

Angela Constance MSP  
Cabinet Secretary for Justice and Home Affairs

*Via email: CabSecforJHA@gov.scot*

Date: 27 August 2025  
Our Reference: SHRC202555

Dear Ms Constance

## **Access to Justice for Prisoners: The Complaints System**

The Scottish Human Rights Commission has today published a new report, [Access to Justice for Prisoners: The Complaints System](#). A copy of the [Executive Summary](#) together with [copies in accessible formats](#) such as British Sign Language and Easy Read have also been published.

The report finds:

- Scotland's prison complaints system fails to meet human rights standards on access to justice and specifically does not meet the five key principles on prison complaints outlined by the European Committee for the Prevention of Torture (CPT) which require that all prison complaints systems be available, accessible, confidential, effective and traceable.
- The current system is inaccessible and complex and is not a realistic way of pursuing justice for many prisoners, particularly those with certain disabilities, with lower literacy, or people whose first language is not English.
- Fear and mistrust prevent many people in prison from pursuing complaints.
- The system does not support continuous learning or improvement and lacks transparency.

The SHRC therefore recommends:

- The Scottish Government must urgently review and reform the prison complaints system.
- Reform must be rooted in human rights and designed with input from people in prison and their families.
- The Guide to the Scottish Prison Rules, co-drafted by SHRC and Parkhead CAB, should be widely distributed, translated into different accessible formats and languages, and kept updated by the SPS/Scottish Government.
- Transparent, disaggregated data should be published on prison complaints to improve accountability and learning.

Further to the report being launched today, SHRC has recently co-produced a [Guide to Rights Under the Scottish Prison Rules](#) with Parkhead Citizens Advice Bureau and printed and published by the Scottish Prison Service. The Guide was launched at HMP Barlinnie on 31 July 2025.

As is recommended in the above report, the Scottish Prison Service has committed to making the Guide available to prisoners across Scotland, and their families. The Scottish Prison Service has also committed to translating the Guide into community languages, making it available in accessible formats, including British Sign Language and Easy Read, and keeping the Guide updated.

The SHRC is committed to follow up work in this area to ensure our concerns are acted upon. We are, today, sharing the report with relevant Committees of the Scottish Parliament, including the Criminal Justice Committee and the Equalities, Human Rights and Civil Justice Committee.

We will also distribute the report among our own domestic and international human rights networks, including through our membership of the National Preventive Mechanism (NPM) and to bodies such as the CPT.

Finally, we will reflect the report's findings in our future international treaty monitoring and reporting work and will return to the issue later in our Strategic Planning cycle to monitor progress.

I look forward to receiving the Scottish Government's formal response to the report's findings and recommendations and would welcome a meeting to discuss this in early course.

Yours sincerely

A handwritten signature in purple ink, appearing to read 'A O'Hagan', with a long horizontal flourish extending to the right.

**Professor Angela O'Hagan**  
**Chair, Scottish Human Rights Commission**