

## SPSO decision report

**Case:** 201404285, Scottish Prison Service  
**Sector:** Scottish Government and devolved administration  
**Subject:** downgrading  
**Outcome:** not upheld, no recommendations

### Summary

Mr C complained that the Scottish Prison Service failed to appropriately explain why he was returned to closed conditions. The decision was taken to remove Mr C from the open estate (an area with less secure prison conditions) because reports were received which indicated that he was refusing to engage appropriately with support staff to help reduce his risk. In bringing his complaint to us, Mr C said even though he had been returned to closed conditions, his supervision level remained low and he understood that had not been downgraded.

In looking at Mr C's complaint, we obtained a copy of the relevant documentation which was completed prior to returning him to closed conditions. It was clear the risk management team (RMT) at the open estate had concerns about Mr C's engagement with support staff and because of that, they felt he could not be managed in open conditions. In addition, Mr C was given the opportunity to put forward representations but he refused. The RMT's decision was set out clearly and we were also satisfied that Mr C was given reasonable responses to his complaints. Therefore, we did not uphold his complaint.