



The Regional Municipality of York Police Services Board

To Make a Difference in Our Community

17250 Yonge Street, Newmarket,
Ontario, Canada L3Y 6Z1

Tel: 905.830.4444 or 1.877.464.9675 ext. 77906

Fax: 905.895.5249

E-mail: psb@yrp.ca • Web: yrpsb.ca

May 14, 2019

The Honourable Sylvia Jones, Minister
Ministry of the Solicitor General
George Drew Building, 18th Floor
25 Grosvenor Street
Toronto, ON, M7A 1Y6

Dear Minister Jones:

Re: Police-Hospital Handover Protocol

At its meeting on February 27, 2019, the York Regional Police Services Board endorsed the resolution proposed by the London Police Services Board (“LPSB”) regarding Hospital Emergency Room Handover Protocol – a copy is attached.

Section 17 of the *Mental Health Act (MHA)* provides police with the authority, under certain circumstances, to take a person in custody to an appropriate place for examination by a physician in relation to mental health. Where a police officer takes a person in custody to a designated health facility for the purpose of a psychiatric assessment further to the *MHA*, a police officer must remain at the facility and retain custody of an individual until the facility has accepted custody of the individual.

In 2018, York Regional Police officers spent about 7,500 hours in the emergency rooms of local hospitals pursuant to the requirements under the *MHA*. Our Board supports LPSB’s assertions that not only does this practice take officers away from front-line duties and from answering calls for service, but it further stigmatizes the individual who is often required to wait in the emergency room with police officers.

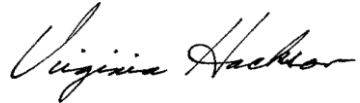
Wait times for the transfer of custody of individuals apprehended under the *MHA* in York Region are currently approximately 69 minutes. However, wait times fluctuate and can be up to 110 minutes; in addition, at least two officers are required to be on stand-by in emergency departments.

Our Board has made significant investments in reducing wait times in the emergency room and in ensuring that the right support is available when the police are called in for assistance. York Regional Police have two Mental Health Support teams who work in conjunction with York Support Services Network to ensure better outcomes for individuals who are experiencing a mental health crisis.

We also think it is important for the Province to develop a province-wide standard that supports positive outcomes for the community and for individuals who are apprehended under the *MHA*. We urge the Ministry to take steps to develop and implement a province-wide protocol with built-in accountability measures to help officers return to responding to their front-line duties and to help ensure a safer and more dignified process for people apprehended under the *Mental Health Act*.

Your consideration of this matter is very much appreciated.

Sincerely,

A handwritten signature in black ink that reads "Virginia Hackson". The signature is written in a cursive style with a large initial 'V'.

Chair Virginia Hackson
Mayor, Town of East Gwillimbury

Attachment: Correspondence from London Police Services Board

Cc: Minister Christine Elliott, Ontario Ministry of Health and Long-Term Care
Chief Eric Jolliffe, York Regional Police
Ontario Association of Police Services Boards
York Regional Council



LONDON POLICE SERVICES BOARD

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The Honourable Sylvia Jones, Minister of Community Safety and Correctional Services
Ministry of Community Safety and Correctional Services
George Drew Building, 18th Floor
25 Grosvenor Street
Toronto, ON M7A 1Y6

February 20, 2019

Dear Minister Jones,

Re: Hospital Emergency Room Handover Protocol

The London Police Services Board (LPSB / Board) has been working with the London Police Service (LPS) and many community partners to address the complex issue of mental health in our community, and specifically, the challenge police often face as first responders being the initial, and sometimes only, point of contact in these situations.

An issue which has come to light during community consultations on this subject is the absence of a province wide police / hospital mental health patient transfer of care protocol, including mechanisms for accountability to the protocol. As the incidence and complexity of mental health challenges escalate in communities across the province, this matter is becoming increasingly urgent.

The essence of the matter is this:

Under Section 17 of the Mental Health Act (MHA), only police have the authority to apprehend an individual for the purpose of compelling examination by a physician in relation to mental health. Police are required to transport to a schedule 1 psychiatric facility for such examination the individual who has been apprehended.

Subsequently, under Section 18 of the MHA an examination of an individual apprehended under Section 17 shall be conducted forthwith by a physician after receiving the individual at the hospital. Section 33 of the MHA mandates that a police officer 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. There is however no definition or description in the MHA of "the prescribed manner". As well, the stigma for

601 Dundas Street, P.O. Box 3415, London, Ontario, N6A 4K9
Tel: 519-661-5646 Fax: 519-661-1053
Email: lpsb@police.london.ca

patients being guarded by police while waiting for hours in hospital waiting rooms is an additional hardship for the patient.

Wait times in London for the transfer of custody of individuals apprehended under Section 17 of the MHA have been a significant issue for many years and continue to escalate as incidents and severity of mental health challenges exasperate in our community.

Average wait time is currently approximately 1 hour and 30 minutes. Average wait times have fluctuated over the past several years from approximately 1 hour and 30 minutes to 2 hours. Specifically in 2017, LPS responded to 2,503 mental health crisis-related occurrences. Apprehension under Section 17 of the MHA was required in 598 of those occurrences and an additional 180 apprehensions were required as a result of Apprehension Orders. In total, there were 778 apprehensions (31% of all mental health related occurrences).

Using an average wait time of 1.5 hours, LPS spent approximately 1167 hours in the LHSC Emergency Department waiting to transfer to the hospital care of individuals apprehended under the MHA. Apprehensions usually require two officers which doubles the wait time impact factor. This statistic is very problematic not only for an already-stretched police service which must be available to respond to a large volume and variety of policing-related issues daily, but also for the many community agencies supporting individuals with mental health issues.

The LPSB has and will continue to work with the London Health Sciences Centre to advocate for the safe, dignified, effective and efficient transfer of care of mental health patients from police to hospital custody. The matter is large and complex and impacts many communities in Ontario. We feel this matter is becoming a community crisis in many regions across Ontario and would benefit from a common sense strategy to be applied consistently across the province.

In 2016, Chief John Pare of the London Police Service was a member of a province wide working group, led by the Provincial Human Services & Justice Co-Ordination Committee that developed a framework protocol for the effective and efficient transfer of care of mental health patients from police custody to hospital custody. This provincial framework protocol was moved forward to the Ministry of Health and Long Term Care (MoHLTC) and Ministry of Community Safety and Correctional Services (MCSCS) for ministerial approval in late 2016 / early 2017. It is our understanding that this framework protocol has not yet been approved, however the MCSCS and the MoHLTC are both currently reviewing this document.

We strongly urge the Ministers to endorse and implement a province wide police / hospital transfer of care protocol including mechanisms for accountability to the protocol and invite you to contact us if there are ways that we can work together to support a strategy to improve outcomes for all of Ontario.

We look forward to hearing from you in relation to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Javeed Sukhera', with a long horizontal stroke extending to the right.

Dr. Javeed Sukhera
London Police Services Board
lpsb@police.london.ca
601 Dundas Street, P.O. Box #3415
London, Ontario N6A 4K9
Telephone: (519) 661-5646

CC: Chief John Pare, London Police Service
Superintendent Bill Chantler, London Police Service
Ontario Association of Police Services Boards
Big 12 Police Services Boards