

Date: 18/03/2025
Our ref: 01/FOI/25/014265/L

FREEDOM OF INFORMATION REQUEST REFERENCE NO: 01/FOI/25/014265/L

I write in connection with your request for information dated 20/02/2025, received by Greater Manchester Police (GMP) for the following information:

[REDACTED] I research aspects of Section 136 of the Mental Health Act 1983.

This is the power that enables the police to detain someone who appears to be mentally ill and presents a danger to themselves or others.

The power to detain is solely so that the police can take the person to a Place of Safety where their mental health can be assessed.

It has been the intention of successive governments that such detainees should be taken to a Health Based Place of Safety, suitable to their needs, where they can be quickly assessed.

National data from the police in England indicates that this is not what is presently happening.

There has been a steady decline in the use of HBPoS which is matched by a steady increase in the use of A&E Departments - which are most unsuitable.

I would like to ask several questions under the FOI. If you cannot answer some through lack of data or the time involved in collecting it, I would be content just to receive any answers you can supply.

The data for your police force for the number of Section 136 detentions and which PoS is used is already published up until 2023/24.

1. Is there an agreement between your Force and the NHS on who will supervise persons detained under Section 136 and taken to A&E? May I have a copy?

2. Do you collect any data on how long police officers wait in A&E departments either to hand over their detainee to NHS staff or for their detainee to be assessed? This could be by hospital or by policing area. Ideally this data would cover some or all of the period in the chart above, especially the period 2021/22 to 2023/24.

3. ***There is a time limit of 24 hours for the detained person to be assessed. Do you have any data on how often this period may be exceeded?***
4. ***As an alternative to detaining a person under Section 136 a parallel power exists under the Mental Capacity Act. Do you have any data on how many people have been detained by the Met police under this Act over the last 5 years?***
5. ***Finally, are you aware or do you have any data showing whether some of the people detained by police under Section 136 are detained instead under the Mental Capacity Act at some point after they arrive in A&E?***

As an alternative to my FOI request if a member of staff with access to such data was happy to speak about it instead then that might save them some time in preparing a response.

Result of Searches

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

1. No such agreement is currently in place between Greater Manchester Police and the NHS.
2. Yes.
3. No information held. Please refer this question to the NHS.
4. No information held. Please refer this question to the MET Police.
5. No information held.