

SPSO decision report

Case: 201202821, Scottish Prison Service
Sector: Scottish Government and devolved administration
Subject: progression
Outcome: not upheld, no recommendations

Summary

Mr C, who is a prisoner, complained that he was unreasonably refused the opportunity to progress to less secure prison conditions. He was told that this was because he had absconded (left without permission) from custody whilst serving a previous sentence 15 years ago. Mr C said it was unfair to take account of something that happened so long ago.

Our investigation found that the policy in place that deals with prisoners' progression confirms that there is a presumption against any prisoner returning to less secure conditions where there has been a previous abscond or escape. In Mr C's case, the prison noted that he had previously absconded and had also committed offences whilst in and out of custody. Because of that, it was decided that he should not be progressed to less secure conditions at this time.

We were satisfied that the prison had taken a decision they were entitled to take, having given appropriate consideration to Mr C's history.