

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

Minister for Public Health and Women's Health written submission, 10 January 2025

Thank you for your letter dated 16 December 2024, to the Minister for Drugs and Alcohol Policy, requesting an update on our commitment to ensuring that detainees in police custody have access to prescribed medication. I will be responding to you¹ on behalf of Ms McKelvie.

I can confirm that we remain satisfied that the majority of health boards have taken the appropriate action to meet the standards that should be in place, as highlighted in the rapid review. However we continue to work with NHS Lanarkshire, who advised us on 18 September 2024 that their application for a controlled drug licence had been submitted on 8 August 2024, but had not then been approved. On 18 December 2024, the health board informed us that the Home Office had acknowledged their application and has requested a compliance visit, which is provisionally scheduled for February 2025.

Once we are satisfied with the position of NHS Lanarkshire, we will provide an updated table, for completeness, in response to the initial Rapid Review.

Come spring 2025, the aim is that all health boards will have the appropriate care and practices in place for detainees in police custody, as stated in the rapid review, which will create a baseline.

When we are content with the position of all health boards, we will begin the next step of sharing how we will monitor this situation going forward - which will be in the form of annual updates beginning this year. Officials will provide NHS boards with the required template for completion, as well as a deadline, which will set a precedence going forward.

By making health boards aware of this mandatory annual reporting process, we would expect that all areas will be proactive in ensuring compliance with the Rapid Review throughout each year.

Finally, following the Rapid Review, NHS Grampian recognised that they needed to do more to ensure compliance with the appropriate policies and procedures when dealing with detainees in police custody. We were satisfied with their progress on this. However I note that there are still some concerns relating to detainees in Elgin and across NHS Grampian's area not receiving their prescribed methadone while in police custody.

My officials have therefore been following this up with NHS Grampian to address this issue. I have attached a copy of the latest correspondence that we received from

¹ This response was also shared with the Convener of the Criminal Justice Committee

NHS Grampian, dated 31 December 2024, providing us with an update on their work in this area.

I thank you for your support on this matter.

Jenni Minto MSP

Annexe A: Correspondence from NHS Grampian to the Minister for Public Health and Women's Health

Dear Ms Minto,

Thank you for your email, of 25th November, seeking clarification on our response (ref 291024 SG AC 05 df) to assist your response to Mr Richard Lochhead MSP; whose constituent has concerns that detainees in Elgin and across NHS Grampian do not receive their prescribed methadone while in police custody and are instead offered dihydrocodeine. Our earlier response had mentioned Aberdeen City and Aberdeenshire but had not included Moray.

I met with Mr Lochhead MSP on 9th December, along with Julie-Anne Stuart, Lead Nurse, Custody and Prison Services for Aberdeenshire Health and Social Care Partnership, to address the concerns raised around the prescribing of methadone across our custody suites.

At this meeting it was explained we are now at the stage of planning the introduction of opioid replacement therapy prescribing and administration across all three of our custody suites, and it is hoped this will be commenced within the first quarter of 2025. We now have a robust standard operating procedure in place and are about to carry out a comprehensive training program for the nursing staff. The introduction of this will be phased, commencing in Kittybrewster custody suite first. We are working through some logistical issues around the stock delivery prior to this being commenced within Elgin and Fraserburgh suites.

I hope that this additional information helps answer your query and assists your response to Mr Lochhead MSP. If we can provide any further assistance or updates on this matter, we will be happy to coordinate.

Yours sincerely,

Dr Adam Coldwells

Interim Chief Executive, NHS Grampian