Taking a public health approach to police custody

Criminal Justice services division

**harm reduction strategy**

2020-2023



**Foreword**

Harm reduction recognises that complete prevention of harmful behaviours can only be aspirational and, instead of preventative or ‘zero tolerance’ approaches, adopts a framework of hierarchical goals that focus on the harms that accompany risky behaviours, with a view to reducing those harms and ultimately leading to better outcomes for those at risk. In the absence of a precise definition, the following principles of harm reduction have been adapted by the UK Harm Reduction Alliance (UKHRA) and can be summarised as follows:

Harm reduction is:

**Pragmatic** – acknowledges that containment and reduction of harm is a more feasible option than efforts to eliminate harmful behaviours entirely.

**Prioritising Goals** – the notion of a hierarchy of goals, with the immediate focus on proactively engaging individuals, targeting groups and communities to address their most compelling needs through the provision of accessible and user-friendly services.

**Incorporating Humanist Values** – the decision of individuals to engage in risky behaviours is accepted as fact. No moral judgement is made either to condemn or to support those behaviours.

**Focussed on Risks of Harms** – on the basis that by providing responses that reduce risk, harms can be reduced or avoided.

**Not Focussed on Abstinence** – harm reduction neither excludes nor presumes a treatment/intervention goal of abstinence.

**Maximising the Range of Intervention Options Available** – this involves identifying, measuring and assessing the relative importance of harms and balancing costs and benefits in trying to reduce them.

The afore-mentioned principles were developed in respect of drugs use, however, Police Scotland recognises these principles can be of value when applied across a range of vulnerabilities and potentially harmful behaviours which present within the police custody setting.   
  
Offending undoubtedly leads to community harm and has both social and economic consequences, however, a harm reduction strategy that incorporates a public health approach to tackling reoffending, recognises that health and social inequalities experienced by some offenders may be contributing not only to their offending but may also leave them trapped in a cycle of harmful behaviours that they cannot break on their own.

Taking a public health approach means looking behind an issue or problem or illness to understand what is driving it. Often called ‘social determinants’ or ‘structural factors’, these are the circumstances such as housing, education, indebtedness and income that underpin people’s lives and make them more or less likely to:

• experience criminal victimisation

• have poor health outcomes, have less access to health services, and die prematurely

• have contact with the police and other services; and

• enter the criminal justice system.

As part of Police Scotland’s wider public health approach to these issues, Criminal Justice Services Division has committed to enhancing the level of care and support afforded to people coming into police custody and is working with health and social care colleagues and other partners to develop innovative multi-agency models in pursuit of the following vision for police custody centres:

* Places of Safety, Wellbeing and Support
* Addressing reoffending by tackling the underlying causes such as -

Health and Wellbeing, Welfare, Housing, Employability

* Providing Evidence Based Interventions to prevent and reduce the risk of reoffending
* Informed opportunities for Diversion which meet needs
  + Ensuring pathways to ongoing support and harm reduction interventions are accessible

**Our Vision**

To reduce the risk of harm for individuals and communities by providing support to those people in police custody who are vulnerable due to health and social factors, which may lead them to engage in harmful behaviours that impact on their wellbeing and contribute to offending.

**How will we achieve this?**

In collaboration with our partners, we will adopt a public health approach to identify and address those harms which contribute to offending and establish support mechanisms for those persons engaged in, or at risk from, such harmful behaviour.

**Our Objectives**

1. To work collaboratively with partners at a national, regional and local level to provide evidence-based interventions and pathways to community based support within all police custody centres.

2. To maximise partnership information and shared analysis relative to vulnerability and harmful behaviours in order to make informed and effective decisions regarding the support and services persons in police custody may require.

3. To promote a culture of kindness and dignity across our workforce by increasing the knowledge and understanding of persons working in police custody to better identify and engage with those at risk in order to maximise opportunities to provide support.

**Delivery and Implementation Plan**

Since early 2018 work has been undertaken by the CJSD Healthcare and Interventions Team to identify the types of risks and harm most prevalent amongst individuals in police custody. These have been distilled into the following key themes:

1. **Risk of Drug Related Death;**
2. **Substance Use (Drugs, Alcohol and Tobacco);**
3. **Mental Health;**
4. **Health and Social inequalities**

Each theme has an associated action plan designed to support and deliver on the strategic objectives and to support wider strategies such as “[Right, Respect & Recovery, Emerging Drug Taskforce Strategy”.](https://www.gov.scot/binaries/content/documents/govscot/publications/strategy-plan/2018/11/rights-respect-recovery/documents/00543437-pdf/00543437-pdf/govscot%3Adocument/00543437.pdf) The plans focus on the interventions that will make the biggest impact to reduce harm and potentially fatal consequences for persons who come into police custody, with the associated and aspirational desire to reduce offending through reducing the harms that might be contributing to the offending behaviours.

**1. Risk of Drug Related Death (DRD)**

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| **Why this theme?** | Scotland has the highest rate of DRDs in Europe with 1187 DRDs in 2018.  During a 5 month period in 2019, research was undertaken into DRDs recorded by Police Scotland to assess the interventions being undertaken to both identify and support individuals in custody who may be at risk of a DRD.  During the period under review, 120 people who had died of a suspected or confirmed DRD had been in police custody on one or more occasion within the 12 months prior preceding their death, yet only 14 were offered a referral to onward support by custody staff.  85% of those people disclosed additional vulnerabilities, including drugs, alcohol and mental health, and could have been appropriate for additional support had it been considered and available.  There is a significant opportunity within Police Custody for support to be offered to reduce harm. |
| **Action Areas** | * Improve Information sharing and analysis across partners to better target support * In collaboration with NHS partners, Alcohol and Drugs Partnerships and the third sector, ensure access to appropriate support services across every police custody centre * In collaboration with NHS partners, develop training for all custody staff to assist in identifying and engaging those at risk of a DRD and supporting access to person centred interventions * Increase awareness of, and information about, overdose risks to all persons who come into police custody. |
| **Outcomes** | Increasing access to support, whilst in police custody, for those who are currently using drugs and on their release or transfer.  Reduce the number of Drug Related Deaths of persons involved in the Criminal Justice System. |

**2. Substance Use (Drugs, Alcohol and Tobacco)**

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| **Why this theme?** | The harmful use of addictive substances such as alcohol, drugs and tobacco has a seriously detrimental effect on public health.  Alcohol is a significant factor in offending behaviour. Alcohol can also cause negative health and social consequences for the person who is experiencing problems with alcohol and is the third leading risk factor for poor health globally (World Health Organisation).   Evidences from the National Custody System provides that 10% of people in police custody have self-disclosed alcohol dependency and 41% have declared alcohol consumption within 24 hours of coming into custody.  Statistics produced by the Scottish Crime and Justice Survey 2017/2018 show 46% of violent crime is alcohol related. The Prisoner Survey 2015 indicates 41% of prisoners report being intoxicated at the time of their offence and 66% of young offenders were intoxicated at the time of offence.   The harms caused by drugs consumption are addressed under the previous heading.   The health consequences of cigarette smoking are well documented and place a significant burden on the public’s health. This is not, however, a harm that is currently recorded on the custody Vulnerability Risk Assessment.  Substance use and its associated harms are prevalent in individuals who come into police custody and an opportunity for intervention exists and should be maximised. |
| **Action Areas** | * Improve Information sharing and analysis across partners to better target support * In collaboration with NHS partners, Alcohol and Drugs Partnerships and the third sector ensure access to support services across every police custody centre * Develop training for all custody staff to assist in identifying and engaging those involved in harmful use of substances and supporting access to person centred interventions |
| **Outcomes** | Increase the number of people engaged in harmful use of substances that receive access to support when in police custody. |

**3. Mental Health**

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| **Why this theme?** | The vision of the Scottish Government’s Mental Health Strategy 2017-2027 is a Scotland where people can get the right help at the right time, expect recovery, and fully enjoy their rights, free from discrimination and stigma.  Moreover it states that the government will ‘facilitate work with Police Scotland to ensure that people with mental health problems or who are in distress are supported’.   Interrogation of the National Custody System reveals that 40% of persons coming into police custody disclose a mental health problem and 32% disclose previous suicide or self-harm attempts. Gender is an apparent influencer as females represent 56% of those with self-disclosed mental health problems, whereas 59% of those who disclose previous suicide or self-harm are male.  Provision of and access to mental health support is disparate both across Scotland and across police custody centres; the government commitment to provide access to mental health nurses in every police custody centre (Action 15) has not been fully realised.  An opportunity exists to provide increased and improved access to mental health support within police custody and on release or transfer. |
| **Action Areas** | * Increase access to mental health trained staff in Police Custody and wider support services. * Collaborative working with NHS partners, Voluntary Sector and Local Policing to ensure people with mental health issues are getting the right support at the right time by the right provider, preventing police custody centres being utilised wherever possible. * Develop trauma informed training for all custody staff to assist in identifying and engaging those experiencing mental health distress and/or mental ill health. |
| **Outcomes** | Improved access to mental health trained staff for persons in custody  Staff trained in dignified trauma informed approaches  Increase engagement with community based support. |

**4. Health and Social inequalities**

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| **Why this theme?** | As part of a public health approach to reducing levels of offending, it has been identified that underlying health and social inequalities can be contributing to offending behaviour (Community Justice Scotland).  Smart use of data and working across organisational boundaries can both help to identify risk and provide harm reducing measures.  Evidence suggests that health and social inequalities including homelessness, poverty, poor literacy, and poor physical and sexual health are prevalent amongst those who come into police custody.  Interventions and support whilst in custody at a reachable moment provides an opportunity to assist in reducing inequalities. |
| **Action Areas** | * Provide targeted interventions for those experiencing harm as a result of social inequality * Collaborate with partners to ensure pathways to support are available to help address social inequalities * Develop trauma informed training for all custody staff to assist in identifying and engaging those experiencing harm as a result of social inequality. |
| **Outcomes** | Improved provision of services throughout the Police Scotland custody estate to support the health and social needs of those experiencing harm as a result of social inequalities. |