

SPSO decision report

Case: 201502431, Scottish Prison Service
Sector: Scottish Government and devolved administration
Subject: accuracy of prisoner record
Outcome: upheld, recommendations

Summary

Mr C complained that the Scottish Prison Service (SPS) included inaccurate information in his risk management team (RMT) paperwork, and he was concerned that this might have a detrimental effect on the consideration of his parole. In dealing with Mr C's complaint, we explained that our role was to check where the SPS sourced the information that was included, and if that information was up-to-date. We looked at the SPS' file on Mr C's complaint, the prison records provided to us by the SPS, and the SPS' RMT guidance. The guidance said staff at an RMT meeting should thoroughly research all relevant information and take account of it.

We found that prison staff were aware before the RMT meeting that there was more recent information about Mr C which could be provided by his new probation officer. However, the RMT paperwork made no reference to this and, at least in part, referred to information from Mr C's previous probation officer. In responding to our enquiry, the SPS referred us to other SPS documents, which they said would have informed Mr C's RMT paperwork. However, Mr C was transferred to the SPS from outside Scotland, and they were aware there were problems with the records that arrived with Mr C. The SPS documents about Mr C's time outside Scotland must have been informed by records from that other jurisdiction; however, the SPS did not provide us with the original evidence which first told them of Mr C's history there. This meant the SPS were not able to demonstrate to us that the information included in Mr C's RMT paperwork was accurate and up-to-date. We upheld Mr C's complaint.

Recommendations

We recommended that SPS:

- ensure that they obtain all relevant information about Mr C's history outside Scotland, including the most up-to-date information from his new probation officer;
- ensure that the next RMT takes account of the most up-to-date information about Mr C's history; and
- ensure that any information provided to the relevant parole authority is up-to-date.