

SPSO decision report



Case: 201003823, Scottish Prison Service
Sector: Scottish Government and devolved administration
Subject: progression
Outcome: not upheld, no recommendations

Summary

Mr C complained that the SPS delayed in progressing him to a 'top end' prison facility (part of a prison for low supervision prisoners entitled to special escorted leave). Firstly, it is not for our office to decide when or whether someone should progress to such a facility. Such decisions are discretionary matters and are for the SPS to take. What we have to determine is whether they followed the proper processes and procedures in doing so. During our investigation, we found that, due to adverse weather conditions, the SPS postponed a meeting to consider Mr C's case. Although this delayed matters, we considered this to be reasonable. The top end prison facility then asked that he be reassessed for a prisoner programme. It was for them to decide whether or not to accept the prisoner, and they were entitled to ask that he be reassessed. However, as the capacity of the top end facility was then reduced for rebuilding work, an operational decision was taken not to accept any more admissions. All in all, the decisions surrounding Mr C's case were ones that were appropriate for the SPS to take and we found no evidence of administrative error or unnecessary delay.