

SPSO decision report

Case: 201405905, Scottish Prison Service
Sector: Scottish Government and devolved administration
Subject: policy/administration
Outcome: some upheld, recommendations

Summary

Mr C complained that his prison allowed him to buy trousers that were not in keeping with the items prisoners were allowed to have, and that they did not tell him about a 12.5 percent additional charge. Mr C also complained that the prison did not take account of his skin condition when providing him with trousers.

We found that Mr C should have been aware that he was not allowed to buy black trousers. However, we also found that prison staff were supposed to check whether items ordered were permitted; had this been done, Mr C's order would not have been processed. Therefore, we upheld this part of Mr C's complaint. We did not recommend that the prison cover the cost of the trousers as Mr C could have returned them to the external company for a refund, but he chose not to.

In terms of the 12.5 percent additional charge, we were not satisfied that the prison had taken reasonable steps to ensure that Mr C was aware of charges for postal orders. The Scottish Prison Service could not provide evidence to support their view that Mr C had signed a disclaimer about the additional charge. Therefore, we upheld this part of Mr C's complaint.

We found that Mr C had not asked to be assessed by prison health centre staff for his skin condition, meaning no recommendation had been made by a healthcare professional about his condition. This meant the prison did not have to issue him with alternative trousers. We did not uphold this part of Mr C's complaint.

Recommendations

We recommended that Scottish Prison Service:

- refund the value of the 12.5 percent charge to Mr C.