

HMIC report – The use of police custody as a place of safety for people with mental health needs

Force Response

An official inspection report has praised Leicestershire Police for the way it uses its powers under the Mental Health Act.

In particular section 136 of the Act gives police the power to detain people for an assessment where it is necessary to protect them or the public from harm, but where they have not committed any crimes.

Leicestershire was one of nine areas inspected for the way it uses section 136 by a group including Her Majesty's Inspectorate of Constabulary and the Care Quality Commission.

The report's authors say that people detained under this section should be detained in police cells only in exceptional cases.

In Leicester, Leicestershire and Rutland, more than 93 per cent of people (420 out of 451 last year) are in fact taken to a dedicated Place of Safety at the Glenfield Hospital site, or to an Emergency Department if they have physical injuries, and are looked after by the NHS. The remainder are taken to police cells either because they are violent or extremely drunk, and it would be inappropriate for the NHS to deal with them.

Nationally the inspectors found that between six and 76 per cent of people detained under section 136 ended up in police cells.

The inspectors also praised practice in Leicestershire which included:

- Advanced IT systems, which allowed officers to find details of previous dealings with the individual;
- A referral process, in which every section 136 detainee's needs are assessed and where relevant referred to partners such as GPs;
- Setting up a police office at the Glenfield Hospital site, where officers built-up and shared expertise in dealing with people with mental health issues.

In addition, mental health nurses from Leicestershire Partnership Trust have been based at one of the police custody suites since last year, primarily to assess the mental health needs of prisoners arrested for crimes. This was followed up with the introduction of the mental health triage car in January this year, crewed by a police officer and nurse who travel to incidents and offer specialist advice to front line officers. This has led to better outcomes for patients and a halving of the numbers detained under section 136.

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Chief Inspector Pete Jackson from Leicestershire Police said: “We are pleased that this report recognises the work that is taking place in Leicestershire.

“It is an important contribution in the debate about how best to deal with people in crisis, and that is a debate we are keen to play our part in.

“As a Force we have prioritised the way we deal with people with mental health issues for several years. We have been working constructively with our partners in Leicestershire Partnership Trust, the Probation Trust and University Hospitals of Leicestershire, and some of those results have been recognised in the report.”

Police and Crime Commissioner, Sir Clive Loader’s, response to HMIC Report on Custody as a place of safety:

“I note the concerns of HMIC that in some areas police custody is being used as a place of safety more often than it should be. All Police Officers need to be quite clear as to when to detain a person under section 136 of the Mental Health Act 1983. Where they are not, clear training should be provided.

Whilst the report states that better use should be made of police IT and intelligence systems generally, I note that HMIC is complementary regarding the way Leicestershire Police is able to search IT databases to assist officers in assessing risk. I am pleased to see that the Leicestershire Police Force has a strategy to deal with vulnerable people and that HMIC approves of the procedures it has in place.”

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