

Committee(s): Police Committee	Date: 1 November 2018
Subject: Annual update on the Custody of Vulnerable Persons (Young Persons, Children and Mental Health)	Public
Report of: Commissioner of Police and the Town Clerk Pol 76-18	For Information
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Summary

It was previously agreed to provide members with an annual update on two key areas of policing; young persons and children in custody and mental health crisis in custody. This is a joint report of the Commissioner and the Town Clerk. City of London Police (CoLP) collects and analyses information across these areas, in response to national recommendations from Her Majesty's Inspectorate of Constabulary (HMIC) amongst others, and in recognition of the importance of understanding and responding to any potential issues or trends.

An annual update will continue to be provided on these areas to show commitment to accountability and transparency. Young persons and children who are held in custody may be vulnerable for a number of reasons and the CoLP and City of London Corporation (CoL) have established processes to deal with them which are detailed in this report. The report also includes custody and mental health data reported for 2017/18 with some comparison against previous years data where it is available, it also details developments in best practise such as the Street Triage system for those assessed under mental health protocols.

The report presents data (Appendix 2) on a number of categories for custody including numbers of children and young persons detained, length of time detained, age, gender and ethnicity of those detained and offences for which they were detained. The report covers data (Appendix 3) on numbers detained under the Mental Health Act 1983 and numbers of mental health assessments. It explains the procedure for when a mental health crisis develops once someone is within the custody suite rather than when police are called to assist someone on the street.

A copy of this report was sent to the Lead SIA Member for safeguarding and vulnerability for consultation.

Recommendations

Members are asked to:

- Note the report.

Main Report

Young Persons and Children in Custody

Background

1. It was previously agreed to provide Members with an annual update on Custody of Vulnerable Persons (Young Persons, Children and Mental Health) in the City of London. This is a joint report of the Commissioner and the Town Clerk and is the third annual update. It covers the reporting period April 2017 to March 2018. Some trend/ benchmark data has been provided where it is available.
2. England, Wales, Northern Ireland and Scotland each have their own guidance for organisations to keep children safe. They all agree that a child is anyone who is under the age of 18. The Police and Criminal Evidence Act 1984 (PACE) define a young person or child to be between the ages of criminal responsibility 10yrs and have not reached the age of 18. We use the term 'child' to refer to younger children who do not have the maturity and understanding to make important decisions. We use the term 'young person' to refer to older or more experienced children.
3. Custody officers are required to make a decision about whether they should treat the individual as a juvenile or as an adult. *PACE Code C paragraph 1.5 - states Anyone who appears to be under 18, shall, in the absence of clear evidence that they are older and subject to paragraph 1.5A, be treated as a juvenile for the purposes of this Code and any other Code.*
4. The law already recognises that police cells are not a suitable place for young persons and children. The Police and Criminal Evidence Act 1984 requires the transfer of children who have been charged and denied bail (remanded in police custody) to be moved to more appropriate local authority accommodation.
5. The related duty to local authorities set out by the Children Act 1989 is to accept these requested transfers. The detention of a child in the custody of a police cell is only allowed where exceptional circumstances prevent movement or where such children are a risk to the public and themselves, or no local authority accommodation is available.
6. Young persons and children in custody legally require an appropriate adult (AA) to be appointed as soon as possible and to be present during specific stages whilst in custody. These include the booking in procedure, interview, charge and other custody processes such as custody staff taking DNA, photographs and fingerprints to the provisions of the Police and Criminal Evidence Act 1984.
7. The release of the 'Concordat on Children in Custody' by the Home Office in March 2016 set out the role of each organisation in the process of detaining a child into custody and where responsibility lies. This clarifies the legal requirements and offers guidance on how these are put into place; particularly around the transfer of children from custody to local authority accommodation.

8. The Concordat is there for the Police and Local Authorities to aid compliance with their statutory responsibilities and to bring about a decrease in the number of children held overnight in police custody. The concordat sets out seven principles to achieve these aims:
- Whenever possible, charged children will be released on bail.
 - Children denied bail will be transferred whenever practical.
 - Secure accommodation will be requested only when necessary.
 - Local authorities will always accept request for non-secure accommodation.
 - The power to detain will be transferred to the local authority.
 - Where a local authority fails to provide accommodation it will reimburse the police.
 - Police forces will collect data on transfers.
9. On behalf of the City of London Police the Commissioner has signed the Concordat. The CoLP's position is one of rarely moving beyond the first point 'whenever possible, charged children will be released on bail.' This point is very much the norm and anything else may be considered exceptional.

HMICFRS¹ Inspections

10. CoLP has not been subject to an unannounced custody inspection by HMICFRS since the publication of 'Report on an unannounced inspection visit to police custody suites in the City of London 18–20 June 2012' undertaken jointly by HMICFRS and HM Inspectorate of Prisons. Key findings from the report pertinent to children, young persons and mental health included:
- 2.8 The treatment of detainees was appropriate and respectful, and sergeants regularly explained procedures to detainees. Children were detained for as short a time as possible.
 - 2.10 Care was taken to ensure that those being released were able to reach their homes safely, especially young and vulnerable people, but there was a reluctance to issue small cash sums for fares when that was likely to be helpful. There was relatively little use of handcuffs, and the reasons for use were recorded. There was no separate recording of uses of force to support monitoring and analysis in this area
 - 2.13 There was an effective appropriate adult (AA) scheme for juveniles and vulnerable adults. Detainees who could not speak English fluently were well supported with translated materials and the use of professional interpretation, both in person and by telephone.
 - 2.16 There was a good substance misuse service, which extended to juveniles and to those with alcohol-related problems. The service made suitable referrals to detainees' local services all over the UK. The mental

¹ Her Majesty's Inspectorate of Constabulary and Fire and Rescue Service

health provision was reasonable but there was no diversion or liaison service operating from the suites, and there was insufficient clarity in the local NHS service's policy and practice on those detained under section 136 of the Mental Health Act.

11. A number of recommendations resulted from HMICFRS findings. These are documented below with action the force has undertaken to respond:

- 7.2 Appropriate adults should be available to support without undue delay juveniles aged 17 in custody, including out of hours. Response: CoLP contract an appropriate adult service through the City of London Corporation. The hours are 0800-0000. Out of hours CoLP use Hackney social services with whom the Corporation have a reciprocal agreement.
- 7.8 Bus fares should be provided to bailed or released detainees who have no legitimate means of getting home. Response: petty cash is available to support this.
- 7.16 A range of reading materials should be offered, including books and magazines suitable for young people and non-English speakers. Response: reading materials are available.
- 7.17 Visits should be facilitated for, in particular, vulnerable young people or detainees held for long periods. Response: this is facilitated on a case-by-case basis.
- 7.19 The City of London Police should engage with the local authority to ensure the provision of safe beds for juveniles who have been charged but cannot be bailed to appear in court. Response: this has been covered effectively by the Children's Concordat.
- 7.24 There should be a mental health liaison and/or diversion scheme to enable detainees with mental health problems to be identified and diverted in to appropriate mental health services as required. CoLP has a Liaison and Diversion (L&D) service in place. At the moment it is an on-call service but CoLP is working with the NHS to introduce an embedded service which will give cover at least during core hours (1000-1800) and will have a limited on call either side of those hours.

Responding to Vulnerability within Custody

12. In October 2015 the CoLP initiated Liaison and Diversion (L&D) Services within their Police Custody suites. L&D services operate in the following ways:

- Identify, assess and refer people of all ages with a wide range of mental health, learning disability, substance misuse and social vulnerabilities when they first come into contact with the youth and adult criminal justice systems on suspicion of having committed a crime.

- When a person is assessed as having single or multiple vulnerabilities, they will be referred to the appropriate treatment or support service and an appropriate package of care and/or support will be instigated.
- Accurate, timely information on the person will be shared with police and the courts to ensure that any charging, sentencing or disposal decisions are based upon an authoritative assessment of their mental health, any learning disability and whether they have a substance misuse issue.
- L&D services support the most appropriate outcome for those individuals. For many this contact with criminal justice agencies will be the first time they will have been assessed and diagnosed.
- L&D is not itself a treatment service, but it is an identification, assessment and referral service. It uses assessments to make appropriate referrals for treatment and support, and ensures criminal justice practitioners are notified of specific health requirements and vulnerabilities of an individual which can be taken into account when decisions about charging and sentencing are made.
- Services aim to identify individuals as early as possible after they come into contact with the police and criminal justice system. They will provide coverage at police interview and custody suites and at criminal courts. They will link up to other parts of the justice process, such as prison, probation, youth offending teams and the young people's secure estate.

13. The Liaison and Diversion service is supplied by the East London NHS Trust in partnership with NHS England the CoLP are part of Cluster I of the North and East London Liaison and Diversion Hub as shown in Appendix 4.

Process in custody

14. As soon as it can be ascertained that a detainee is 18 years old or younger, an assessment interview by a Liaison and Diversion nurse is requested. This is to ensure CoLP is not missing any incidents of Child Sexual Exploitation or criminal factors relating to adult coercion. The Liaison and Diversion nurses are currently available for assessments in custody during the hours of 0800 to 2100, working on an on-call basis from Bethnal Green. As mentioned above, CoLP is working to create an embedded service between 1000 and 1800 with the period outside those hours being covered by the on call function. The NHS has provided some funding to allow this to take place and we are now working towards a pilot scheme. Outside of these times, and if available, an interview may be conducted by a member of the CoLP Public Protection Unit.

15. The CoLP has two custody suites, one based at Bishopsgate and the other at Snow Hill.² The principle custody suite is Bishopsgate which has a secure Perspex room, commonly known as 'the bubble' within the reception area of custody. It is designed for use by children and vulnerable persons who have been

² Snow Hill Custody suite will close in 2019. A collaboration agreement (already agreed at police committee) is currently being ratified with British Transport Police to allow its Brewery Road custody facility to be used as the CoLP's temporary back-up custody facility until completion of the new police station in Fleet Street

detained for a criminal matter. This is believed a more suitable place than a cell, as both police and the detained person continue to be visible to each other and there is less chance of the detainee being further alienated or stressed by their predicament. A custody cell is used only as a last resort, dependent upon the circumstances at the time and this would be with other control measures in place to reduce stress and risk as much as possible.

16. The CoLP has a clearly articulated police process for children in custody which is in the form of a flowchart responding to a young person being charged with an offence and this is attached as Appendix 1. The City of London Corporation has also produced a similar flowchart to reflect process from a local authority perspective.
17. The Appropriate Adult service is currently commissioned by the Community and Children's Services Department (CCS) but is managed by CoLP. The service meets with CCS quarterly and statistics are provided on how often the service is used.
18. When a person under the age of 18 years enters custody, every effort is made by the Custody Sergeant and Designated Detention Officer to keep the young person from being placed within a custody cell. The booking in procedure is initiated on arrival to establish many important facts, such as name, age, address, mental wellbeing and health. During the interaction with the detained young person/child, concerted attempts are made to establish the parents or family member details to act as an Appropriate Adult (AA). In some cases there is no alternative but to use the Appropriate Adult service.
19. Police officers will submit an intelligence document, a Form 377, which is comprehensive information to assist the Public Protection Unit (PPU) and social services and allow appropriate follow up processes to be initiated.

Local Authority Transfer Arrangements

20. The CCS department within the City are called initially. If out of hours this is then referred to Hackney, who request accommodation from Tower Hamlets. Tower Hamlets will contact the Local Authority within which the child or young person *lives* and request accommodation. Historically, all accommodation requested has not been provided. The requirement for children to be transferred to overnight accommodation is only for those who have been *charged and remanded*, where bail has not been granted. Where the pre-charge investigation is on-going, the child remains in the custody suite, although every effort is made to reduce the length of time they are there. With the implementation of the pre-charge bail legislation in April 2017 there has been a vast reduction in children being released on bail, the majority being "Released under Investigation" whilst the investigation of the offence proceeds without the requirement for the child to be on bail.
21. All Custody Sergeants are fully aware of the current process both inside and outside of working hours and this has been shared with City of London Corporation (CoL) staff to ensure wider knowledge of the process. The Standard

Operating Procedure (SOP) appears on the Force database. It was completed in January, 2018. Police are mindful that juveniles should not be detained for longer than needed in accordance with paragraph 1.1 of Code C of PACE and should avoid holding young persons and children overnight in police custody cells unless absolutely necessary.

22. If there are no available spaces within the social services' remit 'to house the young person or child at an appropriate site' then current arrangements to provide a cell 'in extremis' could potentially lead to extended periods of time for children in custody.

Detention data for 2017/18

23. This report includes data which has been collated from custody records over the period of April 2017 to March 2018 of young people and children being detained in custody. All figures referred to in this section are at Appendix 2. The extraction of data has proved difficult owing to a transfer of the force crime recording systems from NSPIS (National Strategy for Police Information Systems³) to Niche⁴ RMS (Records Management System) which went live in October 2017, part way through the performance year. Subsequent reports will enable comparison with at least two complete years of data on Niche.

24. The data provided within figure 1, 'Number of children and young people including 18 year olds in custody 2017/18' shows for the financial year 17/18, 121 young people were held in custody. Of these, 81 were under 18 and 40 were 18 years of age. This is a 17% increase on the *total* figure compared to the previous year (103 in 2016-17). For under 18s the increase is sharper and has risen by 42% between 2016/17 and 2017/18. There doesn't appear to be any clear patterns of seasonality but levels were highest in June and March this year. Most under 18s detained in custody during the 2017/18 financial year were 16 years old (29) or 17 years old (28).

25. The length of time young people and children were detained following arrest/caution is shown at figures 3 and 4. The graph covers November 2017 to March 2018 as these were the complete months in the financial year recorded on the new custody system NICHE which was introduced in late October 2017. Across the period the average detention period was 08:01 hours with a maximum of 18:06 hours and a minimum of 01:12 hours. The maximum period of detention relates to a 17 year old male arrested for robbery and possession of cannabis then transferred to BTP for investigation.

26. In terms of gender, the data shows that 85% of under 18s detained in custody were male, 14 were female and one not recorded.

27. A breakdown of reasons for arrest for which young persons and children were brought into custody during 2016/17 is at figure eight. There were 32 different

³ Custody software system

⁴ Niche RMS is CoLP core operational system, supporting the management of information in relation to people, locations, vehicles and incidents, and compliant with the principal doctrines of UK policing. The system supports crime, intelligence, incidents, property, custody and case file prep

reasons for arrest documented. The most common reason is theft shoplifting with 16 offences, followed by fraud with 11 offences, theft of motor vehicle with ten offences and nine arrests for immigration offences.

28. During the recorded period from April 2017 to March 2018 there was one child or young person remanded in custody. In August 2017, a 13 year-old female (a well-known nominal) was charged with multiple offences. To protect the public she would have required moving to secure local authority accommodation but none was available, so she remained in custody. Having been arrested in the morning (09:30) she was held in custody for 24 hours to appear at court the following morning. This is an improvement on the previous year when the City of London Police requested the relevant local authority to provide accommodation for four young people who were charged and remanded in custody. Disappointingly, no accommodation was provided in either year by the relevant local authorities for any of the five young people and so they remained in City Police Custody. The Concordat for Children in Custody to prevent the detention of children in police stations following charge was signed off in April 2016 and part of that concordat states;

“After a child is charged with an offence, custody officers have a duty under the Police and Criminal Evidence Act (PACE) to secure the transfer of the arrested child to local authority accommodation; local authorities have a duty to accommodate the child under the Children Act 1989.”

29. Following a request for secure accommodation, the local authority must do everything within its power to find secure accommodation for the child in question. If the local authority fails to find any secure placements, or reach agreement with the police as to any suitable alternative, for the child then custody officers will have no choice but to retain the child in police custody for the protection of the public.

30. The police are not funded to accommodate under-18 year olds in custody. It is therefore important that local police forces are reimbursed when a transfer to local authority care does not take place, for whatever reason. This reimbursement is a long standing statutory obligation for local authorities. Section 21(3) states:

“Where a child has been... detained under section 38 of the Police and Criminal Evidence Act 1984, and he is not being provided with accommodation by a local authority... any reasonable expenses of accommodating him shall be recoverable from the local authority in whose area he is ordinarily resident.”

31. The level of expense for overnight detention must be determined by the police force, and should be based upon the costs of cell use, staffing, healthcare and any other provision required for a detainee. Mechanisms for the recovery of these costs must be determined at a local level and will vary depending upon any existing reimbursement arrangements between police forces and local authorities. The CoLP has commenced recovering costs from Local Authorities for the detention of children after charge when no accommodation was provided by the Local Authority in which the child resides.

Use of Force on those Under 18

32. To set some context, this relates not specifically to use of force within the custody suite but to those brought into the custody suite where use of force (handcuffs) has already been applied on the street or at the scene. The officers dealing with each instance will have made a dynamic risk assessment in each case and assessed the use of handcuffs as both proportionate and necessary to ensure not only the safety of the individual being detained, but also the safety of the officers and/ or the public. In essence, the decisions regarding the application of force are made before the detainee steps across the threshold of the custody suite.
33. Statistics show that for the period 1st April 2017 to 31st March 2018, a use of force (handcuffs) was used for those under 18 in 44 out of the total 72 occasions, equating to 61% of arrests.
34. So far for the months of April to September 2018 of 28 individuals under 18 brought into custody, 14 have been handcuffed and one has been restrained using straps, this equates to 54%. The single use of a restraint strap related to a drunk and disorderly 17-year-old female. Ages ranged from 13 years (one individual who was detained for theft of motor vehicle) to 17 years for offences ranging from taking a motor vehicle without consent, section 18 wounding and drug driving.
35. As a comparison the same search on Niche in Leicestershire and Nottinghamshire police reveals comparable figures of 55% and 68% respectively,
36. The Force monitors use of force at its working group that meets quarterly along with other custody issues and stop and search. Part of the remit of this group is to identify any issues and trends and address these if appropriate to do so through further training or learning.
37. CoLP officers did not deploy Taser against any subject under the age of 18 in the 17/18 financial year.

Bail and referral pathways

38. With the Policing and Crime Act 2017 which received Royal Assent in January 2017 and the changes to pre-charge bail that commenced in April 2017, there is now a presumption of release without bail in almost all cases unless the necessity and proportionality test are met. As a result, there has been a clear and definite shift in the CoLP to the use of Voluntary Interviews to investigate offences where children and young persons are involved.
39. The CoLP has clear referral pathways to City of London Children's Social care through the Force's Public Protection Unit (PPU). A Form 377 (soon to be Public Protection Notice (PPN) on NICHE, the new crime and intelligence recording system) is completed for every juvenile that comes in to custody. These are reviewed by a PPU officer within 72 hours and generally within 24 hours. All 377

reports where there are safeguarding concerns, are referred to the Duty Desk at the City of London Children's Social Care via their dedicated duty team email. Additionally, the PPU will refer the report to the Children's Social Care Team within the borough where the child resides. This is documented on the 377 report. Once cases have reached the appropriate social care team or referral unit in the appropriate borough, these reports are assessed as per any other referral in line with Pan London Child Protection Procedures and local thresholds.

40. There is no requirement for police to follow up on these referrals unless there is some specific involvement in relation to a S47 or S17 (Child Protection or Child in Need) investigation. This procedure is documented in the CoLP Child Protection Procedures to ensure effective multiagency working and children's safeguarding.
41. It is confirmed that none of the juveniles under 18 arrested during the reporting period 2017-18 reside in the City of London. It should be noted by Members that many of the juveniles who enter the City and are arrested for offences, travel to the City from surrounding boroughs specifically to commit crime and are therefore dealt with by social care teams within the borough in which they reside once due process has taken place in the City.

Mental Health Crisis in Custody

Background

42. The policy covering guidance within custody on mental health is the Police and Criminal Evidence Act 1984 (PACE) which states below:

"It is imperative that a mentally disordered or otherwise mentally vulnerable person, detained under the Mental Health Act 1983, section 136, be assessed as soon as possible. A police station should only be used as a place of safety as a last resort but if that assessment is to take place at the police station, an approved mental health professional and a registered medical practitioner shall be called to the station as soon as possible to carry it out."

43. The Policing and Crime Bill 2017 received Royal Assent in January 2017 with positive implications for Children and Young Persons detained under section 136 Mental Health Act (MHA) 1983 with reference to the use of Police Stations. An amendment to the MHA 1983 now includes;

Section 136A Use of police stations as places of safety

(1) A child may not, in the exercise of a power to which this section applies, be removed to, kept at or taken to a place of safety that is a police station

2) The Secretary of State may by regulations—

(a) provide that an adult may be removed to, kept at or taken to a place of safety that is a police station, in the exercise of a power to which this section applies, only in circumstances specified in the regulations;

(b) make provision about how adults removed to, kept at or taken to a police station, in the exercise of a power to which this section applies, are to be

treated while at the police station, including provision for review of their detention.

44. The Royal Assent of the Policing and Crime Bill 2017 has also;

- Reduced the maximum duration of detention from 72 hours to 24 hours for the purposes of an assessment.
- Extended police powers to act quickly to detain and remove people experiencing a mental health crisis.
- Included the requirement for police officers to consult health professionals prior to detaining someone under the Act's provisions (if practicable).

45. CoLP does not use Police Custody as a place of safety for any persons detained under section 136 of MHA 1983.

46. The Health Care provision within CoLP Custody suites is provided by G4S. CoLP's contract with G4S for health-care professionals (HCPs) is a partially on call service where G4S provide an HCP on site between 0700-1900hrs but otherwise operate on an on call basis with a call out time of one hour.

47. In May 2017 the CoLP adopted the THRIVE project definition for vulnerable persons;

“a person is vulnerable if as a result of their situation or circumstances, they are unable to take care or protect themselves, or others, from harm or exploitation.”

Street Triage Scheme

48. Ten police forces, including the City of London Police, have been piloting the system of 'street triage' since its inception in 2017. The scheme involves a police officer and mental health worker acting in partnership to assess people on the street and, where necessary, take them directly to a health care facility.

49. Within these schemes, mental health professionals provide on the spot advice to police officers who are dealing with people with possible mental health issues. This advice can include an opinion on a person's condition, or appropriate information sharing about a person's health history. The aim is, where possible, to help police officers make prompt and appropriate decisions, based on a clear understanding of the background to these situations and of the individuals they are dealing with. In addition to having benefits for the individuals, benefits in terms of reducing time in custody, places of safety and speeding up the end to end process of dealing with the individual are also clear. This has clear implications for increasing efficiency. However, ultimately the focus is on the welfare of the person coming into contact with the police.

50. The City of London Police now has five mental health professionals that deploy with Response Officers every day from 1700hrs – 0300hrs. This has now moved from the original pilot to a permanent initiative currently funded by East London Foundation Trust (NHS Homerton Hospital and the City of London Corporation).

This funding will run until June 2019. An option to fund the scheme from this point from the Late Night Levy is being explored by the Force.

51. Other pathways of care have been opened up to those in crisis and the vulnerable, the emphasis being on individual care for the person being assessed. They include crisis care team referrals, home treatment team referrals, GP referrals and alternative care plans introduced by the nurse. The figures suggest that the scheme is currently proving to be highly successful: for the year from 31/05/17 to 01/06/18 utilisation of street triage avoided 299 S136 detentions. Put in officer time, given that it takes on average two officers, one van and four hours to deal with a sec136 equates to a saving of 2,392 hours of police officer time which is the equivalent of sixty 40-hour weeks. All referrals and if necessary S136 detentions are followed up the next day by the nurse and each patient is updated on the NHS database.

Current Position

Mental Health Process

52. The City of London Police has two standard operating procedures (SOP's) that relate to mental health, these are: Dealing with Mental Health Incidents and Medical and Mental Health Issues in Custody. These policies provide a framework for dealing with aspects of managing and dealing with persons in police detention to the required standard, as set out in Code C of the Police and Criminal Evidence Act 1984, the Code of Ethics and the College of Policing Authorised Professional Practice (APP) for detention and custody. Both of these procedures are regularly reviewed and updated and are readily accessible for members of staff on the Force's intranet.
53. When a person has been arrested and it becomes apparent whilst the person is in custody they are suffering from a mental health issue, the custody officer must implement the procedure for a mental health assessment. The custody officer will request the Health Care Practitioner (HCP) for an initial assessment of the detained person and if found the detained person is displaying symptoms of a mental health crisis the HCP will request the attendance of a Liaison and Diversion nurse to conduct an assessment. (If the L&D nurse happens to be present within the Custody suite at the time the custody officer believes an assessment is required, the assessment of the HCP can be bypassed and the assessment can be directly referred to the L&D nurse). If the L&D nurse believes a further assessment is necessary they will contact an Authorised Mental Health Practitioner (AMHP) and doctor to conduct a full assessment. On their decision only and not the police, it will result in the detained person being transferred to a designated Mental Health Trust Hospital for further evaluation or to remain in custody for continuation of the criminal process.
54. If mental health illness has been exhibited and diagnosed whilst in a public place, the City of London Police will not use custody or the police station as a place of safety. Enhanced engagement and liaison by the Communities Team has established an effective working relationship between the London Ambulance

Service (LAS) and the Mental Health Trust at the Homerton Hospital. All parties have agreed to a working guide:

- LAS will attend S.136 MHA 1983 calls within half an hour. If LAS are unable to provide a priority ambulance and if there are exceptional circumstances, CoLP will convey a person to Homerton Hospital.
- Homerton Hospital will accept the S.136 within one hour of police attendance.

55. The Force has taken the initiative by using a specific point of contact within the community and partnerships team to take the lead in S.136 MHA 1983 issues, developing a liaison with the London Mental Health Trust, recording encounters, increasing links with external organisations and continuing communications with our nominated place of safety, the Homerton Hospital.

56. In the rare circumstances when the Homerton Hospital cannot accept and individual, officers are aware through policy and procedure to use the command and control structure to establish an alternative space at another authorised mental health hospital near to the City, such as St Thomas', The Royal London or University College Hospital (UCH).

Mental Health Data

57. Police are often first to attend a report to provide reassurance, ensure public in the vicinity are safe and to provide an initial response to any person requiring assistance.

58. Incidents are recorded on a Force form, documenting whether action was taken under section 136 Mental Health Act 1983 or Section S.5- S.6 Mental Capacity Act 2005, providing a detailed account of police action and hospital interaction.

59. During the period of April 2017 - March 2018, 158 people were sectioned under S.136 MHA 1983; this is a decrease of 9 from 167 for the previous financial year. A reduction of 5.3%. 8 (11) of these were under the age of 18. Of the 158 people, 107 (101) were male and 51 (66) female. All were conveyed to a place of safety (POS), 94 (77) by Ambulance, 61 (87) by a police vehicle. ⁵

Category	2016-17	2017-18	Number Change
Male	101	107	+6
Female	66	51	-15
Under 18	11	8	-3
Conveyed** to POS by Ambulance	77	94	+17
Conveyed** to POS by Police Vehicle	87	61	-26

** 3 not known (owing to anomalies in data recording caused by change in crime management recording systems during reporting [period])

⁵ Last year's figures in brackets

Conclusion

60. This report presents information to Members of the Force's current position on two key areas prompted by a number of HMIC and IOPC recommendations, but also recognising that these are important areas on which Members would wish to be informed and have oversight. The data presented in this report provides a comparison to be made to the previous year and potential issues or trends highlighted where previous year's data is available. The force continues to develop its framework for collecting data in this area in order to monitor future trends.
61. The City of London Police and City of London Corporation have processes in place to consider the welfare of children entering the custody environment and the force has further demonstrated its commitment by signing up to the 'Welfare of Children in Custody Concordat. However, whilst only one child was remanded in custody this financial year compared to four last year, the request to the relevant local authority to provide secure accommodation yielded the same response as last year, namely none was provided.
62. Data is captured by the Custody Manager on all children and young people entering police custody and shared with senior management on a monthly basis, allowing on-going scrutiny and the identification of any potential issues.
63. The Force has standard operating procedures in place to manage mental health crises both in custody and outside on the street. CoLP does not use police cells as a place of safety for those identified as needing assistance on the street, with tried and tested processes in place under the agreement with the Homerton Hospital.

Appendices

Appendix 1- flow chart of custody procedure for detained Young Person and Children

Appendix 2 – Custody Data- source Niche RMS

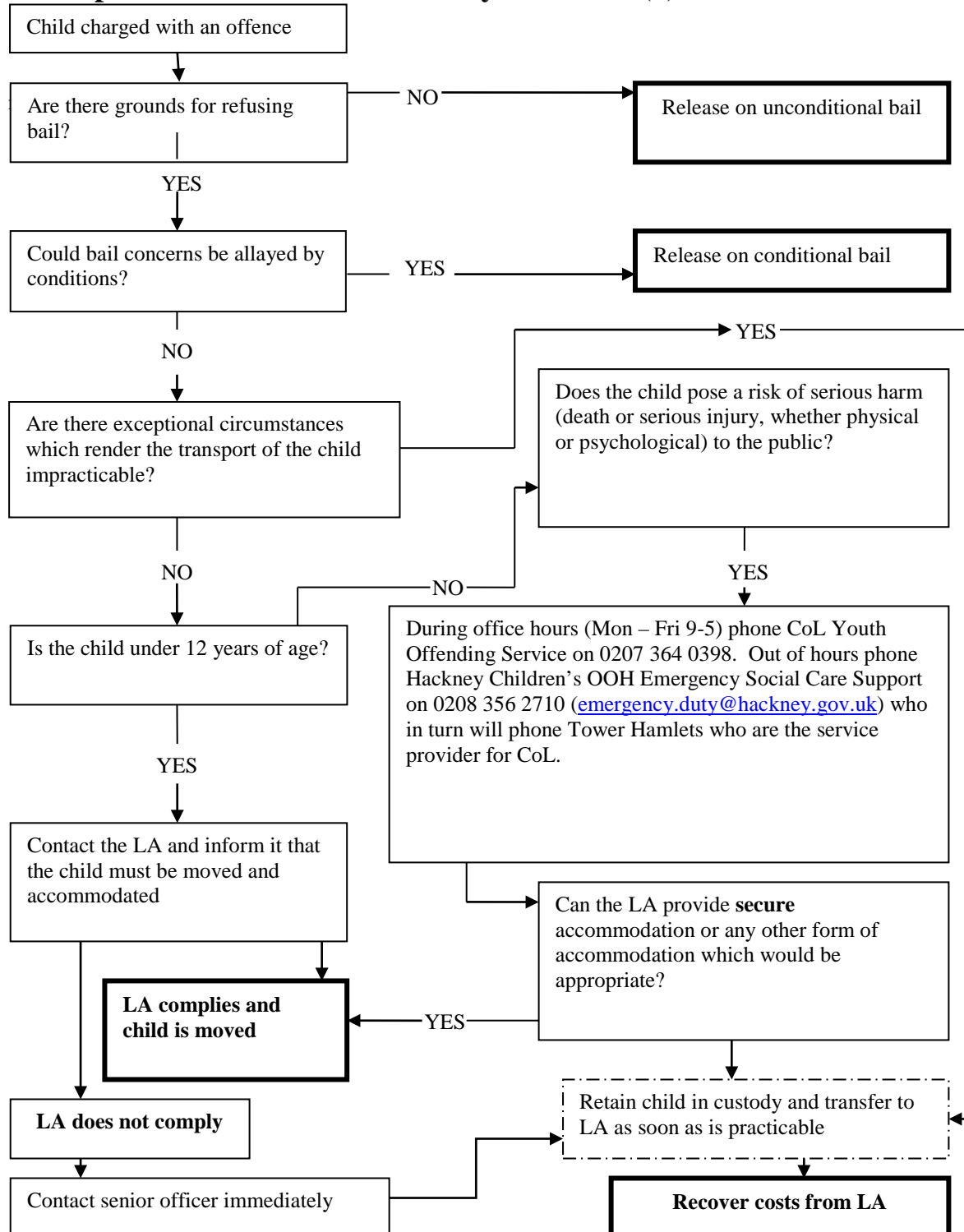
Appendix 3 – Mental Health Data

Appendix 4 – Diagram showing Cluster I of the North and East London Liaison and Diversion Hub

Appendix 1- flow chart of custody procedure for detained Young Person and Children



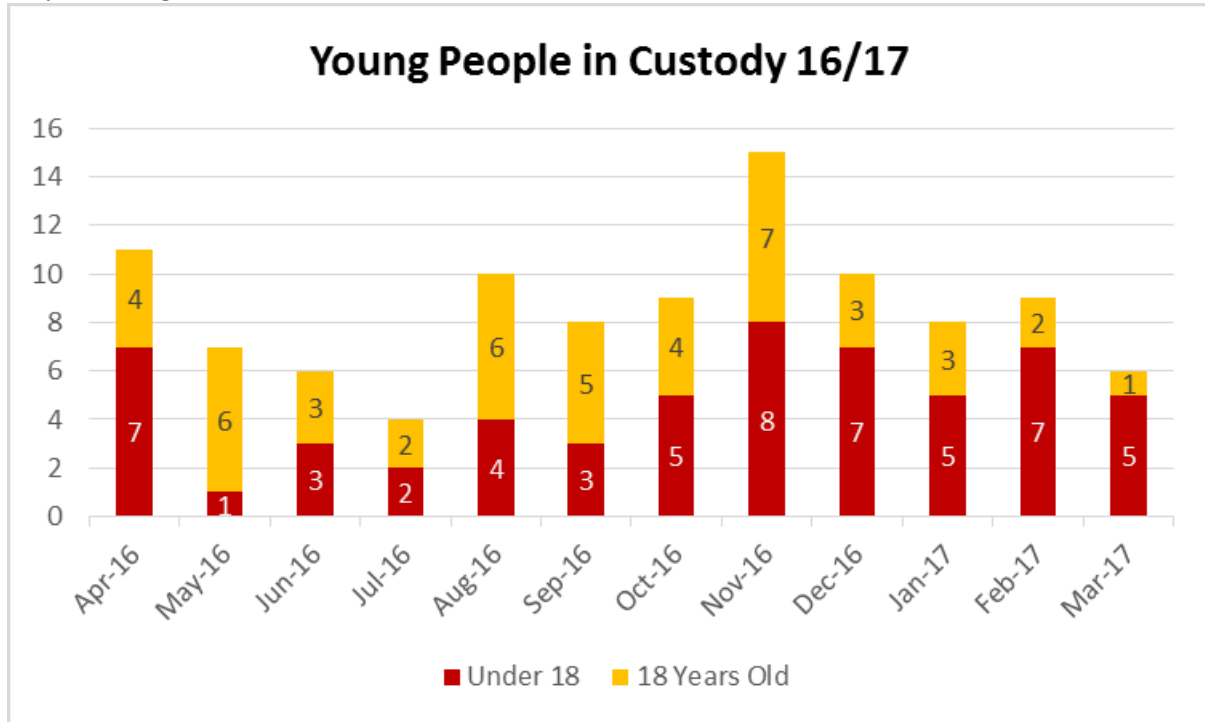
Police process for children in custody PACE s.38(6)



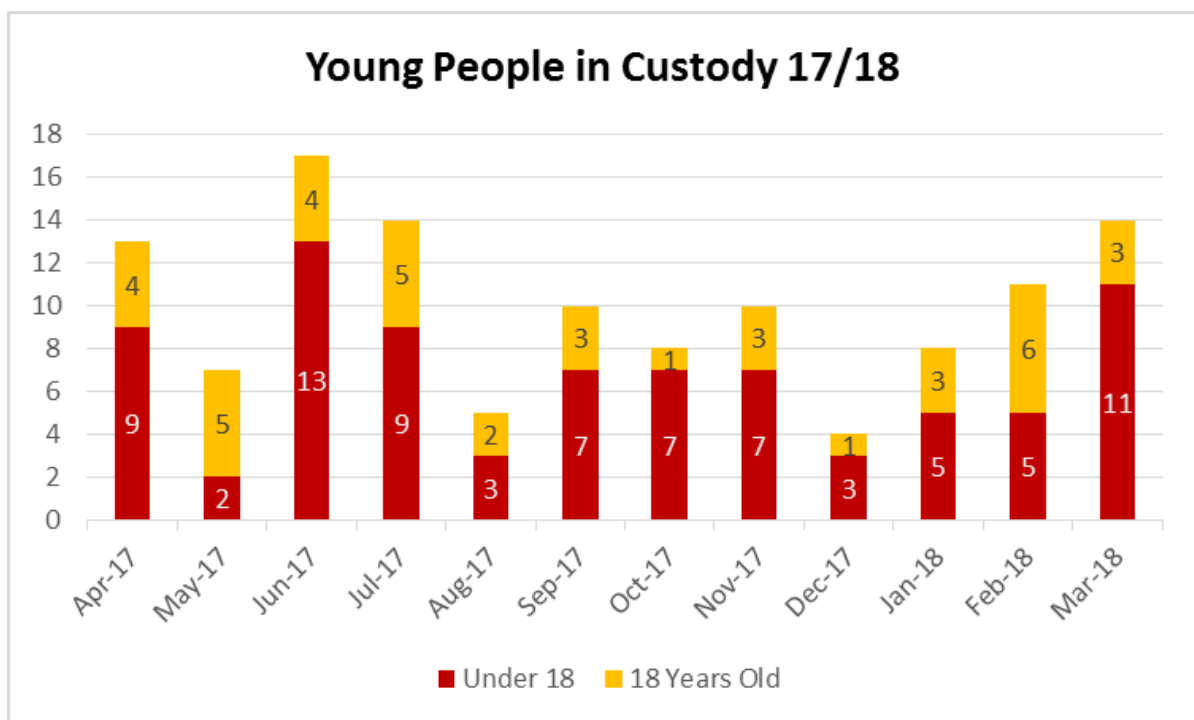
Appendix 2 – Custody Data: Children and Young Persons

1: Number of children and young people (including 18 year olds) in custody

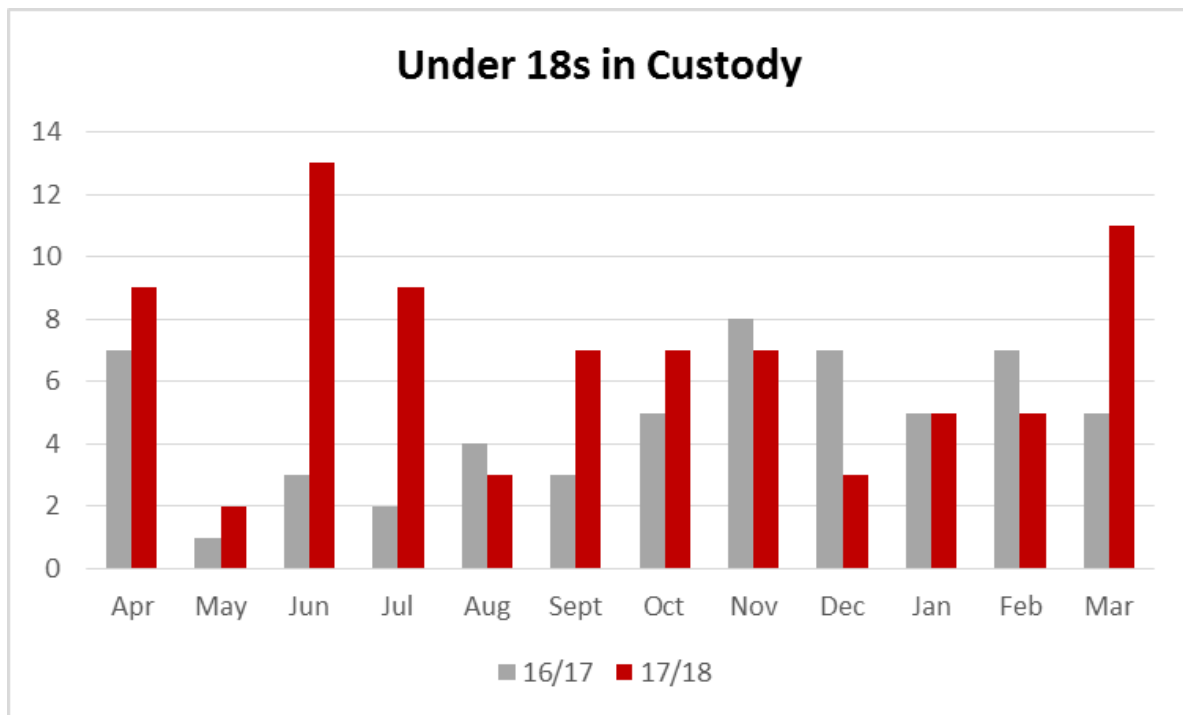
For the financial year 16/17- 103 young people were held in custody, 57 under 18 and 46 who were 18 years of age.



For the financial year 17/18 - 121 young people were held in custody, 81 under 18 and 40 who were 18 years of age. This is a 17% increase on the total figure compared to the previous year

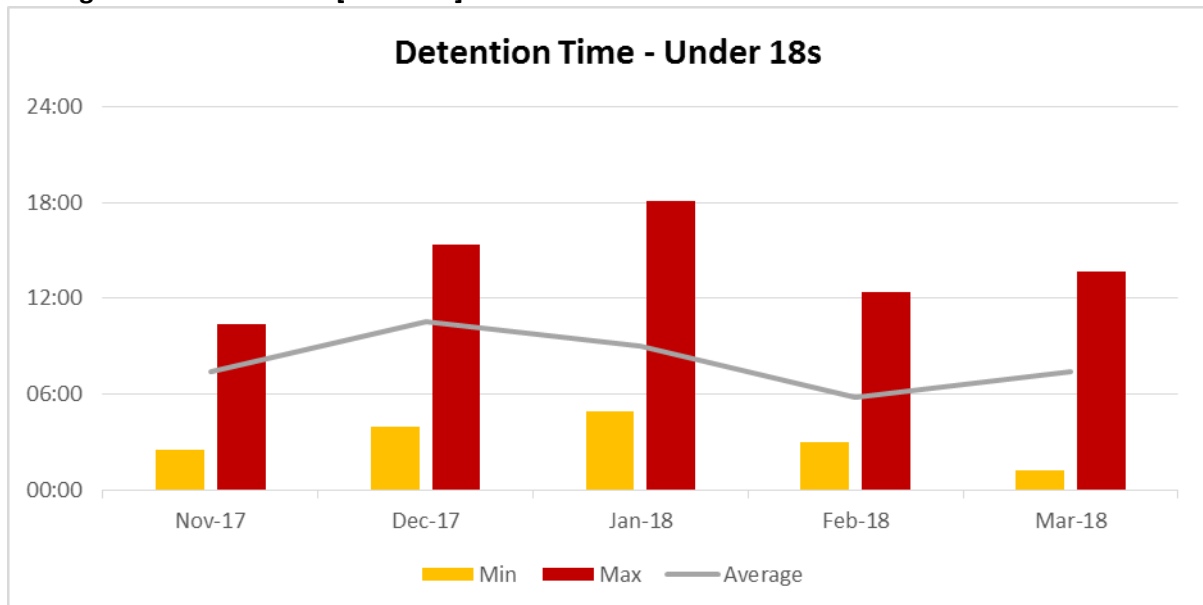


2: Population of children under 18 in Custody 2016/17 compared to 2017-2018



For under 18s the increase is sharper rising by 42% between 2016/17 and 2017/18, there doesn't appear to be any clear patterns of seasonality but levels were highest in June and March this year.

3: Length of time detained [under 18]

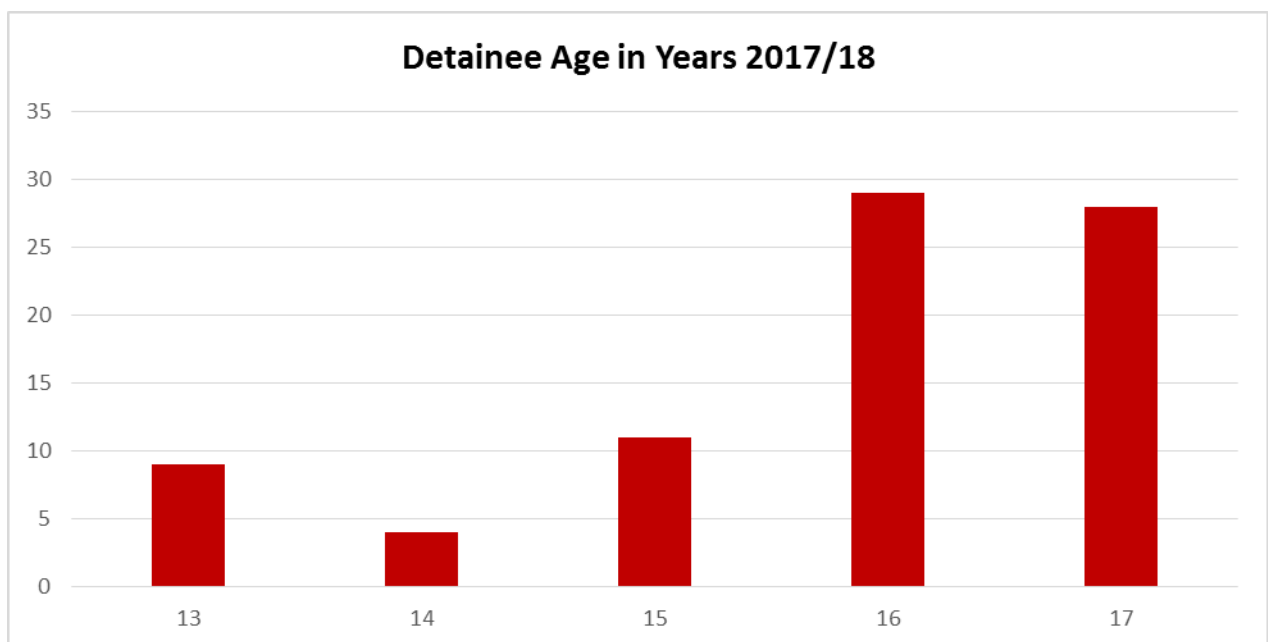


This graph shows the minimum and maximum time detained for children under 18 held in custody. The detention period covers from the time detention is authorised to release. This graph covers November to March as these were the complete months in the financial year recorded on the new custody system NICHE which was introduced in late October 2017. Across the period the average detention period was 08:01 with a maximum of 18:06 and a minimum of 01:12. **The maximum period of detention relates to a 17 year old black male arrested for robbery and possession of cannabis then transferred to BTP for investigation.**

4: Average time spent in police custody by under 18s November 2017 – March 2018 including the average detention time for children charged and remanded that remain in Police Custody as no secure accommodation was provided by the Local Authority.

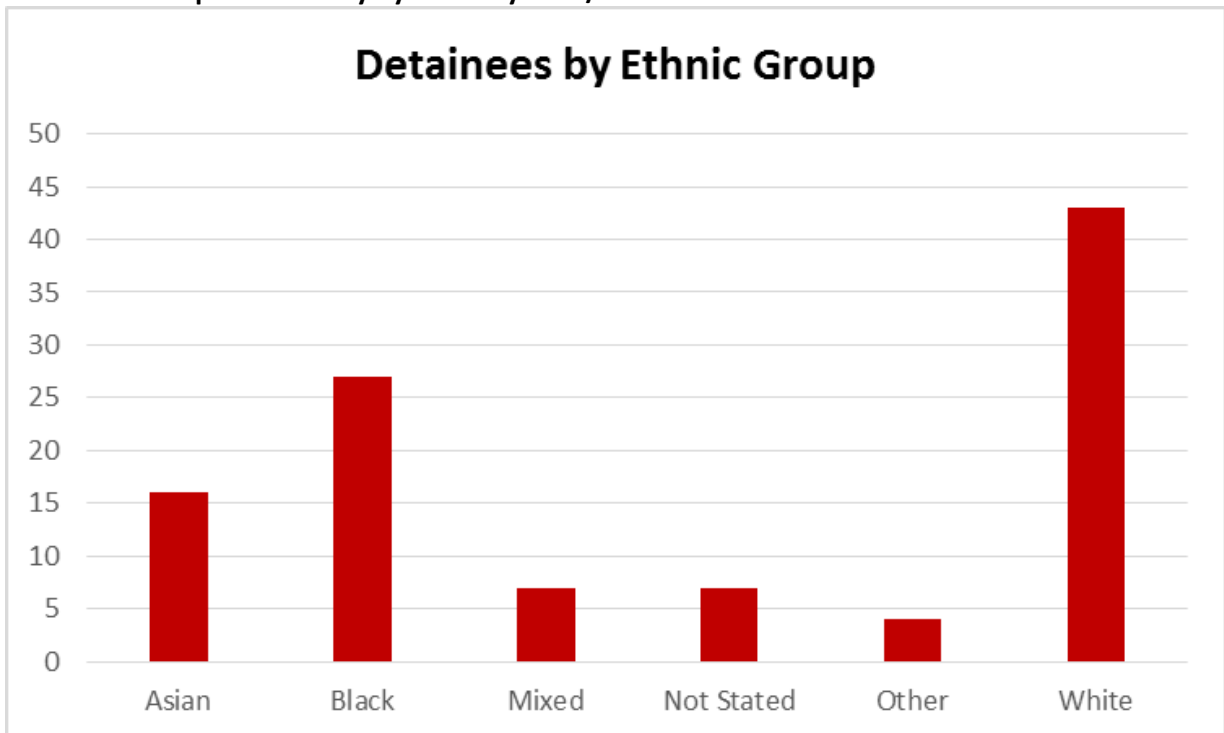
	Min	Max	Average	Count
Nov-17	02:30	10:23	07:25	7
Dec-17	03:57	15:20	10:30	3
Jan-18	04:54	18:06	09:00	5
Feb-18	02:57	12:22	05:46	5
Mar-18	01:12	13:41	07:25	11

5: Children and young people in police custody by age 2017/18



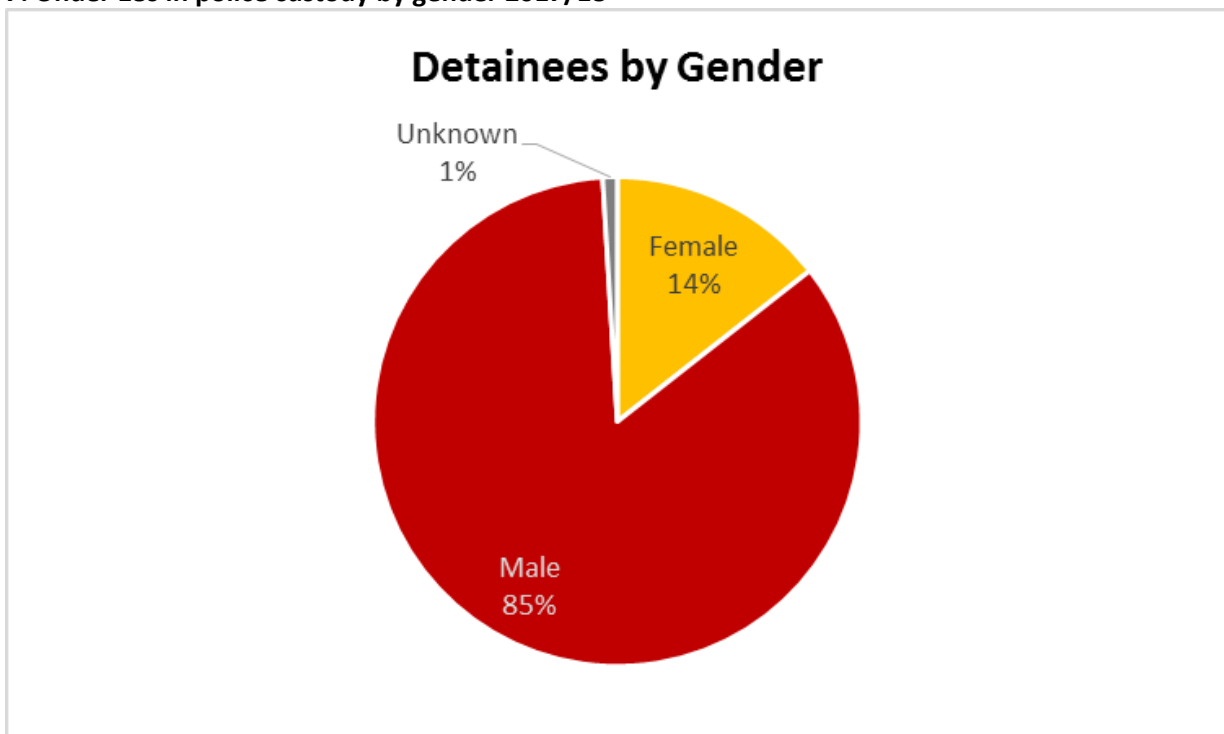
Most under 18s detained in custody during the 2017/18 financial year were 16 years old (29) or 17 years old (28).

6: Under 18s in police custody by ethnicity 2017/18

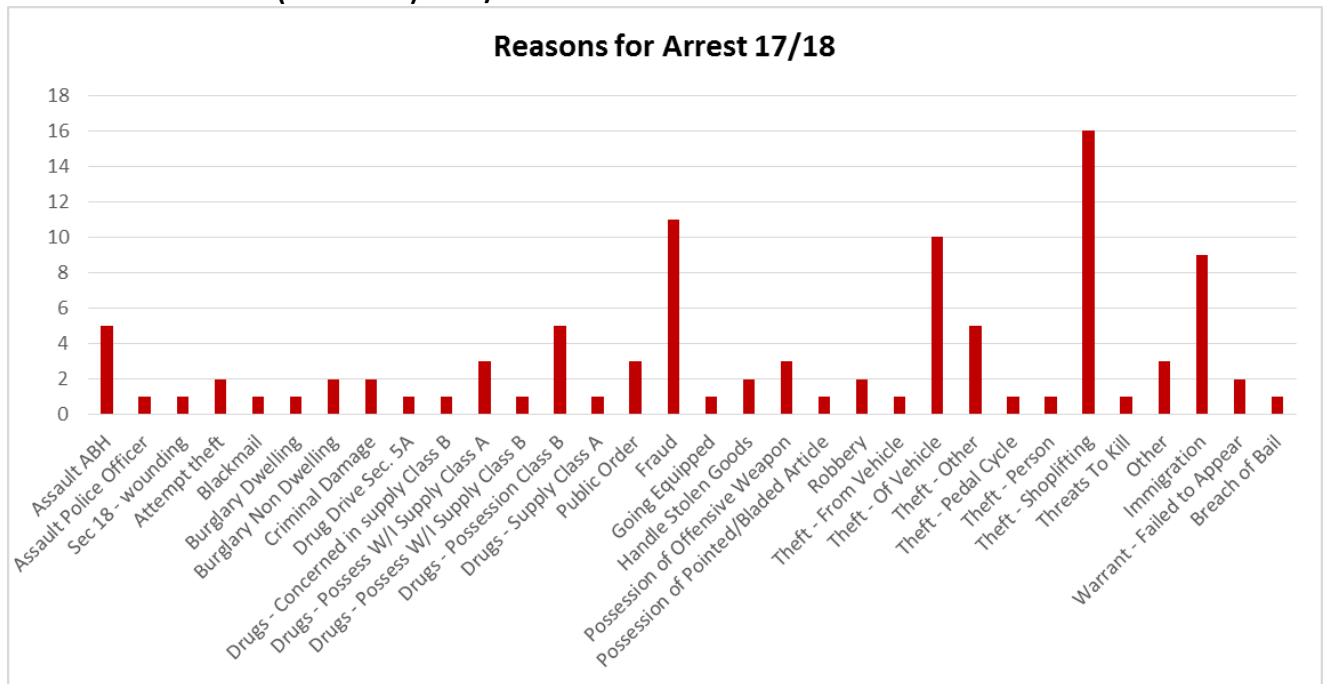


The majority of under 18s held in custody self-defined as white.

7: Under 18s in police custody by gender 2017/18



8: Reasons for arrests (Under 18s) 2017/18



Appendix 3 - Mental Health

9: Police Annual Data Requirement, 2017-18 - Detentions under Section 136 Mental Health Act 1983

Total detentions under Section 136 Mental Health Act 1983			158
			Totals
<u>Age</u>	18 or over	150	158
	Under 18	8	
	Not known	0	
<u>Gender</u>	Male	107	158
	Female	51	
	Other/ not known	0	
<u>Ethnicity</u>	White European	82	158
	Dark European	12	
	Black	30	
	Asian	20	
	Chinese/ Japanese/ South East Asian	3	
	Other	5	
	Not known	6	
<u>Method of transportation to first place of safety</u>	Ambulance	94	158
	Police Vehicle	61	
	Other health vehicle	0	
	Other	0	
	None (Already at a place of safety)	0	
	Not known	3	
<u>Reason for a police vehicle being used</u>	Ambulance not available within 30 minutes	39	61
	Ambulance not requested	5	
	Police or police/ambulance risk assessment (behaviour)	10	
	Ambulance crew refused to convey	0	
	Ambulance re-tasked to higher priority call	0	
	Not known	7	
		Under 18	18 or over
<u>Type of place of safety used (first PoS only)</u>	Health Based Place of Safety	8	150
	Police custody	0	0
	A&E used as POS (if not designated health based place of safety) DO NOT count visits to A&E for illness or injury	0	0
	Private home	0	0
	Other	0	0
	Not known	0	0
Totals		8	150
			Total
<u>Reason for police station being used</u>	Joint risk assessment - violent	0	0
	HBPoS - no capacity	0	
	HBPoS - refused admission (violence/intoxication)	0	
	Arrested for substantive offence	0	
	Other	0	
	Not known	0	

Appendix 4- Cluster I of the North and East London Liaison and Diversion Hub



In partnership with NHS England

North and East London Liaison & Diversion Hub

