

## SPSO decision report

**Case:** 201103423, Scottish Prison Service  
**Sector:** scottish government and devolved administration  
**Subject:** personal property  
**Outcome:** upheld, action taken by body to remedy, recommendations

### Summary

Mr C, who is a prisoner, was unhappy with the Scottish Prison Service (SPS)'s investigation of his claim for several books that had gone missing in prison. Mr C said that although he gave the prison information about the missing books, there was a delay in finalising the matter.

We found that when Mr C transferred to the prison he had 12 books in his possession. Some time later he asked reception staff to give his books to his family. However, he later discovered that his books had instead been lent out to other prisoners. Only one book had been recorded on Mr C's property card when he was transferred to the prison. Mr C advised the prison that this was incorrect. Checks with the previous prison then identified that his current prison had not properly recorded the number of books when he first arrived.

Mr C provided the prison with the names of most of the missing books, although he could not remember them all. He also raised concerns with the governor of the prison that the investigation had still not been concluded despite being assured it would be done before he was transferred elsewhere. Around six months later, the prison apologised to Mr C for the delay in the investigation and offered compensation for eight books that could not be recovered.

We upheld his complaint, as we considered that a delay of over six months in investigating Mr C's claim was unacceptable. We did not, however, have any significant concerns about the actual investigation, as we found that the prison took reasonable steps to try to recover the missing books, even though only four were found. This included obtaining records from Mr C's previous prison and recalling all prisoner library books to search for titles similar to those that Mr C recalled having.

### Recommendations

We recommended that SPS:

- remind staff at the prison of the importance of recording all prisoner property; and
- advise us of the outcome of the prison's review of the reception processes for hard back books.