

Rt Hon Priti Patel MP
Home Secretary
2 Marsham Street
London
SW1P 4DF

12th January 2022

Dear Home Secretary,

Response to HMICFRS Report: 'A joint thematic inspection of the criminal justice journey for individuals with mental health needs and disorders'.

Under Section 55(5) of the Police Act 1996, as Police and Crime Commissioner I am pleased to provide my formal response to the report by HMICFRS entitled 'A joint thematic inspection of the criminal justice journey for individuals with mental health needs and disorders'.

Both the Chief Constable and I welcome the publication of the report.

In addition to the Chief Constable's response below regarding Cambridgeshire Constabulary's commitment to providing an effective service for those with mental health needs and disorders, I would like to expand on that information. I think it is helpful to make you aware of the Integrated Mental Health Team which is based in the Constabulary's Demand Hub (Control Room) and funded through my Crime and Disorder Reduction awards. This service provides fast time expert advice and guidance to staff and frontline officers when they are the first point of contact for someone in suspected mental health crisis. The mental health nurses, who are co-located with officers, are part of the county's wider mental health First Response Service. Their expertise and access to clinical information enables people in mental health crisis to get the right support, from the right service. Another example of our commitment to these issues is the additional support I provide in our Victim and Witness Hub through the Ministry of Justice Victims Services grant. The experienced and qualified staff provide advice and support for victims of crime with suspected mental health issues.

As this is a joint thematic inspection, I also recognise that there are a number of recommendations for a range of agencies, as well as Local Criminal Justice Boards. I chair our Local Criminal Justice Board and will be seeking appropriate local updates at our next meeting.

A report from the Chief Constable in respect of Cambridgeshire Constabulary's response to the recommendations made by HMICFRS is attached at Appendix 1.

I hope this response, and that of the Chief Constable, provides reassurance regarding the commitment of both myself and Cambridgeshire Constabulary in providing an effective service for those with mental health needs and disorders.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Darryl Preston', written over a light grey rectangular background.

Darryl Preston

Police and Crime Commissioner for Cambridgeshire and Peterborough

cc PCC@hmic.gsi.gov.uk

Enc - Appendix 1 – Cambridgeshire Constabulary's response to HMICFRS report 'A joint thematic inspection of the criminal justice journey for individuals with mental health needs and disorders'.

Cambridgeshire Constabulary's response to HMICFRS report 'A joint thematic inspection of the criminal justice journey for individuals with mental health needs and disorders'.

The inspectorate has made twenty-two recommendations to improve practice and performance, five of which are specifically addressed to the police service:

Recommendations

1. The Department of Health and Social Care, Home Office, Ministry of Justice and Welsh Government should: Agree the most appropriate definitions to define the scope of people in the criminal justice system with mental health problems, to enable consistent identification and screening of mental health needs at different stages of an individual's journey through the criminal justice system. Nationally endorsed definitions appropriate to the criminal justice system will enable agencies to identify and flag cases consistently on local recording systems.

Force response: This recommendation is addressed to the Department of Health and Social Care, Home Office, Ministry of Justice and Welsh Government.

2. The Department of Health and Social Care, NHS England and Improvement and Welsh Government should: Ensure an adequate supply of medium and high secure beds to reduce the unacceptable waiting times for transfer from custody.

Force response: This recommendation is addressed to the Department of Health and Social Care, NHS England and Improvement and Welsh Government.

3. NHS England and Improvement as commissioner and Welsh Government should: Ensure that the needs of people in the criminal justice system are given proper regard when commissioning mental health assessment and treatment provision.

Force response: This recommendation is addressed to NHS England and Improvement and Welsh Government.

4. Ministry of Justice and Home Office should work with the Department of Health and Social Care and Welsh Government to: Develop a multi-agency Memorandum of Understanding on information sharing in order to promote better joint working and better outcomes for people with mental health problems.

Force response: This recommendation is addressed to the Ministry of Justice, Home Office, Department of Health and Social Care and Welsh Government.

5. The Ministry of Justice should work with NHS England and Improvement and Welsh Government to: Immediately ensure that accurately unwell prisoners who require secure mental health inpatient hospital treatment are transferred within 28 days, in line with NHS guidelines.

Force response: This recommendation is addressed to the Ministry of Justice, NHS England and Improvement, and Welsh Government.

6. The Ministry of Justice should work with NHS England and Improvement and Welsh Government to: End the inappropriate use of prison as a place of safety and ensure that alternatives to prison are available for sentencers in line with the Mental Health Act white paper.

Force response: This recommendation is addressed to the Ministry of Justice, NHS England and Improvement, and Welsh Government.

7. Her Majesty's Courts and Tribunals Service should: Amend the Better Case Management form so that it can record mental health conditions, to avoid unnecessary delays in charging decisions.

Force response: This recommendation is addressed to HM Courts and Tribunals Service.

8. Her Majesty's Courts and Tribunals Service should: Ensure that Liaison and Diversion teams are included in local liaison arrangements to improve understanding of the provision and joint working relationships.

Force response: This recommendation is addressed to HM Courts and Tribunals Service.

9. Her Majesty's Courts and Tribunals Service should: Improve the arrangements for the commissioning and monitoring of psychiatric reports in order to ensure that delays in sentencing are minimised, especially when the individual is held in custody.

Force response: This recommendation is addressed to HM Courts and Tribunals Service.

10. Local criminal justice services (police, CPS, courts, probation, prisons) and health commissioners / providers should: Develop and deliver a programme of mental health awareness-raising for staff working within criminal justice services. This should include skills to better explain to individuals why they are being asked questions about their mental health so that there can be more meaningful engagement.

Force response: The Constabulary is committed to developing and supporting our workforce by ensuring that they receive appropriate training. All new recruits receive training on Mental Health legislation and specific inputs from partners including the East of England Ambulance Service, Section 136 suite, Cambridgeshire Fire and Rescue Service, and the Cambridgeshire and Peterborough Liaison and Diversion Service. Frontline officers have received Mental Health refresher training and further inputs are expected to be delivered in Spring 2022. The force is also looking to provide additional mental health first aid training and hold a Section 136 suite workshop once Covid-19 restrictions and guidance allow.

Furthermore, the Constabulary has an Integrated Mental Health Team within the Demand Hub (control room) that provides expert support to officers and staff responding to people with mental-ill health to ensure the best outcome.

11. Local criminal justice services (police, CPS, courts, probation, prisons) and health commissioners / providers should: Jointly review arrangements to identify, assess and support people with a mental illness as they progress through the CJS to achieve better mental health outcomes and agree plans for improvement.

Force response: The Constabulary is working with other services to better support people with mental-ill health. As an example, the Office of the Police and Crime Commissioner contributed funding, alongside other partners, for a Mental Health Treatment Requirements programme. Delivered by the Cambridgeshire and Peterborough Liaison and Diversion service, the initiative diverts vulnerable women at risk of short prison sentences, towards community sentences with treatment for their mental health needs, where applicable. The force will continue to work with partners to ensure people with mental-ill health have the right support.

12. Local criminal justice boards should: Agree, produce and analyse cross system data sets to inform commissioning decisions and promote joint working.

Force response: The Constabulary will work with members of the Criminal Justice Board to improve information sharing and make best use of data to inform services.

13. Local criminal justice boards should: Ensure that Liaison and Diversion mental health assessments undertaken in police custody are provided to the Crown Prosecution Service and defence lawyers to help inform charging decisions, representations for diversion and sentencing decisions.

Force response: The Constabulary will work with members of the Criminal Justice Board to ensure that all relevant mental health information shared with the Crown Prosecution Service.

14. The police service should: Ensure that all dedicated investigative staff receive training on vulnerability which includes inputs on responding to the needs of vulnerable suspects (as well as victims). This should be incorporated within detective training courses.

Force response: The Constabulary is committed to safeguarding the vulnerable. A range of training and guidance has been provided to officers and staff to equip them with the necessary general and specialist skills to respond to the needs of vulnerable victims, witnesses and suspects, to reduce potential risks. A Vulnerability Performance Group has been introduced to set clear investigative standards, scrutinise performance, identify learning needs and ensure that we are adopting the best safeguarding measures available.

15. The police service should: Dip sample (outcome code) OC10 and OC12 cases to assess the standard and consistency of decision making and use this to determine any training or briefing requirements and the need for any ongoing oversight.

Force response: The Constabulary is commencing a new outcome audit regime. This will be in addition to the auditing that already exists in force. It is expected that a monthly sample of each outcome will be audited, this includes outcome 10 (prosecution not in the public interest – police decision) and outcome 12 (named suspect – too ill). The findings will be fed into the Crime Data Integrity Delivery Group for oversight.

16. The police service should: Review the availability, prevalence, and sophistication of mental health flagging, to enhance this where possible, and to consider what meaningful and usable data can be produced from this.

Force response: There is a mental health ‘tag’ on the Constabulary’s systems however, it is acknowledged that there are some limitations with its use. The Constabulary will consider if and how the use of mental health flagging can be enhanced.

17. The police service should: Assure themselves that risks, and vulnerabilities are properly identified during risk assessment processes, particularly for voluntary attendees. They must ensure that risks are appropriately managed, including referrals to Healthcare Partners, Liaison and Diversion and the use of appropriate adults.

Force response: The Constabulary has recently undertaken a review of its approach to voluntary interviews, including the use of risk assessments for voluntary attendees. Work is in progress to ensure that all risks and vulnerabilities, including mental health needs, are appropriately managed.

18. The police service should: Review MG (manual of guidance) forms to include prompts or dedicated sections for suspected vulnerability to be included.

Force response: The Constabulary is awaiting an update to the Athena case management system which is anticipated to go live in Summer 2022. As part of this, the existing MG Form templates and CPS checklists used by Bedfordshire Police, Cambridgeshire and Hertfordshire Constabularies will be reviewed.

19. The probation service should: Review its mental health flagging guidance to help probation practitioners to identify and accurately record a persons’ mental health needs (within six months).

Force response: This recommendation is addressed to the probation service.

20. The probation service should: Improve the quality of pre-sentence reports to ensure that they contain a comprehensive analysis of trauma, mental health needs and where indicated proposals for appropriate treatments.

Force response: This recommendation is addressed to the probation service.

21. The probation service should: Work with NHS and HMCTS to increase the use of Mental Health Treatment Requirements across England and Wales.

Force response: This recommendation is addressed to the probation service.

22. Her Majesty's Prison Service should work with NHS England and Improvement and Welsh Government to: Tackle the long waiting lists caused by the Covid-19 pandemic including for mental health assessments, psychological treatment, counselling and therapeutic group work.

Force response: This recommendation is addressed to HM Prison Service.