

TH/nl

5 March 2015

Dear Colleague,

Use of Section 136 Mental Health Act in Devon and Cornwall

I am aware that the Chief Constable has recently written to you about the use of police custody as a place of safety under the Mental Health Act. We both recognise the current commitment of partners to ensure the use of police cells as a place of safety is only ever used in exceptional circumstances. However, I agree with his point that progress in actually reducing the number of detentions under S136 has been disappointingly slow.

The latest published numbers show a 5.8% reduction in overall numbers, but to have 749 people detained simply because they have a potential mental illness cannot be an acceptable position. Taking into account the fact that the average detention time for each person was 10 hours 18 minutes, it is obvious that there is a huge burden being carried by police officers and staff in trying to care for individuals who are entitled to trained medical care not detention in a police cell.

I am encouraged that a revised version of the S136 protocol has been drafted, which if effectively implemented, will ensure a substantial reduction in the use of police custody as a place of safety. There are now only four organisations yet to sign the protocol and I am hopeful that the implementation date of 1 March 2015, can be achieved. I am sure we will all be keen to monitor the impact of the new protocol.

On a related subject I also wanted to flag that there has been a concerning increase in the number of individuals arrested for a crime that self identify as having a mental illness (8,097 in the rolling year to November 2014). This is an increase of 15% (1,064 cases) on the previous year. We are fortunate to have an excellent Liaison and Diversion scheme which will enable appropriate cases to be diverted from the criminal justice system. However, we will need to examine the reasons why such a significant increase has occurred and to try and find ways for this rising trend to be reversed.

I appreciate that addressing and supporting those with mental health illnesses can often be complex due to a number of inter related issues such as drug or alcohol misuse. Achieving successful outcomes will require close working between agencies that are all grappling with budget constraints at the same time. I am happy to meet and discuss any ideas you may have as to how we can improve our joint approach to supporting those with mental illnesses.



Tony Hogg
Police and Crime Commissioner