

## SPSO decision report

**Case:** 201202916, Scottish Prison Service  
**Sector:** Scottish Government and devolved administration  
**Subject:** recreation  
**Outcome:** not upheld, no recommendations

### Summary

Mr C, who is a prisoner, complained about the prison's decision to remove his access to enhanced personal training (PT). This is a privilege that prisoners are able to access if they behave appropriately, attend work regularly and remain free from drugs. Mr C said the criteria for access to enhanced PT was to remain free from a positive drug test and not to incur any breaches of discipline. Mr C said he had not received either. In addition, prisoners were only allowed to miss one session of enhanced PT in a two week period and only genuine reasons for this were accepted (such as illness, attendance at court or a bereavement).

The prison said that Mr C had been removed from association with other prisoners for a month due to suspected bullying. He had been placed in the segregation unit and was unable to attend enhanced PT. In addition, the prison explained that the behaviour that led to his removal from association was considered to be unacceptable, and because of that, Mr C's access to enhanced PT was removed. The prison also amended the criteria to confirm that prisoners removed from normal circulation would have their access to enhanced PT removed for a period of two months.

It was clear the prison found Mr C's behaviour unacceptable and because of that his access to enhanced PT was removed. Based on the evidence available, we were satisfied that the prison appropriately exercised their discretion in deciding to remove Mr C's access to enhanced PT and because of that, we did not uphold his complaint.