

**THE OFFICE OF POLICE AND CRIME COMMISSIONER
FOR DERBYSHIRE
DECISION RECORD**

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| Request for PCC Decision | Received in OPCC Date: FEBRUARY 2020 | OPCC Ref: 17/2020 |
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EXTENSION OF APPROPRIATE ADULTS SCHEME

The PCC has decided to extend the current contract with AAS for a further 6 months (concluding at the end of March 2021) in order to allow time to explore the opportunity to apply a different model. Another decision has been made to move the oversight of the day to day running of the scheme to the force, leaving the OPCC with a general oversight of the provision and how it is running together with a partnership role alongside the Force and wider stakeholders. Furthermore, the OPCC have offered to host a voluntary model in the event it is tested/implemented.

Decision

To support the extension of the service and explore options for alternative models.
To move the day to day management into the Force.

Declaration

I confirm that I have considered whether or not I have any personal or prejudicial interest in this matter and take the proposed decision in compliance with the Code of Conduct for the Police and Crime Commissioner for Derbyshire. Any such interests are recorded below.

None

The above request has my approval.

Signature

Hardyal Dhindsa

Date FEBRUARY 2020

PUBLICATION SCHEME CONSIDERATIONS

Is the related Section B report to be published Yes

The report contains commercially sensitive information.

Is the publication of this approval to be deferred No

If Yes, provide reasons below

Date to be deferred to –

NB Statutory Instrument 2011/3050 (as amended by SI 2012/2479) states that: *all decisions made by a PCC are in the types of information that must “be published as soon as practicable after it becomes available to the elected local policing body”.*

OFFICER APPROVAL

Chief Executive or Nominee:

I have been consulted about the proposal and confirm that financial, legal and equalities advice has been taken into account in the preparation of this report.

I am satisfied that this is an appropriate request to be submitted to the Police and Crime Commissioner

Name Andrew Dale

Date FEBRUARY 2020

STRATEGIC PRIORITIES ASSURANCE BOARD

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| REPORT TITLE | EXTENSION OF APPROPRIATE ADULTS SCHEME |
| REPORT BY | DAWN ROBINSON |
| DATE | FEBRUARY 2020 |

PURPOSE OF THE REPORT

TO INFORM OF THE DECISION TO EXTEND THE APPROPRIATE ADULTS SCHEME

The PCC has decided to extend the current contract with AAS for a further 6 months (concluding at the end of March 2021) in order to allow time to explore the opportunity to apply a different model. Another decision has been made to move the oversight of the day to day running of the scheme to the force, leaving the OPCC with a general oversight of the provision and how it is running together with a partnership role alongside the Force and wider stakeholders. Furthermore, the OPCC have offered to host a voluntary model in the event it is tested/implemented.

ATTACHMENTS

None

RECOMMENDATIONS

To support the extension of the service and explore options for alternative models.

To move the day to day management into the Force.

CONTACT FOR ENQUIRIES

Name: Dawn

Robinson

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OVERVIEW

AA services within Derbyshire are currently provided by the Appropriate Adult Service (AAS). This is a joint contract arrangement between Derbyshire Constabulary, Derbyshire County Council and Derby City Council. The contract is held by the Office of the Police and Crime Commissioner for Derbyshire.

The AAS provides full 24-hour coverage on a call out basis. Due to the importance of the force ensuring an AA is provided for those who may need one, to ensure the protection of rights, the prevention of miscarriages of justice and compliance with PACE, the service is costly and is unlikely to reduce at any point in the future, current forecasts indicate that under the present system, costs may increase. Since the contract has begun, the use of AAs has increased dramatically meaning that original forecasted costs were incorrect.

As a result of this the OPCC, along with funding partners, are exploring different models of working to reduce costs while maintaining a quality service. This includes exploring in-situ models alongside call-out, volunteer models and hybrids of both. In order to provide the time for this work to be undertaken the current service has been extended up to March 2021.

SUMMARY

BACKGROUND

Appropriate Adults (AA) safeguard the rights, entitlements and welfare of children and vulnerable persons when they are detained or questioned as a suspect in an investigation under the Police and Criminal Evidence (PACE) Act 1984. The AA has a defined role under PACE, namely, to provide the support, advice and assistance necessary to ensure fair treatment, effective participation and guard against false confessions. AAs help the police to fulfil their responsibilities under PACE and are a critical safeguard against the abuse of police powers.

Under the Crime and Disorder Act 1998, it is a statutory responsibility for the Local Authority to provide an AA for any young person who may find themselves in need of one (a young person is defined as under the age of 18). However, AA provision to protect vulnerable adults is not as clear cut. According to PACE, 'if at any time an officer has any reason to suspect that a person of any age may be vulnerable, in the absence of clear evidence to dispel that suspicion, that person shall be treated as [vulnerable]'. This definition varies greatly from the definition that Local Authorities work to. Despite PACE clearly stating that a vulnerable adult must have the support of an AA, there is no statutory duty to fund this provision.