



# Annual Report 2021-2022

To the Department of Justice,  
the Northern Ireland Appropriate Adult Scheme (NIAAS)  
Delivered by MindWise



**NORTHERN IRELAND**

# **APPROPRIATE ADULT SCHEME**

**BEEN ARRESTED?  
IN A POLICE STATION?  
FRIGHTENED, CONFUSED, ALONE?**

**If you are a young person under 18 or mentally vulnerable person who will not face this alone. An appropriate adult can be there with advice, support and assistance.**

**APPROPRIATE ADULTS**

**Are people trained to help you understand your rights and what happens in a police station, to be there when police question you and to assist you through the process.**

# NIAAS Manager's Introduction

This year we started to emerge from covid proud of the work the team had done to bring the service through what was a very challenging period.

There remains a challenge to fight infection our staff fully understand the personal responsibility to take all appropriate safety measures, in that they regularly use sanitiser and wear a mask if they feel the circumstances warrant it.

The contract year went on to produce a new challenge with a post covid rise in call volume, which became the highest call rate to date with 3,947 attendances.

With our pre covid staffing levels, (currently under review) this year proved to be particularly challenging for the team trying to meet the increased demand for our service.

Thanks to the dedication and commitment by our staff team coupled with skilled and perceptive call management by experienced staff who were able to mediate competently

between the call centre, custody suites, and colleagues, to ensure all requests were promptly responded to by our staff to meet the delivery key performance indicators.

Confidentiality prevents this report from including specific case complexities; neither can it reveal how particular vulnerable people were navigated through a series of processes that were intimidating and alien to them, I can confirm that there were several attendances that were both lengthy and serious in nature that required our staff to spend many hours in an interview room assisting and supporting a detainee in the most trying circumstances.

We acknowledge the professionalism of the PSNI custody staff, and we have found them

**DEDICATION AND COMMITMENT BY OUR STAFF TEAM COUPLED WITH SKILLED AND PERCEPTIVE CALL MANAGEMENT BY EXPERIENCED STAFF**

to be courteous and compassionate towards the people we are called upon to support.

**Stanley Booth MBE**

MindWise Criminal Justice Manager

# Our 2021-2022 Report

The NIAAS was delivered by our staff team throughout Northern Ireland 365 days of the year between 08.00 hours and 23.00 hours, with an out of hour's call out facility between 23.00 hours and 08.00 hours when circumstances necessitated attendance.

During this reporting year the NIAAS staff team responded to 3,947 calls to attend PSNI stations. This was 312 more than last year being an 8.5% increase on last year's figure.

## Risk Management

The strategies to minimise risks are contained within the NIAAS Risk Management Plan, which is regularly reviewed and updated by the NIAAS Manager who is responsible for all aspects of risk analysis and is supported by the MindWise Senior Management Team.

The Scheme is compliant with the DOJ security framework, reporting regularly against Key Performance Indicators, relating to Governance, Health and Safety and ICT.

These form part of specific performance indicators across a range of issues, such as service delivery, health and safety, ICT, risk management and finance. The CEO of MindWise, upon being satisfied the service is meeting the governance directives, provides assurance statements of compliance with HMG standards and DOJ security framework contractual standards as required.

We provide quarterly reports to our governance board representatives as part of our reporting process. All risks (including information and IT security risks) are assigned to an owner. Our governance body are informed that a copy of the MindWise Risk Register is available for viewing on request. When travelling to and from police stations staff are required to utilise 'People Safe' which is a lone working support and monitoring system which plays a role in staff safety during their journeys.

Month	Quarter	
Dec	288	
Jan	334	
Feb	251	Q1 873
Mar	346	
Apr	301	
May	356	Q2 1,003
Jun	367	
Jul	378	
Aug	417	Q3 1,162
Sep	301	
Oct	307	
Nov	301	Q4 909
		3,947

## Our Role As Appropriate Adult

The Police and Criminal Evidence (Northern Ireland) Order 1989 Codes of Practice require that a parent or legal guardian are the first to be contacted when an Appropriate Adult is required. On occasions a Trust may be a legal guardian for looked after child in care (LAC), meaning the Trust is the corporate parent under the Children (NI) Order 1995.

When the PSNI have difficulty contacting a parent or family member, to perform the role of Appropriate adult they turn to our scheme. Our Appropriate Adults ensure that Police adhere to the Police and Criminal Evidence (NI) Order 1989 (PACE) and the PACE codes of practice.

This is a complex role which demands and encompasses an understanding of the rights of the detained person as well as a clear understanding of the appropriate adult role and its boundaries. Interpersonal and communication skills are necessary as well as being conversant with police procedures and fully appreciating the various mental health

conditions found in police custody that can impact upon a person's vulnerability.

The appropriate adult has specific rights to ensure they can fulfil their role, examples which include:

- A.** To inspect the custody record of the detained person upon arrival at the police station, and at any time during their detention.
- B.** To intervene in an interview if it is necessary in the interests of the detained person to facilitate effective communication with the police.
- C.** To request a break in any interview for the detained person to seek legal advice or consult with the detained person (particularly if the interview is a lengthy one, or if the detained person becomes distressed or ill).

When a detained person arrives at a police custody suite a Custody Sergeant is responsible for identifying if the person detained is vulnerable or not, and whether they require the support of an appropriate adult or not. To do this he/she may form an opinion as to the person's condition following a range of questions listed within a police computer system or the person may have

been examined by a healthcare professional such as a Forensic Medical Officer (Doctor) or a health care nurse working within the custody suite who can advise the Sergeant about the detainees mental health or if in their opinion the support of an appropriate adult is necessary. On arrival at a PSNI station our staff identify a range of mental health issues, either from a known diagnosis or from information provided to custody staff by the detainee or by the Forensic Medical Officer, or other professional in the health care field.

The next stage is to ensure the detainee understands their entitlement to legal aid and the legal advice that it provides, there are many who have a legal representative they have used before, and there are some who decide to select from a list held by police.

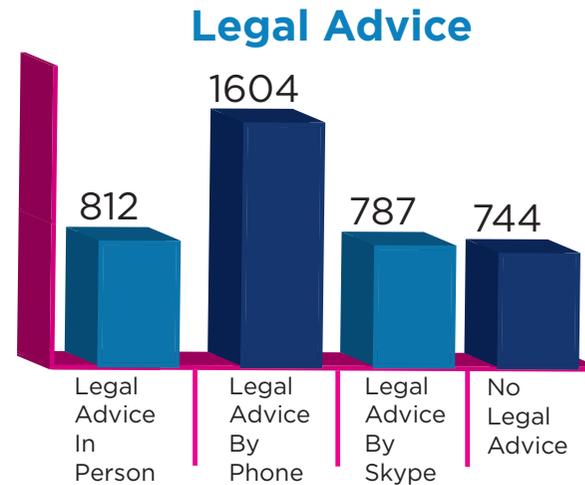
The appropriate adult is most concerned with those who indicate they do not want legal representation and we endeavour to advise them of the importance of speaking to a qualified legal adviser before any questioning by police. To this end PACE permits an appropriate adult to a request legal advice contrary to the detainees wishes if that is in their best interest, which it usually is.

Whilst the appropriate may advise the detainee to secure legal advice any advice provided by the appropriate adult cannot include legal advice such as whether to respond to a question or not. In such circumstances the presence of a legal representative is desirable if not essential, however since the outbreak of covid a trend of remote advice has developed.

## Support Trend

**Legal Advice:** The impact of covid brought the necessity for legal advisors to attend remotely via skype or to provide legal advice by phone when the detainee arrives at the custody suite, as we emerge from covid we see this trend has continued which brings additional challenges for the appropriate adult.

Neither process can replicate the support personal attendance brings, and both bring challenges for those present. Skype attendances on 787 (19.9%) occasions depend on the tablet being positioned to the satisfaction of the representative so that he/she can see and hear all that's taking place however body language of those present can be lost to the representative by the layout of the room and the tablets positioning, and it can be susceptible to loss of signal.



The pre interview legal advice by 'phone' dominated the advice process this report year on 1604 (40.6%) occasions.

The advice given is unique to that client the legal representative needs to consider the ability of their client to withstand the rigors of questioning in their absence. We have encountered vulnerable interviewees being advised to pursue 'no comment' replies to all questions, however the difficulty arises when an interviewee is unable to withstand the rigors of questioning and fails to follow the advice given. It is not the role of appropriate adult to function as a substitute legal advisor in such circumstances and it can be confusing for an interviewee and frustrating for an appropriate adult when the interviewee turns to an appropriate adult expecting the appropriate adult to do more than their role permits.

**THE PRE INTERVIEW  
LEGAL ADVICE BY 'PHONE'  
DOMINATED THE ADVICE  
PROCESS THIS REPORT  
YEAR ON 1604 (40.6%)  
OCCASIONS**

## OUR SERVICE USERS

### Safeguarding:

MindWise have a clear safeguarding policy and accompanying procedures, as well as a Child and Adult Safeguarding Champion within the organisation. We train our staff team to identify safeguarding issues regarding children and vulnerable adults and to report any concerns. In this reporting period staff identified two safeguarding issue that were reported to PSNI for investigation.

### Looked after Children:

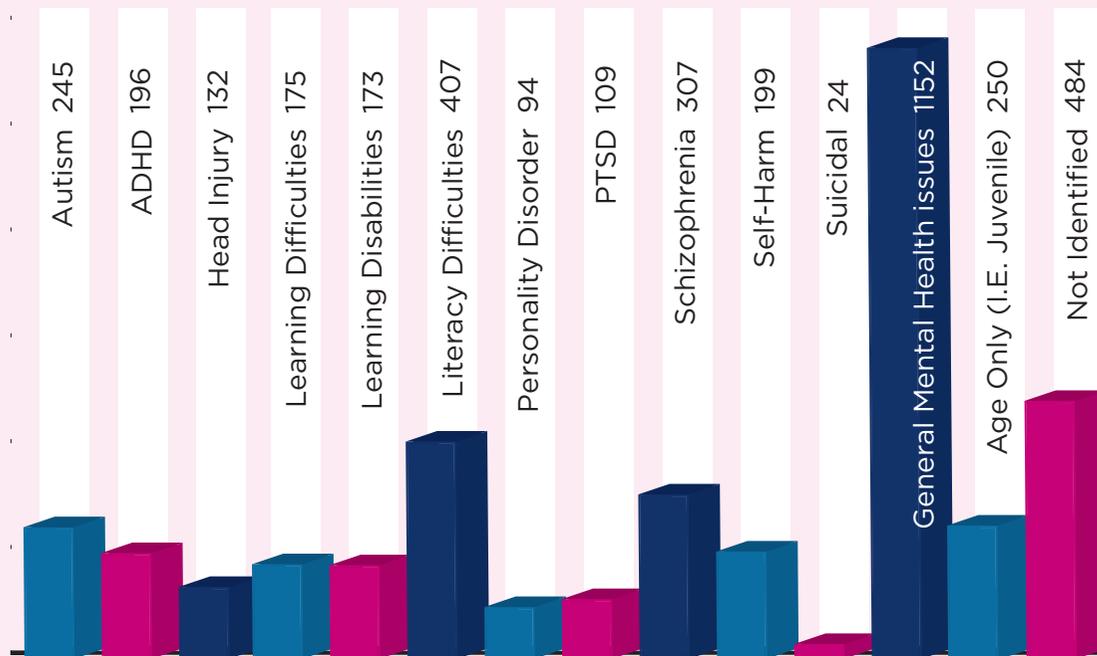
We have delivered appropriate adult training to Trust staff to assist the Trust to support looked after children within their care as they are required to perform the role of appropriate adult for such children. Our involvement with a looked after child only occurs when it is unknown to police that a child is a looked after child.

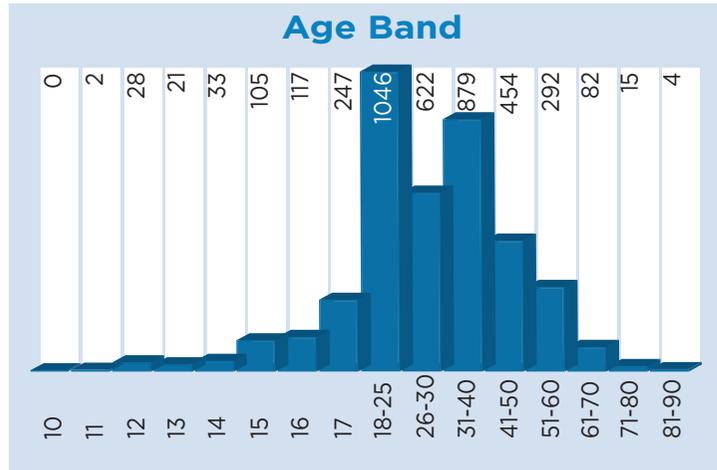
### Vulnerabilities:

Vulnerabilities: In 3,463 (87.7%) of attendances a particular vulnerability was identified by NIAAS staff or healthcare professionals, this is 1.2% up on last year, in 484 (12.3%) attendances there was no such identification, down 1.2% on last year.

Juveniles may be vulnerable by virtue of their age only or they may also have mental health issue that place them into a different recording category. Identifying the specific issue in the absence of clinical information or assessment can be challenging and many people in custody have coexisting conditions with complex needs.

The NIAAS staff encounter a range of vulnerabilities frequently found within police custody. Within our report the term mental health issues include depression, anxiety, and bipolar disorder. The service also supports people affected by autism, head injuries, and personality disorders including self-harming. Within the support provided learning difficulties includes those affected by attention deficit hyperactivity disorder (ADHD).





**Adults:**

Each year we see the 18-25-year-old age range account for the majority of all our attendances, this year it was 1,046 (26.5%) a similar percentage our last report. At the older end of the age range, we see an identical percentage to last year’s report re people aged between 61-90+ with 101 (2.5%) attendances.

**Age Band**

**Juveniles:**

This year we responded to the Department of Justice consultation regarding the minimum age of criminal responsibility, expressing the view that we concur with others that the age should be raised to 14 years. If this were in place it would have removed fifty-one young people aged 10-13 years from our attendance figures.

Whilst we have seen a fall in the very young this year with no 10-year-olds and only two 11-year-olds the overall juvenile percentage remains consistent with 553 (14%) just 1% lower than last year’s 535 (15%).

**Adult / Juvenile ratio**

This year we supported 3,394 adults (86%) and 553 juveniles (14%) this ratio is consistent with last year’s figure and the year before. The request to support a juvenile or adult arises when a parent or family member cannot attend a police station due to their circumstances, such as no available transport or they choose not to attend for personal or domestic reasons, or it may be inappropriate for them to attend such as when they are the complainant or a witness in the case.

	Adult / Juvenile	Total
Adult	86%	3394
Juvenile	14%	553
		3947

**Gender**

In 2020 we updated our data collection to represent people identifying as transgender, intersex, or non-binary to match the national appropriate adult categories of gender.

Gender	
Male	3178
Female	759
Transgender	5
Intersex	4
Non-Binary	1
	3947

The gender figures show that 3,178 (80.5%) people identified as male, 4% lower than last year, and 759 (19.2%) as female 4% up on last year. This year 5 people identified as transgender and four as intersex and one as non-binary making up the remaining .3%. When these figures are viewed alongside the age chart, it becomes evident that young men in their late teens and early twenties are the dominant group in need of our services.

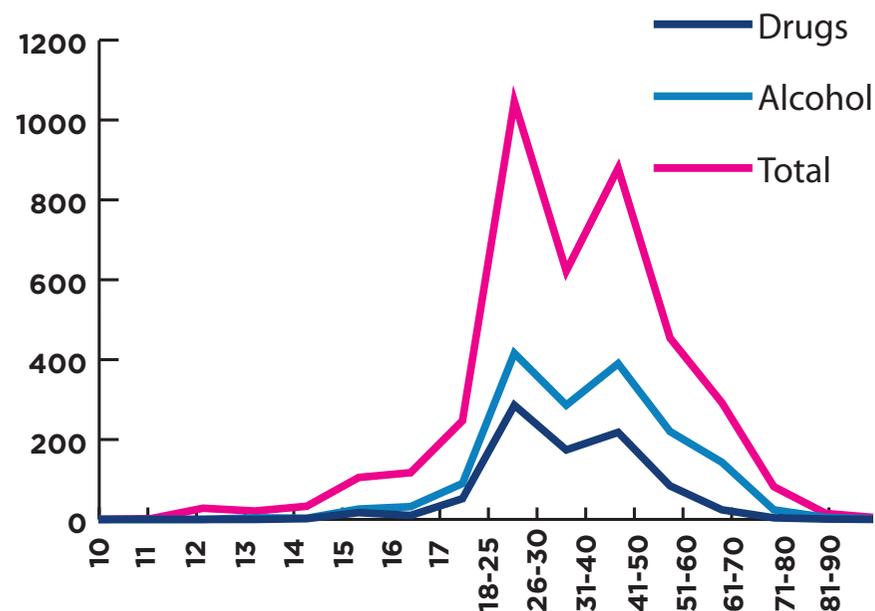


## Alcohol/Drugs and Age

Whilst staff are consulting with a detainee and examining the police custody record, they may discuss a person’s personal difficulties and capture data beyond mental health issues such as the misuse of alcohol and drugs prior to arrest.

Age Band	Total	Alcohol	Drugs
10	0	0	0
11	2	0	0
12	28	0	0
13	21	4	0
14	33	3	2
15	105	26	17
16	117	32	10
17	247	90	52
18-25	1046	416	286
26-30	622	286	174
31-40	879	390	218
41-50	454	220	84
51-60	292	143	24
61-70	82	24	4
71-80	15	5	1
81-90	4	1	0
<b>Total</b>	<b>3947</b>	<b>1640</b>	<b>872</b>
<b>Percentages</b>	<b>100%</b>	<b>41.5%</b>	<b>22%</b>

Police do not conduct an interview whilst a person is under the influence of a substance; however, there are a range of offences that



flow from the misuse of drink or drugs. We find detainees frank with staff and acknowledged that drink or drugs played a part in the events that lead to their arrest.

This year staff identified alcohol as a precursor to detention on 1,640 (41.5%) occasions the same percentage as last year, however drug use was identified on 872 (22%) occasions, 9.4% up on what we saw last year, and closer to the 25% previously seen in 2020, this which suggests there was a temporary drop in drug use which is now re-establishing itself.

The pattern of alcohol and drug use is similar to the pattern of the detainees age band with the most consumption and use in the 18-25-years cohort.

The alarming trend is that of juveniles with 236 (42.6 %) of the 553 detained having consumed alcohol or used drugs prior to arrest. From experience we are aware that drug use by people in the older cohort 61+ refers to misusing their prescription drugs.

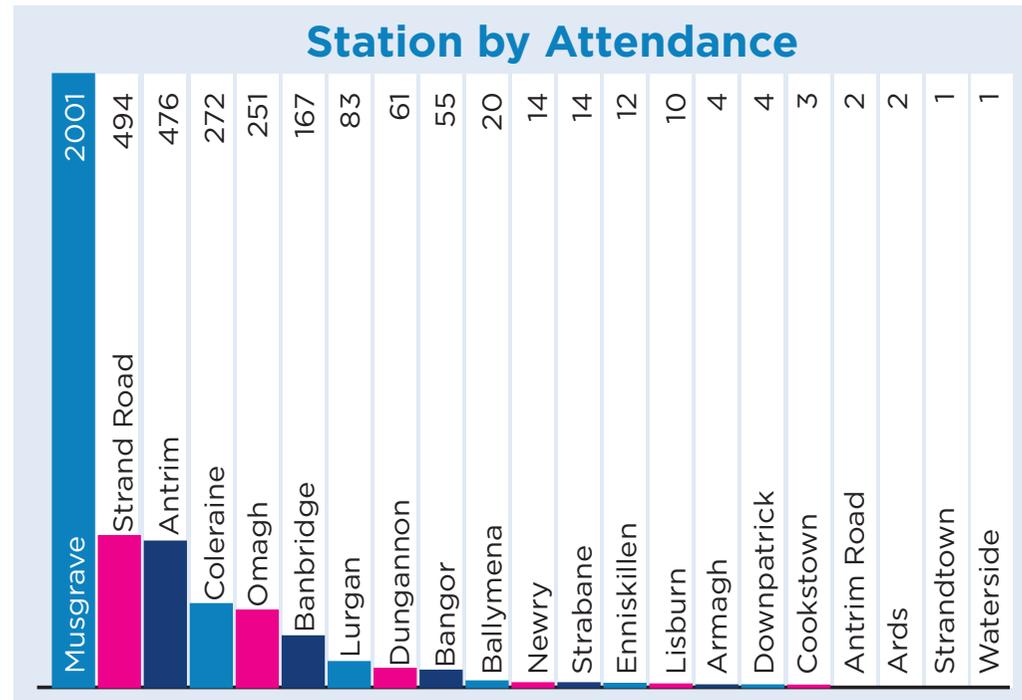
## OUR ATTENDANCE

This year our NIAAS staff team attended 21 PSNI stations in response to police requests. We attended as and when required 24/7 with the six busiest locations being custody suites at Belfast, L'derry, Antrim, Coleraine, Omagh, Banbridge.

### Belfast: Musgrave Station

Musgrave is the main holding centre for the city and surrounding area and is by far the busiest station for the scheme, it accounts for over 50% of all our service users. To avoid travel to and from this site and ensure immediate availability we provide a static presence at Musgrave station weekdays 8am-5pm. This ensures we can respond to service demands as they occur which facilitates cases to progress which benefits both detainees and PSNI and it impacts positively on our arrival time statistical data.

Service demand can outstrip the staff available and additional staff are called in to support colleagues. Within Musgrave we have experienced three or four appropriate adults being present at the same time all being engaged in different matters running concurrently within the same suite. Therefore, staffing levels are under constant review in line with budgetary constraints, bearing in



mind we still need to be available to respond to twenty other stations that make up the remaining 50% of calls elsewhere in Northern Ireland.

Note: The PSNI have an ongoing refurbishment plan for custody suites which mean a suite may be closed for renovations, also there are provincial towns that do not have an operational custody suite, which can inflate attendance figures in another area, therefore our attendance figures at PSNI stations should not be seen as a reflection of crime figures for that area.

**WITHIN MUSGRAVE  
WE HAVE  
EXPERIENCED  
THREE-FOUR  
APPROPRIATE  
ADULTS BEING  
PRESENT AT THE  
SAME TIME**

## Arrival times

This year we responded to 3,947 calls, these calls are divided between planned calls and unplanned calls.

### Planned

Planned are calls to attend a police station however immediate arrival is not necessary, this is because a particular activity must occur before an interview can commence. The detainee person may need to be examined by a Forensic Medical Officer (Doctor) or Nurse and declared unfit for interview, or they cannot be interviewed by police until they are sufficiently sober, or the detainees Solicitor is available. These amongst a variety of legitimate reasons can delay an interview which in turn impacts on the detention period.

Custody Sergeants in conjunction with investigators routinely arrange for the appropriate adult to arrive at the custody suite at a given time which often ties in with the arrival of the Solicitor or the giving of legal advice remotely as part of the efficient running of the custody process, and the appropriate adult must be able to respond to a fluid situation where the timings may change without notice, such as when the detainee is taken ill and taken to hospital.

We are frequently requested to delay our attendance until a specific time, this typically occurs with overnight arrests when our call centre is contacted during the night requesting staff to attend in the morning, when the detainee becomes fit for interview.

To facilitate planned attendance, we have an online booking system which allows any officer anywhere to log on and plan their interview days, weeks, or months into the future. This secures a staff member and reassures the officer that their enquires can continue or commence at a given date and time.

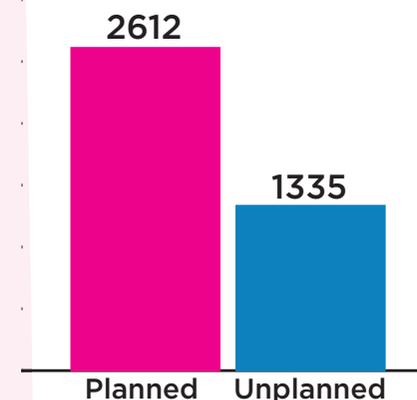
Planned calls can also be for future dates after people are granted bail, to return or forensic evidence may not be available for some months, therefore the scheme ensures there is an appropriate adult available and in attendance at the given time and place, which facilitates the police to continue their enquiries.

This year 2,612 (66%) of calls fell into the planned category 6% less than last year, with 1,335 (34%) unplanned 6% more than last year. We had 8.5% more calls than last year and many of these were without notice and fell into the unplanned category.

### Total

When both planned arrivals and unplanned arrivals requests to attend are collectively counted NIAAS staff team arrived when they were expected to arrive in more than 99% of all requests, this is directly attributed to having staff on site at Musgrave PSNI station each weekday and an advance online bookings system in conjunction with a responsive in house call handling system with experienced staff involved in skilled 'call management' by quickly responding to a call answering system delivered by Answerforce.

### Planned/Unplanned Attendances



There are occasions when we are unable to arrive at a custody suite within a specific time frame, this is typically because staff are already fully committed in custody suites elsewhere or even within the same suite and unable to proceed to the next case until the present matter is concluded, or there may be a high volume of calls within quick succession that exceed the number of staff available to respond, this requires the PSNI officers calling to waiting for the first appropriate adult who becomes available to respond to their call.

**Pattern of appropriate adult attendance**

The NIAAS service delivery is on a 24 hour per day, 365 days per year basis.

We attend at PSNI stations as and when we are required to do so. The routine service delivery is between 08.00 hours and 23.00 hours, with staff on call for out of hours attendance, if necessary, after 23.00.

The main attendance period for the NIAAS is the mornings between 09.00 hours and 13.00 hours, with 1600 attendances (40.5%) 11.5% down on last year’s peak period. This is reflected by having staff on site at Musgrave PSNI custody suite Monday-Friday 8am-5pm and ready to deal with a matter immediately after the detainees has had breakfast, seen a doctor, and received legal advice etc.

**Periods spent within PSNI stations**

There is a range of procedures that may occur during the detention period all of which can impact on the length of time an appropriate adult may be inside a police station. A detainee may be subjected to a medical examination, identification procedures, fingerprinting, DNA sampling, and not least the interview. Whilst the PSNI processes and procedures within police custody are similar and the allegations may be common to the officers, the cases detail

and detainee circumstances are not all the same and may on occasions be unique. It is important for our staff to be available to respond to what could be a lengthy complex case that may run beyond their anticipated attendance period, or even late into the night. Therefore, our appropriate adults need to be flexible and adaptable to meet the demands the service as well as being able to appropriately support and assist the detainee.



## Length of cases

Within PACE, a person may be detained by police for a maximum of 96 hours, occasionally in the most serious of cases we are called upon to support a person throughout the full detention period. (Other than when they are sleeping).

There are those cases that may not seem serious in nature but may have a profound effect on the accused and the victim, and our staff are sensitive to this. There are those frequent matters that can take little time, but others can be major complex investigations taking all day, and occasionally the following days. Our staff have become skilled at carrying multiple less serious cases at the same time moving in and out of cases to speed processes along.

The average period staff spend engaged with a detainee can vary from a few minutes to all day or even several days depending upon the complexity of the police case. The average detainee engagement period this year was in the region 2 hours and 15-20 minutes. Attendance incorporates a wait time which averages just over 30 minutes before a consultation takes place pre interview, when travel time is included the end-to-end call period can average 3 hours and 40-50 minutes.

## Voluntary Interviews

A voluntary attendee can appear at any PSNI station with their solicitor when requested by police to do so, and the interview may be conducted on a voluntary basis. These attendances are usually one or two hours but occasionally they can require repeated attendance returning over several dates until matters are cleared to the satisfaction of the investigators.

## Out of hours trend

The 'out of hours' call out service was used on 245 occasions, being 6.2% of all calls, averaging 4.7 attendances per week, 67.1% of the evenings. This is an increase of .6 on last year's call out figure.

This year we noted that 534 case started before the on-call period of 23.00-08.00 but ended post 23.00 with some running on late into the night.

Post 23.00 custody departures total 779 being 19.7% of all our attendances. This trend places a burden on staff who may have other commitments the following day, and the working time directive requires specific rest between work periods.

## Out of Office Hours 23.00-08.00

	Arrival post 23.00 hours	Cases ending post 23.00
23.00-23.59	115	158
00.00-00.59	62	145
01.00-01.59	38	116
02.00-02.59	14	61
03.00-03.59	6	33
04.00-04.59	3	9
05.00-05.59	3	5
06.00-06.59	0	3
07.00-07.59	4	4
<b>Total</b>	<b>245</b>	<b>534</b>
	6.20%	13.5%

The attendance of an Appropriate Adult's after 22.00 or 23.00 hours can take them in to early hours of the morning before a matter is concluded, therefore it is not uncommon for staff to arrive at a station at 22.00 and leave at 01.00 or 02.00. We attempted to reduce attendance to cases where there were exceptional circumstances, however this did not materialise as planned, and we saw an increase rather than a decreased in overnight call volume. This is an area for review as we plan for future attendance.

## Trend: The Composition of Crime

During this reporting years the NIAAS team made observations that cannot be ignored. Staff observed that they were encountering cases that involved alarming levels of gratuitous violence.

This year staff engaged in interviews and procedure relating to Murder on 82 occasions, and attempted Murder on 48 occasions. With GBH accounting for 123 attendances, threat to kill 114, and Bodily Harm 206.

Violence played a part in 1,700 of our 3,947 attendances, collectively violent offending made up over 40% of all our attendances.

The Chief Constable Presenting to the Policing Board 8th December 2022 reports that in the 12 months from 1 November 2021 to 31 October 2022 there was an increase in crime figures of 6.8 per cent on the previous 12 months, and that there were 57 police recorded crimes per 1,000 population compared with 54 crimes in the previous 12-month period.

The Belfast Telegraph reporting on 2022 crime figures 2nd January 2023 advise that violence against the person, sexual offences, possession of weapons and drugs offences have all seen a significant increase this year, and according to the PSNI this is almost a seven percent increase.

It is acknowledged by the PSNI in 2020-21 report that, the composition of crime has changed and the percentage of offences involving violence against the person has risen from 27.6% in 2009-10, to 38.8% in 2019-20, and 41.6% by 2020-21.

Considering this trend towards more violent offending and the impact disturbing facts can have upon those listening to them, it is incumbent upon the management team to take cognisance of this and ensure that staff are aware of the counselling support service available and to provide the welfare support necessary for staff encountering disturbing cases.

## Our Staff

All our staff are level 3 trained in the Open College Network Appropriate Adult course, this along with PACE and police custody procedures addresses the technical aspects of the service delivery, however it is the MindWise recruitment and selection processes that ensures we have a staff that are skilled in delivering this service in a calm, reassuring and compassionate way, that often deescalates tensions in what can be a powder keg of emotions for a detainee facing police detention and the interview process.

We are proud that our staff team live the MindWise values of Passion, Respect, Empathy and Togetherness in the delivery of this service.

# Appreciation

This year we recorded words of appreciation from 1,356 (34%) of detainees or voluntary attendees we supported. We know that some struggle to interact and that mental health issue can make communication difficult, and many are understandably so concerned about the case against them or a pending court appearances that the level of support provided may not register with them at the time.

We have experience of detainees responding differently, such as less aggressively on their second engagement with us, having experienced previous support, this change in attitude is itself an indication of the detainee acknowledging and appreciating the support provided.

## A sample of closing comments from detainees:

Thank you, I really appreciate it

Thank you for spending all day with me

Cheers lad  
thanks for that

Thank you so much, for all your help and advice

Thank you for coming, you really help me out

I would give you a hug but for Covid

I really appreciate the support

You don't know how glad I am to see you

You're lovely

Thanks so much for being here for me

I hope we meet again in different circumstances

Thanks

Thank you, you are wile nice

Thanks for trying so much

Sorry love for being cheeky

Thank you for speaking up for me

# Manager's Closing Comments

Our attendance at PSNI stations depends entirely upon police requirements, as a responsive service this brings delivery pressures

I am extremely proud to say that our staff team attended 3,947 calls across 21 PSNI stations 24/7 which is our highest attendance figure to date, we secured 312 (8%) more attendances than last year's figure of 3,635, unfortunately we had 17% fewer staff to call upon than we had pre covid in early 2020 that placed even greater pressure on the team whose dedication to the service secured this result.

We are not complacent in our success, and we continue to search for ways to improve the service, and I look forward to recruiting additional staff and developing new systems and process. Whilst we can develop further, I can reassure the Department of Justice that our scheme is effective, efficient, and professional in its support for vulnerable people within police custody.

## **Stanley Booth MBE**

Appropriate Adult Scheme Manager  
LLb BSc

**WE CONTINUE TO SEARCH FOR WAYS TO  
IMPROVE THE SERVICE  
OUR SCHEME IS EFFECTIVE, EFFICIENT,  
AND PROFESSIONAL**