

**Case:** 201003734, Scottish Prison Service  
**Sector:** Scottish Government and devolved administration  
**Subject:** behaviour related programmes (including access to)  
**Outcome:** not upheld, no recommendations

### Summary

Mr C, who is a prisoner, complained that there had been an unreasonable delay by the SPS in assessing him for the Substance Related Offending Behaviour Programme. He felt that this meant he was being overlooked for progression as he worked through his sentence. As in other similar cases, the prison agreed that waiting times were lengthy. They said, however, that when placing people on the waiting list they take several factors into account, and it is for the prison to assess who can access the programme at what time within the limited resources available. They said they could not guarantee when Mr C would be assessed, but said that in this he was in a similar position to many others. In the light of similar complaints to the SPSO from other prisoners, we know that a pilot programme ran for some prisoners from November 2007 until November 2008. After that, plans were put in place to deliver the programme more widely. Our investigation confirmed that Mr C waited more than two years before he was assessed for the programme. However, the prison had a duty to deliver the programme to different groups of prisoners, taking a number of personal factors into account in each case. The delay in Mr C accessing the programme was therefore unavoidable.