

**Case:** 201100721, Scottish Prison Service  
**Sector:** Scottish Government and devolved administration  
**Subject:** clothing  
**Outcome:** not upheld, action taken by body to remedy, no recommendations

### Summary

Mr C complained that the SPS refused to allow him to use a particular jacket. They told him that it was an outdoor style jacket and that such items are not permitted in prison. Mr C complained that the items in use list (which says what items prisoners are allowed to use) did not make this rule clear. He also complained that this led to him missing exercise periods in order to avoid exposure to the cold.

In investigating this complaint, we identified that the prison's original items in use list did not clearly state that outdoor jackets were not permitted. However, it is predominantly a list of items that are allowed and it did not say either that outdoor jackets were permitted. In any case, the establishment had already taken steps to introduce a new items in use list and they provided us with a copy. This explicitly states that outdoor jackets are not permitted. The SPS also confirmed that the establishment holds a stock of outdoor jackets that prisoners can access for exercise periods during inclement weather.

The SPS have discretion to decide which items to permit and they are, therefore, entitled to refuse to allow outdoor jackets. As the guidance has been updated to clarify the situation, and as prisoners have appropriate access to outdoor wear when required, we did not uphold Mr C's complaint.