

SPSO decision report

Case: 201401348, Lothian NHS Board
Sector: health
Subject: clinical treatment / diagnosis
Outcome: not upheld, no recommendations

Summary

Mr C complained that his medication was stopped after a spot check of his cell revealed a discrepancy in the medication he should have had in his possession. The check showed that capsules had been emptied and, as a result, the prison health centre stopped the medication. Mr C complained, saying that his cellmate had told a prison officer that it was he, the cellmate, who had taken the contents of the capsules. Mr C could not see why he was being punished for something that someone else had done without his knowledge.

We took independent advice on this case from two of our medical advisers, one of whom is a GP and the other is a nurse. Our investigation confirmed that the cellmate had told a prison officer that he had taken the medication. However, the medication in question, gabapentin, is one that is prone to misuse in prisons. Drug security in prison is particularly important, and as someone - regardless of who - had tampered with the medication, the NHS policy is to stop supplying the medication. Mr C had signed a medication contract in the prison, confirming that he was aware that medication would be stopped if there was any discrepancy and that it was his responsibility to keep any of his medications safely.

We, therefore, considered the health centre had acted appropriately in stopping the medication when the discrepancy was discovered and we did not uphold Mr C's complaint.