

## **POLICY NOTE**

### **THE DISCONTINUANCE OF ABERDEEN AND PETERHEAD PRISONS (SCOTLAND) ORDER 2014**

**SSI 2014/13**

1. The above instrument formally discontinues the prisons at Aberdeen and Peterhead and was made by the Scottish Ministers in exercise of the power conferred upon them by section 37(1) of the Prisons (Scotland) Act 1989. The instrument is subject to negative resolution procedure, and comes into force on 26 February 2014. The discontinuance order is the formal legal act required to reflect that a prison has ceased to operate.

#### **Policy Objectives**

2. The Cabinet Secretary announced in August 2007 that a new publicly operated prison was to be built in the Peterhead area to replace the existing facilities there and at HMP Aberdeen. The Scottish Government's Infrastructure Investment Plan for 2008, published on 27 March 2008, which announced details of the SPS Estate Strategy for the period 2008-09 to 2012-13, included the investment in HMP &YOI Grampian.
3. HMP & YOI Grampian has been built on part of the HMP Peterhead site and is scheduled to open in March 2014 and will be fully operational by late April: HMP Peterhead closed on 6 December 2013 and HMP Aberdeen is scheduled to close on 10 February 2014. All prisoners detained in HMP Aberdeen are scheduled to be relocated to other SPS sites by the 10 January 2014. Prisoners located in HMPs Peterhead and Aberdeen will be relocated to other SPS establishments until HMP Grampian becomes operational in April 2014.
4. HMPs Peterhead and Aberdeen will already have been closed to prisoners by the time this Order comes into force but this Order means that those properties can no longer be used as prisons.

#### **Impact Assessment**

5. The Equality and Diversity impact assessment was carried out and it was determined that the Legal Orders themselves would have no impact on prisoners, staff or visitors to the prison.

#### **Consultation**

6. There has been consultation with SPS National Trade Union Partners. Staff from HMPs Aberdeen and Peterhead will be redeployed and there will be no compulsory redundancies following the closures of the prisons.

#### **Financial Effect**

7. The operational budgets for HMPs Aberdeen and Peterhead have been allocated to take account of the closure of sites in December 2013 and February 2014 and an Operational

Budget has been allocated for HMP Grampian for the latter part of the current financial year and provision made for a full operational budget for the next financial year.

8. The Aberdeen site and surplus land at the Peterhead site will be offered for sale in due course and all surplus or unwanted assets at the sites will be disposed of or transferred to the Disposal Services Agency.
9. The Cabinet Secretary for Justice confirms that no Business and Regulatory Impact Assessment is necessary as the instrument has no financial effects on the Scottish Government, local government or on business.