



HM Prison &  
Probation Service

# Contacting the Ministry of Justice Mental Health Casework Section Out of Hours Service - Guidance for Professionals

Issued: 15 November 2021

**Out of Hours Number 0300 303 2079**

## 1 Restricted patients

The MoJ Mental Health Casework Section (MHCS) **only** deals with psychiatric patients detained under the following Mental Health legislation:

- Sections 37/41 of the Mental Health Act 1983;
- Sections 47/49 of the Mental Health Act 1983;
- Sections 48/49 of the Mental Health Act 1983;
- The Criminal Proceedings Insanity (Unfitness to Plead Act 1991 (CPI)); and the Domestic Violence, Crime and Victims Act 2004 – ‘the 2004 Act’.
- Section 45a of the Mental Health Act (Hospital Directions)

MHCS does not deal with patients detained solely under sections 2 or 3 of the Mental Health Act, or any other sections not mentioned above.

## 2 Service Operating hours

The out of hour's service runs from 17:00 – 09.00 each weekday. The service is extended to 24 hours on Saturdays, Sundays and public holidays and is for emergency situations that cannot wait until the next working day.

## 3 When to email the relevant MHCS functional mailbox out of hours

Where previously hospitals have telephoned the MoJ out of hours service to pass on non-urgent information (but have not needed to speak to the duty officer), MHCS recommends that an email to the relevant mailbox is a more secure means of ensuring that such information is recorded.

The types of issues that we would ask for an email about include:

- Absconds (unless the patient is high profile and there is likely to be significant media interest)
- The return of an absconder
- Urgent transfers to a general hospital for emergency medical treatment (including for Covid-19);
- Death of a patient
- Informing us that the patient has, or is alleged to have, committed a criminal offence but where recall is not required

The mailbox address is as follows:

[MHCSMailbox@justice.gov.uk](mailto:MHCSMailbox@justice.gov.uk)

## 4 When to call the out of hour's service

MHCS operates an out of hour's service to make urgent or emergency (non-medical) decisions for restricted patients. The service also enables hospitals and supervisory teams to seek urgent advice from the MoJ in real time.

The decisions or events which are likely to involve calls to the out of hour's service include:

- Urgent recalls from the community to hospital
- Urgent remissions to prison
- Urgent compassionate leave
- Urgent upward transfers between hospitals (into conditions of higher security)
- Significant developments in cases for mentally disordered offenders who have a high profile nationally
- Hostage incidents or patient disturbances

**PLEASE NOTE THAT THIS SERVICE APPLIES TO MATTERS OF URGENCY ONLY WHICH CANNOT WAIT UNTIL NORMAL OFFICE HOURS.**

## **5 How the service works**

Callers contact the central switchboard number (**0300 303 2079**).

The operator will ask the caller for the following information:

- Their name and contact number
- Name and reference number of patient
- The relevant section of Mental Health Act e.g. 37/41
- The reason for call
- Whether the caller needs to speak to the MHCS Duty Officer (YES/NO)?

If the caller needs to speak to the Duty Officer, he or she (who is a senior member of MHCS), is then contacted and asked to call you back. The Duty Officer will provide advice or consider your urgent request and will then provide appropriate written confirmation and relevant paperwork where appropriate during the next working day. If your call is deemed 'non-urgent' and falls into the categories detailed above (e.g. abscond (unless a high profile patient) the Duty Officer may ask you to email [MHCSMailbox@justice.gov.uk](mailto:MHCSMailbox@justice.gov.uk) with full details and will not process that request out of hours.

For recalls that have been agreed out of hours by a duty officer and meet all the necessary criteria, verbal confirmation will be provided over the phone, followed shortly after with a written warrant in the form of an e-mail. Subsequent paperwork, including the standard format recall warrant will be issued during the next working day.

Please note that the Duty Officer will not usually have access to any information or MHCS records when the call is taken as they are not on duty in the office, nor working remotely. Therefore, as much information about a patient as requested should be given to allow a decision to be made but, on occasions, it will not be possible to make the decision until the next working day and the Duty Officer may offer advice prior to a decision.

If the issue does not require a conversation with the out of hour's officer the caller should email MHCS as at section 3 above.