

**Case:** 201101383, Scottish Prison Service  
**Sector:** Scottish Government and devolved administration  
**Subject:** progression  
**Outcome:** not upheld, no recommendations

### Summary

Mr C, who is a prisoner, complained about the delay in the prison progressing his application for the Open Estate. Mr C said he felt his application was being treated differently from other prisoners because other prisoners had been progressed more quickly than him.

In responding to Mr C's complaint, the prison told Mr C that they had requested information from the Police to help inform their decision about whether he was suitable for a move to open conditions. The prison said the Police had not provided the information and they would continue to pursue the matter.

Our enquiries on Mr C's complaint confirmed that the prison had processed his application in line with the proper process and that the delay in receiving information from the Police was outwith the prison's control. Therefore, we did not uphold Mr C's complaint. At the same time as making our enquiries, the Police provided the requested information and the prison were able to progress Mr C's application in line with the normal process.