

SPSO decision report

Case: 201104038, Scottish Prison Service
Sector: Scottish Government and devolved administration
Subject: claim
Outcome: not upheld, no recommendations

Summary

Mr C's cell was searched by prison staff. Mr C said staff emptied his dark and light washing out of his laundry tubs and put the wet clothing into the sink in his cell. Because of that, Mr C said his light clothing was dyed by the dark clothing. The prison did not compensate Mr C for this, because the clothing was not available to back up his claim. Mr C complained to us because he said that, at the time of reporting the matter, staff unreasonably failed to ask to see his damaged clothing. Mr C said he disposed of the clothing on the day it was damaged.

When Mr C reported the matter to staff, they provided him with a claim form. When we investigated Mr C's complaint that staff did not ask to see the damaged items at the time he reported the matter, we did not agree with Mr C that this was unreasonable. Our view was that staff appropriately provided Mr C with a claim form and that he should have held onto his damaged clothing as evidence for his claim until an appropriate member of staff - someone dealing with his complaint or claim about the matter - asked to see the items. We did not uphold Mr C's complaint.