



## FREEDOM OF INFORMATION REQUEST



**Request Number:** F-2014-03488

**Keyword:** Operational Policing

**Subject:** Persons Detained in a Police Cell Under Article 130

### Request and Answer:

#### Question 1

How many times in the financial year 2012-2013 did you detain a person in a police cell under section 136 of the Mental Health Act 1983 (section 136), which provides the authority to take the person to a "place of safety" so that his or her immediate mental health needs can be properly assessed?

**Clarification received: The Mental Health Act 1983 (section 136) does not apply in Northern Ireland (except for some sections not applicable to detention) , however we do have similar legislation for Northern Ireland under 'The Mental Health (Northern Ireland) Order 1986' in particular article 130 (which has provisions for the detention of people suffering from a mental disorder and removal of the person to a place of safety).**

**To proceed with the request under the order that Northern Ireland use.**

#### Answer

This is to inform you that the Police Service of Northern Ireland has now completed its search for the information you requested. The decision has been taken to disclose the located information to you in full.

Under Article 130 of 'The Mental Health (Northern Ireland) Order 1986', PSNI have had a total of **34** incidents of detention from 2012-2013.

#### Question 2

How many times in the financial year 2013-2014 did you detain a person in a police cell under section 136 of the Mental Health Act 1983 (section 136), which provides the authority to take the person to a "place of safety" so that his or her immediate mental health needs can be properly assessed?

#### Answer

Under Article 130 of 'The Mental Health (Northern Ireland) Order 1986', PSNI have had a total of **25** incidents where a person has been moved to a "place of safety" so that his or her immediate mental health needs can be properly assessed.

If you have any queries regarding your request or the decision please do not hesitate to contact me on 028 9070 0164. When contacting the Freedom of Information Team, please quote the reference number listed at the beginning of this letter.

If you are dissatisfied in any way with the handling of your request, you have the right to request a review. You should do this as soon as possible, or in any case within two months of the date of issue of this letter. In the event that you require a review to be undertaken, you can do so by writing to the Head of Freedom of Information, PSNI Headquarters, 65 Knock Road, Belfast, BT5 6LE or by emailing [foi@psni.pnn.police.uk](mailto:foi@psni.pnn.police.uk).

If following an internal review, carried out by an independent decision maker, you were to remain dissatisfied in any way with the handling of the request you may make a complaint, under Section 50 of the Freedom of Information Act, to the Information Commissioner's Office and ask that they investigate whether the PSNI has complied with the terms of the Freedom of Information Act. You can write to the Information Commissioner at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. In most circumstances the Information Commissioner will not investigate a complaint unless an internal review procedure has been carried out, however the Commissioner has the option to investigate the matter at his discretion.

Please be advised that PSNI replies under Freedom of Information may be released into the public domain via our website @ [www.psnj.police.uk](http://www.psnj.police.uk)

Personal details in respect of your request have, where applicable, been removed to protect confidentiality.