

Case: 201102853, Scottish Prison Service
Sector: Scottish Government and devolved administration
Subject: accommodation (including cell amenities and location)
Outcome: not upheld, no recommendations

Summary

Mr C complained that the Scottish Prison Service (SPS) were unreasonably requiring him to share a single occupancy cell with another prisoner. He did not believe that the cell was an adequate size to accommodate two prisoners.

The prison rules provide the SPS with discretion to require two or more prisoners to share accommodation where circumstances require. The SPS advised us that due to current prisoner numbers, they have had no option but to introduce cell sharing arrangements. The rules also require a risk assessment to be carried out in advance of two prisoners being asked to share, to ensure that they are suitable to do so. The SPS provided us with copies of the risk assessments relevant to Mr C and advised that they were satisfied there were no security or compatibility issues which would have made the sharing arrangements unsuitable. The SPS were satisfied that they were providing an appropriate regime, including reasonable out of cell time and activities.

We did not establish any legal basis to support Mr C's concerns that his cell was not of an adequate size. We took into account that the prison regime allows prisoners a reasonable amount of out of cell time and activities and, on balance, we did not uphold the complaint.