

SPSO decision report

Case: 201507894, **Scottish Prison Service**
Sector: Scottish Government and devolved administration
Subject: progression
Outcome: some upheld, recommendations

Summary

Mr C complained about the handling by the Scottish Prison Service (SPS) of his brother (Mr A)'s sentence management. Mr C was concerned that there had been a lack of clarity between two prisons regarding Mr A's eligibility for offending-related coursework which hampered his progression and release from prison. Mr C said that there had been a change in policy in 2013 which meant that prisoners who denied their offence were now eligible for coursework.

We identified that there had been no change in policy and that guidance on coursework had been issued across the prison sector in 2013 to ensure consistency. We found that the SPS had followed their written guidance when deciding whether Mr A met the selection criteria for participating in coursework to address his violent behaviour. We concluded that Mr A's sentence management in terms of his coursework was reasonable and in line with guidance.

Mr C was also dissatisfied with the SPS's handling of his complaint. We found that while the SPS attempted to provide Mr C with responses to his ongoing correspondence over a year, clearer information could have been provided in relation to Mr A's eligibility for coursework in respect of his offence and the criteria for coursework to address his offending behaviour. We also noted that the SPS had not responded to one of Mr C's letters. We upheld this aspect of Mr C's complaint and made two recommendations.

Recommendations

We recommended that SPS:

- draw the findings regarding the handling of Mr C's complaint to the attention of the governor and life liaison officer; and
- apologise to Mr C for the failings identified in the handling of his complaint.