



Metropolitan Police Service submission to the Place of Safety Joint Overview and Scrutiny  
Committee, 26 April 2016

The police are afforded an extraordinary power under s136 Mental Health Act 1983; to detain a person who is in need of **immediate** care **and** control from mental distress. There is not an equivalent power afforded to the police for those that are physically unwell. Those who are in crisis, to the extent that they need immediate care and control, are a medical emergency and need to be treated as such. Police, whilst trained in restraint and awareness of mental crisis, are not trained as medical practitioners.

This means that access to trained medical care should be completed as quickly as possible; with the involvement of police minimised for both the health and dignity of the patient.

The Metropolitan Police Service has become increasingly worried about the provision of health facilities through which care can be quickly accessed for those in need and detained under s136. SLaM is fully conversant with these concerns, which form part of the Crisis Care Concordat.

SLaM offers an increasingly effective Street Triage scheme, giving officers advice on how to deal with a situation where they may need to consider s136. Ideally this will be an alternative pathway; often this will mean using s136. Its success has been in keeping the level of s136 use static in the four SLaM boroughs, whilst other areas have continued to rise. It is notable that SLaM still has the highest levels of s136 use in London. For Southwark and Lambeth this meant around approx. 100 s136 for the calendar year 2015. Croydon and Lewisham have similar levels. Each borough is already looking at higher levels this year.

The MPS recognises that police custody should only be used for those detained under s136 in truly exceptional circumstances. With the support of SLaM, it has very rarely been used on the four SLaM boroughs; and only when all accessible health care provision has been unavailable.

The only provision on each borough for s136 detentions is a dedicated 136 suite; A&E consistently refuse to accept those detained under s136. However, the 136 suites are not permanently staffed, and in some cases are not fit for purpose. Frequently the staff required to run the 136 suite are unavailable, or a suite is put out of action through damage. Whilst the Street Triage team will try to find another available s136 suite, the volume in the four boroughs means that unavailability is a real risk for any s136 detention.

During the period January 2015 through to March 2016, the Trust was unable to provide any place of safety to the Police on 72 occasions. This has been caused by all suites being occupied or a mixture of some suites being closed and some occupied.

The largest single factor which has led to closures has been the availability of staff.

The current difficulties in the London Ambulance Service means that the majority of those detained are transported by police van; despite this being against both MPS policy and the Concordat.

It is not unusual for someone detained to be held in the back of a police van for a number of hours whilst a s136 suite is found. This is not acceptable.

The MPS therefore supports improvements that speed up the access to appropriate health care, minimising the amount of time in detention by the police, improving health outcomes and dignity.

**Not protectively marked**

The combined place of safety offers a number of advantages:

- 24 hour dedicated staffing; with staff recruited directly for this role providing specialism and consistency.
- Four PoS beds, with 2 high dependency beds. Flexibility to deal with CAMHS.
- A new facility designed specifically for the task, minimising the likelihood of damage.
- The Maudlsey (and KCH) has a dedicated police officer post to support the suite.

Given the daily volumes on each borough it is unlikely that the whole suite will be unavailable – meaning that a detained person can quickly access the place of safety without delay. The process of initial assessment through Street Triage, through detention, onward briefing by Street Triage to the dedicated, specialist s136 team waiting to accept the person in crisis is very attractive. It minimises risk, and maximises health outcomes and dignity. This is dependant on that permanent team being available to respond immediately to a notified s136 through Street Triage, with a capacity to surge extra staff at periods of high demand.

Both Croydon and Lewisham police recognise that the location increases the travelling time for the detained person and their officers. However both feel that the benefits, particularly in the reduction in unavailability/delays, outweigh this concern.

The police in each of the four SLaM boroughs have been involved in the planning process. There are several areas that still require reassurance and agreement:

- The combined s136 suite is dedicated solely to s136. To use it as spare bed capacity, including following a s135 assessment or Mental Capacity Act admission, would severely detract from the advantages of having a combined suite.
- If the combined suite is at capacity, then SLaM will commit to finding alternative provision.
- We anticipate that each borough will utilise the A&E serving their area for those under s136 requiring physical health care; this needs to be formally agreed by SLaM and the acute trusts.
- Transportation remains a significant concern; LAS continue to have limited a capacity. A police van is not acceptable transport either from the street or other health care setting (including A&E).
- The pathway between A&E and SLaM continues to be a weakness. In particular, the provision of care, assessment and transport for those in crisis requiring physical treatment. This requires agreement between SLaM, the acute trusts, and LAS.
- Clarity on transportation home by SLaM for those leaving the suite following assessment who may well be vulnerable.
- Some design issues, including provision of a secure area if there is a delay in entering the suite; allowing those detained some space, particularly in summer.

These have been raised through the planning meetings, and we expect to resolve them with SLaM.

Nick Collins

Chief Inspector

On behalf of the police Borough Commanders for Southwark, Croydon, Lambeth and Lewisham.

21 April 2016