

ITEM [6]

Report Name:	Appropriate Adults Service for Barnet Residents
Meeting:	Barnet Safer Communities Partnership Board
Meeting Date:	22.01.21
Enclosures:	None
Report Author:	Fiona Bateman (Independent Chair of Barnet Safeguarding Adults Board)
Outcome Required:	Decision Required [x]
Restricted	No
Summary	Request from the Barnet Safeguarding Adults Board that the Community Safety Partnership review current appropriate adults provision and explore options to improve efficiencies and protection for vulnerable residents in line with PACE requirements.

Executive summary

This paper raises concerns regarding the provision of Appropriate Adults for vulnerable Barnet adults (not children) detained in police custody. The paper explains current provision, the impact of gaps in that provision and introduces options to close them.

Current Provision

Broadly, the role of the Appropriate Adult (AA) is to safeguard the rights and welfare of vulnerable adults in police custody and ensure they know what is happening to them and why, and to facilitate communication between them and the police. The definition of a vulnerable person covers people with mental health difficulties, people with a learning disability and those who have trouble communicating and understanding.

The Police and Criminal Evidence Act 1984 (PACE) requires that all vulnerable detainees have access to an appropriate adult when detained or interviewed by police. AAs cannot be police employees. Currently, **no statutory agency has responsibility for the provision of AAs**. In Barnet, the Children and Families Service provide AAs for detained children. Provision of AAs for adults is through a volunteer scheme, *The Colindale Appropriate Adult Panel*, run by Coordinator. The scheme is overseen by Mental Health within Adult Social Care which pays volunteers' expenses. The volunteers receive some basic training, coordinated by the volunteer coordinator.

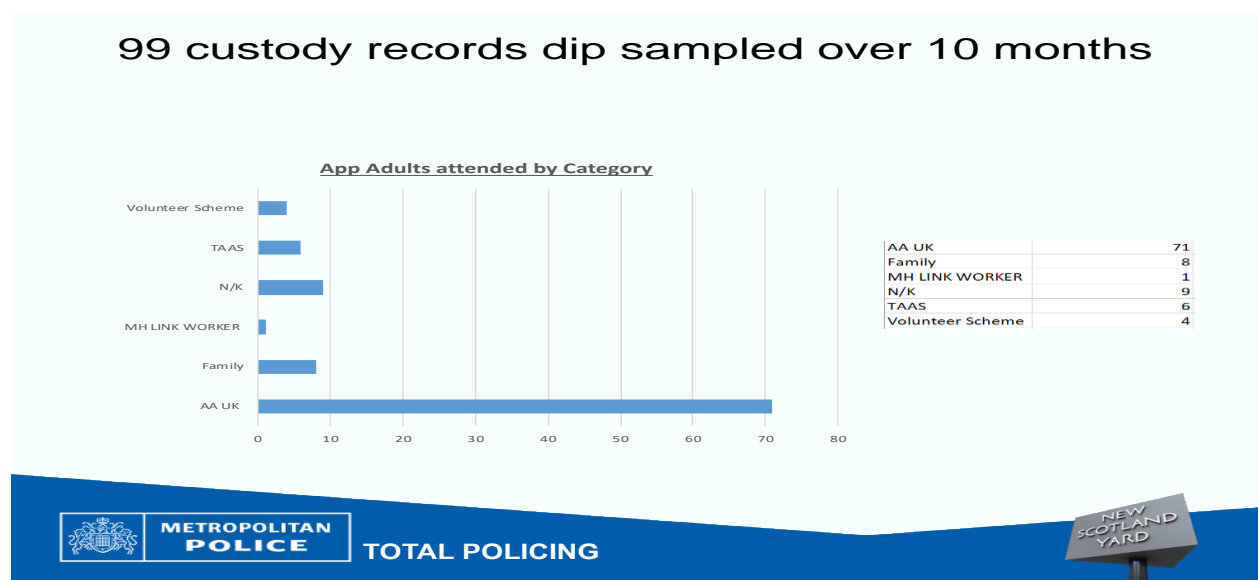
Where it is identified that a person requires an AA, the first port of call is to use friends and family. This covers an estimated 10% of cases (based on dip sample of 99 custody records over Jan-Oct 2020). The remainder is covered by the volunteer scheme, followed by some cases workers (statutory or voluntary) if the adult has one and use of a private service (unfunded). Occasionally an AA may not be used if one unavailable and the adult is to be bailed/released without interview. This is a breach of PACE and risks causing harm if the vulnerable adult lacks the ability to grasp what is happening and what will happen to them or other people as a result of being under arrest.

Case for change

The volunteer AAs deliver a great service when they are available, and we are hugely appreciative of their many years of public service. However, over 2020 their availability has been severely impacted by the pandemic as many volunteers are over 60 or extremely clinically vulnerable and have, therefore, had to shield. Volunteers do not work on a rota system, rather, they sign post officers as to their approximate availability and the officer rings the list until they can get hold of one. Where no one is available police have to rely on the private AA scheme despite no agreed budget and no provision to pay.

Concerns regarding insufficient access to AA support were first raised to the Barnet Safeguarding Adults Board [BSAB'] in 2017 by the Metropolitan Police Service ['MPS']. Action was taken at that time to support the recruitment and training of additional volunteers as partner agencies were not in a position to financially contribute towards the preferred solution put forward at that time. In addition, the issue was raised at the London Safeguarding Adults Board where assurance were given that the MPS and NHS England were working with London Councils to seek an effective solution given the legislative hiatus. The BSAB's Access to Justice subgroup has, since this time, regularly sought assurance that the volunteer scheme was operating effectively. Unfortunately, MPS custody computer systems (NSPIS) are not sophisticated enough to enable such detail without manual examination of each case. In 2020 MPS' MET detention team manually reviewed 99 custody records in response to that request.

Table 1. Current AA (adult) demand and provision by the volunteer service



The review identified 8% of provision came from family, 4% by the volunteer scheme and 77% by private schemes (namely, the Appropriate Adult Service and AA UK). Of the 99 cases 30 people incurred delays in custody of over 3 hours awaiting suitable AA provision, for 8 the delay was over 6 hours and 4 waiting in excess of 10 hours with the longest delay being for 17 hours. This amounts to well over 150 hours of police investigation time (custody staff time not included) and potentially significant distress to some detainees.

Options to improve AA provision for adults.

There are two options to consider:

Option 1 – Accept the risk and current status quo. *NOT RECOMMENDED*

Option 2 – Formally contract the provision of a private AA scheme. *PREFERRED OPTION*

Option 1 should be disregarded given impact of the current lack of sufficient provision in terms of unnecessary continued detention, impact on detainees and non-efficient use of police resource.

Option 2. MPS, NHS England and a large number of local authorities in London have contracted AA (adult) provision to a private service. This service has significant advantages in that they are 24/7 and aim to be at the station within an hour. Further exploration may be needed to ascertain whether this could be used to complement the current volunteer scheme so that that existing volunteers remain the first post of call in any call out (if friends and family aren't available). This will ensure that existing long term volunteers are not displaced as they are keen to continue their work, but there is a fall back system, especially for anti-social hours.

[End of Report]