

SPSO decision report



Case: 201100170, Scottish Prison Service
Sector: Scottish Government and devolved administration
Subject: disciplinary charges - orderly room proceedings
Outcome: some upheld, no recommendations

Summary

Mr C complained that information given by the prison in response to his complaint was incorrect. He said that he pled 'not guilty' to a charge in an orderly room hearing and a witness request was refused. The prison's response to his complaint indicated that he did not request a witness and he had pled 'guilty' to the charge. The prison acknowledged that there had been an error in saying that he had pled 'guilty', therefore, we upheld this part of Mr C's complaint. However, the orderly room paperwork indicated that no witnesses were requested and no plea in mitigation was made after the guilty finding. In the absence of other evidence to support Mr C's view, we had to have regard to the paperwork and so we did not uphold that aspect of his complaint.