

## SPSO decision report

**Case:** 201105297, Scottish Prison Service  
**Sector:** Scottish Government and devolved administration  
**Subject:** disciplinary charges - orderly room proceedings  
**Outcome:** not upheld, no recommendations

### Summary

Mr C, who is a prisoner, complained about the process applied by the adjudicator at his disciplinary hearing. A disciplinary hearing is held to determine whether a prisoner has broken prison rules and to impose an appropriate punishment if proven.

In particular, Mr C said the adjudicator told him he would be finding him 'guilty' before the witness was called to give evidence. As well as calling the witness, the adjudicator viewed CCTV footage. We were satisfied the adjudicator followed the appropriate process, and that he reached his verdict after considering the relevant evidence available.

Mr C also complained because he said the SPS failed to properly consider his complaint. In particular, Mr C said the response he received referred to him calling a prisoner as a witness, rather than an officer. We found that the use of word 'prisoner' was inaccurate, but we did not believe that this brought the SPS's consideration of Mr C's complaint, or the decision they reached, into doubt.