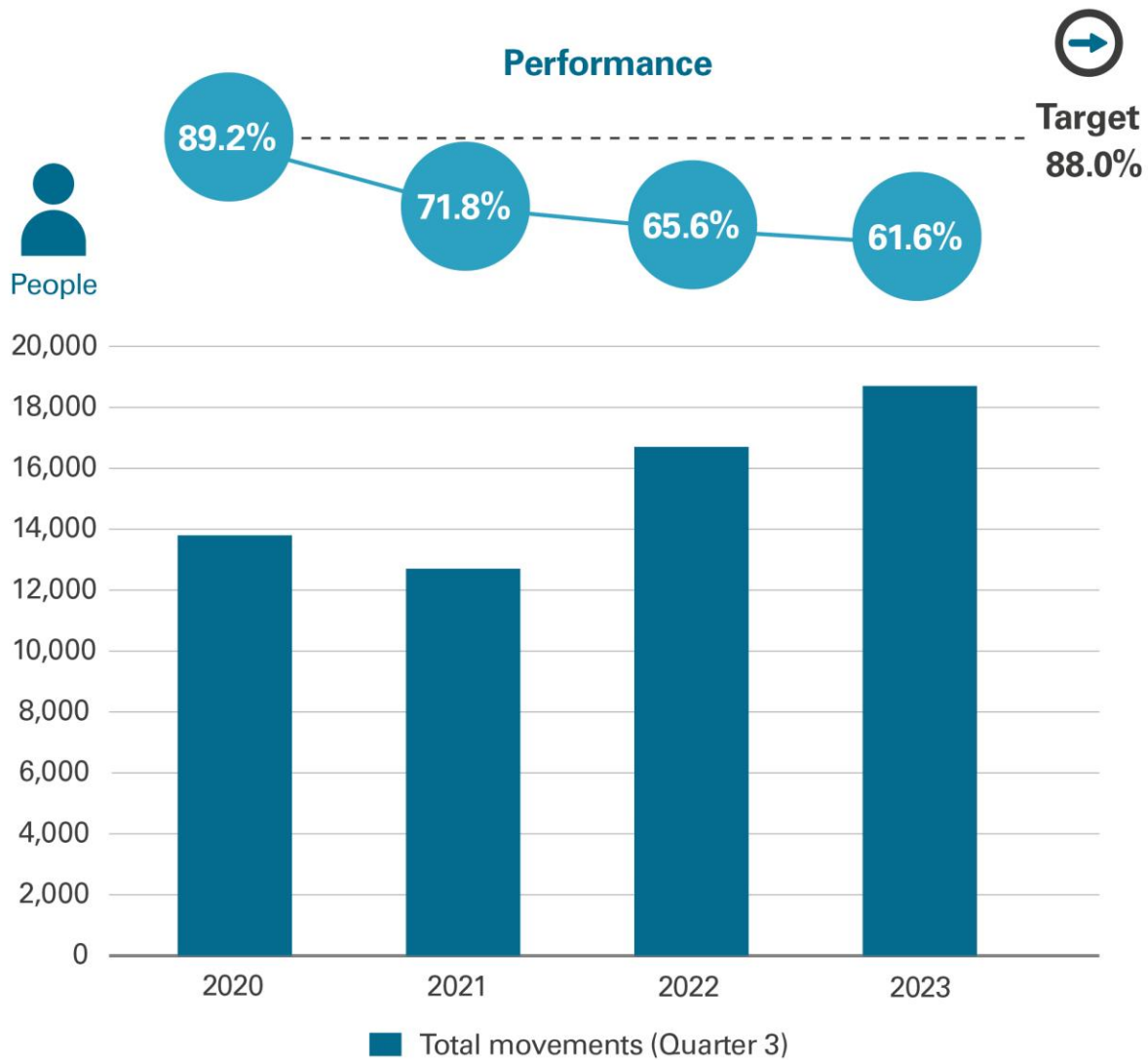
22. As a result, in October 2023, GEOAmeY's staffing levels had dropped to around 520 full-time equivalents, a decrease of between 20 and 25 per cent on required levels. SPS advised that comparatively low pay for PCOs was the primary reason for the decline in GEOAmeY staffing levels and their ability to recruit replacements.

The failure to effectively deliver the contract is impacting on services across justice partners

23. Despite early teething problems, by the end of 2019 the contract was being delivered to acceptable levels. Since mid-2021, GEOAmeY has failed to deliver the requirements of the SCCPES contract in several key areas. This includes court arrivals, court returns and non-court appointments.

24. The performance indicator on court arrivals measures the timely arrival of those in custody to court. Any late arrival can delay planned proceedings in Scottish courts. As shown in [Exhibit 1 \(page 8\)](#), the percentage of court arrivals being delivered on time decreased from 89.2 per cent in quarter 3 of 2020, to under 61.6 per cent in quarter 3 of 2023. This is against a target of 88.0 per cent.

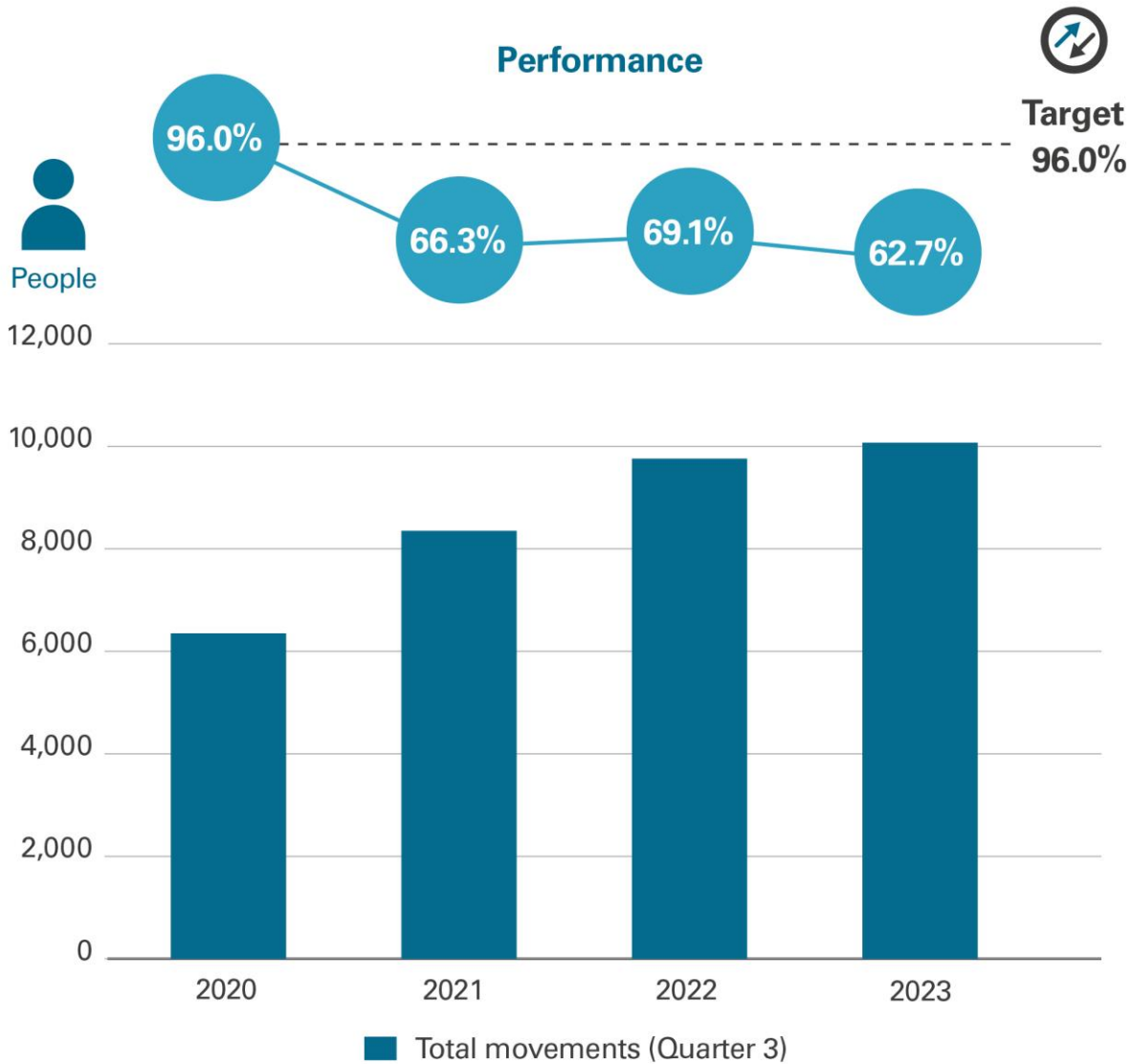
Exhibit 1
Number and percentage of court arrivals



Source: SCCPES Quarterly Business Review (QBR) reports

25. The performance indicator on court returns measures the timely departure of a prisoner from court premises to a place of custody. [Exhibit 2 \(page 9\)](#) shows that GEOAmeys performance has decreased from 96 per cent in quarter 3 of 2020 to 62.7 per cent in quarter 3 of 2023. This is against a target of 96 per cent.

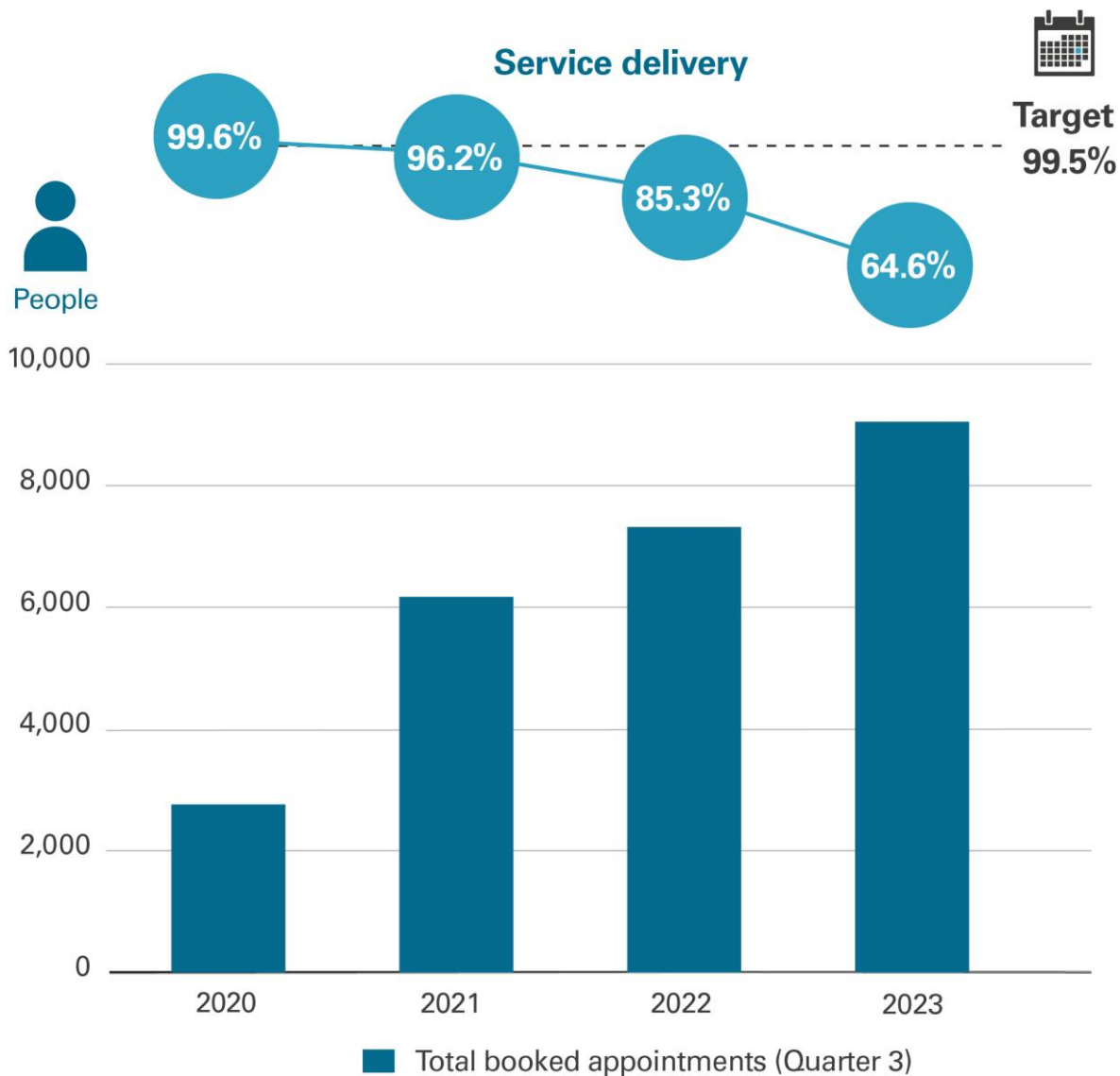
Exhibit 2
Number and percentage of court returns



Source: SCCPES Quarterly Business Review (QBR) reports

26. Non-court appointments include the movement of individuals to children’s hearings; funeral escorts; hospital and other healthcare appointments; special escorted leave; and identification parades. [Exhibit 3 \(page 10\)](#) shows that GEOAmey’s performance in this area has declined from 99.6 per cent in quarter 3 of 2020, to 64.6 per cent of movements being completed on time in quarter 3 of 2023. This is against a target of 99.5 per cent.

Exhibit 3
Number and percentage of non-court appointments



Source: SCCPES Quarterly Business Review (QBR) reports

27. The failure to effectively service the contract is having a considerable impact on service delivery across the justice sector. For example:

- At SCTS, scheduled court sessions have been postponed and planned changes to jury court operations, including the development of virtual custody courts, have been delayed.
- Police Scotland has had to cancel identification parades and in some instances police officers have been taken off other duties to provide cover.
- At SPS, hospital appointments for those in custody have been missed. Where prison officers have been asked to undertake these transfers, this

has removed front line resource from prisons. SPS estimates that around 20 FTE of its own staff are required per day to substitute for prisoner transfers that cannot take place under the contract.

- There have been instances where those in custody have missed community leave days. This can result in delays to prisoners moving on to the next stage of their sentence if they are unable to demonstrate key requirements at parole hearings.

28. There is also an impact on the National Health Service (NHS) with planned hospital appointments requiring to be postponed or cancelled if the relevant prisoner is not transferred to the facility on time.

SPS has issued GEOAmeY with five separate 'Improvement Notices' and applied service credits totalling £4 million

29. SPS, on behalf of justice partners, can serve Improvement Notices on GEOAmeY in relation to any specific failures to comply with obligations under the contract. These notices require GEOAmeY to either immediately undertake remedial measures or to submit a time bound action plan to address the issues identified. Since December 2021, SPS has issued five 'Improvement Notices' to GEOAmeY.

- In December 2021, an Improvement Notice was issued in relation to hospital appointments. Performance subsequently improved to compliant levels and the notice was lifted in April 2022.
- In May 2022, an Improvement Notice was issued relating to contractual data accuracy and verification. This stated that GEOAmeY had 'not been able to meet or consistently perform its contractual service requirements' in relation to information systems and monitoring, inspection and security risk assessments. The notice advised that the lack of consistency 'to record, store and provide accurate data...has had a detrimental effect on SPS's ability to verify GEOAmeY PECS Ltd achieving the required Performance Measures'. It also highlighted significant issues in relation to the accuracy of verified data to assure SPS that billing information is correct.
- In December 2022, a further Improvement Notice was issued in relation to hospital appointments. During the period August to October 2022, a total of 705 hospital appointments were recorded as GEOAmeY failures. Of these, 561 were cancelled by the escort due to resourcing issues. Eighty-six appointments did go ahead late, but the impact on the prisoner or the NHS of these delayed appointments is unknown.

- In February 2023, an Improvement Notice was issued in relation to Video Identification Parade Electronic Recording (VIPER) appointments, more commonly known as police identification parades. Between September 2022 and January 2023, 368 planned failures were recorded where prisoners had not been escorted to planned VIPER appointments. The Improvement Notice highlighted that a number of court cases had to be postponed as a result of these failures, and on at least one occasion charges had to be dropped with the individual being released from custody. This would have required Solemn proceedings to continue due to the nature of the charges. Solemn procedures involve the most serious criminal cases and may lead to a trial before a judge in the High Court or a Sheriff in one of the sheriff courts. GEOAmeY has challenged the substance of these claims.
- In June 2023, an Improvement Notice was issued in relation to court cell and court docks delivery. The notice states that many aspects of the contractual requirement 'are no longer being met or delivered, resulting in significant issues for SCTS, COPFS, Judges, Sheriffs and other partners within Criminal Justice'. It also highlights specific failures in relation to staffing, delivery and security at many court sites. This is resulting in Solemn cases being delayed due to GEOAmeY's inability to support court business.

30. SPS has also issued a number of service credits where performance has failed. These are credits applied to payments where the specified service level has not been met. Between 2019/20 and 2022/23, service credits totalling over £4 million had been applied with further credits expected for performance failures during 2023/24.

31. SPS has advised that service credits were not intended for a scenario where the contractor failed to deliver over a sustained period. They were designed to provide focus on specific issues, with the aim of encouraging resolutions to be identified and implemented within a short timeframe.

SPS and justice partners have taken additional steps to support GEOAmeY and to avoid contract failure

32. SPS has taken a number of actions designed to support GEOAmeY and its delivery of the contract and to prevent overall contract failure. These included:

- In August 2022, SPS implemented a moratorium where it would not impose certain service credits. This was to reduce the potential financial burden and allow GEOAmeY to refocus on improving key areas of the contract. Further changes were made during 2023 to reduce the impact of performance measures and the number of applicable service credits.
- SPS requested that the NHS change the scheduling of hospital appointments prior to 9.30am to help avoid scheduling clashes with court appearances, where typically a prisoner is required to attend at least 30 minutes (Sheriff Court) or 45 minutes (High Court) before the day's proceedings commence. GEOAmeY advised that while SPS attempted to

provide support in this area, the majority of appointments are still at the same time that court deliveries are scheduled.

- In conjunction with SCTS, the number of PCOs required at Solemn cases has been temporarily reduced from two to one. This is unless specific circumstances require more than one officer in attendance.
- In October 2023, revised payment rates were agreed aimed at supporting GEOAmeY in the retention and recruitment of its staff. This should allow GEOAmeY to increase hourly rates for staff by around 17 per cent and above comparable market rates. It is expected to take around six months for this to have a positive impact. SPS has advised that in making such adjustments, the additional cost of supporting the SCCPES contract will be £1.8 million in 2023/24, and £2.2 million per annum thereafter.

33. Looking ahead, SPS's Contract Management Unit (CMU) has been authorised to review the full range of options to ensure that the contract is both viable and sustainable over the remaining term. SPS and other justice partners have worked on contingency planning in the event of contract failure. In the absence of any clear alternative, SPS and its justice partners strong preference is to support GEOAmeY in improving its contract performance.

34. If the contract was to be terminated, GEOAmeY may be due compensation based on defined formulae in the contract. The value of the termination sum would depend on the reason for termination and the timing in relation to the contract. SPS may also be required to assume responsibility for any costs associated with the termination of GEOAmeY staff contracts.

35. The initial eight-year contract term will end in January 2027. Work by SPS and justice partners on retendering the contract is expected to commence in 2024.

SPS is managing an increasing and more diverse prisoner population

36. The Scottish prison population is increasing and becoming more complex. Greater proportions of prisoners are required to be accommodated separately due to a wide range of issues including their legal status (remand or convicted), their sex, age or offending history.

37. SPS has advised that there are also greater numbers of older prisoners, including those who enter custody later in life. At the end of 2022/23, a total of 16.4 per cent of the prison population was aged 51 or over. This included 287 (3.8 per cent) who were aged 61 to 70 and a further 130 (1.7 per cent) who were aged over 70. This impacts on the nature of support required.

38. There are eight over-arching categories of offence for which people are imprisoned in Scotland. These are:

- non-sexual crimes of violence
- sexual offences
- crimes of dishonesty

- damage and reckless behaviour
- crimes against society
- antisocial offences
- miscellaneous offences
- road traffic offences.

39. Prisoners with a history of sexual offending, and those with links to serious and organised crime, present additional challenges in how they are segregated within the prison system.

The prison population is forecast to increase over the next six months to March 2024

40. Between 2013/14 and 2022/23, the average population in Scotland's prisons was 7,653. The highest population during this period occurred in 2019/20 with an average population of 8,198 and a maximum of 8,336 being accommodated within the Scottish prison system. During the Covid-19 pandemic, the population declined, largely due to lower case numbers being processed by the courts. In 2022/23, the average population was 7,426 with a maximum at any one point during this period of 7,583.

41. As at 13 November 2023, the Scottish prison population was 7,948. SPS forecasts show that the population is predicted to increase further to 8,166 by the end of March 2024 ([Exhibit 4, page 15](#)).

42. SPS has advised that as at November 2023 the extended operating capacity that the prison estate can accommodate is 8,475. This is the level at which prisons go above their target operating capacity but can still provide a '[restricted regime](#)'. The target operating capacity, currently 8,007, is agreed between SPS and each establishment. As at 2 November 2023, five prisons were operating above their target operating capacity. As part of its Population Strategy, SPS is currently conducting a review to establish the total number of spaces that could be available for use.

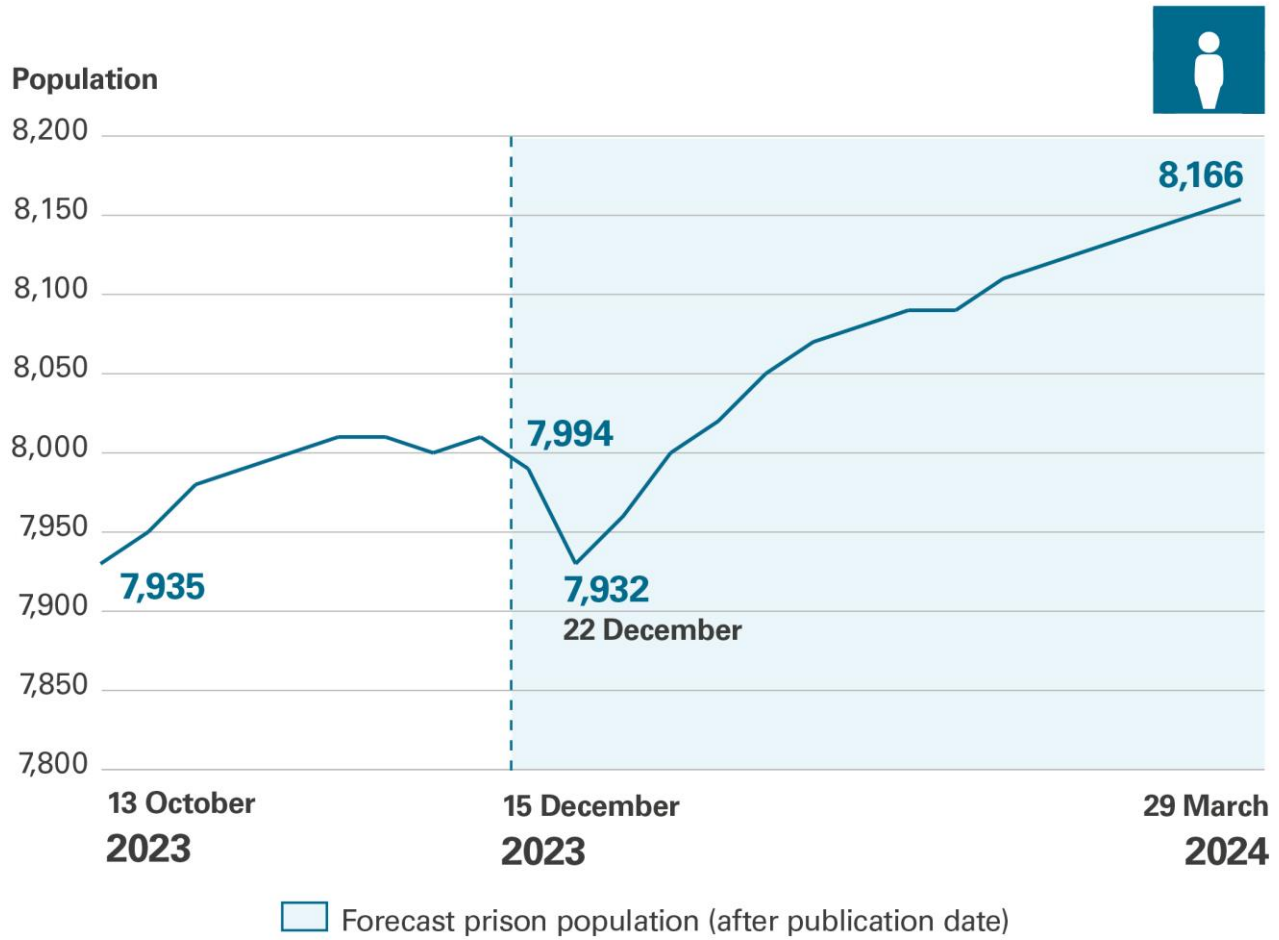
43. Of the total prison population, 73.4 per cent have been sentenced, with 23.4 per cent untried and 3.2 per cent convicted awaiting sentence. There are 165 individuals (2.1 per cent) aged 20 or under, and sentenced males (including male young offenders) account for 70.7 per cent of the population ([Exhibit 5, page 16](#)).

44. SPS has also identified that 45.1 per cent of its population comes from the most deprived areas in Scotland (top 20 per cent). If this is extended, 68.2 per cent of prisoners come from the top 40 per cent of deprived areas in Scotland. Only 3.2 per cent of the prison population is from the least deprived areas (bottom 20 per cent).

Restricted regime

This is when a basic regime is implemented that meets legal requirements (for example time in the open air and access to visits) but may not include all additional activities, such as recreation or work, that are provided under normal circumstances.

Exhibit 4
Forecast prison population to March 2024



Source: Scottish Prison Service data on projected prisoner numbers

Exhibit 5
Analysis of prison population



Population in custody: 7,948



Untried	Convicted	Sentenced
Including persons awaiting deportation	Awaiting sentence	Including recalled lifers and civil prisoners
1,862	255	5,831

Women: 309

Untried	Convicted	Sentenced
Including persons awaiting deportation	Awaiting sentence	Including recalled lifers and civil prisoners
82	18	209

Men: 7,639

Untried	Convicted	Sentenced
Including persons awaiting deportation	Awaiting sentence	Including recalled lifers and civil prisoners
1,780	237	5,622

(Under 16: 0) Ages 16-17: 4

Untried	Convicted	Sentenced
Including persons awaiting deportation	Awaiting sentence	Including recalled lifers and civil prisoners
2	0	2

Ages 18-20: 161

Untried	Convicted	Sentenced
Including persons awaiting deportation	Awaiting sentence	Including recalled lifers and civil prisoners
51	21	89

Ages 21 and over: 7,783

Untried	Convicted	Sentenced
Including persons awaiting deportation	Awaiting sentence	Including recalled lifers and civil prisoners
1,809	234	5,740

Population on home detention curfew: 60

Women	Men
6	54



Source: Scottish Prison Service data on prison population numbers

The forecast increase in population will put stress on an ageing prison estate

45. Significant investment is required to create a fit-for-purpose prison estate. Since a major review of its estate in 2002, SPS has carried out extensive redevelopment work to parts of its estate to improve living conditions. Four new prisons were constructed during this time at HMP Addiewell, HMP Low Moss, HMP Grampian and most recently, HMP Stirling, in June 2023. Two new community custody facilities were also opened during 2023 to support female prisoners prior to release, and work has commenced on a replacement for HMP Inverness. Despite this investment, the forecast increases in the prison population will put additional, extensive pressure on the existing estate.

46. His Majesty's Inspectorate of Prisons in Scotland (HMIPS) highlighted in her 2022/23 annual report that 'the ageing infrastructure and general condition of some of Scotland's prison buildings are ill-suited to a modern prison system'. This includes HMP Barlinnie, HMP Castle Huntly, HMP Dumfries, HMP Greenock, HMP Inverness and HMP Perth. Combined these prisons provide accommodation for approximately 35 per cent of Scotland's current prison population.

47. HMIPS also reported that there are still some 'antiquated Victorian prison establishments that breach human rights guidelines on cell size, are expensive to maintain, and do not provide for the changing demographics'. This is evidenced at HMP Greenock where the report highlights 'the number of cells out of commission and failing roof structures...due to water ingress serve to highlight the challenges in maintaining Victorian infrastructures'.

48. In March 2023, an average of 2,368 prisoners (31.5 per cent) occupied double cells across the prison estate in Scotland. Double cells are used across establishments, including at HMP Perth where HMIPS reported in their May 2023 full inspection report that some shared cells were 'well below the minimum standard of space' as prescribed by the Council of Europe Committee for the Prevention of Torture (CPT).

49. Similar criticisms have been raised by HMIPS in relation to shared cells at HMP Barlinnie which also fail to meet the minimum size prescribed by the CPT. These issues were raised in the August 2019 full inspection report by HMIPS, and again in HMIPS' 2022/23 Annual Report on HMP Barlinnie.

50. As Scotland's largest prison, HMP Barlinnie is relied on for 'surge capacity' when prisoner numbers are high across the estate. The ongoing reliance on prisons that are considered no longer fit for purpose, in particular HMP Barlinnie, presents a significant risk to SPS.

The need to replace HMP Barlinnie has been accepted by the Scottish Government

51. HMP Barlinnie has the largest occupancy of any prison operated by SPS. It has a design capacity of 987, but routinely holds over this amount. During 2022/23 the average population was 1,235, and as at 13 November 2023 the population was 1,406.

52. In its 2019 inspection report, HMIPS considered HMP Barlinnie to be 'physically no longer fit-for-purpose to manage the size and complexity of the population it routinely holds'. The cell sizes at HMP Barlinnie do not meet expected standards, and due to overcrowding there is a lack of regime availability and work opportunities within the prison. This means that those in custody are within residential areas without constructive or purposeful activity for much longer than would be desired.

53. There are ongoing maintenance issues at HMP Barlinnie. Power outages have resulted in the loss of kitchen and laundry facilities, while the loss of water resulted in one hall not having functioning toilets. These issues impact on the care that is provided and have the potential to disrupt operations.

54. SPS recognises that these factors will impact on the mental and physical health of prisoners, making rehabilitation more challenging. It has also acknowledged that the condition of the prison increases the potential for a judicial review or litigation linked to human rights and equalities issues.

55. The need to replace HMP Barlinnie has been accepted within the Scottish Government's Investment Infrastructure Plan (IIP). It was originally included in the IIP in 2011, again in 2015, and continues to be part of the most recent plan published in 2021.

The cost of the new HMP Glasgow has not been confirmed, but is expected to be significantly higher than earlier forecasts

56. Plans for a replacement prison for HMP Barlinnie, HMP Glasgow, are being progressed. Approval has been gained for site acquisition and the Pre-Construction Services contract award, with the concept design completed by January 2023. A full business case has been developed and is expected to be considered by Scottish ministers before the end of 2023.

57. The estimated cost of HMP Glasgow increased from £100 million in 2014 to £387.6 million in October 2019. These initial estimates were based on other comparable projects and requirements at the time. The forecast costs are expected to be significantly higher once the design phase is complete and a contract is awarded in Autumn 2024. This is attributed to inflationary pressures, an updated design to reflect 'Net-Zero' commitments and changing requirements post-Covid to safely manage the prison population.

58. Discussions remain ongoing with the Scottish Government regarding the capital funding allocation for the HMP Glasgow project. Timescales for the project remain unclear.


Conclusion

59. The issues raised in my report are of significant concern, not only to SPS but to the wider justice sector. It will be important for SPS and their partners, SCTS, COPFS and Police Scotland to work together with support from the Scottish Government, to consider all options available to ensure the safe and effective delivery of prisoner escorting services both now and in the future.

60. The number of risks and challenges facing the prisons system is considerable and will be exacerbated further with increasing prisoner numbers in an ageing prison estate. These are not issues that can be resolved by SPS alone. Close collaboration between SPS, the Scottish Government and justice partners, in conjunction with improvements to the prison estate, are essential to ensuring that prison services can be maintained in a safe and secure environment.

61. I will continue to monitor the progress made by SPS and its partners in these areas, with a view to further public reporting in the future.

Appendix 1

	Design Capacity	Extended Operating Capacity	Target Operating Capacity	Population				
				2018/19		2022/23		13/11/2023
				Av.	Max.	Av.	Max.	-
Addiewell	702	725	725	700	705	720	726	722
Barlinnie	987	1500	1300	1,322	1,460	1,235	1,301	1,406
Bella Centre*	16	16	16	-	-	7	9	12
Castle Huntly (open estate)	284	190	184	178	200	120	147	161
Cornton Vale***	-	-	-	88	115	47	66	-
Dumfries	176	195	185	177	195	189	196	189
Edinburgh	867	929	900	889	938	862	900	930
Glenochil	668	750	750	681	743	726	746	736
Grampian	552	474	474	460	450	430	450	443
Greenock	224	252	257	229	240	192	217	227
Inverness	93	120	110	117	139	109	125	114
Kilmarnock	501	596	596	504	580	541	551	580
Lilias Centre*	24	24	24	-	-	8	14	14
Low Moss	784	884	784	773	789	787	849	809
Perth	631	700	660	676	724	634	658	651
Polmont	758	482	404	463	522	289	361	326
Shotts	538	538	538	534	545	541	548	538
Stirling**	100	100	100	-	-	-	-	90
Totals	7,905	8,475	8,007					7,948

Note. *Opened 2022/23 **Opened 2023/24 ***Closed 2023/24

Source: Scottish Prison Service data

The 2022/23 audit of the Scottish Prison Service



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Redwing Centre
Mosley Road
Trafford Park
M17 1RJ

Dear Convenor,

Public Audit Committee – 2023/23 Audit of the Scottish Prison Service

Thank you for the opportunity to submit a summary of GEOAmey's analysis of the core issues concerning delivery of the SCCPES contract and the impact that these issues have had on our criminal justice partners and the wider Scottish Criminal Justice system.

GEOAmey is committed to providing vital public services on behalf of Scottish Ministers and is proud of the work its officers and managers do every day in challenging circumstances. We do, however, acknowledge that our service to our criminal justice partners has faced significant challenge since the summer of 2022. We also acknowledge that the Criminal Justice System is a complex one with many interdependencies, such that any shortfall in performance on our part has the potential to negatively impact other services.

GEOAmey performs similar services to a high standard in other jurisdictions, albeit under a different contractual environment, as recognised by both the Auditor General for Scotland and the Chief Inspector of Prisons. It is, therefore, our firm belief that we can deliver prisoner escort services to a high standard when the environment is supportive, and system-related issues are resolved.

We would like to record our thanks to the Auditor General for his accurate and balanced reporting of the SCCPES contract in his section 22 report. In particular, we wish to note his recognition and clear explanation of the material change to the operating environment since the contract was awarded, which we have commented on from a delivery-perspective, below.

GEOAmey also thanks and acknowledges the evidence submitted by HM Chief Inspector of Prisons for Scotland, and we are looking forward to the outcome of the thematic review on Transport Services that is currently underway.

Staffing Issues

We acknowledge the measures recently implemented by the Scottish Prison Service to support GEOAmey in tackling the particularly acute challenge we face in recruitment and retention of staff, which has been at the core of GEOAmey's service challenges. The factors underlying fluctuations in recruitment and retention are multi-layered and we do not wish to over-simplify labour market economics, but the key themes, as we see them, are as follows:

- **C-19 pandemic** – Increased staff absences due to illness and self-isolation requirements were an immediate consequence of C-19, compounded by the unpredictability of staff availability over the course of the pandemic, as the peaks and troughs of virus transmission were experienced across the country. Our rate of staff attrition rose markedly during April of 2021, at the start of what became known as the 'Great Resignation'. As a result, we were unable to

recruit in sufficient numbers, partly due to the continuing social distancing measures, which were kept in place until August 2021. These measures included constraints on using external (larger) facilities (such as hotels) to hold group initial training courses, which meant that we were unable to move new recruits through the necessary induction modules to fill the vacancies. Net officer headcount levels were therefore reducing as volume started to increase and we operated both physical and virtual courts simultaneously. Hours worked by GEOAmev staff increased accordingly, which in turn impacted on the health and morale of our people during the first quarter of 2022, culminating in a worsening cycle of more work being placed on a diminishing workforce.

- **Socio-economic** – Like most organisations, including those that work within the Scottish Criminal Justice system, we have found it much more difficult to recruit staff in the aftermath of the pandemic. There are simply fewer people looking for work, and their expectations regarding flexible working arrangements are something we struggle to accommodate, given the nature of the service. Further, the pay gap between our starting PCO wage rate and the National Minimum Wage when we commenced operations (16%) was affected to the point where the pay premium associated with being a PCO was all but eroded for our starting rate of pay, despite GEOAmev investing monies in pay rates above what was received from the customer during the period 2019 – 2023. Increases in pay to retail workers, coffee shops and warehouses have increased markedly during the same period, resulting in pay competition increasing for roles with higher predictability of hours and lower responsibility. Further, despite the material increase in officer pay across the last 12 months, the pay gap between PCO salaries and that of an SPS officer as at April 2024 is expected to be in excess of 40%, as a result, the challenges we face during periods of recruitment by Scottish Police and Prison Services, as highlighted by the Chief Inspector of Prisons will remain.

Changing Operating Environment

GEOAmev's final stage bid was submitted in 2017 to Scottish Prison Service and was based on data from 2016 / 2017 that did not fully reflect the service being procured. The operating environment today is materially different from 2017, with variabilities that were neither foreseen nor reflected in the proposal submitted at that time.

- Due to the Court Recovery Programme, there is a higher demand for PCOs staffing court docks, as SCTS deals with the C-19 court backlog. We now operate 6 more High Courts and up to 35 more courts docks per day than pre-C-19.
- We are traveling more miles, and committing more staffing, per prisoner than pre-C-19. There is more labour-intensive, non-court activity than anticipated, due to an increasing and ageing prisoner population, and the backlog of demand. For example, escorting a person to attend a hospital appointment is more time intensive than conducting a transport movement for multiple persons from point A to point B.
- Bedwatch activity, where those in custody are continuously accompanied by our officers while they receive medical treatment, is 35% higher – more than that anticipated in the bid. This activity is one of the most resource intensive elements of the SCCPES service, and since the availability of staff is already under pressure, can draw vital resources away from other parts of the service.

- The post pandemic period has affected the priorities of our criminal justice partners, meaning they have had to adapt their own processes, reducing our operating window and putting more pressure on court arrival times. For example, the largest prison in Scotland, responsible for c. 30% of overall demand, does not make prisoners available for transport until at least 0720, 35 minutes later than pre-C-19.
- The requirement for escorting people with specialist and age-related needs – wheelchair users and others with disabilities – has increased markedly, as the prison population has increased and the demographics of persons in custody and their range of needs, has shifted toward greater dependence on increased assistance, consistent with the country’s general population.

These are not typical fluctuations in the market or as a consequence of the kind of commercial instabilities which are the reality of service provision in this sector. They are far beyond what was contemplated by ourselves and our criminal justice partners at the time of bidding and go to the very core of the service.

Ineffectual Model of Contracting

As HM Chief Inspector of Prisons has stated, the contract has not worked since inception. However, she acknowledged that GEOAmey have successfully provided prisoner escort services elsewhere.

Operationally, there are barriers to good levels of delivery due to conflicting requirements of partners. For example, GEOAmey resources being allocated to delivery of the Court Recovery Programme rather than the increased number of healthcare appointments for the ageing prison population or vice-versa. The requirement for flexibility on the part of GEOAmey to be able to respond to the fluctuating demands of the contract is impaired by our staffing challenges, but even with adequate resources, some requirements are simply incompatible and cannot, logistically, be delivered. An example of this would be prisoners travelling from HM Prison Perth to Dundee Sheriff Court (which is a high-volume route). Prisoners must be within the court cells by 9am per contract, but are rarely made available for transport prior to 8.30am, meaning the 37 minute journey is automatically resulting in poor service to court users.

Commercially, the volume-led model of the contract and the changes to those volumes from the baseline on which our proposal was formulated, means that the costs to GEOAmey to deliver the services exceeds the revenue generated. In short, GEOAmey is making a financial loss on this contract. As noted above, there has been a change of volume in the mix of activities, which results in fewer prisoners being transported but more hours of required GEOAmey staff time, leading to a higher cost to GEOAmey in sustaining the service.

This gridlock scenario has been recognised by the Scottish Prison Service, leading to in-principle agreement to re-calibrate the contract. Discussions culminated in agreement to include additional funding for PCOs, in addition to the contractual mechanism to ensure wages are maintained in line with the real Scottish Living Wage. This arrangement was intended to tackle the attrition of staff which has been at the core of our delivery issues and the shortfall in our performance. This was considered to be a pragmatic and targeted solution, and was preferred by our justice partners over other, more disruptive contingency options, such as re-tendering the contract before its expiry.

The impact of the new funding arrangement is still to be fully realised; however, we have already seen improvements in every element of service. Our current officer numbers have risen from a low of 515 to 610 at time of writing with more people currently on training courses. We believe that

maintaining a competitive package will help to sustain those staffing levels, which will in turn allow us to better demonstrate our capabilities and fulfil the requirements and expectations of our criminal justice partners. GEOAmey is committed to playing our part in the multi-agency solution that is required to deliver these services effectively.

End.

Crown Office and Procurator Fiscal Service Procurator
Fiscal's Office
10 Ballater Street, Glasgow G5 9PS

□□□

**Jennifer Harrower, Deputy Crown Agent
Local Court**

Richard Leonard MSP
Convenor
Public Audit Committee

Your ref:

Our ref:

Date: 22 March 2024

The 2022/23 Audit of Scottish Prison Service

Thank you for your letter of 9th February 2024 and for providing COPFS with an opportunity to comment on a particularly challenging area of our business. The Crown Agent has asked me to reply on his behalf.

There has been a significant impact upon COPFS, as well as other stakeholders through the duration of the SCCPES contract in respect of which I provide further comments below. In relation to the questions posed by the Committee:

Q1: The Committee understands that the SCCPES contract is managed by the Scottish Prison Service (SPS) on behalf of the MALG. The Committee is keen to understand:

- ***The level of input the COPFS had to the terms of the SCCPES contract prior to it being awarded to GEOAmey by Scottish Ministers in March 2018.***

Although COPFS was one of the smaller stakeholder organisations consulted in terms of developing the procurement strategy and implementation plan, it was involved at all stages and ensured that specific COPFS interests were reflected in the letting of the contract in March 2018. This included COPFS being formally represented as part of the assessment/scoring panel of the sole bid of the procurement process.

- ***The extent to which any concerns the COPFS may have about the contract are addressed at quarterly MALG meetings, and whether meeting quarterly is sufficient.***

Concerns in relation to the contract have been and continue to be raised at every MALG meeting. Concerns are discussed and noted at the meeting and are taken forward by SPS as the contract manager with GEOAmey. As a result of concerns previously raised, a Performance Improvement Notice (PIN) was issued in relation to non-court escorts and the failure to deliver prisoners to VIPER units. Under normal circumstances, quarterly meetings would be sufficient. However, due to the multiple and ongoing issues, it is the view of COPFS that the MALG meetings should be held monthly.

- ***The role the COPFS will have in the retendering process for the contract, which is expected to begin in 2024.***

This matter has not as yet been discussed at the MALG. As per point 1, we would expect COPFS having the same involvement in the retendering process as we have had previously.

Q2: One of the key messages in the section 22 report is that "The ongoing poor performance of the contract is resulting in delays and inefficiencies across the justice sector, impacting on policing, prison services and the courts."

The Committee wishes to understand the extent to which the work of the COPFS is impacted by the poor performance of the contract. In particular, we would welcome specific examples of the impact on the COPFS, including the associated costs to your organisation.

As indicated above, COPFS has been adversely impacted in a number of ways for the duration of the contract. I provide below, a summary of the main categories of COPFS business impacted as well as specific examples.

Impact on Victims/Complainers/Witnesses – This issue has also been raised at the MALG. We have experience of several occasions in relation to Evidential Hearings fixed in the High Court where the prisoner has not been delivered on time. Despite the attendance of victims and witnesses these cases have required to be postponed to a later date due to the estimated time of arrival or non-delivery of the prisoner. On some occasions the victim/witness has reported that they no longer wanted to engage with the prosecution process because of these delays, distress and inconvenience. COPFS staff have then required to provide additional support to try to get them to re-engage in the court process. I would highlight 2 recent cases in the High Court. In one, there were 16 family members or nearest relatives in attendance for a murder case which was due to call at 9.30 am. The accused was not delivered until approximately 5 pm. This had a significant personal impact upon them. On the same day there were victims and witnesses in a rape case who were in the same situation with the accused in that case being delivered at 5pm.

Provision of a safe working environment – The contract provides that GEOAmev should not only provide prisoner escort services but also have personnel to sit in the court docks where accused persons sit during court hearings. The presence of such personnel provides additional confidence to court users including COPFS staff and also victims and witnesses. The absence of such staff erodes the confidence of court users. There have been more instances of persons in custody attempting to escape during court appearances. Occasionally COPFS staff have felt required to become involved in incidents in court involving accused persons, and on one occasion with an accused person who had brought a knife into court.

VIPER (Video Identification Parades Electronic Recording) – The VIPER is an important part of the investigation and evidence gathering process. Very often VIPER evidence is required to establish a sufficiency of evidence against an accused both for the prosecution but also to establish sufficient information to remand the accused for trial. Prior to the PIN being issued in relation to VIPERs there were issues every day with prisoners not being delivered to VIPER units with no communication until that day to inform our staff of issues or potential issues. The issue had to be escalated in respect of several cases where the VIPER parades were critical to cases being progressed at the full committal stage after an accused person has initially been held in custody for 7 days. In one case the accused had to be released on bail because the VIPER had not taken place and COPFS was not in a position to demonstrate to the court that there was sufficient evidence to seek his remand in custody. There have been a number of further cases where the VIPER had been cancelled on several occasions, some up to 10 times. Those were predominantly for cases with vulnerable witnesses so as well as having an impact on the case progression and COPFS staff and Police resources, it also had an impact on victims and witnesses. Since the PIN was issued we have noted improvement but we are still seeing some VIPERs being cancelled.

Custody Business – Issues relating to numbers of individuals in custody who can be safely

transported at the same time. Where the service provider has had insufficient staff to transfer individuals from police custody suites or prisons to court locations, this has had an impact on the time of day when proceedings in court can call. The effect is a delay to the start of court times and as a consequence the delay to the end of the court proceedings. In response to some custody courts running late into the evening the Sheriff Principals issued a Practice Note in September 2023 to regulate court finishing times (7pm on a Monday and 6pm on Tuesday to Friday, with an exception where the court papers and the accused was available to the court by those deadlines). If the accused was not brought to court within those timescales the accused had either to be returned to the police custody suites or prison or kept in those establishment for a further day and brought back to court the following day. To mitigate this adverse impact, COPFS and SCTS staff introduced a process to assist GEOAme staff with the throughput of the custodies. This entails considerable additional work for COPFS staff. Additional liaison between criminal justice partners has been introduced to communicate the time at which individual cases have been reported by the Police, marked by the Procurator Fiscal, and the necessary paperwork delivered to SCTS. This additional work has been carried out across multiple Sheriff Courts to assist GEOAme staff with their contractual responsibilities. Additional meetings have been established on a Monday and Friday to monitor the position in relation to custodies. The purpose of these additional communications and meetings is reduce the number of occasions where an accused has required to be kept in custody for longer than would normally be required.

Communication – There are widespread communication issues with GEOAme which have been highlighted on numerous occasions at the MALG. This is predominantly in relation to the delivery times of prisoners for court appearances. Throughout the day COPFS and SCTS are given estimated times of arrival for prisoners. These change regularly and repeatedly and the information is not always correct. On occasion SCTS and COPFS have been given conflicting information. Due to the lack of communication and accurate information, court business is being adjourned on a regular basis, including Sheriff & Jury trials which have negatively impacted victims and witnesses. These issues also have a financial implication as witnesses who have been cited to attend court and are not able to give evidence still require their reasonable expenses to be paid. We have been given estimated time of arrival for some prisoners required for both Summary and Sheriff & Jury trials as late as 6 pm which means courts need to sit significantly past working hours which inconveniences all stakeholders.

Duration of courts – where the service providers has insufficient staff to transport prisoners this often involves courts taking longer to progress the business. For example, rather than having a steady stream of custodies in a custody court, such courts can be punctuated by long periods of inactivity between the accused being presented to the court. This has been particularly prominent at Glasgow Sheriff Court. During one visit it was noted that there was a period of around 10 minutes between each new custody case being presented.

Start and end times of courts – There have often been delays in bringing accused in custody to the courts. Due to what has been reported as insufficient numbers of GEOAme staff, courts often take longer than they would otherwise. It is not uncommon for the custody court at Glasgow to sit well into the evening/night, despite the Sheriff Principals' Practice Note. Some other courts can sit late particularly on a Monday due to increased number of custodies over a weekend. COPFS considers that much of the delay relates to prisoner escort and related issues. Late running custody courts often require additional overtime payment to be incurred. It also means that some staff have been unable to work at 9am the following day if they have been in the custody court till 10pm.

Ratio of custodies to GEOAme staff – It is understood that for the safety of GEOAme staff and others, there requires to be certain ratios to allow a safe working environment within courts. Accordingly insufficient numbers of GEOAme staff constrains the ability to get through the business with more transports required and more delay.

Defence ability to consult clients – Defence agents have reported to COPFS that they have experienced difficulty getting access to their clients to take instructions before court appearances. This may be due to the accused being delivered late or the service provider being unable to accommodate effective consultations when required. Again this impacts on the ability of court business to be progressed during the court day and has created delay.

Q3: The section 22 report concludes that –

“It will be important for SPS and their partners, Scottish Courts and Tribunals Service (SCTS), Crown Office and Procurator Fiscal Service (COPFS) and Police Scotland to work together with support from the Scottish Government, to consider all options available to ensure the safe and effective delivery of prisoner escorting services both now and, in the future,”.

We are open to working with stakeholders in considering all options available to improve the prisoner escorting services. SPS and SCTS will I am sure provide specific areas that can be considered. From a COPFS perspective, one area that we believe should be considered as part of the next contract is in relation to a virtual or remote attendance at court. With the advance in technology, personal attendance at court and the need to move some prisoners across the county unnecessarily could be significantly reduced.

The contract might also seek to clarify the role of the service provider within court and the extent to which staff have a responsibility for court security. It is understood that the current service provider is of the view that its staff are there to protect persons in custody and protect the public from persons in custody. The position is less clear in relation to their role in the dock where an accused person is not in custody and what role they should play in any disturbance or security issue arising in court. Police Scotland may wish to make representations as to roles and responsibilities in this regard.

I hope that this information is helpful to the Committee.

Yours sincerely
Jennifer Harrower
Deputy Crown Agent, Local Court

Director-General for Health & Social Care and
Chief Executive of NHS Scotland
Caroline Lamb



Scottish Government
Riaghaltas na h-Alba
gov.scot

E: dghsc@gov.scot

6th March 2024

Dear Mr Leonard,

RE: The 2022/23 audit of the Scottish Prison Service

Thank you for your letter of 9 February 2024 regarding the health impact of the failures of the Scottish Courts Custody Prisoner Escorting Services (SCCPES) contract, delivered by Geo-Amey.

I'm aware of the long standing issues which GEOAmey are experiencing in meeting their contractual obligations and I'm assured that the Scottish Prison Service (SPS) are doing all they can to work with GEOAmey to improve their performance. In terms of healthcare appointments, there is currently a contractual Improvement Notice applied to GEOAmey requiring them to improve performance in relation to hospital appointments, this was initially implemented in December 2022.

That being said, the number of prisoners missing hospital appointments as a result of GEOAmey cancellations remains a cause for concern, which my officials have been monitoring for a number of months with the assistance of our partners in the National Prison Care Network (NPrCN) and the Scottish Healthcare in Custody (SHiC) Oversight Board. This has allowed data to be routinely gathered in relation to missed healthcare appointments, which is shared with the SPS and has helped in understanding and responding to contractual issues.

On 6 April 2023, Dr Craig Sayers, the Clinical Lead for the NPrCN wrote to all NHS Chief Executives and Medical Directors to request that patients were not removed or reprioritised on waiting lists as a result of patient transport cancellations. This request was reiterated to Boards again on 19 January 2024 in correspondence from Gary Jenkins, Chair of the SHiC Oversight Board, attached at Annex A. In his letter Mr Jenkins outlines examples of the types of appointments that have been missed, including an example of how this can impact health outcomes.

In this correspondence, Gary Jenkins informed NHS Boards of the current actions underway by GEOAmey and SPS to improve the performance around healthcare appointments. GEOAmey have recently intimated that they will be recruiting a new cohort of staff with further officer training courses throughout the first quarter of 2024. This should have a resultant improvement in escorting individuals attending hospital appointments. In the interim, SPS have agreed that when GEOAmey have failed to carry out an escort to a critical hospital appointment, SPS will hire a private ambulance should SPS transport be unavailable.

In September 2023, the NPrCN met with SPS regarding GEOAmeY escort cancellations. Following this meeting, Prison Healthcare Teams were requested to take the following action to mitigate the likelihood of appointments being cancelled:

- Try to avoid Mondays.
- Schedule appointments after 11 am.
- Provide GEOAmeY with as much notice as possible.
- Where possible, prioritise appointments and communicate this with SPS.
- Where appropriate, maximise the use of telephone appointments and Near Me.

You have asked if data is available on the impact of postponed and cancelled appointments on the health of prisoners. Although the costs of missed appointments are not recorded, the NPrCN have been requesting data on a quarterly basis from all prison establishments in Scotland. This data has included numbers and types of appointments patients have missed. A summary of the most recent data can be found at Annex B, which builds on the data outlined in Annex A. It is important to note that this is management data only, it has not been quality assured, and therefore does not provide a complete picture. It does however provide a useful indication of the scale of the issue and has been helpful in measuring and escalating the severity of the issue and in understanding how successful the steps taken to improve the performance have been. The NPrCN will continue to collect and report on this data.

I note the request that the NHS secondary care teams avoid the scheduling of hospital appointments prior to 9:30 am to avoid clashing with court appearances. To support the previous request made by the NPrCN to prison healthcare teams that appointments should be scheduled after 11am, I have, today, written to all NHS Board Chief Executives and Medical Directors requesting that people living in prison are not given appointments before 9:30. I have also re-iterated the request that suitability of secondary care consultations for a Near Me appointment are considered, and that any appointments which are missed as a result of transportation issues are not re-prioritised on waiting lists.

I hope that the measures outlined above provide you, and the members of the Public Audit Committee, with the reassurance that the Scottish Government and our partners are committed to mitigating the healthcare impacts of prisoner transport cancellations.

Yours sincerely,

Caroline Lamb
Chief Executive of NHS Scotland and Director General for Health & Social Care

LETTER FROM GARY JENKINS TO NHS BOARDS

JANUARY 2024

**CUSTODY HEALTHCARE: GEOAMEY CANCELLATIONS**

To: NHS Board Custody Healthcare Lead
NHS Board Medical Directors
NHS Chief Executive Officers

SITUATION:

The number of planned healthcare appointments for secondary care that prisoners are missing due to GEOAmeY escort cancellations has continued to increase. In April 2023, the Network Programme Team wrote to NHS Board Medical Directors to request that patients were not removed or reprioritised on waiting lists in these circumstances.

GEOAmeY is contracted to escort people from prison to healthcare appointments in the community. The contract is managed by the Scottish Prison Service on behalf of the Scottish Government.

BACKGROUND:

Cancellation rates have continued to increase, 13 out of 15 prisons provided data for cancelled and missed appointments between July-September 2023, the number of missed appointments was 826. This is a significant increase from April - June total of 209. (Appendix A)

A full range of appointments for tests and investigations have been missed. These include:

- Appointments that have required the patient to fast or take bowel prep the day before.
- Planned, day and plastic surgery appointments.
- MRI, CT, radiology, and x-rays investigations.
- Appointments across a range of specialists including physiotherapy, dental, orthopaedic, endoscopy, cardiology, ophthalmology, neurology, gastroenterology, pain clinic, burns unit, audiology, endocrine, dermatology, neuropsychology, musculoskeletal services and ear nose and throat assessment clinics.
- Screening, including AAA and breast.
- Antenatal.

Appointments identified as urgent also continued to be missed, especially if the patient required a transfer between NHS Boards, or if the appointment required three members of escorting staff. The cancellations are resulting in significant delays to treatment and often patients are missing appointments on multiple occasions.

Communications have been received recently where secondary care specialists have specifically stated that, as a direct consequence of multiple missed appointments, patients have come to harm, including an example of an individual with decreased limb function being noted post-orthopaedic surgical intervention.

ASSESSMENT:

The Scottish Prison Service have been working closely with GEOAmeY to resolve the current performance challenges and service delivery issues associated with the prisoner escort contract, including a focus on the impact on Justice partners and the NHS. There has been a revision and recalibration of the contract, which includes clear deliverables for GEOAmeY to meet certain staffing levels and performance targets over the coming months.

Specifically, there is currently a contractual Improvement Notice applied to GEOAmeY requiring them to improve performance in relation to hospital appointments. This was served initially in December 2022 and had an immediate impact with improved service provision. However, as the year went on, with increased staffing issues, they had to maintain and support other important delivery areas such as court operations and delivery. Staffing levels reduced to such an extent, that many contractual areas of service were impacted resulting in SPS and Police Scotland directly carrying out many contractual matters such as hospital detains and ViPER (ID parades), as well as supporting court business.

Subsequently, the Scottish Government have agreed an uplift in the contract funding envelope to support increased and improved levels of staff pay.

Staffing levels have increased by around 40 officers in the last 3 months with another 20 currently in officer training, operationally deployable during January 2024. GEOAmeY have further intimated that they will be recruiting up to 80 new staff during January 2024, with further officer training courses throughout the first quarter of 2024. This should have a resultant improvement in escorting individuals attending hospital appointments. This will continue to be monitored through the Scottish Healthcare in Custody Oversight Board at its quarterly meetings.

In the interim, SPS have agreed that when GEOAmeY have failed to carry out an escort to a hospital appointment, but the requirement to attend a hospital appointment is critical, if the individual is unable to be transported in a SPS vehicle, SPS hire a private ambulance to safely transport the individual to hospital.

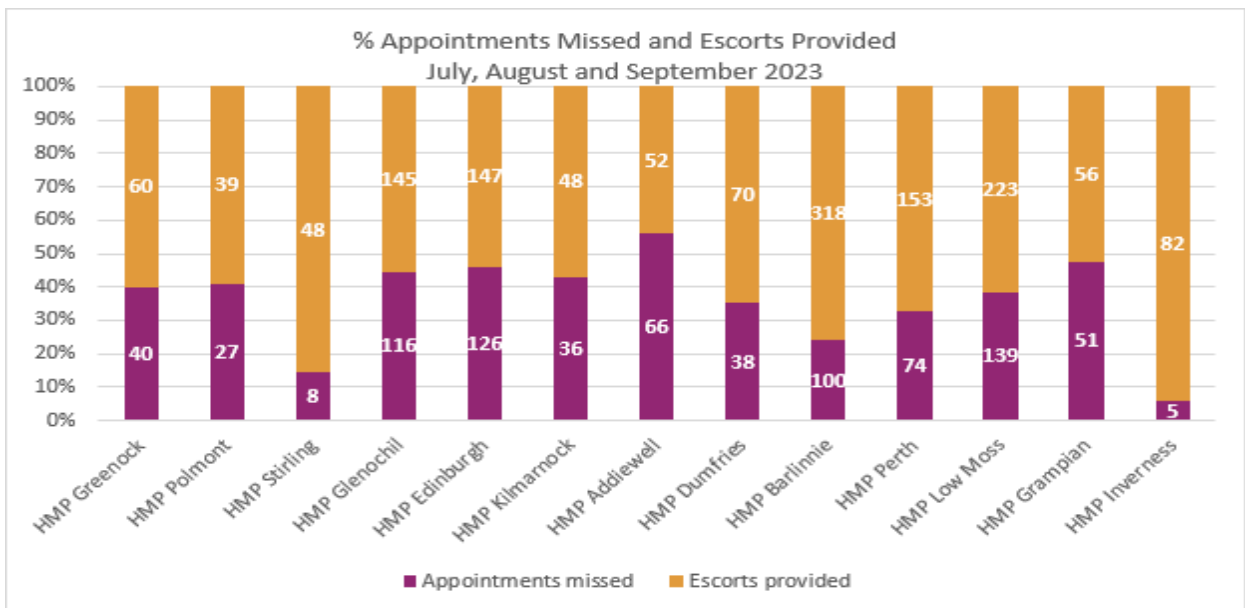
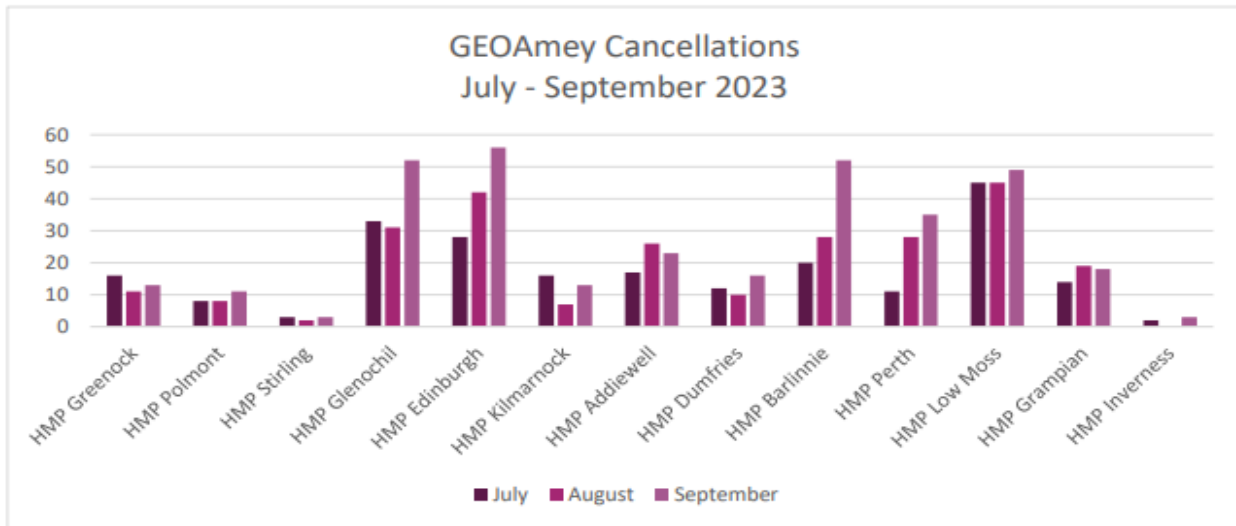
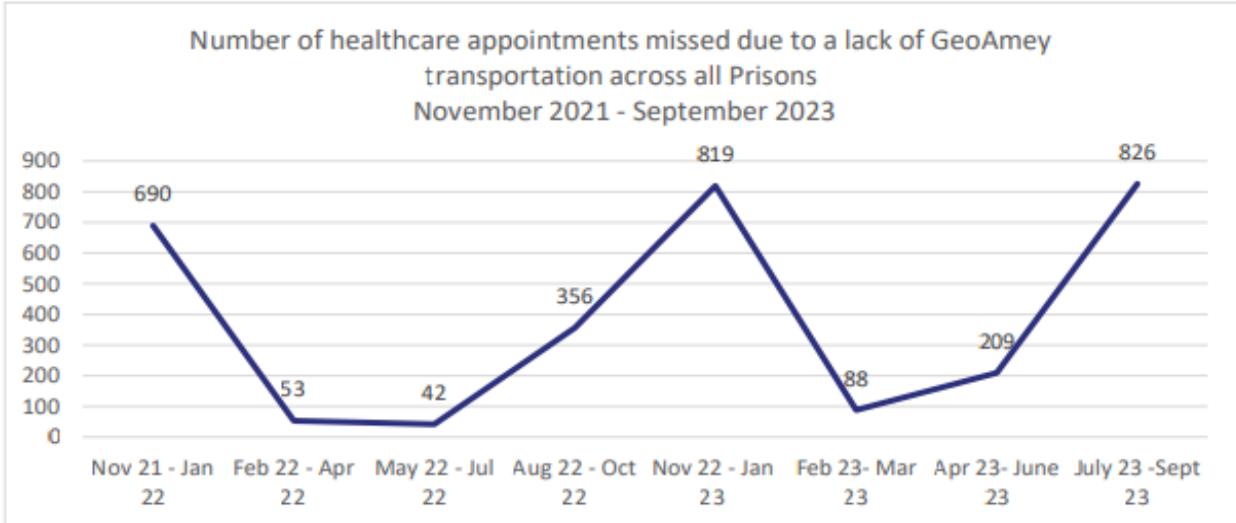
RECOMMENDATION:

Notwithstanding the planned improvement approach noted above, I should like to reiterate the request that individuals from custody settings are not removed or reprioritised on waiting lists as a result of the aforementioned circumstances.



**Scottish Healthcare in Custody Oversight Board
Chief Executive: The State Hospitals Board for Scotland
January 2024**

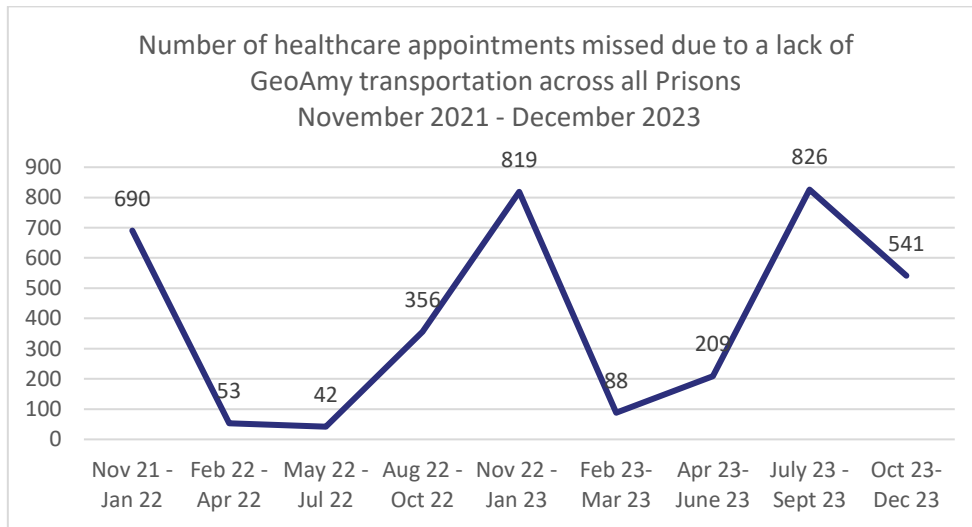
Appendix A: GEOAmeY Cancellations: Volume and Location



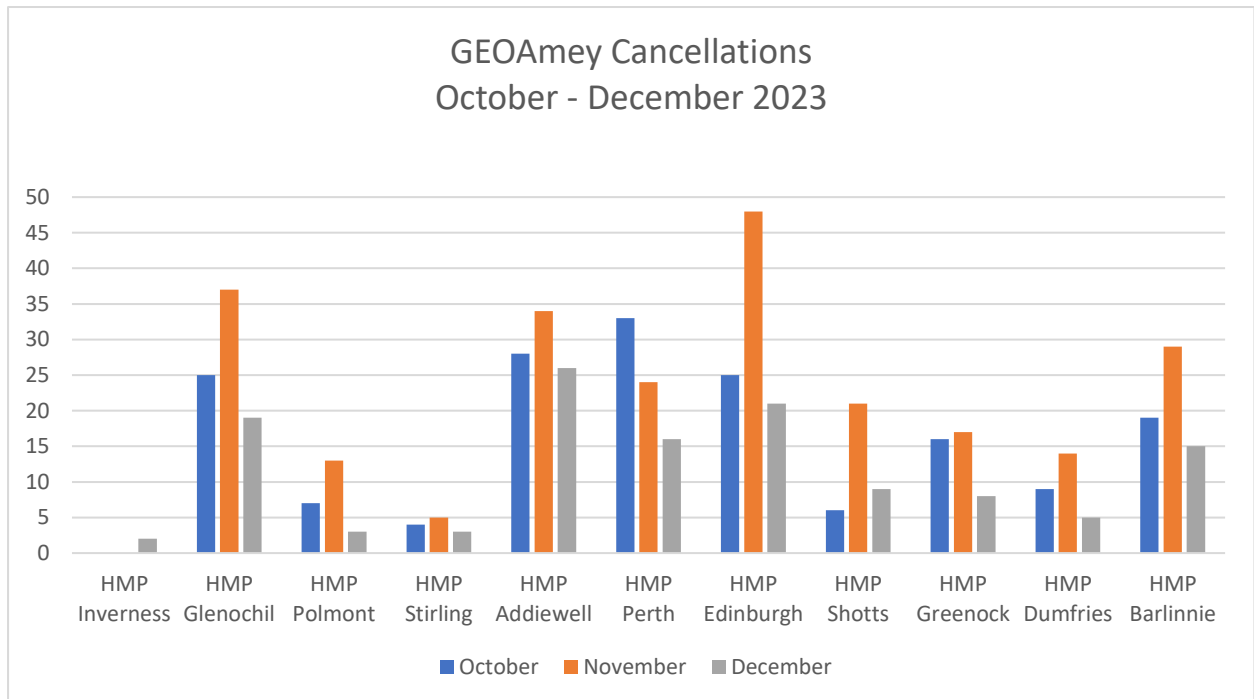
GEOAmeY hospital cancellation data to December 2023

Assessment

Data collected shows that cancellation rates have decreased, however, 11/15 prisons provided data in Q3, compared to 13/15 in Q2. The number of missed appointments for the 11/15 prisons who provided data between October - December 2023 was 541 which is a decrease from July - September total of 826, as shown below:



A summary of missed appointments between October-December for each prison that provided data is shown below:



The number of appointments missed compared to the number of appointments that escorts were provided for is displayed below. Overall, approximately **29%** were missed.

Appointments Missed and Escorts Provided October - December 2023



Scottish Courts and Tribunals Service



Richard Leonard MSP
Convener Public Audit Committee

By email
publicaudit.committee@parliament.scot

1 March 2024

Chief Executive's Office
Parliament House
Parliament Square
Edinburgh
EH1 1RQ

DX 549306
LP1 Edinburgh 10

Dear Mr Leonard

The 2022-23 audit of the Scottish Prison Service

Thank you for your letter of 9 February seeking clarification on issues raised during the meeting on 1 February when the Public Audit Committee took evidence from the Auditor General for Scotland and more widely in the section 22 report.

I have provided a response to the questions asked below.

Q1: The Committee understands that the SCCPES contract is managed by the Scottish Prison Service (SPS) on behalf of the MALG. The Committee is keen to understand—

- The level of input the SCTS had to the terms of the SCCPES contract prior to it being awarded to GEOAmeY by Scottish Ministers in March 2018.

The SCTS provided operational input to the service requirement specification prior to the issuing of the tender documents. The SCTS was represented on the procurement evaluation panel in relation to service requirements, not the financial elements which were commercially sensitive. The approval of the SCTS Executive Team was sought prior to contract award to ensure service requirement specification was met.

- The extent to which any concerns the SCTS may have about the contract are addressed at quarterly MALG meetings, and whether meeting quarterly is sufficient.

Where individual courts experience performance issues, service review forms are submitted to SPS following the established contractual complaints handling process. This enables the identification of developing trends and escalation of issues to the MALG.

Issues concerning poor service performance have been addressed at the quarterly MALG meetings. This, in part, led to SPS and GEOAmeY implementing a Contract Improvement Plan (CIP), which included temporary reduced Key Performance Indicators relating to court service performance.

Additional monthly meetings were instigated to review progress against the Contract Improvement Plan. Relationships with partners are effective and issues requiring escalation to SPS as contract managers are dealt with quickly at the time.

- The role the SCTS will have in the retendering process for the contract, which is expected to begin in 2024.

SCTS will be involved in agreeing the specification of requirements and to be on the tender evaluation panel in relation to contract service requirements, not the financial elements which are commercially sensitive. .

Q2: One of the key messages in the section 22 report is that—

“The ongoing poor performance of the contract is resulting in delays and inefficiencies across the justice sector, impacting on policing, prison services and the courts.”

The Committee wishes to understand the extent to which the SCTS is impacted by the poor performance of the contract. In particular, we would welcome specific examples of the impact on the SCTS, including the associated costs to your organisation.

The Committee also asks if data is available on the number and types of court case that have been impacted by failures in the SCCPES contract, including those where proceedings have been delayed or charges have been dropped as a result of contract failures.

The SCTS continues to face significant impact upon trial and custody courts throughout Scotland due to the ongoing poor performance of the contractor. In particular, late arrival of custodies to court buildings, delays to bringing custodies from cell areas to court rooms and similar delays in bringing accused from prisons to court hearings. All have a direct impact on the efficient running of the courts, leading to delays, cancellation of hearings and late sitting courts. In addition to the significant impact on court business, the SCTS remains equally concerned about the wellbeing of all staff working in courts, the judiciary and court users such as victims and their supporters, witnesses and their supporters, legal professionals and the accused.

As a result Sheriffs Principal introduced Court User Guidance setting time limits on custody courts and removing the requirement of in-person attendance at procedural hearings for those held on remand or serving custodial sentences, enabling GEOAmeY resources to be deployed in other areas. These measures are unprecedented and remain as temporary short term solutions to the ongoing challenges faced by the courts. It is important to note that the agreement to consider reducing to one dock escort (as referenced in the audit report) is for single accused cases only, subject to the relevant risk assessment having been carried out by GEOAmeY, and remains a judicial decision on case by case basis.

The contract is ‘self-reporting’ which requires GEOAmeY to report performance issues to SPS as contract managers. The SCTS collects manual information from the aforementioned service review forms and from court staff in relation to performance of the prisoner escort services, delays, court sitting times and failed docks. From that information we have recorded the following:

There were 573 service review forms submitted by local courts between 1 July 2023 and 17 January 2024.

Custody courts continue to report significant disruption to court time, albeit there have been improvements in recent months. During the period of 1 October 2023 until 31 December 2023 additional time delay period in in processing cases was:

- Sheriff Courts 381 hours
- High Court 49 hours

Loss of trial court days from 1 October 2023 until 31 December 2023 was:

- High Court jury trials 12 days
- Sheriff Court jury trials 14.5 days
- Sheriff Court summary trials 12 days

From 1 July 2023 until 1 January 2024, 30 hearings were postponed due to issues with accused attending court from custody:

- 2 High Court jury trials
- 5 Sheriff Court jury trials
- 16 Sheriff Court summary trials
- 1 JP Court summary trial
- 6 Sheriff court – other

From 1 July 2023 until 1 January 2024, 4 hearings were cancelled as the accused could not be brought from the Police Custody Unit and the accused appeared on the next lawful day:

- 1 petition warrant
- 3 summary new cases

There may be other cases that have been postponed, cancelled or resulted in a loss of court time that have not been reported by local courts.

The SCTS does not hold data on cases deserted as a result of contractual failures. The desertion of a case, and any reasons for this, would be a matter for the Crown Office and Procurator Fiscal Service (COPFS).

Estimated costs associated with these failures;

- Sheriff Court Jury Trial – £ 1,740.63 per day
- Sheriff Court Summary Trial – £1,548 per day
- High Court Trial – £2,871.54 per day

Q3: The section 22 report concludes that—

“It will be important for SPS and their partners, Scottish Courts and Tribunals Service (SCTS), Crown Office and Procurator Fiscal Service (COPFS) and Police Scotland to work together with support from the Scottish Government, to consider all options available to ensure the safe and effective delivery of prisoner escorting services both now and, in the future”.

The Committee is interested to hear your views on the steps you consider will be required to take this joint working forward.

The SCTS remains committed to working with partners and robustly scrutinising GEOAmeys ability to meet and sustain the performance measures set in the Contract Improvement Plan. GEOAmeys staffing levels have increased during January 2024 and it is important that this trend continues in the coming months.

Through the Criminal Justice Board work is already underway to assess the future model for prisoner escort services, reflecting the introduction of fully virtual custody courts and prison to court video links for all procedural hearings where is accused is not pleading guilty. Defining this model will inform the potential tendering of future services.

If you require any further information please let me know.

Yours sincerely

Eric McQueen
Chief Executive

Chief Constable

Richard Leonard MSP
Convener
Public Audit Committee
By email: publicaudit.committee@parliament.scot

13 March 2024

Dear Convener

The 2022/23 Audit of the Scottish Prison Service (SPS)

I write in regards to your correspondence received on 9 February 2024 on the Section 22 report for the above.

Q1. The Committee understands that the Scottish Court Custody & Prisoner Escorting Service (SCCPES) contract is managed by the Scottish Prison Service (SPS) on behalf of the Multi-Agency Liaison Group (MALG). The Committee is keen to understand:

- **The level of input Police Scotland had to the terms of the SCCPES contract prior to it being awarded to GeoAmey by Scottish Ministers in March 2018.**

Police Scotland were fully consulted on the terms of the SCCPES contract and on 24 January 2018, confirmed approval of the recommendation to award the contract to GeoAmey. Police Scotland remain fully engaged with SPS and wider MALG, and during the renegotiation of the contract in 2023, Police Scotland were consulted on pertinent matters prior to the changes being ratified.

- **The extent to which any concerns Police Scotland may have about the contract are addressed at quarterly MALG meetings and whether meeting quarterly is sufficient.**

At MALG meetings, Police Scotland raise ongoing trends and concerns directly with GeoAmey directors, who provide additional information as required. SPS have also looked to introduce a monthly Contract Improvement Plan meeting, providing a space to resolve issues at MALG level.

The quarterly MALG meetings are supported by monthly Police Scotland and GeoAmey liaison meetings and, more recently, the addition of a Monday and Friday Joint Assessment meeting.

This is attended by GeoAmey and MALG partners to discuss emerging court issues. In addition to scheduled meetings, ongoing concerns are addressed on a case-by-case basis between Police Scotland and GeoAmey, either directly or through Police Scotland's Prison Escort Monitor.

Police Scotland is satisfied that there are sufficient measures in place to enable discussion of emerging issues in support of the MALG, and that the quarterly MALG meeting is sufficient.

- **The role Police Scotland will have in the retendering process for the contract, which is expected to begin in 2024.**

Police Scotland is aware that the retendering process for the contract, led by SPS, will begin in 2024, and expect to be fully consulted on proposed changes prior to the contract being finalised.

Q2. One of the key messages in the Section 22 report is that-

“The ongoing poor performance of the contract is resulting in delays and inefficiencies across the justice sector, impacting on policing, prison services and the courts”

- **The Committee wishes to understand the extent to which Policing in Scotland is impacted by the poor performance of the contract. In particular, we would welcome specific examples of the impact on Police Scotland, including the associated costs to your organisation.**

When GeoAmey fail to meet a contract obligation, MALG partners submit a Service Review Form to GeoAmey, detailing the issue and impact.

All Service Review Forms submitted by Police Scotland are routed through Criminal Justice Services Division, who record the number received and identify trends. It is against this data that GeoAmey service delivery performance is measured.

The main impact of poor contract performance on policing is felt in the cancellation of planned Police Identification Parades (VIPERs), late uplifts of persons in police custody to court, late uplift of vulnerable custodies, and late uplift of cross border arrests. I will explore each of these areas individually, and provide Case Study information in respect of how this poor performance negatively impacts on policing.

During 2023, a total of 533 Service Review Forms were submitted to GeoAmey by Police Scotland in relation to contract failures. So far in 2024, 34 Service Review Forms have been submitted.

However, there is anecdotal evidence that Service Reviews are not always carried out, despite frequent reminders to do so, because of the apathy arising from GeoAmey's standardised responses.

POLICE VIDEO IDENTIFICATION PARADES (VIPER)

During 2023, 349 Service Review Forms were submitted regarding VIPER contract failures. VIPER performance was poor at the start of 2023, where in January, 58 Service Review Forms were submitted. After SPS served GeoAmey with a Performance Improvement Notice in March 2023, performance improved to September, where 60 cancellations were reported. These stabilised towards the end of the 2023. So far in 2024, 19 cancellations have been reported, 12 because of GeoAmey's failure to provide an escort.

In some cases, where an appointment was cancelled due to GeoAmey's inability to provide staff to escort the prisoner to and from the appointment, legislative deadlines meant the appointment could not be missed. Local Policing Officers were therefore abstracted from patrol duties to provide the required escort.

OFFICIAL

In other cases, cancellations were caused by the prisoner arriving late. Where the appointment was completed, GeoAmey were unable to uplift the prisoner back to their establishment within the contracted 1 hour of receiving a call to confirm the appointment was concluded, resulting in the prisoner being lodged at a Police Custody Unit for a longer than expected time, resulting in resourcing issues for the Police Scotland as well as increased levels of anxiety for the prisoner.

Significant work is undertaken by VIPER units to arrange the attendance of witnesses and defence solicitors at parades. Repeated cancellations create additional work and increase the possibility of the prisoner being liberated from remand prior to the parade being completed.

Between 10 July and 24 August 2023, Police provided "step-in" support for cancelled appointments, utilising 75 Police Officers and staff to facilitate 148 hours of escort at an estimated cost of £5,000. This cost includes officer time and associated overheads.

Police Scotland worked with GeoAmey and other MALG partners to implement risk mitigation measures. These included rescheduling appointments out with core court escort times and busy court days, wherever possible. Improved communications and intrusive overview ensured early sight of cancelled appointments and helped to plan contingencies.

CASE STUDY 1

In February 2023, a VIPER appointment was arranged having been cancelled 8 times previously. GeoAmey advised in advance that they could not facilitate the 9th appointment attempt, requiring contingencies to be implemented.

CASE STUDY 2

In May 2023, an HMP prisoner was delivered on time for a VIPER appointment which concluded at 1650 hours. GeoAmey were advised to uplift the prisoner. GeoAmey did not arrive until 1944 hours, during which the prisoner had become increasingly agitated due to remaining in Police Custody for an extended period.

POLICE CUSTODIES

In 2023, 143 Service Review Forms were submitted in relation to contractual failures where persons in Police Custody were either uplifted late or did not arrive at court in time. These issues were mainly due to reduced GeoAmey staffing numbers, impacting on available resource to crew vans, staff courts, or to look after vulnerable custodies.

Court performance became sub-optimal in May 2023. In June 2023, Custody Courts began to run for a longer than expected time due to an increase in court loading, negatively impacting on MALG partners, in particular, SCTS and COPFS. Edinburgh, Glasgow and Hamilton Sheriff Court were the main courts affected, the latter drawing widespread social media and public attention when the court ran past 2200 hours.

For Police Scotland, late uplifts impacted on provision of care and welfare, reduced capacity for new arrests/progression of investigations, provision of constant observation duties for a longer than expected period, and provision of escorts to court. They also affected the NHS in terms of the sourcing and provision of additional medications, which would not have been required if the person had been uplifted to court on time.

In June 2023, SPS issued GeoAmey with a Performance Improvement Notice. The ongoing late operation of courts due to GeoAmey issues ultimately resulted in enactment of the Sheriff Principal's Orders in September 2023.

Between 10 July and 24 August 2023, the late uplift of custodies required the abstraction of 58 Police Officers or staff to provide 260.25 hours of escort, with an estimated cost of £9,500. This cost includes officer time and associated overheads.

Towards the end of 2023, performance had started to improve, and continues into 2024, where 14 Service Review Forms have now been submitted to date for Police Custody issues.

CASE STUDY 3

In June 2023, a number of persons in Police custody required to be uplifted to appear at Hamilton Sheriff Court. Police Scotland were advised that morning that uplift would not be completed until 1750 hours. Later in the afternoon, GeoAmey advised they could not accept Police Custodies due to staffing and capacity issues. 6 person were uplifted at 1900 hours. 4 remained, 3 of which were vulnerable. GeoAmey were not in a position to accept those persons, who were eventually transported by Police to court at 2100 hours.

CROSS BORDER ARRESTS

Cross Border arrests relate to those persons arrested in England, Wales or Northern Ireland on a Scottish Warrant. In 2023, 41 Service Review Forms were submitted for contractual failures. These were mainly the result of late uplifts of persons in custody, or late arrival to court after closure, which led to their being held in custody for court the next lawful day.

In 2024, only 1 Cross Border Service Review Forms has been submitted.

CASE STUDY 4

In August 2023, a person was arrested in England on a Scottish warrant, the day of arrest was Thursday. Repeated phone calls were made to GeoAmey to ensure uplift of the person to attend court the next lawful day, namely the Friday. The person arrived to Scotland on Friday evening after courts had closed and remained in Police custody over the weekend to appear at court on Monday.

In comparison with 2023, it is clear that GeoAmey's performance has stabilised. Improvement corresponds with the Contract Improvement Plan and increased recruitment activity to achieve the proposed Target Operating Model. It should be noted, however, that issues still occur and Police Scotland will continue to engage and work collaboratively with GeoAmey, and MALG partners, to support stabilisation and a return to business as usual.

Q3: The Section 22 report concludes that:

"It will be important for SPS and their partners, Scottish Courts and Tribunals Service (SCTS), Crown Office and Procurator Fiscal Service (COPFS) and Police Scotland to work together with support from the Scottish Government, to consider all options available to ensure the safe and effective delivery of prisoner escorting services both now and in the future"

Police Scotland continues to work collaboratively with all MALG partners. Opportunities have already been taken to enhance our own process efficiencies, which will be of benefit whilst GeoAmey eventually to return to a business as usual status.

In addition to this, contingency plans have been drafted and transformation work is presently ongoing with our Criminal Justice partners to explore innovative solutions, including Virtual Custody (VC) Courts. Efforts are also being made to make best use of 'alternative disposals to custody', including greater use by operational officers of Direct Measures, Investigative Liberation, and Liberation on Undertaking, ultimately reducing the number of people attending at court and thereby alleviating significant demand on the court system.

Yours sincerely

Jo Farrell
Chief Constable

Angela Constance MSP
Cabinet Secretary for Justice and Home Affairs
St Andrew's House
Edinburgh
EH1 3DG

14th December 2023

Dear Cabinet Secretary

Impact of failed GEOAmey contract in the Scottish Justice Sector

I refer to our meeting on 16th November where I set out for you the recurring problems and the incredibly troubling associated spiralling costs on the failed GEOAmey contract. In discussions with PCS reps, we have decided that we must write to you formally and as a matter of urgency regarding our grave concerns about the problems at GeoAmey. Despite meeting last month, we have received no constructive feedback.

Audit Scotland Report

We have now had a chance to look at this report which confirms our worst fears of seeing tens of millions of pounds wasted on this failing public sector contract. The money being thrown at this contract by employers in the justice sector is quite frankly obscene with no alternatives in place but to continue on this path until the contract expires.

Lack of custody staff in courts

Everyday there are ongoing issues about the lack of custody staff in courts and in some cases, there have been no custody staff in courts. Consequently, staff are fearful for their own safety but also the safety of the wider public and other court users. We are also aware that because of ongoing resource issues within Police Scotland that they have scaled back their presence which also leaves courts vulnerable and exposed. We want to make sure that you are fully aware of the huge risk this poses and the potentially dire consequences of such short staffing.

Impact on courts

We are aware of significant delays every day in the courts. Below is a very brief overview of some of the problems:

- vans redirected at the last minute whilst transporting accused resulting in cases calling late or other courts having to set up VC links
- Contractual numbers of GeoAmey officers being in the courts are not being assigned

- Lack of communication/accurate communication. If custody hasn't arrived in the building it is very difficult to find out where they are and an ETA
- With only 1 officer assigned to the custody courts this means waiting times are a lot longer – officer taking one person to court, taking them back, transferring the custody to their cell, preparing the next custody from their cell and bringing them through.
- Given the current shortage of GEO Amey staff it is not always possible to arrange a “split court” on days other than Mondays when there is a large volume of custodies to be dealt with. SCTS managers are having to offer suggestions and solutions to GEO Amey on to how they manage courts and their business.
- GEO Amey will unilaterally put courts down when they do not have enough staff to cover them. This is usually done without consultation and this has an impact on SCTS staff as they now have to rearrange court business to suit the situation at short notice.
- There is also a spread of places from which custodies can arrive. This is especially true in relation to extraditions where persons detained on extradition warrants can come from all over Scotland. If there is a lack of transportation to deliver these people, then there will be delays in appearing in court or courts having to sit late.
- There have been delays in Jury Trials caused by waiting for prisoners to be brought to court with the result that jurors are inconvenienced by having to wait all day. On other occasions jury trials have been delayed by a day as accused persons have not been brought from custody causing further inconvenience to jurors and expense to the Courts.
- Accused persons in Jury trials are also meant to be accompanied by two GEO Amey officers but, as I understand it, this seldom happens creating a substantial risk to the safety of jurors.

Logistics Problems

There seems to be no contingency plan when a van is not available, with the accused person left behind at a prison or police station and in some cases have had to endure an extra night in custody. Lack of resources means that custodies are not arriving in courts until the late afternoon. There is also the question of “special uplift” custodies which are dealt separately from other custodies and require more resources, for example those on suicide watch require to be monitored by 3 officers constantly.

On social media, the Scottish Bar Association has made very clear the impact of these logistical problems with no apparent end in sight.

Use of Virtual Courts as a solution?

The use of video links in First Diet Courts has been increasing but there is the knock-on effect of this causing more work for court staff in that bookings, setting up the links and co-ordinating with the prison these all have to be managed. Video links are also impractical where accused require an interpreter.

At present video links can only operate from prison or certain larger police stations. There seems to be no scope for video links from smaller police stations.

Wellbeing of staff

Staff are having to work exceptionally long hours and we are concerned that some may be contravening the working time regulations.

Part of the problem is that much of this overtime is unplanned and reactive based on GEOAmey staffing, i.e. this contract is not only costing millions in public money directly, but indirectly is damaging the wellbeing of staff and costing more in terms of staff wellbeing and overtime.

Many court staff do not live locally, and late finishes mean that they are returning home extremely late in the evening. If they rely on public transport, there is the risk that they might not get home at all depending on when their last bus or train.

The Audit Scotland report confirms the reality of the situation which is we are now in the outrageous position of a failing private sector company running the Scottish justice system.

It would therefore be helpful if you could help us understand how you intend to deal with this issue going forward.

Yours sincerely

Cat Boyd
PCS National Officer or Scotland