

# Minister for Drugs and Alcohol Policy submission of 17 April 2023

## PE1900/O: Access to prescribed medication for detainees in police custody

I refer to your letter dated 21 March 2023 to Angela Constance MSP in respect of the above petition. In my role as the new Minister for Drugs and Alcohol Policy in Scotland I welcome the opportunity to respond to the Committee's request.

The Scottish Government have written to NHS Grampian to ask for an update on this matter. I attach that letter and the reply from NHS Grampian as part of this submission, alongside the further information below.

### **Funding**

In January 2021, the former First Minister announced a National Mission to save and improve lives alongside an investment of £250 million over 5 years. This included £10 million per year, over the life of this Parliament, to support work on Medication Assisted Treatment (MAT) standards.

With specific regard to NHS Grampian, I can also confirm that the MAT funding allocated is £1,052,919 per year.

### **Staffing**

In terms of workforce, I fully recognise the recruitment challenges affecting the drugs and alcohol workforce, vacancies are problematic across a wide variety of roles and organisation types. That is why, some of the MAT funding is being utilised to recruit new posts to local services.

In November 2022, local areas returned progress reports to the Scottish Government, including the number of staff that had been successfully recruited to that date. The information returned detailed that whilst challenges remained, 140.45 WTE posts had been filled across all areas in Scotland.

With regards to NHS Grampian, and again as of November 2022, 32.8 WTE posts had been recruited. I must caveat however, as I am sure you will appreciate, that the figures returned are only able to provide a snapshot of the picture for all areas at that particular time. This figure is

not an official or published statistic and will of course change as time progresses.

### **NHS Grampian Letter**

You will see from the attached letter (Annexe A) from NHS Grampian that there has been a delay in relation to the Controlled Drug Licence application. This is disappointing, but it is unfortunately not within the competence of the Scottish Government to intervene. This is because the Home Office is responsible for the administration of Controlled Drug Licences and the delivery of healthcare in police custody is the responsibility of Integration Authorities working closely with Police Scotland.

I am encouraged that NHS Grampian reported 15 additional members of staff secured through MAT/ National Mission funding to support the implementation of MAT standards. However, you will notice that this is different to the 32.8 WTE staffing number reported by NHS Grampian in November 2022 (as above). We have clarified with NHS Grampian, and the reason is that there are 15 additional NHS staff, and there has also been a range of roles recruited to implement all aspects of MAT, including social workers and support workers which make up the balance.

I am also encouraged by the progress made through the NHS Grampian working group to support the implementation of MAT standards. This includes sharing practices and creating more pathways and support for those who are moved to police custody.

Please let me know if there is anything further that you require on this matter. I am keen that we work collectively on the areas where we are able to reduce the harms of problematic drug use and address the high number of drug-related deaths across our country.

**Minister for Drugs and Alcohol Policy, Elena Whitham MSP**

# Annexe A

Dear Orlando Heijmer-Mason,

Thank you for your letter dated 28th March 2023. The detail below should provide an update as requested.

## **Status of NHS Grampian's Controlled Drug License Application**

An initial date of February 2023 was given to the Minister for Drug Policy for an application to be made for a Controlled Drug Licence. This related to the application being submitted, not the timescale for a licence to be in place. The process for applying for a licence is complex and we apologise that with hindsight a date of February 2023 was an ambitious target given the processes that need to be in place and the current system wide pressures being experienced by health and social care services. It is difficult to give a definitive timescale as to when a licence will be in place as the Home Office require to visit the site prior to any licence being granted and this could be upwards of 16 weeks from the application being made. We are currently working to an application being made by the end of April 2023.

## **Progress made by the NHS Grampian working group tasked with the complete implementation of MAT standards within Police Custody**

The working group continues to meet on a fortnightly basis and now has membership from wider multi agency partners from within the Health and Social Care Partnership. Community based Drug and Alcohol Service and Justice Social Work Service are key partners involved in supporting the implementation of MAT standards within Police Custody. Although the working group has a clear focus on Police Custody, this is only one of the justice settings in which we are working towards the implementation of MAT within the required timeline of 31 March 2025.

Our community based Drug and Alcohol service colleagues have been working on the redesign of service delivery to achieve the implementation of MAT Standards 1-5 over the last 12 months. This work is now progressing to the next phase of implementation of MAT 6-10 in the coming 12 months. There is learning which is being shared across the community and custody teams to develop Mat 1-5 in the setting of Police Custody, for example, some standard operating procedures, processes, practice guidance and training and support of practitioners. This also promotes a more seamless transition for people

who move between community and custody because their experience of treatment and support is consistent with what is established as good practice in meeting the MAT standards in the community. For example, in terms of the provision of harm reduction, many Grampian wide standard operating procedures and supporting practice guidance are being shared with practitioners who are based within Police Custody.

Pharmacy colleagues have been central to this work within the community and these procedures are as relevant within custody although there may be some contextual changes required. The inclusion of Custody health centre practitioners in the community based Project Groups implementing each of the MAT standards is a key component to support the full implementation of MAT in police custody and this will continue across the next 12 months. This ensures access to the specific training and support to implement MAT 6 and 10.

Care pathways into and from police custody are also an important area of work which is being progressed in order that information sharing and processes across the localities in Grampian are established and onward referral routes are clear following release after Court appearance. The identification of people most at risk of drug related harm and specifically near fatal overdose is also central to evidencing that MAT 3 is being implemented. Assessment processes and access to information similar to what is available in the community are key features to ensuring that custody practitioners are aware of a person's history and also how best to safeguard their wellbeing through appropriate referrals to outreach services following release.

Sharing process and practice from the Outreach Service established in Aberdeenshire is taking place with custody practitioners to raise awareness and access learning of new assessment skills and interventions. Justice social work in the settings of Court are also part of this work to ensure the information sharing and care pathways to treatment and support are clear.

### **The specific challenges being faced by NHS Grampian in delivering MAT standards in Police Custody**

The large geographical area which custody setting cover is challenging due to the requirement for practitioners to become familiar with a number of different community based services, processes and care pathways.

Recruitment and retention of staff is an ongoing challenge. Access to additional training and support to ensure that new skills and different ways of working are being established in a safe and consistent way across the workforce is difficult given that day to day operational demand takes priority.

**How many additional members of staff have been secured to support further progress with MAT implementation in NHS Grampian**

Within Aberdeenshire NHS Grampian staffing in the community, there have been fifteen additional members of staff secured through MAT/National Mission funding to support the implementation of MAT standards.

Yours sincerely

**Professor Caroline Hiscox**  
**Chief Executive, NHS Grampian**