

SPSO decision report

Case: 201300691, Scottish Prison Service
Sector: Scottish Government and devolved administration
Subject: communication
Outcome: upheld, recommendations

Summary

Mr C, who is a prisoner, was being taken to hospital and he asked a prison officer to phone his sister to let her know. The prison officer agreed but another officer then told Mr C it could not be done. Mr C complained that the prison inappropriately failed to action his request.

The prison rules say that if a prisoner becomes seriously ill or is admitted to a medical facility outwith the prison, the governor must, where possible, ask the prisoner if any relative or friend should be informed. The rules also say that if a prisoners wants a relative or friend to be informed then the governor must notify them.

In responding to Mr C's complaint, the prison confirmed that such a request should be actioned but they also said the officer could not recall Mr C making it. We were unable to determine whether or not Mr C did make the request. However, even if he did not make the request, prison rules confirm that steps must be taken to ask a prisoner whether they would like a relative or friend to be informed. That did not happen in Mr C's case and because of that, we upheld his complaint.

Recommendations

We recommended that the Scottish Prison Service:

- remind prison staff of the requirements of the relevant Prison Rule (42).