

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

Petitioner written submission, 4 November 2024

The 14th of September 2024 was the 3rd anniversary of PE1900 Calling on the Scottish Parliament to urge the Scottish Government to ensure that all detainees in police custody can access their prescribed medication, including methadone, in line with existing relevant operational procedures and guidance.

Yet 3 years later, despite winning the argument, there is still no progress. I feel an almost Neville Chamberlain like moment of waving a piece of paper, and actually believing the delusion is real. On the positive side, Police Scotland and NHS Grampian have to accept responsibility for the denial of adequate medical treatment of detainees and multiple breaches of Human Rights. I believe that in Grampian, detainees are still denied medical attention by Police Scotland, the medical assessment is carried out remotely which is then passed to a nurse via phone by a member of the custody team, not the detainee. This combined with the mental health assessment takes on average 1 minute.

Police Scotland are documented as stating that intoxication and medical overdose are the same thing and do not warrant medical intervention. I will stand up in any court or parliament and repeat that statement. I have collected numerous examples of abuse, and none comply with Scottish laws and European Human Rights legislation. What are our values as a society? Strangely these values were well reflected in the Scottish Parliament in 2015. It was committed to social cohesion, justice and equality. This is exemplified by the inscription on the Scottish Mace which sits in the Scottish Parliament, clearly declaring to the world that our society is underpinned by the values of wisdom, justice, integrity and compassion.

It has come to my attention that NHS Grampian, while stating to you that historic problems prevented them from complying with laws and regulations regarding Dihydrocodeine, they were simultaneously reminding staff of the need not to prescribe Dihydrocodeine to all other members of the community due to the dangers that have come to light in 2007. It certainly is not a historic problem.

Grampian Guidance for Prescribing Medication Assisted Treatment (MAT) in Community Settings for Patients Experiencing Problematic Substance Use

Co-ordinators:

Substance Use and Medicines Management. (published March 2023)

5.7 Oral opioids other than methadone and buprenorphine are not licensed in the UK for the treatment of opioid dependence. This includes dihydrocodeine and slow-release oral morphine preparations. They are not currently recommended, or on the Grampian Area Formulary, for use in Grampian. Treatment using prescribed diamorphine is not currently available.

If NHS Grampian has not told staff to prescribe Dihydrocodeine, then why are they still prescribing it? So it would appear that despite knowing the facts, NHS Grampian have been confiscating detainees' legally prescribed methadone, and without consent, substituting it with the unlicensed drug dihydrocodeine. A drug the Committee knows can cause psychological and physical trauma - seizures are not uncommon. This was confirmed by Dr Carole Hunter in her evidence to the Committee.

The sad thing is the Home Office has confirmed that as the methadone was the detainee's own prescribed medication, there was no need for a controlled drugs licence. Also confirmed by Richard Lochhead MSP in a letter from the Home Office controlled drugs department, the fact dihydrocodeine could be carried in a Doctor's bag and/or with the detainee's signature a police officer could pick it up, or an approved person (next of kin, close relative) and after phoning around pharmacists. I was told they would dispense it to the detainee as it was prescribed to that patient, if they are told and the detainee could be brought to the pharmacy.

So I ask the Committee, why have NHS Grampian been dragging their feet? Robbie Burns had the quote to sum up NHS Grampian management "An' may ye rax Corruption's neck, And gie her for dissection!".

As the lead petitioner of PE1900, I request permission to address the Committee regarding the failure of NHS Grampian and Police Scotland to implement the provision of methadone. Detainees are still receiving the unlicensed drug dihydrocodeine and they are still not being asked for informed consent. NHS Grampian still prescribe Dihydrocodeine to individuals without prescription and do not use specialist clinicians, nor do Police Scotland or NHS Grampian raise risk assessment for each detainee being given an unlicensed drug.

They do not monitor or titrate detainees who still suffer seizures. Police Scotland still reneges on its duty of care and are shamefully acting as proxy medical staff for NHS Grampian. With regards to PE1900, despite the best efforts of the Committee, the promise by the Minister and the letter to the Committee by NHS Grampian that methadone was now the accepted medication, NHS Grampian still illegally prescribe Dihydrocodeine to detainees in Police custody. Although, it should be noted that the drug is not licensed for the treatment of drug dependence. Individuals in police stations are entitled to the same standard of medical care as any other member of the public.