



Our Ref: 002394/21

Your Ref:

Address Correspondence to: Information Management

Date 02 August 2021

Freedom of Information Act 2000

I write further to your request for information received 14/07/2021.

I note you seek access to the following information:

Please could you tell me how many people you have detained under section 136 of the mental health act between (and including) January 2018 and June 2021, broken down by month?

Please could you tell me, also broken down by month, how many of the people detained under section 136 were released and detained again under section 136 within 36 hours of the first detainment?

Following receipt of your request, searches were conducted within Leicestershire Police to locate information relevant to your request.

Your request for information has now been considered and the information asked for is as follows: -

Leicestershire Police have recorded the below detentions under S136 in the time period requested:

Number of S136	Year			
Month	2018	2019	2020	2021
Jan	12	5	14	16
Feb	11	6	19	25
Mar	9	6	16	24
Apr	8	7	16	19
May	9	14	28	25
Jun	15	15	26	36
Jul	18	5	16	
Aug	9	18	29	
Sept	9	20	23	
Oct	9	10	20	
Nov	6	13	22	

Dec	10	8	11	
Total	125	127	187	

The further information you have requested is considered exempt by virtue of Section 12:

Section 12 – Cost of compliance exceeds appropriate limit.

Leicestershire Police do not hold the information relating to individuals who have been detained under S136, release and detained again under S136 within 36 hours. This would require a manual review of all the above, cases to establish those where the specific scenario requested has been the case. This would take in excess of 18 hours.

In order to retrieve the information you have requested would therefore be in excess of the 18 hours specified by the Home Office as the time period for which a police force should allocate to a request under the Freedom of Information Act 2000.

In the Freedom of Information (Fees and Appropriate Limit) Regulations 2004, the current regulatory limit which has been set by the Secretary of State for public authorities, which includes the police service, is £450 for the marginal costs which are the costs of finding, sorting, editing or redacting information and disbursements (printing, photocopying etc). The Association of Chief Police Officers have agreed a national standard of an hourly rate of £25 is to be charged for the time taken. In essence therefore, the costs equate to 18 hours work per request. It will be apparent therefore that within the time frame of 18 hours it will not be possible to extract the information to answer any of your questions.

In accordance with the Freedom of Information Act 2000, this letter acts as a Refusal Notice under s12(1) as the cost of providing you with the information is above the amount to which we are legally required to respond i.e. the cost of locating and retrieving the information exceeds the “appropriate level” as stated in the Freedom of Information (Fees and Appropriate Limit) Regulations 2004.

Leicestershire Police provides you the right to ask for a re-examination of your request under its review procedure. Letters should be addressed to Information Manager, Corporate Services Department at the above address. If you decide to request such a review and having followed the Force’s full process you are still dissatisfied, then you have the right to direct your comments to the Information Commissioner who will give it consideration.

Yours sincerely

Freedom of Information Officer
Leicestershire Police

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