What about legal advice?

You are not there to provide the person with legal advice and you must not attempt to do so.

If the person waives their right to free legal advice, ask them why. Many people say no because they worry it will take longer, cost money or that duty legal advisers work for the police.

You have the right to request that a legal adviser be called if you consider that it is in the person's best interest – even if they have declined. If you do, the police must ask a legal adviser to attend and tell the person when they arrive. However, the person cannot be forced to see them when they arrive.

Legal advisers should attend the police station in person (rather than giving advice over the phone) whenever an appropriate adult is required.

Should I be present for a legal consultation?

You don't have a right to attend a suspect's private consultation with their legal adviser. It is up to the suspect to decide whether they want you there.

It can be helpful for you to be present if you think the person may have difficulty understanding the legal advice that they are given.

However, both you and the legal adviser will first need to make sure the person understands that only their legal adviser is directly covered by *legal privilege*. This means that their legal adviser cannot be questioned about what was said in consultation, either by the police or in court.

Your presence may not remove legal privilege and appropriate adults are under their own *duty of confidentiality.* However, the law is complicated and (in exceptional circumstances) you *could* still be questioned as a witness. Legal advisers will be keen to protect their client from legal risks, so it may be helpful to explain why the person needs you and that you understand your responsibilities.

NAAN | Information

Who produced this leaflet?

This leaflet was produced by the National Appropriate Adult Network (registered charity number: 1104765).

NAAN is an independent charity. Its aim is for every child and vulnerable person to have an effective appropriate adult.

www.appropriateadult.org.uk

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Who is this leaflet for?

It is designed for parents, carers, relatives, friends or other untrained appropriate adults who might be called to support someone they know. It provides a very simple overview of your role and responsibilities.

If you are acting as an appropriate adult in a professional capacity, full training is strongly recommended.

Where can I get more information?

SCAN ME

Use the camera app on your phone to scan this QR code.

This will take you to a 9 minute video about being an appropriate adult.

This leaflet may be freely printed, copied without changes and distributed.

Updated March 2026

National Appropriate Adult Network

A quick guide for appropriate adults

What is my role?

Your role is to protect the rights, entitlements and welfare of a suspect who is either aged under 18 or is a vulnerable person. The person you support may:

- have difficulty understanding or communicating effectively about the full implications of the police's procedures and processes
- not understand the significance of what they are told, questions asked of them, or their replies
- become confused about their position
- accept suggestions from others without question or without knowing or wishing to do so
- unintentionally provide unreliable, misleading or self-incriminating information.

Therefore, you will be expected to:

- support, advise and assist them when they are given or asked to provide information or participate in any procedure
- observe whether the police act properly and fairly to respect their rights and entitlements, and inform an officer of the rank of inspector or above if you consider that police are not doing so
- assist them to communicate with the police whilst respecting their right to say nothing unless they want to (as described when they are cautioned)
- help them to understand their rights and ensure that those rights are protected and respected.

What are the suspect's rights?

The police must tell the person about their rights and entitlements. In police custody, these include:

- to have free, independent, legal advice
- to have someone informed of their arrest
- to read the PACE Codes of Practice
- to have free medical help
- to remain silent
- to be told what they are suspected of and to see any records about why they have been arrested
- to have free translation or interpretation
- to contact their consulate or embassy
- to be told how long they can be held for (normally up to a maximum of 24 hours).

The person can use these rights at any time while they are in custody. In exceptional circumstances some or all of these rights may be delayed.

The police must give the person a written notice of their rights and entitlements, explaining how the police should treat them.

Any suspect who is under 18 or vulnerable must be advised of the duties of the appropriate adult. They must be told that they may speak to the appropriate adult in private at any time.

How do I know if police are acting fairly?

The police must follow the *Police and Criminal Evidence Act 1984 (PACE) Codes of Practice*.

The Codes set out their powers, responsibilities and procedures in detail. Police must make copies available to suspects and appropriate adults. You can also access them online at www.gov.uk.

The *Custody Officer* is not involved in investigating crimes. They are responsible for the care and welfare of people who are detained and must ensure that the investigation is conducted quickly and fairly.

What are my rights as appropriate adult?

Your rights are set out in the PACE Codes and include:

- being told why the person is being held
- inspecting the person's custody record at any time and having a copy of it on release
- seeing the Notice of Rights and Entitlements
- seeing a copy of the PACE Codes of Practice
- requesting legal advice when it is declined
- intervening in interviews where appropriate.

When do I need to be present?

The PACE Codes require police to make sure an AA is present for many procedures, including when the person is:

- told their rights and entitlements (or it must be repeated on your arrival)
- cautioned (or it must be repeated on your arrival)
- subjected to a strip search or intimate search (subject to strictly limited exceptions)
- involved in any form of identification procedure including: DNA samples, fingerprinting, photographs, samples or footwear impressions
- subjected to a test for class A drugs
- asked to give consent to a procedure and when they give that consent.

The police should also give you reasonable notice so that you can be available when:

- they review whether there is still a need to keep a person in detention (these happen after 6 hours, then 9 hours, then another 9 hours)
- any decision to authorise extended detention up to 36 hours is made by a senior police officer (this is very rare)
- a decision about whether to charge the person is implemented (including when police use bail, a caution or conditional caution).

What should I do in an interview?

You must be present for interviews. You are not allowed to unreasonably obstruct proper questions, or prevent a person from giving answers if they wish to. However, you should:

- check that the person fully understands the caution that is given at the start of the interview
- observe whether the interview is being conducted properly and fairly but do *not* act simply as an observer
- intervene if you feel it is necessary to help the person communicate effectively, whilst respecting their right to silence
- intervene if you feel that the questioning is confusing, repetitive or oppressive, or you are otherwise concerned
- ask for a break in the interview if you feel the person needs to rest or if you feel that they need legal advice or you want to talk to them in private
- advise the person but do not give legal advice
- if the person is asked to agree or sign any documentation, ensure it is *informed* agreement
- speak to the Custody Officer immediately if you have any queries or complaints about the conduct of an interview.

Are voluntary interviews different?

If it is not necessary to arrest a suspect, the police may ask them to be interviewed voluntarily. This may happen at a police station or somewhere else.

This does not mean the matter is not serious or that the person will not be charged.

The police must still follow the rules in the PACE Codes of Practice. The interviewing officer must take on all the responsibilities of the Custody Officer.

The person still has the same rights and entitlements.

The role of the appropriate adult is the same.