

SPSO decision report

Case: 201204118, Scottish Prison Service
Sector: Scottish Government and devolved administration
Subject: progression
Outcome: not upheld, no recommendations

Summary

Mr C, who is a prisoner, complained about his progress in prison. At his parole tribunal, the parole board had not recommended his release but agreed to review his case again in 18 months. His management plan, agreed at the time, said that he should progress to less secure conditions and participate in a work placement before the next tribunal. He later complained to the prison about a delay in progressing him to less secure conditions. In responding, the prison advised him that he had to wait for a space to become available. At the time of writing to us, more than three months after his parole tribunal, Mr C complained that he had still not been progressed to less secure conditions.

In responding to our enquiries, the prison said that Mr C had failed drug tests two months before his parole tribunal. They explained that, because of this, he did not meet the criteria for progressing until three months after the failed test (ie one month after the tribunal). As soon as he became eligible for progression, he was referred to the risk management team, in line with the standard process. The referral paperwork clearly stated that this process could take up to a further eight weeks. Mr C's case was reviewed by the risk management team within six weeks and he was approved for progression. He then had to wait for a space to become available in less secure conditions and he was progressed around two months later. We considered this reasonable in the circumstances and did not uphold the complaint.