

**FOI Reference Number: FOI/337/1819**

**Date: 18/10/2018**

**Request:**

Dear Sir/Madam,

**Re: Freedom of Information Request regarding local authority obligation under section 21(2)(b) Children Act 1989 to receive, and provide accommodation for, children whom they are requested to receive under section 38(6) of the Police and Criminal Evidence Act ("PACE") 1984**

I am writing to kindly request information regarding the arrangements in your local authority for fulfilling obligations under section 21(2)(b) of the Children Act 1989 to receive, and provide accommodation for, children in police custody following their arrest when requested to do so by the police under section 38(6) PACE 1984.

Could you please provide us with the following information:

1. what accommodation is available, for fulfilling its obligations under section 21(2)(b) of the Children Act 1989 ("s 38 beds"), how much of this accommodation is secure and non-secure;
2. the number of times in the year to 01 October 2018 you have been contacted and asked to receive, and provide accommodation (secure and non-secure) for, children under section 38(6) PACE 1984;
3. the number of times in the in the year to 01 October you have provided such accommodation (secure and non-secure) following a police request under s38(6) PACE 1984; and
4. whether you currently have a policy for fulfilling the statutory obligations under section 21(2)(b) Children Act 1989 and, if so, what that policy is. If a policy document exists we would be grateful if you could please provide us with a copy, as well as a copy of all previous policy.

To clarify, I am looking for information that for example, in the Local Authority:

1. There are currently six s 38 beds, of which one is in secure accommodation;
2. There have been 300 requests to receive and provide accommodation for children in the year to 01 October 2018. 250 of these have been for non-secure accommodation and the rest for secure accommodation;
3. In the year to 01 October 2018, the authority has been able to comply with 200 of the non-secure accommodation requests and 25 of the secure requests;
4. A policy on this issue exists, and a copy is provided;

These questions are in the context of our research into the availability of beds under section 38(6) PACE 1984. We are currently conducting follow-up research, tracking changes in this issue since 2016.

I know that this is a large request, but the information is crucial for our research and we have already tried to narrow down our questions as much as possible. If any of the above information is not available, within the cost limits, could you please provide the data which is available. Alternatively, could you please provide advice and assistance as to how I can further refine my request.

I would be grateful if you could please provide the requested information by email to the address given above, for the attention of [REDACTED]. In case of any questions please do not hesitate to contact me by email or telephone ([REDACTED] on Mondays and Thursdays).

Thank you in advance,

### **Response:**

Thank you for your information request which Mid and East Antrim Borough Council received on 16/10/2018.

Please find below Mid and East Antrim Borough Council's response to the information you requested in relation to children in police custody.

*Please note that in Northern Ireland district councils are not responsible for the provision of social care. Please contact the Northern Health and Social Care Trust who should be able to help you with your request.*

If you are dissatisfied with the handling of part of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of the response to your original letter and

should be addressed to the Chief Executive at the Braid Ballymena Town Hall, 1-29 Bridge Street, Ballymena, BT43 5EJ.

Please remember to quote the reference number FOI/337/1819 in any future communications.

If you are not content with the outcome of an internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Please be advised that Mid and East Antrim Borough Council may release the response to this information request into the public domain via our website at <https://www.midandeantrim.gov.uk/>.

If we publish our response to your request, your personal data will be removed to protect your privacy.