

The Scarborough Hospital

Policy & Procedure Manual

Mental Health Services – Regional Crisis Program Accepting Custody of Patient from Police

Policy

The Scarborough Hospital (TSH) will accept responsibility for patients who are brought to our Emergency Department (E.D.) under police custody. The TSH staff and the Police Officer(s) will sign the Police Releasing Custody to Facility Form (TSH #845177 – (revised 2009)), to indicate an agreement that custody has been transferred from the police to the TSH. Completion of this form aims to reduce unnecessary wait times that police officers spend with patients in our Emergency Departments.

Section 7.2 of the Ontario Regulation 616/00 made under the Mental Health Act (November 2000) describes how a facility is to take custody of a person brought in by the police. This section indicates that there should be communication with the police about the custody decision-making process.

Mental Health Act R.S.O. 1990, Last amendment: 2004, c.3. Sched.A, s.90 - Section 33 Duty to Remain and Retain Custody: A police officer or other person who takes a person in custody to a psychiatric facility shall remain at the facility and retain custody of the person until the facility takes custody of him or her in the prescribed manner. 2000, c.9, s.14.

TAKING INTO CUSTODY BY FACILITY:

7.2 (1) Where a person is taken to a psychiatric facility under Section 33 of the Act, the officer in charge or his or her delegate shall ensure that a decision is made as soon as is reasonably possible as to whether or not the facility will take custody of the person.

(2) The staff member or members of the psychiatric facility responsible for making the decision shall consult with the police officer or other person who has taken the person in custody to the facility.

(3) A staff member designated for this purpose shall communicate with the police officer or other person about any delays in the making of the decision.

(4) Where a decision is made to take the person into custody, the designated staff member shall promptly inform the police officer or other person of the decision.

NOTE: Police includes the Mobile Crisis Intervention Team police constable.

This material has been prepared for use at The Scarborough Hospital (TSH). This is a CONTROLLED document for internal use only. Any documents in printed form may not reflect the current electronic version and should be checked against the document (title above or policy number below) on the hospital intranet prior to use.

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ACCEPTING CUSTODY OF PATIENT FROM POLICE		

Procedure

1. As soon as a patient arrives in the custody of the police, the Crisis Program is to be informed & the ED Triage or Unit Clerk is to attach the Police Releasing Custody to Facility Form (TSH #845177) to the patient chart. This form documents the transfer of custody from TPS to TSH. It is signed at the time of release of a patient from TPS to E.D, The signed copy remains on the health record. TSH staff will endeavour to release Police Officers immediately.

2. TSH Crisis Program staff member(s) will communicate with the police officer about any delays in the E.D. affecting their ability to leave. .

Once signed the police officer(s) may leave the facility.

1. Practice protocols will provide the unique step by step actions required to achieve a specific policy and procedure.

References

Mental Health Act, **R.S.O. 1990, c. M.7:**

http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_90m07_e.htm

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