

Dear

## **FREEDOM OF INFORMATION – ACQUIRED BRAIN INJURY**

I write in response to your request for information in relation to prisoners with acquired brain injury in the NHS Lothian area.

### Question:

1. How many prisoners currently held within the Scottish Prison Service have a diagnosis of Acquired Brain Injury?
2. How many of those prisoners acquired their brain injury prior to being held in prison?

### Answer:

I am advised that this information is not held centrally. This is because our diagnosis data is based on attendance at NHS Lothian's services and not on historical diagnoses, and this is not related in our dataset to the prison population. Information may be held in individual prisoner health records, but in order to provide the information you request it would be necessary to identify the names of all prisoners and then review each prisoner health record over the period you have specified, requiring significant resources. Under section 12 of the Freedom of Information (Scotland) Act 2002, NHS Lothian is not required to respond to your request if the resources required to do so equate to more than £600 in cost.

I hope the information provided helps with your request.

If you are unhappy with our response to your request, you do have the right to request us to review it. Your request should be made within 40 working days of receipt of this letter, and we will reply within 20 working days of receipt. If our decision is unchanged following a review and you remain dissatisfied with this, you then have the right to make a formal complaint to the Scottish Information Commissioner within 6 months of receipt of our review response. You can do this by using the Scottish Information Commissioner's Office online appeals service at <https://www.foi.scot/appeal>. If you remain dissatisfied with the Commissioner's response you then have the option to appeal to the Court of Session on a point of law.



If you require a review of our decision to be carried out, please write to the reviewer at the address at the top of this letter. The review will be undertaken by a Reviewer who was not involved in the original decision-making process.

FOI responses (subject to redaction of personal information) may appear on NHS Lothian's Freedom of Information website at: <https://org.nhslothian.scot/FOI>

Yours sincerely

**ALISON MACDONALD**  
**Executive Director of Nursing Midwifery and AHPs**  
Cc: Chief Executive