

SPSO decision report

Case: 201403211, Scottish Prison Service
Sector: Scottish Government and devolved administration
Subject: policy/administration
Outcome: not upheld, no recommendations

Summary

Mr C complained that the prison failed to review his supervision level appropriately. He said that when he was recalled to prison for a driving offence, he should have been assigned low supervision. He also questioned why the decision of residential staff to assign him low supervision at his review six months later was overruled by a senior manager who decided Mr C should remain at medium supervision level.

We reviewed Mr C's supervision level review forms and noted that, when he arrived back in prison, he was assigned high supervision level in line with prison rules which confirm that all prisoners, on reception, must be assigned this. An immediate review took place and Mr C's supervision was reduced to medium. There was no evidence to support his claim that he should have been assigned low supervision because he was recalled for a driving offence. The evidence confirmed that because he had a number of poor behavioural reports over the years whilst in prison, medium supervision was considered to be the appropriate level.

In Mr C's review six months after he was recalled to prison, the information confirmed that residential staff had indicated that he could be assigned low supervision. However, when the form was passed to the review board, they did not agree and said that Mr C's supervision level should be maintained at medium because he had recently received poor reports. We were satisfied the prison's handling of Mr C's reviews were appropriate and we did not uphold his complaint.