

POLICE AND CRIME PANEL

14th September 2017

REPORT OF THE POLICE AND CRIME COMMISSIONER FOR DERBYSHIRE

Update on Strategic Priority 4 of the Police and Crime Plan 2016-21:

Supporting those with mental health issues, including those with learning difficulties, who come into contact with the Criminal Justice System, as victim or offender, to get the right support, from the right agencies at the right time

1. PURPOSE OF THE REPORT

- 1.1 To provide the Police and Crime Panel with an update on the work undertaken by the Police and Crime Commissioner (PCC), and his office, towards delivering this strategic priority.

2. BACKGROUND

- 2.1 The Police and Crime Plan for Derbyshire 2016-21 contains seven key strategic priorities.
- 2.2 Objective Four of the plan deals with support for those with mental health issues who come into contact with the police and the wider criminal justice system – either a victims or offenders.
- 2.3 Below the headline priority there are five sub-objectives designed to support its delivery.
- 2.4 The sub-objectives are:
- a) I will continue to challenge the Chief Constable and health partners to avoid police custody as a so called 'Place of Safety' under section 136 of the Mental Health Act 1983
 - b) I will work with partners to ensure those with mental health issues who come into contact with the police are able to access the support they need, including development of the Mental Health Crisis Care Concordat
 - c) I will support the partnership between the police and mental health services that delivers an on-the-street triage service diverting people into support services rather than the criminal justice system
 - d) I will ensure that people with mental health issues who have been targeted or have been a victim of hate crime receive support and those who have targeted them are sought out and challenged about their behaviour, including prosecution where appropriate
 - e) I will work with the Chief Constable and HR professionals within the Force to ensure that the health and wellbeing, including mental health, of all members

Agenda Item 6

of Derbyshire Constabulary is considered and support is given where required

3. Section 136 'Place of safety'

- 3.1 Section 136 of the Mental Health Act 1983 allows for a police officer to *remove a person who appears to be suffering from mental disorder and to be in immediate need of care and control* to a place of safety. A police station (police custody) has been considered such a place of safety.
- 3.2 This practice has received significant criticism as a custody environment is not an ideal location to support someone who is experiencing some form of mental health crisis. As Home Secretary the now Prime Minister highlighted this issue and worked to ensure that legislative change was brought about to stop it.
- 3.3 Section 81 of the Policing and Crime Act 2017 deals with this issue. It prevents the use of police stations as a place of safety for anyone under 18. It does allow, under regulation, the use of police stations as a place of safety for those over 18 under specified circumstances.
- 3.4 The Derbyshire PCC and the Chief Constable (both former and present) agree that a police station is not an appropriate location for someone in mental health crisis to be taken to. As such the PCC has challenged the Chief to ensure that this does not happen.
- 3.5 The PCC is pleased to be able to report that since his election there have been no detentions under section 136 in police stations in Derbyshire.
- 3.6 It should be noted that there will be occasions where someone is arrested who is also displaying signs of some form of mental health issues and that they will be detained in police custody. However, anyone displaying signs of mental health distress will receive an assessment and relevant support whilst being detained.
- 3.7 It should also be noted that there are significant concerns held by the PCC, the Force and partners about funding of mental health services and the provision of suitable alternatives as places of safety and significant amounts of police time are used staying with people detained until such time as a suitable place of safety is located.

4.0 Mental Health Crisis Care Concordat

- 4.1 In his previous role as Deputy PCC, the PCC lead on Mental Health and was instrumental in the successful delivery of the Mental Health Crisis Care Concordat for Derbyshire.
- 4.2 The PCC continues to co-chair the concordat meetings along with the lead commissioner for mental health services in Derbyshire.
- 4.3 The PCC has presented reports to the County and City Health and Wellbeing boards to ensure that partners understood the work that had been undertaken

Agenda Item 6

and to obtain agreement from partners to continue with this approach.

- 4.4 The Mental Health Crisis Care Concordat Strategic Group has developed an action plan for the delivery against the objectives of the Concordat and has identified lead agencies who are held to account for their delivery of actions. This is available through the concordat's website.

5.0 Triage

- 5.1 The Force and partners continue to deliver a mental health support/triage service in Derbyshire.
- 5.2 Mental health professionals are co-located within the Force's contact centre and are able to provide advice and assistance to offers on the ground when dealing with issues.
- 5.3 It is now possible for those mental health professionals to access patient information for those the police are dealing with which allows the response and support to be tailored to the individual needs of people the police are dealing with.
- 5.4 The PCC and partners are keen to see this work developed further and recently attended a presentation on an approach that has been piloted in Hampshire that sees additional resources made available to support a cohort of people who are the highest users of police and mental health services. It is hoped that by adopting this approach mental health professionals will be able to identify emerging issues and provide the support needed at an earlier stage, therefore reducing the call on emergency services, such as the police.

6.0 Hate Crime

- 6.1 Numerous pieces of research into the reporting of hate crime have shown that there is a significant under-reporting of the crime in general and that this is particularly acute when looking at disability hate crime.
- 6.2 Many vulnerable people have mental health and learning disability needs. The PCC has helped promote awareness raising around how to report Hate Crime experienced by them.
- 6.3 As part of the PCC's continued commitment to supporting victims of crime, and in particular hate crime, a specific service has been commissioned to support these victims.
- 6.4 The PCC and partners have also launched a campaign to raise awareness of hate crime. The Step Up Beat Hate campaign is a joint-agency pilot, led by Derbyshire Victims Services' provider Remedi and the Restorative Justice Council (RJC). The aim of the campaign is to increase awareness of the benefits of restorative justice (RJ) among past and current victims of hate crime. It also supports the PCC's goals to improve support to victims of hate crime across the county and encourage more survivors to report their experiences to police.

Agenda Item 6

- 6.4 The impact of this pilot is due to be reported later in the year and the PCC will report the headline findings to the Panel when available.

7.0 Mental Health at work

- 7.1 Ensuring that those who work within the Derbyshire Policing Family remains important to the PCC.
- 7.2 Over Mental Health Awareness week the PCC supported a number of events with partners from the Police Federation and UNISON to raise awareness of good mental health.
- 7.3 The PCC also produced a video on mindfulness and how it can have a positive impact on people's working patterns. It was posted on the Force's intranet and has been well received.
- 7.4 As a result of the positive impact of the variety of activities that were delivered during Mental Health Awareness week the PCC and Force are keen to see this become part of an annual programme of events and to ensure that it is offered as widely as possible, not just at headquarters.

8.0 Recommendations

- i That the report and the work that the PCC has undertaken on this objective be noted.

Contact details in the event of enquiries	Name: Hardyal Dhindsa External telephone number: 0300 122 6000 Email address: pccoffice@derbyshire.pnn.police.uk
--	---

