

10 September 2018

Freedom of Information Request - Reference No: 20181666

REQUEST

- 1) In the last three years up to the 1st September 2018, the number of cases where Section 136 of the Mental Health Act was used by your officers to detain a member of the public.
- 2) Of those cases:
 - i) The number of cases that were resolved within 12 hours
 - ii) The number of cases that were resolved within 12 - 24 hours
 - iii) The number of cases that were resolved within 24 - 36 hours
 - iv) The number of cases that were resolved within 36 - 48 hours
 - v) The number of cases that were resolved within 48 - 100 hours
 - vi) The number of cases that were resolved after 100+ hours
- 3) In each case a record of police officers involved in the detention of a member of the public, and involved with staying member of the public until the case was resolved. This can be provided by badge number or a simple numerical value i.e. 1 officer, 2 officers etc.
 - 4) Summary details of the age person detained and any information on the state the member of the public was in "state of distress" "state of crisis" "suicidal" etc, if recorded.
 - 5) Summary details of how each case was resolved. i.e. detained in mental health ward, released with no further action, etc.
 - 6) A list of all places within your police force which are recognised as a place of safety for mental health assessment by your police force. I.e. hospital, mental health assessment unit etc.
 - 7) A summary of police procedure in your police force for activating a mental health assessment when bringing someone under section 136 to these recognised places of safety. For example, are officers expecting to be met by staff on arrival, is their time period for notifying staff of an incoming case.

For the purposes of this Freedom of information request, resolved refers to a mental health assessment taking place or street triage by a trained mental health professional and either police officers or mental health / NHS staff agreeing to let the person detained under s136 out in to the public with no further action taken or a full handover by police to a hospital / NHS facility with a bed found for the person who is detained.

Could figures up to 1st September 2016, 1st September 2017 and up to the 1st September 2018 be provided separately and could the information be provided in excel format. If figures for 3 years would breach cost limits, data for 2 years would be accepted.

RESPONSE

Section 17 of the Freedom of Information Act 2000 requires South Yorkshire Police, when refusing to provide such information (because the information is exempt), to provide you the applicant with a notice which:

- a. states that fact,
- b. specifies the exemption in question and
- c. states (if that would not otherwise be apparent) why the exemption applies.

The following exemption applies to the disclosure of the information:

Section 12(2) – Exemption where cost of compliance exceeds appropriate limit

The information you are requesting is not recorded and / or not readily available on our systems. The only way in which this level of detail can be extracted is to manually review each incident in which the words 'mental health' are mentioned. Similarly, we would also need to manually review individual custody records of instances where someone has been taken into custody where the reason for arrest contains any reference to Section 136 / Mental Health Act and the offence title is *Free Text for Place of Safety*.

To give you an indication of the volume of records that would require a manual review, we received in excess of 6500 separate incidents in 2017 which had a mental health qualifier. To review each of these would certainly exceed the 18 hour cost threshold.

The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 provide that the cost limit for non-central government public authorities is £450. This must be calculated at the rate of £25 per hour, providing an effective time limit of 18 hours. . If you feel your endeavours can be achieved within the appropriate limit by refining your request, South Yorkshire Police would be more than happy to consider any further request.

Guidance from the Information Commissioner to public authorities is that where one part of a request is reasonably estimated to exceed the appropriate limit then the authority is not obliged to consider or comply with the remainder of the request up to the point at which the appropriate limit has been reached. Please note point 30 of the below link:-

https://ico.org.uk/media/for-organisations/documents/1199/costs_of_compliance_exceeds_appropriate_limit.pdf