

WELSH GOVERNMENT INTEGRATED IMPACT ASSESSMENT

WELSH GOVERNMENT CONSULTATION ON THE
DRAFT SUBSTANCE MISUSE TREATMENT
FRAMEWORK AND NEW STANDARDS FOR MENTAL
HEALTH SERVICES FOR PRISONS IN WALES

**Integrated Impact Assessment Completed by:
Mental Health, Substance Misuse and
Vulnerable Groups Team, Welsh Government**

**Cabinet Minister Responsible: Deputy
Minister for Mental Health and Wellbeing**

Start Date: February 2022

WHAT ACTION IS THE WELSH GOVERNMENT CONSIDERING AND WHY?

The development of the new Substance Misuse Treatment Framework (SMTF) and the new standards for mental health services in the prisons are commitments in the Welsh Government [Substance Misuse Delivery Plan 2019-2022](#) and the [Mental Health Delivery Plan 2019-2022](#).

Offenders and people in prison have a significantly higher prevalence of substance misuse and poorer mental health, as well as a higher prevalence of Adverse Childhood Experiences and trauma. A [recent study by Public Health Wales](#) to understand the prevalence of Adverse Childhood Experiences amongst the male offender population found that over 8 in 10 prisoners in Wales reported at least one Adverse Childhood Experience, and nearly half had four or more. These and other challenges facing the prisoner population in Wales were recently highlighted by the Health, Social Care and Sport Committee and their recent [inquiry into health and social care in the prison estate in Wales](#).

Long term

The SMTF and the new standards for mental health services in the prisons are priorities in the [Partnership Agreement for Prison Health](#) – which was developed collaboratively between Welsh Government, HMPPS in Wales, health boards and Public Health Wales to support the fundamental principle of equivalence and ensure people in prison have access to the same levels of support and healthcare as those in the community.

With the view to improving health outcomes and reducing those health inequalities which currently exist amongst offenders in Wales, Welsh Government has worked with Public Health Wales and the Royal College of Psychiatrists to develop a new Substance Misuse Treatment Framework and new standards for mental health services for our prisons in Wales.

Prevention

The Welsh Government has defined prevention as working in partnership to co-produce the best outcomes possible, utilising the strengths and assets people and places have to contribute. For both the SMTF and the new standards for mental health services in the prisons, prevention remains a key focus, alongside access to care, support and treatment that is equivalent to that provided in the community, with clear transfer of care on transition in and out of prison.

Integration

The SMTF and the new standards for mental health services for the prisons will integrate and align with other work being taken forward to improve the outcomes of people in prison in Wales, and on their release. This includes Welsh Government's continued investment into substance misuse and mental health services in the community, new funding to tackle homelessness and to provide effective and sustainable housing solutions to those most at risk, and ongoing action to support those with complex needs, including those with co-occurring substance misuse and mental health problems. It will also align with the work of Traumatic Stress Wales and their [Prison and Criminal Justice workstream](#) that aims to build capacity to identify and assess traumatic stress within the prisons in Wales, and to increase access to effective psychological therapies. This also includes support for the training of frontline staff in trauma-enhanced practice, and supporting effective transitions back into community services.

In Wales there are currently six male-only prisons. Welsh female offenders must serve their sentence in English Prisons, predominantly in Eastwood Park, Gloucester, and also in HMP Styal, Cheshire. There are also no category A (high security) prisons in Wales. Category A offenders (and others from Wales) will be required to serve their sentences in prisons in England, returning to Wales on release, or potentially prior to release for male non-category A offenders. As such, the SMTF and the new standards for mental health services also give consideration to addressing the needs of men and women being resettled in to their communities¹ in Wales post-release and include a specific focus on transition from prison to the community, in line (for example) with the priorities set out in the [Female Offending Blueprint for Wales](#). While the SMTF and the new standards focus specifically on the prisons (as opposed to secure settings for young people) – they are underpinned by similar principles to those set out in the [Youth Justice Blueprint for Wales](#) including the focus on trauma informed care, multi-agency responses to resettlement and integration, and partnership working.

Collaboration

The SMTF and the new standards for mental health services both recognise the range of different partners, organisations and stakeholders that have a role to play in providing care, support and treatment for those with substance misuse and mental health needs while in prison. Both the SMTF and the new standards for mental health services include a specific focus on collaboration and partnership working – and the importance of planning and delivering care, support and treatment co-productively *with* rather than *to* individuals, and taking a 'person-centred' approach. Both the SMTF and new standards for mental

¹ Welsh Government and Ministry of Justice. 2019. Female Offending Blueprint for Wales. Available at: <https://gov.wales/supporting-female-offenders>

health have been developed in collaboration with stakeholders, with a number of engagement events having been held.

Involvement

In developing the draft SMTF and standards for mental health services in the prisons, Public Health Wales and the Royal College of Psychiatrists have engaged with the HMPPS, health boards, the prison health teams and other stakeholders (including substance misuse services and providers in the prisons and the community). The mental health standards for the prisons have been informed by ongoing work by the Royal College of Psychiatrists and findings from previous reviews of mental health services in prisons (which include engagement with those in prison). This engagement will continue as part of the consultation on the draft documents, alongside specific engagement with those with lived experience. For example, engagement through existing groups in place in the prisons in Wales, as well as with people who are receiving support from substance misuse or mental health services (or have done previously) in the community.

Encouraging the involvement of those with lived experience will be important, recognising that there have been fewer opportunities for engagement with these key stakeholders during the pandemic. As part of the consultation, Public Health Wales and HMPPS in Wales will also explore the use of local prison groups to gather views on the draft documents to ensure they are informed by those with lived experience. We will also explore the potential for engagement with peer support groups – such as those established to support recent research on the impact of Covid-19 on people with substance misuse problems and the services that support them, carried out by the University of South Wales.²

Impact

People in prison often have poorer health outcomes in comparison to the wider population, who frequently present with complex needs and high levels of ill health, often as a result of

² A [collaborative research project](#) on the impacts of the pandemic was recently undertaken by a partnership of staff and peer workers from the University of South Wales (USW) and support from organisations such as [Barod](#) and [Kaleidoscope](#), with assistance from Welsh Government and [Developing a Caring Wales](#) (DACW).

health inequalities (WHO, 2014).³ In particular, people in prison are known to have higher rates of substance misuse and homelessness prior to going to prison, as well as a higher prevalence and severity of mental health problems. An estimated 25% of the UK prison population have difficulties in communicating and/or processing or learning new or complex information resulting in potentially increased vulnerability within the prison environment as well as on release. Those in prison also have a 50% higher mortality rate than the general population⁴ and a risk of suicide 3.7 times higher than the general population amongst men in prison.⁵

Developing the SMTF and the new standards for mental health services will help to ensure that while a person is in prison, they have access to equivalent care and treatment to that available in the community. It will also help to support people in prison to improve their health and wellbeing.

Costs and savings

In 2019, Welsh Government gave an additional £1.2million of re-occurring annual funding to Swansea Bay UHB, Cardiff and Vale UHB and Aneurin Bevan UHB to support health, substance misuse and mental health services in HMP Swansea, HMP Cardiff and HMP Usk and Prescoed respectively. Funding for HMP Berwyn is agreed separately through a specific memorandum of understanding. Funding for the specification for health services for HMP Parc is currently being finalised.

It is anticipated that the delivery of the SMTF and the new standards for mental health services in the prisons will be met through existing funding for prison health. Welsh Government will continue to prioritise mental health and well-being in 2022-23 and to support this we will be allocating an additional £50million in the Health and Social Services portfolio. This includes around £25million to directly support mental health services, with the remainder of funding being utilised to support key areas which impact on mental health including substance misuse issues, employability and prevention. The implementation of the SMTF and the new standards for the prisons will need to be included as part of future planning. However, we will use the consultation period to further discuss anticipated costs and savings regarding the implementation of the SMTF and the mental health standards, recognising the potential challenges associated with their delivery, within the context of Covid-19 and recovery. Following consultation, it is anticipated that (as a first step) there

³ WHO (2014) Prisons and Health, World Health Organisation, Copenhagen. Available at: <http://www.euro.who.int/en/health-topics/health-determinants/prisons-and-health/publications/2014/prisons-and-health>

⁴ [Government is failing its duty of care towards prisoners - Committees - UK Parliament](#)

⁵ Office for National Statistics (2019) Drug-related deaths and suicide in prison custody in England and Wales: 2008 to 2016. Available at: [Drug-related deaths and suicide in prison custody in England and Wales - Office for National Statistics](#)

will need to be a gap analysis of the current position regarding substance misuse and mental health services in the prisons and the new frameworks. This will then inform future discussions on the additional resources that may be needed to support implementation, going forwards.

Mechanism

It is anticipated that the implementation of the new SMTF and the new standards for mental health services will be overseen by each individual Prison Health and Social Care Partnership Board in Wales. Updates on progress will be provided to the Prison Health and Social Care Oversight Board for Wales – which is jointly chaired by HMPPS and Welsh Government and is responsible for the implementation of the Partnership Agreement for Prison Health. New legislation for Wales is not proposed as part of this plan, a regulatory impact assessment is therefore not necessary.

CONCLUSION

How have people most likely to be affected by the proposal been involved in developing it?

Since the work began in late 2019, in developing the SMTF and the new standards for mental health services, Public Health Wales and the Royal College of Psychiatrists have engaged widely with the prison health teams, health boards, and HMPPS in Wales. As part of the consultation on the two documents, this engagement will continue – and also look to involve those with lived experience (that is people in prison and those currently rehabilitating in the community).

What are the most significant impacts, positive and negative?

The most significant anticipated positive impacts of the SMTF and the new standards for mental health services relate to improving the health outcomes of a population that has poorer health outcomes when compared to the general population. In so doing, it is anticipated that both the SMTF and the new standards for mental health services will help to reduce health inequalities. It will also help to ensure young people in prison in Wales have access the care, support and treatment they need – and will therefore support the individual articles of the UNCRC (as set out in the Children's Rights Impact Assessment). This includes [Article 24](#) where every young person has the right to the best possible health and [Article 40](#) where a young person accused or guilty of breaking the law must be treated with dignity and respect. It is also anticipated that the SMTF and the new standards for

mental health services will have a positive impact on both the promotion of the Welsh Language and in the delivery of services in Welsh 9as set out in the Welsh Language Impact Assessment. There are also likely to be positive impacts on people in prison with protected characteristics recognising that the composition of the prisoner population⁶ includes a significant number of prisoners who may have conditions such as learning disabilities, autism and ADHD or an acquired brain injury; prisoners with a learning and/or mental health disability; a disproportionate number of prisoners from an ethnic minority background; and an increased number of older prisoners.⁷

In light of the impacts identified, how will the proposal maximise contribution to our well-being objectives and the seven well-being goals; and / or avoid, reduce or mitigate any negative impacts?

Providing effective, high quality and sustainable healthcare – along with protecting, rebuilding and developing our services for vulnerable people – are two of the ten well-being objectives set out in our [Programme for Government 2021-2026](#). Developing a healthier Wales is also one of the seven well-being goals which underpin the [Well-being of Future Generations \(Wales\) Act 2015](#) recognising the critical importance of having a society in which people's physical and mental well-being is maximised and in which choices and behaviours that benefit future health are considered. As illustrated by the unequal impacts of the recent Covid-19 pandemic and its disproportionate effect on certain groups, we also know that we need to do more to support those with poorer health outcomes and reduce those health inequalities which currently exist.

In 2019, Welsh Government consulted on two new Delivery Plans – one for Substance Misuse and one for Mental Health. During both consultations, prisoner health and wellbeing was highlighted as a key issue. The Substance Misuse Delivery Plan issued for consultation included the priority action to ensure that all prisons in Wales (and HMP Eastwood Park, women's prison) have a coordinated, transparent and consistent service for those with substance misuse problems in prison. Stakeholders responding to the consultation were supportive of this priority recognising the need to strengthen the referral pathways from custody into community services for both substance misuse and mental health services, with the view to improving support for those with co-occurring (mental health and substance misuse) and substance misuse in prisons.

⁶ [Prisons Strategy White Paper December 2021](#)

⁷ [Prisons Strategy White Paper Overarching Equalities Statement December 2021](#)

There was also support for offenders and people in prison being identified as a vulnerable group within the Mental Health Delivery Plan, recognising the inequalities faced by this group, their poorer mental health outcomes and specific health needs. Calls were also made for a focus on the needs of older prisoners and young people; investment in staff training and resources; and a greater emphasis on early intervention and prevention.

Similar support and evidence for change regarding care, support and treatment for those in prison, particularly in relation to substance misuse and mental health, was provided to the Health, Social Care and Sport Committee in Wales, following their inquiry into health and social care provision in the adult prison estate in Wales.⁸

The Committee's inquiry included a focus on the demand for health and social care services in Welsh prisons, and whether health care services are meeting the needs of prisoners and tackling the health inequalities of people detained in Welsh prisons. The Committee Report highlighted that the additional levels of need among the prison population compared to the wider community was a consistent theme throughout their inquiry.⁹

The Committee Report also noted that there can be "particular challenges in assessing the health and social care needs of people serving short sentences, and in delivering the appropriate care and support interventions" (paragraph 63) – and that the need for continuity of health and social care services on an individual's transition from the community into a prison, and back into the community on release, was particularly important. The Committee also stated that while they welcomed assurance from HMIP that "prison health care in Wales is generally of a reasonable standard, and is improving", they remained concerned that "there are still gaps in key areas such as mental health and substance misuse services, in particular as these are areas where the needs of the prison population are likely to be greater than those in the wider community".¹⁰

The Committee's 2021 Report specifically recognised that: "The COVID-19 pandemic has had a significant impact on the prison population in Wales, and on the time and resources available to progress the priorities in the Partnership Agreement [for Prison Health].

⁸ [Health, Social Care and Sport Committee \(March 2021\) Report on Health and Social Care in the Adult Prison Estate in Wales](#)

⁹ Paragraph 58 [Health, Social Care and Sport Committee \(March 2021\) Report on Health and Social Care in the Adult Prison Estate in Wales](#)

¹⁰ Paragraph 73 [Health, Social Care and Sport Committee \(March 2021\) Report on Health and Social Care in the Adult Prison Estate in Wales](#)

However, unless work to deliver the identified priorities is progressed as a matter of urgency, the objective of driving improvements in the health and wellbeing of people held in Welsh prisons will be at risk.”¹¹

The development of the SMTF and the new standards for mental health services in the prisons will make an important contribution to addressing these challenges and will also ensure the development of appropriate services and support for a group that are particularly in need.

How will the impact of the proposal be monitored and evaluated as it progresses and when it concludes?

Both the SMTF and the new standards include a focus on monitoring and measuring impact – linking to existing work in place to measure substance misuse and mental health outcomes for those receiving care, support and treatment in the community. For example: the new standards for mental health services reference the [Outcome Measurement in Wales Project](#) which is part of the Welsh Government Mental Health Core Data Set. The aim of the Mental Health Outcome Project is to ensure that by 2022 all Mental Health Services in Wales will be routinely using outcome tools in their practices to support the therapeutic relationship between service users and practitioners.

¹¹ Page 5 (Forward) [Health, Social Care and Sport Committee \(March 2021\) Report on Health and Social Care in the Adult Prison Estate in Wales](#)

DECLARATION

I am satisfied that the impact of the proposed action has been adequately assessed and recorded.

Name of Senior Responsible Officer / Deputy Director: Tracey Breheny

**Department: Mental Health, Substance Misuse and Vulnerable Groups Division,
Welsh Government**

Date: February 2022