

SPSO decision report

Case: 201305396, Scottish Prison Service
Sector: Scottish Government and devolved administration
Subject: visits
Outcome: not upheld, recommendations

Summary

Mr C, who is a prisoner, complained that prison staff had decided to restrict his partner to closed visits (when the prisoner and his visitor are separated by a pane of glass). On some occasions, his partner was refused entry altogether. The prison confirmed that the restrictions on these visits were in place because of concerns about his partner's behaviour towards staff. They told us about the types of behaviours they had witnessed and provided supporting statements from staff. They also confirmed that they had reviewed the arrangements after three months, as they were required to do. We told Mr C that the prison were entitled to take action if they had concerns, and that we cannot question that decision unless there is evidence that it was not taken properly.

Mr C also complained that he was not invited to his complaint hearing about this, despite having said he wanted to attend. He said he did not know it had taken place until he received the decision. The prison told us that Mr C was invited to attend but failed to do so. They provided a copy of the attendance sheet recording his failure to attend. As we could not reconcile the conflicting accounts of what happened, we did not uphold this complaint. We noted, however, that the written note from the hearing did not mention that Mr C was not there. We considered that it would have been good practice for this to have been noted and made a recommendation.

Recommendations

We recommended that Scottish Prison Service:

- remind staff acting as internal complaints committee chairpersons that, as a matter of good practice, the written note of the hearing should make it clear when a prisoner has failed to attend.