



Mental Health Act 1983

1983 CHAPTER 20

PART X

MISCELLANEOUS AND SUPPLEMENTARY

Miscellaneous provisions

136 Mentally disordered persons found in public places.

- (1) If a constable finds in a place to which the public have access a person who appears to him to be suffering from mental disorder and to be in immediate need of care or control, the constable may, if he thinks it necessary to do so in the interests of that person or for the protection of other persons, remove that person to a place of safety within the meaning of section 135 above.
- (2) A person removed to a place of safety under this section may be detained there for a period not exceeding 72 hours for the purpose of enabling him to be examined by a registered medical practitioner and to be interviewed by an [^{F1}approved mental health professional] and of making any necessary arrangements for his treatment or care.
- [^{F2}(3) A constable, an approved mental health professional or a person authorised by either of them for the purposes of this subsection may, before the end of the period of 72 hours mentioned in subsection (2) above, take a person detained in a place of safety under that subsection to one or more other places of safety.
- (4) A person taken to a place of a safety under subsection (3) above may be detained there for a purpose mentioned in subsection (2) above for a period ending no later than the end of the period of 72 hours mentioned in that subsection.]

Textual Amendments

- F1** Words in s. 136(2) substituted (3.11.2008) by **Mental Health Act 2007 (c. 12), ss. 21, 56, Sch. 2 para. 10(b)** (with **Sch. 10**); **S.I. 2008/1900, art. 2(d)** (with **art. 3, Sch.**); **S.I. 2008/2561, art. 2(b)** (with **art. 3, Sch.**)

Status: Point in time view as at 03/11/2008. This version of this provision has been superseded.

Changes to legislation: *Mental Health Act 1983, Section 136 is up to date with all changes known to be in force on or before 16 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

F2 S. 136(3)(4) inserted (30.4.2008) by [Mental Health Act 2007 \(c. 12\)](#), [ss. 44\(3\), 56](#) (with [Sch. 10](#)); [S.I. 2008/800](#), [art. 2](#) (with [art. 3](#))

Status:

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