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Mr Will McMahon
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13 April 2015

Dear Mr McMahon

**PERSPECTIVES FROM INSIDE: A REPORT FROM HMP GRENDON AND HMP BARLINNNIE -
ABIGAIL AMEY AND ZOE ELLIS**

I am writing following earlier correspondence between Jim Carnie, SPS Head of Research, and you following publication of the above report.

I should stress at the outset that SPS is committed to providing high quality and effective services to the people in our care. We take very seriously our obligations to respect their rights and needs in supporting them on their journey back into full and active citizenship. In doing so we welcome the opportunity to work with and learn from others with relevant knowledge and expertise, and are mindful of the need to accept constructive challenge and criticism of what we do and how we do it.

It is against this backdrop of encouraging discussion and the sharing of insights in order to improve outcomes for prisoners and society as a whole, that SPS has established clear and robust procedures for researchers and research students to access establishments for the conduct of empirical research. These arrangements are proportionate, reasonable and fair to all concerned.

The Centre on this occasion has chosen not to comply with SPS procedures and has also deliberately elected to publish a report containing serious allegations without having the courtesy either to notify us in advance of the report; or provide us with the opportunity to comment on the findings, including for points of factual accuracy.

Notwithstanding these failings, the report is seriously deficient in not including disclaimers that make clear its limitations, including the limited sample size and therefore the highly selective, partial and impressionistic nature of the commentary and the factual inaccuracies that could be (and indeed are) included in certain of the assertions and allegations. There is no attempt to contextualise the findings, including noting the very different nature of the two establishments in question.

In the view of the SPS, this approach is irresponsible and it is not acceptable to us. The approach that you have chosen to take seriously undermines the credibility of the work and indeed, in our
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view, brings into question the credibility of the Centre as the sponsor of the report. Notwithstanding its shortcomings, there is no question that the report does not constitute empirical research as any reasonable person would see it: it was published under the auspices of a recognised Institution; has been funded in part at least through public monies; and has been presented at an EU conference.

In summary, the SPS is clear that this is not competent work and that it has not been produced with the rigour and to the standard to be expected from publicly funded research and which we routinely see from our wider engagement with the research community. We are very willing and open to engage in debate and discussion about any of the issues covered by the project as a whole, but I should stress that this correspondence should not be seen in that vein; we are looking for assurances that the Centre will act to remedy the shortcomings of this report.

I would be grateful for your response to these concerns. To assist with this I attach a more detailed commentary on the report which has been prepared by Jim Carnie. I would be grateful as well for assurance that should the Centre wish to access SPS establishments in the future to conduct research associated with either this or any other project, that you will do so in line with our requirements for doing so. I would also be grateful for further information about the funding authorities for this current project since we intend to communicate our concerns and requirements to those authorities as well.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'ID' followed by a stylized flourish.

Ian Davidson

Director of Strategy and Innovation

From: Dr Jim Carnie
Head of SPS Research
27 March 2015

Ian Davidson, Director, Strategy & Innovation

PERSPECTIVES FROM INSIDE: A REPORT FROM HMP GRENDON AND HMP BARLINNIE - ABIGAIL AMEY AND ZOE ELLIS

SPS' first sight of this report was on 16 March when a copy was received by the Governor of HMP Barlinnie who forwarded it to SPS Headquarters for comment and handling. In an initial response to the Centre for Crime and Justice, I raised the concerns of the Scottish Prison Service which is firmly of the view that the report contains a number of factual inaccuracies which we believe significantly, and indeed grotesquely, distorts conditions and relationships prevailing in HMP Barlinnie.

The "Perspectives from inside" workshop events on which the report is based have been used to gather prisoners' perceptions on aspects of human rights in prisons in different jurisdictions. These perceptions, which in many instances amount to assertions, allegations and unsubstantiated claims, have been recorded and seemingly treated as incontrovertible facts not requiring any further contextual enquiry or clarification on actual validity. There appears to have been no attempt to evidence or substantiate the assertions through cross-reference or any recognised method of verification by triangulation. As a consequence sweeping generalisations on staff attitudes and behaviour are made frequently on the basis of a comment from only one prisoner. The Centre for Crime and Justice's initial response to this point is that the exercise did not constitute research. This is disingenuous.

SPS' view is that this is indeed a research exercise, as it involved contact with both staff and prisoner to gather data and, as such, should have been considered through SPS Research channels. Opportunities to undertake research within SPS are limited by the nature and operating environment of the organisation, but SPS is open to collaborating with qualified individuals and research students who can demonstrate clarity of purpose and evidence quality proposals pertaining to prisons research. Guidance is available to researchers and research students on the procedures for applying for access to the Scottish Prison Service to conduct such empirical research.

All requests to conduct empirical research within the Scottish Prison Service are considered by the SPS Research Access and Ethics Committee. Requests are assessed against standard criteria which include items such as literature review, knowledge of the substantive area of enquiry, methodology, objectives, ethical propriety, utility of the proposed work for SPS, experience and ability of the researcher, sensitivity to the prison environment, extent of access required, timescales and dissemination plans. All researchers allowed access to establishments are required to sign an undertaking to abide by the appropriate ethical guidelines of their profession or discipline. The Committee upholds the highest ethical standards to protect the welfare and dignity of prisoners.

Adherence to the research access process allows accurate records to be kept regarding research demand, prevents possible repetition or duplication of effort, permits priority to be given to SPS-sponsored work, monitors levels of research activity in Scottish prisons, imposes a

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standard set of regulations on all researchers entering prisons, ensures ethical propriety and provides an official channel for keeping Ministers and the Scottish Parliament informed about research in SPS.

While there is no record of the study being cleared through normal channels involving the SPS Research Access and Ethics Committee, it appears that the fieldwork and workshops cited in the report were negotiated and arranged informally at local level through a previous Governor and senior management team. As a consequence of due process not being followed, SPS has not had any opportunity to comment on a draft report prior to its public release. Section 10 of the SPS Research Access Regulations, which ought to have been signed, stipulates: “In principle, the Scottish Prison Service supports the publication and dissemination of research findings arising from approved work, but the Service reserves the right to amend factual inaccuracies.”

Had standard conditions been signed, many of the current concerns being raised within Barlinnie and SPS Headquarters could have been avoided. Even in the absence of these formal conditions pertaining, it is perhaps not unreasonable for the Scottish Prison Service, having facilitated workshops, to have expected sight of a draft report for comment and input prior to release as a matter of courtesy.

Deputy Director of the Centre, Will McMahon, in recent correspondence has clarified the status of report which “was not the product of academic research methodology and was never intended to be scientifically valid...The workshops were aimed at gathering the views of prisoners and others who attended about *their* experiences of the English and Scottish prison system. The main purpose was to carry out a listening exercise...”

SPS finds this position and explanation unconvincing and in no way reassuring. From SPS’ perspective, the report is ill conceived, written in an alarmist inflammatory style and contains a number of factual inaccuracies which distort conditions and relationships prevailing in HMP Barlinnie.

It is also difficult for SPS to accept passively that “it was not a piece of research but simply seeking to report the reflections of the prisoners and others who chose to attend the day.” While the introduction to the report indicates that prison staff and voluntary sector providers took part in the workshops, there is not a single contribution from these sources which might provide an alternative point of view or any balance to some of the more extreme and alarming assertions. The report is unbalanced and uncritical of the “observations and opinions” (page 2) expressed by a small minority of prisoners, which do not reflect accurately services or conditions in the prison. Surely any exercise of this kind, even if described as a “listening exercise”, has a methodological and moral obligation to enquire into the evidence for the assertions made and to place comments in a wider explanatory context with appropriate qualifiers.

If facilitators and authors *did* genuinely believe the perceptual accounts conveyed to them were unassailable facts, might it also not be unreasonable to expect those with this information to take appropriate steps to bring it to the attention of responsible authorities so that these allegations, some of which constitute criminal actions, could be properly investigated? Most current research information and consent forms would accommodate such disclosure as exceptions permissible within the standard anonymity and confidentiality sections.

The exercise has also been undertaken in several other European countries, presumably with the same remit and by the same method, to ascertain how prison experience matched the requirements laid out by the European Prison Rules. SPS understands that results have been presented and discussed at a conference in Brussels in January 2015 and findings sent to the European Commission and Parliament.

SPS is unsighted and unclear on the protocols used for the assessment, awarding and distribution of the funding which underwrote the project in each of the European jurisdictions. Irrespective of processes and amounts involved, it seems inconceivable that the EU would award monies without some rigorous assessment of project design, objectives and deliverables. If assessment processes have been followed, then it now seems the EU has paid for, and is being presented with, a deliverable that is *not* “the product of academic research methodology and was never intended to be scientifically valid”. This seems absurd. Even more so, when a conference has been convened based around findings from respective enquiries.

Regarding report content, it is a fundamental error to compare and contrast HMP Grendon with HMP Barlinnie, as each establishment holds a different population and serves a different and distinct purpose. Although the report is based on comments received in two prisons, it regularly refers to issues and situations across the “prison estate” (sometimes with the direct qualifier “except at Grendon”). It is unclear how some of these extrapolations have been drawn and whether the remarks concern the Scottish prison estate or HM Prison Service estate. Terminology used is also very loose and inaccurate with the expressions “inmate”, “guard” and “wing” having no currency in Scotland.

That “*the prisoners told us they had volunteered to take part, some because they wanted ‘a decent lunch’, and others because they wanted some time out of their cell (many did not supply a reason)*” should possibly have set some critical alarm bells ringing. There are many factual inaccuracies in the report, *inter alia*:

“Visits were described as ‘unpleasant’ experiences by several prisoners.”

The Prisoner Survey 2013 indicated that 68% of prisoners appreciated the quality of the visits. HM Inspector of Prison’s last report in 2011 noted that the quality of the visits was good and the visits room an excellent facility. Further, that great care was taken to bring families into the prison for specially designed events with good links to community based organisations.

“It was noted that the prison officers make decisions about medication, including when it should be stopped, rather than medical staff.”

Decisions on medication are made by qualified medical or nursing staff.

“The rise in prison suicides was used as an example of how the care mechanisms are often ineffective.”

There has been no rise in the suicide rate in Scotland comparable to that experienced in England and Wales.

“Transfers were described as being particularly humiliating because of the heightened security during this process, which means that more force is used. Prisoners also said that restraints are used very forcefully, with the possibility of breaking prisoners’ wrists, though this varies depending on which staff are dealing with you and what type of training they have received.”

The responsibility for hand cuffing prisoners on transfer lies with escorts contractor G4S. The contract with G4S is carefully monitored and the contracts monitoring team have no record of any such incidents, which would be subject to both disciplinary sanction and penalty.

“It was felt that SPS in general is not geared up to the rehabilitation of offenders, and that there should be more of a focus on progress towards release.”

SPS has had a system of Integrated Case Management in place since 2007 and its recent Organisational Review in 2013 set out revised throughcare arrangements to support the prisoner both in custody and on release.

“...led to some guards bringing in drugs and phones for certain prisoners.”

There is no record from Barlinnie’s own security procedures that this is the case. Were such practices to be uncovered, they would be subject to the criminal law and internal discipline resulting in dismissal.

“Officers were believed to sometimes encourage bullying and fighting between prisoners and to escalate many of the conflicts inside.”

This is fundamentally the opposite of the case. Officers are trained from the outset to always de-escalate conflict situations. If restraint were to become necessary, techniques and controls are in place and the situation is carefully monitored and recorded.

“It was felt that some officers use force to show their power over the inmates, with younger staff being more likely to use ‘excessive force’. Prisoners also said that methods of physical control are used ‘too quickly’ but with no consistency....Staff do not listen to management and abide by the rules, so an officer can ‘throw a punch’ regardless of the rules, prisoners said.”

No officer ‘can throw a punch’ with impunity as means of exerting control. Any use of excessive force would be captured on CCTV and such behaviour would be subject to inquiry and possible disciplinary action and criminal charge.

Generally speaking, findings from successive Prisoner Surveys have never given rise to the issues outlined in this report. Some key findings from the last survey in 2013 included:

- 94% of prisoners indicated that they get on well with other prisoners in their hall.
- 88% of prisoners indicated that they get on well with officers in their hall.
- 84% of prisoners were content with the atmosphere in the prison.
- 80% were content with access to family and friends.
- 77% of prisoners indicated that they get on well with staff in the vehicle on their most recent court visit.
- 77% of prisoners said they were generally treated with respect by staff.
- 69% of prisoners were content with the way in which they were addressed by staff.
- 66% of prisoners indicated there was a member of staff that they could turn to for help.
- 63% of prisoners said they were feeling optimistic about the future.

Moreover, the most recent HM Inspectorate of Prisons evidence-based inspection report on Barlinnie in May 2011, while critical on a number of points, found much to be positive about in staff-prisoners relationships. A sample of positive comments included:

- “Barlinnie is well led and the staff have a good understanding of what they have to do. Given the number of ‘moving parts’, the prison runs efficiently and effectively.”
- “Staff embrace change and are not afraid to lead the way in innovative practice.”
- “The prison is safe in terms of levels of violence and appropriate steps are taken to protect prisoners from harming themselves.”
- “Overall, despite the physical conditions staff make a real effort to treat the prisoners decently.”
- “Despite the pressures of a constantly fluctuating and overcrowded population staff act professionally, usually call the prisoner by their first name or prefix their surname with Mr.”
- “Feedback from prisoner groups and observations by inspectors also indicate that relationships are good.”

SPS is genuinely alarmed at the inaccurate content of this report and its unjustifiable inflammatory style. We seriously question not only the scholarship, but also the apparent lack of any quality assurance process in the drafting of the report.

SPS supports quality social research, maintains close contact and relations with universities and academic researchers in the field of criminal justice, and is open to constructive criticism of its policies and practices based on empirical studies with a solid evidence base; rigorous methodology and data analysis; and reasoned and justified conclusions. SPS is shocked, and indeed disappointed, at the way in which this work has been conducted and in the manner in which the report has been presented.

SPS is currently embarked on a radical transformational change agenda based on building trust with those in custodial care to promote confidence and citizenship for their return to pro-social community living. Reports of this kind unjustifiably undermine and jeopardise the work of SPS and its hard working staff and causes untold reputational damage to the Service and its associate partner agencies when replicated in sections of the popular Scottish press. We hope that in future, if we have occasion to work with the Centre for Crime and Justice Studies, we can put in place the structures and processes to ensure the observance of necessary rigour in both scholarly approach and output.

Dr Jim Carnie
Head of SPS Research
Directorate of Strategy & Innovation

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INTERNAL ASSESSMENT OF ISSUES RAISED - 'PERSPECTIVES FROM THE INSIDE'

Heading	Comment Made	Response
Culture	It was recognised that every prison in Scotland is run in a different way, and that there is a lack of consistency in the regimes, cultures and rules between the prisons. The prisoners repeatedly mentioned that Barlinnie was worse than most prisons – it has its own 'mentality', 'things are done differently here', and it 'makes its own rules'	Barlinnie prison is inspected by H.M. Inspector of Prisons and audited across a broad range of business areas by an internal SPS team. All prisons function according to the category of prisoners and the regime required offering prisoners a safe environment with opportunities and appropriate interventions to progress. As with all prisons, HMP Barlinnie conforms to SPS policies, including The Prisons and Young Offenders Institutions (Scotland) Rules 2011.
Culture	All agreed that Barlinnie does not properly follow the EPRs (as described to them in the workshops), with prisoners feeling that their basic needs are not met. The prisoners assumed that there is a copy of the EPR handbook in Barlinnie's library, as every prison must have a copy on site, however, the prison staff are reluctant to allow prisoners access to the document. It was suggested that this might be because staff do not want to be on the receiving end of prisoners' frustrations for rules they cannot change in the system.	There are 2 copies of the European Prison Rules in the prison Library and have been for several years. Prisoners can view these documents any time they wish. All halls have a minimum of one library session per day, prisoners can also access the library from the work sheds. There are an average of 2000 prisoners per month visit the library.
Regime	<p>1. Showers – often it is only possible to get a shower once in every 48 hours</p> <p>2. Clothes – new arrivals are given second hand clothes, which are often the wrong size</p> <p>3. There was also discussion of the 'main day-to-day gripe' about the food. There is a delay in serving the food so it is cold, because the route to and from the kitchen is too long Barlinnie is an old prison and does not have kitchen facilities on the wings</p>	<p>1. Showers are an integral part of the Barlinnie regime with every prisoner being afforded the opportunity to shower on a daily basis. Every prisoner who attends the gymnasium has access to a shower before returning to the hall with 40 new showers recently installed. Prisoners returning from work can also get a shower.</p> <p>2. Every prisoner is given 3 pairs of brand new pants and 3 pairs of socks on admission. There is a ready supply of new clothing in every residential area, however we do re-laundry and reuse clothes. These are laundered and disinfected to industry standards.</p> <p>3. The food is delivered in hot trollies and plugged in within residential areas. There is no loss of temperature and complaints from prisoners about food are rare. Complaints are monitored by the Governor on a monthly basis. In addition, food is tested for quality, presentation and temperature on a daily basis by the duty manager. The manager selects a different residential area every day to avoid complacency.</p> <p>There are no kitchens in any SPS prison within a residential area. There were 12 food complaints in 2013/14 and 1 complaint 2014/15 to date. This is based on approximately 1.36 million meals produced each year.</p>

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INTERNAL ASSESSMENT OF ISSUES RAISED - 'PERSPECTIVES FROM THE INSIDE'

Heading	Comments Made	Response
Regime	In one of the groups prisoners discussed the practice of being 'two'd up' in cells. One prisoner described this as a 'huge abuse of human rights', because most prisoners have no choice over who they are 'two'd up' with. This can often result in suspicion between cell mates and a reluctance to disclose too much personal information, particularly about their family. They saw the constant changing of cells as frustrating and unfair.	The majority of cells in Barlinnie have two prisoners in them. All new prisons are predominantly single cell accommodation though doubles are built by design. All efforts are made through our Cell Sharing Risk Assessments (CSRA) to safely locate our prisoners where they will be most compatible. The CSRA is carried out prior to the prisoner occupying the cell. Barlinnie's design capacity is 1018 prisoners and we have housed substantially more prisoners than the prison is designed for. The prisoners are not disadvantaged as they are given the same opportunities as prisoners in single cell. Prisoners have a positive regime in relation to education, work, physical education (PT) offence focused interventions and family contact.
Initial assessments	The rise in prison suicides was used as an example of how the care mechanisms are often ineffective.	No suicides are acceptable in any prison, Over the years SPS has applied significant training and resources to identify those at risk of suicide. This training ACT2Care is delivered to all staff, including partner agencies that work or come into direct contact with offenders with refresher training delivered annually. The SPS has not seen a rise in suicides and we can only assume that the reference made in the report relates to NOMS. Barlinnie and SPS have clear interventions including: <ul style="list-style-type: none"> ➤ A doctors examination on admission ➤ An Act2Care process which identifies prisoners who may be suicidal. This allows staff to take an in-depth look at the prisoner with dedicated multi-disciplinary case conferences and a robust audit trail. This process is internally audited. ➤ Extensive staff training every year which identifies ways of observing (Cues & Clues) prisoners who may be vulnerable. ➤ A prisoner listener scheme with prisoners trained by the Samaritans.
Initial assessments	One prisoner recalled that on admission he was asked about his previous medical history via a questionnaire, and he felt that staff did not really care about the answers he gave. This 'tick box' style of information gathering is also used in other types of medical check-up, and this system was viewed by several prisoners as completely ineffective for helping people.	Every prisoner on admission goes through an initial Core Screen in Reception and an extensive interview by a doctor. The next day the prisoner will go through an in- depth induction programme in the prison Link Centre. These cover a great deal of interventions dovetailed to meet the individual need of every prisoner.

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INTERNAL ASSESSMENT OF ISSUES RAISED - 'PERSPECTIVES FROM THE INSIDE'

Heading	Comments made	Response
Mental Health Service <i>Barlinnie is not equipped to deal with mental health issues – prisoner</i>	Prisoners said that the Listener Scheme in Barlinnie can only be accessed 'by request'; meaning that those new to Barlinnie do not know it exists. Personal officers are not assigned to prisoners at Barlinnie as they are at some prisons, and it was felt that this was a scheme that could make a positive difference	<p>Listeners can be requested, or if a prisoner asks a member of staff and it is urgent, Listeners can be allocated right away. The Listener scheme is discussed on prisoner induction and advertised in each residential area.</p> <p>This is a really popular confidential service.</p>
Mental Health Service <i>Barlinnie is not equipped to deal with mental health issues – prisoner</i>	Dirty protests' still happen, and that there had been an instance where a group of mentally disturbed prisoners were left banging and screaming on their doors for three days with no help or intervention – which is also distressing for other prisoners.	There is no evidence of this particular incident; however we do have prisoners who decide to smear excrement on themselves and on their prison cell. This may be for a variety of reasons, the prisoner may be mentally unwell, or they may simply wish to cause disruption to staff or the prison regime. Each case is managed individually through a disciplinary report or where identified, a medical health intervention. Considering the volume of prisoners that pass through Barlinnie, the amount of dirty protests are very few in number.
Mental Illness	Going off their head' on a regular basis and that there are a lot of angry outbursts.	Like all prisons, Barlinnie has prisoners with mental health issues many of who have complex and challenging needs. All are reviewed by our NHS Mental Health Team. There are several psychological interventions offered by the NHS here at Barlinnie.

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INTERNAL ASSESSMENT OF ISSUES RAISED - 'PERSPECTIVES FROM THE INSIDE'

Heading	Comments Made	Response
Isolation Cells	More frequent checks of vulnerable prisoners by night shift officers. There was also a feeling that they were used for punishment too often, with prisoners saying: 'don't abuse cells that should be for suicidal lads.'	Every prisoner is monitored via his care plan and dependent upon what category of potential risk he exhibits, he will be allocated accommodation which aims to keep him safe. We do not use specialised cells as a punishment or any other residential cell for that matter. We have just developed 6 new "safer cells" in Barlinnie and when the care plan dictates, vulnerable prisoners can share a cell.
Medical Services	<p>All agreed that they had to wait for too long to get an appointment with any medical staff: one inmate cited a one year wait to secure an appointment at a hospital. To see a nurse or a doctor, prisoners must fill in a referral form which can take up to three months to be acknowledged and properly dealt with, and a significant number of forms get lost in the process. Sometimes the forms get processed within a week, but prisoners reported that this only happens sporadically. Various participants said that they felt the NHS reforms had not improved medical services in prison.</p> <p>Prisoners felt that officers on the wing are not best suited to assess a prisoner's fitness to work, and this can lead to prisoners working when they are unwell which contributes to the passing on of illness.</p>	SPS have no influence on when a prisoner sees a doctor or receives a hospital appointment. A prisoner can report sick every day and be seen by a nurse each morning. The nurse will then determine the level of clinical need the prisoner requires and whether he needs to see a doctor or another specialist. The time it takes for a prisoner to see a doctor or dentist is often substantially less than that in the community. An officer does not assess if a prisoner is suitable and fit for work; SPS staff are guided by medical advice on prisoners suitability for work.

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INTERNAL ASSESSMENT OF ISSUES RAISED - 'PERSPECTIVES FROM THE INSIDE'

Heading	Comments Made	Response
Prescriptions	Frequently there are delays for new arrivals receiving their drugs (which is of particular concern for those who need, for example, anti-depressants or tranquilisers).	This is a NHS issue, however when psychotic medication is required it is issued once the prisoner has agreed his medication with the doctor or mental health team. All medications is prescribed and dispensed against the professional standards of the NHS
Medication	It was noted that the prison officers make decisions about medication, including when it should be stopped, rather than medical staff.	This is factually incorrect. Prison Officers do not take part in any decision making regarding a prisoners medication. This is exclusively the decision of the doctor and nursing staff.
Time Out of Cells	In one of the groups, the prisoners said that most inmates in Barlinnie are locked in their cells for close to 23 hours a day; one prisoner said that sometimes they are out for two hours, but 'no more than 2 hours 45 minutes, ever'(including meal times).	This is incorrect. If a prisoner wishes to engage in all the activities of the establishment he can take part in : <ul style="list-style-type: none"> ➤ Work ➤ Library ➤ Physical Education ➤ Family Visits ➤ Recreation ➤ Education ➤ Exercise ➤ Group work ➤ Interventions ➤ Church services ➤ Telephone ➤ Sports & Games
Time Out of Cells	45 minutes every second day for association 1 hour a day for exercise 45 minutes in the library each day – on request 45 minutes in the gym (but the gym is only open at certain times, so if a prisoner is on a visit/attending a course, they will miss going) 2 visits a week for 45 minute	This is incorrect Answer as above

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INTERNAL ASSESSMENT OF ISSUES RAISED - 'PERSPECTIVES FROM THE INSIDE'

Heading	Comments Made	Response
Time Out Of Cell	It was felt that staff keep prisoners in their cells for longer than necessary, because it is easier to control the high numbers of prisoners this way.	As stated previously, the prison has many interventions on offer both during the day and in the evenings. A prisoner can spend as long or as little time as they wish in their cell only determined by which activity they wish to take part in including; <ul style="list-style-type: none"> ➤ Additional exercise depending on the weather ➤ Recreation ➤ Telephone ➤ Concerts ➤ Group work ➤ Guitar classes ➤ Family visits ➤ Football matches ➤ Sports & Games
Activity	Remand prisoners get less access to education, activities, work and time outside their cells than others. Prisoners are only allowed one book, one DVD and one CD at a time from the library and it is only possible to get new items about once every month; rules they view as unnecessary	Remand prisoners get allocated library time and education based on demand. They also get sports and games. There are plenty of opportunities for remand prisoners to engage in all the same services as a convicted prisoner. On any one visit to the library a prisoner may take out 3 books, one DVD and one CD. These can be exchanged the next day. We have to have restrictions on quantities in order to manage the library stock and limit fire loading in cells to a safe level.
Activity	Prisoners felt frustrated by inconsistencies between wings for the type and amount of television prisoners are allowed to watch	Unlike convicted prisoners remand prisoners have no legal requirement to go to work and as a result can watch TV all day. Convicted prisoners have an obligation to attend work (Prison Rules 2011 however every cell has a TV. If a prisoner is in their cell, there is no restriction on <i>when</i> they can watch TV. All TV's broadcast a range of terrestrial and digital channels including radio.

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INTERNAL ASSESSMENT OF ISSUES RAISED - 'PERSPECTIVES FROM THE INSIDE'

Heading	Comments Made	Response
Prisoner wages	An example of the low wages in Barlinnie was given by one prisoner, who described how he earns £10 per week for five days of working 7am-9pm.	The local prisoner wage system is compliant with SPS' national prisoner wage policy. Hall pass men are the only prisoners whose duties spread between 07:00 – 20:45 however during this period there is a considerable amount of downtime and they have the opportunity to attend education, gymnasium, exercise, library and recreation. If a particular prisoner has a complaint regarding his wages he can talk to the employability manager.
Prisoner Wages	Paid more to mop floors' than to take classes, which they felt was wrong, as they are only paid for a maximum of five classes, even if they take up to eight	There are different payments dependent on whether a prisoner is attending a main work party, education or a course/programme. Again this is set based on the national wage policy. Prisoners can earn between £5 - £18 depending on the activity they attend; education and programmes are paid at a pro-rata rate for all sessions attended. No prisoner is disadvantaged by attending education or programmes
Liberation Discharge Grant	One prisoner mentioned that Barlinnie gives each prisoner £72 when released, which was agreed to not be enough by most of the prisoners, especially when the Jobcentre is reluctant to allow them easy access to Jobseeker's Allowance	This is not an SPS issue rather a Scottish Government one. SPS have no discretionary powers on the amount of money a prisoner receives on liberation.
Prisoner Complaints	There was a general feeling of cynicism about the complaints procedure at Barlinnie, and all agreed that it is very rare that they are listened to and anything changes in the prison. One prisoner said he has seen complaint go straight into the shredder', as prison staff do not want to take the complaints to a higher level (perhaps due to hear that they will be reprimanded as a result). Complaints are not often made, as they are seen as pointless; there is also a culture of 'don't grass people up' in prison, which prevents many complaints from being lodged. One prisoner even expressed the view that the only way to actually change things in prison would be through extreme action such as a riot.	We have a robust complaints system – analysed and reviewed monthly - including confidential access direct to the Governor. Additionally, these complaints are tracked and prisoners can telephone or write to the Scottish Public Service Ombudsman (SPSO), in confidence and free of charge. A written answer is provided to the prisoner and the original paperwork return with a copy retained on file.

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INTERNAL ASSESSMENT OF ISSUES RAISED - 'PERSPECTIVES FROM THE INSIDE'

Heading	Comments Made	Response
Prisoner Complaints	<p>'Forms are not always available and the lads do not know the difference in forms' – concluding that the complaints process is far from easy. In general, responses are only received after a seven day wait. Prison officers decide whether complaints are valid or not, and prisoners said that if you make too many complaints or 'if you annoy them' you will be transferred to another prison. If the complaint is followed through then it can take up to three to four months to complete the procedure and reach the ombudsman – so for many it is seen as a waste of effort, particularly for those o shorter sentences, as one said, 'why complain when we are only here for a wee while?' There are no copies of the complaints normally given to prisoners, so there is no proof of a complaint on record, though it was added that prisoners can request photocopies.</p>	<p>Forms are readily available in all residential areas on each flat. There is a strict timed process when a complaint is received from our business manager. All complaints are recorded, tracked on our real time prisoner database and kept for future reference.</p> <p>Every response is given to the prisoner and if the prisoner wishes to attend an Independent Complaints Committee he can, and also call witnesses.</p>
Prisoner Complaints	<p>One prisoner expressed his view that at present prison Governors do not know fully what happens in their halls as information is not shared with them. It was felt that Governors should be more involved with the general prison population, and could occasionally go round asking questions, even if this is just for three or four cells at random.</p>	<p>We have a large management team in Barlinnie who inform the highly experienced Governor in Charge of everything that is going on within the establishment.</p> <p>The Governor has an extensive management team he meets with every day. He also gets a duty management report every morning of any events or incidents that have occurred during the day.</p> <p>The governor will visit the prison area at the times he feels is appropriate; however he should not need to tour the establishment every day as he has senior residential and Offender Outcomes Managers to do this.</p>

HM PRISON BARLINNIE

INTERNAL ASSESSMENT OF ISSUES RAISED - 'PERSPECTIVES FROM THE INSIDE'

Heading	Comments Made	Response
Officers	Officers were believed to sometimes encourage bullying and fighting between prisoners and to escalate many of the conflicts inside.	This is a serious matter and if the Governor had <u>any</u> information regarding any part of this, he would immediately initiate a fact finding exercise followed by a disciplinary Code Of Conduct and / or contact the Police without hesitation.
Use Of Force	One prisoner said that some officers have been suspended 'around six times' for assaulting prisoners. It was felt that some officers use force to show their power over the inmates, with younger staff being more likely to use 'excessive force'. Prisoners also said that methods of physical control are used 'too quickly' but with no consistency. For example, some inmates are targeted and receive more forceful responses because of their history of violent behaviour before sentencing and whilst in prison. Staff do not listen to management and abide by the rules, so an officer can 'throw a punch' regardless of the rules, prisoners said.	All planned prisoner cell removals are videoed and after a prisoner(s) is relocated, they are examined by a nurse. The removal of a prisoner under restraint is an absolute last resort and <i>not</i> a standard practice. Officers have extensive training and each removal is supervised by a manager. Officers will only use the level of force required to get the prisoner under control to a safe point. There is no evidence to support any assertion that excessive force is used on prisoners. This is also subject to specific audit. No officers at Barlinnie have been suspended multiple times for assaulting prisoners.
Anxiety In Prisons	Huge gang culture' in prison which means that many people get 'slashed' when inside; its 'common knowledge that that's just the way Barlinnie is.'	Barlinnie has an extensive catchment area, and different groups will try to form alliances whilst in prison. We have an active and experienced security and intelligence management unit within the establishment who work closely with our external partners in law enforcement to identify individuals who may present a challenge to good order and discipline and the smooth running of the prison.
Searching	The practitioners present were surprised at the frequency of strip searching that was involved.	Body (Strip) searches are carried out in accordance with SPS' national guidance. Not every prisoner leaving the visits for example is body searched. Prisoners are selected at random with the exception of anyone suspected of receiving or concealing an unauthorised article.

HM PRISON BARLINNIE

INTERNAL ASSESSMENT OF ISSUES RAISED - 'PERSPECTIVES FROM THE INSIDE'

Heading	Comments Made	Response
Searching	Methods of punishment cited included the loss of wages, losing phone and television privileges, and the termination of healthcare treatment. Prisoners also mentioned feeling frustration at being on the receiving end of punishments their cellmate has received, as they are often also affected by any restrictions placed on their cellmate due to living in the same space.	To clarify, the staff do not remove the right to use the phone as it is not a part of the Disciplinary Hearing punishment range. If a prisoner has his medication reduced, changed or stopped this is entirely the duty of the NHS. Prison staff have no authority, or opportunity, to do this. If a prisoner has been given a punishment, as a result of a disciplinary hearing, and it affects his cell mate, for example loss of TV, the offending prisoner will be moved to a single cell to avoid being disadvantaged. All punishments are administered by experienced trained manager in full accordance with 'Prison Rules'.
Searching	The idea of having a handheld scanner to scan over a prisoner's body was deemed to be a good alternative to Strip searching, and has already been introduced in some prisons.	The practice of scanning is similar throughout every prison. Portable Hand Scanners are a 'compliment' to our searching procedures along with the use of airport style portals, X-ray machines and physical searching. Body and rub down searches are required as Hand Scanners will only pick-up metallic objects.
Visits	Visits were described as 'unpleasant' experiences by several prisoners. They felt that staff were rude to family members, and that 'security overrules everything', as staff simply see family members as a security risk and 'up to no good'.	There have been a total of 45 complaints raised regarding Visits in the last calendar year. During the same time period, more than 66,000 visitors attended HMP Barlinnie. Any complaints which are received are logged and investigated appropriately.
Visits	Toilet breaks currently terminate any visit due to security concerns, a policy which prisoners saw as indicative of how they are 'not treated as people'	Where visitors require leaving the visit room to use the toilet, this is generally accommodated. If however it is very near to the end of the visit session, they would be asked to wait as they would not be allowed back into the Visit room. Where prisoners require leaving the visit room to use the toilet, the visit would be terminated as the prisoner would require to be escorted by the visit room staff to use the toilet.
Visits	Other complaints were raised regarding the limits on the number of visits per month, the lack of flexibility around visiting time slots, and the high expense incurred by some families to visit Barlinnie.	All prisoners have a statutory entitlement to visits. We are unaware of any instances where any prisoner has not received their statutory entitlement. Please note that we have a more than adequate capacity to meet our current demand for visits. Both remand and convicted prisoner have access to visits in the morning, afternoon, evening and weekends. Where there is a requirement e.g. where a visitor is traveling a considerable distance to attend a visit, prisoners/visitors can amalgamate their visits to make better use of their time and reduce travel costs.

HM PRISON BARLINNIE

INTERNAL ASSESSMENT OF ISSUES RAISED - 'PERSPECTIVES FROM THE INSIDE'

Heading	Comments Made	Response
Visits	Prisoners expressed a need to have more time with their families and children, and thought that it was futile having an 0930 visiting slot when not many visitors can actually use this slot	All prisoners receive their statutory entitlement as a minimum. The 0930 visit is just one of a number of visits offered each day. On many occasions, this is a well utilised visit session and meets the needs for prisoners and their visitors alike.
Visits	More frequent checks of vulnerable prisoners by night shift officers	All prisoners who are deemed to be vulnerable (at risk) are monitored in line with the prescribed conditions set out in The ACT2Care case conference as previously described.
Visits	Strip-searching was said to happen 'everyday', with most searches taking place after visits, as protocol dictates that two random searches of prisoners are conducted before they return to their cells. These are based on 'intelligence' – the prison officers know who to target and search after every visit. The practitioners present were surprised at the frequency of strip searching that was involved.	Full body searches do take place every day. This is done in line with the Prison Rules and SPS Searching Procedures. All prisoners undergo a rub down search after their visit and only a percentage are body (strip) searched.