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Margaret Mitchell MSP  
Convenor  
Justice Committee  
Scottish Parliament  
Edinburgh  
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23 November 2018

Dear Convenor,

## **EXPERT REVIEW OF MENTAL HEALTH SUPPORT FOR YOUNG OFFENDERS**

Following the recent tragic deaths of Katie Allan and William Lindsay (also known as William Brown) at HMP& YOI Polmont, I am writing to inform you that I am instructing Her Majesty's Chief Inspector of Prisons (HMCIPS) to work with an expert in mental health services and other relevant agencies to undertake a review of the provision of mental health services and support for young people entering and in custody at HMP&YOI Polmont.

Every death by suicide is a tragedy, and a death in custody can rightly raise particular questions for families. I have expressed my deepest of sympathies to the families of Katie and William. I had the opportunity to express this personally to Katie's parents when I met them on 13 November.

As with any death in custody a mandatory and independent Fatal Accident Inquiry investigation will be undertaken by the Crown Office into the deaths of both Katie Allan and William Lindsay. It is important that those independent investigations are allowed to proceed.

However, I have reflected on some of the more immediate questions raised particularly around the provision of mental health support and services for young people in custody.

I met with the Chief Executive of the Scottish Prison Service on 13 November and he has outlined to me actions that are already being taken within the Service to support the dedicated and hard-working prison and NHS staff who work with the young people in HMP&YOI Polmont. This includes additional senior capacity, reporting directly to the Governor, with specific responsibilities for overseeing the effective operation of the SPS's Talk2Me suicide prevention programme and enhanced Mental Health training for selected Prison Officer Personal Officers.

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An audit of potential in-cell ligature points is also being carried out at Polmont drawing on existing Care Quality Commission guidance for the inspection of psychiatric units. I have written to the Chief Executive asking him to keep me updated on these important developments.

In addition, the Cabinet Secretary for Health and Sport has confirmed that NHS Forth Valley have already engaged with the SPS to assess and augment provision for the population living at Polmont.

Following dialogue with the Cabinet Secretary for Health & Sport and Minister for Mental Health, we have agreed that a time-limited review into mental health provision for young people entering custody will be undertaken. This will be carried out by a relevant mental health expert and HM Inspectorate of Prisons for Scotland along with other relevant agencies, as required.

The principal aim will be to review arrangements for young people with mental health issues entering custody, including the information available about their backgrounds as they enter custody; reception arrangements and on-going support and supervision during their time in custody. The review will also look at relevant operational policies, practice, training, etc. Where practical, the review will also look at comparisons between the support and arrangements in place in secure care accommodation and HMP&YOI Polmont. As with current formal inspection and independent monitoring arrangements for prisons, the review will include direct engagement with young people in custody about their experiences. The review will not consider the specific circumstances of recent cases which are the subject of current or future mandatory Fatal Accident Inquiries.

We are also aware of issues being raised about the information that is available about a young person's history before decisions are taken that can lead to them being sent to custody or secure care. Separate consideration is being given to how best to look at these issues.

Details of the mental health-expert to be appointed to the review of mental health support in Polmont and the scope and remit and formal terms of reference of the review are now being determined in dialogue with HM Inspectorate of Prisons and other relevant agencies. I will write to the Health and Justice Committees with more detail in due course.

HMIPS, along with Healthcare Improvement Scotland and other relevant agencies, undertook a regular routine inspection of HMP&YOI Polmont from 29 October -1 November 2018. This included consideration of the provision of physical and mental health services. The report of the formal inspection is due to publish in Spring 2019. I have proposed that the Expert Review of Mental Health Assessment and Support should be progressed in parallel with the wider inspection of standards of care, opportunities and conditions for both young people and women at HMP&YOI Polmont. The review would report either ahead of, or at the same time, as the wider inspection report in Spring 2019.

This review will involve a number of cross-Governmental Ministerial portfolios. My officials and I will work in close collaboration with the Cabinet Secretary for Health and Sport and Ministers for Mental Health and Children and Young People and relevant officials to ensure lessons are drawn across the relevant work already underway in mental health provision and support, suicide prevention and in youth justice, including the work of the National Suicide Prevention Leadership Group and the joint Scottish Government and COSLA Taskforce on

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Children and Young People's Mental Health. Links will also be made to the current Independent Care Review, which is working to deliver lasting change to the care system.

It is also vital that we recognise the wide range of positive work that is being delivered every day by the management and staff of the Scottish Prison Service and other agencies in HMP&YOI Polmont with the 340 young men and women entrusted to its care. Over the last 10 years, marked progress has also been made to support better performance and consistently positive impact of youth justice responses - supporting better outcomes for young people in trouble, victims and communities. This has been achieved through solid Scotland-wide strategic support at a local level around the essential elements of the Whole Systems Approach - underpinning a preventative, diversionary approach to children and young people in and on the edges of formal systems, including the criminal justice system. This progress is evidenced by the significant reduction in the number of young people being dealt with by the children's hearings system and Court as well as those in custody.

The Government will apply further impetus to this work in conjunction with the measures set out in this letter, particularly to ensure that emerging issues from the Care Review are given urgent attention.

I trust this information is helpful. I will write to Committee Members with further details in due course.



**HUMZA YOUSAF**

**Copy to:**

Lewis MacDonald MSP, Convenor of Health and Sport Committee  
Deputy First Minister  
Cabinet Secretary for Health and Sport  
Minister for Mental Health  
Minister for Children and Young People  
Wendy Sinclair-Gieben, Her Majesty's Chief Inspector of Prisons (Scotland)  
Colin McConnell, Scottish Prison Service

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