

SPSO decision report

Case: 201601777, Scottish Prison Service
Sector: Scottish Government and devolved administration
Subject: personal property
Outcome: not upheld, recommendations

Summary

Mr C complained that the Scottish Prison Service (SPS) unreasonably failed to manage his property in line with relevant policy and procedure. Mr C said that over a few months, he had condemned (voluntarily given up) items of his property, handed it out to visitors, or donated it to the prison library. Mr C said he had followed all the correct processes but that the items had not been removed from his property card and therefore he was not allowed to receive any more items.

Following our enquiry to SPS, we found that the procedure for items being condemned or handed out to visitors is that the prisoner must fill out a mandate detailing the items they wish to have removed from their property and what they want to happen to these items, before handing both the mandate and property to a member of staff, who will take it to reception to be actioned. SPS explained that given the large volume of property transactions it was not possible to take every prisoner to reception to sign their property cards when items were removed, and so the mandate acted as a signature. In addition, SPS said that whilst Mr C said he had donated items to the prison library, there was no evidence that he gave these items to a member of staff to be removed from his property card.

We could not see any evidence that Mr C had condemned, handed out, or donated the property he claimed to have and we considered the policies in terms of property to have been reasonably followed. We did, however, recognise that there was opportunity for property or mandates to be lost after being handed to staff members to be actioned. Therefore, we made a recommendation that SPS consider whether the prison's policy was detailed enough.

Recommendations

We recommended that SPS:

- consider whether the prison's existing policy is detailed enough when covering the period between the mandate being signed by the prisoner and the mandate and property being taken to reception.