

Collated Answers to Parliamentary Questions on Prison Privatisation and Costs

In order to contribute to public understanding of the costs of private prisons the Scottish Consortium on Crime and Criminal Justice [the Consortium] has assembled answers to Scottish Parliamentary Questions asked between October 1999 and December 2008. The collation does not include all relevant questions as many repeat earlier ones, but it includes all the information given in parliamentary answers that our searches revealed. The information is presented under subject headings and in date order starting with the earliest.

HMP KILMARNOCK

1. What is the total cost of the HMP Kilmarnock over 25 years?

In reply to Linda Fabiani [S1W-10002; 20/09/2000], Jim Wallace stated that " *The total cost over the 25-year period of the contract is approximately £130 million in Net Present Value terms. The capital element is approximately £32 million.*". Finally, when asked about the cost per prisoner place, Jim Wallace replied to Sylvia Jackson on 9th January 2001 that " *The total cost of HMP Kilmarnock over the 25-year period of the contract is approximately £130 million in Net Present Value terms. This equates to an annual cost per prisoner place of around £11,000 in Net Present Value terms. Using the same methodology, the annual cost per prisoner place for the Scottish Prison Service designing, constructing, financing and operating HMP Kilmarnock over 25 years would be around £21,000 in Net Present Value terms.*"

2. What is the real cash value of HMP Kilmarnock?

S1W-25058 - Roseanna Cunningham (Perth) (SNP) (Date Lodged Friday, April 12, 2002): To ask the Scottish Executive, in relation to the PricewaterhouseCoopers Financial Review of Scottish Prison Service Estates Review and the table of private prison prices in paragraph 3.3, page 27, whether it will state the real cash value of each of the prisons mentioned, calculated in the same way as those shown for the public sector comparator in chapter 2.

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Answered by Jim Wallace (Monday, June 10, 2002):

<i>Prison</i>	<i>Cash Value Real (£000)</i>
Altcourse	504,824
Parc	543,657
Lowdham Grange	280,004
Kilmarnock	269,429
Ashfield	247,303
Forest Bank	402,633
Rye Hill	314,749
Dovegate	490,518

The cash value real figures have been calculated by determining the equivalent annual cash value real balance which, if discounted back to Cash Value Real would give a NPV equal to the figure provided by Her Majesty's Prison Service. This calculation assumes a 6% discount rate, a 25 year operating concession and a two-year construction period.

3. Net Present value of prisoner places at HMP Kilmarnock

Question S1W-25059 asked by Roseanna Cunningham on April 12, 2002 about NPV for Kilmarnock Prison gets the following reply:

Answered by Jim Wallace (Monday, June 10, 2002): Her Majesty's Prison Service provided the net present values (NPVs) as at the contract date for each prison in England and Wales. PricewaterhouseCoopers used the following methodology to calculate the NPV figures:

$$NPV_a = [((NPV_h/L_k) \times (1 + (GWI_n - GWI_s)/GWI_n)) + ((NPV_h/NL_k) \times (1 + (TPI_n - TPI_s)/TPI_n))]/(C \times D)$$

Where:

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NPV_a = The net present value per prisoner place year

NPV_h = The net present value of the specific PPP Private Build Private Operate prison as provided by Her Majesty's Prison Service (HMPS)

L_k = The labour element of the NPV, determined from the analysis of the labour/non-labour split per the HM Prison Kilmarnock PSC.

$GW I_n$ = The General Wage Inflation index at the PSC base date as provided by the National Statistics Office

$GW I_s$ = The General Wage Inflation index at the date of financial close for the specific PPP Private Build Private Operate prison as provided by the National Statistics Office

NL_k = The non-labour element of the NPV, determined from the analysis of the labour/non-labour split per the HM Prison Kilmarnock PSC.

TPI_n = The BCIS All-in TPI index at the PSC base date.

TPI_s = The BCIS All-in TPI index at the date of financial close for the specific PPP Private Build Private Operate prison.

C = The number of years of the concession.

D = The number of prisoner places per HMPS figures.

4. Servicing costs of PFI project HMP Kilmarnock

S1W-5682 - Andrew Wilson (Central Scotland) (SNP) (Date Lodged Tuesday, March 28, 2000): To ask the Scottish Executive what the undiscounted cost to the Scottish budget is of servicing each PFI contract which the Executive and its predecessors have entered into over the entirety of each contract, in total and by each contract agreed. (S1W-5682)

Mr Jack McConnell: The Scottish Executive has three PFI contracts for which it is responsible. They are:

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- Skye Bridge
- M6 DBFO
- Kilmarnock Prison.

The Scottish Executive does not make service payments for Skye Bridge.

The undiscounted cost of the PFI service payments (i.e. revenue commitments) in cash terms, excluding VAT and rounded to the nearest £ million for M6DBFO and Kilmarnock Prison are :

Year	M6DBFO	Kilmarnock Prison £million
1997-98	2	
1998-99	3	
1999-2000	21	17
2000-01	22	15
2001-02	20	15
2002-03	21	15
2003-04	23	16
2004-05	21	16
2005-06	20	16
2006-07	21	17
2007-08	23	17
2008-09	20	18
2009-10	23	18
2010-11	27	19
2011-12	27	19
2012-13	28	20
2013-14	29	21
2014-15	31	21
2015-16	40	22
2016-17	44	17
2017-18	37	18
2018-19	32	19
2019-20	35	19
2020-21	35	20
2021-22	34	19

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Year	M6DBFO	Kilmarnock Prison £million
2022-23	25	20
2023-24	7	20
2024-25	8	
2025-26	9	
2026-27	9	
2027-28	8	

The total undiscounted commitment for M6 DBFO is £705 million. The total undiscounted commitment for Kilmarnock Prison is £454 million

5. What is the cost of unused prisoner places?

S1W-30376 - Roseanna Cunningham (Perth) (SNP) (Date Lodged Tuesday, October 08, 2002): To ask the Scottish Executive how much it has paid for prisoner places that were not filled at HM Prison Kilmarnock in each of the last three years.

Answered by Jim Wallace (Thursday, October 31, 2002): I have asked Tony Cameron, Chief Executive of the Scottish Prison Service to respond. His response is as follows:

	£000
1999-2000	78
2000-01	27
2001-02	Nil

6. What are the non-domestic rates for private prisons?

S1W-28223 - Roseanna Cunningham (Perth) (SNP) (Date Lodged Monday, August 05, 2002): To ask the Scottish Executive, further to the answer to question S1W-26497 by Mr Jim Wallace on 18 July 2002, whether the cost of non-domestic rates was included in the private sector model and what the reasons are for the position on this matter.

Answered by Jim Wallace (Thursday, October 24, 2002): No. The private sector model was based on the contract cost of privately-managed prisons and non-domestic rates are not a contractual cost. The net present value of non-domestic rates is estimated to be

approximately £3 million over 25 years. The public sector comparator included non-domestic rates to facilitate comparison with the new houseblock options. The total contractual cost plus non-domestic rates for the private sector model is £209 million compared with the public sector comparator of £429 million on the same basis.

HMP ADDIEWELL

HMP Addiewell opened in December 2008. The contract to design, build, manage and finance the prison was awarded to Addiewell Prison Services (APL). The prison was built by Interserve Project Services Limited (IPSL) and is run by Kalyx Limited, a wholly owned subsidiary of Sodexo.

8. What is the cost of HMP Addiewell?

S1W-28225 - Roseanna Cunningham (Perth) (SNP) (Date Lodged Monday, August 05, 2002): To ask the Scottish Executive, further to the answers to questions **S1W-21183** and **S1W-24978** by Mr Jim Wallace on 25 February 2002 and 24 July 2002, how it concluded that the difference between tendering costs for a privately-financed project and design costs for a publicly-financed project is not significant in a project of this scale, given that the Scottish Prison Service did not collect tender cost data in respect of the contract for HM Prison Kilmarnock.

Answered by Jim Wallace (Thursday, October 24, 2002): I have asked Tony Cameron, Chief Executive of the Scottish Prison Service, to respond. His response is as follows:

The PricewaterhouseCoopers Financial Review calculated the total cost of a new 700-place private build private operate prison as being around £206.2 million in net present value terms (around £453.2 million in cash value real terms), compared to £453.4 million in NPV terms (£855.4 million in CVR terms) for the public sector comparator. The tendering and design costs will not be significantly different due to the costings for the design and service specification for any new prison in the Estates Review, for both the Private Build Private Operate option and the Public Sector Comparator, being based upon those for HM Prison Kilmarnock.

S2W-30009 - Kenny MacAskill (Lothians) (SNP) (Date Lodged Monday, November 20, 2006): To ask the Scottish Executive, further to the answer to question S2W-29336 by Cathy Jamieson on 8 November 2006, what the unitary cost of HM Prison Addiewell will be.

Answered by Cathy Jamieson (Tuesday, December 05, 2006): I have asked Tony Cameron, Chief Executive of the Scottish Prison Service to respond. His response is as follows:

The net present value of the HM Prison Addiewell contract is estimated to be £369 million which equates to about £15 million per annum over the 25-year life of the contract. On the same basis, the annual cost, or unitary cost, for a prisoner place equates to around £21,000 for each of the 700 prisoner places at HM Prison Addiewell.

The Scottish Government Justice Budget for 2008 states the value of infrastructure investment provided by private investors for Addiewell prison to be around £80 million.

<http://www.scotland.gov.uk/Publications/2008/03/28122237/9>

9. Discounted rate

S2W-30010 - Kenny MacAskill (Lothians) (SNP) (Date Lodged Monday, November 20, 2006): To ask the Scottish Executive, further to the answer to question S2W-29336 by Cathy Jamieson on 8 November 2006, what discount rate was used in calculating the net present value costs of HM Prison Addiewell.

Answered by Cathy Jamieson (Monday, December 04, 2006): I have asked Tony Cameron, Chief Executive of the Scottish Prison Service to respond. His response is as follows:

3.5%.

10. Cost per prisoner place at Addiewell Prison

S2W-30009 - Kenny MacAskill (Lothians) (SNP) (Date Lodged Monday, November 20, 2006): To ask the Scottish Executive, further to the answer to question S2W-29336 by Cathy Jamieson on 8 November 2006, what the unitary cost of HM Prison Addiewell will be.

Answered by Cathy Jamieson (Tuesday, December 05, 2006): I have asked Tony Cameron, Chief Executive of the Scottish Prison Service to respond. His response is as follows:

The net present value of the HM Prison Addiewell contract is estimated to be £369 million which equates to about £15 million per annum over the 25-year life of the contract. On the same basis, the annual cost, or unitary cost, for a prisoner place equates to around £21,000 for each of the 700 prisoner places at HM Prison Addiewell.

S30-1584 - Derek Brownlee (South of Scotland) (Con): To ask the Scottish Executive what the average cost per prisoner place is for existing (a) public and (b) private prisons and what cost differential between public and private prison places is assumed by its Justice department when assessing how to procure new additional prison capacity.

Answered by Kenny MacAskill (Thursday, December 13, 2007): I wrote to the Justice Committee on 7 December 2007, providing detailed information on the cost per prisoner and levels of service based on the Draft Budget for 2008-09. I would be pleased to send a copy to the member.

SCCCJ obtained the cost per prisoner place from the SPS as outlined for the Justice Committee Scrutiny of the Draft budget for 2008-09:

"...During 2008-09, SPS expects to accommodate an **average** prisoner population of 7,500 (excluding prisoners on Home detention Curfew). The SPS Draft Budget for 2008-09 is £443.3m, of which £332.9m is current and £110.4m is capital expenditure. On a **resource basis** (ie excluding the capital budget), this equates to an **average cost of £44.4k per prisoner** (ie £332.9m divided by 7,500 prisoners).

The SPS Draft Budget of £332.9m also funds expenditure associated with the Prisoner Escorting and Court Custody Service (PECCS) contract. **Excluding the PECCS expenditure**, say £26m, from the calculation results in an **average cost of £40.9k per prisoner** (ie £332.9m less £26m divided by 7,500 prisoners).

The SPS Draft Budget covers expenditure of both public and privately-managed prisons. During 2008-09, an average of at least 500 prisoners will be accommodated at HMP Kilmarnock and a further average of 100 at HMP Addiewell (which is due to open in December 2008, building gradually to holding 700 prisoners) at a cost of some £20m in

2008-09 - or an **average cost of £33.3k per prisoner** for **privately-managed** prisons (ie £20m divided by 600 prisoners). **Excluding the privately-managed prisons expenditure** from the calculation (also excluding PECCS expenditure), provides an overall **average cost of £41.6k per prisoner** for the **public sector** prisons (ie £332.9m less £26m PECCS less £20m privately-managed prisons divided by 7,500 less 600 privately managed prisoners - £286.9m divided by 6,900 prisoners), including associated support services.

The above **calculations necessarily include some broad assumptions** at this stage and are based on estimated prisoner volumes, budget allocations and service levels. We would expect the actual cost per individual prison to vary from these average figures due to differences in the capacity and condition of each prison, the type and age of prisoner being held (eg male/female; short/long sentence etc) and the level of service being provided etc. However, at this stage of the 2008-09 budget planning process, **robust and meaningful cost per prisoner figures are not available by prison**. We would also wish to highlight that **comparing the cost per prisoner at different prisons is not a simple exercise** and is further complicated when seeking to compare the cost of public sector prisons (on a resource basis) with the cost of privately-managed prisons (on a contractual cost). **The above figures should therefore be viewed as indicative only."**

[highlighted words reproduced as in original text]

Summary of changes in estimated cost per prisoner place at Addiewell Prison

Year	Addiewell estimated cost per prisoner place	Source
2006	£21,000	S2W-30009 - Kenny MacAskill (Lothians) (SNP) (Date Lodged Monday, November 20, 2006): To ask the Scottish Executive, further to the answer to question S2W-29336 by Cathy Jamieson on 8 November 2006, what the unitary cost of HM Prison Addiewell will be.
2007	£33,300	Justice Committee Scrutiny of Draft Budget 2008-09
Percentage change in one year	+59%	

The information on how the figures for a private prison place are arrived is not in the public domain and these figures must therefore be treated with caution.

11. Costs of monitoring Addiewell

S2W-30011 - Kenny MacAskill (Lothians) (SNP) (Date Lodged Monday, November 20, 2006): To ask the Scottish Executive, further to the answer to question S2W-29336 by Cathy Jamieson on 8 November 2006, what the annual cost will be to the public sector of monitoring the HM Prison Addiewell contract.

Answered by Cathy Jamieson (Monday, December 04, 2006): I have asked Tony Cameron, Chief Executive of the Scottish Prison Service (SPS) to respond. His response is as follows:

The SPS will finalise arrangements prior to the prison opening around the end of 2008.

Other Information from the PQs

12. How are the private prison costing calculations compared with the costings of public prisons?

S1W-25024 - Roseanna Cunningham (Perth) (SNP) (Date Lodged Thursday, April 11, 2002): To ask the Scottish Executive, in relation to PricewaterhouseCoopers Financial Review of Scottish Prison Service Estates Review, whether it will provide charts showing cashflow over the two years of construction and 25 years of operation for each model of the public sector comparator, for the Private Build Private Operate model and for each model of the Private Build Public Operate option.

Answered by Jim Wallace (Monday, June 10, 2002):

Year	PSC Funding (£000)	PSC Comparison (£000)	PPP Private Build Private Operate (£000)
1	95,785	82,530	
2	60,452	53,026	
3	28,871	28,052	18,128
4	25,370	25,107	18,128
5	23,677	23,396	18,128
6	23,902	23,603	18,128
7	27,718	26,975	18,128
8	24,811	24,469	18,128
9	24,753	24,411	18,128
10	24,947	24,604	18,128
11	25,403	25,060	18,128
12	30,939	30,152	18,128
13	25,539	25,195	18,128
14	27,168	26,823	18,128
15	25,944	25,599	18,128
16	26,150	25,804	18,128

Year	PSC Funding (£000)	PSC Comparison (£000)	PPP Private Build Private Operate (£000)
17	36,401	35,565	18,128
18	26,568	26,221	18,128
19	26,781	26,433	18,128
20	27,295	26,946	18,128
21	27,212	26,863	18,128
22	35,478	34,587	18,128
23	27,966	27,616	18,128
24	29,284	28,933	18,128
25	28,103	27,751	18,128
26	36,012	35,659	18,128
27	32,835	31,884	18,128

Separate cashflows were not calculated for the Private Build Public Operate models as these were compiled by reference to the PSC and Private Build Private Operate models.

13. General information on cost per prisoner place

S2W-53 - Michael Matheson (Central Scotland) (SNP) (Date Lodged Monday, May 12, 2003): To ask the Scottish Executive why the Scottish Prison Service has no target cost per prisoner similar to that of HM Prison Service.

Answered by Cathy Jamieson (Tuesday, June 03, 2003): The Scottish Prison Service has a cost per prisoner place target rather than a cost per prisoner target. The former has been in place since 1993-94. No need is seen for the latter.

In 2002 the following information was given on cost per prisoner place target:

S1W-30370 - Roseanna Cunningham (Perth) (SNP) (Date Lodged Tuesday, October 08, 2002): To ask the Scottish Executive in which of HM Prison (a) Barlinnie and (b) Kilmarnock the cost of doubling-up prisoners in cells for (i) two days or less and (ii) more than two days is lower.

Answered by Jim Wallace (Monday, October 28, 2002): I have asked Tony Cameron, Chief Executive of the Scottish Prison Service to respond. His response is as follows:

Robust information is not available which would enable a valid comparison to be made between these two existing prisons. I refer the member to the answer given to question S1W-30374 today, and to the fact that robust information is available which shows that the average annual cost per prisoner place on a net present value basis over a 25-year period in a public sector built and run prison of about 700 places is about £24,500 compared with £11,800 for an equivalent private sector build and run prison.

Cost per prisoner place at Kilmarnock prison compared with a public prison

S1W-11308 Sylvia Jackson, 16/11/2000: To ask the Scottish Executive what the cost per prisoner place is at HMP Kilmarnock and whether this cost is calculated using the same methodology as Scottish Prison Service figures.

Answered by Jim Wallace on 9/1/2001: I have asked Tony Cameron, Chief Executive of the Scottish Prison Service, to respond. His response is as follows:

The total cost of HMP Kilmarnock over the 25-year period of the contract is approximately £130 million in Net Present Value terms. This equates to an annual cost per prisoner place of around £11,000 in Net Present Value terms.

Using the same methodology, the annual cost per prisoner place for the Scottish Prison Service designing, constructing, financing and operating HMP Kilmarnock over 25 years would be around £21,000 in Net Present Value terms

Summary of cost per prisoner place comparison figures quoted by SPS in 2002 and 2007

<i>Year</i>	<i>Estimated cost per prisoner place public sector</i>	<i>Estimated cost per prisoner place private sector</i>	<i>Source</i>
2001	£21,000	£11,000	PQ S1W-11308
2002	£24,500	£11,800	PQ S1W-30370
2006	/	£26,000	PQ S2W-30009
2007	£41,600	£33,300	Justice Committee Scrutiny of Draft Budget 2008-09
Percentage change 2001 to 2007	+98%	+203%	

The information on how the figures for a private prison place are arrived is not in the public domain and these figures must therefore be treated with caution. The Justice Secretary points out in his paper to the Justice Committee (7th December 2007) *"we would also wish to highlight that comparing the cost per prisoner at different prisons is not a simple exercise and is further complicated when seeking to compare the cost of public sector (on a resource basis) with the cost of privately-managed prisons (on a contractual cost). The above figures should be viewed as indicative only."*

14. Prisoner projections and private prisons

S1W-31215 - Stewart Stevenson (Banff and Buchan) (SNP) (Date Lodged Monday, November 04, 2002): To ask the Scottish Executive, further to the answers to questions S1W-22444 and S1W-30578 by Mr Jim Wallace on 12 February and 28 October 2002, on what estimates of prisoner population any contracts for prisoner places with private prison providers in respect of any period from 2011 to 2033 will be based.

Answered by Jim Wallace (Thursday, November 14, 2002): I have asked Tony Cameron, Chief Executive of the Scottish Prison Service to respond. His response is as follows:

Procurement decisions for prisoner places, whether in the public or private sector, are based on the best available population projections at the time of the decision and the contract term or projected asset life which provides the best economic value to taxpayers.

15. Unused Prisoner places 2000-2002

S1W-24617 - Stewart Stevenson (Banff and Buchan) (SNP) (Date Lodged Thursday, March 28, 2002): To ask the Scottish Executive how many prisoner places in HM Prison Kilmarnock were (a) being paid for and (b) occupied on (i) 30 June 2000, (ii) 31 December 2000, (iii) 30 June 2001, (iv) 31 December 2001 and (v) 28 February 2002 or on the nearest dates for which the information can reasonably be provided.

Answered by Jim Wallace (Friday, April 12, 2002): I have asked Tony Cameron, Chief Executive of the Scottish Prison Service to respond. His response is as follows:

The number of prisoner places was as follows:

	Paid for	Occupied
30 June 2000	500	497
31 December 2000	533	533
30 June 2001	548	548
31 December 2001	510	510
28 February 2002	548	561

16. New prisons and refurbishments announced in 2008

The parliamentary questions concerning new prisons and prison refurbishments from May to December 2008 covering costs are set out below.

The three new prisons planned are:

- (a) **Low Moss Prison site (to be re-named HMP Bishopbriggs)**. Currently there have been no successful bidders for HMP Bishopbriggs.
- (b) **HMP Grampian** (the preferred site of which is on the site of the existing prison in Peterhead)
- (c) **HMP Inverclyde** (to replace HMP Greenock).

The prisons undergoing refurbishment are:

- (a) HM Prison Edinburgh
- (b) HM Prison Glenochil
- (c) HM Prison Perth
- (d) HM Young Offenders Institute Polmont

Questions on the costs of these works are below:

S3W-3931 - David Whitton (Strathkelvin and Bearsden) (Lab) (Date Lodged Monday, September 03, 2007): To ask the Scottish Executive whether it will provide details of the cost difference between a private sector company running the new Low Moss prison and providing its staff from the public sector.

Answered by Kenny MacAskill (Friday, September 21, 2007): I have asked Mike Ewart, Chief Executive of the Scottish Prison Service to respond. His response is as follows:

A direct cost comparison is not possible. The Scottish Prison Service will work with its trade union partners to deliver a publicly operated prison at Bishopbriggs which gives best possible value for money.

S3W-18075 - Richard Baker (North East Scotland) (Lab) (Date Lodged Thursday, November 20, 2008): To ask the Scottish Executive what proportion of its budget for the current spending review period will be spent on the construction of HM Prison Bishopbriggs and HM Prison Grampian.

Answered by Kenny MacAskill (Wednesday, December 03, 2008): The Scottish Government *Infrastructure Investment Plan 2008*, published in March 2008, provides details of the funding and planned investment in the prison estate. The Scottish Prison Service budget for prison development, including HM Prison Bishopbriggs and HM Prison Grampian, amounts to £356 million during the current spending review period, and forecast to continue at £120 million per annum thereafter to complete the modernisation of the prison estate.

The planned investment in the prison estate during the current spending review is 0.4% of the Scottish Government's Departmental Expenditure Limit (DEL) budget for that period.

S3W-18074 - Richard Baker (North East Scotland) (Lab) (Date Lodged Thursday, November 20, 2008): To ask the Scottish Executive when it expects that HM Prison Bishopbriggs will be completed and what the overall cost of building it will be.

Answered by Kenny MacAskill (Wednesday, December 03, 2008): I have asked Mike Ewart, Chief Executive of the Scottish Prison Service to respond. His response is as follows:

The Scottish Government *Infrastructure Investment Plan 2008*, published in March 2008, provides details of the funding and planned investment in the prison estate, including the redevelopment of HM Prison Edinburgh, HM Prison Glenochil, HM Prison Perth and HMYOI Polmont. Construction continues at each site and work is expected to be completed at HM Prison Edinburgh and HMYOI Polmont during 2009-10 followed by HM Prison Glenochil and HM Prison Perth during 2010-11.

The procurement process is underway with a view to construction commencing, subject to planning permission, during 2009-10.

S3W-18073 - Richard Baker (North East Scotland) (Lab) (Date Lodged Thursday, November 20, 2008): To ask the Scottish Executive when it expects that HM Prison Grampian will be completed and what the overall cost of building it will be.

Answered by Kenny MacAskill (Wednesday, December 03, 2008): I have asked Mike Ewart, Chief Executive of the Scottish Prison Service to respond. His response is as follows:

The Scottish Government *Infrastructure Investment Plan 2008*, published in March 2008, provides details of the funding and planned investment in the Prison estate, including the redevelopment of HM Prison Edinburgh, HM Prison Glenochil, HM Prison Perth and HMYOI Polmont. Construction continues at each site and work is expected to be completed at HM Prison Edinburgh and HMYOI Polmont during 2009-10 followed by HM Prison Glenochil and HM Prison Perth during 2010-11.

S3W-17221 - Hugh Henry (Paisley South) (Lab) (Date Lodged Monday, October 27, 2008): To ask the Scottish Executive whether the Scottish Prison Service is searching for a site to replace HMP Greenock.

Answered by Kenny MacAskill (Wednesday, November 05, 2008): I have asked Mike Ewart, Chief Executive of the Scottish Prison Service (SPS) to respond. His response is as follows:

The SPS announced on 22 October 2008 its intention to commence work to identify and acquire a site to replace HM Prison Greenock.

The characteristics of the existing prison site do not support redevelopment alongside normal prison operations therefore a new site is required.

HM Prison Inverclyde will replace HM Prison Greenock and the SPS has commenced looking for a potential site for this new prison within or near to the Inverclyde area.

Funding will be provided to the SPS to build a replacement for HM Prison Greenock on the preferred site identified in this process.

17. Questions asked about Interserve PLC

S3W-13543 - John Wilson (Central Scotland) (SNP) (Date Lodged Tuesday, May 27, 2008): To ask the Scottish Executive what the implications are for the contract for HM Prison Addiewell of the investigation announced by the Office of Fair Trading on 17 April 2008 into allegations of price fixing in tenders by Interserve PLC.

Answered by Kenny MacAskill (Wednesday, June 04, 2008): I have asked Mike Ewart, Chief Executive of the Scottish Prison Service to respond. His response is as follows:

None.

S3W-13542 - John Wilson (Central Scotland) (SNP) (Date Lodged Tuesday, May 27, 2008): To ask the Scottish Executive, in light of the investigation announced by the Office of Fair Trading on 17 April 2008 into allegations of price fixing in tenders by Interserve PLC, what action it is taking to ascertain whether there has been any price fixing by Interserve or any other company involved in tendering for the contract for HM Prison Addiewell.

Answered by Kenny MacAskill (Wednesday, June 04, 2008): I have asked Mike Ewart, Chief Executive of the Scottish Prison Service to respond. His response is as follows:

The tender for HM Prison Addiewell was made by Addiewell Prison Limited and it is not among those under investigation.

We have reviewed the procurement procedures for award of the contract and are satisfied that all reasonable steps to identify anti-competitive tendering were taken. These steps included receipt of signed statements from all bidders confirming that their tenders were bona fide competitive bids.

S3W-13541 - John Wilson (Central Scotland) (SNP) (Date Lodged Tuesday, May 27, 2008): To ask the Scottish Executive, in light of the investigation announced by the Office of Fair Trading on 17 April 2008 into allegations of price fixing in tenders by Interserve PLC, whether or not the tender for HM Prison Addiewell is among those under investigation.

Answered by Kenny MacAskill (Wednesday, June 04, 2008): I have asked Mike Ewart, Chief Executive of the Scottish Prison Service to respond. His response is as follows:

No.

Concluding remarks

It will be clear from this document that useable information on the costs of private prisons is not in the public domain. The Consortium has argued strongly in its response to the Scottish Government consultation on the COVERAGE OF FREEDOM OF INFORMATION (SCOTLAND) ACT 2002 that *'the Consortium supports the principle of extending the coverage of the Act to contractors. Where a contractor provides a public service paid for by public money that contractor should as a matter of principle be subject to the same freedom of information regime as the public sector. In trying to obtain information about private prisons it has been necessary for the Consortium to go to the SPS. It has not been possible to approach the contractors direct. This has not enabled us to obtain all the information sought. The provision of prisons appears to be very clearly a function of a public nature for purposes of the Act'*.

SCCCJ February 2009