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COMISIYNYDD
HEDDLU A THROSEDDU
DYFED-POWYS
POLICE AND CRIME
COMMISSIONER

REPORT / SUMMARY DECISION SHEET

PURPOSE: COMMISSIONER DECISION

Timing: Urgent / Pressing / Routine
(Specify date required and why, where possible)

Title: Provision of Appropriate Adult scheme for custody

Category of Decision / Business Area Impact: Commissioning

Executive Summary:

Where a detainee requires an Appropriate Adult (AA) as per PACE obligations, the Local Authority are contacted to provide an AA when all other avenues have been exhausted, for example family member or friend of the detainee. The Local Authority has a statutory obligation to provide AAs for young people, those suffering from mental ill-health and adults with registered learning disabilities. They are not duty bound to provide AAs for those who are illiterate, have learning difficulties or any other reason the Custody Sergeant deems it necessary.

In 2009 South Wales Police commissioned Hafal, a third sector organisation, to provide this service and the contract allowed for both Dyfed Powys and Gwent to commission their services under the same contractual framework. Gwent have since called off the framework to utilise Hafal's services.

The issue of Appropriate Adult provision was discussed at Policing Board 26.1.15 with actions agreed to assess the need for commissioning an Appropriate Adult service to cover circumstances where Local Authorities not obliged to supply one and to look at the possibility of expanding the remit of the Independent Custody Visitor scheme to provide Appropriate Adults/Support. Powys Association of Voluntary Organisations, who run the OPCC's volunteer support scheme, were subsequently asked to produce a feasibility study by 30th April 2015.

Recent information demonstrates that there is now a desperate situation emerging in custody suites, due to the lack of an 'Appropriate Adult' service to comply with legal PACE requirements and Safer Detention guidelines. Detainees are being bailed after significant time spent attempting to identify an Appropriate Adult, impacting upon both the detention timescales and the risk of detainees being released back into the community. This has partly resulted from a change in the way vulnerable detainees are handled in line with COP direction and as a result of feedback from a recent HMI joint inspection.

Whilst it is still recommended that the potential for longer term delivery options is explored, the immediate service requirement for 24/7 coverage and a response time of 1 hour to attend custody necessitates a robust organisation to undertake the responsibility. The service will also need a call centre arrangement capable of recording all police calls made and will need to provide indemnity against complaints and malpractice. The Head of Custody's recommendation is that a volunteer service would not be able to commit at immediate notice to the present requirement in order to satisfy the legal compliance and for operational duty to be appropriately discharged.

Is it therefore recommended that Dyfed Powys Police call off the existing South Wales arrangement in order to secure Hafal's services with immediate effect. PAVO should continue with their feasibility study and a review should be arranged for November 2015 to ascertain the best future delivery of the service.

Recommendation:

That the Police and Crime Commissioner approve the call-off from South Wales arrangements to secure provision of an Appropriate Adult service from Hafal.

Police and Crime Commissioner for Dyfed-Powys

I confirm 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 NOLAN Principles for Conduct in Public Life. The above has my approval.

Signature:

C. J. R. Salmon

Date:

24/4/2015