

## SPSO decision report

**Case:** 201502253, Scottish Prison Service  
**Sector:** Scottish Government and devolved administration  
**Subject:** visits  
**Outcome:** some upheld, recommendations

### Summary

Mr C complained that his prison unreasonably put him on closed visits, and that there was an unreasonable delay in the prison responding to his complaints about confidential matters (known as PCF2 complaints). In dealing with Mr C's complaint, we explained to him that the decision to put him on closed visits was a discretionary matter for the prison under The Prisons and Young Offenders Institutions (Scotland) Rules 2011 (the prison rules). Our role was to see whether the prison followed the correct procedure.

We looked at the Scottish Prison Service (SPS)'s file on Mr C's complaint, their records about the closed visits and relevant SPS procedures. We found that the prison rules gave the prison governor the authority to put a prisoner on closed visits, and that the prison had reviewed Mr C's status for closed visits regularly, which was in line with the prison rules and the prison's own process. Therefore, we did not uphold this part of Mr C's complaint.

We also found that there was a delay in the prison responding to two of Mr C's PCF2 complaints, which was not in line with the SPS complaints procedure. In addition, there was an excessive delay in the prison responding to a letter from Mr C's solicitor, which was related to his complaints. Therefore, we upheld this part of Mr C's complaint.

### Recommendations

We recommended that SPS:

- remind relevant prison staff of the SPS complaints guidance relating to PCF2 complaints.