

Citizen Participation and Public Petitions Committee  
Wednesday 18 June 2025  
11th Meeting, 2025 (Session 6)

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

### Introduction

**Petitioner** Kevin John Lawson

**Petition summary** 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.

**Webpage** <https://petitions.parliament.scot/petitions/PE1900>

1. [The Committee last considered this petition at its meeting on 11 December 2024.](#) At that meeting, the Committee agreed to write to the Minister for Drugs and Alcohol Policy.
2. The petition summary is included in **Annexe A** and the Official Report of the Committee's last consideration of this petition is at **Annexe B**.
3. The Committee has received new written submissions from the Minister for Public Health and Women's Health and the Petitioner, which are set out in **Annexe C**.
4. [Written submissions received prior to the Committee's last consideration can be found on the petition's webpage.](#)
5. [Further background information about this petition can be found in the SPICe briefing](#) for this petition.
6. [The Scottish Government gave its initial response to the petition on 12 October 2021.](#)
7. Every petition collects signatures while it remains under consideration. At the time of writing, 10 signatures have been received on this petition.

### Action

8. The Committee is invited to consider what action it wishes to take.

**Clerks to the Committee**  
**June 2025**

## **Annexe A: Summary of petition**

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

#### **Petitioner**

Kevin John Lawson

#### **Date Lodged**

14 September 2021

#### **Petition summary**

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.

#### **Previous action**

I have written to Jamie Halco Johnston MSP who spoke to Humza Yousaf, who confirmed that detainees in police custody should have access to their prescribed methadone.

I have also written to the Chief Executive of the local NHS Board who said it was not their policy to treat detainees in accordance with Official Guidance, and contrary to the Mandela Rules 24-25.

I also wrote to the Chief Constable of Police Scotland who stated it wasn't his problem.

#### **Background information**

Police Scotland standing operating procedures says that, as long as it is safe and appropriate to do so, detainees should have prescribed medication continued whilst in police custody including the consideration of opiate substitution therapy such as methadone. The NHS delivers that care.

Humza Yousaf said that this is what should be happening, however, the Chief Executive of the local NHS Board confirmed that it was not their policy to treat detainees.

I am angry that detainees are not being treated in accordance with Official Guidance nor [The Mandela Rules](#), Rules 24 and 25. I believe that this actually breaks [Article 3 of the Human Rights Act](#).

I therefore want the Scottish Government to make sure that detainees are being given their prescribed methadone, as they would in the community, or in prison, in accordance with the Official Guidance.

## **Annexe B: Extract from Official Report of last consideration of PE1900 on 11 December 2024**

**The Convener:** Agenda item 2 is consideration of our existing continued petitions, the first of which is a petition that is of long standing and one with which the committee has been heavily concerned. PE1900, which was lodged by Kevin John Lawson, calls 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.

We last looked at the petition on 6 March, when we agreed to write to the Minister for Drugs and Alcohol Policy to seek an update on the work of relevant health boards in obtaining controlled drug licenses and implementing written policies on access to prescribed medication. We have received a detailed table—which colleagues have in the meeting papers—that outlines the current position of all health boards on that matter.

The minister has stated that “as part of the” Scottish Government’s “on-going work to support a positive outcome from this petition ... officials have been engaging with the relevant areas following the rapid review ... to ensure ... that processes are put in place to support the delivery” of the agreed actions in the set timescales.

Regarding NHS Grampian, the minister has stated that “the premises inspection took place on 4 October 2023. Following that inspection, there were some actions that required follow-up, which have since been actioned. NHS Grampian have had no further communication with regards to their application for a controlled drug licence, but understand that a delay is not unusual.”

A number of health boards have checked and subsequently confirmed to the minister that their custody suites do not require a controlled drug licence. Some boards already have the licence in place and others have since applied for the licence. The minister has stated her intention to request “annual updates from health boards” to ensure their continued compliance with the requirements that were set out in the rapid review.

The petitioner has provided two written submissions to the committee. He feels that there is “a complete lack of courage by the Scottish Government to implement their own policies, Scottish Law and the Human Rights Act.”

He states that “detainees have the right to ... have enough information about their condition, treatment options, the benefits and risks relevant to them, and alternative options for them to give informed consent to treatment” and highlights that “This includes the opportunity to ask questions and discuss concerns.”

We have effected some progress on the petition over the time of our consideration. Do colleagues have any suggestions for action?

**Fergus Ewing (Inverness and Nairn) (SNP):** I think that the committee has played a role in cajoling the Scottish Government and the health boards into moving forward slightly more quickly. However, it is frustrating that the petition is now three years old and that, although NHS Grampian responded over a year ago, it does not appear to have received a response to its application for a licence.

I suggest that we write to the Minister for Drugs and Alcohol Policy to ask when the annual updates from each health board are due; to request that the committee receive an updated table once the information is available and an early and detailed update on NHS Grampian's work in the area since the so-called rapid review; and to ask whether the Scottish Government intends to undertake any proactive work with health boards to ensure compliance with that review.

**The Convener:** Thank you. No member has indicated that they have other suggestions, so are colleagues content to accept Mr Ewing's suggestion?

**Members** *indicated agreement.*

**The Convener:** We will keep the petition open and progress on that basis.

## **Annexe C: Written submissions**

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

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

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 you<sup>1</sup> 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 NHS Grampian, dated 31 December 2024, providing us with an update on their work in this area.

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<sup>1</sup> This response was also shared with the Convener of the Criminal Justice Committee

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**

**Petitioner written submission, 15 January 2025**

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

I read Jenni Minto MSP's response in PE1900/X with a mixture of sadness, anger, and regret.

It is sad that this denial of adequate healthcare has not been noticed in ten years despite each healthcare trust having a Controlled Drug Accountable Officer (CDAO). Strangely CDAO don't seem to be accountable for their failure to follow the policy.

I am angry, I have information to suggest that detainees still are receiving Dihydrocodeine, despite NHS Grampian stating in March 2024 in a new policy statement that no heroin addict would be prescribed Dihydrocodeine.

Yet detainees are still being given unprescribed Dihydrocodeine without their consent. The situation is complicated by the fact that we don't know how the Dihydrocodeine is legally stored or where it is coming from?

The regret comes from the fact that this delay proves that it is a breach of Article 3 & 14 of the Human Rights Act 1998 but no one will investigate. Police Scotland have refused to investigate, saying that despite it happening in their custody suites, and their staff physically handing out the Dihydrocodeine, it is not their responsibility to investigate.

I regret that after so many individuals in custody including addicts, mentally ill and damaged veterans suffer the discrimination of denial of their prescribed medication and adequate healthcare is a putrid sore on the face of democracy and the Scottish Parliament.