

SPSO decision report

Case: 201104363, Scottish Prison Service
Sector: Scottish Government and devolved administration
Subject: policy/administration
Outcome: some upheld, recommendations

Summary

Mr C, who is a prisoner, submitted his request for a postal order in line with the instructions displayed by the prison in a notice to prisoners. Mr C's request was not actioned and he complained about it. In bringing his complaint to this office, he said hall staff failed to deal with his request for a postal order correctly.

The prisoner notice said that postal order requests 'must be received by the cash office by Thursday morning to allow processing'. In response to our enquiries, the prison explained that Mr C submitted his request on the Thursday and his request was actioned by reception the same day before being passed to the cash office for processing. The prison said it appeared that when the cash office received Mr C's request, it had missed the morning cut off point and so was not processed until later.

In looking at Mr C's complaint, we considered the steps he took in submitting his request and the information available to him about submitting postal order request. We also considered whether the process in place was clear to prisoners. The available evidence told us that Mr C placed his request for a postal order in line with the instructions given by the prison displayed in the notice. The evidence also appeared to confirm that Mr C's request was processed properly by the prison. Therefore, we did not uphold Mr C's complaint. However, we were of the view that the information available to prisoners, about by when requests should be received, was unclear, and made a recommendation to address this.

Mr C also complained about the prison's handling of his complaint. He said he was not given the opportunity to discuss his complaint with a manager; the response provided by the manager was inappropriate; and the internal complaints committee (ICC) and the governor unreasonably failed to take any action on his complaint. In line with prison rules, prisoners must be given the opportunity to discuss their complaint with a manager within the first 48 hours

of submitting their complaint. This did not happen in Mr C's case so we upheld this part of his complaint. However, we did not agree that the manager's response was inappropriate or that the ICC and governor unreasonably failed to take any action.

Recommendation

We recommended that the Scottish Prison Service:

- revise the wording of prisoner notice to ensure the information provided reflects the advice given to Mr C in response to his complaint.