

SPSO decision report

Case: 201304635, Scottish Prison Service
Sector: Scottish Government and devolved administration
Subject: personal property
Outcome: not upheld, no recommendations

Summary

Mr C loaned some of his t-shirts to another prisoner and then transferred to another establishment for a short period. After his return to the prison, he asked staff to retrieve his t-shirts, but was told that the t-shirts were not on his property card. They had in fact been disposed of and could not be reissued to him. Mr C submitted a claim and a formal complaint but the prison maintained their position on the matter.

In bringing his complaint to us, Mr C complained that the prison had not taken account of the information on his property card. He provided us with a copy of this, showing the t-shirts in question, and he said he had shown this to prison staff. We asked the prison if they had taken this into account, and they provided us with evidence that it had been reviewed as part of Mr C's claim. The card showed that the t-shirts had been signed into use by Mr C but that he had then given them to another prisoner. The prison explained that when this happens it should be done through the prison reception, with a request for the items to be removed from the donating prisoner's property card and added to that of the receiving prisoner. Mr C had not done this, and had not alerted staff to the situation at the time of his transfers. The t-shirts were found to be in the possession of the other prisoner but not on his property card and, as he did not tell staff that the t-shirts belonged to Mr C, they were disposed of.

As we were satisfied that the prison had taken account of all relevant information when responding to Mr C's complaint, and as it appeared the issue could have been avoided had Mr C followed the correct process, we did not uphold the complaint.