

## Freedom of Information request 251-19

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### Request

This is a Freedom of Information request for statistics about patient homicides. Please can you tell me the number of your mental health patients that have committed, or who are suspected of committing, a homicide by date, for each of the calendar years 2013 – 2018 inclusive?

By 'homicide' I mean murder, manslaughter (i.e. culpable homicide), infanticide, or causing death by dangerous driving.

By 'patient' I mean both community and in-patients who are either current patients or who have had contact with the trust within six months of the offence.

By 'suspected of committing a homicide' I mean charged by the Police or found unfit to plead where legal proceedings have not yet been completed, or, where a patient has taken their own life after apparently killing someone else.

Just to be clear I am NOT requesting any personal data. I am interested in the statistics over time and at different times of the year.

As I understand these incidents would normally trigger a Trust Serious Untoward Incident investigation, and there would presumably be correspondence with your Safety and Quality Improvement Governance Board and the National Confidential Inquiry into Suicide and Homicide by people with mental illness (NCISH), I trust this information will be relatively easy to collate.

### Response

In the year 2017 NHS Borders had <5 incidents of patients who have committed or who were suspected of committing homicide. There were no other incidents in any of the other years requested.

Please note that as NHS Borders is such a small Board the number of incidents is very small, and to provide further details of these could allow individuals to be identified and we would be in breach of the Data Protection Act 1998. We are therefore withholding all other data under Section 38(2)(ii) of the Freedom of Information (Scotland) Act 2002. This is also in accordance with the Code of Practice for Official Statistics any number that is less than five, actual numbers and potentially identifiable information is withheld to help maintain patient confidentiality due to potential risk of disclosure. Further information is available in the ISD Statistical Disclosure Control Protocol.

If you are not satisfied with the way your request has been handled or the decision given, you may ask NHS Borders to review its actions and the decision. If you would like to request a review please apply in writing to, Freedom of Information Review, NHS Borders, Room 2EC3, Education Centre, Borders General Hospital, Melrose, TD6 9BS or [foi.enquiries@borders.scot.nhs.uk](mailto:foi.enquiries@borders.scot.nhs.uk).

The request for a review should include your name and address for correspondence, the request for information to which the request relates and the issue which you wish to be reviewed. Please state the reference number **251-19** on this request. Your request should be made within 40 working days from receipt of this letter.

If following this review, you remain dissatisfied with the outcome, you may appeal to the Scottish Information Commissioner and request an investigation of your complaint. Your request to the Scottish Information

Commissioner should be in writing (or other permanent form), stating your name and an address for correspondence. You should provide the details of the request and your reasons for dissatisfaction with both the original response by NHS Borders and your reasons for dissatisfaction with the outcome of the internal review. Your application for an investigation by the Scottish Information Commissioner must be made within six months of your receipt of the response with which you are dissatisfied. The address for the Office of the Scottish Information Commissioner is, Office of the Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife.