

## SPSO decision report

**Case:** 201204937, Scottish Prison Service  
**Sector:** scottish government and devolved administration  
**Subject:** legal correspondence  
**Outcome:** not upheld, no recommendations

### Summary

Mr C, who is a prisoner, said that he posted three items of mail in the mail box in his residential hall but they went missing. He complained to the prison about this and the deputy governor tasked a security manager to investigate. The security manager discussed this with Mr C and understood him to have been satisfied after the discussion. The deputy governor wrote to Mr C to outline the steps taken and said she considered the matter resolved. Mr C replied saying he was still dissatisfied, but she did not write back. He brought his complaint to us, as he was unhappy with the prison's investigation.

We asked the prison to confirm what they did to investigate the complaint. They confirmed that a security manager had discussed Mr C's concerns with him and explained the mail process. They said he appeared to have understood this. They also noted that the security manager made the residential manager aware of the complaint, and he had agreed to monitor the mail process in the hall. Having done this, the prison said they considered the mail process robust. They noted that, on any given day, around 300 letters leave the prison and that, from a population of 670 prisoners, Mr C's was the only complaint about missing mail in that time period.

We noted that Mr C was unhappy that the prison did not investigate further, but the complaints procedure contains no provision for this, and he correctly then brought the complaint to us. We also noted that the prison could not establish what happened to Mr C's mail. Mr C himself had acknowledged from the outset that this would be difficult. We considered the actions taken by the prison to investigate Mr C's concerns to have been reasonable in the circumstances and we did not uphold the complaint.