

24 November 2020

Information Rights & Compliance Team
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Our Ref: FOI/03789

Thank you for your request concerning S136 Mental Health Act.

Your request has been considered and processed in accordance with the requirements of the Freedom of Information (FOI) Act 2000.

1. How many spaces are normally kept available, within the the St Albans area, for those detained by the police under s.136 (or any other section) of the Mental Health Act?

None within the St Albans area.

HPFT's 136 suite is located at King Fisher Court, Radlett with provision of 3 adult and 1 child space.

2. How many warrants for mental health assessments have been issued without anyone being able to take any action?

Between April 2020 to October 2020 the AMHP desk was granted 40 x 135.1 warrants by the South East Courts.

Out of the 40 warrants only 3 warrants were not executed because alternative plans were made.

3. In your assessment, is there any truth in the suggestions that there is a backlog of warrants and that people are being left for weeks after warrants have been issued without anyone being able to take any action?

The right of access created by the Freedom of Information Act only applies to recorded information. This does not include requests asking for a opinions, general advice or personal assessment.

We do not hold this information¹.

4. Is there any truth in the suggestion that something has changed in the recent past to affect how quickly warrants are executed (where they could be executed same day as opposed to some days, possibly weeks after)?

As explained under question 3 the FOIA only applied to recorded information. We do not hold this information¹.

¹ Section 1 Section 1(1) Any person making a request for information to a public authority is entitled (a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and (b) if that is the case, to have that information communicated to him.

However, under Section 16 (Duty to provide advice and assistance) of the FOIA we can provide the below explanation.

It is not a regular occurrence for a 135.1 warrant to be executed on the same day. Often Magistrate hearings are available in the afternoon, and plans made to execute the following day. 135.1 Warrants are often not executed on the same day because Hertfordshire Constabulary require 24 hours' notice of the need to execute a warrant.

5. **The constituent claimed that: "Apparently it used to be the case that a warrant could be executed the same day it was granted but there has been some change which was not fully explained to me, which means this is no longer possible."**

Please see the answer to question 4.

Delays can be caused by a variety of systemic reasons: service users travelling out of area or not being at home when the assessing team attends, Police unavailability, Health care professionals with previous acquaintance not being immediately available.

6. **Has HPFT observed an increase in the number of people becoming ill and need of mental health assessments since the arrival of COVID-19 and associated lockdowns/restrictions? If so, would you be able to provide numbers and statistics?**

	April 19 to October 2019	April 2020 to October 2020
Numbers of admissions to the 136 Suite	619	721

Should you require further clarification, please do not hesitate to contact me.

Please find enclosed an information sheet regarding copyright protection and the Trust's complaints procedure in the event that you are not satisfied with the response.

Yours sincerely

Sue Smith

**Sue Smith
Information Rights Officer**

Enc: Copyright Protection and Complaints Procedure Information Leaflet.

If you would like to complete a short survey in relation to your Freedom of Information request please scan the QR code below or click [here](#).

