

SPSO decision report

Case: 201800693, Scottish Prison Service
Sector: Scottish Government and devolved administration
Subject: admission / searching / removal of visitors
Decision: some upheld, no recommendations

Summary

Mr C complained about the actions of an officer who works for the prison's escorting agency. Mr C was visiting his daughter in hospital and did not have photographic identification with him. Following their policy, the officer asked him to leave. Mr C complained that the officer threatened and swore at him.

Mr C's complaint was investigated by the escorting agency, who took witness statements and concluded that there had been no wrongdoing on the part of the officer. Mr C had filmed the incident on his mobile phone but had not provided the footage to the escorting agency at the time of their investigation. We viewed the footage and forwarded it to them for comment.

The escorting agency noted that a section of the footage showed the officer behaving in a standard below what they expect of their staff. They explained that the officer no longer worked for them so there was no action they could take, and they apologised to Mr C for what had happened. We, therefore, upheld this aspect of Mr C's complaint.

Mr C also complained about the investigation, in particular that one of the officers present at the time of the incident had not been interviewed. We concluded that the investigation had been sufficiently thorough and proportionate, highlighting that if Mr C had provided the footage sooner the complaint could have been resolved at an early stage. We did not uphold the complaint about the standard of the investigation.