

## SPSO decision report

**Case:** 201404940, Scottish Prison Service  
**Sector:** Scottish Government and devolved administration  
**Subject:** accommodation (including cell amenities and location)  
**Outcome:** not upheld, recommendations

### Summary

Mr C complained that his prison unreasonably reversed their decision to allow him to move into a shared cell. We found that, as they acknowledged, the prison had made the wrong decision in allowing Mr C to move to a shared cell and, therefore, they were correcting their mistake when they returned him to a single cell. Therefore, we did not uphold Mr C's complaint. However, we decided that the prison should have been more open with Mr C about what had happened. We were also of the view that the Scottish Prison Service should take action to prevent such a mistake from happening again. We made recommendations to address these points.

### Recommendations

We recommended that Scottish Prison Service:

- apologise to Mr C for the initial decision to move him to a shared cell being taken without consideration of all relevant information and for failing to be open with him about this when dealing with his complaint; and
- remind hall staff at the prison that in appropriate cases they should consider seeking the opinion of professionals involved in case management before making the decision to move a prisoner to a different cell.