

SPSO decision report

Case: 201503020, Scottish Prison Service
Sector: Scottish Government and devolved administration
Subject: progression
Outcome: not upheld, no recommendations

Summary

Mr C complained that the prison's handling of his progression to less secure conditions had been unreasonable. In particular, Mr C said the punishment part of his sentence had expired four years ago and that he was five years over his progression date. He said he had been told several times that he would progress to open (lowest security) conditions but it had not happened.

The decision on whether to progress a prisoner to less secure conditions is a discretionary one for the risk management team (RMT - the group responsible for considering whether a prisoner is suitable to progress to less secure conditions) to take. We cannot question their decision. In looking at Mr C's complaint, our role was to assess whether in dealing with his case, the prison had applied the relevant policies and procedures appropriately.

The evidence available showed that the prison acknowledged Mr C had made good progress. However, they wanted him to evidence the progress he had made. Therefore, they had not recommended his progression to less secure conditions. We did not see any evidence to suggest that the prison had not followed the relevant policies and procedures appropriately in Mr C's case. Therefore, we considered that the prison's handling of Mr C's progression to less secure conditions had been reasonable. We did not uphold the complaint.