

SPSO decision report

Case: 201609718, Scottish Prison Service
Sector: Scottish Government and devolved administration
Subject: progression
Decision: not upheld, no recommendations

Summary

Mr C wanted to progress from his current prison to the open estate (OE), with a view to getting parole and being released. His prison's risk management team (RMT) decided that Mr C should first progress to the national top end (NTE - accommodation for low-supervision prisoners nearing the end of medium to long sentences). Mr C felt that the decision to not approve his application for the OE was unreasonable and he brought his complaint to us.

Mr C felt that he was ready for progression to the OE and that he was not given a chance to prove he had changed. We found that the RMT did not doubt the sincerity of Mr C's belief that he was ready. However, in considering all the information available to them, the RMT decided that Mr C would be progressed to the NTE where he would be given a chance to prove he had changed. The reasoning for this was that the NTE was a structured and supportive environment in which Mr C could practice appropriate coping and problem solving strategies. If successful in the NTE, Mr C would improve his chance of getting parole. We did not find evidence that the prison's actions in progressing Mr C to the NTE rather than the OE were unreasonable. Therefore, we did not uphold Mr C's complaint.