

SPSO decision report

Case: 201400127, Scottish Prison Service
Sector: Scottish Government and devolved administration
Subject: food
Outcome: not upheld, no recommendations

Summary

Mr C, who is a prisoner, complained that the prison had not put measures in place to assist with his special dietary requirements. He made suggestions to prison staff as to what might help overcome the problem and was unhappy that they did not respond favourably to these. He left his complaint hearing prematurely as he said it had become clear to him that help was being refused. He said that the complaints committee refused to follow this up by providing the reasons for the refusal in writing. He said that their written response merely noted the refusal and Mr C's failure to engage with them.

Mr C explained to us that his dietary requirements were the result of a medical condition, of which he could provide evidence. However, the prison told us that as they had not received this evidence, they did not consider that any special provisions were necessary. They acknowledged, however, that they should have given Mr C a written explanation of their decision and said that they would highlight this to staff.

In the absence of a medical instruction, we noted that it was for the prison to decide whether to put special arrangements in place for Mr C, so we did not uphold his complaint. We were critical that the complaints committee had not provided written reasons for their decision, but as the prison had already acknowledged this and taken steps to address it, we had no recommendations to make.