

## SPSO decision report

**Case:** 201402114, Scottish Prison Service  
**Sector:** Scottish Government and devolved administration  
**Subject:** recreation  
**Outcome:** some upheld, recommendations

### Summary

Mr C complained that the prison inappropriately refused to provide him access to the library. Mr C was an untried prisoner located within an area of the prison that was for those requiring protection.

The prison rules confirm that prisons should make arrangements to allow prisoners to access library services, but also that privileges – including library access - can vary for different categories of prisoners, and for those detained in certain parts of the prison. The Scottish Prison Service told us that the council provided the main library service but that this facility did not extend to untried prisoners. Instead, untried prisoners could access an in-hall library. However, in the particular hall that Mr C was in, there were operational difficulties in granting him access to the in-hall library. He was unable to access either that or the main library (as he was an untried prisoner), which is why he complained. We noted that the prison's internal complaints committee had considered Mr C's complaint, and recommended that steps be taken to enable him to access a library service which the governor had accepted.

In light of the evidence available, we were satisfied the prison had the authority to restrict access to the main prison library for some prisoner groups. Because of that, we did not uphold Mr C's complaint about restricted access. However, we did uphold his complaint about complaints handling. We found that the response to his complaint should have more clearly outlined the prison rules and the reasons why Mr C did not have the same access to the main library as other prisoners.

### Recommendations

We recommended that Scottish Prison Service:

- apologise to Mr C for the failures our investigation identified; and
- take steps to remind relevant staff that written responses to complaints should be clear and accurate.