**Appropriate Adult**

1. **What is an Appropriate Adult?**

If an individual who is looked after under the age of 18 is arrested, the responsible Local Authority should ensure that the young person has the support of an Appropriate Adult and a solicitor whilst at the police station under PACE Codes of Practice.

The solicitor should hold experience and knowledge in youth justice and be provided with relevant information about the young person's circumstances and needs, including key information regarding care arrangements and the child’s specific needs.

The Appropriate Adult is required to be present throughout the interview and any other significant procedures within the police station. The Appropriate Adult role is to safeguard the rights and welfare of the children and young people in police custody.

1. **Key Guidance**
   * Guidance for Appropriate Adult:

https://www.gov.uk/government/publications/guidance-for-appropriate-adults

1. **Who can be an Appropriate Adult?**

* Parent or guardian;
* If the young person is in local authority care, or is otherwise being looked after under the Children Act 1989 a person representing that authority or organisation;
* A local authority social worker;
* A YOT worker.
* Another responsible adult aged over 18.
* Support or Residential workforce (dependant on circumstance)

1. **Who cannot be an Appropriate Adult?**

* Someone who is involved or suspected of being involved
* They have received admissions or denials about the offence(s) before they act as Appropriate Adult, or are a victim or witness to the offence(s)
* Staff from Omega Care Group provisions dependent on the circumstance
* A staff member who has been injured or related to the offence leading to the arrest
* Staff member who has raised a complaint

1. **Roles and Responsibilities of the Appropriate Adult:**
   1. They should be present when:

* When the young person is informed of their rights
* During a strip or intimate search
* During police interview
* When fingerprints or samples are taken
* When the detained person is part of any identification procedure
* At the point of charge.
  1. Key Roles:
* Ensure the child or young person understands their rights.
* Ensure that the detained child or young person understands what is happening and why.
* Communicate to the police of any mental health, cognitive dysfunction, additional needs or communication needs to the custody sergeant.
* Support the child or young person in understanding questions being asked of them during the police interview.
* Observe the conduct of the police in respect to them upholding appropriate protocol and the child’s rights.
* The Appropriate Adult should not provide legal advice and not be supported by legal privilege and therefore must disclose information other to what is disclosed in the interview.

1. Responding to the request of an Appropriate Adult:
   1. The police may contact the provision and request for a staff member to attend.
   2. If this is requested in the 16 plus service, tier 1 on call should be contacted to organise a suitable staff member.
   3. If this is in the Children Residential Services, an appropriate staff member from the home should attend. On call is required to be informed.
   4. EDT should be made aware of the request and kept up to date regarding any police investigations.
   5. Before attending the provision, staff need to find out the following detail:

* Full details of the young person arrested
* State of the young person - health and emotional
* Name of custody officer and name of investigating officer
* Details of the offence
* Time and place of arrest
* Others who have been notified
* Why an Appropriate Adult is needed
* Whether a solicitor has been requested and outline this is requested by the Appropriate Adult in order to proceed with the interview.
* Estimated time of interview.
  1. Staff should attend the police station with the correct ID
  2. An appropriate adult recording sheet should be completed alongside information being added to the daily recording sheets.