

STANDARD OPERATING PROCEDURE ESCORT TO COURT OF PATIENTS DETAINED UNDER SECTIONS OF PART 3 OF THE MHA 1983

Document Reference	SOP19-034
Version Number	1.1
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Instigated by: Date Instigated:	Security Group
Date Last Reviewed:	4 August 2023
Date of Next Review:	August 2026
Consultation:	
Ratified and Quality Checked by: Date Ratified:	Director Sign-off (Paula Phillips) 4 August 2023
Name of Trust Strategy/Policy/Guidelines this SOP refers to:	

VALIDITY – All local SOPS should be accessed via the Trust intranet

CHANGE RECORD

Version	Date	Change details
1.0	4/1/19	SOP devised in response to new guidance from MoJ
	May 2021	Reviewed no change – version number stays the same
1.1	04/08/23	Reviewed. No changes, as deemed fit for purpose – with a plan to review again when process changes. Approved by Paula Phillips sign-off (4 August 2023).

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1. INTRODUCTION

The Ministry of Justice has issued guidance to all mental health units in England and Wales as to how patients detained under a section of part 3 of the Mental Health Act 1983 ('forensic' sections) are to be managed whilst at court.

This procedure is intended to ensure that service practice follows the guidance and meets required standards of practice.

2. SCOPE

This procedure is aimed at all staff involved in the escort patients to appear at court who are detained under a section of part 3 of the Mental Health Act 1983 ('forensic' sections). It does not apply to patients detained under sections of part 2 of the Mental Health Act 1983 – for these patients any special arrangements need to be planned as part of individualised risk assessment / S17 leave planning.

This procedure DOES NOT override the Trust Inpatient Leave Policy – it is intended to ensure that staff who are escorting patients on authorised S17 leave to make such court appearances are managed and detained in line with Ministry of Justice guidance whilst they are AT COURT.

Escort to and from court is to be undertaken in line with Trust Inpatient Leave Policy.

This SOP does not constitute a blanket restriction.

3. DUTIES AND RESPONSIBILITIES

Review of SOP – Security Group, at least every three years.

Implementation of SOP – Ward Charge Nurses.

Adherence to SOP – all service staff.

4. PROCEDURES

4.1. At least 24 hours in advance

Inform the Prisoner Escort & Custody Service (PECS) provider;

GeoAmev OECS Ltd – cover courts in Yorkshire & Humber (also South West, South East, North West England, East Midlands, West Midlands & Wales)

Telephone – 01454 288155

Email – OCCDutyManagers@geoamev.co.uk

(Serco – cover courts in London & East England

Telephone – 0800 781 8153

Email – controlroom@sercopecs.pnn.gov.uk)

4.2. Prior to setting off

Ensure that the Patient Escort Record (PER) form is completed, and accompanies the patient to the court (in the possession of staff).

The PER is included in this procedure as a Word document and also embedded as a PDF form for booklet printing (Appendix 3). The form is not specifically aimed at healthcare staff,

and some areas do not require completion. Information that **must** be completed is highlighted in in yellow, as in this sentence.

Brief the patient that they cannot retain any personal property whilst at court, except any relevant legal paperwork. Ensure that they understand that they will be detained in a cell, and that there can be no exception to this.

If it is anticipated that the patient may not return to the Humber Centre, and their belongings are taken with the patient to court, they must have been accounted for in accordance with Trust policy prior to leaving the Humber Centre.

4.3. On arrival at court

Report to the custody suite / cell area, and formally hand over the patient and the PER. Also hand over any relevant paperwork (e.g. warrants). DO NOT handover any clinical records / reports.

Advise the custody staff of any special precautions or arrangements that need to be in place for the patient (verbally and as described in the PER).

Agree with custody staff where nursing staff will wait in order to be available to provide any necessary mental health care. This can include staff staying in the cell with the patient if assessed and agreed as necessary.

Physical health whilst at court is the responsibility of the PECS contractor. If the patient falls ill whilst at court, the PECS contractor will call an ambulance, but escort en-route and at hospital remains the responsibility of escorting Humber Centre staff.

4.4. Return to hospital

This remains the responsibility of escorting Humber Centre staff.

[There is the potential for PECS to transport the patient to the Humber Centre, but this will require contractual discussion, since significant costs will be incurred. This cannot be authorised by the escorting staff at the court.]

5. REFERENCES

Prisoner Escort And Custody Service (PECS) guide for hospitals (Ministry of Justice, 2018)

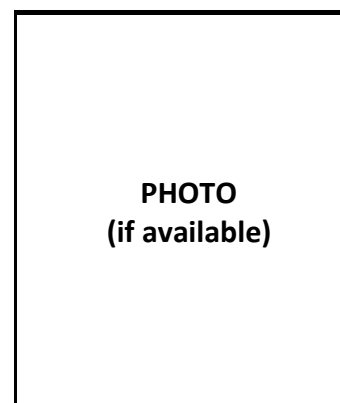
Inpatient Leave Policy (2017)

PROTECT – PERSONAL

(WHEN COMPLETED)

PERSON ESCORT RECORD FORM (PER)

NOT FOR RELEASE – (Full Reason To Be Entered)	Tick if applicable
CARE PLAN ENCLOSED (Police Use)	
SELF HARM WARNING FORM ENCLOSED (Contractor Use)	
Assessment, Care in Custody & Teamwork (ACCT) ENCLOSED (HMPS Use)	



Surname	
Forename	
Prison No.	N/A
Date of Travel	

This booklet has to be completed using the aide memoir provided without any abbreviations and with consideration to the reader being able to understate fully the person with whom they have in their custody.

PROTECT - PERSONAL

PERSON ESCORT RECORD FORM

RISK INDICATOR

PERSON / DETAINEE IF NOT FOR RELEASE - TICK		REASON	
FROM	TO	DATE OF TRAVEL	
SURNAME		NUMBER	
FORENAME		DOB	
ALIASES		RELIGION	

MALE	FEMALE	ETHNIC CODE	UNDER 18	DYO	PoPO	
(POLICE USE ONLY) PNC WARNING SIGNALS (IF YES SEE DETAILS OF RISK BELOW)					YES	NO
PNC ID	CRO NO	NATIONALITY (UKBA ONLY)			N/A	

OFFENCE / CHARGE	<i>If further information needs to be added, tick here and include on the Record of Events page.</i>					
PREVIOUS CUSTODIAL HISTORY	POLICE	YES	NO	PRISON	YES	NO
<i>If no risk is known, tick the 'No Known Risk' box and sign to confirm at the bottom of the Form. The details of risk provided on this form Complete the Risk Indicator in accordance with the Guidance Notes on the opposite page.</i>						No Known Risk

RISK	DETAILS OF CURRENT & RELEVANT RISK	INITIAL IF RISK CHANGED
SUICIDE/SELF HARM		
AT RISK OF PHYSICAL OR VERBAL ABUSE		
VIOLENCE/ RISK TO OTHERS		
ESCAPER/CAT A RESTRICTED STATUS		
DRUGS/MOBILE PHONE TRAFFICKING/ALCOHOL		
HOSTAGE TAKER		
CONCEALS WEAPONS OR OTHER ITEMS		
STALKER/HARASSER/ INTIMIDATION		
RACIAL/HOMOPHOBIC MOTIVATION		
SEX OFFENCE		
COMMUNICATION/ LANGUAGE DIFFICULTIES		
OTHER (SPECIFY)		

NAME	SIGNED	DATE	TIME
If more than one person is completing both sections of the Risk Indicator, initial here and sign at the bottom.			

HEALTH RISKS

**CONTACT NUMBER FOR
HEALTH QUESTIONS**

RISK

DETAILS OF CURRENT & RELEVANT RISK

TICK IF NO
KNOWN RISK

INITIAL IF RISK
CHANGED

HEALTH – MEDICAL

HEALTH – MENTAL

NAME

SIGNED

DATE

TIME

This section is required if more than one person has completed the Risk Indicator section above

NAME

SIGNED

DATE

TIME

RISK INDICATOR GUIDANCE NOTES

PROTECTIVE MARKING - The level of protection provided for assets marked **PROTECT** should promote discretion in order to prevent unauthorised access.

PERSON/DETAINEE IF NOT FOR RELEASE - TICK must be ticked if an individual is not for release, and a full reason must be given.

NUMBER - Refers to the unique number that a particular agency gives to an individual.

ETHNIC CODE - The following codes will be used: **Nationality** to be used by UKBA

A1	Asian or Asian British Indian	M3	Mixed White & Asian
A2	Asian or Asian British Pakistani	M9	Mixed other
A3	Asian or Asian British Bangladeshi	NS	Not stated
A9	Asian other	O1	Chinese
B1	Black or Black Caribbean	O9	Any other
B2	Black or Black British African	W1	White British
B9	Black other	W2	White Irish
M1	Mixed White & Black Caribbean	W9	White Other
M2	Mixed White & Black African		

P.o.P.O. /D.Y.O - If the individual is a Prolific and Other Priority Offender, or a Deter Cohort Young Offender this box must be ticked.

P.N.C. ID WARNING SIGNALS - Is for police use only. Delete either Yes or No. Relevant risk must be recorded in the appropriate boxes.

PNC ID – PNC ID number to be entered.

CRO NO – Criminal Records Office number to be entered.

NATIONALITY - UKBA only to fill this section.

OFFENCE - Include the Offence. If further information is required, tick the box and include it on the Record of Events page.

PREVIOUS CUSTODIAL HISTORY - Delete either Yes or No on every occasion.

If a known risk exists, it must be recorded in line with the guidance below.

If no known risk exists, a tick must be placed in the **NO KNOWN RISK** box.

SUICIDE/SELF HARM	To be completed if the : <ul style="list-style-type: none"> has or has attempted to self-harm. is at known risk of self-harm (e.g. has threatened self-harm / on open ACCT Plan) has recently been at risk of self-harm (e.g. post-closure phase of ACCT Plan / PNC suicide/self-harm warning marker in last six months) gives other reason to indicate at risk of self-harm (e.g. has killed or seriously injured a family member / unexpected recall / bizarre behaviour or other signs of mental disorder / withdrawal from drugs/alcohol) becomes at risk during this custody (e.g. receives unexpected remand / long sentence) It must be recorded which of the above (or other reason) is relevant, along with details.
AT RISK OF PHYSICAL OR VERBAL ABUSE	Consideration must be given to the nature of the charge or offence or if there is any history of bullying or intelligence of threats against the individual. Press interest may also place the individual at risk.
VIOLENCE/RISK TO OTHERS	To be completed if there is any relevant history of violence, actual or threatened. Reference must be made to risks to specific groups such as women, children, and minority ethnic groups, Police/Prison/Private Contractors or any other Criminal Justice Agency. Specific reference must also be made to any risks they may pose to others, particularly if placed into shared cellular accommodation (the Cell Sharing Risk Assessment must be consulted if available).
ESCAPER/CAT 'A' RESTRICTED STATUS	To be completed if: <ul style="list-style-type: none"> Categorised Cat 'A' or potential Cat 'A,' Restricted Status The individual is from prison and on the 'E' list. There is relevant history of escape attempts Intelligence suggests an escape attempt is likely
DRUGS/MOBILE PHONE TRAFFICKING/ALCOHOL	To be completed if there is a history or intelligence of the individual attempting or actually trafficking drugs/mobile phones Trafficking/alcohol into secure establishments. (This is not to be completed if the individual is drug or alcohol dependent - this will be recorded in the Health Risk Section).
HOSTAGE TAKER	To be completed if there is an actual history or a relevant threat of a hostage situation.
CONCEALS WEAPONS/DRUGS OR OTHER ITEMS	To be completed if there is intelligence to suggest that there is the possibility of concealed weapons or items with the individual:
STALKER/HARASSER/ INTIMIDATION	To be completed if the individual has a Restraining Order or a Civil Injunction against them or intelligence to suggest that the individual will attempt to harass or intimidate witnesses, co-defendants or other specific individuals. Prison staff must ensure that information recorded here is passed to the relevant person on the day of arrival.
RACIAL/HOMOPHOBIC MOTIVATION	To be completed if the offence or charge is homophobic or racially motivated, or there is a history of.
SEX OFFENCE	To be completed if the offence or charge is of a sexual nature offences (excluding prostitution offences - except where the charge is the procurement of others into prostitution)
COMMUNICATION/LANGUAGE DIFFICULTIES	To be completed if any barriers to verbal communication exist. This is to include any issues regarding foreign language and literacy requirements and will relate to those who are visually or hearing impaired.
OTHER (SPECIFY)	To be completed if there is any relevant information that is not covered above.
HEALTH – MEDICAL	To be completed if there is any current and relevant medical health risk. All medical holds including those on Drug Maintenance Programmes should be highlighted ' <i>return to the discharging establishment</i> ' (HMPs Only). A contact number for health care must be given in the box provided in the event that more information becomes necessary.
HEALTH – MENTAL	To be completed if there is any current and relevant risk mental health risk. A contact number for health care must be given in the box provided in the event that more information becomes necessary.
A health contact number must be given so that questions or clarification relating to health matters can be made.	
There are two places where signatures are required. This reflects the fact that the form may be completed by more than one person. If one person is completing the form then the first section can be initialled and the signature may be completed at the bottom of the form. The time and date must be recorded as the time and date that the relevant section of the form was completed.	
If a risk changes after completion of the form, consideration must be given to completing a new form. If this is considered impracticable or unnecessary then the ' INITIAL IF RISK CHANGED ' must be initialled, a statement made in the relevant risk box and an entry made on the ' HISTORY AND RECORD OF DETENTION AND ESCORT EVENTS ' form.	

PROTECT – PERSONAL

ESCORT HANDOVER DETAILS

Complete the Escort Handover Details in accordance with the Guidance Notes on the opposite page

NUMBER		SURNAME			
ESCORT DETAILS		PRESCRIBED MEDICATION		YES	NO
At each point where a person/detainee is handed over or received both the dispatching and receiving contact telephone numbers must be completed on the form.		WITH ESCORT		WITH PERSON / DETAINEE	
		NAME		SIGNATURE	
ORIGINATING LOCATION	PHONE NO.	It is not essential to list medication below. Refer to Guidance opposite for instructions.			
TO (ESCORT/COURT/PRISON/POLICE STATION, ETC)	PHONE NO.				
TO (ESCORT/COURT/PRISON/POLICE STATION, ETC)	PHONE NO.				
TO (ESCORT/COURT/PRISON/POLICE STATION, ETC)	PHONE NO.				
TO (ESCORT/COURT/PRISON/POLICE STATION, ETC)	PHONE NO.				

FORMS ENCLOSED

ACCT / RECENT ACCT	Y	QUANTITY	REMAND TIME CALCULATION	Y	QUANTITY
SUICIDE/SELF-HARM WARNING FORM	Y	QUANTITY	PNC PRINTOUT	Y	QUANTITY
CELL SHARING RISK ASSESSMENT	Y	QUANTITY	MEDICAL ASSESSMENT / CARE PLAN	Y	QUANTITY
F2050 CORE RECORD	Y	QUANTITY	CONFIDENTIAL MEDICAL DOCUMENTS	Y	QUANTITY
F2052A HISTORY SHEET	Y	QUANTITY	POLICE RISK ASSESSMENT FORM	Y	QUANTITY
PROPERTY CARD	Y	QUANTITY	IMMIGRATION DETENTION AUTHORITY (IS91)	Y	QUANTITY
CATEGORISATION DOCUMENTATION	Y	QUANTITY	DEPORTATION ORDER	Y	QUANTITY
RESTRAINTS APPLICATION FORM	Y	QUANTITY	WARRANT	Y	QUANTITY
OTHER ATTACHED (PEASE SPECIFY)				Y	QUANTITY

PROPERTY & CASH

CODE	SEAL NO.		OUT	IN	CASH AMOUNT	SEAL NO.	OUT	IN
					£			
					OTHER			
					OTHER			
					OTHER			
PROPERTY RETAINED	YES	NO			RETAINING ORGANISATION			

RECORD OF HANDOVER (See Guidance Notes)

Record and confirm any changes to property or cash on the Record Of Events.

Sign to say that the correct person/detainee is being handed over and that the property and cash described above is complete and accurate at the time of each handover. Contractor staff will only sign for an intact bag against seal number. The risks have been handed over and understood by the Receiving Officer.

DISPATCHING OFFICER	I.D.	SIGNATURE	RECEIVING OFFICER	I.D.	SIGNATURE	TIME	DATE	INITIAL IF ENTRY MADE ON R.O.E.

Escort Handover Details Guidance Notes

NUMBER - SURNAME - These details must be taken from the Risk Indicator and are included again here for quick reference.

ESCORT DETAILS

At each point where a person/detainee is handed over or received both the dispatching and receiving contact telephone numbers must be completed on the form.

ORIGINATING LOCATION	PHONE NO.
TO (ESCORT/COURT/PRISON/POLICE STATION, ETC)	PHONE NO.
TO (ESCORT/COURT/PRISON/POLICE STATION, ETC)	PHONE NO.
TO (ESCORT/COURT/PRISON/POLICE STATION, ETC)	PHONE NO.
TO (ESCORT/COURT/PRISON/POLICE STATION, ETC)	PHONE NO.

It is a requirement for both the Dispatching and Receiving agencies to give a contact number.

This is so that contact can be made to clarify information or to communicate new information.

Escort Contractors will use their Control Room number.

WITH ESCORT		WITH PERSON / DETAINEE	
NAME		SIGNATURE	
It is not essential to list medication below. Refer to Guidance opposite for instructions.			

Please circle "YES or NO" in order to indicate if the has prescribed medication. If "no" is circled, a name and signature is still required.

If medication is accompanying the person/detainee then the appropriate box must be ticked and the name and signature of the member of staff must be completed.

Note that it is not essential to list the medication but space is provided for agencies to list it if they choose to.

Prison staff will not routinely list medication, but Primary Care Trust (PCT) will provide their name and signature if medication accompanies the person.

FORMS ENCLOSED

Where specific forms exist they must also be handed over to the receiving agency, with the relevant "Y" circled, **and the quantity of each form handed over recorded.** This is to help ensure that documents are accounted for.

PROPERTY & CASH

The receiving officer is responsible for ensuring that the seal number is correct and that the bag and seal are intact. Should there be any discrepancy then this is to be detailed on the 'HISTORY AND RECORD OF DETENTION AND ESCORT EVENTS' form. The 'OUT' and 'IN' boxes should be ticked to confirm the property has been handed over at the start of the escort and received at the end.

The following Codes are used:

- 'V' = Valuables
- 'SP' = Stored Property
- **'IP' = In Possession**
- 'C' = Cash
- 'D' = Documentation

Property Retained denotes any organisation which withholds property. The YES or NO box should be circled accordingly. If yes, state the organisation which has retained the property. An entry should then be made on the record of events page.

RECORD OF HANDOVER

All individuals that complete this section are to ensure that the 'Dispatching Officer' and 'Receiving Officer' details are legible. The section containing the heading 'I.D.' requires the epaulette or ID number of the 'Dispatching Officer' and 'Receiving Officer' if applicable. 'INITIAL IF ENTRY MADE ON RECORD OF EVENTS' - If there are any discrepancies in the Property & Cash the Dispatching officer is to initial following the entry that has been made on the 'HISTORY AND RECORD OF DETENTION AND ESCORT EVENTS'

The Receiving Officer is signing for the following:

- The correct person/detainee is being received **and any accompanying documents or paperwork.**
- The property and cash described are complete and accurate at the time of the handover. Contractor staff will only sign for an intact bag against seal number.
- Additional forms and documents as listed on the PER.
- The risks associated with the person are understood.

PROTECT - PERSONAL

HISTORY AND RECORD OF DETENTION AND ESCORT EVENTS GUIDANCE NOTES

SHEET NUMBER - This must be sequential so that receiving agencies can read through the additional sheets in the correct order.

NUMBER – SURNAME - These details must be taken from the Risk Indicator and are included again here for quick reference

TIME - The time must be completed for every entry.

DETAILS - Details of the event must be clear and unambiguous.

NAME - The name of the officer completing any entry must be legible (Print Name).

SIGNED - Signature of the officer completing the entry.

SEC - See below for the Significant Event Codes.

correctly identified	This section is for Prison use only. Include details of the level of search given.	
Searched (State Level)		
Escort verbally briefed (including risks)		
searched by contractor (state level)	This section is for contractor use only.	Y/N

Use the following **Significant Event Codes** to highlight lines that contain important information to be handed over.

Significant Events may be suicide attempts, self-harm, escapes, violence, drugs, although this list is not exclusive. Refer to the Significant Events Codes below.

- | | |
|---|--|
| A | New risks identified during the escort or detention or old risks that have been re-presented |
| B | First Aid administered/Unplanned Urgent Treatments |
| C | Incapacitant Spray/Device used |
| D | Meals taken or offered |
| E | Change of Status |
| F | Any apparent injuries |
| G | Use of batons |
| H | Other significant events |

Prison Reception Staff must refer to this document to obtain information relating to risk and use it to inform the Cell-Sharing Risk Assessment, ACCT, OASys and MAPPA processes.

SHEET NUMBER - This must be sequential so that receiving agencies can read through the additional sheets in the correct order.
NUMBER – SURNAME - These details must be taken from the Risk Indicator and are included again here for quick reference
TIME - The time must be completed for every entry.
DETAILS - Details of the event must be clear and unambiguous.
NAME - The name of the officer completing any entry must be legible (Print Name).
SIGNED - Signature of the officer completing the entry.
SEC - See below for the Significant Event Codes.
RELEASE AT COURT – when a person is released at court the release should be recorded using this section. Any checks that need to be made to authorise the release should be recorded in the boxes shown, as follows:
AGENCY - Court, Prison, Police or Other (Please state)
ESTABLISHMENT - Name of the authorising establishment
NAME - Name of the person authorising, or refusing, the release
AUTHORITY TO RELEASE - “Yes” or “No”
REMARKS – Any further information in corroboration of the decision

RELEASE AUTHORISED BY SCO/IC – The Senior Custody Officer will ensure all checks have been carried out by contacting the relevant agency or establishment and obtaining both a contact name and level of authority. These details must then be entered onto the form together with any related remarks. Having confirmed the release has been authorised, the Senior Custody Officer must then print and sign their name in the relevant boxes.

RELEASE COUNTERSIGNED - A second officer should check the documentation and the release information, and then print their name and sign in the relevant boxes.

STATEMENT OF RECEIPT OF PROPERTY - If a person is being released and has property held in your possession then they should acknowledge the return of their property using this section. The corresponding bag seal numbers should be copied across from the Property and Cash section, and the person being released should print their name and sign in the relevant boxes.

Use the following **Significant Event Codes** to highlight lines that contain important information to be handed over.

Significant Events may be suicide attempts, self-harm, escapes, violence, drugs, although this list is not exclusive. Refer to the Significant Events Codes below.

A	New risks identified during the escort or detention or old risks that have been re-presented
B	First Aid administered/Unplanned Urgent Treatments
C	Incapacitant Spray/Device used
D	Meals taken or offered
E	Change of Status
F	Any apparent injuries
G	Use of batons
H	Other significant events

Prison Reception Staff must refer to this document to obtain information relating to risk and use it to inform the Cell-Sharing Risk Assessment, ACCT, OASys and MAPPA processes.

Appendix 2: Guidance from Ministry of Justice



**Ministry of
JUSTICE**

National Offender
Management Service

Tim Coates
Head of PECS
Custodial Contracts Group
Prisons Directorate
HMPPS
Unit 6, Forder Way
Cygnet Park
Peterborough
PE7 8GX

**To: All Mental Health Units
England and Wales**

PRISONER ESCORT AND CUSTODY SERVICE (PECS) GUIDE FOR HOSPITALS

1. Purpose

1.1 I am writing to inform of changes to contact points within this document and to highlight the importance of completing a Prisoner Escort Record (PER) for all patients relating to detained people, Part 3 of the Mental Health Act 1983 (i.e. the “forensic” sections of that Act 1983, i.e. the “forensic” sections of that Act).

1. 2 There were two changes which may have be relevant to you from 31 August 2011, The start date of the current PECS contracts due to end in 2020:

- Arrangements for custody at court of patients detained under the Mental Health Act
- Arrangements for transport from court to hospital of patients detained under the Mental Health Act

2. Background

2.1 The PECS contracts are contracts between the Her Majesty’s Prison and Probation Service (HMPPS) and a number of companies to provide the escorting of prisoners to and from courts and designated locations, the transfer of prisoners between prisons and the staffing of court cell areas and court docks.

2.2 The current contracts from August 29th 2011 are held by Serco and GeoAmey PECS Ltd and they cover the following regions, (a map showing the regions is attached at annex A);

South West / South East	GeoAmey PECS Limited
London / East of England	Serco Ltd
East Midlands/Yorkshire and Humberside / North East	GeoAmey PECS Limited
North West / West Midlands / Wales	GeoAmey PECS Limited

3. Custody at court

The new arrangements

3.1 The previous PECS contracts did not require PECS contractors to guard patients who have been detained in hospital under the Mental Health Act and who have been returned to court for a further hearing.

3.2 Under the current contract, PECS contractors are formally responsible for the custody of these patients.

3.3 The patients concerned will be those who have been detained in hospital under the Mental Health Act, but who are being returned to court by the hospital for further remand, trial or sentencing. This will mainly mean patients detained under

- section 35 or 36 of the Mental Health Act (remand to hospital)
- section 38 (interim hospital order)
- section 48 (transfer direction, unsentenced prisoner)

3.4 Although the PECS contractors are formally responsible for the custody of these patients at court, their mental health care will remain the responsibility of the hospital. Hospital staff will therefore still need to remain with the patient at court in order to provide mental health care as necessary.

3.5 Hospitals will also remain responsible for arranging the patient's transport to court and for their return to hospital (if that is what the court orders).

What this means for hospitals

3.6 Where a hospital is aware that a patient has an anticipated court hearing staff should contact the contractor responsible for the court least 24 hours in advance to ensure that the PECS contractor is aware in advance to enable planning for the patient and Hospital staff. Contact points for the PECS contractors are Please refer to section 2.2 and Annex A:

GEOAmey	OCC Email	OCCDutyManagers@geoamey.co.uk
	OCC Telephone Number	01454 288155
Serco	OCC Email:	controlroom@sercopecs.pnn.gov.uk
	OCC Telephone Number:	0800 781 8153

3.7 On arrival at court with the patient, hospital staff should report to the court custody suite/cell area and formally hand over the patient. The formal handover of the patient to the PECS

contractors **must be via a PER** completed by the hospital staff on all occasions. A sample PER form is attached at annex B.

Hospital staff will also be required to handover all relevant paperwork e.g. warrants and the patient's property. Hospitals must stress to patients prior to the hearing that they will not be able to have **any** personal property in their possession in the cells. Only legal paperwork relevant to the case is allowed.

3.8 The PER form is the means whereby prisons, PECS contractors, police and other agencies share information about a prisoner with each other. It is a requirement of the PECS contract that the contractors hold PER forms on all prisoners in their custody, hospital staff **must** complete the relevant sections as they apply to their patient prior to handing the patient over to the PECS contractors. The parts that hospital staff must complete on handover at court are highlighted in blue and marked **##** on the sample PER form in annex B (the relevant items appear in the covering page, the "Risk Indicator" section and the "Escort Handover Details" section). PECS contractor staff will advise hospital staff on how to complete a PER if required (if the Hospital staff do not have access to PER this will be provided by the PECS contractors staff at the court). If a patient is deemed as 'not for release' this means that they are not to be discharged from court irrespective of the outcome of the hearing. They will be required to return to the hospital or a prison if so ordered by the court. The PECS contractors will be able to advise staff if this situation should arise.

3.9 Hospital staff should advise the custody staff if there are any special precautions or arrangements that they require to be put in place for the patient, verbally and via the PER at the point of handover.

3.10 Hospital staff should agree with the custody staff where they will wait in order to be available to provide mental health care for the patient as necessary. If it is deemed necessary, they will be able to wait with the patient in the cell. Staff should be aware that the patient will be required to be held in a cell, no exception can be made.

3.11 After the patient's hearing, if the patient is to be returned to hospital, the hospital staff should ensure that they have all of the relevant paperwork e.g. warrant, and have checked it for accuracy before taking charge of the patient and returning to the hospital.

3.12 If the patient falls ill at court, the PECS contractor is responsible for arranging physical health care on the premises, and will call an ambulance if necessary. If the patient needs to be taken to hospital, it will be for the managers of the hospital in which the patient is detained under the Mental Health Act (not the PECS contractor) to arrange for the patient to be guarded whilst in hospital.

4. Transport to hospital

4.1 Under the current contract, PECS contractors are able to transport detained defendants direct to hospital, once it has been confirmed that there is a bed available. This will primarily affect patients who are not already detained in hospital and who are

- remanded to hospital under section 35 or 36 of the Mental Health Act, or committed to hospital by a magistrates' court under section 44
- given a hospital order under section 37, an interim hospital order under section 38, or hospital and limitation directions under section 45A

4.2 This service will be free of charge to hospitals. However, should the patient fall ill either prior to transfer, or en-route to the hospital, and require admittance to a medical unit for treatment the PECS contractors will only supervise the patient for an initial four hours post admittance. The managers of the hospital in which they are (or are to be) detained under the Mental Health Act will

then become responsible for the custody of the patient. This issue is covered in more detail in the protocol that accompanies this document (in annex C). Only hospital providers who sign up to that protocol – and so agree to take over responsibility for custody should the patient fall ill en route - will be able to take advantage of this transport service.

4.3 These arrangements do not apply to patients who are brought to court from hospital and then ordered to be returned there (even if there is a change of section). The hospital will remain responsible for arranging their transport to and from court which can be conducted by the PECS contractors if the hospital is prepared to fund the cost for that escort.

What this means for hospitals

4.4 When confirming to the PECS contractor, say if you would rather collect patients yourselves, or if for any reason it is not possible to receive the person that day.

4.5 If any hospital has set time windows that they can receive patients within these need to be communicated to the PECS contractor Communications Centres Serco and GEOAmeY (contact points in Section 3.7). If a hospital has no such set hours, they should advise the contractors of a suitable time to receive the patient when arranging the transfer. Depending upon the time window there may be occasions when the contractor cannot deliver the patient in time from court. This could lead to the patient being held in a prison as a place of safety as an interim measure. Hospitals are asked to be as flexible as possible with regard to their reception times to allow the patient to be delivered to them.

4.6 If you wish to take advantage of this service please sign, date and return the protocol to the Head of PECS whose address is detailed below. If you are signing for more than one hospital please advise which hospitals are being signed up for this service.

5. Further information

If you require further information or if any aspect of the protocol is unclear units should contact Dick Taylor or Kerry Phelps. PECS Senior Contract Delivery Managers in the first instance.

Dick Taylor dick.taylor@noms.gsi.gov.uk
Kerry Phelps Kerry.phelps@noms.gsi.gov.uk

Head of PECS for protocol signing, full contact details are;

Tim Coates
Head of PECS
Custodial Contracts Group
Prisons Directorate
HMPPS
Unit 6, Forder Way
Cygnet Park
Peterborough
PE7 8GX

Appendix 3: Prison Escort Record Form

Print in booklet form on A3 paper for completion by hand.

Print in colour.

The form can be found [here](#).

In the event of difficulty in printing the PDF from the above link it is also stored in the Security Procedures folder as FPS 033a PER.