

Case: 201103473, Scottish Prison Service
Sector: Scottish Government and devolved administration
Subject: education
Outcome: not upheld, no recommendations

Summary

Mr C, who is a prisoner, complained because he said there had been an unreasonable delay in him being able to access the Substance Related Offending Behaviour Programme (SROBP). SROBP is a programme focusing on the relationship between prisoners' substance use and their offending behaviour.

Mr C was a protection prisoner and was unhappy because some mainstream (non-protection) prisoners had participated in the SROBP that was meant for only protection prisoners. He felt he had been overlooked in place of mainstream prisoners.

In investigating Mr C's complaint, we asked the Scottish Prison Service (SPS) why he had not been selected for the last SROBP for protection prisoners. They explained that other prisoners' key dates were more critical than his, therefore, he was not selected.

We also asked whether mainstream prisoners had accessed the SROBP meant for protection prisoners. The SPS provided us with the relevant information and we were satisfied that they had exercised their discretion, as they are entitled to do, in taking the decision to allow mainstream prisoners onto the SROBP with protection prisoners.

In selecting prisoners for programmes, the prison must find a fair way to do this so that prisoners are selected onto programmes depending on their key dates - parole qualifying date, earliest date of liberation etc. In Mr C's case, his dates were not as critical as those prisoners who had participated in the SROBP, and we were satisfied that Mr C was prioritised appropriately.