

SPSO decision report

Case: 201401497, Scottish Prison Service
Sector: Scottish Government and devolved administration
Subject: policy/administration
Outcome: upheld, recommendations

Summary

Mr C complained to us about the Scottish Prison Service (SPS)'s handling of his post programme report (the report) which was required eight weeks after the completion of his treatment programme. Mr C complained that, due to the delay in completing the report, his tribunal hearing had been adjourned and had the hearing not been adjourned authorisation for his release from prison may have been given. Also, as a result of the adjournment of the tribunal, his annual review which had been held in May would now be held in November.

The evidence showed that there had been an unreasonable delay in the completion of Mr C's report, so we upheld Mr C's complaint. However, we found that the hearing had also been adjourned for other reasons, including that Mr C was required to undertake further elements of the treatment programme. We found that even had the report not been delayed it was very unlikely that Mr C would have been able to complete all outstanding work by the date of the tribunal held in May.

We were aware that the SPS had taken action in response to a previous complaint to us in relation to avoiding unnecessary delays in the completion of reports. In addition, the SPS had taken action to address the specific factors faced by the prison at the time of this complaint which had impacted on the prison's ability to complete reports. As a result we recommended that the SPS apologise to Mr C for the delay in completing his report.

Recommendations

We recommended that SPS:

- apologise to Mr C for the unreasonable delay in completing his post programme report.