

2 March 2022

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Our Ref: FOI/04237

Thank you for your request concerning the number of detentions of children under the MHA.

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

- 1. For each month between and including March 2019 and December 2021, please provide the number of detentions of children (under 18) detained under Section 136 of the Mental Health Act 1983**

Due to the small numbers of monthly detentions of children between March 2019 and December 2021 we have applied Exemption Section 40(2)<sup>1</sup>. This is because entries of 5 or less are considered sufficiently small enough to be potentially identifiable data. On this basis, this information is exempt from the duty to publish.

However, under Section 16 – Duty to provide advice and assistance I can confirm that between March 2019 and December 2021 there were 140 detentions of children.

- 2. The total number of individual children detained under Section 136 of the Mental Health Act during the following periods:**

a. 28/02/2019 to 29/02/2020	46
b. 01/03/2020 to 01/03/2021	37

- 3. In reference to question (1), for each detention can you provide:**
  - a. The month and year of the detention (MM/YYYY)**

Please refer to the response to question 1. We are unable to provide a monthly breakdown due to low numbers.

Again, under Section 16 – Duty to provide advice and assistance we have used your specified period of time, to provide as much information as possible.

From March 2019 to December 2019 there were 52 detentions  
From January 2020 December 2020 there were 44 detentions  
From January 2021 to December 2021 there were 44 detentions

<sup>1</sup> Section 40(2) - Personal Data has been applied. This is because by releasing this information could identify individual(s) and constitute a breach of the Data Protection Act (2018).

- b. **The age of the child (broken down into the following bands to avoid potential identification):**
- i. 0-5
  - ii. 5-11
  - iii. 12-15
  - iv. 16-17

	0-5	5-11	12-15	16-17
March 2019 to December 2019	0	0	26	26
January 2020 to December 2020	0	0	22	22
January 2021 to December 2021	0	0	20	24

- c. **The gender of the child**

	Female	Male	Not Specified or Other
March 2019 to December 2019	27	23	5 or less
January 2020 to December 2020	25	19	
January 2021 to December 2021	29	13	5 or less

- d. **The reason for detention**

- e. **Was it a detention of a child looked after by a local authority?**

This information is not held in a reportable manner. In order to provide you with the reason for detention and whether the child was a looked after child would involve us manually reading through individual service users records<sup>2</sup>.

It is estimated that it would take 20 minutes to scrutinise each record to establish the reason for detention and status of the child i.e. 46.66 hours @ £25 = £1,166.66

Please note: we do not believe reading through individuals medical records for the purpose of a FOI request would be in line with the GDPR Data Protection Principles or the Caldicott Principles.

- f. **Where did the detention take place:**

- i. Accident and emergency department
- ii. A paediatric ward
- iii. A “place of safety” at a mental health trust
- iv. Other

	A&E	HBPOS	Other
March 2019 to December 2019	15	29	8
January 2020 to December 2020	15	25	5 or less
January 2021 to December 2021	14	30	-

- g. **How long was the person detained?**

	Length of Detention
March 2019 to December 2019	Between 4 and 94 hours
January 2020 to December 2020	Between 3 and 217 hours
January 2021 to December 2021	Between 3 and 284 hours

<sup>2</sup> Section 12 - Cost of compliance exceeds the appropriate limit

**4. How many “places of safety” (as required under Section 136 of the Mental Health Act) are there within the trust’s area of responsibility and what is the capacity of each?**

We have 4 places of safety (PoS) suites.

Should you require further clarification or like to discuss payment, 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](#).

