



Dear ,

**Gloucestershire Constabulary Freedom of Information request 2023.0556**

On 22/05/2023 you sent an email constituting a request under the Freedom of Information Act asking the following:

This is a request for information under the Freedom of Information Act 2000, regarding the use of police custody as a place of safety for people detained under Section 136 of the Mental Health Act 1983.

1. Per calendar year between 2018 and 2022, how many people were detained under Section 136 of the Mental Health Act 1983? Alongside the total, please provide a breakdown by immigration status and age.
2. Per month, between January 2022 to April 2023, how many people were detained under Section 136 of the Mental Health Act 1983? Alongside the total, please provide a breakdown by immigration status and age.

If the force does not collect data on the immigration status of people detained under the Mental Health Act, please conduct a keyword search across the Mental Health Act detention logs for the term "asylum", "refugee", and "irregular immigration" and share the number of times each word appears.

Under the Freedom of Information Act 2000 s1, I can confirm that Gloucestershire Constabulary holds some relevant information.

Police Forces in the United Kingdom are routinely required to provide statistics to government bodies and the recording criteria is set nationally. However, the systems used for recording these figures are not generic, nor are the procedures used locally in capturing the data. It should be noted that for these reasons the figures given relate to information from the specific recording system of Gloucestershire Constabulary and should not be used for comparison purposes with any other response you receive.

Please note that our systems are designed to record information for policing purposes and the investigation of crime and not to extract statistical information. Accordingly whilst we endeavour to extract relevant data within the time limits of the Act, any data supplied is subject to these limitations.

The Constabulary does not proactively record the immigration status of detainees.

I can confirm that a search has been conducted of authorised detentions from 01/01/2018 – 30/04/2023 whereby the reason for arrest category was recorded as 'mental health'. The results are as follows:

| Year  | No. of MH detentions |
|-------|----------------------|
| 2018  | 3                    |
| 2019  | 3                    |
| 2020  | 3                    |
| 2021  | 5                    |
| 2022  | 3                    |
| Total | 17                   |

From 01/01/2022 to 30/04/2023 there were 3 relevant detentions.

A search of the Electronic Detention Logs was conducted for the terms 'asylum', 'refugee' and 'irregular immigration'. These terms were not found within the above detailed detentions.

The ages of the detainees were as follows:

| Age   | No. of detentions |
|-------|-------------------|
| 18    | 2                 |
| 24    | 1                 |
| 25    | 1                 |
| 28    | 1                 |
| 29    | 1                 |
| 30    | 1                 |
| 32    | 1                 |
| 33    | 1                 |
| 34    | 1                 |
| 36    | 2                 |
| 38    | 1                 |
| 46    | 1                 |
| 51    | 1                 |
| 54    | 1                 |
| 57    | 1                 |
| Total | 17                |

Given the very low number of relevant detentions, to provide correlated statistics would like identify individuals and is therefore exempt under Section 40 of the Freedom of Information Act.

Section 17 of the Freedom of Information Act 2000 requires Gloucestershire Constabulary, when refusing to provide information (because the information is exempt) to provide you the applicant with a notice which: (a) states the fact, (b) specifies the exemption in question and (c) states (if not otherwise apparent) why the exemption applies.

With regard to the disclosure of any further correlated information, the following exemption applies:

#### Section 40(2) Personal Information

Section 40(2) applies to third party personal data. This would not be released under the Freedom of Information Act unless there is a strong public interest. The disclosure of any information which could lead to the identification of an individual would breach the Data Protection Principles contained with the Data Protection Act 2018, namely the first principle which states that personal data shall be processed lawfully, fairly and in a transparent manner in relation to individuals

This exemption is absolute and class based therefore I am not required to apply either the public interest test or harm test in disclosure.

In accordance with the Act, this letter represents a Refusal Notice for this part of your request.

If you are not satisfied with this response or any actions taken in dealing with your request, you have the right to ask that we review your case under our internal procedure. Please note that a request for an internal review must be made within 20 working days of the response to your original request.

If you decide to request that such a review is undertaken and following this process you are still unsatisfied, you then have the right to direct your complaint to the Information Commissioner for consideration.

Yours sincerely,

Disclosure Officer  
Gloucestershire Constabulary