

## SPSO decision report



**Case:** 201103879, Scottish Prison Service  
**Sector:** Scottish Government and devolved administration  
**Subject:** downgrading  
**Outcome:** not upheld, no recommendations

### Summary

Mr C, who is a prisoner, complained about the decision taken by the prison to remove him from the Open Estate and return him to closed conditions. Mr C said he had not done anything wrong and felt the prison's decision was unfair.

Our enquiries confirmed that Mr C was returned to closed conditions on a non-punitive basis. The prison confirmed that, at that time of returning Mr C to closed conditions, he was part of ongoing police enquiries. The prison decided to return Mr C to closed conditions until the police investigations were completed. This was a decision the prison were entitled to take and was in line with relevant practice and guidance.