

SPSO decision report

Case: 201802923, Scottish Prison Service
Sector: Scottish Government and devolved administration
Subject: disciplinary charges - orderly room proceedings
Decision: resolved, no recommendations

Summary

Mr C complained that he was not provided with an opportunity to attend an internal complaints committee (ICC) in relation to his disciplinary appeal. He provided us with evidence that suggested he was in court on this day, which contradicted the prison's position that he was given an opportunity to attend.

After we indicated to the Scottish Prison Service (SPS) that we intended to investigate the complaint, the Chair of the ICC reviewed their systems and confirmed that Mr C attended court on the day that the ICC took place. Therefore, he was not able to attend. SPS acknowledged that this should not have happened and stated that they would hold another ICC so that Mr C could attend and put his case across.

Based on Mr C's desired outcomes in his complaint to us, we were satisfied that SPS's actions resolved the complaint. Therefore, we closed our investigation of his complaint as resolved.