



Do we need an appropriate adult? Is this in the best interest of the student?

In March 2022, City of London and Hackney Safeguarding Children Partnership published a child safeguarding practice review examining the case of “Child Q”, a black female child of secondary age who was strip-searched by female police officers because school staff believed the child smelled of cannabis and suspected that she was carrying drugs. The search, although undertaken by police officers, took place at the child’s school and involved exposure of her intimate body parts, and it was additionally humiliating because she was menstruating at the time of the search. School staff remained outside of the room, no appropriate adult was present for the search and the child was asked to return directly to an exam afterwards.

The voice and experience of the child should always be considered, and this is an essential component within Article 3 of the UNCRC, which states that “the best interests of a child must be a top priority in all decisions and actions that affect children”. We must always take the time to look, listen and consider what is happening and if it is the right action to keep the child and other children safe – even if this means questioning the perceived higher authority of the police. Safeguarding of children is a multi-agency responsibility which includes challenge of other professionals where necessary. Therefore, regardless of whether there is formal identification of someone as an appropriate adult, as a safeguarding response we should be considering necessity and proportionality of the proposed action and asking whether there is a less restrictive option that would achieve a similar outcome (if such as action is required at all). If we do not consider the proposed action to be necessary and proportionate, then ask for an inspector or above to review the decision making.

Provided consent has been obtained from a family, The East Manchester Academy will facilitate voluntary interviews **and more informal conversations** in school time. Under the Police and Criminal Evidence Act 1984 (PACE), police must ensure that an “appropriate adult” is present to provide support whenever they detain in custody or voluntarily interview anyone who:

- is under 18 years old, or
- they have reason to suspect is a “vulnerable” person.

For children, this role is usually fulfilled by a parent or family member, but it may also be someone provided by the local authority, or a professional known to the child. Given this and the nature of the relationships that school staff and leaders have with young people, they are often well-placed to fulfil this role in a way that is positive and supportive.

Voluntary interviews and informal conversations at school should always take place in the presence of an appropriate adult.

The role of the “appropriate adult” is the same - to ensure that the rights, entitlements and welfare needs of the person are met. This is likely to involve:

- Supporting/advising the person when they are asked to provide information, answer questions, etc.
- Ensuring the police act properly and fairly.
- Helping the person to communicate clearly and be understood (while respecting and supporting their right to silence, if they so wish).
- Helping the person to understand their rights and how to use them. It is important to note that the “appropriate adult” cannot provide legal advice and that making the person aware of their rights does not constitute advice on how/when to exercise those rights.

Key Aspects of the Role

- Ensure the student knows that they are in control of who the appropriate adult is e.g. ‘Do you feel comfortable with me being your appropriate adult and are you happy to continue or proceed?’
- Private conversations can be held at any time between the young person and their “appropriate adult”. This can help to provide respite and clarity at key moments.
- Ensure that the young person understands what is being asked of them or shared with them and that they are able to give the answers they mean, even if they cannot word things clearly without support.
- Ask police to slow down, stop interrupting, remain seated/avoid intimidation (whether intentional or not) and avoid adding pressure for the young person. Request breaks as needed.
- Make comments for the interview recording or minutes of the conversation. For example, if you feel the record of the meeting may not capture the “atmosphere” or if you do not believe the person can cope with the interview.
- Make representations to the police about how effectively the young person’s physical and mental wellbeing are being supported (temperature, food, drink, clothing, washing facilities, religious observance), as well as whether their rights have been respected (legal representation, translation, etc).
- If the meeting takes place at the police station, talk to the custody officer if you have concerns about the process. This will be a police officer but will not be directly involved in the investigation in question. Their role is to ensure proper application of the law and any relevant procedures across the board, and they can advise you on how the process should be working.

