

Health in prison

Getting medical treatment in prison

If you're in prison, you should get the same health services as you'd get from the NHS. This includes mental health services. Qualified doctors, dentists, pharmacists and nurses provide health care in prison. If you need to see a doctor, ask the wing staff. You'll be told if there's a different arrangement in your prison.

If you've got a medical problem that can't be dealt with by medical staff inside the prison, an outside specialist may be brought in. Or you may be moved to another prison where different facilities are available or moved to a local NHS hospital. If you're in an NHS hospital, you're still under the control of the Prison Service.

Can I refuse medical treatment

You can refuse any medical treatment offered in prison, including psychiatric treatment, unless this would be a threat to your own life or the life of someone else. However, if you've got a serious mental health problem, you could be **sectioned**, that is, admitted to a psychiatric hospital without your agreement.

Medicines

If you're in prison, you aren't allowed to keep any medicines that you were taking outside prison. If you need medication, make sure you tell the doctor as soon as you arrive in prison. If the doctor decides you need medicines, they will be provided and given to you to keep yourself or handed out by the medical staff at treatment times. If you've got asthma, you'll be prescribed inhalers if the doctor thinks this is the right treatment. Some prisons don't allow inhalers to be kept in the cell overnight. If you have problems with this, speak to the doctor and if the problem isn't sorted out, think about making a complaint.

Health records

You have the right to see any information that was added to your medical records after 1 November 1991 unless this is likely to cause serious mental or physical harm to you or someone else. You don't have the right to see reports made by doctors for the courts or the parole board.

If you want to see your medical records, ask the doctor during an appointment or write and ask. If you think that something in the record is wrong or misleading, you can apply for it to be put right. If it can't be put right, a note must be added to the records saying that you think they are wrong.

Seriously ill patients

If you become seriously ill, ask the governor to tell your family. Extra visits may be allowed. If you become so ill that you're not expected to get better, you may be released from prison on compassionate grounds, for example, to a hospice or to be looked after by friends or family.

HIV/AIDS

You don't have to be tested for HIV when you go into prison. If you're asked if you want to be tested, you can refuse.

The main risks of becoming infected by HIV in prison are from unprotected sex and sharing needles. There are no needle exchange schemes in prisons. Condoms are available in prisons if the doctor thinks there's a risk of infection. Condoms are also available if you're going to be temporarily released from prison.

If you're worried that you're HIV positive, you can ask for an HIV test. You've got the right to counselling before agreeing to be tested and after testing, whatever the result. Health care staff and counsellors must not tell anyone about your condition. If you're known to have AIDS or to be HIV positive, you may be placed in a cell on your own. If you don't want this, talk to the doctor or make a complaint.

If you have AIDS or are HIV positive, you'll be treated under the supervision of a specialist. You'll usually go to an outside clinic. You'll be prescribed medication by the specialist there.

If you have AIDS, you may apply for early release on compassionate grounds. Unless you're very ill, these requests are generally refused, although each case is judged individually. If you are in this situation, get specialist advice.

Drugs and alcohol

If you had a drug or alcohol problem before you came into prison, ask the doctor for help as soon as possible. Methadone may be prescribed as detox for heroin addicts. If you're refused methadone, this may be a breach of your human rights and you should get specialist advice about claiming compensation. Longer-term treatment for addiction is not generally available in prisons but there are some prisons which have special programmes. If there's no special programme at your prison, the doctor may be able to arrange for you to have support and treatment from an outside agency, such as Narcotics Anonymous or Alcoholics Anonymous. All prisons have special workers whose job is to give support to prisoners with drug problems.

You might be asked to give a sample of urine to test for drugs. You have to give a sample if you're asked. In some prisons, there are drug-free wings but you have to agree to regular urine tests if you want to be on one of these wings.

If you test positive for drugs, this could be treated as a disciplinary offence within the prison. But if you're found with hard drugs or if they think you're supplying drugs to other prisoners, you are likely to be charged with a criminal offence and prosecuted. You're likely to end up with another prison sentence that you'll have to serve at the end of your current sentence. In some cases, you'll be transferred to a different prison.

Mental health problems

Many prisoners suffer from mental health problems. In most prisons, there are special units which can give specialist treatment and all prisons have access to these units where necessary.

If you're worried about the drugs you're given for a mental health problem, ask the doctor for details about the drugs, including the side effects. You can refuse to take the drugs if you want. They can't test drugs on you without your agreement.

In some cases, you could be sectioned. This is where you're sent to a psychiatric hospital without your agreement. Time spent inside a psychiatric hospital counts towards your sentence. You won't be released at the end of your sentence if you're still mentally ill.

If you're thought to be a suicide risk or at risk of self-harm, a support plan will be drawn up. You may be placed on a special wing or staff may come and talk to you more often to check you're OK. You and your family can contact the Samaritans if there are concerns about suicide. There might be a Buddy or Listener scheme in your prison that could help.

Death in prison

If a prisoner dies in prison, the prison governor must inform the next of kin immediately. This applies however the prisoner dies, for example, from suicide, accident, illness or old age. In all cases where a death has occurred, the coroner will be called in to examine the body. An inquest will be held to decide how the death happened. All deaths in prison are investigated by the police and the Prisons and Probation Ombudsman.

The next-of-kin will normally be responsible for paying for the burial of a prisoner who dies in prison. If the next-of-kin can't afford to pay, the prison will offer to help with funeral expenses. If the prisoner has no family or they don't want to make burial arrangements, the prison will make the arrangements.

Complaints about healthcare in prison

If you have problems with your healthcare in prison, you can make a complaint using the NHS complaints procedure. See under Further Help.

There's a specialist organisation called ICAS that can help prisoners in England complain about NHS services. For their contact details, see our fact sheet called Prisoners – making a complaint.

The prison may also have a Patient Advice Liaison Service (PALS). They may be able to help you resolve your problem or give you information about how to make a complaint.

In Wales, the local Community Health Council can help with complaints. You can get the contact details of your local Community Health Council if you phone: 0845 644 7814.

Further help

Citizens Advice Bureau

Citizens Advice Bureaux give free, confidential, impartial and independent advice to help you solve any sort of problem.

Some Citizens Advice Bureaux run advice sessions in prison. If you're in prison, check if they run these sessions in your prison. If they don't run advice sessions, you could write to them explaining your problem. Ask a member of the prison staff for the address of your local CAB.

If you are not in prison, and you want to find your nearest CAB, including those that give advice by e-mail, click on [nearest CAB](#), or look under C in your phone book.

Prisoners' Advice Service (PAS)

PO Box 46199
London
EC1M 4XA

Tel: 020 7253 3323 / 0845 430 8923, (Monday, Wednesday and Friday
9:30am - 1:00pm and 2:00pm - 5:30pm)

Fax: 020 7253 8067

E-mail: advice@prisonersadvice.org.uk

Website: www.prisonersadvice.org.uk

The Prisoners' Advice Service (PAS) provides advice and information to prisoners on their rights as prisoners. PAS does not deal with miscarriages of justice or appeals against conviction or sentence.

www.adviceguide.org.uk

Other information on Adviceguide which might help

- NHS and local authority social services complaints in England
- NHS complaints in Wales
- Medical records
- Prisoners - making a complaint
- Prisoners - getting further help

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This fact sheet was last updated on 18 October 2010 and is reviewed on a monthly basis. If it is some time since you obtained this fact sheet, please contact your local Citizens Advice Bureau to check if it is still correct. Or visit our website - www.adviceguide.org.uk - where you can download an up-to-date copy.