

## SPSO decision report



**Case:** 201005379, Scottish Prison Service  
**Sector:** Scottish Government and devolved administration  
**Subject:** progression  
**Outcome:** not upheld, no recommendations

### Summary

Mr C complained that the SPS had refused his request to transfer to an open prison because he had previously absconded from prison custody. Mr C said he felt the decision was unfair and irrational because this had happened more than 20 years ago when he was in a young offenders institution. He said it did not reflect his behaviour now. Our investigation confirmed that the SPS had followed the proper process in reaching their decision to refuse Mr C's request and that this was a discretionary decision they were entitled to take. The decision was taken by the SPS Executive Committee for the Management of Difficult Prisoners. This committee is responsible for considering the cases of prisoners who want to progress to less secure conditions but have previously absconded or escaped.