

## SPSO decision report

**Case:** 201103001, Scottish Prison Service  
**Sector:** Scottish Government and devolved administration  
**Subject:** personal property  
**Outcome:** not upheld, no recommendations

### Summary

Mr C, who is a prisoner, complained because he was unhappy with the prison's decision to confiscate his PS2 console. Mr C said the prison told him the item was confiscated because it did not match the serial number of the PS2 on his property card. Mr C said he bought his PS2 console and that his must have been swapped for a different one.

The prison rules clearly state that no prisoner shall have in his or her possession, or conceal or deposit anywhere within a prison, any property which he or she has not been authorised to possess or keep. In addition to this, we also asked the prison if steps had been taken to try and identify the whereabouts of Mr C's PS2. The prison said the only way to do this would be to conduct a search of every prisoner cell in the establishment. We considered whether this would be a reasonable step to take. In our view, it was not and we felt it would be a disproportionate use of staff time. In light of the information available, we were unable to uphold Mr C's complaint.