

The Rt Hon Priti Patel MP
Home Secretary
Home Office
2 Marsham Street
LONDON
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21st January 2022

Dear Home Secretary

A joint thematic inspection of the criminal justice journey for individuals with mental health disorders

As required by statute, I am writing to you to respond to the report entitled, 'A joint thematic inspection of the criminal justice journey for individuals with mental health disorders'.

Supporting vulnerable people and increasing public confidence are key commitments within my new Police and Crime Plan 2021-2025. Under the priority '*Support Victims and Protect the Vulnerable*', I will continue to work to provide effective services that identify and respond appropriately to the needs of victims. A compassionate and victim-centred approach is taken in everything we do, which includes ensuring that our support services are timely and capable of meeting a range of needs. I continue to fund a team of Mental Health Practitioners as well as a Social Worker resource within the Force Control Room (FCR). These posts help Gwent Police to ensure that appropriate and immediate advice and support is available for officers attending individuals in crisis. In addition, all officers and staff, as well as key frontline partners, have been provided with training on vulnerabilities linked to Adverse Childhood Experiences (ACEs).

Among the range of services within Connect Gwent (our multi-agency victims' hub) that I contribute to is a Wellbeing Practitioner (Community Psychiatric Nurse) who will pick up any appropriate referrals, undertake mental health assessments and refer directly into mental health provisions. In addition, I fund the post of the Survivor Engagement Coordinator, also based within Connect Gwent. This role was the first of its kind for Wales and was created following a recommendation from my office. Set up to establish a sustainable survivor engagement framework through which survivors of domestic abuse and sexual violence can share their lived experience, this role is helping to ensure a victim-centred approach is at the heart of our response to survivors of these offences. Where any signs of mental health crisis or need are identified, the Survivor Engagement Coordinator is able to refer individuals for support. As part of a complaints review, my office has asked that the Survivor Engagement Coordinator links in *Rydym yn croesawu gohebiaeth yn y Gymraeg, a phan ddaw i law, byddwn yn ateb yn y Gymraeg – ni fydd hyn yn gohirio ein hymateb. Os hoffech dderbyn gohebiaeth yn y Gymraeg o hyn ymlaen, neu os ydych wedi cael eich gwahodd i gyfweiliad neu gyfarfod ac yr hoffech ddefnyddio'r Gymraeg, anfonwch e-bost at: Commissioner@gwent.pnn.police.uk. Darperir gwasanaethau cyfieithu.*

We welcome correspondence in Welsh and where received, we will reply in Welsh - this will not delay our response. If you wish to receive correspondence in Welsh hereafter or if you have been invited to an interview or meeting and you wish to use Welsh, send email to: Commissioner@gwent.pnn.police.uk. Translation services will be provided.

with Gwent Police's Professional Standards Department, to ensure that their complaints process considers the support that anyone reporting complaints may need.

Recognising that people who offend may also experience mental health disorders, appropriate safeguarding arrangements are offered within the custody environment. This includes direct access to the Samaritans support service for anyone in need, as well as the Liaison and Diversion Service, which provides a specialist mental health assessment for people with vulnerabilities, including mental health concerns, who are within the criminal justice system.

Another priority within my new Police and Crime Plan is to '*Increase Community Confidence in Policing*'. I am acutely aware of the importance of public trust and confidence in the services provided and the people that provide them. I am committed to working with Gwent Police to improve our relationships with our communities and their confidence in local policing. The investment in Connect Gwent and officer and staff training as previously outlined further this intention. We will also work to increase the reporting of crime by communities that are less likely to engage with the police, including those with mental health disorders. As part of this we will proactively engage with communities and partners to provide regular opportunities for feedback on their experiences of our policing services to contribute to our continuous improvement.

I recognise the impact that engagement with criminal justice agencies can have on people experiencing mental health disorders. This is re-iterated by the Chief Constable in her comment below:

I welcome this joint inspection report that examines the criminal justice journey for those individuals with mental health needs and disorders.

People with mental health illnesses are some of the most vulnerable members of our community and they need specialist care and attention. Often when they come to the attention of the police, they are in their greatest hour of need and are at their most vulnerable. We must do all we can to deal with their individual needs. It would be ineffectual for the police to try and deal with an individual's mental health needs in isolation and a holistic multi-agency approach is required to best meet the needs of the individual.

This was one of the driving forces behind the introduction of the mental health practitioners into our force control room, identified as good practice within the inspection report. They are able to support officers and staff in real time with advice and guidance on how best to meet the needs of individuals with mental health who have come to police attention, including, where appropriate, diverting them from entering the criminal justice system. Such was the success that we piloted a senior social worker working in our force control room to again enhance our response to those with mental health needs, and indeed other vulnerabilities. The results of the pilot are extremely positive, and we will now roll out this provision across all shifts that work within our force control room.

Whilst these are just some of the many ways that Gwent Police has developed multi-agency approaches to dealing with mental health needs, some of which have been referenced in the report, I accept the findings that more must be done to ensure the needs of individuals with mental health in the criminal justice system are not being missed. We will consider the recommendations made within the report as part of our response and I commit to continue working in partnership to build upon and improve the holistic approach.

As indicated in her comments, the Chief Constable and I remain committed to ensuring that people in mental health crisis are effectively identified and given appropriate support when they come into contact with Gwent Police officers and staff. Continued investment in resources has

enabled an effective and sustainable response to those with mental health disorders. I am proud of the partnership work in Gwent that has enabled us to maintain this service, particularly throughout the COVID-19 pandemic and the additional pressures placed on the police service. I will continue to enhance our work with partners to protect the most vulnerable, including safeguarding those who are vulnerable or at risk of harm.

Gwent Police also attend numerous meetings at both operational and strategic level that take place with partners to try and manage the impact of mental health on public services and to ensure the best service possible is provided to those in need. At a strategic level there is the Welsh Chief Officers Mental Health Group which is a collaboration of chief officers from all four Welsh force areas and includes representation from the NHS, WAST, Public Health Wales and the Welsh Government (as appropriate) to discuss issues experienced around policing and mental health. Service users also attend in order to provide feedback on the experiences they have had. At a more operational level there are meetings such as the Mental Health Act Implementation Group which is chaired by Aneurin Bevan University Health Board and discusses issues arising from a multiagency perspective from the implementation of the Mental Health Act such as adverse incidents, training gaps, conveyance, handovers and formulation of joint policy.

I have also included the following update for the relevant recommendations requiring a response:

Recommendation 12 & 13:

Local Criminal Justice Boards should:

- **Agree, produce and analyse cross system data sets to inform commissioning decisions and promote joint working.**
- **Ensure that Liaison and Diversion mental health assessments undertaken in police custody are provided to the Crown Prosecution Service and defense lawyers to help inform charging decisions, representations for diversion and sentencing decisions**

As chair of the Gwent Criminal Justice Strategy Board, I raised the recommendations at the last meeting. As a result, it was agreed to refer the discussion to the Criminal Justice in Wales Steering Group. This would help to provide a consistent and agreed approach to working with the recommendations. Criminal Justice in Wales acts as the umbrella partnership across all local Criminal Justice Boards in Wales, providing coordination and collaborative oversight of an all-Wales work programme. This in turn influences the work programmes at a local level. I anticipate that the recommendations would feature in the review of the current work programme and, if found to be wanting, provide a new priority work area for Criminal Justice in Wales for 2022/23.

Recommendation 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.

Investigative staff receive training inputs on vulnerability at various stages throughout their journey as an investigator. Our Detective training course enables investigators to take into account additional professional considerations relevant to specific complex investigations including threat, risk, harm and vulnerability of serious and complex offending. The content includes specific considerations towards the victim, witnesses as well as the offenders. They are also required to demonstrate comprehensive understanding of the knowledge and skills required to conduct complex investigations, including the initial assessment and management of potential vulnerabilities of victims, witnesses and suspects, as well as considerations and procedures regarding factors that may influence interviewees with complex needs.

Investigators who attend our specialist suspect interviewing courses are able to demonstrate how psychology impacts a suspect interview, including behavioural and mental health characteristics, and understand aspects of various vulnerability and how they impact on the investigative interviewing.

Recommendation 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.

The force has a dedicated Mental Health Liaison Officer who completes dip sampling as outlined in this recommendation. They provide regular advice to police officers during a criminal investigation regarding capacity versus mens rea. Observations and feedback from this dip sampling is fed back to the Mental Health Steering Group to inform any further training or briefing requirements. The Mental Health Steering Group is an internal force meeting chaired by the Detective Superintendent lead for mental health and monitors implementation of Gwent Police's strategic mental health action plan.

Recommendation 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.

The force has recently introduced call scripting as part of its command and control system. This ensures staff gather the correct information to inform decision making. Call scripting will provide an operator with a prompt around mental health and if the circumstances of the call dictate this is relevant then automatic creation of qualifiers will be added to the occurrence.

Specifically relating to flagging, the creation of mental health flagging is the responsibility of the Officer in the Case once a mental health concern is identified.

The force is currently considering the reporting options available from flags to see what meaningful and usable data can be produced from this.

Recommendation 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.

A risk assessment is completed at the point of arrival for all those detained in custody. This identifies any vulnerabilities and risk associated with the individual and plans are put in place to deal with these in the best interests of the detainees.

A similar process is undertaken with those who attend for voluntary interview who are 'booked' in by a trained officer able to undertake the risk assessment process outlined above.

Where necessary, the need for an appropriate adult will be identified at the point of risk assessment, although in the majority of cases where an individual is invited to attend a police station for a voluntary interview, this will have been identified and addressed at the point of making the invitation. Where appropriate, the Criminal Justice Liaison Team and our Custody Health Care Professionals are involved to manage any identified risk or vulnerability, and to offer any necessary support to the individual.

A departure risk assessment is also completed when an individual departs either police detention after arrest or voluntary attendances. This looks at ongoing risk post-departure and how best to mitigate it in the individual's interest. These are audited as part of the Custody Record Audits completed each month and any learning is fed back to the relevant authors of the risk assessments.

The custody management team audit the completion of risk assessments to determine compliance and quality.

As stated by the Chief Constable, more must be done to ensure the mental health needs of those within the criminal justice system are not missed. I will continue to review the services I fund to ensure I support the Chief Constable in progressing this important area of work.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Jeff Cuthbert', written in a cursive style.

Jeff Cuthbert B.Sc., MCIPD
Police and Crime Commissioner for Gwent