

Vaughan Gething AC/AM
Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol
Minister for Health and Social Services



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref MA-P/VG0884/19

Dr Dai Lloyd AM
Chair – Health, Social Care and Sport Committee

15 March 2019

Dear Dai,

Thank you for your letter of 15 February requesting information in relation to the mental health in policing and police custody inquiry.

We work collaboratively with the police and other agencies to ensure that front line services most likely to come in to contact with people in mental health crisis are supported through the Wales Mental Health Crisis Care Concordat. Regional arrangements are also in place via Mental Health and Criminal Justice Partnerships.

In terms of information available publically, information on uses of Sections 135 and 136 of the Mental Health Act 1983 is currently available in the Statistical First Release Admission of patients to mental health facilities in Tables 4a and 4b at an all Wales level only. The last of the releases showing this data was published on 31 January 2018, showing the 2016-17 data. However, following changes to the Mental Health Act relating to police powers and responsibilities under Sections 135 and 136 in December 2017, the Welsh Government has decided it is appropriate to cease collecting data on the 'Use of Sections 135 and 136 of the Mental Health Act 1983' on an annual basis via the KP90 form. In future, the data will be published via the quarterly Section 135 and 136 data that health boards currently return directly to Welsh Government.

To strengthen the current data on the use of Section 135 and 136 of the Mental Health Act 1983, the Mental Health Crisis Care Concordat Assurance Group established a task and finish group to co-produce a revised data set with policing, health boards, local authorities and Mental Health Act administrators in Wales. The data set is currently being piloted with a view to formal implementation from 1 April, following approval by the Welsh Information Standards Board. The statistical accuracy and suitability of the data for publication will be reliant on all agencies completing and recording the necessary operational information.

In response to the specific questions you have raised, I have responded where data is provided by health boards or where data is available to us. As you will understand, I am unable to respond to the specific requests relating to data held by the police. For example, the number of people taken into custody who may have mental health difficulties but have not been arrested under Mental Health Act powers. This information would need to be obtained directly from the police forces in Wales who may have this information under separate reporting requirements to the Home Office.

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Table 1 – Number of Mental Health Act Assessments (a)

LHB	2012-13		2013-14		2014-15		2015-16		2016-17	
	135	136	135	136	135	136	135	136	135	136
Betsi Cadwaladr University	7	278	4	384	4	372	9	511	7	656
Hywel Dda University	5	72	1	91	1	107	5	135	6	215
Abertawe Bro Morgannwg University	2	126	7	164	9	148	4	227	7	290
Cardiff and Vale University	3	140	9	143	8	190	7	210	13	274
Cwm Taf University	1	73	2	106	7	90	8	92	8	96
Aneurin Bevan University	0*	148	6	147	15	159	11	165	9	186
Powys Teaching	0	5	0	4	1	7	0	7	0	5
Wales	18	842	29	1,039	45	1,073	44	1,347	50	1,722

(a) where a hospital is first and only Place of Safety

Table 2 – Admitted to hospital under section 2 of the MHA

LHB	2015-16		2016-17		2017-18	
	135	136	135	136	135	136
AB	9	31	11	49	10	50
ABM	4	27	7	28	5	48
BCU	6	70	6	95	9	101
C&V	6	39	12	39	5	55
CT	13	18	7	20	5	23
HD	3	41	6	61	5	33
Wales	41	226	49	292	39	310

Table 3 – Admitted to hospital voluntarily

LHB	2015-16		2016-17		2017-18	
	135	136	135	136	135	136
AB		71	2	66		64
ABM		55		42	1	63
BCU	2	80		73		99
C&V		10		19		38
CT		15	1	15		24
HD		30		33	1	35
Wales	2	261	3	248	2	323

Table 4 – Discharged with Care Plan/Community to follow up

LHB	2015-16		2016-17		2017-18	
	135	136	135	136	135	136
AB		64		27		84
ABM		101		88		100
BCU	1	239		269		308
C&V		116		120		127
CT		34		34		82
HD		75		67		92
Wales	1	629	0	605	0	793

Table 5 – Discharged no mental health disorder

LHB	2015-16		2016-17		2017-18	
	135	136	135	136	135	136
AB	1	91	1	105		48
ABM		86		110		99
BCU	1	113		122		105
C&V		124		90		100
CT		43		28		41
HD		43		65		43
Wales	2	500	1	520	0	436

In relation to your question about children being admitted to adult wards, the Welsh Government is clear that children admitted to hospital should be accommodated in the most appropriate environment; and that this must take account of their age and developmental needs; and their right, where they are competent, to exercise choice as to where they receive treatment.

Health boards are required to comply with their legal duties regarding the appropriate placement of children in hospital. When circumstances require that an under 18 year old is placed on an adult ward, each health board area should have designated ward(s), or ward areas that appropriately meet the needs of children and young people. In accordance with its Serious Untoward Incident Process (as set out in the Putting Things Right guidance), the following must be reported to the Welsh Government:

- All admissions to adult mental health wards of children and young people aged 16 and under;
- Admissions to adult wards of people aged 16 to 17 years of age deemed inappropriate to needs and patient choice.

Serious incident reports submitted to the Welsh Government indicate a significant reduction in the inappropriate admission of children and young people to adult wards over the last four years (table 6 below). The data also indicates that there were only three occasions in the last four years where a child under the age of 16 was admitted to an adult ward.

Table 6 – Serious Untoward Incidents for children and young people admission to an adult ward

All Wales – SUI for CYP admission to an adult ward	2014/15	2015/16	2016/17	2017/18
16 and 17 year olds	39	21	19	11
Under 16s	0	2 (aged 14)	0	1 (aged 15)
Total	39	23	19	12

I also expect health boards to record and review the numbers of all admissions of under 18s to adult mental health wards.

One of the pathways that a child or young person can be admitted to hospital is following a mental health assessment when police have used their powers under Section 136 of the Mental Health Act 1983 to take a person to a place of safety for that purpose. The law changed in December 2017 to say that a police station can never be used as a place of safety for anyone under the age of 18.

However, in Wales, this policy intention was realised much sooner and no child or young person has been taken to a police station as a place of safety since 2015. This means that in addition to a reduction in the number of inappropriate admissions to adult wards, where any of those admissions were following an assessment under Section 136, we have required the assurance that the assessment of that child or young person's mental health was undertaken in a health-based place of safety rather than police custody.

You also asked for information on the health-based places of safety for the purposes of Sections 135 and 136 provided by each local health board. This information is included at Annex A.

I hope this information is helpful.

Yours sincerely,

A handwritten signature in black ink that reads "Vaughan Gething". The signature is written in a cursive, flowing style.

Vaughan Gething AC/AM

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ANNEX A – Health based places of safety

Health Board Name	Name of Hospital where S136 Locally Designated Place of Safety is Located	Name of Ward/Unit used as the S136 place of safety within the hospital site
Abertawe Bro Morgannwg	Cefn Coed Hospital	Fendrod Ward
	Neath Port Talbot Hospital	Ward F
	Princess of Wales Hospital, Coity Clinic	Ward 14, Coity Clinic
Aneurin Bevan	St Cadocs Hospital Caerleon NP18 3XQ	Adferiad Ward
Powys	Bronllys Hospital	Felindre Ward
Betsi Cadwaladr	Ysbyty Gwynedd	Hergest Unit
	Ysbyty Glan Clwyd	Ablett Unit
	Wrexham Maelor Hospital	Heddfan Adult Mental Health Unit
Cwm Taff	Royal Glamorgan Hospital Llantrisant	Crisis Team Mental Health Unit A&E
	Prince Charles Hospital Merthyr Tydfil	Crisis Resolution Home Treatment Team A&E
Cardiff and Vale	Hafan Y Coed University Hospital Llandough	Emergency Assessment Suite
Hywel DDA	Hafan Derwen, Carmarthen	Cwm Seren PICU
	Prince Philip, Llanelli	Bryngofal Ward
	Bro Cerwyn, Haverfordwest	St Caradog Ward
	Glangwili Hospital Carmarthen	Morlais Ward (under 18 only)