

SPSO decision report

Case: 201305540, Scottish Prison Service
Sector: Scottish Government and devolved administration
Subject: policy/administration
Outcome: not upheld, no recommendations

Summary

Mr C, who is a prisoner, complained that he was being unfairly denied the opportunity to access an offending behaviour programme, for which he had been identified as suitable, within a reasonable time. Mr C was concerned that the criteria used by the Scottish Prison Service (SPS) to determine his place on the waiting list meant other prisoners were being given priority over him.

The SPS have a policy providing guidance to prisons on how to prioritise the allocation of prisoner spaces onto offending behaviour programmes. It confirms that spaces are allocated to prisoners according to their critical dates within their sentence. For example, Mr C is serving a life sentence and his critical date is the point at which the punishment part of his sentence ends. The policy also confirms that no prisoner type is prioritised over another. Having considered the evidence available, we were satisfied that the SPS were managing Mr C's access to the programme appropriately, in line with their normal procedure, and we did not uphold his complaint.