

## SPSO decision report

**Case:** 201903189, Scottish Prison Service  
**Sector:** Prisons  
**Subject:** Policy / administration  
**Decision:** not upheld, no recommendations

### Summary

C complained about matters relating to their mail. A letter sent to C was retained by the Scottish Prison Service (SPS) for the purpose of testing because the item of mail was thought to be suspicious. The mail was tested using the rapiscan itemiser (a machine used by the SPS to trace and detect a broad range of illicit substances). C's mail indicated a positive result for an illicit substance.

C considered the testing procedure was not carried out properly. In particular, they believed that the mail item was cross-contaminated due to inappropriate handling. C also considered the SPS failed to provide an appropriate explanation as to why their item had been identified as being suspicious.

The SPS explained that testing of suspicious incoming mail was in place across the prison estate and was an important process ensuring the safety of both prisoners and staff. The equipment used was the same in all establishments and was calibrated to detect significant amounts of illicit substances. The scan of C's letter had indicated for a specific illicit substance. It was also noted unlikely the letter would have been cross-contaminated.

We looked at the SPS's standard operating procedure and we considered the prison rules. We were satisfied that the SPS handled C's mail appropriately, in line with the relevant standard operating procedure. Whilst recognising C's concerns about cross-contamination, we considered the SPS's response on this point reasonable. In relation to C's complaint that the SPS failed to properly explain why their mail had been retained for testing, they were particularly concerned that the SPS had not given detail as to why the mail was deemed as suspicious. We were satisfied that there were reasonable grounds for the SPS to deem C's mail as suspicious. Whilst it would have been good practice for the SPS to have explained to C at the time that specific details of their suspicions could not be shared, we accepted that providing C with a detailed explanation could have potentially compromised the security of the process. Therefore, we felt it reasonable the SPS did not fully explain to C why their mail was deemed suspicious. As such, we did not uphold C's complaints.