

SPSO decision report

Case: 201305621, Scottish Prison Service
Sector: Scottish Government and devolved administration
Subject: progression
Outcome: not upheld, no recommendations

Summary

Ms C was given a life sentence in 2011 and throughout her time in custody she had not progressed to less secure conditions. Because of that, she complained that the Scottish Prison Service (SPS) had failed to appropriately support her progression which meant that she would not be in a position to satisfy the parole board's requirements for release.

In line with the normal process, the SPS assessed Ms C's suitability for offending behaviour programmes. She met the criteria for the Female Offending Behaviour Programme. However, it was reported that Ms C had indicated that she would find group work intimidating and she wanted to be offered an alternative way to complete the work. Normally, a prisoner is required to address their offending behaviour through groupwork before they can be considered for progression to less secure conditions.

In recognition of Ms C's concerns, the prison arranged for preparatory work to take place, and the outcome of that work was reported to the prison's risk management team. In that report, it was noted that the preparatory work undertaken with Ms C was very similar to the programme work she would be required to participate in and she had been able to engage appropriately. Therefore, the prison concluded that Ms C should participate in the programme prior to her application for progression to less secure conditions being considered.

It was clear Ms C felt unable to participate in group work. However, the evidence available indicated that the prison took appropriate action in an effort to support her participation in group work. In addition, the decision on how a prisoner should undertake offence-related work is a matter for the SPS to decide. Therefore, we did not uphold Ms C's complaint.