



Date: 07/03/2025
Our ref: 01/FOI/25/014179/O

FREEDOM OF INFORMATION REQUEST REFERENCE NO: 01/FOI/25/014179/O

I write in connection with your request for information dated 10/02/2025, received by Greater Manchester Police (GMP) for the following information:

I am following up on this report: <https://news.npcc.police.uk/releases/thousands-of-people-suffering-mental-health-issues-may-be-unlawfully-held-by-police-due-to-lack-of-available-hospital-beds>

To that end, can you please provide to me:

- 1. The overall number of arrests which led to a mental health act assessment (MHAA) taking place in custody, where a decision was taken in custody to admit the patient under S2/3 of the Mental Health Act between 2014-2024 (broken down by year),*

And, of those overall cases, by year:

- 2. How many of those cases each year involved a detention which exceeded the statutory maximum period without an application under the Mental Health Act being completed and a bed found.*
- 3. Of those cases, please can you tell me the longest someone was held in custody past the PACE limit each year as a bed could not be located.*
- 4. Your policy as of 2024 regarding MHAAs in custody, and escalation procedures if a bed is not available. If you no longer detain sectioned patients after their PACE clock expires, please also provide your policy on that, and where they are taken instead of custody.*

I am specifically not interested in S136, or your policy on that.

Thank you for your time and consideration of this matter.

Result of Searches

Following receipt of your request searches were conducted within Greater Manchester Police (GMP) to locate information relevant to your request. I can confirm that the information you have requested is held by GMP.

Unfortunately, GMP doesn't have data in a format that is easily accessible for ten years' worth of data as it is split over separate computer systems so to access to ascertain whether it was an arrest that led to Mental Health Act Assessment (MHAA) in Custody we would have to access old legacy data records one by one to check the custody log to see if a mental health assessment has taken place. This would well exceed the 18 hours timescales to perform this task, which exceeds the appropriate limit of £450.00, the amount to which we are legally required to respond.

As per section 12(1) of the Freedom of Information Act 2000, the cost of providing you with the information is therefore above the amount to which we are legally required to respond i.e. the cost of locating and retrieving the information exceeds the 'appropriate level' as stated in the Freedom of Information (Fees and Appropriate Limit) Regulations 2004.

In accordance with the Freedom of Information Act 2000, this letter acts as a Refusal Notice.

GMP is obligated, pursuant to section 16(1) of the Act to provide you with advice and assistance on refining your request to bring compliance within the fees limit. In order for the force to keep this within the fees limit, the information that you are requesting will need to be reduced to a greatly reduced time period. The resulting response cannot be guaranteed at this point as it will be dependent upon the number of records that fall within the scope of any new request, as they would still have to be manually assessed.

Although excess costs remove GMP's obligations under the Freedom of Information Act 2000, as a gesture of goodwill, I have supplied information, relative to your request, that was retrieved before it was realised that the fees limit would be exceeded. I trust this is helpful, but it does not affect our legal right to rely on the fees regulations for the remainder of your request.

4. As it stands GMP Custody would not have any person assessed in custody unless they are detained under section 136 of the Mental health Act, this is due to custody not being a designated place of safety unless the most exceptional of circumstances exist as a result any non-s136 subject or a s136 subject that does not meet these criteria would be removed from custody to a Health Based Place of safety. A child would not be detained in custody for a MHAA assessment under any circumstance.

As a result, the only current GMP custody policies covering this area of business directly relate to section 136 which you specifically state you are not interested in, GMP Custody does however align its actions to the appropriate College of Policing Approved Professional Practices.

[Mental health | College of Policing](#)
[Detention and custody | College of Policing](#)

Should you wish to refine and resubmit your request in line with the advice above please respond to freedomofinformation@gmp.police.uk