

## SPSO decision report

**Case:** 202001300, Scottish Prison Service  
**Sector:** Prisons  
**Subject:** Personal property  
**Decision:** some upheld, recommendations

### Summary

Ms C provided her express consent for her pronouns to be used for this publication.

Ms C complained about matters relating to the SPS failing to give Ms C advice and failing to put in place an appropriate procedure for Ms C to obtain certain items. Ms C also complained about the SPS refusing to allow Ms C to wear her own clothing and having the use of certain electrical items. We took independent advice from an adviser who specialises in equal opportunities and diversity.

We found that there were delays in the SPS giving Ms C advice and in putting in place a process to order certain items. We upheld these aspects of Ms C's complaint.

We found it was reasonable that the SPS refused Ms C's request to wear her own clothes and have access to the electrical items. Therefore, we did not uphold these aspects of Ms C's complaint.

### Recommendations

What we asked the organisation to do in this case:

- Apologise to Ms C for the delays in providing her with advice and putting in place a process for her to order items to support her gender identity. The apology should meet the standards set out in the SPSO guidelines on apology available at [www.spsso.org.uk/information-leaflets](http://www.spsso.org.uk/information-leaflets).

What we said should change to put things right in future:

- All relevant SPS staff should be clear about their obligations to transgender prisoners and their policy on accessing, or facilitating access, to items to support their gender identity.

We have asked the organisation to provide us with evidence that they have implemented the recommendations we have made on this case by the deadline we set.