

SPSO decision report

Case: 201203729, Scottish Prison Service
Sector: Scottish Government and devolved administration
Subject: personal property
Outcome: some upheld, recommendations

Summary

Mr C, who is a prisoner, complained that some of his property went missing when he was transferred between prisons. He was unhappy that he was not given the opportunity to check his property immediately after the transfer, and said that the prison had withheld a substantial amount of canteen (food and drink) items. Mr C was also unhappy with the way in which the prison handled his complaint, saying that they did not respond to all of the large number of forms he submitted.

We did not uphold his complaint about the property, as our investigation found that there is no requirement under the prison rules for the Scottish Prison Service (SPS) to make a written record of any property a prisoner purchases in prison, or property that is perishable or edible. Whilst Mr C was not given the immediate opportunity to check his property after the transfer, neither the prison rules nor the prison's protocol on handling property specify a precise timescale within which this should take place. Although it would have been better if Mr C had been able to check his property sooner, there is no requirement for the SPS to make a written record of the canteen items he said went missing.

However, we did have some concerns about the way the prison handled Mr C's complaint. We found that they had not retained sufficient information to show how they had responded to some of his complaint forms.

Recommendations

We recommended that SPS:

- take steps to put in place an appropriate system for recording, monitoring and tracking prisoner complaints in the prison in line with their complaints procedure guidance.