

## SPSO decision report

**Case:** 201603209, Scottish Prison Service  
**Sector:** Scottish Government and devolved administration  
**Subject:** downgrading  
**Outcome:** not upheld, no recommendations

### Summary

Mr C complained that the Scottish Prison Service (SPS) failed to follow the proper procedure prior to taking the decision to return him to closed conditions from the open estate (less secure prison conditions). In particular, Mr C said the SPS had not issued certain paperwork to him or given him the opportunity to put forward representations before the final decision was made.

We reviewed the information Mr C provided in support of his complaint and we also obtained information from the SPS. In addition, we reviewed the risk management and progression guidance which sets out the policy and procedure that prisons should follow when they are considering returning a prisoner to closed conditions. Having done that, it was clear that the SPS had followed the correct process prior to taking the decision to return Mr C to closed conditions. He was issued with the relevant paperwork and he was given an opportunity to make written representations. Therefore, we did not uphold Mr C's complaint.