

SPSO decision report

Case: 201300588, Scottish Prison Service
Sector: Scottish Government and devolved administration
Subject: accuracy of prisoner record
Outcome: upheld, recommendations

Summary

Mr C, who is a prisoner, complained that the prison had not amended an intelligence report (adverse information obtained by the Scottish Prison Service that affects an individual prisoner) on him to accurately reflect the outcome of suspected drug use, and that the prison had not passed an accurate version of the report to the Parole Board for Scotland (PBS). He also complained that he was ignored for six weeks after he made a verbal request to speak to the early release liaison officer. Mr C said he had no idea who he should approach if he needed to discuss a parole matter. In addition, Mr C complained about how his complaint had been handled by the prison.

Our investigation found that the prison did send amended information to the PBS, but the wording of the information was confusing in relation to whether Mr C was suspected of using drugs. This was not in line with what the prison said would be done in their response to Mr C's complaint, or with relevant guidance on dealing with the PBS. We also found that the prison did not have an early release liaison officer for prisoners such as Mr C, and there was no evidence to confirm how and when he was told this, and no records of discussions with him about related matters. We were of the view that, in the specific circumstances, there should be records of this. Finally, we found that the prison failed to deal with Mr C's complaint reasonably, as they did not address one of the main points in it.

Recommendations

We recommended that the Scottish Prison Service:

- apologise to Mr C for unreasonably failing to adequately update an intelligence report about him;
- take immediate steps to update and clarify the position with the PBS;
- confirm the name of the staff member Mr C should discuss the PBS letter with, and with whom he should discuss sentence management concerns;
- apologise to Mr C for the inadequate handling of his complaint; and
- ensure the relevant prison staff receive training on handling complaints, in light of this decision.