

Case: 201004418, Scottish Prison Service
Sector: Scottish Government and devolved administration
Subject: prison sentence management, progression
Outcome: not upheld, action taken by body to remedy, no recommendations

Summary

Mr C complained that the Scottish Prison Service (SPS) had failed to manage his sentence properly and this resulted in him being refused parole. Mr C is serving a life sentence. The punishment part of the sentence expired in January 2010. This means that Mr C can be freed once he receives approval from a Life Prisoner Tribunal. However, in January 2010, a Life Prisoner Tribunal decided that he should not be released. They recommended that he be progressed through the prison first, providing certain conditions were met.

Mr C considers that the delay in his progression is having an impact on his release. During our investigation, we found that the SPS had adhered to the proper processes and procedures in managing Mr C's progression. The fact that he had been returned to closed conditions for breaking the prison rules in February 2010 was having a considerable impact on his progression and release. However, the SPS were entitled to make that decision.

Mr C is also unhappy that he has been told to do further prison programmes. The SPS have decided that he needed these programmes to improve his decision-making. We considered that they were entitled to make these decisions when they felt that he had outstanding needs.