Home Office

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Police and Crime Commissioners

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I write to you regarding the current work taking place at a national level to improve arrangements in appropriate adult provision for vulnerable people detained in police custody in England and Wales.

Under the Police and Criminal Evidence Act 1984 (Codes of Practice C&H), when a person is identified as vulnerable in the police custody context an appropriate adult must be called to support that person, ensuring that their rights and entitlements are safeguarded and their welfare protected. However, we know from feedback from the Independent Custody Visiting Association (ICVA), HMIC inspection reports and the findings of *There to Help*, the National Appropriate Adult Network's (NAAN) publication on the matter, that appropriate adult provision across England and Wales is varied and could be much improved. This means that in some cases vulnerable people in our society are at risk of being let down by the relevant care and support agencies, and this can lead to miscarriages of justice. Furthermore, appropriate adults are required for certain parts of the custody process, and if custody staff cannot access this service then investigations cannot proceed - placing a strain on police resources and detaining vulnerable adults for longer than is necessary.

To address these problems, the Government has been working with partners and stakeholders to examine what can be done to improve existing arrangements. Commissioning and provision across England and Wales is a local authority responsibility and this position should not be altered. However, it is clear that improvements can be made, and I believe that there are real opportunities to achieve this with your involvement, working in partnership with local authorities.

You already play a leading role in building effective collaborations with other areas of public service, including in relation to mental health, such as liaison and diversion and street triage, where much progress has been made. You are also well placed to understand issues affecting your force area, and will have to work with a number of local authorities, as often force areas are not co-terminus with any one local authority area. I would like to build on these strengths to help drive improvements in appropriate adult provision.

I am therefore seeking your views, and support for, the development of a voluntary collaborative approach to appropriate adult commissioning and provision in which PCCs and local authorities work together to ensure that vulnerable people get the support they need. In particular, the proposed approach would:

- set out a clear understanding of shared purpose and the respective roles and responsibilities of the PCC and local authority (if not already in place);
- recommend the establishment of a point of contact within the office of PCC to establish a close working relationship with local authority adult social services within the force area;
- recommend that PCCs request information from their Chief Constable in order to understand whether there is sufficient appropriate adult availability in their force area;
- regularly feed through to local authorities this information on demand and supply, listing any shortfalls or issues with the quality of appropriate adults provided; and
- facilitate force and local authority working to address any issues identified.

We are also working closely with local authorities through the Local Government Association (LGA), the Welsh LGA, the Association of Directors of Adult Social Services (ADASS) and ADASS Cymru to develop the approach as it concerns them. On the basis of your views, and the views of local authorities, we will develop a draft framework, aimed at both PCCs and local authorities, to improve commissioning and provision at a local level. In the mean time, I have separately asked PCC Martyn Underhill, the Association of Police and Crime Commissioners (APCC) lead for Mental Health and Custody, for his agreement to facilitate a consideration of this matter in the relevant APCC forum.

I am confident that with a collaborative approach between PCCs and local authorities we can ensure the vulnerable get the support they need.

I am copying this letter to Martyn Underhill, the APCC, LGA, Welsh LGA, ADASS, ADASS Cymru and the Welsh Government.



Nick Hurd MP