

COMMUNITY OUTCOMES MEETING

SUPPORTING VICTIMS AND WITNESSES

20th February 2018

SUBJECT: MENTAL HEALTH

Report of the Chief Constable

<p>PURPOSE OF THE REPORT</p> <p>1. To provide an update to the PCC on Mental Health in January 2018.</p>
<p>RECOMMENDATION</p> <p>2. That the Police and Crime Commissioner (PCC) seeks to understand the impact of Mental Health and how this is recognised within the West Yorkshire Police.</p>
<p>POLICE AND CRIME PLAN</p> <p>3. Mental Health is recognised as a priority in the Police and Crime Plan as well as Protecting Vulnerable People included as an Outcome. We have seen some great successes in how people with mental health issues are treated and supported within West Yorkshire whether they are victims or suspected perpetrators of a crime. However more needs to be done to reduce the risk of those with mental health issues both committing and becoming victims of crime.</p>
<p>KEY INFORMATION</p> <p>4. Good progress is being made in relation to this agenda. In December 2017 new legislation came into force which means that children and young people detained under S 136 cannot be taken to police custody, and adults can only be taken there in exceptional circumstances. To date, no-one detained under S136 has been taken to police custody since the new legislation came into effect. There has been close partnership working between the Police and NHS to achieve this. There are continuing challenges to overcome which should not be underestimated but early indications are encouraging.</p> <p>5. Further work is underway to improve health based places of safety in West Yorkshire, following the success of the capital bids to the DOH in 2016/17. Bids have been submitted from local concordat groups for another round of competitive bidding, Beyond Places of Safety, made available by the DoH during 2017/18. The bids were co-ordinated through the West Yorkshire Sustainable Transformation Plan in consultation with the PCC and Police. These opportunities continue to be for capital only.</p> <p>6. Joint OPCC and NHS funding for mental health professionals placed in police control rooms in Leeds and Bradford has allowed for better decision making about the most appropriate care response when people experiencing a mental ill-health crisis are reported to the police. Both services ran successfully throughout 2016/2017 and to date during 2017/18. The PCC's Criminal</p>

Justice and Mental Health Forum has received detailed reports about their impact. A similar service is now up and running in Wakefield, funded by the Vanguard Programme. Arrangements in Calderdale and Kirklees have continued as before. The longer term future of these services are under discussion.

7. Liaison and Diversion funded by NHS England was initially confined to the Wakefield district but has now been rolled out to Leeds, and is shortly to be launched in Bradford. The expectation is that it will be rolled out to Kirklees in September.
8. A Suicide Prevention Strategy for West Yorkshire has been published, fully supported by the Police and Crime Commissioner and the Chief Constable. This is led by the South West Yorkshire Partnership Foundation Trust. Partners will be working together to deliver the commitments made in the strategy.
9. The PCC Has raised concerns in his Criminal Justice and Mental Health Forum about therapeutic support for victims of crime, especially victims and survivors of sexual violence. The PCC is continuing to work with partners to raise this issue within the NHS.
10. Most recently in Grant Round 12 of the Safer Communities Fund (awarded in December 2017), 33 projects were successful with grants. Of those 33, 20 projects selected Mental Health as one of the priorities that their project would aim to improve (as well as a number of other priorities) in their communities; showing the importance of this issue and how a number of factors can affect an individual's mental health. This totalled £92,325.65 of grant monies.

PARTNERSHIP WORKING

11. The West Yorkshire Criminal Justice and Mental Health Forum continues to meet quarterly and includes West Yorkshire's Police and Crime Commissioner, West Yorkshire Police, NHS, Public Health England, the Ambulance and Fire Services, Mental Health Trusts, British Transport Police and the third sector. Recent agendas have included the NHS West Yorkshire Sustainable Transformation Plan, the West Yorkshire Suicide Prevention Strategy, therapeutic support for victims of crime, the roll out of liaison and diversion initiatives, and other issues.



Mental Health Update January 2018

Paper requested by: OPCC for Community Outcomes Meeting

Report on behalf of: ACC Hankinson

Report Author: D/Supt Minton

Summary

Since providing an earlier paper regarding Mental Health (MH), significant new Mental Health legislation has become statute and so this report will outline the changes this has brought about. An update is also provided on the work being done to provide better support for people with ongoing mental health issues.

As we had hoped the Police and Crime Act, which makes several changes to the Mental Health Act of 1983, is already proving to be a positive driver to improve services for those suffering with a mental ill health crisis.

It makes it necessary that we consult with a MH practitioner before detaining someone under the Mental Health Act. It also completely rules out the use of police cells for children and specifies very exceptional circumstances for the detention of adults in police cells.

Report Details

- Mental Health Act S.136 data
Detentions have decreased significantly in December 2017

	Dec 16	Nov 17	Dec 17
Leeds	90	54	40
Bradford	11	18	14
Kirklees	13	11	2
Wakefield	11	12	2
Calderdale	10	9	2

Whilst overall S.136 numbers remain fairly static December numbers are unusually low. The reason for this is not yet clear but it will be raised with partners. As can be seen Leeds District continues to have a significantly higher volume of cases compared with other areas.

- **Police Custody**
Since the start of the new legislation on 11th December 2017 no-one detained under S.136 has been brought into police custody. In all cases officers are following the new process correctly and where it is practicable to do so, timely consultation has been taking place with a Health professional. Also handover to Health professionals at the S.136 Suites has been done in a timely manner, although delays still remain where the person also has to be taken to the Emergency department.

- **Arrest in or from custody –** This is a new procedure which has been adopted in West Yorkshire as it is now lawful to arrest a person S.136 in a police station.
This is being used in two ways in our force:
 - Firstly if someone is arrested for a criminal offence and is taken into custody and then becomes seriously mentally ill, the police matters are finalised and the person is arrested S.136 and transported to a health based Place of Safety.
 - Secondly where people are arrested for very serious offences and receive a formal Mental Health Act assessment in custody which deems them to need an admission to hospital but no bed is immediately identified. In this situation the persons criminal matters are finalised and the person is arrested S.136 but kept in custody due to the serious danger that they pose to others, until a specialist bed can be found.Although neither of these situations are specifically detailed in the legislation it would be argued that both practices are very much in the best interests of the patient to ensure that they receive appropriate medical care at the earliest opportunity and are not detained in police custody unlawfully.

- **Escalation –** Where a mental health crisis occurs and there are issues finding a bed or other procedural difficulties which cannot be resolved, Districts have started to escalate problems to a senior officer who then contacts their counterpart in Health. Although limited, initial feedback is that the escalation policy is effective.

ONGOING WORK AND DEVELOPMENTS

- **Weekly Partnership Conference –** In order to ensure that the new legislation is embedded properly and that any issues are addressed promptly there is a weekly conference call with partners that all Districts feed into.

- **High Intensity users –** Work is ongoing to identify our Top Ten most complex and High Risk Mental Health individuals in each District. In conjunction with partners we are trying to understand if current support is working and if not put forward a business case to consider a more effective problem solving model. This work also involves discussions

with the national High Intensity Network, an NHS England model, and also locally the West Yorkshire - Finding Independence programme.

- Data collection – The digital Police Pocket Notebook is now enabled to record mental health incidents and officer completion rates are good. The report provides an overview of how the incident has been managed in line with the new legislation in order to check compliance. Unfortunately there are ongoing issues recording and extracting the timings which is being addressed.

EQUALITY, DIVERSITY AND HUMAN RIGHTS CONSIDERATIONS

By monitoring recent incidents it has been identified that officers are facing significant difficulties when dealing with mental health crisis situations when the person is in a private dwelling. As it is still unlawful to arrest someone S.136 in a dwelling the immediate options to deal with the situation are limited. Although the official answer would be to obtain a warrant under S.135 Mental Health Act this is likely to take time, and lives or safety may be put at risk. Other options are to consider Breach of the Peace powers or arrest under the Mental Capacity Act if the situation is life threatening. Often officers are faced with making difficult decisions in the best interests of the person in order to protect life and safeguard. Human rights regarding rights to privacy and liberty could be breached in these circumstances.

National Mental Health leads are aware of this problem facing officers across the country and it is subject of ongoing debate.

STRATEGIC RISK IMPLICATIONS

- Compliance with legislation - Through the regular monitoring of incidents it has been found that the vast majority of officers are not only acting correctly and in line with existing and new Mental Health legislation, they are often displaying real bravery and excellent safeguarding skills when dealing with very difficult situations. Previous concerns about potential non-compliance with the new legislation are therefore unfounded and indeed compliance is very good.
- Use of Ambulance – Although overall compliance with the legislation is very good it has been identified that the compliance rate for requesting and transporting by Ambulance is low. Often this occurs with sound rationale as officers recognise that the person is agitated and taking them immediately to the Health Based Place of Safety will be in their best interests. In other incidents the Ambulance service are very busy and waiting for them would cause significant delays. However on some occasions it would appear that officers are not aware that they should transport by Ambulance. Use of Ambulance has been raised with the

Urgent and Emergency Care Concordat for further discussion. The use of Ambulance is covered in detail in the new Mental Health training programme that will be rolled out to all officers over the next 12 months.

- Demand implications of Mental Health – There are a small number of individuals who have a significant impact on those around them, their communities and several partner organisations including ourselves.

There are people within West Yorkshire who have many complex needs, they come to our attention or the attention of partners on a daily basis.

As a Mental Health partnership we need to better understand if our current interventions are effective or not. A mapping exercise is currently ongoing in all districts to help us analyse our most complex cases to see if their situation is getting better or worse. The results will help us to consider if we need a different approach to dealing with complex Mental Health cases and what partnerships and offers of support will bring about better outcomes.

SUPPORTING DOCUMENTATION - None