

Press release: New rules restricting the use of police cells as places of safety come into effect

The new mental health provisions will mean it will no longer be possible to place children (under 18s) experiencing a mental health crisis in a police cell. For adults, the use of police cells as places of safety will be significantly restricted and it will only be possible for them to be used in exceptional circumstances. The period for which a person can be detained for the purpose of a mental health assessment will also be cut from 72 to 24 hours.

Victoria Atkins, Minister for Crime, Safeguarding and Vulnerability said:

Too often and for far too long vulnerable people experiencing mental health crisis, who have committed no crime, have found themselves in a police cell because there is nowhere else to go.

This government has been clear that the best place for people suffering mental health crisis is a healthcare setting and not a police station.

The change in legislation will build on progress already made by police forces and health care partners that saw use of police cells for those experiencing a mental health crisis halve in the last year.

While 23 force areas reduced their use of police cells as places of safety for children to single figures or zero in the last year, the law change will ensure no child will end up in a police cell.

To ensure there are sufficient alternatives in place the Department of Health has provided a total of £30 million to health partners to increase provision across the country of local health and community-based places of safety.

Health Minister Jackie Doyle-Price said:

When you are experiencing a mental health crisis, the last place you'd want to be is in police custody and it is totally inappropriate for a child to be taken to a cell just because they are ill.

We have seen a 90% reduction in England in the number of people being held in custody who should be in NHS care – this move will mean that for young people this will finally be a thing of the past. We are also investing £30m to increase and improve places of

safety for people in crisis.

Further provisions that have also been introduced for section 135 and 136 powers, which are the powers used by police to detain someone under the mental health act include:

- extending section 136 powers to any place other than a private residence, so that police officers can act promptly when an individual is found in mental distress, and is in need of care and control
- requiring police officers to consult with mental health practitioners when possible before exercising a section 136 power, to help ensure that such a step is absolutely necessary in the circumstances
- an ability to conduct a mental health assessment in a person's home following the use of a section 135 warrant, if that is considered to be in the interests of the person, rather than removing them to a different place of safety