

SPSO decision report

Case: 201103124, Scottish Prison Service
Sector: Scottish Government and devolved administration
Subject: policy/administration
Outcome: not upheld, no recommendations

Summary

Mr C complained because he said his parole information was not delivered to him in the normal way - it was hand delivered by a unit manager instead of being sent in an envelope. Mr C also said he was not given enough time to submit his representations to the Parole Board and that his complaint was not considered properly by the prison.

Normally, the prison receives three copies of a prisoner's parole dossier from the Parole Unit - one copy is for the early release liaison officer or the life liaison officer and the other copies are for the prisoner. The copies for the prisoner are stamped 'parole' and are hand delivered to the mail office to be sent to the prisoner using the same process used to deliver legal mail to prisoners.

In Mr C's case, he received a letter from the Parole Unit telling him that his case would be considered by an Extended Sentence Prisoner Tribunal and a copy of his parole dossier was provided. This information was delivered to Mr C in line with the normal process. However, the following month, the Parole Unit wrote to Mr C again to tell him the information provided in the original letter was incorrect because his case would be considered at a casework meeting, not a tribunal. The letter also told Mr C his dossier was the same as the one provided with the original letter. This is the information that was hand delivered to Mr C by a unit manager.

The prison told us they hand delivered Mr C's letter and parole dossier - provided by the Parole Unit in the later month - because the early release liaison officer who would normally deal with it was on leave and also because of the short timescale involved until Mr C's representations were to be received by the Parole Board. The prison advised this office that using the normal process would have delayed getting the information to Mr C by another 24 hours.

We were satisfied the prison used their discretion in taking the decision to hand deliver the letter and dossier to Mr C and their actions were reasonable. The information available also confirmed that Mr C was aware of the contents of his dossier from the original letter. Therefore, we did not uphold Mr C's complaints. We also decided that the prison provided a reasonable response to Mr C's complaint.