

SPSO decision report

Case: 201502097, Scottish Prison Service
Sector: Scottish Government and devolved administration
Subject: escorting services
Outcome: upheld, recommendations

Summary

An escorting agency that provides custody escorting services on behalf of the Scottish Prison Service (SPS), transferred Mr C from hospital to their escort vehicle in order to transport him back to prison. Mr C complained about the way in which the escorting agency carried out that transfer and about their handling of his complaint.

When the escorting officers arrived to transfer him to the vehicle, they attempted to use a restraint method but would not explain why to Mr C. He resisted and, therefore, they carried him through the hospital to the vehicle. Mr C complained to us about being carried in full view of other people in the hospital and about the way in which they had carried him - for example, bending his back inappropriately and laying him face down on the floor when they needed a break from carrying him.

Our investigation found that, although an escorting officer had received authority from the agency's control centre for the restraint method, that was inappropriate. We also found Mr C should not have been moved in that way, and that such techniques were not taught, recognised or approved. We upheld this part of the complaint.

Mr C also had a number of complaints about the way the agency handled his complaint, such as that their reply did not address all of his concerns. Our investigation showed that their investigation of the complaint was thorough and appropriate, but we agreed with Mr C's complaints about their reply, which gave very little information. Our investigation showed that the investigation by the agency had revealed shortcomings and indicated that action, such as staff training, needed to be taken. However, their reply to Mr C gave no indication that any shortcomings had been identified or that any action would be taken as a result of his complaint. We upheld this part of the complaint.

Our investigation found significant shortcomings, however, our only recommendation was that the agency send a written apology to Mr C. This was because we had recently investigated similar complaints by Mr C about the agency, and they had indicated that they would be taking significant actions to help prevent shortcomings in the future. We considered it would be reasonable to give them the chance to carry out those actions.

Recommendations

We recommended that the SPS:

- apologise to Mr C, on behalf of the escorting agency, for the shortcomings we identified regarding Mr C's transfer from hospital to the escort vehicle; and
- apologise to Mr C, on behalf of the escorting agency, for the shortcomings we identified regarding the handling of Mr C's complaint.