



2016 CHAPTER 18

PART 9

POWER OF POLICE TO REMOVE PERSON TO PLACE OF SAFETY

Powers of police to detain person removed from public place

Sections 142 and 143: the detention conditions

- 144.**—(1) This section applies for the purposes of sections 142 and 143.
- (2) The detention conditions are that—
- (a) failure to detain the person for the permitted purposes would create a risk of serious physical or psychological harm to the person or of serious physical harm to other persons;
 - (b) detaining the person in the place of safety for those purposes is a proportionate response to the likelihood and seriousness of the harm concerned;
 - (c) because of an impairment of or disturbance in the functioning of the mind or brain (temporary or permanent, and however caused), the person is unable to make a decision for himself or herself as to whether he or she should remain in the place of safety; and
 - (d) detention in the place of safety for those purposes is in the person's best interests.
- (3) In this section—
- “the place of safety” means the hospital or police station to which the person mentioned in section 142(1) or 143(1) has been taken;
- “the permitted purposes” means—

- (a) where the place of safety is a hospital, the purpose mentioned in section 142(2);
- (b) where the place of safety is a police station, the purpose mentioned in section 143(2)(a) or (b).