

Chief Constable
Chief Constable Robert Carden
Police Headquarters
Carleton Hall Penrith,
Cumbria
CA10 2AU



18th November 2024

Dear

FREEDOM OF INFORMATION REQUEST – FOI 970/24 Detentions under Mental Health Act

I refer to your request for information received by Cumbria Constabulary on the 29th of October 2024. I note you seek access to the following information:

*Please could I request the following information Under the Freedom of Information Act:
For each of the last four calendar years (2019, 2022, 2023, and 2024) could you please provide me with:*

- 1. the number of individual arrests under sections 136 and 137 of the Mental Health Act;*
- 2. the number of individual arrests of children, being under 18-years-old, under sections 136 and 137 of the Mental Health Act*
- 3. the number of individual instances when a police officer was physically harmed by someone whilst making an arrest or looking after someone under sections 136 and 137 of the Mental Health Act*
- 4. the number of individual instances of someone self-harming whilst in your custody.*
- 5. the number of individual instances of someone ending their life whilst in your custody.*

Your request for information has now been considered and I can confirm that Cumbria Constabulary does not hold the information you have requested in an easily retrievable format. To locate and retrieve all the information you seek in question 3 it would be necessary to manually review all S136 detentions for the period requested of which there were 2296.

I have estimated that the time required to complete a manual review to locate and extract all information relevant to your request would significantly exceed the “appropriate limit”, as stated in the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004. The current limit for police forces is set at £450, which equates to 18 hours of work.

Section 12(1) of the Freedom of Information Act does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit. In view of this, and in accordance with Section 17(5) of the Act, this letter serves as a Refusal Notice for your request, by virtue of Section 12(1).



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However, as a gesture of goodwill and in keeping with the duty to provide advice and assistance under Section 16 of the Act, I can provide you with some information which has been retrieved within the 18hour limit. This information is provided below.

Please note that the data provided is in relation to S135 and S136. Section 137 MHA - Relates to the transport of detained persons to a place of safety. All data provided on S135/6 includes the provision of S137.

Cumbria Constabulary do not treat Police Custody Facilities as a place of safety; therefore all 136 detentions result in the detained person being conveyed to a mental health facility as the place of safety.

Question 1- *the number of individual arrests under sections 136 and 137 of the Mental Health Act;*

Year	S136 Count
2019	452
2020	521
2021	537
2022	312
2023	274
2024	200
Total	2296

Year	S135 Count
2019	64
2020	58
2021	61
2022	51
2023	60
2024	48
Total	342

Question 2- *the number of individual arrests of children, being under 18-years-old, under sections 136 and 137 of the Mental Health Act*

Year	S136 Under18 Count
2019	15
2020	28
2021	26
2022	8
2023	9
2024	14
Total	100

Year	S135 Under18 Count
2023	1
Total	1

Question 4- *the number of individual instances of someone self-harming whilst in your custody*

Year	Self Harm Incidents
2019	20
2020	25
2021	25
2022	24
2023	25
2024	28
Total	147



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Question 5- *the number of individual instances of someone ending their life whilst in your custody*

There were no suicides recorded whilst in Custody for the selected period.

Complaint Rights

Your attention is drawn to the attached sheet, which details your right of complaint.

I would like to take this opportunity to thank you for your interest in Cumbria Constabulary.



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