

SPSO decision report

Case: 201304655, Scottish Prison Service
Sector: Scottish Government and devolved administration
Subject: accommodation (including cell amenities and location)
Outcome: not upheld, no recommendations

Summary

Mr C complained that he was not given a mattress or bedding on a particular evening after the prison placed him in segregation. He said that he had not self-harmed, displayed erratic behaviour or damaged property until after he was moved to another cell.

We did not find evidence to support comments by a prison officer that Mr C damaged property immediately before being transferred to a segregation cell. Nevertheless, there was evidence suggesting he had self-harmed, and that staff had tried to allow him to remain in his usual cell. However, when staff tried to remove items from his cell for safety reasons Mr C made further suicidal comments, which resulted in him being transferred to a safer environment, in accordance with the suicide risk procedure.

There was evidence to show that attempts were made to place him under observation in two segregation cells. However, he damaged one of the cells by removing the electrical sockets, and attempted to do similar damage to the other one. This resulted in him being transferred to a special cell with no sockets. He was noted to be non-compliant with staff and a decision was taken not to give him bedding or open the cell door because of his unpredictable behaviour and past history. The prison have a duty to ensure that a prisoner is provided with sufficient bedding for warmth and health. However, they also have discretion to remove items from a cell as they see fit. Whilst it was not ideal that Mr C had no bedding, the room was heated and he had access to a sleeping plinth. We found no evidence to show that the prison failed to follow their procedures when managing Mr C under the suicide risk management strategy.