

SPSO decision report

Case: 201302682, Scottish Prison Service
Sector: Scottish Government and devolved administration
Subject: complaints handling
Outcome: not upheld, no recommendations

Summary

Mr C, who is a prisoner, was found guilty at a disciplinary hearing of breaching prison rules. He appealed against the decision but as he believed the prison did not handle it appropriately, he complained to the governor about that. In bringing his complaint to us, Mr C complained that his disciplinary appeal and complaint were not handled appropriately.

In relation to his appeal, Mr C said an officer failed to process his appeal in line with the normal process and the prison governor failed to respond within the relevant timescale. He also said that the internal complaints committee (ICC) did not adequately address the issues he raised. We did not uphold his complaints as, although we found that there was a delay in registering his appeal and a consequent slight delay in responding, there was no evidence that the prison had not otherwise followed procedures correctly.

We told Mr C that we could not consider whether the ICC had adequately addressed his appeal, as he had instructed his solicitor about this, and we cannot look at a matter that is going to be the subject of court proceedings.