

## SPSO decision report

**Case:** 201205159, Scottish Prison Service  
**Sector:** Scottish Government and devolved administration  
**Subject:** home detention curfew  
**Outcome:** not upheld, no recommendations

### Summary

Mr C, who is a prisoner, complained that the Scottish Prison Service (SPS) inappropriately took account of false information when considering his application for release under the home detention curfew (HDC) scheme. The SPS said they refused Mr C's application because he had outstanding charges against him but Mr C said that was not true.

In investigating Mr C's complaint, we obtained evidence from the SPS that confirmed that there were outstanding charges against Mr C, which were being investigated by the procurator fiscal. Because of these charges, the SPS felt that Mr C was too high risk to release under the HDC scheme. We were satisfied that the SPS appropriately considered relevant information when considering Mr C's application and because of that, we did not uphold his complaint.