



Coroner's Office

11 MAR 2020

Received

Temporary Assistant Chief Constable [REDACTED]

South Wales Police  
South Wales Police Headquarters  
Cowbridge Road  
Bridgend  
CF31 3SU

10<sup>th</sup> March 2020

Mr Graeme Hughes  
Acting Senior Coroner  
Coroner's Office: South Wales Central  
The Old Courthouse  
Courthouse Street  
Pontypridd  
CF37 1JW

Re: Deborah Margaret LAMONT Deceased

Dear Sir,

I write on behalf of the Chief Constable of the South Wales Police in response to the Prevention of Future Deaths report of the 20 January 2020 in relation to Deborah Margaret LAMONT (deceased).

Your notice under Paragraph 7, Schedule 5 of the Coroners and Justice Act 2009 and Regulations 28 and 29 of the Coroners (Investigations) Regulations 2013 sets out your concerns which may be summarised as:-

- 1) Whether s136 could have been legally used in a hotel room if the officer concerned felt it was necessary to do so and;
- 2) For the Police and College of Policing to consider their interpretation of whether a hotel room falls within the exception provided for by s136 (1A) Mental Health Act (MHA), and

**HEDDLU DE CYMRU**

Pencadlys Heddlu De Cymru, Heol y Bont-faen, Penybont CF31 3SU  
Mewn argyfwng ffoniwch 999, fel arall, ffoniwch 101  
Gwefan: [www.heddlu-de-cymru.police.uk](http://www.heddlu-de-cymru.police.uk)

Maa Heddlu De Cymru yn croesawu derbyn goheblaeth yn Gymraeg a Saesneg.  
Byddwn yn ateb goheblaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

**SOUTH WALES POLICE**

South Wales Police Headquarters, Cowbridge Road, Bridgend CF31 3SU  
In an emergency always dial 999, for non-emergencies dial 101  
Website: [www.south-wales.police.uk](http://www.south-wales.police.uk)

South Wales Police welcomes receiving correspondence in Welsh and English.  
Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

to provide clear guidance and instruction to officers faced with similar circumstances.

The report was sent to the Chief Constable and the Chief Executive of the College of Policing and we have had the benefit of being copied into the response of [REDACTED] Faculty Lead for Uniformed Policing, College of Policing dated 3<sup>rd</sup> March 2020.

As you are aware, the College of Policing was established in 2012 and its purpose is to provide those working in policing with the skills and knowledge necessary to prevent crime, protect the public, and secure public trust. They hold three complementary functions namely Knowledge, Education and Standards.

The latter function includes the maintenance of Authorised Professional Practice (APP). APP is the official source of professional practice on policing. Police officers and staff are expected to have regard to APP in discharging their responsibilities.

We note that the College of Policing has sought its own legal advice to assist in the provision of a response and have shared your view that s.136 was an available option in this instance but there is no legal basis to mandate this.

The Chief Constable also notes that whilst you interpreted s.136 as likely to afford the officer the power to remove Dr Lamont on the night in question, his [the officers] assessment of Dr Lamont was a reasonable one and the grounds to remove her did not exist [at that time] as she was not in immediate need of care or control.

The Chief Constable notes that the College will circulate a summary of this issue to all police force mental health leads across England and Wales so that they can ensure that their officers consider the use of s136 in similar circumstances. It is noted that in addition, the College has raised the issue with the Home Office and will work together to assess the need for relevant changes to the current national guidance (APP) in relation to the use of s136 and hotel rooms. The College will ensure that all Forces are kept apprised of developments.

The Chief Constable has also asked that this issue is fully considered by the Force Mental health lead in the intervening period and the use of hotel rooms and s.136 is subject of a specific note upon force guidance and within training. This will be the interim position until such time as the Home Office and/or College of Policing offer the additional guidance and/or legislative amendment etc.

It is hoped that this response combined with that of the College of Policing will address the issues and concerns as set out in your report.

Yours Sincerely

A handwritten signature in black ink, appearing to be 'A. [unclear]', written over the 'Yours Sincerely' text.

T/ACC [REDACTED]