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Public Audit and Post-legislative Scrutiny Committee Comataidh Sgrùdadh Poblach agus Iar-reachdail

The 2018/19 audit of the Scottish Prison Service



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Public Audit and Post-legislative Scrutiny Committee

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Introduction

1. The role of the Public Audit and Post-legislative Scrutiny Committee is to examine whether public funds are spent wisely and to hold to account those who are charged with spending taxpayers' money. The Committee undertakes this work primarily through its scrutiny of reports prepared by the Auditor General for Scotland, who is responsible for scrutinising the expenditure and performance of directorates of the Scottish Government and most other public spending bodies (with the exception of local authorities).
2. Under section 22 of the Public Finance and Accountability (Scotland) Act 2000, the Auditor General can prepare a report on matters of public interest arising from the audit of the accounts of a public body for which the Auditor General is responsible (known as a Section 22 report).
3. On 12 September 2019, the Auditor General published a Section 22 report on [The 2018/19 audit of the Scottish Prison Service](#) .
4. At its [meeting on 26 September 2019](#), the Committee took evidence from the Auditor General on her report. Full details of the Committee's scrutiny can be found on [its webpage](#).

General findings and conclusions

The Scottish prison service needs to be funded for the prisoner population that it currently holds and for the expected increase, rather than it being assumed that prisoner numbers will decrease.

The focus of the Committee is on how the Scottish Prison Service (SPS) is managing its finances, including the extent to which it and the Scottish Government are anticipating risks and potential pressures in their financial planning. The prison service has been facing a series of wide-ranging challenges over a number of years which, in the Committee's view, should have prompted earlier, significant action and robust contingency and financial planning.

The SPS has remained within budget over the last 10 years because it has been underspending on its capital budget, a matter which should have of itself raised serious concerns about future finances, particularly given the continued deterioration of the prison estate. According to the Auditor General, HMP Barlinnie presents the "biggest risk of failure in the prison system", but warns that there is no clear contingency plan for accommodating the 1,460 prisoners it currently holds if it were to fail. Developing a contingency plan for HMP Barlinnie in the event that it fails must be of the highest priority.

Given the condition of the prison estate in general, the Scottish Government and the SPS must develop robust contingency plans in the event that any other part of the estate becomes inhabitable.

It is clear to the Committee that there are significant and wide-ranging challenges for both the SPS and the Scottish Government to overcome. The SPS is currently accommodating around 500 prisoners over capacity and there is no evidence to suggest that prisoner numbers will decrease in the short term. The solution being put forward to address future capacity issues - to double-up prisoners in individual cells - is a step backwards rather than forwards. At the same time, the revenue budget is down by 12.5 per cent in real terms; the capital programmes for HMPs Barlinnie, Inverness and Greenock are behind schedule and prisoner violence is on the increase. This situation is undermining the Scottish Government's policy objectives of rehabilitating prisoners and reducing re-offending.

In the Committee's view, the recent increase in the prisoner population has merely exacerbated existing pressures and served to expose the fragility of the prison service and its ability to provide a safe and adequate environment for

those who live and work there. In particular, the Committee notes that many of the pressures that the prison service is currently facing have been in train for a number of years, including the changing nature of the prisoner population; the complex and high level incidence of mental ill health experienced by prisoners; the proliferation of drugs within prisons; the delays in renovating and replacing the prison estate and dissatisfaction among prison officers and levels of stress-related absences.

It is not for this Committee to make recommendations on such policy changes that may be required to address and ameliorate the underlying challenges and the increasing prison population. These are matters for colleagues on the Justice Committee and, in that regard, the Committee notes the [wide-ranging report](#) published by the Justice Committee in November 2019 as part of its pre-budget scrutiny.

However, it is clear that urgent action needs to be taken now by both the SPS and the Scottish Government to address the underlying pressures that the prison service is experiencing and either reduce the numbers entering prison or provide additional capacity (or a combination of both) in order to ensure that prisons in Scotland are a safe and adequate environment for those who live and work in them. Such action must be based on a whole-system approach, requiring solutions from across the justice system.

Key issues and evidence

SPS finances and prison population

” The choice is stark—either we put fewer people in prison or we recognise that we have to pay for the prison population that we do have.

[Wendy Sinclair-Gieben, Chief Inspector of Prisons for Scotland]

Source: Public Audit and Post-legislative Scrutiny Committee 31 October 2019, Wendy Sinclair-Gieben, contrib. 107¹

5. SPS's 2019/20 budget represents a flat cash settlement for the third year since 2017/18. In real terms, SPS's revenue budget reduced by 12.5 per cent between 2014/15 and 2018/19 from £394.7 million to £345.2 million. Its revenue budget for 2019/20 is a further reduction of 1.7 per cent in real terms. ²
6. At the same time, Scotland's incarceration rate is one of the highest in Europe at 150 per 100,000 of population compared to a European average of 117 per 100,000 of population. ² SPS is operating well over capacity and the prisoner population is rising. Prisoner numbers increased by 709 (almost nine per cent) from 7,413 to 8,212 during 2018/19. ² At 1 November 2019 there were 8,248 prisoners in Scotland, ³ significantly exceeding the SPS's operating capacity of 7,676. ² Prisoner numbers are forecast to stay high and increase further in the short term, with the potential to exceed the SPS maximum capacity of 8,492 prisoners. The rise in prisoner numbers since the beginning of 2018/19 reverses the downward trend in recent years. A number of factors are influencing this, reflecting developments across the wider justice system and these are highlighted in Exhibit 5 of the Auditor General's report. ²
7. At the end of March 2019, the chief executive of SPS wrote to the Director-General of Learning, Communities and Justice at the Scottish Government explaining that financial and operational pressures meant that SPS would not be able to deliver a balanced budget in 2019/20. He stated that the SPS required cumulative savings of £19.9 million in 2019/20 but had been able to identify savings of only £6.4 million, resulting in a forecast deficit of £13.5 million. ²
8. In June 2019, the Scottish Government confirmed that it would provide additional funding to SPS during 2019/20. It also agreed to provide additional funding to purchase additional capacity within private sector prisons. The Scottish Government also proposed that the position on SPS's capital funding should be kept under review during 2019/20. ²
9. The Scottish Government told the Committee that it had agreed to provide additional funding of £24 million to the SPS. ⁴ In subsequent correspondence, the Scottish Government confirmed that this equated to an increase of around 8% to the SPS's fiscal resource cash allocation for 2019/20. It advised, however, that this “additional budget cover was not intended to reverse real terms reductions in previous years, but to reflect current pressures on the SPS budget”. ⁵

10. The Committee notes that the SPS does not have a medium-term financial strategy. It is preparing a strategy covering 2019–22 to align with its revised corporate plan, but there is no financial planning in place beyond this three-year period.²
11. In written evidence to the Committee, the Scottish Government set out the range of actions and initiatives that it is taking to seek to reduce the numbers of individuals entering prison.⁴ The Justice Committee’s report examines some of these factors in more detail, including the underlying policy decisions.⁶

The Committee notes the actions that the Scottish Government is taking to reduce rates of incarceration. However, the Committee recognises that a number of these initiatives and actions will take time before they are seen to have a significant impact on reducing prisoner numbers. The Auditor General’s report makes it clear that prisoner numbers are forecast to stay high and increase further in the short term.

The SPS needs to be funded for the prisoner population that it currently holds and for the expected increase, rather than it being assumed that prisoner numbers will decrease. Such funding needs to be provided on a systematic and planned basis; not simply in response to an unexpected event, development or crisis.

The SPS also needs to develop a medium-term financial plan which acknowledges and anticipates the pressures that it may continue to face in the future.

Costs of private prisons

” Private prison contracts, which are inflated by RPIX—the retail prices index excluding mortgage interest payments—plus 1.5 per cent each year, consume an ever-increasing proportion of SPS’s revenue resource, which, on the basis of a flat cash settlement, results in additional savings requirements from the public sector.

[Colin McConnell, Chief Executive, Scottish Prison Service]

Source: Public Audit and Post-legislative Scrutiny Committee 21 November 2019, Colin McConnell (Scottish Prison Service), contrib. 3⁷

12. As noted above, an increasing financial pressure on the SPS due to the rising number of prisoners is the cost of paying for places at private prisons. The Auditor General’s report notes that, in its correspondence to the Scottish Government, SPS predicted that it would need to buy additional provision from HMP Addiewell at a cost of £1.82 million per annum that was not budgeted for.²
13. During the subsequent evidence sessions, the Committee sought to examine the cost of prisoner places at private prisons in comparison to that of public prisons and the extent to which such payments represented value for money.

14. Wendy Sinclair-Gieben, Chief Inspector of Prisons for Scotland, emphasised that it was difficult to make any kind of cost comparison across prisons. She said—

” The cost per prisoner will be different for every prison. It will be considerably cheaper to have a prisoner in Castle Huntly, the open prison, because a lower number of staff is required. Other prisons, such as antiquated Victorian prisons, require a much higher level of staff.

Source: Public Audit and Post-legislative Scrutiny Committee 31 October 2019, Wendy Sinclair-Gieben, contrib. 132⁸

15. Colin McConnell, Chief Executive of the SPS, referred to the additional contract costs that are incurred by the SPS if it wishes to access specific tranches of private prison places. For example, on first use, each tranche of Additional Prisoner Places at HMP Kilmarnock has attracted a charge. The final tranche has not yet been utilised and would attract a one-off cost of £173,290.46 to bring places into use. ⁶

16. In her evidence to the Committee, Melanie Allan from the SPS indicated that—

” As part of our key performance indicators, SPS publishes the cost per prisoner place, which is based on design capacity. For 2018-19, that cost was £35,601. However, that is based on the design capacity of the service, and not on actual numbers. We can calculate a comparison for Addiewell and Kilmarnock only based on what the contract costs us during the year and the number of places that we have called on, so they are not true costs per prisoner place. We do not have Addiewell's and Kilmarnock's running costs, so there are caveats on the calculation. However, a rough calculation is that the cost per prisoner for Addiewell is £47,500 and the cost per prisoner for Kilmarnock is approximately £27,000.

Source: Public Audit and Post-legislative Scrutiny Committee 21 November 2019, Melanie Allan, contrib. 232⁹

17. Phil Fairlie from Prison Officers' Association Scotland (POAS) told the Committee that—

” A big problem for us in the public sector is that we are asked to absorb that cost: the money that the public sector prisons pay to the private sector as a premium to buy spaces comes from an already decreasing budget. The impact is not just that we do not get extra staff; it is that we actually lose resource for running public sector prisons in order to fund the private sector at a time when our budgets are being cut.

Source: Public Audit and Post-legislative Scrutiny Committee 31 October 2019, Phil Fairlie, contrib. 145¹⁰

18. Steve Farrell from Community Union, representing prison officers in the private prisons, called for a review of the current contracts with the private prisons. He said—

” I have said for a long while that it is perverse that the Scottish Prison Service sits, in effect, with a public purse and a private purse, which causes some of the problems that have been discussed today. There should be independent monitoring of the two contracts. Both contracts, the GEOAmev contract and an add-on to the two prison contracts, should be reviewed.

Source: Public Audit and Post-legislative Scrutiny Committee 31 October 2019, Steve Farrell, contrib. 199¹¹

19. Steve Farrell was in particular critical about certain aspects of the contract; for example, clauses that led to private prisons being fined if contraband, such as mobile phones, were detected within the prison estate. ¹²
20. The Committee sought to clarify in its subsequent evidence session with the SPS how it was possible to know that the contracts were fit for purpose and delivering value for money if they were not reviewed for the duration of the contract.
21. Colin McConnell from the SPS responded as follows—

” If I may say so, that is one of the downsides of 25-year contracts that are signed on a commercial basis. I assume that, at the outset, the person who offers the contract thinks that, over the period of the contract, they will get a good deal and that the person or company that offers the service thinks likewise. There is a mutuality to it.

Source: Public Audit and Post-legislative Scrutiny Committee 21 November 2019, Colin McConnell, contrib. 213¹³

The Committee is concerned that it does not have a comprehensive and detailed analysis of the comparative costs of private prison places to that of public prison places. The SPS and the Scottish Government must undertake this analysis in collaboration with the private prisons in order that the Parliament can understand how public funds are being spent.

The Committee considers that an objective review of the contract with each of the private prisons needs to be undertaken to establish that money spent on private prisons provides value for money.

The Committee understands that the Scottish Government intends to bring the private prisons into public ownership at the end of the term of the existing contracts. At the end of the term of each of existing contracts, a further review of the contract must be undertaken to determine whether SPS obtained value for money.

The Committee considers that, where relevant, any future contracts with private prisons must include provision for reviews of the contract at specified points with a view to ensuring that such contracts provide value for money.

Staffing

- ” At Barlinnie, where there are already around 30 to 40 vacancies, 40 to 50 staff might be off on sick absence on any one day, so even starting the regime with a regular staffing group is a challenge.

[Nigel Ironside, Prison Governors' Association]

Source: Public Audit and Post-legislative Scrutiny Committee 31 October 2019, Nigel Ironside, contrib. 20¹⁴

- ” The thought of coming back is just too much for an awful lot of our staff.

[Phil Fairlie, Prison Officers' Association Scotland]

Source: Public Audit and Post-legislative Scrutiny Committee 31 October 2019, Phil Fairlie, contrib. 21¹⁵

Sickness absence

22. Sickness absence among prison officers is high and increasing. Over the past three years, average annual sickness absence has increased by 60 per cent to 16.3 days in 2018/19. Data to July 2019 shows sickness absence among staff has further increased to 17 days. In comparison, HM Prisons and Probation Service in England and Wales lost an average of 9.3 working days to sickness absence in 2018/19.²
23. SPS has managed to maintain its service by prison officers working increased hours. Prison officers are not eligible for overtime payments, so SPS has been making significant voluntary, non-contractual (ex gratia) payments to officers for working increased hours to cover absences. The value of ex gratia payments has doubled over the past three years from £2.15 million to £4.25 million.²
24. The largest cause of sickness absence is stress. SPS lost 14,135 days due to stress-related absence in 2018/19, an increase of 32 per cent in the past year (an additional 3,428 days). In her evidence to the Committee, Kate Hudson from the SPS stated that—

- ” With long-term sickness absences, the complexity of the conditions that are involved has required further analysis over the past 12 to 18 months. We have done that in quite a lot of depth and made comparisons with England and Wales.

We see that stress is the single biggest cause of that increase in absences, and has accounted for about 42 per cent.

Source: Public Audit and Post-legislative Scrutiny Committee 21 November 2019, Kate Hudson (Scottish Prison Service), contrib. 41¹⁶

25. Wendy Sinclair-Gieben, HM Chief Inspector of Prisons for Scotland, said—

” There are a number of significant factors to take into account: overcrowding; the impact of psychoactive substances; the changing environment in relation to serious and organised crime; the vast increase in the number of prisoners who are sex offenders; the explosion in mental health issues that is being felt in wider society and is replicated in prisons; and the age profiles of staff and prisoners.

Source: Public Audit and Post-legislative Scrutiny Committee 31 October 2019, Wendy Sinclair-Gieben, contrib. 32¹⁷

26. Phil Fairlie from POAS commented that—

” The service is being asked to deal with far too many prisoners with mental health issues. There are some very complex, difficult and challenging characters in prison, and staff are not adequately skilled or trained to deal with the issues that confront them. That leads to staff having mental health issues themselves, and there is not enough support for either group.

Source: Public Audit and Post-legislative Scrutiny Committee 31 October 2019, Phil Fairlie, contrib. 29¹⁸

27. Phil Fairlie also spoke of the impact of such pressures on an older workforce. He said—

” One of the differences between the Scottish Prison Service and the service down south is the age profile of the staff. We have a much more mature and longer-serving staff group than there is down south. Given that the retirement age has now disappeared over the horizon for many staff, when people in their 40s and 50s go off sick, the decision to come back is much more difficult to make. An awful lot of staff who are off sick at the moment will not return to the service, and they will be replaced with new staff at the start of their careers. The turnover in England is much bigger, with many more younger staff who have less service but who have a greater capacity to deal with things at that stage in their lives.

Source: Public Audit and Post-legislative Scrutiny Committee 31 October 2019, Phil Fairlie, contrib. 21¹⁵

28. The Auditor General’s report states in relation to the ex gratia payments, that—

” Most of the increase has been in 2018/19, with the value of ex gratia payments increasing by 65 per cent (£1.67 million). The increase in these payments correlates with increases in SPS’s sickness absence rates during 2018/19. ²

29. Kate Hudson from the SPS stated that—

” Our spend on ex gratia payments has increased by 60 per cent, and our increase in absences is about 15 per cent. Both are rising, but they are not rising at the same rate. The pressures on the ex gratia system are coming from a range of deployment factors.

Source: Public Audit and Post-legislative Scrutiny Committee 21 November 2019, Kate Hudson, contrib. 124¹⁹

30. In his evidence to the Committee, Colin McConnell from the SPS emphasised that prison officers willingly undertook overtime to cover the absences of others. He said—

” Our staff work additional hours voluntarily—we cannot compel staff to work additional hours. They work them voluntarily and—as the committee will see from the figures—they do so very willingly: a lot of hours are worked.

Source: Public Audit and Post-legislative Scrutiny Committee 21 November 2019, Colin McConnell, contrib. 73²⁰

31. In supplementary written evidence, the SPS indicated that, having examined additional hours and sick absence data, it could not find a correlation between working additional hours and incurring sick absence. However, evidence from Nigel Ironside from the Prison Governors' Association (PGA) underlined that staff absences place pressure on those who remain. He said—

” It is a challenge when staff go off, because we then need to mix and match the teams that manage the estate. That places stress on individuals and, as a result, they go off, too.

Source: Public Audit and Post-legislative Scrutiny Committee 31 October 2019, Nigel Ironside, contrib. 20¹⁴

32. Reducing sickness absence is a corporate priority for the SPS. However, the Auditor General's report notes that the SPS's current policies on managing prison officer sickness absence restrict management's ability to address this problem.² In his evidence to the Committee, Nigel Ironside from the PGA indicated that the SPS's absence management policy tended “to favour people who remain on long-term sickness absence over those who are on short-term sickness absence.”²¹

33. In her evidence to the Committee, Kate Hudson from the SPS acknowledged that the absence management policy needed to be “more proactive in terms of support and wellbeing of staff and how we support a culture of wellbeing for people who work in prisons.”³

34. Witnesses also emphasised that it was important that staff received adequate training to deal with the changing nature of the prison population. Wendy Sinclair-Gieben said—

” we are beginning to recognise that staff should get mental health first aid training and guidance on how to deal with psychoactive substances and the difficulties of excited delirium. Such measures are in train, but they have not yet been embedded in the way that they need to be.

Source: Public Audit and Post-legislative Scrutiny Committee 31 October 2019, Wendy Sinclair-Gieben, contrib. 32¹⁷

35. Wendy Sinclair-Gieben went on to add that, while every prison had a mental health nurse or counsellor on site, they were not there in the evening and that “many prisons suffer from an absolute inability to recruit sufficient professionals to meet the need.”²¹

In 2018/19, SPS lost 14,135 days due to stress-related absence, an increase of 32 per cent in the past year (an additional 3,428 days). The Committee understands that there are a range of causes for this increase including overcrowding; the

impact of prisoner use of psychoactive substances; the changing environment in relation to serious and organised crime; the vast increase in the number of prisoners who are sex offenders; the explosion in mental health issues that is being felt in wider society and is replicated in prisons; and the age profiles of both staff and prisoners.

The SPS must urgently put in place a comprehensive mental health strategy in relation to its workforce and the prisoners in its care. Such a strategy should acknowledge and reflect the wide range of factors contributing to stress-related absences among prison officers. The strategy should be developed in collaboration with and supported by the Scottish Government particularly given the difficulties in recruiting appropriately-qualified mental health professionals to work in prisons.

Given the evidence received by the Committee, the SPS should review its absence policy and its approach to long-term sickness absence.

The Committee recognises that some staff may be willing to undertake overtime in view of the extra remuneration they receive. However, the SPS as an employer has a clear responsibility to assess the additional pressures that extra hours of work may have on such staff in light of the challenges that prison officers are already facing on a day to day basis.

Workforce issues and POPP payments

36. A further financial pressure on the SPS relates to payments that it has made to prison officers as part of the SPS's organisational development.
37. In 2013, SPS's Organisational Review sought to improve justice outcomes by reducing reoffending by supporting and developing prisoners. Central to delivering this ambition was a prison officer professionalisation programme (POPP) to transform the role, skills and professionalism of prison officers. POPP also set out a new operating structure to deliver efficiency that would free up the necessary resources to support a new professional qualification, continuing professional development, and pay enhancements appropriate to the expanded role.²
38. SPS made one-off payments to operational staff on three occasions for their engagement and continued support of its plans for organisational development. The Scottish Government approved these payments, which totalled £13.91 million:
 - £6.55 million in 2014/15 (£2,000 to each relevant employee)
 - £3.70 million in 2016/17 (£1,000 to each relevant employee)

- £3.66 million in 2017/18 (£1,000 to each relevant employee).²

39. During 2017/18, non-operational staff who did not receive these payments raised an equal pay claim against SPS. SPS spent £2.45 million settling these equal pay claims.²

40. In October 2018, prison officers rejected SPS's proposals for POPP. The Auditor General's report indicates that there is currently no alternative to POPP and that it remains unclear how SPS will deliver its strategic objectives and address its financial sustainability and staffing challenges.²

41. The Committee sought further detail from witnesses about the POPP programme; in particular the purpose of such payments and the reasons why, in spite of the payments, the POPP programme had ultimately been rejected by prison officers. Phil Fairlie from POAS explained the background to the programme. He said—

” The professionalisation agenda was originally the trade union's agenda. We went down that path because we believed that it was the best route to get properly recognised and rewarded for our role in comparison with other uniformed and professional services. The timescale that was required for that to happen meant that the trade union held off running a ballot for industrial action, and the payments were the response to holding off the ballot.

Source: Public Audit and Post-legislative Scrutiny Committee 31 October 2019, Phil Fairlie, contrib. 69²²

42. Phil Fairlie added—

” It was overwhelmingly rejected in the ballot. There are a load of things in the background as to how that came about, but it was overwhelmingly rejected by the staff, and at this moment in time it is dead in the water.

Source: Public Audit and Post-legislative Scrutiny Committee 31 October 2019, Phil Fairlie, contrib. 89²³

43. Nigel Ironside from the PGA made it clear that the PGA had not supported the payments being made. He said—

” The Prison Governors Association Scotland did not agree with the payments that were made to staff in that regard, because they were based around engagement in the revisions of working practice. We were not supportive of that.

You would have to ask the chief executive and his team why he wished to make those payments. The Prison Governors Association was excluded from the discussions about the payments and the principles around them. Our expectation would be that, if such payments were going to be made, there should be a tangible outcome.

Source: Public Audit and Post-legislative Scrutiny Committee 31 October 2019, Nigel Ironside, contrib. 65²⁴

44. In subsequent written evidence, the PGA and the SPS disagreed on the extent to which the PGA had been engaged in the process by which the transformation

programme was developed and the extent to which POPP impacted on the position of senior managers.^{25 26}

45. The key issue for the Committee was whether the payments had achieved their objectives and this was a point on which the Committee did not receive clarity. The Auditor General's report commented that: "The absence of success criteria for these payments means that it is not possible to determine whether they represented value for money."²

46. The SPS was invited to respond to this comment in its oral evidence. Kate Hudson from the SPS said—

” The success criteria were a co-produced package enabling elements of organisational reform that were targeted specifically at prison officers. The package included things such as continuing professional development, revised entry standards and regulated practice.

Source: Public Audit and Post-legislative Scrutiny Committee 21 November 2019, Kate Hudson, contrib. 135²⁷

47. Nonetheless, Paul Johnston, Director-General Education, Communities and Justice, appeared to accept that there were lessons to be learned from this experience. He told the Committee—

” I would wish to ensure that, should such circumstances ever arise in future, in either this or another context, we are really clear about the shared expectation on the success criteria for payments. I am keen to have further dialogue with Audit Scotland about that.

Source: Public Audit and Post-legislative Scrutiny Committee 21 November 2019, Paul Johnston, contrib. 157²⁸

The Committee understands that the prison officer professional development programme was initiated with a view to avoiding industrial action. The payments made to prison officers over a three-year period totalled £14 million and, as such, represents a significant amount of public funds. At the end of the process, there is no clear outcome for the payments made, no indication of how this work will now be taken forward nor how the fundamental issues that the programme was seeking to address will be resolved.

There are lessons to be learned from this exercise. The original proposal for such payments to be made should have been accompanied by clear success criteria. It is also apparent that engagement with other staff groups could have been improved. The SPS spent a further £2.45 million to settle an equal pay claim from non-operational staff. The Prison Governors' Association was also unhappy with the process for developing the programme from which it felt excluded.

It is critical that the SPS and the Scottish Government work with all prison staff to determine a way forward.

Prison estate

” Barlinnie is shocking. I urge you to go and have a look at it. Walk along the corridors where plaster dust rains on your head, and walk around in the evening and think how, even though we see Scotland as being at the leading edge in penology, we are happy to ask staff and prisoners to work and live there.

[Wendy Sinclair-Gieben, Chief Inspector of Prisons for Scotland]

Source: Public Audit and Post-legislative Scrutiny Committee 31 October 2019, Wendy Sinclair-Gieben, contrib. 107¹

48. Despite the pressures on the SPS budget, SPS has reported an underspend of £6.37 million in 2018/19 against its overall budget of £364.56 million, continuing a pattern over the past decade.² The underspend in 2018/19 was, as in previous years, mainly due to a capital underspend (£4.70 million) and an underspend in depreciation charges (£1.82 million), due to slippage in the capital programme. The table below provides further detail.²

49.	Year	DEL budget£ millions	Outturn£ millions	Variance£ millions	Amount of budget variance due to capital underspend£ millions	Reasons given for capital underspend
	2018/19	£286.187	£278.929	(£7.258)	(£4.704)	Slippage in the capital programme, including the women's community custodial units and delays in acquiring a site for HMP Glasgow.
	2017/18	£282.056	£276.772	(£5.284)	(£0.500)	Underspend against the capital budget due to delays in completing repairs and maintenance programmes
	2016/17	£272.393	£271.621	(£0.772)	(£0.790)	Slippage in decision making for significant capital project expenditure (HMP & YOI Cornton Vale and the women's strategy)
	2015/16	£307.523	£268.345	(£39.178)	(£34.898)	A ministerial decision not to proceed with a female prison in Inverclyde and a delay in acquiring a suitable site for HMP Highland
	2014/15	£297.207	£289.667	(£7.540)	(£1.527)	Delay in acquiring a suitable site for HMP Highland

29 30 31

50. The SPS's infrastructure work programme over the next three years includes the redevelopment of HMP Glasgow and HMP Highland (replacements for HMP Barlinnie and HMP Inverness). The Auditor General's report indicates that there is no funding available to replace these two prisons. The report further emphasises that recurring slippage in the capital programme is “exacerbating existing problems and increasing the risk of operational failure.”²

51. SPS plans to achieve most of its identified financial savings in 2019/20 by reducing planned maintenance on the prison estate. The Auditor General's report notes that this also increases the risk that the prison estate may not retain the capacity to accommodate prisoner numbers or provide a modern prison service.²

52. The Committee obtained little detail during its subsequent evidence sessions as to reasons why there had been a significant delay in the capital programme over the last decade. Colin McConnell from the SPS pointed to the difficulties that had been experienced in finding a suitable site for the replacement of Barlinnie prison. He said—

” I can tell this committee that nimbyism is pretty much alive and well: no one really wants to have a prison in their back yard.

Source: Public Audit and Post-legislative Scrutiny Committee 21 November 2019, Colin McConnell, contrib. 192³²

53. He indicated that the replacement for Barlinnie would “open as soon as possible, which is likely to be in 2024-25, assuming that everything works well.”³

54. The Committee queried the statement in the Auditor General’s report indicating that there was no funding available to replace HMP Barlinnie and HMP Inverness. Paul Johnston, Director-General for Education, Communities and Justice, responded to this point in his evidence to the Committee. He said—

” If you look on a year-by-year basis, you will not see the capital funding required for Barlinnie in an annual budget, but I have to take some issue with that comment. I can confirm that ministers have recognised the need for the construction of Barlinnie and confirmed that we will make resources available in future years for that capital investment.

Source: Public Audit and Post-legislative Scrutiny Committee 21 November 2019, Paul Johnston, contrib. 259³³

55. Wendy Sinclair-Gieben welcomed the news that the funding had been agreed, but cautioned that “it will be between five and six years before there is a replacement prison and during that whole time, Barlinnie’s infrastructure will continue to be fragile.”²¹

56. Witnesses commented on the impact of overcrowded prisons, in particular in relation to HMP Barlinnie. Nigel Ironside from the PGA told the Committee that—

” Just to put that in perspective, I note that most of the other establishments are at in the region of 110 per cent to 115 per cent of capacity. As of September, Barlinnie was at 140 per cent occupancy. There is a correlation between the figures and keeping a prison safe.

Source: Public Audit and Post-legislative Scrutiny Committee 31 October 2019, Nigel Ironside, contrib. 144³⁴

57. Wendy Sinclair-Gieben, Chief Inspector of Prisons for Scotland, said—

” Barlinnie is more overcrowded than other prisons, and its purposeful activity figures are very low because a huge effort is made to keep the prison safe and controlled, which means, in part, that a lot of people are not getting out of their cells much.

Source: Public Audit and Post-legislative Scrutiny Committee 31 October 2019, Wendy Sinclair-Gieben, contrib. 142³⁵

58. Nigel Ironside from the PGA said—

” the reality is that to manage a prison that has a high population and to minimise incidents, we have to manage and control movement, access, and the open environment in which the people who are in our care live and work.

Source: Public Audit and Post-legislative Scrutiny Committee 31 October 2019, Nigel Ironside, contrib. 144³⁴

The SPS has been underspending its budget over the last decade, the main reason for which has been a slippage in the capital programme. Detailed reasons for the continuing delays in the programme over a period of years have not been received by the Committee.

The impact of the delay in the capital programme cannot be overestimated; an overcrowded prison estate inevitably leads to restrictions in access, movement, activity and privacy and, as the existing estate deteriorates and becomes increasingly fragile, there is a greater risk of an incident or event occurring which places both officers and prisoners at risk. It is clear from the evidence received by the Committee that officers and prisoners in HMP Barlinnie are being required to live and work in an environment that is not fit for purpose.

The Committee is perplexed that the SPS was apparently able to continue to underspend on its capital programme over the period of a decade without this being recognised and dealt with as a serious concern by the SPS and the Scottish Government. Both organisations would have been fully aware of the impact that such a delay would have on the existing estate and the consequential effect on both prisoners and staff.

It is also not clear to the Committee why the SPS did not apparently anticipate some of the obstacles that the capital programme might face when assessing the initial costs and timescales for completion.

Given the history of the prison service capital programme to date, it would seem that further delays in the completion of HMP Barlinnie are likely. It is crucial that the SPS and the Scottish Government anticipate and plan for such delays and put in place robust contingency plans.

The Scottish Government and the SPS must take all steps to ensure that the proposed timetable for the completion of a replacement for HMP Barlinnie is adhered to because if HMP Barlinnie fails, the whole prison system is at risk.

Performance

59. The SPS's performance has generally deteriorated over the past two years. Prisoner assaults have increased, while hours of purposeful activity have decreased.²
60. In her evidence to the Committee, the Auditor General commented on the impact of the pressures. She said—

” The risk is that they become self-perpetuating: the inability to invest in reducing reoffending means that more people are being released, committing more offences, and coming back to prison, so the numbers continue to climb.

Source: Public Audit and Post-legislative Scrutiny Committee 26 September 2019, Caroline Gardner, contrib. 317³⁶

The Scottish Government and the SPS must provide detailed comparative data on the performance of private and public prisons, including access to, and provision of, hours of purposeful activity and Throughcare, and on outcomes, such as re-offending rates.

The Committee is concerned that decisions on prisoner placement are being led by short-term financial considerations instead of what is best to achieve key policy objectives such as rehabilitation of prisoners and reducing re-offending rates.

Contingency planning

61. ” We have too many people in our care for the facilities that we have.

[Colin McConnell, Chief Executive, Scottish Prison Service]

Source: Public Audit and Post-legislative Scrutiny Committee 21 November 2019, Colin McConnell, contrib. 24³⁷

” It is important that the committee takes assurance that the SPS is not at breaking point.

[Colin McConnell, Chief Executive, Scottish Prison Service]

Source: Public Audit and Post-legislative Scrutiny Committee 21 November 2019, Colin McConnell, contrib. 24³⁷

62. Colin McConnell, Chief Executive of the SPS, told the Committee—

” This morning, we unlocked 8,290 people in a system that is designed to care for 7,676. The reality is that, in effect, we are about a medium to large-sized prison short. It is only because we are able to work together and put in place appropriate measures and contingency plans that we can keep the service going.

Source: Public Audit and Post-legislative Scrutiny Committee 21 November 2019, Colin McConnell, contrib. 24³⁷

63. Colin McConnell went on to add that—

” I have been able to satisfy the director general that we could leverage further capacity in the system, if we have to, that could allow up to a further 500 people to be contained within the SPS. I will not pretend to the committee that that would be a very pleasant experience for the people who were sent into our care or the people who are working in the system.

Source: Public Audit and Post-legislative Scrutiny Committee 21 November 2019, Colin McConnell, contrib. 24³⁷

64. The Committee sought further clarification on how this number might be accommodated given that it had learned from witnesses representing the private prisons that, while HMP Kilmarnock could take an additional 96 prisoners, HMP Addiewell could take no more than two or three.²¹ Colin McConnell advised that the capacity would be created by “doubling up” prisoners, so that every cell within the SPS would contain at least two people.³

65. Witnesses commented on the impact of overcrowded prisons and what this would mean for both the prison population and for staff. Michael Guy representing HMP Kilmarnock stated that—

” It is also worth remembering that the issue is not just about a physical bed for someone to sleep in: it is also about access to the regime and to visits, and about being able to have space. When we have the best part of 400 prisoners sharing cells, there is no privacy and no space. Putting lots of people into a very small space is where some of the aggravation comes from.

Source: Public Audit and Post-legislative Scrutiny Committee 31 October 2019, Michael Guy, contrib. 169³⁸

66. Nigel Ironside from the PGA told the Committee that—

” When we talk about space and place, the people aspect is often lost. Part of the challenge of managing overcrowding is about moving elements of the population; we end up moving people around the country, away from where they have been, and that has implications for the escort contract, which the SPS manages.

There is also a human cost of manoeuvring and moving people away.

Source: Public Audit and Post-legislative Scrutiny Committee 31 October 2019, Nigel Ironside, contrib. 168³⁹

The Committee notes that the prison service is accommodating around 500 prisoners more than it was designed to hold. This is clearly unacceptable. As noted above, there are no signs that the prison population will decrease in the short term. The contingency arrangements that the SPS and the Scottish Government have put in place would involve increasing the number of prisoners in each cell, which is a retrograde step.

In the meantime, the impacts of such overcrowding are evident. Overcrowded prisons lead to restrictions on movement and access to purposeful activity; leading to tensions between prisoners and incidents of increased violence which, in turn, leads to further pressures on an already beleaguered workforce and an increase in stress-related absences.

The Committee notes that the increases in prison population are outwith the control of the SPS. However, it is clear to the Committee that urgent collaborative action by the SPS and the Scottish Government is required to put in place contingency plans that are appropriate for a modern prison service.

Future planning

67. A key question for the Committee throughout its scrutiny of this audit report has been the extent to which the pressures being experienced by the prison service as set out in the auditor's report for 2018/19 could have been predicted or anticipated and appropriate action taken earlier to seek to ameliorate or counteract their impact.
68. The Committee noted that the Auditor General's report points to a number of pressures that clearly have been building up over time. For example, the SPS has been underspending its capital budget over the last decade; staff sickness has been increasing over the last three years and the report indicates that prison officers had been expressing concerns about their working conditions since 2013.²
69. Further, while the Committee notes that a number of factors causing the increase in the prison population may not have been predictable, such as changes in the use of Home Detention Curfew, some of the other factors were as a result of legislative changes and, as such, would have been anticipated.²
70. Witnesses disagreed on the extent to which the growth in prisoner numbers could have been anticipated. Paul Johnston, Director-General Education, Communities and Justice acknowledged that factors such as the impact of ending automatic early release could be predicted, but stated that "there are further variable factors, such as the reduction in certain types of crime, which had been keeping the prison population down, and the average sentence length, which we cannot predict with accuracy but has increased sharply."³
71. Neil Rennick from the Scottish Government told the Committee that—

” A much more complex set of actions is going on than purely the number of cases that are feeding through. It relates to the changing nature of offending, the changes in sentencing and, importantly, the changes in the way in which people are feeding through our prisons and how likely they are to be released.

Source: Public Audit and Post-legislative Scrutiny Committee 21 November 2019, Neil Rennick, contrib. 16⁴⁰

72. Phil Fairlie from POAS took a different view. He stated that—

” we have watched the growth in prisoner numbers for many years and we have always talked about having the highest number of prisoners in western Europe inside our system and the need to do something about that. However, every time we have talked about that, the numbers have gone in the opposite direction.

It is predictable and we need to stop talking about the numbers that we wish we held and start to fund the Prison Service for the numbers that we are holding.

Source: Public Audit and Post-legislative Scrutiny Committee 31 October 2019, Phil Fairlie, contrib. 105⁴¹

73. More generally, in his evidence to the Committee, Mark Roberts from Audit Scotland explained that—


” During 2018-19, an awful lot of those things started lining up together. Factors such as staff wellbeing, the condition of the estate and changes in the wider policy around the justice system all started lining up to drive the number of prisoners in the prison estate upwards. It was not that that had not been happening previously, but that everything started to coalesce to push the number of prisoners upwards.

Source: Public Audit and Post-legislative Scrutiny Committee 26 September 2019, Mark Roberts (Audit Scotland), contrib. 215⁴²

74. The Committee sought clarity on the forecasting and planning that the SPS and Scottish Government had been undertaking in relation to prison population levels. In subsequent written evidence the Scottish Government provided information about its arrangements for the ongoing monitoring of the prison population and projections of future populations levels.⁵ It described the data that was published on a regular basis and also indicated that “Forward projections for future monthly prison population levels are also prepared by Justice Analytical officials using an established methodology.” In addition, it advised that Scottish Government analysts had undertaken detailed technical analysis over a number of years to better understand the underlying drivers of the prison population.⁵

The Committee considers that there are lessons to be learned from the recent growth in the prison population the causes of which are multiple and varied. It is clear to the Committee that future planning by the SPS and the Scottish Government must include scenario planning for unexpected incidents or events that could impact on prison populations trends.

Conclusion

75.  what is expected of the Prison Service and what does that operating model look like? Is there a human rights-based approach or a warehousing approach to managing the ever-increasing numbers?

[Nigel Ironside, Prison Governors' Association]

Source: Public Audit and Post-legislative Scrutiny Committee 31 October 2019, Nigel Ironside, contrib. 200⁴³

The Auditor General's report notes that the SPS is facing multiple pressures, which together, threaten its financial sustainability and the safe and effective operation of the service. These pressures include growing violence between prisoners and against prison officers, rising levels of complex mental health issues, and an increase in prisoner use of psychoactive substances. At the same time, the SPS's budget has been decreasing in real terms and delays in upgrading the prison estate are placing pressures on the estate creating a higher risk of failure.

Prisoner numbers exceed the operating capacity of Scotland's prisons and the Auditor General's report warns that without any meaningful change in the way in which the justice system as a whole operates, there is a real risk that prisoner numbers will remain high, or even continue to rise and exceed the SPS's maximum capacity in the near future. The Scottish Government and the SPS need to take action now.

- [1] Public Audit and Post-legislative Scrutiny Committee 31 October 2019, Wendy Sinclair-Gieben, contrib. 107, <http://www.scottish.parliament.uk/parliamentarybusiness/report.aspx?r=12339&c=2212213>
- [2] Audit Scotland. (2019, September 12). The 2018/19 audit of the Scottish Prison Service. Retrieved from https://www.audit-scotland.gov.uk/uploads/docs/report/2019/s22_190912_sps.pdf
- [3] Scottish Parliament. (2019, November 21). Public Audit and Post-legislative Scrutiny Committee Official Report Thursday 21 November 2019. Retrieved from <http://www.parliament.scot/parliamentarybusiness/report.aspx?r=12385&mode=pdf>
- [4] Scottish Government. (2019, November 15). Correspondence from Paul Johnson, Director-General Education, Communities and Justice. Retrieved from https://www.parliament.scot/S5_Public_Audit/General%20Documents/Paul_Johnston_SPS_15_Nov_2019.pdf
- [5] Scottish Government. (2019, December 16). Correspondence to Convener from Paul Johnson, Director-General Education, Communities and Justice. Retrieved from https://www.parliament.scot/S5_Public_Audit/General%20Documents/SG_SPS_20191216.pdf
- [6] Justice Committee. (2019, December 1). Pre-budget scrutiny of the Scottish Government's draft budget 2020/21: justice and policing. Retrieved from <https://digitalpublications.parliament.scot/Committees/Report/J/2019/12/1/Pre-budget-scrutiny-of-the-Scottish-Government-s-draft-budget-2020-21--justice-and-policing>
- [7] Public Audit and Post-legislative Scrutiny Committee 21 November 2019, Colin McConnell (Scottish Prison Service), contrib. 3, <http://www.scottish.parliament.uk/parliamentarybusiness/report.aspx?r=12385&c=2219138>
- [8] Public Audit and Post-legislative Scrutiny Committee 31 October 2019, Wendy Sinclair-Gieben, contrib. 132, <http://www.scottish.parliament.uk/parliamentarybusiness/report.aspx?r=12339&c=2212238>
- [9] Public Audit and Post-legislative Scrutiny Committee 21 November 2019, Melanie Allan, contrib. 232, <http://www.scottish.parliament.uk/parliamentarybusiness/report.aspx?r=12385&c=2219367>
- [10] Public Audit and Post-legislative Scrutiny Committee 31 October 2019, Phil Fairlie, contrib. 145, <http://www.scottish.parliament.uk/parliamentarybusiness/report.aspx?r=12339&c=2212251>
- [11] Public Audit and Post-legislative Scrutiny Committee 31 October 2019, Steve Farrell, contrib. 199, <http://www.scottish.parliament.uk/parliamentarybusiness/report.aspx?r=12339&c=2212305>
- [12] Farrell, S. (2019, November 1). Correspondence to Convener from Steve Farrell, Community Union. Retrieved from https://www.parliament.scot/S5_Public_Audit/General%20Documents/Community_Union_1_Nov_2019.pdf
- [13] Public Audit and Post-legislative Scrutiny Committee 21 November 2019, Colin McConnell, contrib. 213, <http://www.scottish.parliament.uk/parliamentarybusiness/report.aspx?r=12385&c=2219348>

- [14] Public Audit and Post-legislative Scrutiny Committee 31 October 2019, Nigel Ironside, contrib. 20, <http://www.scottish.parliament.uk/parliamentarybusiness/report.aspx?r=12339&c=2212126>
- [15] Public Audit and Post-legislative Scrutiny Committee 31 October 2019, Phil Fairlie, contrib. 21, <http://www.scottish.parliament.uk/parliamentarybusiness/report.aspx?r=12339&c=2212127>
- [16] Public Audit and Post-legislative Scrutiny Committee 21 November 2019, Kate Hudson (Scottish Prison Service), contrib. 41, <http://www.scottish.parliament.uk/parliamentarybusiness/report.aspx?r=12385&c=2219176>
- [17] Public Audit and Post-legislative Scrutiny Committee 31 October 2019, Wendy Sinclair-Gieben, contrib. 32, <http://www.scottish.parliament.uk/parliamentarybusiness/report.aspx?r=12339&c=2212138>
- [18] Public Audit and Post-legislative Scrutiny Committee 31 October 2019, Phil Fairlie, contrib. 29, <http://www.scottish.parliament.uk/parliamentarybusiness/report.aspx?r=12339&c=2212135>
- [19] Public Audit and Post-legislative Scrutiny Committee 21 November 2019, Kate Hudson, contrib. 124, <http://www.scottish.parliament.uk/parliamentarybusiness/report.aspx?r=12385&c=2219259>
- [20] Public Audit and Post-legislative Scrutiny Committee 21 November 2019, Colin McConnell, contrib. 73, <http://www.scottish.parliament.uk/parliamentarybusiness/report.aspx?r=12385&c=2219208>
- [21] Scottish Parliament. (2019, October 31). Public Audit and Post-legislative Scrutiny Committee Official Report. Retrieved from <http://www.parliament.scot/parliamentarybusiness/report.aspx?r=12339&mode=pdf>
- [22] Public Audit and Post-legislative Scrutiny Committee 31 October 2019, Phil Fairlie, contrib. 69, <http://www.scottish.parliament.uk/parliamentarybusiness/report.aspx?r=12339&c=2212175>
- [23] Public Audit and Post-legislative Scrutiny Committee 31 October 2019, Phil Fairlie, contrib. 89, <http://www.scottish.parliament.uk/parliamentarybusiness/report.aspx?r=12339&c=2212195>
- [24] Public Audit and Post-legislative Scrutiny Committee 31 October 2019, Nigel Ironside, contrib. 65, <http://www.scottish.parliament.uk/parliamentarybusiness/report.aspx?r=12339&c=2212171>
- [25] Prison Governors' Association - Scotland. (2019, December 6). Correspondence to Convener from Prison Governors' Association - Scotland. Retrieved from https://www.parliament.scot/S5_Public_Audit/General%20Documents/Prison_Govenors_Association_Letter_191206.pdf
- [26] Scottish Prison Service. (2019, December 12). Correspondence to Convener from Scottish Prison Service. Retrieved from https://www.parliament.scot/S5_Public_Audit/General%20Documents/Scottish_Prison_Service_20191212.pdf

- [27] Public Audit and Post-legislative Scrutiny Committee 21 November 2019, Kate Hudson, contrib. 135, <http://www.scottish.parliament.uk/parliamentarybusiness/report.aspx?r=12385&c=2219270>
- [28] Public Audit and Post-legislative Scrutiny Committee 21 November 2019, Paul Johnston, contrib. 157, <http://www.scottish.parliament.uk/parliamentarybusiness/report.aspx?r=12385&c=2219292>
- [29] Scott-Moncrieff. (2018, March 31). Scottish Prison Service: Annual report on the 2017/18 audit to the Accountable Officer and the Auditor General for Scotland. Retrieved from https://www.audit-scotland.gov.uk/uploads/docs/report/2018/aar_1718_scottish_prison_service.pdf
- [30] Audit Scotland. (2016, March 31). Scottish Prison Service: 2015/16 Annual audit report to Members and the Auditor General for Scotland. Retrieved from https://www.audit-scotland.gov.uk/uploads/docs/report/2016/fa_1516_scottish_prison_service.pdf
- [31] Audit Scotland. (2014, March 31). Scottish Prison Service: Annual report on the 2013/14 audit. Retrieved from https://www.audit-scotland.gov.uk/uploads/docs/report/2014/fa_1314_scottish_prison_service.pdf
- [32] Public Audit and Post-legislative Scrutiny Committee 21 November 2019, Colin McConnell, contrib. 192, <http://www.scottish.parliament.uk/parliamentarybusiness/report.aspx?r=12385&c=2219327>
- [33] Public Audit and Post-legislative Scrutiny Committee 21 November 2019, Paul Johnston, contrib. 259, <http://www.scottish.parliament.uk/parliamentarybusiness/report.aspx?r=12385&c=2219394>
- [34] Public Audit and Post-legislative Scrutiny Committee 31 October 2019, Nigel Ironside, contrib. 144, <http://www.scottish.parliament.uk/parliamentarybusiness/report.aspx?r=12339&c=2212250>
- [35] Public Audit and Post-legislative Scrutiny Committee 31 October 2019, Wendy Sinclair-Gieben, contrib. 142, <http://www.scottish.parliament.uk/parliamentarybusiness/report.aspx?r=12339&c=2212248>
- [36] Public Audit and Post-legislative Scrutiny Committee 26 September 2019, Caroline Gardner, contrib. 317, <http://www.scottish.parliament.uk/parliamentarybusiness/report.aspx?r=12287&c=2203816>
- [37] Public Audit and Post-legislative Scrutiny Committee 21 November 2019, Colin McConnell, contrib. 24, <http://www.scottish.parliament.uk/parliamentarybusiness/report.aspx?r=12385&c=2219159>
- [38] Public Audit and Post-legislative Scrutiny Committee 31 October 2019, Michael Guy, contrib. 169, <http://www.scottish.parliament.uk/parliamentarybusiness/report.aspx?r=12339&c=2212275>
- [39] Public Audit and Post-legislative Scrutiny Committee 31 October 2019, Nigel Ironside, contrib. 168, <http://www.scottish.parliament.uk/parliamentarybusiness/report.aspx?r=12339&c=2212274>

- [40] Public Audit and Post-legislative Scrutiny Committee 21 November 2019, Neil Rennick, contrib. 16, <http://www.scottish.parliament.uk/parliamentarybusiness/report.aspx?r=12385&c=2219151>
- [41] Public Audit and Post-legislative Scrutiny Committee 31 October 2019, Phil Fairlie, contrib. 105, <http://www.scottish.parliament.uk/parliamentarybusiness/report.aspx?r=12339&c=2212211>
- [42] Public Audit and Post-legislative Scrutiny Committee 26 September 2019, Mark Roberts (Audit Scotland), contrib. 215, <http://www.scottish.parliament.uk/parliamentarybusiness/report.aspx?r=12287&c=2203714>
- [43] Public Audit and Post-legislative Scrutiny Committee 31 October 2019, Nigel Ironside, contrib. 200, <http://www.scottish.parliament.uk/parliamentarybusiness/report.aspx?r=12339&c=2212306>

