

SPSO decision report

Case: 201005067, Scottish Prison Service
Sector: Scottish Government and devolved administration
Subject: sentence planning
Outcome: not upheld, no recommendations

Summary

Mr C was unhappy about the length of time it was taking for him to complete the first stage of his management plan. This said that he should participate in an assessment by the Head of Psychology and complete work to reinforce decision making and problem solving skills. Firstly, it is not for our office to decide when or whether someone should progress through his or her management plan. Such decisions are discretionary matters and are for the SPS to take. What we have to determine is whether the SPS have followed the proper processes and procedures in doing so and whether they have delayed unreasonably. In addition, it is not for us to question the professional opinion of psychologists where there is no evidence of administrative error.

During our investigation, we found that that the SPS had postponed some of Mr C's meetings with a psychologist due to adverse weather conditions. Although this delayed matters, we considered this to be reasonable. There was an additional delay when the psychologists decided to review the work that was being carried out. All in all, the decisions surrounding Mr C's case were ones that were appropriate for the psychologists and SPS to take and we found no evidence of administrative error or unnecessary delay.