



HEADQUARTERS
One Lochside
1 Lochside Avenue
Edinburgh
EH12 9DJ

Our Ref: HQ24082

7 August 2024

Dear

Thank you for your request dated 9 July 2024 under the Freedom of Information (Scotland) Act 2002 (FOI(S)A).

For reference, you requested:

RFI 1: "How many trans prisoners are currently in jail in Scotland, how many were there in the last three years, broken down by a year, and are they in the women's or men's estate?"

RFI 2: "How much did the SPS spend on Christmas and New Year lunches for prisoners in 2023, with this broken down per prison and per meal?"

RFI 3: "What are the estimated costs for running HMP Kilmarnock over the next five years, with a breakdown of what this spend will be on?"

RFI 4: "How many drug dogs are currently active in every Scottish prison? Could you break this down for the last five years and per prison?"

RFI 5: "Has the SPS been hit with legal action due to prison noise complaints? If so, what was the outcome? – How many noise complaints have been made and where?"

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

RFI 1 Response: We do endeavour to provide information whenever possible and we do hold some of the information requested. However, in this instance an exemption under section 38(1)(b) (personal information) of FOI(S)A applies to the information requested. Personal data is exempt from disclosure if disclosure would contravene any of the data protection principles in Article 5(1) of the UK GDPR and in section 34(1) of the DPA 2018.

The Scottish Prison Service seeks to be as open and transparent as possible, while also upholding our statutory obligation to protect the personal information of those in our care. The information you have requested relates to a small group of individuals and providing the information requested could, together with other available information lead to their inadvertent identification.

We have improved the way in which we collate and present data on our transgender population and, following advice from information governance experts, will only provide information on the total number of transgender people in our care. This information is published on the SPS website and can be found at the link below:

[Public Information Page \(sps.gov.uk\)](https://sps.gov.uk)

RFI 2 Response: Under section 17 of FOI(S)A I can advise that this information is not held. While we do hold information in relation to the average annual spend on prisoner meals, this information is not held in a way that we can provide the spend per prison and per meal for Christmas and New Year lunches for prisoners.

RFI 3 Response: Please see table below for the estimated costs for running HMP Kilmarnock over the next five years, with a breakdown of what this spend will be on:

HMP Kilmarnock	2024/25 Budget	2025/26 Budget	2026/27 Budget	2027/28 Budget	2028/29 Budget
Pay Budget	11,973,462	14,448,592	15,777,798	16,251,132	16,738,666
Non-Pay Budget	3,823,983	3,900,463	3,978,472	4,058,041	4,139,202
Total	15,797,445	18,349,055	19,756,270	20,309,173	20,877,868

RFI 4 Response: We have a national tactical search team comprising of 12 staff who utilise 18 dogs. They are not establishment based as they are a national resource.

RFI 5 Response: No, the SPS has not been involved in legal action due to prison noise complaints.

From 1 April 2023 to 31 July 2024 SPS has received 158 complaints about noise. All of which have been in relation to HMP Stirling.

This concludes our response to your request.

If you are unhappy with this response to your request, you may ask us to conduct an internal review, by writing to The Chief Executive, One Lochside, 1 Lochside Avenue, Edinburgh, EH12 9DJ. Your request should explain why you wish a review to be conducted and should be made within forty working days of receipt of this letter, and we will reply within twenty working days of receipt. If you are not satisfied with the result of the review, you then have the right to make a formal complaint to the Scottish Information Commissioner.

Yours sincerely

Freedom of Information Manager