Justice Committee

Brain injury and the criminal justice system

Letter from the Scottish Government to the Convener

Thank you for your letter of 19 August 2014 on behalf of the Justice Committee, seeking comment on the recommendations from the round-table evidence session held on the 12 August 2014 on Brain Injury and the Criminal Justice System. The evidence session had an impressive list of stakeholders in the field of Neuropsychology and Psychiatry as well as academics and I welcome the opportunity to respond to their positive contribution to this issue.

I was particularly interested to note that Professor Tom McMillian gave evidence and spoke of his work in three prisons in the Glasgow area, linking medical records to the current prison population. I am pleased to inform you that, HM YOI Polmont, in partnership with NHS Forth Valley, have agreed to discuss the feasibility of conducting a prevalence study to provide evidence for future planning and service provision for young people diagnosed with traumatic brain injury with Professor McMillian.

It was also interesting to note the point Dr Alan Carson made about differentiating between minor and severe brain injuries. He urged on being cautious not to attribute everything to brain injury, but to realise that in some cases there is much more complex social problems.

The Scottish Government is committed to making sure that services are available to help people overcome these social problems and desist from crime through our Reducing Reoffending Programme which is informed by international research, and wide spread consultation with those working in the field.

As you mention in your letter, the Scottish Government and Scottish Prison Service are already doing a significant amount of work in this field. Ruth Parker from the Scottish Prison Service highlighted to the Committee, the planned work between HMP Grampian and NHS Grampian. I am pleased inform you that offenders are now being assessed by a Consultant Neuro-Psychologist. The Scottish Prison Service is aware of the difficulties posed by those suffering from traumatic brain injuries and are actively exploring the possibility of offering a rehabilitation service to prisoners following liberation with representatives from the Murdostoun Brain Injury Rehabilitation Centre in Wishaw.

As noted at the evidence session, the subject of brain injury and offending is highly specialist and complex. I have therefore tasked the newly established Brain Injury and Offending work-stream of the National Prisoner Healthcare Network to examine these recommendations. Many of the experts who you invited to give evidence have been invited to participate in the work-stream as well as others working in the field of community rehabilitation and Forensic Mental Health. A dedicated workstream will give this complex issue in-depth consideration and will produce a draft report by summer 2015.
I trust that this information is helpful to the Justice Committee and I look forward to reporting back.

Kenny MacAskill
Cabinet Secretary for Justice
25 September 2014