

SPSO decision report

Case: 201403898, **Scottish Prison Service**
Sector: Scottish Government and devolved administration
Subject: personal property
Outcome: upheld, recommendations

Summary

Mr C complained that the Scottish Prison Service (SPS) delayed sending all of his property when he was transferred from his previous prison to his current prison. Mr C also complained about how the prisons had dealt with his concerns and complaints about his property.

We found that Mr C's property was not returned to him until eight months after his transfer, and Mr C said there were still missing items. The SPS' records showed that the items Mr C specified were at his previous prison, but they were not recorded as being received at his current prison. Based on the records, we concluded that all of Mr C's property had not been returned to him.

Over a period of several months, Mr C tried to get his property returned by speaking to several different prison staff. Information we obtained from the SPS did not record any action being taken about Mr C's property until he complained, and although both Mr C and the SPS agreed that some action was taken, it had no effect until after Mr C complained. We could not find evidence of any coordinated effort between the two prisons in trying to locate and return all of Mr C's property. We upheld Mr C's complaints.

Recommendations

We recommended that SPS:

- ensure that both prisons work together and with Mr C to compare his property records to determine what, if any, items of property are missing;
- provide replacements, or provide Mr C with funds to purchase replacements for all items that are confirmed as missing;
- apologise to Mr C for the failure to send all of his property with him, and their failure to locate and return his property in a reasonable time; and
- examine what should have happened in this case compared with what did happen, in order to work out what went wrong and why, and determine what measures they will take to prevent it from happening again. This examination and its findings should be copied to us.