

Release's Written Submission to the Justice Committee:
'Prison Governance' Inquiry

[Release](#) is the national centre of expertise on drugs and drugs law in the UK. The organisation, founded in 1967, is an independent and registered charity. Release provides free non-judgmental, specialist advice and information to the public and professionals on issues related to drug use and to drug laws. The organisation campaigns directly on issues that impact on its clients - it is their experiences that drive the policy work that Release does and why Release advocates for evidence-based drug policies that are founded on principles of public health rather than a criminal justice approach. Release is a NGO in Special Consultative Status with the Economic and Social Council of the United Nations.

To what extent are existing arrangements in place for the commissioning of services, such as health and education fit for purpose? Are there appropriate oversight arrangements in place for these services?

1. People released from prison are particularly vulnerable to opioid overdose; the risk of relapse and weakened tolerance levels makes the immediate post-release period fatal. Estimates suggest that there is a "three to eightfold increased risk of drug-related death in the first 2 weeks after release from prison compared with the subsequent 10 weeks"¹ and "of prisoners with a previous history of heroin injecting who are released from prison, 1 in 200 will die of a heroin overdose within the first 4 weeks".²
2. Naloxone is an essential³ life-saving medication that counteracts the effect of opioids and is used to reverse opioid overdose. Take Home Naloxone (THN) programmes in prisons make naloxone available for people to take home at the point of prison release and include training on overdose management and naloxone administration. THN programmes are widely endorsed⁴, as evidence has shown that THN programmes reduce fatal opioid overdose⁵ and are cost-effective.⁶
3. Despite the clear potential for prison THN programmes to prevent further mortality, only 51 per cent (56) of prisons (109) in England had a THN programme in place in 2018/19, including only 1 of the 5 Young Offender Institutions.⁷ Moreover, according to National Drug Treatment Monitoring System (NDTMS) data, 46 per cent (53) of prisons (114) did not provide THN to any of its drug treatment clients released from prison in the 2017/18 financial year.⁸
4. Release had previously requested information from NHS England, the Independent Monitoring Boards' Secretariat, Her Majesty's Prison and Probation Service (HMPPS), and Her Majesty's Inspectorate of Prisons (HMIP) in separate requests under the Freedom of Information Act 2000. It became apparent that the existing arrangements in place for the commissioning of prison THN programmes were not fit for purpose and appropriate oversight arrangements were not in place, as none of these bodies held information centrally on which prisons had such a programme in place, and there was clearly confusion as to which body held this information. The responses received were as follows:

NHS England: "NHS England does not hold information in relation to your request. NHS England Health and Justice is responsible for commissioning healthcare for

children, young people and adults across secure and detained settings, which includes prisons, secure facilities for children and young people, police and court Liaison and Diversion services and immigration removal centres. However, it does not hold national information in regards to individual care within these settings. You may wish to contact the individual prisons who may hold this information.”⁹

IMB Secretariat: “The use of specific drug treatments within prisons is information that you would need to seek from the central HM Prison service. You may wish to make an FOI request to HMPPS directly as they will likely have this information through the relevant policy team or operations teams. The IMBs do not hold this information centrally so would not be able to provide the information requested at the level you are interested in.”¹⁰

HMIP: “I am writing to advise you that the information you requested is not held by this Inspectorate. The role of the Chief Inspector is merely to inspect places of detention and to report on what we find when we are there. He does not run the Prison Service. HM Prison & Probation Service should hold the information you are seeking.”¹¹

HMPPS: “The MoJ does not hold any information in the scope of your request. This is because there is no legal or business requirement for MoJ to do so and we are not the appropriate authority to contact on this subject. For prisons in England you may wish to direct your request to Public Health England and NHS England. They may be able to advise you further as they are responsible for drug and alcohol treatment services for prisoners.”¹²

RECOMMENDATIONS:

5. **Prisons that do not have a THN programme in place should implement such a programme as a matter of urgency, to prevent fatal opioid overdose among people released from their custody.**
6. **NHS England should be responsible for commissioning prison THN programmes in England and HMIP should regularly inspect and report on THN, to ensure that commissioning is fit for purpose and appropriate oversight arrangements are in place.**

For more information, please contact:

Zoe Carre (Policy Researcher): 020 7324 2997 | zoe@release.org.uk

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- ¹ Strang et al. (2013) 'Take-Home Emergency Naloxone to Prevent Heroin Overdose Deaths after Prison Release: Rationale and Practicalities for the N-ALIVE Randomized Trial', 90(5), *Journal of Urban Health*, 983-996.
- ² Merral et al. (2010) 'Meta-analysis of drug-related deaths soon after release from prison', 105(9) *Addiction*, 1545.
- ³ World Health Organisation (2017) WHO Model List of Essential Medicines: 20th List.
- ⁴ World Health Organisation (2016) HIV Prevention, Diagnosis, Treatment and Care for Key Populations: Consolidated Guidelines; European Monitoring Centre for Drugs and Drug Addiction (2016) Preventing opioid overdose deaths with take-home naloxone; Department of Health and Social Care, Medicines and Healthcare products Regulatory Agency & Public Health England (2018) Guidance: Widening the Availability of Naloxone (Updated 18 February 2019), <https://www.gov.uk/government/publications/widening-the-availability-of-naloxone/widening-the-availability-of-naloxone>; Advisory Council on the Misuse of Drugs (2016) Reducing Opioid-related Deaths in the UK; Independent Expert Working Group (2017) Drug misuse and dependence: UK clinical guidelines on clinical management, Department of Health.
- ⁵ McDonald, R. & Strang, J. 'Are Take-Home Naloxone Programmes Effective? Systematic Review Utilizing Application of the Bradford Hill Criteria', *Addiction*, 111: 7, 1177-87, <https://doi.org/10.1111/add.13326>; Bird, S., et al. 'Effectiveness of Scotland's National Naloxone Programme for Reducing Opioid-related Deaths: A before (2006-10) versus after (2011-13) Comparison,' *Addiction*, 111: 5, 883-91, <https://doi.org/10.1111/add.13265>; European Monitoring Centre for Drugs and Drug Addiction (2015) Preventing fatal overdoses: a systematic review of the effectiveness of take-home naloxone, <http://www.emcdda.europa.eu/publications/emcdda-papers/naloxone-effectiveness>.
- ⁶ Langham, S., et al. (2018) 'Cost-Effectiveness of Take-Home Naloxone for the Prevention of Overdose Fatalities among Heroin Users in the United Kingdom', *Value in Health*, 21: 4, <https://doi.org/10.1016/j.jval.2017.07.014>.
- ⁷ Carre, Z. and Ali, A. (2019) *Finding a Needle in a Haystack: Take-Home Naloxone in England 2017/18*, London: Release, Accessed online at: https://www.release.org.uk/sites/default/files/pdf/publications/Finding%20a%20Needle%20in%20a%20Haystack_0.pdf.
- ⁸ PHE (27 February 2019) 'Please list each individual prison in England that had zero NDTMS clients receiving THN and training in the 2017/18 financial year', Zoe Carre (Release) Freedom of Information Request #1268 to Public Health England for NDTMS data
- ⁹ NHS England (14 June 2018) 'Prisons and take home naloxone', Zoe Carre (Release) Freedom of Information Request #FOI-055993 to NHS England
- ¹⁰ IMB Secretariat (22 August 2018) 'Prisons and take home naloxone', Zoe Carre (Release) Freedom of Information Request to IMB Secretariat
- ¹¹ HMIP (7 September 2018) 'Prisons and take home naloxone', Zoe Carre (Release) Freedom of Information Request #B13-2018 to HMIP
- ¹² HMPPS (14 September 2018) 'Prisons and take home naloxone', Zoe Carre (Release) Freedom of Information Request #180822008 to HMPPS