

SPSO decision report



Case: 201102264, Scottish Prison Service
Sector: Scottish Government and devolved administration
Subject: downgrading
Outcome: not upheld, no recommendations

Summary

Mr C, who is a prisoner, was unhappy when he was downgraded from open prison conditions and returned to a closed prison. He complained that the Scottish Prison Service (SPS) had failed to follow the correct process in relation to the downgrade.

We looked into the complaint but we did not agree with Mr C. It is for prisons to decide whether to downgrade prisoners. What we had to look at was whether the prison had followed the proper processes and procedures in making their decision. In this case, while we concluded that it would have been helpful if more specific information had been provided to the prisoner, we did not find evidence that the prison had unreasonably failed to follow the correct process.