



SCOTTISH POLICE  
AUTHORITY  
ÙGH DARRAS POILIS NA H-ALBA

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French Street  
Glasgow  
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## LETTER SENT BY EMAIL ONLY

27 June 2025

FOI Ref 2025/26-028

### Request

Your request for information dated 4 June 2025 is copied below.

When did your organisation know that healthcare trusts especially NHS Grampian were giving unlicensed drugs like Dihydrocodeine to detainees without consent.

When did your organisation know that contrary to the controlled drugs act, that prescribing was done remotely especially in Grampian, by unqualified staff without a written prescription, or medical examination.

When did your organisation know that other members of the general public received their prescribed Methadone without summary suspension as part of a police investigation, who were not placed in custody was this a pre charge punishment.

When did your organisation know that healthcare trusts, especially NHS Grampian were violating detainees basic human rights, especially Articles 3 and 14.

Does your organisation have a duty to uphold human rights, particularly within Scotland and the wider public sector. Does the SPA not have a responsibility to eliminate discrimination, promote equality and above all, to monitor and stop torture, inhumane or degrading treatment of detainees in police custody in Scotland.

What has your organisation done to stop discriminatory treatment of detainees, not my words but those of Angela Constance MSP then Minister for Drugs and Alcohol Policy. She used those words, whilst speaking to the Citizens Participation and Public Petition Committee.

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Does your organisation know that your organisation believes there is no place in Scotland for the torture, degrading or inhumane treatment of individuals in Scotland is never acceptable.

### Response

The Scottish Police Authority has considered your request under the Freedom of Information (Scotland) Act (FOISA).

FOISA allows members of the public to seek access to recorded information already held by Scottish public authorities. The Scottish Police Authority does not hold any information that would answer the question "When did your organisation know that healthcare trusts especially NHS Grampian were giving unlicensed drugs like Dihydrocodeine to detainees without consent." <sup>1</sup>

However, to assist, we would point to the [Independent Custody Visiting Scheme Annual Report 2022-23](#), where methadone replacement was raised as an observation. Please see page 25 which states:

"In instances where a person in custody is on a methadone programme, ICVs have noted instances of delays in individuals being administered with the appropriate medication. When this occurs it is typically due to methadone only being able to be administered by doctors.

ICVs have also noted inconsistencies in the type of medication that is administered to individuals on a methadone programme. For example, if an individual on a methadone programme is held in a certain custody centre they may be administered with methadone, if held at a different custody centre but in the same region they would receive an alternative to methadone."

However, ICVs have a limited role in raising specific healthcare observations as this remit falls to [Healthcare Improvement Scotland](#) (HIS).

In terms of the following three questions:

"When did your organisation know that contrary to the controlled drugs act, that prescribing was done remotely especially in Grampian, by unqualified staff without a written prescription, or medical examination."

"When did your organisation know that other members of the general public received their prescribed Methadone without summary suspension

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<sup>1</sup> This represents a notice in terms of Section 17 of the Freedom of Information (Scotland) Act 2002 - Information not held.

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as part of a police investigation, who were not placed in custody was this a pre charge punishment.” and

“When did your organisation know that healthcare trusts, especially NHS Grampian were violating detainees basic human rights, especially Articles 3 and 14.”

The Authority does not hold information.<sup>2</sup>

In terms of the following four questions:

“Does your organisation have a duty to uphold human rights, particularly within Scotland and the wider public sector.

“Does the SPA not have a responsibility to eliminate discrimination, promote equality and above all, to monitor and stop torture, inhumane or degrading treatment of detainees in police custody in Scotland.”

“What has your organisation done to stop discriminatory treatment of detainees”

“Does your organisation know that your organisation believes there is no place in Scotland for the torture, degrading or inhumane treatment of individuals in Scotland is never acceptable.”

We would refer to our recent response to you, reference FOI 2025/26-026, in which we responded to the same questions. This advised that the Authority considers the information can reasonably be obtained and provided hyperlinks to assist.<sup>3</sup>

As explained, and in terms of our duty to assist, we would advise that it is the role of HIS to inspect healthcare provision in custody settings. His Majesty’s Inspectorate of Constabulary Scotland (HMICS) and HIS have carried out multiple inspections across Scotland. In their reports they highlight where Health Boards, who operate healthcare provision in Custody Centres, do not have Controlled Drug Licenses and need to obtain one. Inspection reports are available on the HMICS website,<sup>4</sup> including inspection in Dumfries and Galloway in July 2023. This report recommends that Dumfries and Galloway Health and Social Care Partnership must obtain a controlled drugs license.<sup>5</sup>

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<sup>2</sup> This represents a notice in terms of Section 17 of the Freedom of Information (Scotland) Act 2002 - Information not held.

<sup>3</sup> This represents a notice in terms of Section 25 of the Freedom of Information (Scotland) Act 2002 - where information is already available, there is no need to provide an alternative right of access to it through FOISA.

<sup>4</sup> [Home | HM Inspectorate of Constabulary in Scotland](#)

<sup>5</sup> [hmics20231108pub-custody-inspection-report-dumfries-and-galloway.pdf](#)

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Information may be available by contacting the territorial health boards or HIS at [his.foi@nhs.scot](mailto:his.foi@nhs.scot)

If you are dissatisfied with action or lack of action by Police Scotland, or about the standard of service provided by them you can make a complaint. Information on [how to make a complaint](#) is available on Police Scotland's website.

**Right to Review**

If you are dissatisfied with the outcome of your request you can ask for a review within 40 working days. You must specify the reason for your dissatisfaction and submit your request by email to [foi@spa.police.uk](mailto:foi@spa.police.uk) or by letter to Scottish Police Authority, 1 Pacific Quay, Glasgow, G51 1DZ.

If you remain dissatisfied after review, you can appeal to the Scottish Information Commissioner within six months. You can apply [online](#), by email to [enquiries@foi.scot](mailto:enquiries@foi.scot) or by letter to Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife, KY16 9DS.

Should you wish to appeal against the Commissioner's decision, you can appeal to the Court of Session, only if you think the law has not been applied correctly.

This response will be posted to our [Disclosure Log](#) after seven days.

Yours faithfully

**Scottish Police Authority**

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