

## SPSO decision report

**Case:** 201402882, Scottish Prison Service  
**Sector:** Scottish Government and devolved administration  
**Subject:** personal property  
**Outcome:** not upheld, recommendations

### Summary

Mr C complained that his prison did not allow him to use his personal bedding while in the separation and reintegration unit, a separate part of the prison.

We considered what Mr C told us, as well as comments from the Scottish Prison Service (SPS). In addition, we looked at The Prisons and Young Offenders Institutions (Scotland) Rules 2006. We found that the prison were required to provide Mr C with bedding, which they did. We also found that the system of privileges in prison can be different for prisoners detained in specific parts of the prison, and that the prison had discretion to decide that a prisoner may or may not have certain items in use when in that unit. Mr C did not like the prison-issue bedding but that, in itself, was not evidence of a failure on the part of the prison. We were satisfied that the prison reached a decision they were entitled to take, in line with the rules, and we did not uphold Mr C's complaint.

However, we were concerned about an argument put forward by the prison's internal complaints committee (ICC) in not upholding Mr C's complaint. We were not convinced that, in terms of the prison rules, there was a distinction between storage of property in a prisoner's cell, and items in use, and so we made a recommendation to address this.

### Recommendations

We recommended that the SPS:

- reflect on the ICC response to Mr C, to ensure that it was a reasonable reflection of the prison rules.