

Mental health of adults in contact with the criminal justice system

Consultation on draft guideline – deadline for comments 5PM on 18 November 2016 email: MentalHealthInPrison@nice.org.uk

	<p>Please read the checklist for submitting comments at the end of this form. We cannot accept forms that are not filled in correctly.</p> <p>We would like to hear your views on the draft recommendations presented in the short version and any comments you may have on the evidence presented in the full version. We would also welcome views on the Equality Impact Assessment.</p> <p>We would like to hear your views on these questions:</p> <ol style="list-style-type: none">1. Which areas will have the biggest impact on practice and be challenging to implement? Please say for whom and why.2. Would implementation of any of the draft recommendations have significant cost implications?3. What would help users overcome any challenges? (For example, existing practical resources or national initiatives, or examples of good practice.)4. [Insert any specific questions about the recommendations from the Developer, or delete if not needed] <p>See section 3.9 of Developing NICE guidance: how to get involved for suggestions of general points to think about when commenting.</p>
Organisation name – Stakeholder or respondent (if you are responding as an individual rather than a registered stakeholder please leave blank):	Prison Reform Trust
Disclosure Please disclose any past or current, direct or indirect links to, or funding from, the tobacco industry.	None

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Name of commentator person completing form:		[Insert your name here]		
Type		[office use only]		
Comment number	Document (full version, short version or the appendices)	Page number Or 'general' for comments on the whole document	Line number Or 'general' for comments on the whole document	Comments
Insert each comment in a new row. Do not paste other tables into this table, because your comments could get lost – type directly into this table.				
Example 1	Full	16	45	We are concerned that this recommendation may imply that
Example 2	Full	16	45	Question 1: This recommendation will be a challenging change in practice because
Example 3	Full	16	45	Question 3: Our trust has had experience of implementing this approach and would be willing to submit its experiences to the NICE shared learning database. Contact.....
1	Short	3	5	1.1.1 NICE Guidelines on Mental health in people with learning disability: prevention, assessment and management should also be cited
2	Short	4	4	1.1.3 screening and assessment reports from liaison and diversion services should be added to this list
3	Short	17	26	1.5 Care planning: the importance of integrating mental health plans of care with adult social care plans should be explicitly stated. This is especially important if an assessment of social care needs has been undertaken or requested under the requirements of the Care Act 2014, and relevant for individuals with eligible social care needs and social care needs.
4	Short	22	12	1.8.1 Liaison and diversion should be cited as an example of a service, in the opening paragraph, that can assist with effective identification and recognition of people with mental health problems and learning disabilities (and other needs, such as autism and substance misuse problems); will undertake screening and assessment, where necessary; and provide advice on immediate care and management.

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5	Short	23	2	To help ensure integrated services, add liaison and diversion services alongside street triage.
6	Full	17	49-50	We are concerned that, as it is written, contact with criminal justice services as a route into mental health services appears as ‘a good thing’ rather than as a failure of mental health services in the community to provide timely support and/or treatment.
7	Full	19	6-10	It would be helpful to highlight the very limited use of the Mental Health Treatment Requirement (0.1% of all community orders) and efforts being made to make the order a more realistic and accessible option. For example the Milton Keynes trial site, recommendation in the Five Year Forward View for Mental Health, and the Department of Health expert reference group on treatment requirements.
8	Full	19	23-24	‘Police cells’ should be replaced with ‘police custody suites’; we are unsure what is meant by ‘visiting courts’ and suggest that ‘criminal courts’ be inserted instead
9	Full	19	26	There <i>is</i> an agreed model and service specification for NHS England liaison and diversion services
10	Full	21	39	It should be noted here that it can be hard for the high number of individuals with dual diagnosis (mental health and drug/alcohol problems) to access services, and that mental health and substance misuse services should cooperate in determining how best to work together in determining the most appropriate treatment option, in consultation with the service user.
11	Full	22	47	It would be helpful to highlight the difficulties experienced in timely and proportionate information sharing, and the importance of ensuring information is shared appropriately across and between different health and justice agencies.
12	Full	51	30	Suggest adding, ‘As recommended in The Bradley Report 2009.’
13	Full	82-88	No line numbers	We are concerned that no validated tool for recognition of learning disabilities has been recommended and note that recognition depends on staff ‘vigilance’. At the top of p.85 learning disabilities are listed under ‘Other physical health conditions’ and staff are urged to ask the individual about this. Research undertaken by the Prison Reform Trust shows that individuals with learning disabilities may not be aware of their condition or have a diagnosis, or may choose to hide their disability for fear of stigma, bullying or a more punitive outcome. We strongly recommend that a validated screening tool for learning disabilities is included as an option and indication of possible learning disabilities, and they do exist.
14	Full	242-312	General	No reference is made, in this section, to the specific needs of people with learning disabilities or

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				autism and the reasonable adjustments required in health care plans, pathways, assessments and interventions. We suggest the NICE Guidelines on mental ill health in people with learning disabilities and on people with autism are referred to in this section.
15	Full	317	2	Research recommendations: we strongly suggest that research into the specific and particular needs of women with mental health problems, learning disabilities or autism in contact with criminal justice services be added to further research recommendations.
16	Full/short	General	General	The Prison Reform Trust welcomes the opportunity to comment on this important Guideline. The task of addressing the mental health of adults in contact with the criminal justice system is significant. The title of the document is, however, misleading. Although entitled ‘mental health’, the Guideline also includes people with a learning disability and people with autism. This is confusing not only because learning disabilities and autism are not mental health problems, but also because individuals reading the Guidelines, including criminal justice personnel, are used to a distinction being made between individuals with mental health problems and those with learning disabilities or autism. Further, individuals concerned about people with learning disabilities or autism in contact with criminal justice services are unlikely to refer to this Guideline, believing – as the title states – that it refers to people with mental health problems only. We strongly suggest that the title of the Guideline is amended accordingly and a clear statement made about which conditions are covered by the Guideline. Further, throughout the Guideline the emphasis is on mental health. If the Guideline does include other conditions, equal emphasis should be made throughout; as the Guideline currently stands, that is not the case.
16	Full/short	General	General	In response to your questions: <ol style="list-style-type: none"> <i>Which areas will have the biggest impact on practice and be challenging to implement?</i> <i>Please say for whom and why:</i> routine and systematic identification of support needs and provision of support and treatment in a timely way. Frontline health staff frequently work under pressure of time with little opportunity to engage in a meaningful way with their patients, and can find it hard to secure service provision for individuals in need as oppose to adding their name to a waiting list. Joined up working across health, social care and justice, shared staff training and support for staff, and services commissioned to accommodate the

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				<p>need for such working arrangements would help to support implementation of these Guidelines (see, for example the Good Lives model, Essex County Council).</p> <p>2. <i>Would implementation of any of the draft recommendations have significant cost implications?</i> The draft recommendations seek to ensure necessary treatment and care, equal to that received by individuals in the general population.</p> <p>3. <i>What would help users overcome any challenges?</i> See answer to Q 1.</p>
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Insert extra rows as needed

Checklist for submitting comments

- Use this comment form and submit it as a Word document (not a PDF).
- Complete the disclosure about links with, or funding from, the tobacco industry.
- Include page and line number (not section number) of the text each comment is about.
- Combine all comments from your organisation into 1 response. We cannot accept more than 1 response from each organisation.
- Do not paste other tables into this table – type directly into the table.
- Underline and highlight any confidential information or other material that you do not wish to be made public.
- Do not include medical information about yourself or another person from which you or the person could be identified.
- Spell out any abbreviations you use
- For copyright reasons, comment forms do not include attachments such as research articles, letters or leaflets (for copyright reasons).
We return comments forms that have attachments without reading them. The stakeholder may resubmit the form without attachments, but it must be received by the deadline.

You can see any guidance that we have produced on topics related to this guideline by checking [NICE Pathways](#).

Note: We reserve the right to summarise and edit comments received during consultations, or not to publish them at all, if we consider the comments are too long, or publication would be unlawful or otherwise inappropriate.

Comments received during our consultations are published in the interests of openness and transparency, and to promote understanding of how recommendations are developed. The comments are published as a record of the comments we received, and are not endorsed by NICE, its officers or advisory Committees.

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