| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-0090  Responded to: 25 January 2023 |
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Your recent request for information is replicated below, together with our response.

## Under the Freedom of Information Act, why is Police Scotland not following the Official Guidance for the Healthcare of detainees in Moray and Grampian as told to the Petition Committee of the Scottish Parliament (PE 1900) by Angela Constance MSP Minister for Drugs that giving Dihydrcodeine to detainees instead of Methadone is discriminatory! Police Scotland physical give detainees Dihydrcodeine without written consent. Fergus Ewing and I quote: “I want to raise an issue that was referred to in evidence. There was some concern that dihydrocodeine has been prescribed in NHS Grampian. We had some concerns about the appropriateness of that. During last week’s evidence session, I took the opportunity of asking Dr Hunter about it, and she said: “Dihydrocodeine is sometimes prescribed in custodial settings. There is guidance on exceptional circumstances within the UK guidance that I mentioned. Its prescription should not be routine as a replacement, but there are some exceptional circumstances—including when it is not possible to get access to existing prescribed medication safely—in which it would be used by an experienced clinician.” [Official Report, Citizen Participation and Public Petitions Committee, 23 November 2022; c 4.] Why does Police Scotland allow none medically qualified Police custody staff to give an unlicensed drug without consent, the law is quite clear on Dihyrdrocodeine: Dihyrdrocodeine is a Class B drug and possession without a prescription is illegal in the UK. The penalties can be up to 5 years in prison for possession and 14 years for supply. There can also be an unlimited fine for both. Has Police Scotland been mislead.

As you have been advised previously, Medical provision for prisoners is the responsibility of National Health Service (NHS) Scotland.

The management of all medication given to an individual whilst in police custody is the responsibility of the NHS Healthcare Professional.

As such, any decision relating to medication provided to persons in custody in the Grampian area will be made by NHS Grampian.

The NHS use their own IT system to record the medication provided to persons in custody.

If you require any further information relating to the provision of medication to persons in police custody, please contact NHS Grampian.

On that basis, section 17 of the Act applies and I can confirm that the information sought is not held by Police Scotland.

Police Officers / PCSO’s may assist in the administration of medication to individuals whilst in Police Custody, only when the HCP is satisfied that it is appropriate for them to exercise this function.

Dosette boxes have now been replaced across the Force area by Plus Pack / Venalink packaging systems which provide sealable, tamperproof, monitored dosage systems which allow medication to be split into sealed pockets marked with the time / day at which they are to be administered. These packaging systems also include the name and date of birth of the person to whom they are prescribed for clear identification. Only Plus Pack or equivalent packaging clearly marked with the intended recipient’s name and date of birth should be used to administer medication within Custody Centres.

The NHS Custody HCP is responsible for placing the medication within the PlusPack and retains overall responsibility for its contents. In Elgin and Kittybrewster Custody Centres, Police Scotland officers and custody staff are not required to provide medication to arrested persons as the NHS Custody HCPs give the medication to the arrested persons and PlusPacks are therefore not routinely used.

If you require any further assistance please contact us quoting the reference above.

You can request a review of this response within the next 40 working days by [email](mailto:foi@scotland.police.uk) or by letter (Information Management - FOI, Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH). Requests must include the reason for your dissatisfaction.

If you remain dissatisfied following our review response, you can appeal to the Office of the Scottish Information Commissioner (OSIC) within 6 months - [online](http://www.itspublicknowledge.info/Appeal), by [email](mailto:enquiries@itspublicknowledge.info) or by letter (OSIC, Kinburn Castle, Doubledykes Road, St Andrews, KY16 9DS).

Following an OSIC appeal, you can appeal to the Court of Session on a point of law only.

This response will be added to our [Disclosure Log](http://www.scotland.police.uk/access-to-information/freedom-of-information/disclosure-log) in seven days' time.

Every effort has been taken to ensure our response is as accessible as possible. If you require this response to be provided in an alternative format, please let us know.