Episode 3

A Conversation with Donna Peacock

[00:00:00] **Lesley:** Hello, and welcome to the Portal Podcast, bringing academia to social work practice. I'm your host, my name is Dr Lesley Deacon.

[00:00:13] **Sarah:** And I'm your other host and I'm Dr Sarah Lonbay. So we hope you enjoy today's episode.

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Introduction to Episode 3

[00:00:28] **Lesley:** Hi guys, welcome back to the Portal Podcasts. This is about bringing academia to practice. So today we've got a new guest to talk through their CASS Working Paper, so we've got Dr Donna Peacock here and her working paper is 'Supporting Vulnerable Detainees through a Student Volunteering Service'. So welcome Donna.

[00:00:48] **Donna:** Hi, good to be here. So I'm Donna Peacock, I'm Team Leader for the Social Studies team at University of Sunderland. Within the team provision we've got Criminology, Sociology, Health and Social Care, and Policing. My research background is around interests in cyber crime, and more recently have moved into work that looks at vulnerable people, particularly vulnerable people in contact with the police, with concerns around participation. And recently I've been doing some work with speech and language and communication needs in the police and custody setting.

[00:01:28] **Lesley:** Excellent. And I'm Dr Lesley Deacon, who's running these with my colleague, Dr Sarah Lonbay.

[00:01:33] **Sarah:** Hi everyone.

[00:01:36] **Lesley:** Welcome back. This is great, we've recorded a few podcasts now, in fact, just as an interesting point, yesterday it was International Podcasting Day, which I found out. So it's about trying to encourage people to access podcasts. I don't know when this is coming out, it might be next year on International Podcasting Day! So hopefully you're getting something out of these podcasts and enjoying them. What we're going to be talking to Donna about today, this is it's really interesting because this is based on a service, effectively, that you've set up and are providing. So do you want to tell us a little bit about that, about how all this has come about?

'Appropriate' Adults for 'Vulnerable' Adults

[00:02:15] **Donna:** The scheme initially came about because the neighbourhood police officer from Byker police station contacted me while our colleague was off on maternity leave, our colleague who normally would deal with policing, not actually my academic background at all. My background is very much cyber crime, or *was*, we've had a bit of a shift in direction, as we can tend to do... and said, "could you send over some students to do some volunteering as Appropriate Adult in the police station?" And I said, "I don't know anything about Appropriate Adults, don't know what they are, really up for students having employability opportunities though." And I just thought well worth looking into it, maybe set the scheme up and just see how things run from there. And it really just escalated, snowballed from there. So I think I went into it very naively, not really understanding what it was or what it entailed. And the provision of Appropriate Adults has to be actually completely independent from the police. So it wasn't just sending them some volunteers, it was setting up a whole independent organisation and legal agreements and DBS checking and training and rotas and all of the things that go with running an organisation.

So that was back in 2015. Took about a year to get things from the point of having discussions to where we sent the first volunteers into police stations. We started off with nowhere near enough volunteers, we started off with eight, we tend to run with around 30 to 40 volunteers now to cover the region. So chronically understaffed, but we just had no idea what we needed. And the problem was at that point, there actually wasn't anything in the region, there wasn't anything being done. I think from early discussions that we had with police officers working in the region, they had been managing to get Appropriate Adults from the local authority. They tended to be social workers, support workers, people who were actually working with vulnerable people.

And then Austerity cuts just meant that anybody who didn't have to actually do something because there was a statutory obligation for that to happen, any of those services were cut. Well, the situation around Appropriate Adults is that if you're a young person, under the 1998 Crime and Disorder Act, the local authority has to provide an Appropriate Adult for a young person if a parent or family member can't be there. But for Vulnerable Adults, nobody is actually responsible for the provision. So it's this funny situation, really, where the police have to get someone, under the Police and Criminal Evidence Act they have to make sure there's an Appropriate Adult there, but nobody has to actually *provide* that. So then they can't go ahead with the...

[00:05:04] **Sarah:** That's such a gap isn't it? Donna I was just going to ask, because you've used a couple of terms there, can you explain for us what an Appropriate Adult is, and then also what you mean by a Vulnerable Adult? Because I think there may be differences in how social workers understand that term as well.

[00:05:20] **Donna:** So an Appropriate Adult – and the term's interesting, I find there's a whole interesting discussion to have about the language around the Appropriate Adults – an Appropriate Adult is a role that was defined by the 1984 Police and Criminal Evidence Act, and what an Appropriate Adult does is they provide support with a welfare focus and to support communication needs from the point that somebody comes into contact with the police as a suspect, during the time that they're in contact with the police. So there's a misconception that an Appropriate Adult is somebody who comes and sits in for the interview. And what they're actually supposed to do is they're supposed to be there from the point when somebody is brought into the police station, right through the point where a disposal is made.

[00:06:11] **Lesley:** Couldn't that be hours then?

[00:06:13] **Donna:** Yeah, could be up to 24 hours.

[00:06:14] **Lesley:** Because I absolutely misunderstood that as well. I have got an image in my head of people just sitting in an interview in a police station. So it's actually from the point.

[00:06:23] **Donna:** It should be, if it's done properly.

[00:06:24] **Lesley:** So basically from the point they get arrested. Or if they're just asked to come in for questioning, is there a formality there? So basically if they're arrested, they have to have one. What if they're just asked to voluntarily come in? Do they still need it?

[00:06:41] **Donna:** If it's a voluntary interview, yes they're entitled to an Appropriate Adult in the same way. Now that's interesting because this is something that we've just been doing some work around within the last couple of months for the National Crime Agency. Because during COVID obviously more people have been interviewed in non-traditional settings or non-traditional ways. So people being interviewed in their homes, for example, people being interviewed in a voluntary setting in the police station, and the concern is there's actually a lot of safeguards, there's quite robust procedures in police custody. So if a detainee is brought into the custody setting, a suspect's brought into that custody environment, the Custody Sergeant deals with that all day, every day, there's risk assessments done, there's checklists that they complete, they know what they're looking for in terms of welfare, vulnerability, where actually an officer in charge of a case, who might be a 24/7 cop – might be a more serious crime, could be a more senior officer – but there's a concern, there's been questions asked about whether things might be missed, and actually where the good practice is around the country, what's working well, are the assessments being done? So we've just been looking a little bit into what's actually happening. And what it seems like, what the picture looks like, is that actually there is a lot of really good practice going on up and down the country. Where vulnerable people do need Appropriate Adults in those voluntary settings, it's being risk assessed and they're actually getting someone, and liaison and diversion services will be contacted as well. But there seems to be some problems around data retrieval. The police forces all use different computer systems. And without going into each individual record for each individual detainee or each custody record, it's not like there's a flag where they can just retrieve how many there's been, or how many had an Appropriate Adult.

[00:08:49] **Lesley:** It's the same in social work practice, the common thing was expecting that you use the system and it will be the same across the country, and it's not. And people are missed and they're completely separate. And I think practitioners know this, but I think the general public doesn't realise that there isn't actually one big database that's connecting all of this information up, which would be helpful, but I know there's obviously issues around data protection, around that. When you were saying Donna about these vulnerable

people, because you said the language is really interesting it is. In fact, I remember you've presented on the issue about vulnerability Sarah as well and talked about it haven't you? So by the Act, and the law, what does it say?

[00:09:36] **Donna:** Vulnerable people, for PACE vulnerability, Police and Criminal Evidence Act vulnerability, what they're trying to identify is somebody who might struggle to be fully involved or engaged in the proceedings. So somebody who might have a difficulty expressing their version of a narrative of an event, somebody who couldn't explain what's happened in a situation, somebody who might struggle to understand questions or struggle to understand procedures. So it can be related to mental health, it can be related to learning disabilities or specific learning difficulties. It can just actually be that when somebody presents at the desk and they're talking to the Custody Sergeant, the Custody Sergeant suspects that they've got difficulty comprehending what's going on. So there might be no diagnosis, there might be no indicators or flags, but the Custody Sergeant just has a concern that somebody isn't fully engaging in the procedures.

[00:10:34] **Sarah:** So would that include someone who had imbibed some kind of substance, whether it's alcohol or something else that affected their ability to understand what was happening then?

[00:10:43] **Donna:** No, they would be left until they sobered up.

[00:10:48] **Sarah:** So if it was something that was clearly identified as very temporary, because of whatever reason, then they might just be left until they were then able to communicate and understand what was happening.

[00:11:01] **Donna:** And obviously there's support in a custody setting, so liaison and diversion will have a mental health nurse on site, and there's a custody nurse there for the health needs. So if there's questions or concerns those professionals can be brought in and asked to comment as well. So the interesting thing for me, just to finish answering what you were asking before, the language around being an Appropriate Adult, I think, comes from dealing with children. And I find it deeply uncomfortable when you're working with adults and it honestly didn't occur to me because I was picking up this new scheme, and I just got this old big training pack and had to turn up and train these volunteers. And we kind of were just finding our way through it together. So I very much was using what was given to me by the National Appropriate Adult Network that was based on the kind of legal definitions, and I didn't

really give it much thought if I'm honest. Because I was more concerned with the practicalities of what does this role do and getting these people to actually go out and do the job properly so they're giving proper support to the vulnerable people they were working with. And it wasn't until the first day I turned up at a police station, because I did do quite a lot of volunteering myself in the early days, partly because we didn't have very many volunteers, but also I don't think you can support volunteers in a role that you're not doing yourself, but turning up at the police station and actually finding myself saying to a grown man. "Hello, I'm Donna, I'm here to be your Appropriate Adult". And as the words fell out of my mouth, then you're starting to think what actually am I saying to you by saying that? And what I felt like I was saying was *you're* not appropriate to act or speak for yourself, I'm here to do that for you, and I'm here to be the *adult* for you. And it made me feel uncomfortable. So I kind of went away, and since then, and this is the way I train the volunteers, I wouldn't say "I'm here to be your Appropriate Adult". Appropriate Adult is the terminology that's used legally in the police station by the professionals, so I can't single-handedly change that. I can suggest it and bring it up. But my approach to that is when I work with somebody, I would say "I'm from the Appropriate Adult scheme". So I'm not trying to say to somebody I'm being appropriate and an adult for you. But I just found it uncomfortable, it was a bit jarring for a first timer.

[00:13:29] **Sarah:** Yeah, I mean that makes a lot of sense. I think there's a lot of crossover with my concerns about the use of the word 'vulnerable' in social work practice as well. Just that idea of it being quite paternalistic, and in social work it's often ascribed by virtue of someone's characteristics, and so they're inherently vulnerable in some way, because of something about them, rather than that they might be in a vulnerable situation or at that moment something's happening. So I think that idea, I can relate to how you felt, because I think I would have felt that same sense of discomfort.

[00:14:04] **Donna:** I would agree, absolutely, with what you're saying about vulnerability there. And again, to me, it's a conflict that unpacked out of this, because I had not really considered the *negative* aspect of being called or labelled vulnerable. Now on the one hand, being vulnerable, having a label of vulnerability, attracts resource, we can get finance, we can get support, and actually in those ways, especially at the moment where it's kind of quite politically fashionable to be concerned about vulnerability, it seems to be something that's very much on the agenda at the minute. So I think for somebody who might have some additional needs or support needs, it can be

potentially a useful label in that way. The other side of it is, actually it's very disempowering. And you've got to think then about what does that do to somebody's perception of themselves, their citizenship, their ability to act and advocate for themselves. Maybe somebody hasn't considered themselves to be vulnerable before and now they're turning up at the police station and we're labelling them as vulnerable. And I think what that's actually compounding is the fact that somebody has just gone through a criminalisation process as well. So you've gone through all of that being labelled as 'deviant', those processes in the police station, and I just think it's an overall part of the disempowerment that happens anywhere inside a custody suite. And custody suites, you can imagine, are naturally set up to be that way, they're disempowering for citizens for what I think many would see as good reasons. But I think the concern there is they shouldn't be unequally disempowering for somebody with a particular vulnerability, I know it's an uncomfortable phrase.

[00:15:45] **Lesley:** It's hard though, isn't it? Because there's a pragmatic approach here, that it's about access to services and it's access to support that actually that person may very well need, and that is needed. So there's an element of it, because I feel like there's that constant conflict in practice between what you don't want to do is disempower, you don't want to actually add to somebody's difficulties or make things more challenging for them, but on the other hand you've got a whole system behind you and the system needs something like a 'tag' almost, I don't know if that's a good word to use, because we're talking about some criminal aspects of things, it's like it needs something to say, okay, actually that person needs that, they need this and they need this in addition. And that's the problem, that we're left with actually that's not the norm. That's not what's normal. And that's how it feels, isn't it?

[00:16:45] **Donna:** It is, but also the other side of it, I think what you're doing, as Sarah's just said, is you're locating the vulnerability very much with something 'different' or 'deviant' or 'difficult' about that person. And it's a deficit approach to looking at a person isn't it? And I think what it ignores then is some of the real situational or structural issues that go on. I mean, situationally, like I say, everyone's disempowered inside a police station. It's a very physically constraining environment, the noises, the smells, the environment, it's an uncomfortable place to be for anybody. So situationally, I think, unless you're working in that environment and you're the police officer, it is disempowering for anybody who goes through custody. But I have to be quite honest about what I see coming through the custody suite in terms of who we work with and who we deal with, and there's very much a gender

element to it, and there's very much a class-based element to it. And what we tend to get is lots and lots of young, working-class males. And that then tells me there's some wider pattern going on. You know, why is it those? It's not a vulnerability or something inherent about the person, there's something about a social pattern that's making certain people more likely to end up, through whatever reason, having situations that are causing them to end up in that setting.

[00:18:08] **Lesley:** Yeah and when you're saying that I'm thinking back to child protection, which is what my background is, gender female, class still the issue and environment, the environment of actually having to go to child protection conferences, a building that's set up for that, was awful. We used to have situations where, I remember we used to talk quite negatively about what used to happen, which was that the parents couldn't come through the main door. They had to go in the back, which meant they had to go up, because of the building, up a flight of stairs, walk all the way around the top of the building, all the way back down to get to the room and walk into a room with all the professionals sitting there. So it's like that similar thing, isn't it, of it's the way that we set it up.

[00:18:51] **Donna:** Yeah, the architecture and the environment, creating that sort of disempowering situation.

[00:18:56] **Lesley:** Because going back to what you were saying before, Donna, about who's allowed access to this, like who gets access to an Appropriate Adult, it was making me think that almost just somebody that's utterly overwhelmed by being there could then, could they potentially be identified by the Custody Sergeant as needing that support? And I actually think that's quite a good thing, when I think about that, because I think these are terrifying processes for people to experience, so actually having some support that's potentially there for anybody who is overwhelmed and can't deal with it is actually, that's good.

[00:19:39] **Donna:** It could be. I think the difficulty is the definitions are so sort of 'fluffy' and unclear, you're very much leaving it down to someone's discretion about how they view things and, without any evidence for this, it's definitely a concern I would have. Could there potentially be a likelihood that it might be influenced by what level of case it is? So something that's a case where it's minor volume crime, you know, shoplifting, petty low-level offenses that probably aren't going to go very far through the justice system, that

actually maybe it doesn't matter so much then. And the concerns from the police officer point of view might be around evidence and collecting and safeguarding the evidence almost, safeguarding the evidence and not the person. And you kind of have to wonder really when you're going out, and that's another conflict. It's been a very conflict-ridden role, you sort of go out there and you think, what is it I'm doing? Who am I here to help and support? Because if what I'm doing is enabling the police to actually collect evidence and information from a person who has a vulnerability, then yes, that might be good for the police, it might be good for the victim, it might be good for the justice system, you're helping to get to the bottom of a situation and what's gone on by enabling those procedures, but is that actually necessarily in the best interests of the person that you're there to support? So I think these are conflicts that Appropriate Adults, who go out and conduct the role, you do wrestle a little bit with that. Probably a little bit of all of those things. I don't like the language around 'safeguard' either. I think the Appropriate Adult is described in most of the literature as a safeguard and as a legal safeguard. And I think when you're dealing with adults safeguarding for me is something that you do when you're looking after children. And I think for adults, maybe we need to be thinking about the terminology there. I know this is an area you've worked in Lesley, so I don't know if you'd have any suggestions about we could call it instead.

[00:21:44] **Lesley:** I think that's the problem. I think, from a practice perspective, you've got to have something that is practically an easy thing to understand. So you've got like the 'tag' of I understand what I need to do for that, you want to actually do the right thing, but actually you need a practical thing, you've got systems that you're trying to manage. So I don't have the answer. I really don't! I think I raised that when Sarah was presenting on hers, around vulnerability, because it is about the fact that you're asking, yeah, but what is the right thing? Because I grapple with this about terminology. I think it's an eternal challenge that we need to be able to have the practicality of the access to what we're entitled to, and the problem is there are barriers around that. So in order to get access to something, you have to have the right terminology don't you?

[00:22:41] **Donna:** But you need people to understand what it is that you're saying, and when something's very entrenched, I mean the language that we're talking about has been in law since the early 1980s. So everyone who's working in the field, whether they agree with or are comfortable with the language, it's

what they understand and use on a day-to-day basis. So it is difficult to challenge isn't it?

[00:23:01] **Sarah:** It is, but I think the fact that it has been around for so long means it's so strongly connected to the values behind it and what we understand and mean by it too. Like you were saying about labelling someone as vulnerable, you're automatically starting from a deficit based approach, aren't you? And then it's very difficult to recognise any strengths or promote those or support the person.

[00:23:23] **Lesley:** Yeah, the whole system is deficit. Because as soon as you get into the medical profession as well, it's all about dysfunction, problems.

[00:23:31] **Sarah:** Yeah because to have access to any service, whether it's an Appropriate Adult or a social worker or health care, you have to demonstrate that there's a deficit, it's difficult isn't it?

Power Dynamics

[00:23:45] **Lesley:** It is, because I was thinking about that with the challenge in the language around it. One of the things I was interested in is how people in this volunteer service, because having my own experience as a social worker, when I've encountered working with the police, there's always a power dynamic there. And I've noticed as well through my own research that there's almost a 'backing off' by the social worker, that the police somehow have the power. It's the same with the medical profession, the doctor has it. How have you worked with the volunteers around challenging that? Because that becomes even harder I think, in the position that they're in, do they feel confident in challenging? Because their role is to challenge isn't it, if the interview is not fair?

[00:24:30] **Donna:** Yeah, if they feel the person needs a break, or they can check the custody record, they can ask for meals, breaks, has this person had their medication? Do they need some sleep? All of those kinds of welfare issues and concerns. And if they felt like an interview was being unduly oppressive... I mean, interviews are uncomfortable. Anybody who's being interviewed, particularly if there's a serious crime, will get upset and it's a distressing, difficult thing, but is that within the normal realms of how uncomfortable it would be? Or is it getting to where it's unduly oppressive? In which case you would expect the Appropriate Adult that step in and say, "look,

we need to take a break", "this has gone too far", "can we take some time out?", "this person needs to have a drink or a rest" or whatever it is that you want to ask for.

[00:25:22] **Lesley:** Have they talked about how they felt about challenging? How confident they feel about doing that?

[00:25:28] **Donna:** I think what we do, when we do the training they get three full initial days of training, then there's top-up train, as anything new comes out in law or procedure, and just to kind of update them regularly. And they do portfolios and qualifications as part of their volunteering. So part of what we do is actually have them working inside the police station. It's been more difficult during COVID, but previous iterations of the training we've actually done on-site, inside the police station, so they're spending time working with the officers and actually getting down into the custody suite, so they actually feel comfortable there and comfortable in the environment. And actually part of the training is that this is your role, and this is your expectation. I mean, national research has found that Appropriate Adults generally can sometimes not step in when they should in interviews. So there's research that's been done by one of our psychologists at Sunderland, Laura Farrugia, she's had some recent work that she's published where she's actually analysed scripts of interviews to look at whether the Appropriate Adults are intervening when they should. They weren't the particular ones from our scheme, but I think just trying to identify that there is an academic base around the fact that this is something Appropriate Adults do find to be difficult, generally. So I think our Appropriate Adults report back that they intervene when they should. The police, you'll see in the paper, they report that actually they feel like that somebody would raise a concern or intervene when they should. But it's really difficult to know, without being in every single interview, whether that's actually the case. And as I said earlier, it's not just about the interview, it's all those other things. Are you checking the custody record? Are you checking whether somebody's had meals and medication? Are you checking whether friends and relatives know where they are? Just general welfare checks about how are you feeling? How are you coping? Do you understand what the police think you've done? Do you know what to do and do know why you're here?

[00:27:38] **Sarah:** So just in terms of the practicalities of how that works, when you say about intervening in the interview, you're talking specifically about around welfare issues, because they're not there in any other capacity. So they

would intervene if they felt it had gone on too long or the person looked like they needed a break. Is that the kind of thing?

[00:27:55] **Donna:** Yeah, I mean, I did once quite upset at Custody Sergeant by stopping my participation in an interview because I thought the person was having a psychotic episode during the interview. And what I could see was that he didn't look to me as though he could engage in what was going on. And the officer in charge of the case in that instance wanted to carry on. And what I said was, and this is your right as an Appropriate Adult, if you want to carry on, I'm not willing to be part of that proceeding. So I'm going to leave. If you can find another Appropriate Adult who's willing to sit through this. I don't think it's okay, I don't think it's acceptable, so I'm choosing to just withdraw myself from the situation. I can't stop the interview. I can raise a concern, I can talk to the Custody Sergeant or explain what I think should be happening. But in that case, and that was the way that I exercised the bit of power that I do know I have, is that they won't continue without the Appropriate Adult there. So I couldn't tell them to stop and make them stop, but me removing myself from the situation had the same impact. And that was actually a really interesting case. What had happened was the person had a history of psychosis and lived with psychosis on a day-to-day basis, and that was their normal mental way of being, and the Custody Sergeant had identified obviously that there was a need for an Appropriate Adult, there was a mental health condition, the mental health nurse had seen the person and there had been a whole discussion around fitness to interview. And what was decided was that the person lived with that psychosis on a day-to-day basis, so it was normal for them, and that even within that psychosis, that they knew the difference between right and wrong. So that was decisions other professionals were making around me, and I had to make my own personal judgment that that wasn't something I was comfortable to continue with.

Voluntary services fill gaps

[00:29:55] **Lesley:** So I remember when I was reading your article, because obviously with my social work background I'm interested in the similarities around that, but also around the fact that I hadn't quite registered that it was a role that social workers did, because my background is children rather than adults. One of the things I think we've discussed before Donna is the thing with a volunteering service is it's identifying that there's a gap there's something not being done, but it's almost like in doing that, and then doing it so

effectively, is there then the concern that they don't recognise, actually this should be a paid thing? This is actually so important, that it should be paid.

[00:30:41] **Donna:** It's like a patchwork up and down the country. Each region is done differently. There is a general acknowledgement from the Home Office now that there should be commissioning agreements between local authorities that might involve the police and might involve the police and crime commissioners, but the setups in each area are different. And I think the other thing is you've got organisations that don't neatly overlap. So for example, liaison and diversion, in our region, covers Cumbria as well, where the police are the Northumbria region. So the boundaries for the different services aren't quite the same. We're covering six different local authority areas and they actually all have different ways of operating, different hours. So in one area they'll provide Appropriate Adults for young people during the night, in another area they make them wait until eight o'clock in the morning before they send someone out. Even within a local area it can be a real patchwork. So up and down the country the services are not the same. For me personally, I think that all Appropriate Adults should be paid, should be trained professionals, because I think there's a massive number of benefits to using volunteers. We've got some fantastic volunteers on the scheme, but you're relying on their goodwill to come along. And, is there the odd time when you actually can't get somebody? Is it something that actually should be a professional service? We do train our volunteers, not to the level that somebody who's done a full social work qualification would have an understanding, or somebody who's done a full qualification in speech, language and communication needs. It's a few days of training around PACE and around the role and then what they learn on the job. But the other side of that is anybody over the age of 18 can be an Appropriate Adult. So we're sort of in this little gap in between, because compared to pulling someone in off the street, getting someone from your local community centre, getting someone from the local church, which happens, and was actually happening in our area before the scheme was set up. Using friends, family, just drawing in who you can get. Those people aren't trained, they aren't qualified, and they're less likely to intervene than somebody who's gone through the training.

[00:32:55] **Sarah:** That's really interesting what you're saying there, because actually, for me there's some parallels between the Appropriate Adult service and advocacy services, which are used quite widely in health and social care. So we have, for example, IMCAs, the Independent Mental Capacity Advocates, Care Act Advocates, there's a statutory obligation for them to be involved in

certain processes with social workers when the requirements for them to be involved are met. And it sounds like that's the same, because there's a legal requirement to involve an Appropriate Adult, but it just seems to me that it would be so unthinkable to have that statutory requirement and yet be reliant on volunteers to fulfil it. Advocates are trained professionals and they're paid by their advocacy service to do that job, the local authority commissions those services. So it sounds like the scheme is absolutely brilliant, but in terms of sustainability and, like you say, just relying on volunteers to fulfil what seems to be such an important role...

[00:33:57] **Donna:** well, we are lucky enough to be funded by the Police and Crime Commissioner for Northumbria, and that doesn't happen in every region. And that covers the running costs of the scheme and it covers the expenses for the volunteers. So in terms of that level of sustainability, I think we're quite comfortable with that. Obviously our volunteers are students though, so you've got this constant turnover of they hit that year where they're writing their dissertation and they don't have time to do it anymore. And we don't tend to take the very new students who've just come into the University. We want to know that they're professional, that we can rely on them to attend, that they've got some knowledge in either criminology or health and social care that they can bring to the role. So we're looking for that level of professionalism, but they graduate and they move on. So we've got that constant turnover, we're constantly getting volunteers up to a very, very high standard, which is great, and they're going on and getting professional jobs and it's helping them in those ways, but we've got that constant turnover where we're training and then the cycle that goes on, and you are relying on a volunteer to pick the phone up, potentially at three o'clock in the morning.

[00:35:09] **Sarah:** Yeah, that's difficult. Do you think the police have a good understanding of the role of the Appropriate Adult and when and how they should intervene or challenge in these custody suites?

[00:35:19] **Donna:** Yes I do, but I've only seen what happens in the Northumbria region. I actually think the Northumbria police, when I look at what they do and how they work, they're a really professional service. And I think the custody staff in particular that I've worked with, and that I've seen, they're really custodians in the traditional sense of what you'd see from a custodian, like they're there to look after the person. And there's something really interesting, because obviously I've got this criminology background and the different roles and the culture and the positions that the police have in

terms of what they're interested in and what they're doing. And in the Northumbria region the Custody Sergeants tend to be very mature police officers, usually who've gone through a range of other roles, tending to be towards retirement, and they're in their last few years. So they're very experienced, very knowledgeable, and if you speak to any of them, which we have, we've conducted a few pieces of research, they will tell you that what they're concerned about is that nobody's going to die in the custody suite. Every single one you speak to will tell you that first, and then their concerns are around health and wellbeing. They really don't have a concern about whether somebody has or hasn't committed an offense. That's a concern for the detective, the officer in charge of the case. So other people can worry about that as part of their role. And what they're very concerned about is, is that person safe? Have they got what they need? Do we need to get a medical professional? Do we need to get an Appropriate Adult? And actually I've seen somebody be brought into police custody and the Custody Sergeant's getting them a cup of tea and a book to read. And I was naively coming in and seeing that for the first time thinking that's not really what I had expected to see here. And having it explained to me, well actually if that person's safe and comfortable in the environment they're in, that actually they're easier to contain in what's a difficult environment. So I'm not saying it's like some fluffy, lovely the police are looking after these people, which, I mean they do look after them, they're looking after them for a purpose. And the purpose is that containment and control and a safe environment that they're trying to keep calm and risk-assessed, but it's very interesting, and you kind of go in and you see that people have their different concerns and their different roles. And I just think the Appropriate Adult's part of that. So when I go in as an Appropriate Adult, I'm not concerned whether somebody has or has not committed an offense or what they might have done or any other issues, except from their welfare, their understanding, their ability to engage in the proceedings.

[00:38:01] **Lesley:** That's really important, just what you were saying there about the comfort, the simple acts that actually you can do to make somebody feel more comfortable because the environment and the process isn't pleasant. And so there's nothing you can do, that's the way it is. But what you can do about that is to try and balance that. Because when you were saying that Donna it's making me think about that the child protection role is quite challenging because it actually covers both of that. You've got to be concerned about their welfare, but you've also got to be the investigator, you're doing *all* of that. You're the detective *and* you're the Custody Sergeant, kind of thing.

And it is a conflicted role. So when you go down into the "look, this is not safe, this is not right", you're trying to find out what's going on. But on the other hand, you've also got to be concerned about their welfare, all at the same time. And it's quite interesting here, you describe those things which I've seen on the television, but I've not seen them in person. It's really interesting.

[00:39:04] **Donna:** I think they move and this is Austerity-related as well. We've got these massive, big custody hubs now where people used to go to their small, local police stations. And it's obviously just much more cost-effective to bring people into these, well, we're running three in Northumbria at the moment for the whole Northumbria police force region, which is actually the sixth biggest in the country, so the number of people that they're dealing with. And the custody suites if you go in there, I was quite surprised the first time I walked into one after my last experience being when you get yourself into a little bit of trouble when you're a teenage and you're taken through those local police stations, to actually turn up at one of these now massive custody hubs, and my experience of it was it's more something like walking through an airport lounge or a hotel, it's that kind of different environment.

A place for professionals

[00:39:56] **Sarah:** So you mentioned before that in some areas social workers might be called upon to do the Appropriate Adult role. So what would be the difference, do you think, whether it was a social worker or a volunteer? Or is the role exactly the same?

[00:40:14] **Donna:** I think the role is the same. I think the level of support that a person could give might be different. I think to be honest, if somebody is a social worker and they already know and are working with that person, they're going to understand the person, their personality, their needs, the context, their normal communication, any other issues, a full case file of any other issues they might have going on in their life instead of it just being that one snapshot of that distressed time. So they might be able to provide a bit more of an all-round care, and probably are in a better position to make any other referrals or other support that's needed. So, for me, ideally my ideal case scenario would be that this would be conducted by social workers and it would be consistent in every region up and down the country. And I think the scheme that we have, we do a good job, it's a good scheme, it seems to be running really well, but we're filling a gap that probably shouldn't be there.

[00:41:11] **Lesley:** So you're kind of being quite pragmatic about it, which is we do the best we can with where we are and what we have, but ultimately the best thing would be get the professionals in, recognise it as something. I'm sitting here listening to you, thinking I think everybody should have it. I think everyone should have advocacy because systems, regardless of what they are, are confusing to people who are not actively engaging with them all the time.

[00:41:37] **Donna:** This is an interesting debate because there's been research that suggested this. So some academic opinion says that everybody's vulnerable in the custody suite. So actually you could take that to its logical conclusion and say, well, should everybody have an Appropriate Adult then? For me, I don't agree with that position. There are academics who do, because for me that's why everybody's entitled to free and independent legal advice. But what's interesting there is that a lot of people don't actually take up the free and independent legal advice. It's actually running at somewhere, it's estimated, between 40 and 60% actually take up the legal advice, and for different reasons. People think it will make them look guilty, they think it's going to slow down the proceedings.

There's been research about police actually influencing people and saying, "oh, you don't really need one", or making people feel, particularly in voluntary interviews, it might just feel like a friendly chat, so you don't really need someone there. People will not get free and independent legal advice because they've done it, they'll think "well I've done it, I'm guilty, so there's no point in getting legal advice". They'll not get the legal advice because they *haven't* done it, they'll think, "well, I haven't done anything wrong, so I don't need the legal advice", conversely. So the support being there is one thing, it's no use if people don't know what the support is or how to access it, or feel like it's going to stigmatise them. And one of the key concerns that people have, and this is quite often why people don't actually ask for Appropriate Adults, is that they think it's going to slow things down. And actually it *will* slow things down, but maybe if it means things are being done properly, is it a bad thing that it's being done a bit more slowly and systematically and thoroughly?

[00:43:25] **Lesley:** Now I've got an image of now we need the solicitors based at the station, we're going to have advocates based there. Basically if it was all to work nicely, and people could understand the system and what they're entitled to and how it appears, things would work a lot better wouldn't it? But across the board, that's not what happens.

[00:43:43] **Sarah:** All of these systems are too complicated to wrap your head around. And in regards to that, because you said obviously people have that choice about the free legal advice, but when it comes to an Appropriate Adult do they have to have given their consent for that person to be there?

[00:44:00] **Donna:** No.

[00:44:01] **Sarah:** Oh, that's interesting.

[00:44:02] **Donna:** They don't actually get a choice about whether that person's there or not.

[00:44:05] **Sarah:** Okay, so it's the police that identify the needs and then that happens regardless of how the person feels.

[00:44:10] **Donna:** And that's why the scheme has to be independent because you can't have the police just choosing who comes in as the Appropriate Adult. So what you need to do is, for our scheme we provide the rotas, so we do the selection of who the volunteers are, and then we provide to the police a list of who's on shift at any given time. So they're not able to just cherry pick which Appropriate Adults.

[00:44:32] **Sarah:** Interesting. So that must make it quite challenging for Appropriate Adults if they are working with someone who has not given consent and perhaps doesn't want them there for some reason, is that a situation that they encounter ever?

[00:44:45] **Donna:** Yes, I've encountered that. It was a young man who had a learning disability and didn't see himself as vulnerable and just didn't want me there. And it was actually, in the end it was his solicitor who talked him around to carrying on, because he was refusing to be interviewed with me in the room. And the solicitor wanted him to go through just doing a straight forward, what they call a 'no comment interview' to get the procedures moving. And he just said, "look, you're just delaying it. She's not going to make any difference, she's just sitting there, we need to just crack on with this". And I tried to speak to him and tried to engage with him and he just didn't want to talk to me and didn't want me there

[00:45:25] **Sarah:** Because he didn't want to be seen as vulnerable, are you saying?

[00:45:29] **Donna:** Yeah, I think he didn't want to be seen as vulnerable, he thought that adding this extra layer of another professional in was actually going to slow things down. Some people have not wanted to engage with me because they've thought I was a social worker, which was an interesting discussion. I think sometimes people can see the social worker in the same way that they see the police, where it's an official, it might be somebody who could make interventions in their life or in their family. And they see the social worker in that powerful position. So for me, I think a social worker, they're professionals, they're trained, I work with social workers in a professional way, but that's not necessarily always the perception from a service user of who the social worker is or what they do. One of the interesting things that came out in the early evaluations is that what was really welcomed by the detainees is that our students being volunteers, they turn up dressed like students and not dressed like professionals. So them just being in their jeans and a hoodie and looking like a kind of everyday off the street person, rather than being in that professional dress, that they felt more comfortable. Because you go into a custody suite and the detainees you're supporting, they're wearing a grey sweatsuit, in the Northumbria region that would have been given to them usually by the police officer when they go in.

[00:47:00] **Lesley:** It's just so interesting, isn't it? Because then when you were saying about why that young person might not have wanted you there, and I'm just thinking well you're also a stranger to them, you're another person that's been added, and on the one hand I've got this idea of, oh let's have loads of, basically we're talking advocacy really aren't we? That's what this is. Having advocates everywhere. But then on the other hand, if someone doesn't want it, it should be their right to decline that and to not have you there, but then you're saying it's actually the police's decision.

[00:47:30] **Donna:** Yeah, well the other thing is, an Appropriate Adult's got the right to insist on a free and independent legal advisor being called.

[00:47:40] **Sarah:** Without the person agreeing to it. So it kind of sets off a chain really, once they've been identified as 'vulnerable', that they then actually potentially have a number of decisions taken away from them because of that.

[00:47:54] **Donna:** You can't make them actually see the free and independent legal adviser. The agreement we've got for our scheme in our region is that when the police are calling out our volunteers, that they will call a solicitor.

And the reason that I set it up in that way is because somebody who is in custody when you turn up as the Appropriate Adult, you'll arrive and they'll start going, "I've done this, and I've done this, and what do you think's going to happen to us?" And I didn't want our student volunteers to be in that position where they're slid into giving advice that they don't know about or wasn't appropriate, or actually even to have those discussions. I don't talk to people about what they've done. I'll ask them if they understand what the police think they've done. Do you understand what you're charged with? But no discussion at all around what they might or might not have done.

Perceptions of the scheme

[00:48:44] **Sarah:** So we'd also really like to know how you think local authorities think about this service, and also if you've got any, I know your CASS paper that this conversation is sort of loosely based on looks at perspectives of police officers and of the volunteers, that what kind of understanding you've got about the adults in custody who are provided with an Appropriate Adult, how they feel about the scheme or their access to it, and the support that they received.

[00:49:17] **Donna:** I think on the whole the police, the local authorities, the volunteers are all benefitting from the scheme. I think it's running well. There's always going to be issues when you're running something, there's times when you cannot staff a rota because you're short-staffed, or there's difficulties and we've talked through some of those today, but I think on the whole it's been very much welcomed by the local authorities. I think the local authorities would be providing this service themselves, I think they were quite frustrated that they just didn't have the resource to do it, you know? And you would have people who, you might have one person on shift for a whole region, and when somebody's already out giving support to one person and there's a call somewhere else, I think for a professional working with people with any kind of needs that's really quite upsetting that you can't get round and provide all the support. So I think actually it's been a crucial service where there's been a gap. So I think it has been broadly welcomed across the region.

[00:50:13] **Lesley:** So did you, because you didn't include the Vulnerable Adults themselves in the evaluation, do you plan on doing any research?

[00:50:22] **Donna:** Yes! An interesting question. It's an interesting question because it's one of the things that's come out nationally. We've done a project

myself, Wendy Podd, Steve MacDonald and Faye Cosgrove, where we've actually looked at participation up and down the country, by doing a survey with the schemes who are in operation and ask them what they do. And what we've found is they're not involving service users in the provision, they're not involving service users in the training, they're not involving service users in the evaluation or the running of the schemes. And I think anybody who's familiar with disability studies would be familiar with the principle of 'nothing about us without us'. And that doesn't seem to apply when you're in a criminal justice setting for some reason. So I would be a very strong advocate for that position, and actually think that people do need to have that level of service use our participation. Our Police and Crime Commissioner for the Northumbria region is very keen for that to happen. The University are very keen to support it, but obviously we need to be very careful about the ethics around researching people who are already vulnerable and in a difficult setting at a stressful time. So how do you do that? And do people want to be followed up outside? You've got issues around confidentiality, custody records, so we need to find a way to do that. So what we're actually doing now is we're setting up a research project where the team and the scheme are going to put in place almost like an action research project where we're going to plan some means of working with service users and conduct evaluations of how they work and see if we can embed something. Because what the research found was the practitioners up and down the country do want to involve their service users, they don't know how to do it. They haven't got the resources, they don't understand it, they haven't got the time, they haven't got the money, but there is a really deep desire among people providing these services to get the service users involved at all levels. So actually that's positive for the future, but we need to start thinking then about how we do that. And I think we're in a privileged position because we're running the scheme from inside the University. So it does give us the ethical problem of hoops to jump through, but also it means we've got a team of people wo are professional researchers. We're working with a team where we've actually got active researchers who are social workers that we'll work with as well. We've got that knowledge around participation. So the plan is that over the next few years we'll be looking to build a tool kit that we can share with the other schemes, but we need to set something up in our own region. We can't advocate for it elsewhere when we're not actually doing it ourselves.

[00:53:09] **Sarah:** That sounds an absolutely fantastic way to develop the service. Really good. Thank you so much for taking the time to talk to us, I've really enjoyed the conversation. Is there anything else that you want to add or

do you think there's anything that you've spoken about or done with this work that would be particularly useful for social workers to learn from?

[00:53:31] **Donna:** I think just the value of the volunteers and the value *for* the volunteers. There was a lot of resistance when I first started the scheme up, and particularly from social workers, I was quite surprised at first on social media to have people telling me I was taking jobs away from social workers. I'm kind of stepping in and volunteering myself and working on top of a full-time job, volunteering through the night and things like that. So to get the kind of reaction where it was like a, "how dare you step into this role, you're taking jobs away from people". I was actually quite shocked that I had got that response. My position is, as I've said, I don't want to be taking roles away from somebody that would be done in a professional way, but the other side of it actually is that we're doing the best we can to fill a gap that is there. I didn't create the gap. The gap was there. And the volunteers that we've got, they're doing a really good job. The service is valued and I think it's been a crucial step.

[00:54:35] **Lesley:** Well, it's a no win situation, you know, if you don't do it, it's not happening. So, what do you do? Do you stand back and not do something? Of course you're going to do something.

[00:54:46] **Donna:** Well, I wasn't stepping into something where I was taking something away that was already there.

[00:54:51] **Sarah:** It wasn't happening in the way that in needed to happen, and you filled it with that provision.

[00:54:54] **Lesley:** And I think the thing is, the problem is that the funding, it's not a direct taking a job away from a social worker, is it, because it's really about the fact that all of the resources in welfare are completely under-resourced and we've got a problem and we're having this crisis of, so what do you do? Do you not do it? I mean, that's the same with food banks. Do you not provide a food bank when people actually have no food in the house and making decisions about, well, if I feed the kids I can't eat, or was it heating or food, or what do I prioritise? And it is a real problem because actually you can't ignore the immediate need that's there. It's like, you fill it, and then you find a way to almost have the battle afterwards to then try and get the system changed. That's kind of how I think.

[00:55:45] **Donna:** Well the gaps filled, isn't it, so nobody's going to come along and resource it or look at trying to fill that gap or staff it because there isn't a gap there anymore now.

[00:55:56] **Lesley:** That's why we have to do some things separately, isn't it, to try and draw attention to the fact that this is a really, through the research, that's where I think research can be important, we can highlight that actually there is a real need for this to be financed and professionally funded and have professionals working in those roles, and not necessarily social workers because of the conflict in the role, when I was saying the social worker is about welfare, but it's also about the investigation. And the perception of social workers in society can be negative. So you want somebody in that role that's going to be what that *person* needs, not what the profession needs, but what the individual themselves need. Anyway, I thought I'd just finish on that point for you Donna, you know!

But this has been really interesting. I've really enjoyed listening and talking and asking questions and it's given us some really good things to think about it, hasn't it?

Definitely, thank you so much Donna.

Thank you for coming Donna.

[00:56:58] **Sarah:** We really appreciate it.

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[00:57:00] **Sarah:** You have been listening to the Portal Podcast, bringing academia to social work practice with me, Dr Sarah Lonbay.

[00:57:07] **Lesley:** And Dr Lesley Deacon. And this was funded by the University of Sunderland, edited by Paperghosts with music by All Music 7.

[00:57:18] **Sarah:** And don't forget that you can find a full transcript of today's podcast and links and extra information in our show notes. So anything you want to follow up from what you've heard today, check out there and you should find some useful extra resources.

See you all next time.

[00:57:32] **Lesley:** Bye.