

SPSO decision report

Case: 201201919, Scottish Prison Service
Sector: Scottish Government and devolved administration
Subject: policy/administration
Outcome: not upheld, no recommendations

Summary

Mr C, who is a prisoner, complained to the prison about a risk management team (RMT) meeting that was held to discuss his management in prison. Mr C complained that he was inappropriately denied the opportunity to submit representations to or attend the meeting. He also complained that he was unreasonably denied a copy of the minute (note) of the meeting and the prison was inappropriately monitoring his correspondence.

We did not uphold Mr C's complaints. Our investigation found nothing in the relevant Scottish Prison Service (SPS) guidance to suggest that a prisoner is entitled to attend such a meeting. Rather, the guidance says that an appropriate member of staff will attend the meeting, and that this individual is responsible for ensuring that the prisoner is told about it. In addition, the guidance confirms that a prisoner will only be entitled to make written representation when their case has been referred to the RMT for progression purposes (progression is when a prisoner moves through the prison system to less supervised conditions). Mr C was not referred for that purpose and, so was not entitled to make written representations. We noted that, following Mr C's complaint, he was provided with a copy of the final RMT minute.

In relation to Mr C's complaint about his correspondence being monitored, the prison confirmed that steps were being taken to manage his correspondence with SPS more appropriately. The evidence suggested that Mr C was bypassing relevant members of staff and processes when raising issues and complaints. Because of that, staff were not able to deal with matters properly and were not being given the chance to try to resolve problems. The prison had, therefore, put in place an arrangement whereby Mr C's SPS correspondence would be managed more effectively to ensure that the issues he raised were passed to the relevant members of staff to deal with. In deciding this, the prison took a discretionary decision (a decision that they were entitled to make). We cannot question such a decision unless there is evidence of poor administration in taking it, and, in Mr C's case, there was not.