



## Meeting Minutes

### NPM Scotland Subgroup Quarterly Meeting

Thursday 12 March 2026, 10:00-12:00

Chair: RA

---

#### Present:

**RA**, Chair, Scottish Human Rights Commission (SHRC)

**MK**, UK National Preventive Mechanism (UK NPM)

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

**CA**, Scottish Human Rights Commission (SHRC)

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

**JC**, Mental Welfare Commission for Scotland (MWCS)

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

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

#### Apologies:

**CW**, Care Inspectorate (CI)

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

#### In attendance:

**CK**, UK NPM

**SR**, UK NPM

**CJ**, HMIPS (Online)

**KD**, Scottish Human Rights Commission (SHRC)

#### 1. Welcome, introductions, apologies

**RA** led a round of introductions, and welcomed **CJ** and **KD** to the group.

#### 2. Declarations of Interest

Nothing to add to existing declaration registry.

#### 3. Review of November minutes

All agreed to the minutes, bar one small change. The group noted completion of all actions, except one which may be revisited in the future.

**[ACTION 1]** **SR** to amend 27 November minutes

#### 4. Terms of reference review

**All agreed** to approve the Terms of Reference with no amendments.

There was discussion over bodies' internal governance processes, and when these might need to be followed instead of Terms of Reference, and the ongoing review of the UK NPM constitution.

## **5. Mental health transfer times**

**CK, JC, SS** and **CH** met to discuss mental health transfer data. The group has decided not to hold a roundtable on mental health transfer data at this time.

There was a discussion over the word "statutory", and clarification that it refers to the question of whether a statutory body should collect this data, rather than it be statutory to do so. The NPM recommended standard is that a statutory body be responsible to collect and publish the data.

The group discussed data provided by the Forensic Network (FN). **JC** noted that there is an agreement for FN to send data on mental health transfers to MWCS, but that this was not mentioned in the FN report.

The group discussed the new high secure female provision at the State Hospital, noting that this only has capacity for 4-6 individuals with the most serious mental ill-health. This provision is a temporary measure and the longer-term plan is to build on the State Hospital site. There is no confirmed funding for this and the SSG should keep this on their radar.

**CJ** presented case studies on mental health transfers in prisons, noting that IPM concerns mostly relate to prisons not being the most appropriate place for those struggling with mental health issues. Another concern is that staff do not have the appropriate skill or resources to care for prisoners' needs appropriately.

The group discussed personality disorder, and what is available for those in prison who cannot get inpatient care, noting that the available service provision will be different across the prison estate due to differences in local health boards' priorities and budgets. There is work ongoing in this area to attempt to iron out differences in provision. Many prisoners with personality disorders are held in separation and reintegration units (SRUs) with little hope of rejoining the mainstream population, often amounting to solitary confinement. These prisoners are managed with medication, but their level of care is not appropriate.

Also discussed was the number of prisoners on Rule 95 who are kept on main wings, with no dedicated staff (as they would have access to in the SRU): there is no suitable alternative for caring for these people in Scotland. It was noted that in England some separate units have been set up to attempt to care for complex prisoners. The group remain concerned that people with severe mental health issues remain in the system, and questioned how to escalate this to duty bearers.

It was noted that people living with similar personality disorders in the community would not be admitted to hospital, and admitting such prisoners creates an issue in the availability of secure beds in hospitals. This is challenging as, simultaneously, people with personality disorders are being managed in a prison estate that cannot

meet their needs. There is evidence that admitting people with personality disorders into secure hospitals exacerbates issues, and risks institutionalising them. Clarity is needed on what inpatient psychiatry can and cannot perform.

**SS** shared a concern that data on segregation does not show how long an individual has been segregated overall, unlike in England and Wales, and suggested that this would be an important piece of work for the subgroup, whether undertaken by the SSG or put to duty bearers. **RA** suggested a case study approach, whereby the SSG could follow a few cases throughout their detention journey and highlight major issues (like long-term segregation).

The group decided that there were two key issues at play: mental health transfer data and good multidisciplinary working with the prison estate (including access to mental health provision).

**[ACTION 2] CK** to organise mental health transfer data subgroup meeting, inviting Caroline Kelly to speak, and requesting to view data collected by Forensic Network

## 6. Issues Log

The group discussed the Issues Log and other SSG activities, noting the following developments and actions:

- **Transfers of YP to Polmont**

**NH** shared that there are concerns emerging from social work teams as providers are not accepting certain children with complex needs. The issue has shifted from the number of spaces to the complexity of need. There is no immediate prospect of regulations, **NH** suggests continuing the watching brief.

**[ACTION 3] NH** to send key points of the Future of Secure Care consultation response to **CK/SSG** members

- **International recommendations not implemented**

The group noted that the CPT report from the visit to Scotland in 2025 would be published soon, and plans to respond to it when that happens.

- **SRUs and use of isolation**

**SR/MK** updated the group on Dr Shalev's work on solitary confinement in the UK. A "Phase 1" report will be circulated internally once complete.

- **Investigation of deaths in mental health settings**

Following a successful pilot project, the main barrier is now a funding decision, which has not been forthcoming. **JC** suggested contacting the new mental health Minister post-election and continuing to push for this change, which is a requirement under the right to life.

- **Extended periods in police custody**

**RJ** noted that no progress is expected in Scottish courts changing processes. People are still held for too long in police custody. **RJ** suggested inviting C/Supt Chris Stewart to a future SSG meeting. The group discussed including an NPM/SSG voice in HMICS's press releases.

**[ACTION 4]** **RJ** to introduce **CK/SSG** to new HMICS press officer

- **Stakeholder Correspondence**

**CK** updated the group on responses to the UK NPM's Annual Report received from Police Scotland, SPS and the Scottish Government. **CK/SR** are organising meetings and coordinating responses.

- **Subgroup response to recent reports**

The SSG discussed responding to committee/inquiry reports, and agreed that the SSG should push for concrete, specific follow up on recommendations made in the Sentencing and Penal Policy Report.

**[ACTION 5]** **CK** to invite Martyn Evans, Chair of Sentencing and Penal Policy Commission, and colleagues to future SSG meeting

- **Deaths in prison custody data sharing**

**CK** presented the Deaths in Custody Database, showing the SSG data captured and its functionality.

**[ACTION 6]** **CK** to share Deaths in Custody Database with SSG

- **Subgroup strategic objectives**

**RA** proposed producing a short paper on SSG strategy and group development, reframing the strategic objectives to ensure the group can act on the most pressing issues. **RA** will also meet with SSG members 1-1.

**[ACTION 7]** **RA** to produce short paper on SSG strategy

**[ACTION 8]** **RA** to meet with all SSG members individually, facilitated by **CK/SR**

## **7. Scotland Subgroup event debrief and next steps**

The event on 6 March demonstrated several persistent and worrying themes across different detention settings. **CK** will create an event note, summarising these themes, which will inform **RA**'s strategy document.

Regarding event feedback, the group reflected on the timing of the event, in relation to the pre-election period, incorporating more discussion from the audience, and introducing children's/young people's issues.

**[ACTION 9]** **CK** to produce event note.

## **8. Post Election planning**

**SS** suggested that, for a future event, the SSG could attempt to get MSPs to respond to the event note from the 6 March event. Otherwise, post-election the SSG should build its relationships with committee clerks, promote the work of the UK NPM and make itself known to party leaders and portfolio holders.

**[ACTION 10] CK** to send the event note to the MSPs who did not attend 6 March event

## **9. Pre-circulated written updates**

The group discussed issues in the written updates, including concerns around recording data in detention settings, and existing incentives and accountability structures that promote better data recording in some instances more than others (e.g. Death in prison custody data is published quarterly; judicial decisions are recorded diligently in Police custody centres, but care and welfare activities are not consistently recorded).

## **10. NPM Scotland resourcing/support arrangements**

The group discussed the resourcing needs of the Scotland Subgroup and agreed that it would be best to send a business case to Cat Dalrymple.

**[ACTION 11] MK** to produce business case to send to Director of Justice.

## **11. AOB**

The group discussed the format of subgroup meetings going forward, with some suggestions to make them hybrid or online. The group decided to continue as normal for now, perhaps with some additional hybrid options.

**Close 13:00**

---

### Summary of agreements and actions

<b>Action</b>	<b>Agreement/action</b>	<b>Responsible</b>	<b>Status</b>
<b>1</b>	Amend 27 November minutes	<b>SR</b>	Complete
<b>2</b>	Organise mental health transfer data subgroup meeting and invite Caroline Kelly to speak. Request to see data collected by Forensic Network in meeting.	<b>CK</b>	
<b>3</b>	Send key points of Future of Secure Care response to <b>CK</b> to share with SSG members.	<b>NH</b>	
<b>4</b>	Introduce <b>CK/SSG</b> to new HMICS press officer	<b>RJ</b>	
<b>5</b>	Invite Martyn Evans, Chair of Sentencing and Penal Policy Commission, and colleagues to future SSG meeting.	<b>CK</b>	
<b>6</b>	Share Deaths in Custody Database with SSG by end of March	<b>CK</b>	Complete
<b>7</b>	Produce short paper on SSG strategy	<b>RA</b>	
<b>8</b>	Meet with all SSG members individually, <b>CK/SR</b> to facilitate	<b>RA (CK/SR)</b>	
<b>9</b>	Produce event note for State of Detention in Scotland Event.	<b>CK</b>	
<b>10</b>	Circulate event note to the MSPs who did not attend 6 March event	<b>CK</b>	