

SPSO decision report

Case: 201301286, Scottish Prison Service
Sector: Scottish Government and devolved administration
Subject: policy/administration
Outcome: upheld, recommendations

Summary

Mr C, who is a prisoner, said the Scottish Prison Service (SPS) did not provide relevant and accurate information in his parole dossier. He said they did not share with the parole board information about his disagreement with intelligence information held about him, and that inaccurate information about a staff assault was included in a report prepared by an officer. Mr C said that, in fact, he had prevented a staff member from being assaulted.

The SPS confirmed a note was added to Mr C's intelligence file noting that he disagreed with the information but they did not provide a copy of that note to the parole board. They also acknowledged that the reference to a staff assault in the report was inaccurate. We asked them if they had amended the information. They told us they did not, because the parole board accepted Mr C's explanation, and because the parole board did not refer to the alleged staff assault in their decision on his case.

We upheld Mr C's complaints. It was not clear to us why the SPS did not let the parole board know about Mr C's disagreement with the information held about him. Although a prisoner can submit self-representations to the parole board, we felt it was fair for the SPS to also provide that information, given it was available when they prepared Mr C's dossier. We were also disappointed that they did not take steps to correct the inaccuracy in the report about the alleged staff assault even though they agreed the information was wrong. The SPS have a responsibility to ensure that non-intelligence information held about a prisoner is up-to-date, relevant and accurate.

Recommendations

We recommended that the SPS:

- apologise to Mr C for the failings identified;
- advise staff responsible for preparing prisoners' parole dossiers to ensure that relevant, up-to-date and accurate information is contained in the file, including any record of a prisoner's disagreement with intelligence held about them;
- ensure both prisoners and staff are aware of the steps that should be taken by a prisoner if they have concerns about the information contained within their dossier; and
- review the information contained in Mr C's file relating to the alleged staff assault and take appropriate corrective action.