APPROPRIATE ADULT PROVISION IN ENGLAND AND WALES

Report prepared for the Home Office by
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1. Introduction

The role of the Appropriate Adult is defined in the Police and Criminal Evidence Act (PACE) 1984, Code of Practice C. The role is ‘to support, advise and assist’ detainees in a police station who are either juveniles under the age of 17, or adults who are mentally vulnerable.

The role can be undertaken by a parent, other family member or carer or in some cases by a professional social worker. However increasingly when such people are not available, or it is not appropriate to use them, the role is filled by a ‘professional’ Appropriate Adult, who may be a volunteer or paid to undertake the role. Over the last ten years a network of agencies providing this service has developed across England and Wales, leading to the formation of the National Appropriate Adult Network (NAAN), the national membership body supporting and representing organisations providing Appropriate Adult services.

During 2005, The National Appropriate Adult Network was involved in a series of discussions with the Home Office concerning the nature of the Appropriate Adult role, potential scope for improving the service provided, raising engagement with volunteers, and, crucially, the issue of the statutory responsibility for the provision of the Appropriate Adult service. Section 38 of the Crime and Disorder Act (1998) made statutory provision to require local authorities and others, through Youth Offending Teams, to ensure the provision of Appropriate Adult services in their area to safeguard the interests of children and young persons detained or questioned by police officers.

There is no statutory body that has that responsibility for vulnerable adults. It was agreed that if a responsive and professional service was to be provided across England and Wales, this issue and related issues such as funding and training needed to be addressed.

In the autumn of 2005 NAAN undertook a baseline study of existing provision through a wide ranging survey of professional (i.e. non familial) Appropriate Adult provision in England and Wales. We sent questionnaires to all 63 full members of NAAN who provide Appropriate Adult services. We also sent questionnaires to all Police Authorities and all Youth Offending Teams in England and Wales. We sent reminders to members, Police Authorities and Youth Offending Teams who had not responded by the deadline of 29 November.

In addition to asking for a range of statistical information, we also asked for opinions on some key policy and strategic issues. Copies of the questionnaires are attached as Appendix 1.

39 out of a possible 63 NAAN full members completed the questionnaire. 50 Police Authority questionnaires were sent out. We had 21 individual responses from the Metropolitan Police Authority (MPA), on a London borough basis and a further 11 other Police Authority responses, a total of 38 responses from the police. In the figures and analysis that follows we have
considered each of the responses from the MPA separately. We sent out 157 questionnaires to Youth Offending Teams (YOTs) and 72 were returned.
2. Survey results

Appropriate Adult numbers

Our members have between 0 and 84 Appropriate Adults volunteering or working for them. The majority have between 10 and 30.

Types of schemes and types of Appropriate Adult provision

49% of NAAN members provide a service using only volunteers. 28% use a combination of volunteers and paid staff. 18% use only paid staff or paid sessional workers.
Almost two thirds of our members providing AA services work within the voluntary sector, one third works within the statutory sector and just one organisation is in the private sector.

**Appropriate Adult call outs**

Our members reported that the average number of call outs for vulnerable adults per month ranged from 4 to 375. For juveniles the range was from 18 to 413.

The response from Police Authorities to this question was somewhat surprising. The average number of Appropriate Adult call outs for vulnerable adults per month ranged from zero to 330. For juveniles, the number ranged from 5 to 570. It is hard to believe that in any Police Authority there would be no need for Appropriate Adults for vulnerable adults in an average month, or that just 5 would be required for juveniles. More research would be useful here. From the limited information available, there does not seem to be any correlation between the number of call outs and the type or size of custody suites. It should be noted that in some areas the figures were estimated, in others a total figure was given and not divided into adults or juvenile requests. Generally records do not appear to differentiate between the use of professional and non-professional Appropriate Adults.

**Service hours of operation**

14 agencies currently provide a 24 hour service. Of these nine were in the voluntary sector, four were statutory and one private. Nine provided a combined scheme, while five were for juveniles only.

The majority of respondents (19) provide a service of around 12-14 hours a day, usually between the hours of 8am and 11pm or midnight. This is broadly in line with NAAN’s National Standards. A few are contracted (usually by the YOT) to provide an office hours service only. In some cases it is made clear
that the out of hours service is being provided by Social Services Emergency Duty Teams (EDTs). In other cases, we can only assume that this is the case from anecdotal evidence and feedback received at network events. It is not always clear in those cases whether the EDTs complies with the Youth Justice Board (YJB) standards in terms of the 2 hour call out time, or that the police are aware that they should. A small number of agencies provide an out of hours service only (again presumably supplementing other provision).

From the information received, there is no obvious correlation between types of geographical areas (e.g. rural/urban) and the hours of operation.

**Response times**
29 members had an agreed response time while 8 did not. Of those that did, 27 had an agreed time of 2 hours or less and the remaining 2 had a response time of 3 hours. The Youth Justice Board and NAAN National Standards state a response time target of 2 hours. The reality is that arrival time is often negotiated to fit with time the police wish to interview, the arrival of a legal representative, and sometimes the Forensic Physician. Negotiated arrival times are generally beneficial both for the Appropriate Adult and the needs of the investigation.

**Training**

![Number of hours training provided before AAs join rota, by individual agency](image)

The level of training provided before an Appropriate Adult joins the rota ranges from 0 to 60 hours, with 50% having between 10 and 30 hours training. The average was just over 16½ hours. The number of shadowing visits prior to joining the rota varies from 0 to 6, with an average of just over two. NAAN’s National Standards state a recommended minimum of 18 hours training and two shadowing visits. Training can be spread over several weeks, or be more concentrated. It is likely to include both classroom-based work and exercises and familiarisation with the local police station.
Around 36% of Appropriate Adult training is currently accredited, with Business Technology Education Council (BTEC) and National Open College Network (NOCN) being the most popular accrediting bodies.

13 police authorities said that they or their police services were involved in Appropriate Adult training.

It is too early to judge whether or not the Skills for Justice revised National Occupational Standards for Appropriate Adults will have any real impact on members’ practice. The issue for members is less the existence of training models (there are several) but rather the resources and time to enable them to access and make use of them.

**Funding**

It is difficult to analyse the information provided on current levels of Appropriate Adult scheme funding. This is due in part to incomplete answers to the funding questions. In two cases organisations stated that they were not willing to provide information on scheme funding. In a number of cases, when the scheme was run within, and funded by a statutory authority, the respondent said that they were unable to identify a separate budget or funding for the Appropriate Adult service. Inevitably in statutory services, some of the costs of running the service are hidden, whether office, admin support or management costs or the actual costs of emergency duty social workers picking up Appropriate Adult duties out of hours.

Total scheme funding ranged from none identified to over £200,000 per annum. Given the incomplete responses, an average would be meaningless. However, the median figure, based on organisations which provided funding information, is £43,500. From the few organisations that answered the question about the adequacy of the funding, responses varies from ‘adequate’ to ‘we need at least double’. The chart below shows the wide variety of current funding levels.

![Current funding levels, by individual agency](image-url)
Just three organisations identified any non-statutory funding, with amounts ranging from £700 to £10,000. Only two organisations we able to identify the value of any support in kind, with the amounts in these cases being between £8,000 and £9,000.

Nine police authorities said that they contributed to Appropriate Adult funding in various ways, with six police services identified as contributing funding directly. This includes at least one police service paying Appropriate Adults directly on a flat rate call out basis, which prima facie appears not to be in line with the requirement for independence from the police.

Flat rate payments, whether made by the police or any other agency (or indeed expenses payments which are not linked directly to actual expenditure), can also blur the distinction between the position of a volunteer and a paid worker. This has a number of implications. There have been several tribunal cases\(^1\) over the last ten years where volunteers have successfully argued that a contract of employment existed, with all that that entails in terms of rights and responsibilities.

Of NAAN members, the one statutory provider of Appropriate Adult services and 20 of the 25 voluntary sector providers had a Service Level Agreement (SLA) with their funders (usually a Youth Offending Team). Two did not, and three did not answer this question.

**YOT satisfaction with Appropriate Adult provision**
Over two thirds (54) of the 72 YOTs who responded expressed satisfaction with the AA service provided for juveniles, with 19 not satisfied and four not responding to this question. This is a much higher level of satisfaction that that expressed by police authorities (see below).

**Police satisfaction with Appropriate Adult provision**
Just over half the Police Authorities (19) expressed overall satisfaction with the AA provision provided in their area. The remainder either did not comment or were not satisfied. As already indicated, this does not match the response from YOTs, and might benefit from further research, and a review of differing expectations and perceptions.

Reasons for dissatisfaction ranged from unreliability and poor response times (for both adults and juveniles), particularly out of hours, not enough volunteers and the various statutory bodies arguing about who had responsibility for the service. The lack of secure Local Authority emergency accommodation for both juveniles and vulnerable adults, and the subsequent over-reliance on police cells was mentioned by a number of police authorities. Delays in the processing of Criminal Record Bureau checks for Appropriate Adults can also have an impact on their availability.

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\(^1\) See for example: Migrant Advisory Service v Mrs K Chaudri (198) EAT 1400/97
Who should fund and manage Appropriate Adult services?
The majority of **NAAN members** felt that Social Services Departments should have responsibility for Appropriate Adult schemes for adults, with a variety of joint funding options suggested. Many thought Police Authorities should contribute funding, along with Primary Care Trusts and/or Mental Health Trusts. Some thought Police Authorities should fund, but not manage schemes. Only one thought that Police Authorities should both fund and manage schemes. Several thought that funding should come from central government. There appeared to be general satisfaction with Youth Offending Teams maintaining responsibility for juveniles, but not always with the level of funding, nor with the service provided out of hours.

13 **Police Authorities** felt that Local Authorities should have responsibility for Appropriate Adult schemes for adults, four suggested various partnership arrangements involving for example health authorities or the police. Six felt that central government should be responsible for funding schemes. None thought that Police Authorities themselves should have primary responsibility.

The **Youth Offending Teams** had various suggestions about the management and funding of schemes. When a view was expressed, most felt that responsibility for juveniles should remain with the YOTs, with funding coming from various partners including the police. 23 YOTs thought that responsibility for vulnerable adult schemes should rest with the Local Authority. 15 had other suggestions, most of which involved partnerships and joint funding from bodies such as Primary Care Trusts, Mental Health Trusts, Social Services, Probation and the Police.

The position of 17 year olds under PACE
Over two thirds (27) of our members thought that the age of juveniles under PACE, and therefore the age of those having an automatic right to an Appropriate Adult should be raised to include 17 year olds. Five did not, and seven did not answer the question.

An even larger majority of Youth Offending Teams (53) said that the age of juveniles should be raised to 17. 15 did not, and four did not answer this question.

Most NAAN members and YOTs refer to the confusion caused by the current anomalous position of 17 year olds. They appear in Youth Courts and are considered as children under the Children’s Act (1989), yet they are not entitled to an Appropriate Adult and are treated as adults for bail purposes. Some schemes do provide support for 17 year olds, but others report that they fall through the net between juvenile and adult schemes. There is a particular problem for 17 year olds with mental health problems, as adult mental health services may see them as ‘children’ and therefore be unable or unwilling to provide a service, while YOTs may exclude them either on age grounds, or because they do not consider they have the necessary expertise to help.
As one of our members put it:

*Present legislation leaves 17 year olds in some sort of limbo.*

By contrast 27 Police Authorities (counting each London borough separately) did not think the age should be raised. 10 did and 2 did not answer this question.

Clearly there would be resource implications if the age of juveniles was raised under PACE, but in our view this issue needs to be addressed.

**Impact, if any, of Crown Prosecution Service involvement in charging decisions**

Most NAAN members have noticed a significant increase in delays, and expressed concern about the impact on both detainees and Appropriate Adults. YOTs comments varied from ‘no noticeable change’ to significant increase in delays. The Police Authorities responses also varied from ‘no impact as yet’, to ‘massive increase in delays’. The different response may in part reflect the fact that the scheme has been introduced in stages across the country, and in some areas it is too soon to be able to see any impact – whether positive or negative.

The increase in delays is leading to vulnerable people being held in custody much longer than before and arguably longer than necessary. Appropriate Adult schemes across the country are already setting limits on the time the Appropriate Adult will wait for a decision on charging. If a decision is not made within this period the Appropriate Adult will leave. An Appropriate Adult may or may not then be called back for charge. Although it is accepted good practice that an Appropriate Adult should be present at charge to ensure understanding, as indicated in the situation quoted above, this is becoming more and more difficult to arrange. Members report that increasingly juveniles and vulnerable adults are being charged without an Appropriate Adult present.

One of our members described the impact of CPS involvement as follows:

‘This has had a significant impact on the role of our appropriate adults as the charging process can be delayed for up to 5 hours. This impacts on the service as AAs can be left waiting for this time whilst there are other demands on the service. We have often had to leave the person in custody and not attend the charging process as our volunteers have had to attend other call outs in other police stations. This often means that vulnerable people may not have an AA present at the charge....’

There is also evidence that referrals to the CPS are taking hours of police time- often involving long waits at the end of a phone. Sometimes at night there is also a perceived reluctance to take decisions, and a referral is made back to the day time service. This causes more delays.
3. Appropriate Adult provision in other countries

Scotland
The position of the Appropriate Adult is somewhat different in Scotland. The role is not statutory in Scotland but guidelines require the presence of an Appropriate Adult for vulnerable adults. The role is always undertaken by a professional person with experience of mental health work, usually a social worker, though sometimes acting in a voluntary capacity. Relatives are specifically precluded from taking the role. The role can be used for vulnerable witnesses and victims as well as detainees, and can include support through the court process. There is no Appropriate Adult role as such for juveniles. However, children up to the age of 16 must have a parent, guardian, or failing that a social worker present during police interviews. For children under a Children’s Panel order this age is extended to 18. A Scottish Appropriate Adult network has been set up, with the secretariat based within Tayside Police. Further details can be obtained from alan.davie@tayside.pnn.police.uk

Northern Ireland
Northern Ireland is covered by PACE and therefore the requirement for Appropriate Adults is the same as in England and Wales. There is currently no Appropriate Adult network as such and if parents or relatives are not available, the police try to get social work involvement. NAAN has had discussions with the police in Northern Ireland in the past, and they have expressed interest in a similar network being developed. However, currently NAAN has no funding or specific remit to expand into Northern Ireland.

Other European countries
NAAN has made a number of contacts with lawyers in Europe (through the Law Society). As far as we are aware, from the limited research we have been able to do, there are no countries in Europe outside the UK with a similar Appropriate Adult role. There is often some provision for parents to attend police stations with their children, though this is not always a requirement. There are no particular arrangements for vulnerable adults that we are aware of, but our research has been necessarily limited.
4. Analysis and Recommendations

Statutory responsibility for services - Juveniles
Overall there does not seem to be any demand to move responsibility for Appropriate Adult provision for juveniles from the Youth Offending Teams. Retaining overall responsibility still gives YOTs the option of providing the service directly or contracting it out to a voluntary or private sector provider. However assuming YOTs retain this responsibility, there are some major issues to be addressed.

Firstly, where the service is contracted out to a voluntary sector agency, YOTs need to take account of the minimum funding required to manage an effective service whether provided by volunteers or paid workers (see below). Funding levels based on (apparently) arbitrary caps on the number of call outs per annum also need to be reviewed. The YOT’s statutory responsibility for ensuring an effective Appropriate Adult service for juveniles does not end when a certain number of call outs has been reached. If necessary the Youth Justice Board may have to review the level of funding provided centrally to the YOTs.

Secondly, where part of the service is provided by one of the YOT partners directly (typically Social Services Emergency Duty Teams out of hours), it needs to be made clear to all parties that that body has to comply with the YJB (and in due course NAAN’s) National Standards, for example on response times. The costs of providing the service to the required Standard need to be identified explicitly and seen as part of that partner’s contribution to the YOT. The YOT retains overall responsibility and is liable if Standards are not met.

It would be useful if the YJB Standards were revised to make clear the minimum hours of operation during which an Appropriate Adult service should be provided for juveniles. The fact that in the existing Standards the hours of operation are not specified means that each YOT appears to be able to decide this for itself. Having a two hour response time in the Standards has little value unless there is a linked Standard which says (for example) that this service should be available 15 hours a day, 365 days a year. Both these Standards should apply irrespective of which agency actually delivers the service. There also needs to be a clear procedure for the police and other stakeholders for dealing with breaches of Standards and clarity about what sanctions (if any) are available for breaches.

Thirdly, there needs to be greater consistency in practice. It might be useful for the Youth Justice Board to provide guidance, for example as to how far the police should be required to go to seek parental or carer involvement before turning to the YOT for an Appropriate Adult, or indeed how far the YOTs should go to encourage parental involvement before taking on the role themselves. Practice currently varies widely in this area. Similarly, clear guidance or a locally agreed protocol could reduce the delays that are apparently caused in some areas by statutory bodies arguing on a case by
case basis about which particular body has the responsibility to provide the service.

**Statutory responsibility for services – Vulnerable adults**
The majority of respondents thought that the Local Authority (through the Social Services Department or equivalent) should have responsibility for ensuring the provision of Appropriate Adult Services for vulnerable adults. Only one respondent thought that responsibility should go to Police Authorities and not one of the Police Authorities thought so.

It might have seemed that the possibility of linking the provision of Appropriate Adult services to the management of Independent Custody Visitor schemes made some sense, with the Police Authority having responsibility for both. However, the clear lack of support for this option demonstrates an understanding of the differences of the operation of the schemes, in particular the considerable work involved in managing an Appropriate Adult rota. It also shows recognition of the importance of perceived as well as actual independence from the police.

If the Local Authority was given the overall statutory responsibility for ensuring Appropriate Adult provision for vulnerable adults, they would, like the YOT, have the option of providing some or all of the service themselves, or contracting it out to a voluntary or private agency.

Most respondents thought that there should be a local partnership arrangement (with the Local Authority as the lead body) with health bodies (Primary Care Trusts and Mental Health Trusts) and the police involved. There was strong support for the partnership bodies contributing funding, and support for some central government funding. It is clear that if Local Authorities were given statutory responsibility for ensuring Appropriate Adult provision for vulnerable adults, they would need additional funding from central government to ensure the service was provided at an adequate level. However, as far as we are aware, the existing costs of providing a partial service through Emergency Duty Teams does not appear to have been quantified and the potential savings here, by for example moving to a volunteer using scheme, would also need to be taken into account.

Whoever has responsibility for Appropriate Adult provision, there is the potential in some areas for sharing resources or work across geographical boundaries as well as with local partners. Could small neighbouring YOTs for example consider joint volunteer training or even sharing volunteers (particularly if they were both working to NAAN’s National Standards)? Some London schemes are already discussing ways in which training could be shared, but there are also more radical possibilities. Could one central body in London, for example, be the point of contact for all police stations with a remit to call a particular Appropriate Adult depending on the borough and scheme responsible in that area? Could management back up duties be shared in different ways to reduce both pressure on individuals and, potentially, costs?
Volunteer or paid Appropriate Adults

Finally, in the discussion about who should have statutory responsibility for Appropriate Adult provision, we have not considered the advantages and disadvantages of different models of provision. Nor have we taken a view as to whether the service is best provided using volunteers or paid staff. Further research would be necessary to enable us to take a view on this. Almost half of our members use only volunteers to provide the service. What is clear from the responses to this survey is that when volunteer schemes are well resourced with adequate numbers of volunteers and proper support and backup, the scheme works well, whether it is based in the voluntary or statutory sector. All parties recognise the ‘added value’ of engagement with people from the local community. Some have reported that detainees respond more positively if they know that the Appropriate Adult is a volunteer.

However in some areas, it has proved difficult to recruit or retain volunteers. Some Police Authorities commented on the unreliability or unavailability of volunteers. Some schemes only use volunteers because they cannot afford to pay Appropriate Adults. In some cases so-called volunteers were being paid small amounts in addition to meeting actual expenses. NAAN has advised members and others about the potential problems with this arrangement which, as has already been discussed, could be seen as creating an employment relationship with all that that entails.

The Appropriate Adult role

We have already done some work on a model person specification for a volunteer or paid Appropriate Adult (see Appendix 2). This could be expanded into a working definition of the role, though arguably this is covered by the Home Office Guidance for Appropriate Adults and is more an issue for legislation or at least the PACE Codes rather than NAAN. Further work in this area should perhaps wait until it is clear whether or not there are to be any substantive changes to the role.

However, we would recommend that in any review and revision of the role, greater clarity should be provided about all the circumstances in which an Appropriate Adult is required. Changes to legislation and to the PACE codes has led to confusion in a number of areas. Now that consent is no longer required for fingerprinting and taking of samples, an Appropriate Adult is not required for these procedures. As the decision making process concerning charging or other dispersal arrangements is taking longer, it is more and more likely that an Appropriate Adult will not be present at that stage either, although the presumption in PACE is that an Appropriate Adult would be present at this point to assist in the communication process for juveniles or vulnerable adults. If detainees are to be charged without interview, is an Appropriate Adult required for the reading of ‘rights and entitlements’ when he or she is apparently not required for the charging process itself (unless he or she is already at the police station)?
Funding and capacity
As shown earlier in this report, there is a huge range in the level of funding provided for Appropriate Adult services. There is also a range of views about the level of funding necessary for to provide an effective, responsive and professional Appropriate Adult service using either volunteers or paid workers. Scheme coverage varies from a single Youth Offending Team area, or an adult-only provision in a single authority or borough, to services covering both adults and juveniles in more than one area.

However, whatever the size of the scheme and however big an area is covered, there is a minimum level of resources necessary to run an effective scheme. Many of the major costs are in effect fixed costs with the variable costs (depending for example on the number of Appropriate Adults or the number of call outs) having a relative minor effect on the overall budget.

All schemes need a minimum of one full time coordinator (or equivalent) plus some administrative and management support. This can be arranged in various ways. For example if administration and related tasks are covered within a wider organisation, this can reduce the hours necessary for a coordinator. Similarly if the rota call-outs are handled separately or other managers share the on call back up duties, this takes pressure off the coordinator’s time. Rent and overheads are often not identified but absorbed in other budgets. However, all these costs need to be identified to get a true picture of the real cost of running an effective service. It is clear from the responses that these costs are often not identified. Similarly if Emergency Duty Teams pick up out of hours calls for the YOTs, these costs are not usually identified separately, but they are real costs and need to be seen as such.

All of these costs take no account of in kind support, for example police assistance with training or free use of premises for training or meetings. These contributions should be seen as adding value, demonstrating how schemes bring in resources from other stakeholders.

As a result of all these issues, it is very difficult to estimate an average scheme cost, but certain core costs can be identified. In the attached indicative budget (Appendix 3), we have estimated a typical annual budget figure of over £90,000 (2006/7 costs).

This is based on a scheme using volunteers and providing a service from 8am to midnight, 365 days a year. This figure is considerably higher than the median of £43,500 shown in the survey. Only four of our members said that they currently received funding of more than £90,000 per annum. As already mentioned, in some cases, some funding has not been identified specifically as scheme funding, for example when schemes have not separately identified the value of free or subsidised accommodation or other support in kind. It is likely therefore that the actual level of existing funding has been underestimated somewhat in a number of cases. However there still appears to be a significant shortfall in funding for the majority of schemes.
The allocation of core costs and overheads in the indicative budget has taken account of the recent work on core costs in the voluntary sector and the principle of full cost recovery which has now been accepted by government and most other major funders.

As most of our members use volunteers the indicative budget is based on an assumption that volunteers will be used as Appropriate Adults. Organisations using paid Appropriate Adults would need to add in other costs such as salaries or sessional/hourly rates and the cost of (enhanced) Criminal Record Bureau checks.

Costs such as salaries and travel will vary according to location as well as size of scheme. For example in London, salaries will generally include London Weighting, while in rural areas travel costs are likely to be much higher. Schemes with more Appropriate Adults, covering more custody suites and offering longer hours of coverage will also obviously have increased costs. In particular a scheme providing 24 hour cover would have significantly increased staff and management costs.
5. Conclusion and next steps
There are a number of factors which need to be addressed if we are to have a more comprehensive, effective and responsive network of Appropriate Adult Services across England and Wales which better meets the needs of both the criminal justice system and vulnerable detainees.

In our view, the top priority is to ensure that responsibility for the provision of Appropriate Adult services for vulnerable adults is given to a statutory body. The evidence from this survey suggests that that responsibility should be given to Local Authorities, who should take the lead in a local partnership of agencies. As we have already discussed, funding would need to be provided to ensure that Local Authorities were in a position to meet any additional statutory responsibility that they were given. Without funding, Appropriate Adult provision for vulnerable adults, even if put on a statutory basis, would be likely to remain low on a long list of responsibilities and priorities.

At the same time, work should be done by the Youth Offending Teams and their partners to ensure the provision of a more responsive service for juveniles, particularly out of hours. The disparity of satisfaction levels between the YOTs and Police Authorities suggests that there is currently no effective system for raising concerns with the YOTs or addressing complaints about the quality of the service provided. Nor is there always a clear mechanism for the YOTs to raise issues of concern with the police. While the survey did not address this issue directly, anecdotal evidence from NAAN members and YOTs suggest that all parties would benefit from more effective liaison and more continuity and consistency of approach at local police station level.

We have already identified the need for more clarity about overall responsibility, and a responsive system for raising and dealing with complaints. In some areas, regular liaison meetings between the police, the Appropriate Adult scheme manager and other stakeholders has proved an effective way of dealing with problems at an early stage, and it may be that such liaison meetings, with all parties being represented at a senior level, should be seen as an integral part of the service.

It may also be the case that a wider use of locally agreed protocols, based on NAAN’s (and for juvenile schemes Youth Justice Board’s) National Standards would enable a more effective and more consistent service to be provided across England and Wales.

Although better out of hours provision is essential, it is NAAN’s view that a 24 hour service is generally not necessary. A service from around 8am to 11pm or midnight (with some flexibility at either end) should meet most needs. It is not possible in our view to justify the huge additional costs of providing a 24 hour service for the very limited occasions when an Appropriate Adult may be needed in the early hours. If Police Authorities, or indeed central government want a 24 hour service, they will have to be prepared to meet the considerable extra costs of this.
Crucially, all parties, whether commissioners or providers of an Appropriate Adult service need to consider the real costs of providing that service whether using volunteers or paid workers. The indicative budget attached as Appendix 3 should assist in that process. They also need to consider how best to deliver the service locally. We have already suggested that some sharing of resources, or a shared point of contact for Appropriate Adults might be possible in some areas.

In considering whether to contract the service out to a non-statutory provider, statutory authorities should take account of the current, sometimes hidden, costs of providing the service directly. They should also ensure that funding levels are sufficient to enable the provider to operate to NAAN’s National Standards, as well, in the case of juveniles, to the Youth Justice Board Standards. If funding levels are based on predicted call out levels, there should be a mechanism for reviewing and increasing funding, should call outs be much higher than predicted.

As has been made clear, any substantive improvement in standards and coverage would be dependent firstly on one body having statutory responsibility for schemes for vulnerable adults, and secondly on adequate funding being provided for all Appropriate Adult schemes. As we have already discussed with the Home Office, this would require a bid for funding in the next Comprehensive Spending Review.

As so many schemes depend on the use of volunteers, it would also seem reasonable for some of the Home Office resources that have been provided recently for increasing and supporting volunteering to be allocated to services that already attempt to use volunteers effectively and responsibly to meet a statutory obligation. We would welcome the opportunity to discuss this further.

Finally though, it is important to note that while adequate resources are necessary for an effective Appropriate Adult service, they are not in themselves sufficient. Other issues also need to be considered. It is important, for example to ensure that best use is made of existing resources, to consider economies of scale and to avoid duplication of services and unnecessary bureaucratic barriers. Effective and responsive management is crucial. The role of the scheme coordinator is crucial and he or she needs the support of the wider organisation within which the service is based.

For NAAN, the next step, after completion of the National Standards and production of the Training Pack and DVD, is to consider how best we can help our members achieve and maintain those Standards.

We are beginning the process of developing a method of monitoring and evaluating our members’ ability to reach and maintain the National Standards. This will need to be agreed by all parties in due course. We then need to ensure that we can support our members in the process both of achieving the Standards and demonstrating that they have done so.
Drawing on the work of other national membership bodies, it seems likely that a peripatetic development officer able to advise and support members on training, funding and related issues - probably on a regional basis, would be the first priority.
6. Executive Summary

1. At the end of 2005, the National Appropriate Adult Network (NAAN) on behalf of the Home Office undertook a survey of Appropriate Adult provision in England and Wales. Questionnaires were sent to Appropriate Adult schemes, Youth Offending Teams and Police Authorities.

2. The survey showed that almost half of NAAN members ran a volunteer scheme and 18% used paid workers. Others ran a combination service. Most schemes had between 10 and 30 Appropriate Adults. The average number of call outs per month varied hugely. For vulnerable adults the range was from four to 375, while for juveniles, the range was from 18 to 413. Police Authorities also reported a huge range of average call outs per month, from zero to 570.

3. The majority of schemes provided a service around 12-14 hours a day, while 14 agencies provided a 24 hour service. Almost all schemes had a response time target of two hours or less, though in many areas, Police Authorities said that response times out of hours were usually considerably longer than this.

4. Appropriate Adults had on average over 16 hours of training before joining the rota. Over one third of training was accredited.

5. Current levels of scheme funding ranged from none identified to over £200,000 per annum. The median figure was £43,500. A significant minority of Police Authorities contributed to scheme funding, while some others provided support in kind.

6. While over two thirds of Youth Offending Teams expressed satisfaction with the Appropriate Adult service provided for juveniles, only just over half of Police Authorities were satisfied. There was widespread dissatisfaction with the service provided for vulnerable adults, and also in many areas with the service for juveniles out of hours.

7. The majority of NAAN members and a significant number of Youth Offending Teams and Police Authorities thought that the statutory responsibility for ensuring the provision of Appropriate Adult services for vulnerable adults should lie with Local Authorities. Additional funding, from both central government and local partners, would be necessary to enable them to meet that additional statutory responsibility and ensure the provision of effective services.

8. Most NAAN members and Youth Offending Teams thought that the age of juveniles under PACE should be raised to include 17 year olds, in line with most children’s legislation. The current situation leaves 17 year olds at risk.
9. Most NAAN members reported a significant increase in delays caused by the involvement of the Crown Prosecution Service in charging decisions. In some areas, the new system had been introduced too recently to enable any impact assessment.

10. The role of the Appropriate Adult in Northern Ireland is similar, as PACE is in force. However there is currently no national network in place. The role is somewhat different in Scotland, and a national network is being developed. As far as we are aware, there is no similar provision in other European countries, although parents can often attend police stations with their children.

11. There was no demand to move responsibility for juveniles from Youth Offending Teams, but there is clearly a need to improve consistency and resolve problems about out of hours cover in some areas. There is also a need to review funding levels for some schemes.

12. Schemes can be effective whether they are run ‘in house’ or contracted out to voluntary or private sector providers. Similarly there are examples of effective schemes using volunteers, paid workers, or a combination of both. Adequate funding, proper training and effective management and support are the key factors in all cases.

13. All schemes need to be adequately funded, whether delivered in house or contracted out. To assist schemes and funders, NAAN has produced an indicative scheme budget (assuming the use of volunteers) which shows annual costs of over £90,000.

14. Much new funding has been provided through the Home Office for new volunteering initiatives. Consideration should be given to using some of these resources to maintain and develop existing volunteering, particularly that which directly supports statutory obligations.

15. The Appropriate Adult role needs to be more clearly defined and the situations in which an Appropriate Adult should be present need to be clarified. Changes to the PACE Codes, other legislation and new systems have affected both the role and the likelihood of Appropriate Adult support during various procedures and processes. This does not mean however, that juveniles or vulnerable adults do not need the support of an Appropriate Adult at these times.

16. NAAN will continue to support its members, in particular through the implementation and monitoring of the National Standards. Support will also be provided through a Training pack and DVD. Increasingly NAAN will work with its members on a country and regional basis.