

## SPSO decision report



**Case:** 201101364, Scottish Prison Service  
**Sector:** scottish government and devolved administration  
**Subject:** policy/administration  
**Outcome:** not upheld, no recommendations

### Summary

Mr C, who is a prisoner, complained because he felt the prison were failing to issue privileged mail to prisoners with a reasonable time in accordance with published standards. Privileged mail is mail sent to a prisoner from their legal representative, the courts and other organisations, such as SPSO.

Our investigation highlighted that best practice suggested that prisoner mail should be issued on the day it was received by the establishment. However, the mail policy confirmed there was no legal obligation to ensure mail was given to prisoners on the same day it was received. Instead, the policy confirmed that the nature of the correspondence required a certain level of promptness. The examples of delays that Mr C provided in his complaint told us that, in most cases, his privileged mail was given to him the day after the prison received it. We did not find this unreasonable. He also raised other issues with us about how SPS handled his complaint to them about the matter, but we were satisfied that the prison had handled it appropriately.