

SPSO decision report

Case: 201300732, Scottish Prison Service
Sector: Scottish Government and devolved administration
Subject: placements
Outcome: not upheld, recommendations

Summary

Mr C, who is a prisoner, had an external work placement, but was suspended from this because the prison said he had breached the conditions of his temporary release licence. Mr C complained that the prison did not deal with or investigate this in line with their procedures. He also complained that the prison did not handle Risk Management Team (RMT) matters in line with their procedures, and did not adequately deal with his complaints about all these matters.

During our investigation we found that Mr C had signed to agree that he had read the licence conditions attached to his temporary release. The Scottish Prison Service (SPS) took the view that he had breached these conditions as his placement had closed early one day, but he had not contacted the prison when this happened. This was a discretionary decision that the SPS were entitled to take. We were also satisfied that the prison investigated the alleged breach of licence conditions in line with their normal process, and that it was correctly dealt with through the risk management process. Mr C spoke at the RMT meeting that considered the matter, and his account of what happened was noted in the minute of that meeting. We were also satisfied that the SPS dealt with his complaints in line with their process.

Although we did not uphold the complaints, we noted that Mr C said he was not given a copy of the relevant paperwork. The SPS said that he was, but were unable to provide evidence of it, so we made a recommendation about this.

Recommendations

We recommended that the SPS:

- take steps to ensure a prisoner confirms receipt when provided with a copy of an adverse circumstances report and any related paperwork.