

## SPSO decision report

**Case:** 201504122, Scottish Prison Service  
**Sector:** Scottish Government and devolved administration  
**Subject:** policy/administration  
**Outcome:** not upheld, no recommendations

### Summary

Mr C asked to have pens in use (in his possession or his room, rather than with his other belongings in prison storage) that he made at his work party. The prison refused Mr C's request which he said was unfair because other prisoners were allowed to have such pens in use.

The prison told us that they had decided not to allow Mr C to have the pens in use because they were decorative and could be used for sale or barter. The prison rules confirm that the governor is authorised to refuse to allow a prisoner to have in their possession any items considered to be prejudicial to the security or good order of the prison. In addition, they said any prisoners who may have such pens in use were unauthorised to do so.

We were satisfied that the prison were authorised to refuse Mr C's request and, therefore, we did not uphold his complaint.