

SPSO decision report

Case: 201300103, Scottish Prison Service
Sector: Scottish Government and devolved administration
Subject: clothing
Outcome: not upheld, recommendations

Summary

Mr C complained that the Scottish Prison Service (SPS) refused to accept responsibility for items that went missing when he sent them to the prison laundry. Prisoners are given bags, in which their items are sealed and sent to the laundry to be washed and dried. Mr C said that there were items missing when a bag was returned to him, and submitted a claim for lost property to the SPS. The SPS investigated, but recorded that the laundry had no knowledge of the missing items. They said that they could not accept responsibility for missing items, as there was no evidence to show that the bag had been returned open.

It is not for us to decide if the SPS should have awarded Mr C money for the lost items. However, we can check that the SPS have considered all of the relevant information and followed the correct process before reaching their decision. We checked the sheet that was completed when Mr C sent the bag to the laundry. It showed that a number of bags were sent and that the same number of bags were returned. There was nothing on the sheet to indicate that any of the bags were open when they were returned. There was, therefore, nothing to support Mr C's claim and no evidence that the SPS were responsible for the missing items.

Although we considered that the SPS should have clarified with Mr C the specific date that his laundry went missing, we were satisfied that they had considered this sheet along with others when they investigated the matter. We were also satisfied that the prison had taken a discretionary decision that they were entitled to take and that in the circumstances we could not question it. That said, during our investigation we identified that, for security reasons and to try to cut costs, the prison were not acting in line with their laundry exchange process. Decisions in relation to security and managing resources are for the SPS to take, but the process should have been in line with the actual practice in the prison. We, therefore, made a recommendation to the SPS about this.

Recommendations

We recommended that the SPS:

- review the laundry exchange process in the prison to ensure that it reflects current practice.