

SPSO decision report

Case: 201602990, Scottish Prison Service
Sector: Scottish Government and devolved administration
Subject: complaints handling
Outcome: not upheld, no recommendations

Summary

Mr C complained that he was not spoken to as part of the investigation when he submitted two complaints to the prison governor about an officer. Mr C said he felt that the governor had disregarded his version of events and had not investigated his complaints properly.

We looked at whether the Scottish Prison Service (SPS) failed to investigate Mr C's complaints appropriately. The SPS told us they spoke to the officer about Mr C's complaints and he contradicted what had been said. The SPS also told us they did not interview Mr C about his complaints because they did not think it was appropriate.

In considering whether it was reasonable to not speak to Mr C about his complaints, we looked at the level of detail he provided in each of his complaints. We were satisfied that he clearly conveyed the nature of his concerns about the officer. It was clear the officer contradicted what Mr C said and we did not consider that speaking to Mr C would have assisted the SPS in reconciling the conflicting account of events. We also did not accept that by not speaking to Mr C, the SPS had disregarded his complaints or failed to investigate them properly. Therefore, we did not uphold the complaint.