

Date: 15/01/2025
Our ref: 01/FOI/24/013876/D

FREEDOM OF INFORMATION REQUEST REFERENCE NO: 01/FOI/24/013876/D

I write in connection with your request for information dated 26/12/2024, received by Greater Manchester Police (GMP) for the following information:

I am specifically interested in obtaining any policies, procedures, processes, and/or correspondence from or on behalf of the chief constable sent to the custody suite within the last three years discussing or providing guidance or other information relating to the use of appropriate adults for children and vulnerable adults, including both interviews whilst in custody and under a voluntary interview.

According to the College of Policing's national guidance on appropriate adults (2017), all police forces have a legal obligation to ensure that appropriate adults are available for children and vulnerable adults in police custody. This guidance also states that appropriate adults should be informed of their role as soon as practicable and be given the opportunity to speak to the child or vulnerable adult in private.

I am particularly interested in learning more about how Greater Manchester Police identifies vulnerable adults in custody and ensures that they are aware of their right to an appropriate adult. I would also like to know more about the training that is provided to custody officers on the use of appropriate adults.

I would be grateful if you could provide me with the following information:

- 1. All policies, procedures, and processes currently in place within Greater Manchester Police relating to the use of appropriate adults for children and vulnerable adults in custody and under voluntary interview.*
- 2. Any correspondence from or on behalf of the chief constable sent to the custody suite within the last three years discussing or providing guidance or other information relating to the use of appropriate adults for children and vulnerable adults.*

3. Details of the training that is provided to custody officers on the use of appropriate adults.

Result of Searches

Following receipt of your request searches were conducted within Greater Manchester Police (GMP) to locate the requested information and I can confirm some of the information requested is held by GMP.

1. Please see the below relevant extracts taken from GMP's Custody Procedure Policy.

5.2.5 Appropriate adult scheme

- PACE states who can act as appropriate adults (AA).
- The parent, guardian or (for local authority care) someone representing that authority or organisation should always be the first option before the AA scheme. If the detainee is mentally disordered or vulnerable, the first options should again be parent/guardian or other person responsible for the detainee's care.
- Make reasonable efforts to contact AAs in sufficient time for them to be present prior to charge.
- In some circumstances (e.g. sexual offence or a detainee has learning difficulties) a social worker may be a more appropriate person to act as the AA.

5.3.5 Appropriate adults

- There is no requirement for an appropriate adult (AA) to be present if a detainee is at a station solely for a S136 assessment. However, subject to a full risk assessment, the custody sergeant decides whether the presence of someone known to the person may help calm them and assist the transfer to a more appropriate environment.
- Someone may still be mentally vulnerable even if a HCP says they do not have a specific illness PACE Code C (9) and in such cases they must request an AA.
- Whilst AAs should be present when charging, there is no power to delay a person's detention whilst waiting for them to arrive. Investigating and custody officers should work together to ensure that this situation does not arise, for example, by maintaining contact with AAs (PACE Code C).

5.3.7 Suspected mental ill health or learning disability

- Suspected mental ill health or a learning disability could be identified through observation, circumstances of arrest and information provided by officers involved, police systems, self-declaration or third party information.
- Contact the GMP HCP to assess the detainee for fitness for continued detention and interview.
- Request attendance of an AA.
- For under 18s, contact the YOT to identify if they are known and any information available from previous assessments.
- If the HCP assessment indicates that they are suffering from a non-acute mental disorder or are mentally vulnerable but have capacity to understand when questioned, standard custody decisions and interview processes will apply. An AA may be present throughout.
- If the detainee appears to be acutely unwell, the HCP may arrange transfer to a hospital or MHAA. In these circumstances, when requesting a HCP, the reason should be for fitness to detain/interview/ transfer/release due to mental ill health, rather than a MHAA. Following assessment by the HCP or L&D, a MHAA may be required and arranged.
- If a case is referred to the CPS for a charging decision, ensure they are made aware that the offender is mentally vulnerable (all disposal options are available).
- If an offence is so serious that charge or remand in custody or charge and bail with conditions are necessary, there will be no referral to the panel.

5.4.1 Custody sergeant responsibilities

- If a detainee requires an AA, contact the person responsible for their welfare as soon as possible to identify any needs and risks.

2. No information held.
3. Delegates attend a classroom-based training session that lasts for approximately 1hr however can be extended if needed for any additional questions/recaps that may be asked/needed.

Within this training delegates are provided vital learning information regarding Appropriate Adults and other agencies that also work or have some role within a working custody environment. These agencies can serve a vital role in identifying the need or providing appropriate adults for children and vulnerable people.

Topics covered within this training are below.

- *You cannot be the appropriate adult if you:*
- *The rights of detained persons*
- *Your rights as an appropriate adult*

Delegates will complete a Knowledge Exam, towards the end of their course, which incorporates multiple questions from all aspects and lessons of their course.

Once the training course has completed and the custody officer is back in the custody suite, they will continue to be supported by a “buddy” for matters relating to AA for a short period.