

SPSO decision report

Case: 201508336, Scottish Prison Service
Sector: Scottish Government and devolved administration
Subject: progression
Outcome: upheld, recommendations

Summary

Mr C complained that there was a delay in the Scottish Prison Service (SPS) submitting his first grant of temporary release application (FGTR) to Scottish Ministers to approve his temporary release from prison.

The SPS accepted that there had been a considerable delay by prison staff in submitting the FGTR, including exceeding a 14-day set period. Once submitted, it was rejected due to the set timescale having been significantly exceeded and there was an issue with the quality of information supplied. This meant that Mr C was required to have a further risk assessment, which identified some recent issues that had to be examined further.

We acknowledged that SPS have a duty of care to Mr C, the community and the parole board, where the quality of an FGTR must take precedence over timescales. However, due to an unreasonable delay by prison staff in submitting the FGTR and a lack of communication with Mr C in this respect, we upheld Mr C's complaint.

Recommendations

We recommended that SPS:

- apologise for the failings identified;
- ensure the prison reviews the process for the submission of FGTR applications to ensure it is adequate and that timescales set out under the guidance can be reasonably met; and
- ensure there are measures in place for prisoners to be updated on the status of their FGTR application when delays over the 14-day period occur.