

SPSO decision report

Case: 201306092, Scottish Prison Service
Sector: Scottish Government and devolved administration
Subject: personal property
Outcome: upheld, recommendations

Summary

Mr C complained that when he transferred from prison 1 to prison 2 some of his property went missing and that this was not properly investigated, although he submitted a claim form in December 2012. He told us that prison 2 had made several attempts to contact prison 1 to have his claim fully investigated but the matter remained unresolved.

We found no record of Mr C having submitted a claim form in December 2012. We did find, however, that in January 2013 prison 1 had forwarded various items belonging to him to prison 2, which suggested that there was an issue with his property around this time. We noted that although in August 2013 prison 2 sent prison 1 a claim form that Mr C completed, and made attempts to follow this up, prison 1 did not reach a decision on the claim until April 2014. Although the SPS have no national timescales for resolving lost property claims forms, we concluded that prison 1 delayed unreasonably in responding to Mr C's claim. Furthermore, they did not provide sufficient information to show how they investigated the claim or any reasons to justify their initial compensation offer. As there was evidence of various items having gone missing, we upheld Mr C's complaint and made recommendations.

Recommendations

We recommended that the Scottish Prison Service:

- review their initial offer of compensation to better reflect the loss of the missing items identified; and
- ensure prison 1 review their lost property claims procedure with a view to ensuring details of the investigation are documented and timely decisions are made.