

SPSO decision report

Case: 201400679, Scottish Prison Service
Sector: Scottish Government and devolved administration
Subject: communication by telephone
Outcome: some upheld, recommendations

Summary

Mr C complained to us that the Scottish Prison Service (SPS) had breached the prison rules by refusing him access to a phone whilst staff were searching cells in his area of the prison. We found that the SPS were entitled to do this, under the relevant prison rules and directions, and did not uphold this aspect of Mr C's complaint.

Mr C also complained about the SPS's handling of his complaint about this matter. We found that the initial response to his complaint had been inadequate and had unnecessarily listed the phone calls that he had been able to make later that day. We also found that the chair of the prison's internal complaints committee (ICC) should have met Mr C to discuss his request for witnesses to attend the hearing about his complaint. In view of these failings, we upheld this aspect of Mr C's complaint.

Recommendations

We recommended that SPS:

- apologise to Mr C for the failure to handle his complaint appropriately; and
- make the staff involved in the handling of Mr C's complaint aware of our findings.