



Meeting Minutes

NPM Scotland Subgroup Quarterly Meeting

Tuesday 4 March 2025, 12:30-16:30

Chair: AOH

Present:

AO, Chair, Scottish Human Rights Commission (SHRC)

SHG, UK NPM

RJ, His Majesty's Inspectorate of Constabulary in Scotland (HMICS)

SSn, His Majesty's Inspectorate of Prisons Scotland (HMIPS) (Virtual)

SS, His Majesty's Inspectorate of Prisons Scotland (HMIPS)

KS, Independent Custody Visiting Scotland (ICVS) (Virtual)

CW, Care Inspectorate (CI)

ED (on behalf of **CA**), Scottish Human Rights Commission (SHRC)

CH, Healthcare Improvement Scotland (HIS) (non-voting)

NH, Children and Young People's Commissioner Scotland (non-voting)

Apologies:

CA, Scottish Human Rights Commission (SHRC)

In attendance:

CK, NPM Secretariat Officer (Scotland)

1. Welcome, introductions, apologies

AO thanked everyone for traveling to Glasgow, and welcomed **SSn**, incoming HM Chief Inspector of Prisons for Scotland, and led a round of introductions.

2. Declarations of interest

Nothing to add to existing declaration registry.

3. Paper 1: Review of November minutes

All agreed to the minutes.

4. Paper 2: Scotland Subgroup TOR

All agreed with minor changes from **KS**. TOR now agreed. **[ACTION 55]** **CK** to update final TOR and post to UK NPM website.

5. NPM Business Plan 2023-25 review against delivery

SHG delivered a presentation on the NPM delivery of its 2023-25 business plan.

The group discussed the recommendations database, which will eventually include all recommendations made since the establishment of the UK NPM. The group asked whether progress status will be included, as there may be questions asked as

to whether recommendations remain “live”. SHG confirmed that status will not be included for the first phase, but this functionality is built into the system to possibly do in a future phase. HMICS will start publishing recommendations online from April 2025.

Suggestion to begin evaluating effectiveness/outcomes of NPM activities for future, including identifying impact indicators: what is the impact we’re looking for, and how will we measure it?

[ACTION 56] SHG to circulate any impact and indicators work to HMIPS to share knowledge and expertise.

SHG confirmed that NPM business plan 2025-26 top lines will be sent out in coming weeks and launched at annual conference.

Several subgroup members commended the UK NPM Central Team for what has been achieved in the past two years, saying that it was very well done, and that is clear that a great deal of work has been done which was much needed.

[ACTION 57] CK to circulate **SHG**’s presentation.

6. Paper 3: Pre-circulated written updates

Members shared recent priorities and activities from their respective organisations.

SHRC are requesting detailed plans from government with regards to commitments to review the FAI system and to develop a National Oversight Mechanism for deaths in prison custody, which they may be able to share with subgroup members. SHRC would prefer that this work consider all Article 2 deaths, not just deaths in prison custody.

With regards to the Review, Recommend, Repeat report, Scottish Government has been slow to respond, and responses to date do not appear to recognise that the report is based on recommendations that have been made by international bodies to government, many of which the government has already agreed to in principle. SHRC will follow-up to request a more in-depth response to the initial holding reply.

SHRC have recently published [Tick Tock: A human rights assessment of progress from institutionalisation to independent living in Scotland](#) raising concerns around institutionalisation of autistic people, sent a letter with partners with regards to use of force and seclusion at Skye House, and are developing an accessible version of the prison rules.

[ACTION 58] CK to circulate Tick Tock report to subgroup members.

[ACTION 59] ED to send accessible prison rules to **CK** for circulation to subgroup when launched.

CYPCS received a response from Police Scotland and can therefore progress their police use of force investigation. **NH** will meet with **SHG** and **CK** to discuss practicalities going forward.

CYPCS and partners (SHRC and EHRC) sent a [letter to Cabinet Secretaries and Ministers on a statutory framework on restraint and seclusion](#), raising concerns about the lack of consistency in treatment of children across settings. CI has also written to

the Registrar of Independent Schools about this inconsistency. CYPSC also sent a [letter to Minister Natalie Don-Innes with regards to the lack of secure beds for children](#). CYPSC or Commissioner will meet with minister Don-Innes on 19th March to discuss further. Cross-border placements have declined significantly, but long-term issue of secure accommodation capacity persists.

HMICS will publish a [joint inspection with HIS of custody centres in Greater Glasgow](#) this week. Recommendations of significance to NPM include a small number of children held in police custody for too long (principally at London Rd, Glasgow). This has been raised before, yet children continue to be kept beyond when it would have been safe to release them. Considerations include making the right assessments and accepting the right cases only, ensuring managerial oversight of that for every case with a child, and longer-term considerations of alternative settings for children. In many cases the children were accused of minor offences, so police custody is not considered an appropriate setting.

[ACTION 60] CK to circulate latest HMICS / HIS inspection report when published.

HMPS published ['Planned Failure' - A Thematic Review of Prisoner Transport Services in Scotland](#). They have been asked to lead an assurance review of the FAI system, and received draft terms last week, to which they sent back suggestions. Prison overpopulation is worse than it has ever been, with eleven prisons now overcrowded. They are monitoring for impact of early release scheme.

ICVS raised concerns about plans by Police Scotland to close many auxiliary custody centres in Scotland, which could have a significant impact on the care and welfare of detained individuals, who may need to travel much longer distances when detained. ICVS is seeking assurances that if someone is processed at a charge bar at a closed custody centre, they will not be held in a cell.

The group understood that Police Scotland (PS) was developing a draft paper on the plans, but it has not yet been published. The group considered that the NPM could send a response once PS have published their position. NPM bodies have not been consulted or engaged on this so far.

[ACTION 61] RJ/KS to share Police Scotland paper with the subgroup once it is available.

ICVS are also following Police Scotland's implementation of the Planned Voluntary Interview Pathway (PVIP) closely. PVIP was implemented to reduce custody numbers, but numbers so far do not appear to be decreasing. ICVS is of the position that PVIP requires independent monitoring, which must be planned for.

[ACTION 62] CK to put PVIP monitoring on the issues log as watching brief.

7. Papers 4 & 5: Children (Care and Justice) (Scotland) Act 2024 Regulations

The subgroup agreed to send a letter, pending minor revisions acknowledging current capacity issues, to Scottish Ministers support the creation of regulations enabling newly-18-year-olds to remain in secure accommodation services in certain circumstances, such as when only a few weeks remain on their sentence.

[ACTION 63] CK to amend letter and send.

Break

8. Presentation for NPM Annual Conference

The subgroup discussed what they would present to the wider NPM at the NPM annual conference 2025, and agreed to a panel structure, where delegates can ask questions to the group. The subgroup could also develop questions to put to politicians during the ministerial panel.

[ACTION 64] AO/SHG/CK to develop a proposal and send to the subgroup for approval and implementation.

[ACTION 65] All to send potential panel questions to **CK** in first instance.

9. Key issue update: mental health transfer data

SHG updated the group on plans to organise a roundtable on mental health transfer times data, explaining that this activity was temporarily paused after the project sponsor, Dr Chopra, left the subgroup. Significant support from partners remains, and Julie Paterson, Chief Executive of MWCS, will set up a meeting with the Forensic Network next week to discuss next steps.

Additional updates on mental health were shared, including [government efforts to establish female beds again at the State Hospital](#), and that the implementation of electronic prescribing in prisons has been put on hold due to the IT vendor (IPSL) experiencing financial issues. A search for an alternative vendor is underway.

10. Key issue update: Deaths in custody

SHG gave an update on the key issue of deaths in prison custody, explaining that there has been an increase in momentum on this issue from the Scottish Government following the publication of the [FAI determination of Katie Allan and William Lindsay](#). Several meetings and workstreams are currently underway across NPM Scotland Subgroup members and within government, as [Angela Constance made a statement containing six key actions from government](#). Several NPM bodies will attend a government roundtable on national oversight of deaths in prison custody, and HMIPS have been tasked with providing independent oversight and monitoring of the implementation of the report's recommendations.

CK delivered a brief status update on the NPM deaths in prison custody analytical review, including an analysis of data trends over the past years, finding that more people are dying in prisons than ever before, with 64 individuals dying in 2024 alone, up from 24 in 2015.

The group discussed what factors may be contributing to the increasing rates of death in prisons, highlighting that people in custody have a health status 10 years older than the general population for a variety of reasons, and major challenges around the amount, types and strength of illicit substances in prisons. Differences in rates of death across establishments could be explained by variation in regimes, population structure (age, offence type etc.), prescribing policies, sentence length, staffing levels and other factors. The group suggested looking into protected

characteristics, including disability and care experience, mapping factors against recommendations from the [Review, Recommend, Repeat report](#), comparing rates of death in prisons to the general population, and seeking additional data from the Scottish Prison Service to support the analysis.

Challenges with FAls were also discussed, including majority of FAls not making any recommendations, and wide variation in level of detail contained in individual FAls, and expert witnesses often having little to no experience in prison healthcare, leading to impractical recommendations being made.

[ACTION 66] CK to meet with **NH, ED, SS, CH, JP** to get further insights and resources for analysis.

[ACTION 67] AO/SHG/CK to discuss key objectives of this work, the NPM's role, and who else needs to be engaged, at upcoming subgroup planning meeting.

Sara Snell left the meeting.

Break

11. 2025-26 Strategic planning workshop

The group reviewed their Issues Log and discussed which issues and activities to prioritise in the 2025-26 fiscal year.

[ACTION 68] CK to draft a workplan based on discussion, for initial review with **AO** and **SHG**. Draft to be shared with the subgroup in advance of the May 2025 meeting.

Summary of agreements and actions

Action	Agreement/action	Responsible	Status
<u>53</u>	Meet to discuss a specific theme to focus on in police custody.	CK/RJ/KS	Complete
<u>55</u>	Update TOR and post to UK NPM website.	CK	Complete
<u>56</u>	Circulate any impact and indicators work to HMIPS to share knowledge and expertise.	SHG	
<u>57</u>	Circulate NPM 2023-25 business plan delivery presentation.	CK	
<u>58</u>	Circulate Tick Tock report to subgroup members.	CK	Complete
<u>59</u>	Send accessible prison rules to CK for circulation to subgroup when launched.	ED	
<u>60</u>	Circulate latest HMICS / HIS inspection report when published.	CK	Complete
<u>61</u>	Share Police Scotland paper on auxiliary centres with subgroup when available.	RJ/KS	
<u>62</u>	Put PVIP monitoring on the issues log as watching brief.	CK	Complete
<u>63</u>	Amend letter on regulations re: newly 18-year-olds and send following approval from AO and SHG.	CK	Letter sent, response received.
<u>64</u>	Develop a proposal for conference presentation and send to the subgroup for approval and implementation.	AO/SHG/CK	Complete
<u>65</u>	Send potential questions for ministerial panel questions to CK.	All	Complete
<u>66</u>	Organise meetings with NH, ED, SS, CH, JP to get further insights and resources for deaths in prison custody analysis.	CK	Underway
<u>67</u>	Agree key objectives of deaths in prison custody efforts, the NPM's role, and who else needs to be engaged, at upcoming subgroup planning meeting.	AO/SHG/CK	Underway
<u>68</u>	Draft a 2025-26 workplan based on subgroup discussion, for initial review with AO and SHG. Draft to be shared with the subgroup in advance of the May 2025 meeting.	CK	Underway