

SPSO decision report

Case: 201508791, **Scottish Prison Service**
Sector: Scottish Government and devolved administration
Subject: non-legal correspondence
Outcome: not upheld, no recommendations

Summary

Mr C complained that prison staff had inappropriately opened an item of his mail. Prison staff may open mail sent to prisoners when they consider they have reasonable cause to do so. However, the prison told us that staff had not opened the item of mail. We did not consider that there was sufficient evidence that staff had opened the mail and therefore we did not uphold Mr C's complaint.

Mr C also complained that staff had searched him with unreasonable frequency. The searching of prisoners is a discretionary issue for prison staff. We are unable to question discretionary decisions made by prison staff unless there is evidence of maladministration. In the absence of this, we did not uphold this aspect of Mr C's complaint.

Mr C complained that the prison had reduced his wages. We found that although there had been a considerable reduction in Mr C's wages, this had been due to a reduction in the hours he worked, to his original role having been made redundant and replaced with a new role, and to a prisoner wage review. We were satisfied that Mr C was being paid the appropriate rate for his job in the prison. We did not uphold the complaint.

Finally, Mr C complained about the member of staff appointed to chair two of his internal complaints committees. We found that this had been a discretionary decision for the prison to make, and we therefore did not uphold this complaint.