AN EXPLORATION OF MENTAL HEALTH TRIAGE AND SUPPORT IN THE CRIMINAL JUSTICE SYSTEM: ATTITUDES AND EXPERIENCES OF PROFESSIONALS SUPPORTING PEOPLE WITH MENTAL HEALTH NEEDS

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ABSTRACT

A review of existing literature shows that there is a lack of research regarding appropriate adult schemes for vulnerable adults in England and Wales. Little is known about how appropriate adults construct and understand their role. Given this, the present study aimed to explore 'professional' appropriate adults' accounts of working to support adults with mental health needs during their time in police custody. Semi-structured interviews were conducted with nine 'professional' appropriate adults attending police custody settings to support adults identified as mentally vulnerable according to the Police and Criminal Evidence Act (1984).

A grounded theory method was used to collect and analyse the data. The core concept generated in the analysis was that appropriate adults 'construct and manage multiple identities' when working in their role. There were four categories identified as being part of this process: 'what is PACE?'; 'in negotiation with the police'; 'in negotiation with the clients' and 'my appropriate adult scheme'. A complex negotiation and dynamic understanding of each category influenced participants' construction of their identities as an appropriate adult, and how they went about carrying out their work. The findings are discussed, and recommendations for training, policy review and further research are outlined.

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1 INTRODUCTION

There is an acknowledgement that people with mental health needs should be better understood and supported within the criminal justice system (e.g. Bradley, 2009). Appropriate adults are a safeguard for 'vulnerable' people in police custody (Medford, Gudjonsson & Pearse, 2003). However, appropriate adults have received relatively little attention from policymakers and researchers since their creation more than 30 years ago (Pierpoint, 2011). To date, most research has focused on the support appropriate adults provide for young people (aged under 17). This research examines the role, experiences and attitudes of people working as an appropriate adult within the Criminal Justice System (CJS) and thus explores the support available to adults identified by the custody officer as having mental health needs while in police custody.

The researcher outlines the history and development of appropriate adults within the CJS and some of the literature in this area. She considers constructions of mental health and vulnerability within police custody and the wider CJS, as well as the current working practices of the police force and appropriate adult schemes. Lastly, she provides a rationale for the research and outlines the research questions. See Appendix A for the literature search strategy.

1.1 Scope of the Research

The research focuses on 'professional' appropriate adults working with people in custody who have potential mental health needs. 'Professional' appropriate adults are individuals who are employed or volunteer for an appropriate adult scheme (provided by the public, voluntary or private sector) who have no connection to the case, or person in custody (Pierpoint, 2011). They offer support over time to numerous individuals and work alongside a variety of police officers. Thus, their perspective could provide unique insight into the complex interface between police officers and people who have mental health needs during their time in custody.

The research does not examine the experiences of friends, relatives, social workers or other professionals acting temporarily in an appropriate adult role, who may be supporting just one individual on a limited number of occasions.

The research does not explore the support offered by appropriate adults to people under the age of 17. This is because there is already a plethora of studies focusing on appropriate adult support for young people both before and after the support became a statutory requirement (in 1998). Nor does it examine the experiences of appropriate adults supporting people who have a learning disability or learning difficulty, or people who have a history of neuro-developmental disability, or people who have experienced trauma. This decision was taken for a number of reasons.

The Bradley Report (Bradley, 2009) states that while there are many areas of similarity in some of the key issues and needs for all 'vulnerable' people within the CJS, there are also distinct differences between different groups.

The majority of people with a learning disability have a family member or known carer acting as their appropriate adult, not a 'professional' appropriate adult (Howard et al., 2015). Research has shown that people with mental health needs, particularly those with a label of schizophrenia, often experience discrimination and are pre-judged. As a result of negative discrimination, they can be excluded from society and find it hard to find employment, training or educational opportunities (Thornicroft et al., 2009). It can also be hard to sustain friendships and relationships (Thornicroft et al., 2009; Webber et al., 2015). Thus, they may be less likely to have a family member or friend who can act as their appropriate adult. A report from the Independent Commission on Mental Health and Policing (Adebowale, 2013) highlighted widespread discriminatory attitudes from police officers towards people who have mental health needs. It can be argued that people who are identified as having mental health needs have a unique experience in police custody as a result of the different set of stereotypes held about them. This is explored in further detail in the main body of the thesis.

Finally, the researcher holds a personal interest in exploring the experiences of people who are considered to have mental health needs as a result of her professional background (see 2.2.1 The Researcher).

1.1.1 Language and Definitions

There are a number of different terms used within the CJS to describe people who have mental health needs. Some of these include 'mental conditions', 'mental illness' or 'mental health problems'. There are a number of terms used to describe activities that bring people into contact with the CJS, such as a 'criminal act' or 'crime', and also a number of terms used to describe people who are in contact with the CJS (regardless of whether they are experiencing mental distress) including 'a criminal', 'a suspect', 'an offender' or 'a detainee'.

The above terms are all assumed to be meaningful and based on a shared understanding (Newburn, 2013). The CJS may privilege biomedical explanations and, as such, understand people who have mental health needs to be 'mentally ill' as a result of a combination of pre-existing vulnerabilities and environmental stressors. The vulnerability-stress perspective (Zubin & Spring, 1977) defines vulnerability as 'relatively stable aspects of an individual that make him or her more likely than others to develop symptoms of psychopathology following stressful life events… including genetic factors, biological processes, cognitive structures, maladadaptive ways of interacting with others, insecure attachments and deficits in emotional regulation' (Hankin & Abela, 2005: preface). However this idea has been widely criticised for emphasising the biology or 'the faulty brain' (Boyle, 2011: p.32) of an individual and downplaying the impact of context and life experiences on emotional distress. Negative environmental and contextual experiences are negated by the inference that these are not inherently stressful but made so as a result of a pre-existing vulnerability that means that only the vulnerable are affected (Boyle, 2011). Boyle (2003) argues that rather than focusing on purported vulnerabilities in the individual, the social causes of distress (and the systems that may contribute), need to be addressed.

What is considered to be a diagnosable mental health condition or a 'crime' is the outcome of a historically and culturally bound interaction and negotiation between people, as seen in the way mental health practices and criminal law vary from country to country (Newburn, 2013). Examples of cultural and historical variations illustrating the ways in which laws change over time to criminalise or decriminalise particular acts show that the power to determine what is, or what is not, a crime resides in the nation state (Newburn, 2013). This

is similar for definitions of mental health; the pathologising nature of such terms is recognised (see Boyle, 2003).

Recent literature about and within the CJS has recognised that the use of terminology referring to mental health is a complex and sensitive issue (e.g. Bradley, 2009). Despite the understanding that many terms are outdated, there has been little to no change in their use in the statutory provisions (including police custody settings) or in case law (Palmer & Hart, 1996).

Unless quoting directly from a literature source or a research participant, the terms 'mentally vulnerable' or 'mental health vulnerabilities' are tentatively used within this thesis to describe people who experience such distress that their wellbeing or functioning is inhibited, regardless of whether they have a psychiatric diagnosis. Within this thesis, the term 'mentally vulnerable' is also used interchangeably with 'mental health needs'. This research assumes the wider definition of 'vulnerability' that acknowledges that there is no, nor should there be a, 'crisp definition' that encompasses all (Loucks, 2007: p.1). Vulnerability is defined within this research as something that is not fixed and located only within a person as a result of their biological make-up, but a fluid state that requires a flexible, tailored response. Vulnerability can be multi-layered as a result of interacting factors, such as exclusion from educational and employment opportunities, violence and abuse, reduced access to health and social services and stigma and discrimination, all of which can lead to increased marginalisation, diminished resources, and even greater vulnerability (WHO, 2010). As illustrated in upcoming chapters, vulnerabilities can be caused or exacerbated by the actions of others.

Like Palmer and Hart (1996), the researcher has chosen to use these terms in order to ensure that the references are compatible with the current legislation and other literature relevant to this research and to maintain a level of consistency throughout. 'Mentally disordered or otherwise mentally vulnerable' is the term applied by the Police and Criminal Evidence Act (PACE) (Home Office [HO], 1984) to any people held in police custody who, because of their mental state or capacity, may not understand the significance of what is said, of questions or of their replies' (HO, 2014, PACE C, 1G: p.5). The Mental Health Act (1983) uses 'mental disorder' to mean 'any disorder or disability of the

mind.' It is acknowledged that many people who are considered by others to be 'mentally vulnerable' may not identify with the term.

The terms detainee and client are used interchangeably to refer to the person held in custody. Occasionally the term 'suspect' has been used where written in a literature source. This has been retained in order to show the differences in terminology used by different professionals, e.g. the police. Appropriate adults interviewed in this research referred to the people they supported as their clients. Others were referred to as detainees when they talked more generally about people held in custody, regardless of whether they were considered to be mentally vulnerable or not.

1.2   Historical Origins and Contextual Development of the Appropriate Adult

In order to understand the appropriate adult role, it is important to consider its origins and development, and the historical context that helped to shape it.

Until 1912, there was no systematic regulation of the actions and activities of law enforcers when detaining and examining people suspected of committing a crime. In 1912, the first Judges' Rules were written to provide guidance – but not absolute statements of law – in this area. The Judges' Rules were revised in 1964 when they were accompanied by 'Administrative Directions on Interrogation and the Taking of Statements'. One of these Directions (Direction 4, Interrogation of Children and Young Persons) required that children and young people (under 17 years of age) could only be interviewed in the presence of their parents, guardians or other independent persons of the same sex (St Johnston, 1966). However, in practice, many police officers were unaware of, or misunderstood, the Judges' Rules, meaning they unknowingly infringed practice guidance (Fisher, 1977).

The behaviour of police officers towards suspects in custody was highlighted by the 1975 Fisher Inquiry following the murder of Maxwell Confait in 1972. The report of the Inquiry became a defining point in UK legal history. The Inquiry found that the police did not give the suspects – two under 17-year-olds and an 18-year-old later identified as 'mentally handicapped' (with a mental age of 14, Fisher, 1977) – access to adult support or legal guidance and placed them

under undue pressure, including lengthy interrogation, resulting in their false confessions (Blackie, 1996). The Administrative Directions did not apply to the 18-year-old and there was no Direction about the interrogation of over-17-year-olds who had a 'mental handicap'. However, a 1976 Home Office circular (109/1976) to chief police officers said there should be 'special care in the interrogation of mentally handicapped persons' but acknowledged that it may be difficult for a police officer to decide whether a person is 'mentally handicapped'. This had been considered good practice since before 1972 (Fisher, 1977).

A major finding of the Fisher Inquiry was that there was an absence of an independent check on police decisions (Sanders, Young & Burton, 2010).

Following the Inquiry, the subsequent Royal Commission on Criminal Procedures (1977-1981) made a number of recommendations, including that the Judges' Rules be replaced with a statutory code of practice to achieve greater clarity (Philips, 1981). This resulted in the Police and Criminal Evidence Act (1984) and its Codes of Practice, which included safeguards for 'vulnerable' people in custody.

1.2.1 The Police and Criminal Evidence Act (PACE), 1984

PACE, implemented in January 1986, governs the way in which the police investigate offences in England and Wales. PACE is concerned with the powers and limitations of the police during criminal investigations, and with the rights of those who have been arrested. The Codes of Practice (commonly referred to as the PACE Codes) that accompany PACE provide guidance about the powers, responsibilities and procedures of the police (HO, 2011; 2014), although they do not have the full force of law.

In quite a radical manner, PACE introduced structure and accountability in relation to how police officers investigated crime, the way in which they carried out the stop and search of suspects, and the way they catered for the detention, treatment and questioning of suspects in custody (Pearse, 1995). PACE signified state recognition and response to wrong doings committed by the CJS against those suspected of a crime, and gave wider protections for those being detained and interviewed by the police (Cummins, 2006). This was considered a long overdue reform and modernisation of the law concerning the investigation of crime (Norfolk, 1996). It also provided a legitimate means by

which to acquire evidence prior to depriving a person of their liberty, thus attempting to strike a balance between new police powers and additional safeguards for the individual (Philips, 1981). New posts were created: for example, the custody sergeant provided an independent oversight of the custody process (Skinns, 2011). Additionally, the custody record – a detailed and unique record of an individual's time in custody, imposed time limits on suspect detention without the approval of the Magistrates' Court (36 hours) (PACE, 1984; 2014). Other safeguards created were the right to free legal advice as part of the new duty solicitor scheme (available to all suspects) and access to medical treatment and doctors, if required, and the audio-taping of interviews (HO PACE Code C, 1984, S.58 and S.59).

The PACE Codes created appropriate adults to work with vulnerable people. The PACE Code of Practice C (1984) stated that for suspects aged 17 and under, and for adults who are considered to be 'mentally disordered or otherwise mentally vulnerable', an appropriate adult should be made available in police custody, and be present during the police investigation process.

Later, the provision of an appropriate adult for suspects aged 17 or under became a statutory requirement. Section 38 of the Crime and Disorder Act (1998) places a statutory duty on local authorities (usually their youth offending teams or a contracted voluntary or private sector agency) to ensure an appropriate adult is provided to safeguard the interests of children and young people detained or questioned by the police. Attendance by an appropriate adult is required within two hours of the request (Youth Justice Board, 2014) in order to limit the time the young person spends in custody. This is not the case for adults, as discussed later in this chapter.

1.3   The Appropriate Adult Role

An appropriate adult can be anyone over 18 years old who is not employed by the police force and does not have any involvement in the police investigation (HO, 2014, PACE Code C). Although parents, relatives or friends are the custody officer's first choice, particularly for children, in their absence, or in the case of their unsuitability, a health or social care professional or other can perform the role (Newburn & Hayman, 2002).

Under the PACE provision, appropriate adults aim to achieve a fairer justice system by safeguarding the rights and welfare of 'vulnerable' suspects in police custody (HO, 2011). As such, an appropriate adult is required to be present at key stages of investigations conducted in the police station, including the police interview and investigative procedures, to ensure that the police act fairly and respect the rights of the detainee (HO, 2014, PACE Code C). They are expected to advise, assist and support the detainee to ensure that he or she understands what is happening at the police station during the interview and investigative stages. They are also expected to facilitate communication between the detainee and the professionals involved in the case (HO, 2014). Information disclosed to appropriate adults by the detainee is not subject to legal privilege and thus can be requested by the police.

Having an appropriate adult present is important to uphold a detainee's human rights (e.g. Article 6 of the Human Rights Act, 1998). Perhaps, most significantly, appropriate adults signify a recognition that someone may require, and be deserving of, support at a difficult time.

1.3.1 Why Are Appropriate Adults Needed?

The Confait case and others (e.g. the 'Guilford Four') highlighted the significant disadvantages individuals with mental health vulnerabilities face in the CJS and the importance of having safeguards. All vulnerable detainees continue to report being significantly affected by the circumstances in which they are held; often not understanding what is happening to them or why; and being uncertain about what to say or do in the face of police interviewing tactics (Hyun et al., 2014). This situation impacts negatively on their welfare while in custody, and puts them at risk of providing inaccurate information, resulting in potential miscarriages of justice (NAAN, 2015). This is explored in more detail below.

1.3.2 Impact of Police Custody

The experience of being arrested and taken into police custody is intrinsically disempowering (Her Majesty's Inspectorate of Constabulary's [HMIC], 2015). The police exert power over an individual's liberty and subject them to legitimate but intrusive practices (e.g. strip searches) (HMIC, 2015). Criminal detention and interrogations are inherently stressful (Newburn, 2013). The penal environment is one that embraces restrictive practices (Glover-Thomas, 2002) and can lead to detrimental effects on mental health (Cavadino, 1999).

Features include confinement and social isolation, physical discomfort, a sense of helplessness and lack of control, fear and anxiety surrounding the interview process and potential outcome (Davis & Leo, 2006). Known risks to detainees can increase significantly when a detainee is also vulnerable (HMIC, 2015).

The increased risks that people with mental health vulnerabilities may face in the CJS have been identified (Cummins, 2007; 2015). Individuals are more likely to be drawn into the CJS (Hartford et al., 2005) as they are more frequently arrested for minor offences and are less likely to be granted bail as a result of their perceived chaotic lifestyle (Teplin, 1984; Robertson, Pearson & Gibb, 1996). As a result they tend to spend more time under the restrictive practices of police custody (Hiday & Wales, 2003). Cummins (2008) notes that risks increase at different points of the custody process, for example, when detainees are informed of the nature of the alleged offence, particularly if they are accused of a sexual offence, after being interviewed, following visits (from family or legal professionals), when they are being charged, or if bail is refused.

Research literature suggests that there is a link between mental health and deaths in custody (e.g. Hannan et al., 2010; Shaw et al., 2013). One reason for this is that assumptions about 'dangerous', 'addicts' or 'schizophrenics' can lead police officers to overlook signs of physical illness, which then remain untreated and result in fatalities (Kappeler, Sluder & Alpert, 1994, cited in Bowling, Parmar & Phillips, 2003). Another reason as identified by Docking, Grace and Bucke (2011) is that individuals experiencing mental distress are at an increased risk of confrontation with the police and that actions taken as a result of this confrontation include fatal police restraint, self-harm or suicide. The Independent Police Complaints Commission (Teers, 2014) found that of the 68 people who took their own lives following police custody in 2013-2014, 45 were reported to have mental health needs. The link was reinforced when 32 of the suicides occurred on the day of the individual's release.

Durkheim's (1897) study of suicide identified that those who were the least integrated into society are the most likely to take their own lives. Other known factors that may increase the risk of self-harm and attempts to end one's life are substance dependency or abuse; withdrawing from substances while in custody; and experience of childhood sexual abuse (Platt & Kreitman, 1990). These factors are also commonly associated with people that may experience

mental distress and have mental health needs. Frisch and Frisch (1998) state that individuals who take their own lives have been overwhelmed by events in their lives. The restrictive practices of police custody, and not knowing or understanding the outcome of the process (as described in this chapter), may contribute to these feelings.

1.3.2.1 *Intersectionality:* The intersectionality – a term and concept coined by feminist theorist Kimberlé Crenshaw to describe the intersections between groups of oppressed peoples and the way the different forms of discrimination overlap and compound each other – has been noted in the CJS. Different combinations of these identities produce their own oppressions (Crenshaw, 1989). Mental health, race and gender share some important connections in the ways in which they can be construed as 'threat categories' (Bruce-Jones, 2015: p.7). Young black men, for example, are most likely to be subjected to the heavy use of repeated PACE stop and search powers (Bowling, Parmar & Phillips, 2003), most likely to be held in custody and are at an increased risk of harm while there. In 2011, 38 per cent of all deaths while in police custody were from black and other ethnic groups (Inquest, 2012; 2015). While the levels of death are similar to that of others from different ethnic groups, black African Caribbean people are over-represented among the arrest population (Hannan et al., 2010). For example, in 2014, black people were nearly three times more likely to be arrested than white people (Ministry of Justice/National Statistics, 2015). Black and minority ethnic groups constitute 26 per cent of the prison population compared with nine per cent of the overall population in England and Wales (NICE, 2014). Thus deaths in custody are higher than would be expected when compared to that of the general population (Hannan et al., 2010). A disproportionate number of these deaths were following the use of police force (i.e. police restraint). Roger Sylvester (1999), Sean Rigg (2008), Olaseni Lewis (2010) and Leon Briggs (2013) are examples of men who died in custody and under police restraint, having been detained under s136 of the Mental Health Act (1984) (Inquest, 2015).

People from black and other ethnic groups are more likely to receive a diagnosis of schizophrenia. For example, the Aetiology and Ethnicity in Schizophrenia and Other Psychoses (ÆSOP) study reported a ninefold increase in black Caribbean people compared with the white British population

(Fearon et al., 2006). This diagnosis is often associated with violence and aggression and may explain in part, why black people are more likely to be held in police custody and experience the force of police restraint and associated treatment.

Since 1990, there have been 10 unlawful killing verdicts returned by juries at inquests into deaths involving the police. However, none of these resulted in a successful prosecution of the police (Inquest, 2015). This could suggest a lack of consequences for police in this regard. Reiner (2010) argues that the strategy of the police is no longer one of minimal force, as evidenced by the militarisation of policing and the documented increase in the excessive use of force. There appears to be more acceptance of tougher policing tactics in the belief that the risk of mistakes and malpractice are necessitated by the types of problems the police force are facing. Gramsci's (1971) concept of hegemony could be useful in understanding the structure and power of the police institution (and of the Government) in the way it characterises the use of force as necessary in order to 'protect society and keep the peace'. Hegemonic order is created when the ruling class cannot only justify and maintain its dominant practices, but when it is able to modify the ensemble of these relations to win the active consent of those over whom it rules (Carnoy, 1986). It allows the power given to the police institution and their practices to appear abstract, necessary and common sense, and therefore not questioned.

Appropriate adults can act as a vital safeguard to the potential detrimental physical and psychological impact of police custody settings, and yet their beneficial effect is scarcely documented. In addition, understanding the police institution from an appropriate adult's perspective is likely to provide a useful insight. Appropriate adults generally see the police operating for longer periods than other visitors (e.g. solicitors) while waiting for solicitors or interviews to take place at the police station (Newburn & Hayman, 2002).

1.3.2.2 *Suggestibility and susceptibility to false confessions:* Redlich et al. (2009) report that people with mental health vulnerabilities are also over-represented among proven false confessors. 'Mentally disordered' suspects are considered among those particularly vulnerable because they 'may, without knowing or wishing to do so, be particularly prone in certain circumstances to provide information which is unreliable, misleading or self-incriminating' (HO,

1995: p.56). Kassin and Wrightsman (1985) introduced a framework for understanding three key types of false confessions: voluntary false confession; coerced-compliant false confession; and coerced-internalised false confession (Figure 1).

Voluntary false confession	Coerced-compliant false confession	Coerced-internalised false confession
• Interviewee falsely confesses for personal reasons without pressure to do so. • This may be because - the interviewee wants to protect another person; to hide non-criminal facts (e.g. an affair); to gain notoriety; to take revenge on another. - the interviewee is unable to distinguish between fact and fantasy (psychosis). - the interviewee is relieving feelings of guilt about a real or imagined transgression from the past (occurs in depression).	• Interviewee falsely confesses to the crime but holds an internal belief about his or her innocence. • This may be - caused by social influence and police coercion. - because the interviewee wishes to avoid being locked in a cell; desires to end the process and go home. - because the interviewee is susceptible to compliance and has a desire to please (learning disability).	• Interviewee falsely confesses and internalises the 'fact', leading the interviewee to believe he or she has actually committed the offence, although he or she has no recollection of committing it. • This may be - caused by police coercion and police interviewing behaviour. - because the interviewee is anxious, tired, confused and subjected to highly suggestive methods of interrogation and begins to mistrust his or her own memories.

Figure 1: Types of false confessions (Kassin & Wrightsman, 1985; also see Gudjonsson, 2003).

Pearse and Gudjonsson (1999) argue that the notion of vulnerability does not fit easily within the normal investigatory processes and interviewing styles of the police, which have been partly developed to overcome resistance of non-vulnerable adults. Vulnerable adults (including those identified to have a learning disability) are more likely to falsely confess to crimes (Redlich, 2004) in order to end a stressful interrogation experience (Kassin & Gudjonsson, 2004) without considering the consequences of their actions and words (Littlechild, 2001). False confessions are most likely to happen when a vulnerable person is subjected to coercive police interviewing tactics (e.g. leading questions,

negative feedback, accusatorial investigation), or in the absence of legal advice (Gudjonsson, 2003). Police tactics resulting in 'coerced-compliant false confessions' can also be subtle and positioned as helpful, (Skinns, 2008) which can be confusing for vulnerable detainees. For example, detainees' perceptions about their need for a solicitor were shaped by informal conversations where police said that legal advisors take a long time to arrive and/or the offence was not serious enough to warrant aid.

1.3.2.3 Presence of an independent person/accountability: Thacher (2001) suggests that inter-agency differences in partner organisations provide an opportunity for increased accountability. The presence of an appropriate adult can have an important effect on police behaviour, such as increasing the likelihood of legal representation and resulting in less aggressive interviews (Medford et al., 2003). In addition, appropriate adults reported that police were more courteous with detainees because they were being monitored (Newburn & Hayman, 2002). Irving and McKenzie (1989) found that the implementation of PACE had radical effects on police interrogation procedures. Following the introduction of PACE, the number of manipulative and persuasive tactics during interviews fell from 165 (in 1979) to 42 (in 1986). This suggests that the presence of another person changes police behaviour, and that police are aware of the practices that contribute to an unfair process. Appropriate adults have a role in challenging the status quo of statutory organisations such as the police force (Skinns, 2005) and improving the process of police custody for vulnerable people.

1.4 Requesting an Appropriate Adult

Statutory responsibility for the welfare of all detainees in police custody rests with the custody sergeant (HO, 2008; McKinnon et al., 2013). PACE states when a custody officer 'has any doubt about the mental state or capacity of a detainee, that detainee should be treated as mentally vulnerable and an appropriate adult called' (HO, 2014, Code C, Para 1G, see Appendix B for full statement). The custody sergeant is therefore invested with the institutional authority or power to identity if someone could be considered to be vulnerable. Once vulnerability is identified, the police cannot proceed with normal criminal

justice procedures without the presence of an appropriate adult. Breach of this rule may render any evidence gathered inadmissible in court (Bath, 2014).

1.4.1 Identifying Mental Vulnerability

In 2013/14, the police identified approximately 36,500 adults in England and Wales required an appropriate adult (NAAN, 2015).

PACE Code C (1984) and subsequent revisions have all contained an implicit assumption that the identification of vulnerability will take place, as it only requires police to recognise information or behaviour that gives them a suspicion that a person may be mentally vulnerable, rather than requesting that they attempt to diagnose or identify specific difficulties. However, previous research has identified that police officers may find it difficult to identify when someone in custody has mental health needs and is therefore vulnerable under PACE (Laing, 1995; Nemitz & Bean, 1994; Pearse & Gudjonsson, 1996). Neither PACE nor Code C provide custody officers with information or standardised guidance about how vulnerability can, and should be identified. The College of Policing's *Authorised Professional Practice on Detention and Custody* module (College of Policing, 2013) attempts to explain some of the terminology and provide some guidance, however it fails to link adequately with Code C (Dehaghani, forthcoming).

Medford et al. (2000) found that even when vulnerability is recognised – e.g. by evidence provided by forensic medical examiners – an appropriate adult is not always called. This suggests that police officers may lack expertise, and may not be adequately trained to recognise people experiencing mental distress (Laing, 1995). Thus the need for an appropriate adult is significantly under-recognised by police forces (McKinnon et al., 2013).

Nemitz and Bean (1994) demonstrate this in their review of 19,472 custody records within four UK police stations. They found an appropriate adult was called in only 38 cases (0.2 per cent). Gudjonsson et al. (1993) estimated there is a need for an appropriate adult in between 15 and 20 per cent of cases. The researchers estimated that seven per cent of people 'at risk during interviews in police custody' had a 'mental illness'.

Carey (2001) reported that there is little training available for police officers in mental health and that knowledge sharing takes place between officers while

'on the beat'. This could lead to 'canteen culture' based teaching, drawing on negative perceptions and experiences as opposed to accurate and unbiased information.

Even if vulnerability is identified, there is no guarantee that an appropriate adult will be called. HMIC (2015) report there are multiple variables in the decision-making process to request, or allow for, an appropriate adult. These variables may affect whether a custody sergeant calls an appropriate adult once a need has been identified. They include: police and associated professionals' perceptions; experiences and attitudes about mental health; the nature of the offence; the circumstances of the arrest; and the presentation of the detainee (Cummins, 2007). Similarly, police perceptions of non-police professionals (in this instance, appropriate adults) and perceived difficulties in working with them may also be a factor. For example, Skinns (2008) examined relationships between legal advisors and the police in custody settings and found mutual misperception, antagonism and mistrust, with low uptake of legal advice.

Dehaghani (forthcoming) explored how vulnerability was defined within police custody suites. She concluded that the definition of vulnerability posed problems for custody officers, more so than attempts of identification, and that this contributes to why the appropriate adult safeguard is often unimplemented. When asked to define 'mentally vulnerable', none of the 15 custody officers interviewed gave the Code C definition. Custody officers found defining 'mentally disordered' equally, if not more difficult. Instead, they gave their own interpretation of what it meant for a person in custody to be vulnerable and applied this constructed definition within their police work (Dehaghani, forthcoming). Dehaghani found that custody officers viewed mental health 'conditions' as being more or less worthy of attracting the appropriate adult safeguard, regardless of the comments made by detainees during the risk assessment. This includes a direct question asking if the person is 'experiencing any mental ill health or depression' (College of Policing, 2016). For example, she reported custody officers were sceptical when people stated they had depression or schizophrenia and that these statements would not necessarily constitute grounds for an appropriate adult to be called. Custody sergeants used their own detection skills and observations of behaviour to

assess detainees' ability to function and understand what was going on within the environment (Dehaghani, forthcoming).

It has been argued that the police are invested in ensuring that PACE provisions are not applied; in an adversarial system they are not encouraged to do anything that will help 'the other side' (Cummins, 2006: p.278). Agar (1985) suggests that institutions can produce binary and asymmetrical roles where an institutional representative (e.g. a police officer or custody sergeant) is placed in a powerful 'expert' position with legitimised institutional authority, and the non-expert (e.g. the detainee or perhaps appropriate adult), must accommodate to the institutional norms (Benwell & Stokoe, 2006).

1.4.2 Constructions of Mental Health and Vulnerability in the Police Force

The earliest contact a 'mentally disordered' individual will have with the CJS is with the police (Glover-Thomas, 2002: p. 177). While police officers may construct their primary purpose as the prevention of crime and disorder, that purpose has been reframed as a series of practices associated with a more diverse range of community problem-solving tasks (O'Neill & McCarthy, 2012). Police officers have been labelled 'streetcorner psychiatrists' (Teplin & Pruett, 1992) as they fulfil the role of gatekeeper for both the criminal justice and mental health systems. Their decision could result in wrongful criminalisation if the role is not performed adequately (Lamb, Weinberger & DeCuir, 2002). It is estimated that between 20-40 per cent of people passing through police custody have a mental health related concern (Home Affairs Committee, 2014). This suggests that the police should be spending a substantial amount of time working with appropriate adults if vulnerability is identified and there is an appropriate adult available.

The attitudes of the police, whether 'real' or perceived, can have an important impact on these interactions (Krameddine et al., 2013). An officer's approach to people with mental health needs may be 'primarily influenced by their personal beliefs, attitudes, experiences and the professional culture within which they work' (Noga et al., 2014: p.237). Pinfold et al. (2003) suggest that police officers, like much of the public, hold a number of stereotypical views about mental illness. The construction of the 'mentally ill' tends to include characteristics of dangerousness, violence and unpredictability as core qualities (Polizzi & Draper, 2015). A belief that there is a link between mental illness and

violence is strongly held and resistant to change, despite anti-stigma interventions (Corker et al., 2013). Involvement in crisis response is likely to skew police perceptions due to severe course and outcome (referred to as the 'physician's bias' within mental health settings, Corker et al., 2013). As described previously in this chapter (see 1.3.2 Impact of police custody), how the police understand and process people with mental health needs is of vital importance to a person's immediate and future wellbeing (Noga et al., 2014).

Race may influence how people are treated, and whether they are referred to the mental health system or processed within the CJS. Rogers and Pilgrim (2014) report possible discrimination from the first contact with the CJS. Inquest (2015) emphasises its concern for the part that institutional racism may play within police custody. The Metropolitan Police Force was acknowledged to be institutionally racist in Macpherson's (1999) inquiry of Stephen Lawrence's death, where their decisions and mismanagement of the case allowed his killers to escape justice. A 2007 'Mental health and crime' briefing by NACRO states that 'Racism, cultural ignorance and stereotypical views can often combine with the stigma and anxiety associated with mental illness to undermine the ways in which mental health services respond to black communities, affecting decisions about treatment, medication and restriction' (NACRO, 2007: pp.3-4). This may also be true of the decisions made within police custody and the wider CJS, particularly in the decision-making process to request or allow for an appropriate adult. For example, individuals from the HMIC (2015) Black Mental Health UK focus group said that appropriate adults were often not called for black people in custody. In some cases, appropriate adults were turned away by police offers when offering to act in respect of vulnerable black people. The organisational processes of the police can contribute to negative police practices at an institutional and individual level.

1.4.2.1 Liaison and Diversion: The 2009 Bradley report recommended the development and evaluation of 'Liaison and Diversion' (L&D) services for vulnerable people. The initial pilot schemes placed mental health professionals alongside the police to improve awareness and identification of vulnerabilities among individuals entering the CJS (NHS England, 2016). Once identified, mental health professionals helped inform decision-making to ensure support throughout the criminal justice process, or divert detainees into a treatment,

social care service or other relevant intervention or support service as an alternative to the prosecution process.

In 2014, the Department of Health announced an additional £25 million of funding for L&D services to reflect the move into its implementation phase. Appropriate adult schemes were not entitled to any of this funding because the support they offer was excluded from the research pilot and evaluation process. Appropriate adult schemes thus continue to remain an understudied area. Furthermore, little is known about the experience of appropriate adults working in partnership with L&D services.

1.5   Working with Appropriate Adults

Since the introduction of PACE, increasing numbers of professionals enter police custody areas to assist detainees. The police custody area is therefore a place where inter-agency relationships are informally negotiated (Skinns, 2008).

Throughout the UK, there is patchwork provision of appropriate adult schemes, staffed by a mixture of social workers, family members and 'professional' appropriate adults (paid or volunteer) (Cummins, 2006). There is no standardised system for routinely collecting data on the provision of appropriate adult schemes across police forces (NAAN, 2015). Neither is there a standardised system for routinely collecting information about the proportion of adults coming from different sources (e.g. appropriate adult scheme, relative, friend).

Police officers are more likely to identify mental vulnerability when effective appropriate adult schemes exist (Bath, 2014). Custody sergeants make pragmatic decisions not to identify vulnerability if securing an appropriate adult is problematic (Bath, 2014). This is because delays in sourcing appropriate adults and subsequent waiting times lead to delays in interviewing people in custody, and in the whole custody process (Home Office/Cabinet Office 2002). Once vulnerability is identified and noted in the custody record, police officers are unable to further process the person in custody until an appropriate adult arrives. Medford et al. (2000) highlighted that the police have asked passers-by to act as an appropriate adult when a friend, relative or professional could not be contacted. This undermines detainee welfare, potentially inhibiting the

exercise of their legal rights, increasing the risk of miscarriage of justice and potentially lengthening custody times, all of which increases the risk of harm to the detainee (NAAN, 2015).

The police have raised concerns about the suitability, availability and quality of appropriate adults (Pierpoint, 2000). There are also differences identified in police perceptions towards different types. For example, Brown et al. (1993) found that the police preferred social workers to parents in some instances. Generally speaking, the police prefer to work with 'professional' appropriate adults (also see 1.5.2 The 'Professional' Appropriate Adult), although they have expressed reservations about their qualifications and training (Pierpoint, 2000; 2006).

Police officers may question family members' knowledge, skill and ability to act as appropriate adults, including a level of emotional over-involvement which may influence their ability to perform the role effectively (Pierpoint, 2001; 2008). Family members are often disoriented in an unfamiliar environment and accepting of police malpractice, perhaps because they feel unable to confidently identify when an interview is being unfairly conducted (Brown et al., 1993; Irving & McKenzie, 1989). Evans (1993) found that parents often remained passive in the interview and, at times wrongly perceived their role as one of 'assisting' the police. They were thus unsupportive of their child.

Social services professionals (e.g. social workers) acting in the appropriate adult role were found to take longer to arrive in police custody, responding only if they had no higher priorities (Durcan et al., 2014). Once there, they contributed less than parents, even in the face of persuasive and potentially harmful tactics of the police (Evans, 1993; also see Williams, 2000). Pierpoint (2000; 2008) suggests this may be driven by lack of awareness of the responsibilities of the role, and being uninformed by the police. There is also a desire to maintain positive working relationships and avoid conflict (Thomas, 1995).

1.5.1 A Non-statutory Service

Lack of statutory provision for vulnerable adult suspects adds to the difficulty of obtaining a suitable appropriate adult. Numerous calls have been made for the statutory provision of appropriate adults for vulnerable adults, equivalent to the

provision for suspects aged under 17 (e.g. Jacobson, 2008). However, this has not been granted.

Robertson, Pearson and Gibb (1996) suggest that the role of appropriate adult for juvenile detainees does not transfer to the more complex duties of the person who attends the police station for someone who is believed to be 'mentally vulnerable'. They argue that while it might be 'appropriate' for a parent to act for a child, people attending a police station for an adult require a particular knowledge and skill set. This highlights the potential value of schemes that are able to offer trained professional appropriate adults to support 'vulnerable' adults in police custody.

1.5.2 The 'Professional' Appropriate Adult

Professional appropriate adults are defined as those coming from an organised appropriate adult scheme. They are not a relation, and more often than not have no prior knowledge of the client (Perks, 2010). They have been checked by the Criminal Records Bureau (now Disclosure and Barring Service) and have received some element of training.

The PACE Codes identify that in the case of 'mental disorder', it may be 'more satisfactory if the appropriate adult is someone experienced or trained in their care rather than a relative lacking such qualifications' (PACE Code C, notes for guidance 1D, 2014). Professional appropriate adult schemes may also be more suitable for mentally vulnerable adults who may not be in contact with family or may be socially isolated.

Professional appropriate adults can be paid employees or volunteers (Perks, 2010). There is no system for routinely collecting the numbers of professional appropriate adults who are paid, and the numbers of volunteers (NAAN 2015). The 'There to Help' survey (NAAN, 2015) analysed data from appropriate adult schemes provided by 35 organisations in England and Wales (78 per cent of NAAN members). Of a total workforce of 1,320 people, almost three-quarters were volunteers, just under a quarter were paid sessional staff, and just under five per cent were paid employees.

In recent years, there has been an increasing drive to use volunteer professional appropriate adults in cases with both juveniles and vulnerable adults (Pierpoint, 2004). This was recommended by the Home Office (1995),

partly because it was considered that the use of volunteers would enhance the availability of appropriate adults and promote 'good citizenship' in the community. Others argued, however, that official support for the use of volunteers was economically driven and efficiency-orientated (Pierpoint, 2006). Services using volunteers cost less to provide – the average cost of a call out for schemes using volunteers was £63.73 in comparison to £100 for those not using volunteers (NAAN, 2015).

1.5.2.1 Training and qualifications: Despite appropriate adults having a key safeguarding role, no official qualifications or standardised training is required (Cummins, 2006; Durcan et al., 2014). If the appropriate adult scheme is a NAAN member, National Standards (NAAN, 2013) state that each appropriate adult should receive a minimum of 20 hours accredited training in order to achieve a level of competency in fulfilling the role as defined by the PACE Codes of Practice. Local expertise (i.e. police, learning disability services, safeguarding children's board) is drawn upon. The training includes: an introduction to the relevant parts of the CJS, PACE Code C and the role of the appropriate adult in police stations; the role of the different teams and the custody sergeant; interview and other procedures in custody; mental health and learning disability issues; and difficulties facing young people. Other aspects of the training include two shadow visits and a familiarisation visit to the local police station (Perks, 2010).

The police may not be aware of the training received by appropriate adults and therefore perceive volunteers to be unqualified and lacking in training, and unable to act as a safeguard in custody settings (Pierpoint, 2000)

1.5.2.2 Who becomes a professional appropriate adult?: There is no systematic collection of demographic data about appropriate adults. Research in other areas of the CJS suggests a tendency for older, middle class volunteers (Gill & Mawby, 1990). Davis Smith (1998) reports that volunteers are most commonly white, in paid work and are twice as likely to participate in formal voluntary activity if in the highest socio-economic groups. Pierpoint (2000) suggests that this 'stereotypical volunteer' may be a cause of concern as an appropriate adult; they are less likely to have had personal contact with the police, and any contact is more likely to entail the 'service' (protection) rather than the 'force' (potential abuse) aspects of policing. This may result in a pro-police and/or anti-

suspect position. They may have little knowledge of the CJS or of the complexities and difficulties experienced by vulnerable groups (Littlechild, 1995a). A stereotypical volunteer is likely to be in employment and thus less available/reliable during working hours when most calls for appropriate adult assistance for mentally vulnerable suspects arise (Nemitz & Bean, 1998). As members of the public, appropriate adults are not immune to 'public stigma'. It is possible that they could be influenced by negative media portrayals of mental illness and the need for risk management by the police. The police may doubt the usefulness of a volunteer appropriate adult: they may feel that volunteers lack the kudos of other paid professionals working within the CJS, especially if their presence is accounted for as a cost-cutting measure (Pierpoint, 2000). These views may impact upon their working relationships with police and detainees.

1.5.3 Defining the Role of the Appropriate Adult

The definition of the appropriate adult continues to be perceived as ambiguous, contradictory and lacking clarity (Pierpoint, 2005).

Because there is a lack of uniformity or minimum standards guidelines, the role has been constructed by different groups, including policymakers, police, detainees and appropriate adults themselves. Pearse and Gudjonsson (1996) argue the presence of an appropriate adult in the interview room may bestow an unwarranted degree of legitimacy on the investigative process. The role could be interpreted as being the upholder of due process, the upholder of crime control, or focusing on the welfare of the detainee (Packer, 1968; Pierpoint, 2005). A due-process model is one that prioritises acquittal of the innocent, even at the risk of acquittal of the guilty. It is concerned with protecting an individual's civil liberties and upholding equality and moral standards. In direct contrast is the crime control model, which prioritises repression of criminal conduct and conviction of the guilty, potentially at the cost of infringing civil liberties. Someone concerned with a detainee's welfare would cater to their emotional and physical needs and would want to divert them from the CJS (Pierpoint, 2005) (a role now taken by newly created L&D services).

Evans and Rawstorne (1994) state that some police officers prefer a passive appropriate adult who does not intrude on their work: this protects the admissibility of evidence. Others prefer appropriate adults who misinterpret their

role and behave in the manner of an interviewing officer (Pierpoint, 2000). The researcher questions how these contrasting positions fit together to allow for a meaningful working relationship with the police. She wonders if the police really know what they are requesting, and what the detainee will receive from the appropriate adult.

1.6 Commissioning and Funding for Professional Appropriate Adult Schemes

Stone (1982) argues that policymakers have consistently found it difficult to build a coherent strategy for managing people who have mental health needs who commit criminal offences. The barriers highlighted remain entrenched today – lack of agreement over financial and material resources, and who will provide support.

NAAN is able to provide more up-to-date information than the police force on provision and funding of professional appropriate adult schemes. A 2015 survey found that the majority of appropriate adult schemes are funded by a local authority (73 per cent of the sample), and provide services for all vulnerable adults within their geographical boundaries. In London, where this study occurred, one third of appropriate adult services are provided by the private sector (11), seven by the public sector, six by charities, two by specialist youth offending teams (YOTs) and the remainder by unspecified providers.

Current national spending on appropriate adult provision for vulnerable adults is estimated to be £3 million per year. However, on the basis of the PACE Code C definition of adult suspects who may require an appropriate adult, which NAAN (2015) conservatively estimates to be 11 per cent of adults in custody, £19.5 million (£113,000 per local authority) per year is needed to ensure a full provision of trained 'professional' appropriate adults throughout the custody process (not only in police custody, but also in the courts). These figures demonstrate the gross underfunding of appropriate adult services, leading the researcher to assume that many police forces rely on volunteer appropriate adults to meet the needs of those identified as vulnerable in the CJS.

Most police forces do not contribute to the funding of appropriate adult services in their area. Considering the reliance of the police on appropriate adults to

support vulnerable people, many contest this. Limited statutory funding and reliance on volunteers shows the lack of priority appropriate adults afforded by the Government, which is reflected in their devalued status in the custody area (Skinns, 2012). NAAN, however, argues that the police should not contribute in order to preserve the independence of services for adults (Perks, 2010).

Recent national initiatives focused on vulnerable people in the CJS (e.g., the creation of L&D services) provide a favourable context for the enhancement of appropriate adult provision (NAAN, 2015). However, further research is needed to highlight the important contribution made by professional appropriate adults, and the dilemmas of working in this role. The challenges of partnership working are well documented in other areas of mental health research, but partnership working and joined up services are also recognised as key to providing effective outcomes for people with a range of problems. It is important to understand how working relationships between appropriate adult schemes and police forces, particularly at a time of cuts in public expenditure, can best support vulnerable adults in custody.

1.6.1 Are Appropriate Adults a Token Gesture for the Vulnerable?

Pearse and Gudjonsson (1996) question whether appropriate adults represent a realistic and workable safeguard for those in custody, suggesting the creation of the role was a cosmetic and superficial exercise designed to satisfy legal etiquette.

The provision of appropriate adults appears in the Codes of Practice, not the legislation itself, allowing it to be relegated to an often unworkable and unsatisfactory safeguard (Cummins, 2011). There is no power under PACE to detain a person and delay charging them to await the arrival of the appropriate adult (PACE, Code C, Para 16.1 and Note 16C). Like the Judges' Rules and accompanying Administrative Directions before them, the PACE Codes regarding vulnerable adults can be disregarded by the police without risk of liability for any criminal or civil proceedings (Baxter & Koffman, 1985). PACE may therefore fail to safeguard the most vulnerable people it was created to protect (Pearse & Gudjonsson, 1996).

1.7 Research Rationale and Questions

This research focuses on the experiences of 'professional' appropriate adults who support 'vulnerable' adults in police custody, from the perspective of an appropriate adult, for the two reasons.

Firstly, there is a notable lack of research, specifically qualitative research, in this area. This stands in contrast to the research about appropriate adults supporting young suspects, and research and extensive discussion devoted to other parties present during the detention and questioning of suspects, including the custody officer (e.g. see Mylonaki & Burton, 2010), interviewing officers (e.g. see, Kassin et al., 2010) and the legal adviser (e.g. see Skinns, 2011). Much of the literature about appropriate adults has concerned itself with the practicalities of the provision and efficacy of the safeguard for vulnerable people in custody via methods that have examined, e.g. custody records (Dixon et al., 1990; Bucke & Brown; 1997), transcripts of police interviews (Evans, 1993), or observations in police stations (Philips & Brown, 1998). While these are useful, this review has noted that the role can be different for vulnerable adults and children. There are very few studies that have collected data from the perspective of the appropriate adult. Within academic literature, the attention the appropriate adult has received has overall been quite critical (Pierpoint, 2011). None of these studies have explored how appropriate adults experience being in the role, how they make decisions and how they manage being in a custody setting.

Secondly, it was believed that attempting to understand the appropriate adult role from a range of perspectives (e.g. social workers and family members) and their encounters with all professionals entering the custody area, including legal representatives and healthcare teams, could result in a superficial understanding of appropriate adults in the police custody process, particularly when considering the time restraints of this thesis. Two questions were developed to guide the research:

1) How do 'professional' appropriate adults understand their role of working with adults identified as 'mentally vulnerable' in police custody?

2) How do 'professional' appropriate adults understand and experience their working relationships with the police?

2   METHODOLOGY AND METHOD

This chapter outlines the rationale for the adoption of a qualitative approach and the epistemological position taken within the research. It describes the chosen methodology (grounded theory) and the reason for that choice. A description of grounded theory and its theoretical underpinnings is provided. The chapter goes on to describe the process of ethical approval, recruitment and selection of participants, and the data collection and analysis procedures followed.

2.1   Adoption of a Qualitative Approach

Unlike quantitative methods, qualitative enquiries do not aim to test a particular hypothesis or theory. They allow for the development of rich descriptions of phenomena and processes of experiences to be heard (Harper, 2012; Willig, 2008). Qualitative approaches allow for an in-depth exploration where little is known about a topic (Holloway, 1997; Howitt, 2010) and provide the means to 'explore the nuances of experiences not available through quantification' (Darlaston-Jones, 2007: p. 25). This research aimed to explore the processes of working as a 'professional' appropriate adult for mentally vulnerable adults, based on the first-hand accounts of appropriate adults. Given the aims and exploratory nature (i.e. not hypothetico-deductive) of the research, a qualitative methodology was considered most appropriate. It was hoped that a qualitative methodology would allow for the emergence of a rich description of appropriate adults' experiences, including the processes and contexts of the development of these experiences, from which theoretical concepts could be generated.

2.2   Epistemological Position

Welford, Murphy and Casey (2011) posit that the first requirement when carrying out a piece of research is to establish its underlying epistemological position – that is, what it is possible to know and how we obtain it – and subsequently which methodology can be considered best to answer the research question. Clarity of the epistemological position taken by the researcher is essential, as this determines the assumptions that can be made about the relationship between the data and the world (Harper, 2012). Willig (2013) suggests the three main epistemological frameworks that can be

assumed by researchers are realism, phenomenology and social constructionism. Madill, Jordan and Shirley (2000) suggest the three broad epistemological strands to be: realist, contextual constructionist, and radical constructionist. One of the key dimensions that differentiate between epistemological positions is the extent to which data are seen as mirroring and reflecting reality (Harper, 2012). This is often termed the realism-relativism continuum, which ranges from naive/direct realism to radical relativism (Madill et al., 2000). Naive realists hold the view that there is an objective true reality that can be accessed and observed, therefore data collected by a researcher can be assumed more or less directly, and unproblematically mirroring reality (Willig, 2008). In contrast, radical relativists (also termed radical constructionists, Madill et al., 2000) believe that there can be many valid interpretations of the same observation and thus there is no true version of reality outside one's own ideas. Further, these realities are entirely constructed through the context and consequences of discursive resources, and historical, cultural and social paradigms (Gergen, 1998). Between the realist and relativist endpoints of the continuum, there is a range of positions (Willig, 2013). A critical realist contextualist epistemological position is assumed by this research.

Contextual constructionism is consistent with a critical realist epistemology in arguing that all knowledge is local, provisional, and situation-dependent in a continuously changing reality (Jaeger & Rosnow, 1988). Therefore, it is a requirement that concepts be examined within the social and historical contexts in which they are situated.

The data produced in this research represents an underlying reality that exists for participants. However, the researcher acknowledges that the data gathered may not provide direct access to reality (Willig, 2013). The researcher acknowledges that participants' experiences are socially, historically and contextually mediated and thus open to multiple interpretations (Madill et al., 2000). The researcher believes that knowledge production in this research has been co-created by the researcher and the participants (Larkin, Watts & Clifton, 2006). The knowledge produced is influenced by both the participants' and researcher's understanding (including data-gathering strategies and interpretations) and the wider contexts that inform both those understandings (Pidgeon & Henwood, 1997).

In outlining her own position and remaining reflexive throughout the process, the researcher hoped to bring transparency and quality to the research. A statement of researcher reflexivity is provided and explored further in the Discussion chapter.

2.2.1   The Researcher

The researcher is a 29-year-old female, final year trainee clinical psychologist of mixed ethnicity. As an adolescent, she was aware of PACE due to the multiple contacts her family had with police officers who used 'stop and search' powers. She believed these powers were used unfairly and therefore grew up with confused thoughts. Her personal experience illustrated that the police had the potential to 'abuse' but she was taught by society's norms that the police were there to 'protect'.

Prior to clinical psychology training, the researcher worked as a mental health worker within a crisis team and attended police stations (with colleagues) to provide mental health support to people in custody. Here, she noticed that many police officers experienced difficulties when dealing with people in mental distress. She was often surprised by police officers' lack of knowledge, and the discriminatory language they used quite openly about people experiencing mental distress. Interestingly, during her time with the crisis team, the researcher did not encounter an appropriate adult, even though she was working with 'vulnerable' people in custody.

The researcher had heard of appropriate adults, but did know their purpose, how they were recruited or managed. While planning this research, the researcher read a report published by NAAN and commissioned by the Home Secretary about the provision of appropriate adult services. This report fuelled her interest to find out more about how to offer the best support to people in custody who are in mental distress.

During the research, the researcher reflected on how her own encounters with the police, and her little knowledge of the appropriate adult service, may have influenced the questions asked, and the way the data was analysed. An extract from her reflective journal is reported in Appendix C.

2.3   Selecting an Appropriate Methodology

Grounded theory was considered an appropriate methodology in line with the researcher's critical realist contextualist epistemological position and to meet the research aims. The researcher considered a range of qualitative methodologies and shortlisted discourse analysis, thematic analysis and grounded theory.

Discourse analysis (Potter & Wetherell, 1987) was considered for its focus on language. Discourse analysis examines the linguistic resources that people use to construct accounts of experiences. It looks beyond the literal meanings of language, and focuses on the social functions of talk (Shaw & Bailey, 2009).

Thematic analysis (Braun & Clarke, 2006) is not a methodology as such but rather regarded as an atheoretical method that seeks to report patterns, or themes, within the data. It can approach data in numerous ways due to its epistemological flexibility.

Discourse analysis or thematic analysis could have been employed to explore appropriate adults' experiences of their role. However, the researcher considered grounded theory to be more appropriate for this research for the following reasons:

1) it provided an in-depth way of exploring the potential multiple perspectives and assumptions of participants when working with adults with mental health needs;

2) it is a bottom-up approach that ensures the theory or representation of the phenomena is grounded in the data (McLeod, 2011);

3) it does not require responses to be coded or categorised within preordained categories of interest, or require pre-existing theories (Corbin & Strauss, 2008) and there is a dearth of previous qualitative research in this area;

4) grounded theory is designed to identify and explain social processes within specific contexts. Thus it allowed the researcher to construct a theoretical understanding of the both the individual and social processes of appropriate adults supporting individuals identified as 'mentally vulnerable'.

These are key reasons for the decision to employ a grounded theory methodology, having previously highlighted a need for the development of new theory or understanding based on the perspectives of appropriate adults.

2.3.1 Grounded Theory

Grounded theory is an approach that can be applied within different epistemologies (Madill et al., 2000) on a continuum from more positivist forms (Glaser, 1992) through post-positivist (Strauss & Corbin, 1990) to the more recent constructivist versions (Charmaz, 2006). While there are differences in how grounded theory has evolved under different epistemological positions, all approaches share core characteristics with strategies distinct from other qualitative methodologies (Oliver, 2011).

Grounded theory is summarised as an inductive approach to inquiry whereby an abstract theory of action, interaction, or process is derived by the researcher, and grounded in the perspectives of the research participants (Creswell, 2009). Rather than the testing of pre-existing theories (Willig, 2013), grounded theory methodology aims to generate new, contextualised theories that are grounded in the data by exploring local interactions and meanings as related to the social context in which they occur (Glaser & Strauss, 1967). This helps to explain aspects of how the social world operates (Willig, 2013) Unlike some other qualitative approaches that are expressly descriptive in their intent (e.g., descriptive phenomenological analysis), grounded theory methods aim to be explanatory (Baker, Wuest & Stern, 1992).

Common approaches to grounded theory analysis include constant comparisons to compare data, codes, categories and concepts, within and between each other (Tweed & Charmaz, 2012); the use of analytic memos written to elaborate categories and relationships between categories and to aid the construction of theoretical understandings (Charmaz, 2005); theoretical sampling and negative case analysis.

2.3.1.1 Versions of grounded theory: Willig (2008) argues for the importance of differentiating between full and abbreviated versions of grounded theory. Unique to the full version is the aim of 'theoretical saturation' in order to theorise localised social processes. This is achieved via the researcher's engagement in a full cyclical interpretative inquiry: the iterative movement between data

collection, analysis and adaptation in theoretical sampling as a result of emerging theory. In contrast, an abbreviated version applies grounded theory-inspired principles to data that has already been collected. Willig (2008) argues that important aspects of a grounded theory method is not utilised in this abbreviated version, namely theoretical sampling in which data is collected on the basis of emerging categories developed from the analysis. However she states the use of the abbreviated grounded theory is useful for small-scale studies (Willig, 2001).

Considering the time-limited nature and available sample, the researcher chose to use the abbreviated version of grounded theory. The researcher noted that Pidgeon and Henwood (1997) caution against seeking a final true, valid account in the form of supposed theoretical saturation as per the full version. They write that readings of the data should always be tentative as opposed to closed. An alternative to theoretical saturation is that of theoretical sufficiency (Dey, 1999), which may be achieved in abbreviated versions of grounded theory.

Within the abbreviated version, it is not necessary to create a representation of the findings, or develop a theory. The researcher aimed to produce a logical explanatory system (or representative model) of the participants' experience and understanding of the phenomena under investigation through the progressive identification and integration of categories grounded in the meaning and experience of participant data (Willig, 2013) and therefore incorporated some aspects of the full version (as outlined previously).

This research did not endeavour to generate a universally generalisable theory due to its sample size. However it is possible that this representation could be used more generally to widen the current knowledge base and inform our understanding of the practices of appropriate adults (and the schemes), and act as a springboard for further research in this area.

2.3.1.2 Literature review: Grounded theorists are encouraged to delay a full literature review to minimise the imposition of preconceived theories onto the analysis (Charmaz, 2006). However, this was unrealistic considering the expectations of the doctoral thesis framework. Therefore, I carried out a preliminary review to understand the scope of existing literature and identify the gaps within the research (Payne, 2007). Robson (2002), among other critics,

argues that researchers cannot suspend their awareness of pre-existing theories in the process of the analysis, and that this must be considered throughout the process. The initial review of the literature was positioned as a grounded theory strategy of 'sensitising concepts' which guide initial ideas and questions to ask about the topic area (Blumer, 1969; Tweed & Charmaz, 2012).

2.4   Method

This section describes the process of ethical approval, data collection procedures, recruitment and selection of participants, sample size, interview schedule and procedure, ethical considerations and analysis procedure.

2.4.1   Ethical Approval and Amendments

This research was registered at the University of East London (UEL). The UEL Research Ethics Committee granted ethical approval prior to data collection. Originally, the researcher had proposed a study comparing the perspectives of various professionals working in police custody suites, including police officers and healthcare professionals. However, due to recruitment difficulties, an ethics amendment was sought to change the participants to appropriate adults. An ethics and title amendment was granted (Appendices D and E). Reflections on these changes can be found in the Discussion.

2.4.2   Data Collection Procedure

The following sections outline the methods used for data collection, including participant inclusion criteria; recruitment strategies; ethical considerations; and the interviewing procedure.

2.4.2.1 Participant inclusion and exclusion criteria: To optimise the quality of data, the following participant inclusion criteria for appropriate adults was employed:

1) a self-identified 'professional' appropriate adult in a volunteer, sessional or paid role;

2) experience of working with adults considered to be 'vulnerable' within police custody;

3) contact with NHS staff, police officers and legal professions while working as an appropriate adult;

4) over 18 years of age.

2.4.2.2 Recruitment procedure: Recruitment took place between November 2015 and January 2016. Appropriate adult schemes identified as members of the National Appropriate Adult Network (NAAN) were contacted via email in order to find potential participants for the research. Ten services, run by a variety of public, voluntary and private sector organisations and spanning all 32 London boroughs, were contacted in two waves.

Following a telephone conversation with the researcher, appropriate adult scheme managers sent out a service-wide email about the research with a participant information letter attached (Appendix F) and a leaflet when managers asked for information they could distribute (Appendix G). The letter explained the purpose of the research and what participation would involve. It included confidentiality and consent information, as well as contact details for the researcher. One manager from a private appropriate adult scheme asked questions about the researcher's motive for the research and requested the interview schedule before advertising the research. The leaflet included a very brief appeal for appropriate adults willing to describe their experiences, and the researcher's contact details.

Potential participants contacted the researcher by email to express their interest. The researcher sent an email to confirm the details of the interview to participants who met the inclusion criteria. In addition, one participant was recruited via convenience sampling.

2.4.2.3 Participant demographics: A total of 13 people were believed to meet the criteria and selected for interview. Four people who expressed their initial interest could not be subsequently contacted. Nine people from three different organisations participated in the research and gave their consent for their data to be used in analysis. All participants worked or volunteered for public or voluntary sector organisations because the researcher did not receive responses from appropriate adults working for the private sector organisations that were contacted. Information about the participants can be found in Table 1 (p.41).

Six participants described themselves as white British, two as British Asian and one as black British. Ages ranged from 21-65. Specific ages of the participants

were not recorded. Five of the participants were volunteers: one was full-time, three were in paid unrelated employment; one was sometimes paid for appropriate adult work (sessional employee) and also worked for another employer. The other four participants were paid employees of an appropriate adult scheme. There are an indefinably large number ways I could have described the participant's demographic categories or 'identities' within this research. Those noted are the result of a combination of direct questions asked (e.g. 'How long have you been working in this profession/role?' see interview schedule, Appendix H) and those that were referred to during the course of the interviews.

Table 1: Participants' demographics

Participant number	Participant name	Gender	Sector	Contract	Years as AA
1	Jefferson	male	voluntary	employee	17
2	Stephen	male	public	volunteer	1.5
3	Jenny	female	public	volunteer	6
4	Laurie	female	public	volunteer	5
5	Naija	female	voluntary	employee	1
6	Geron	male	public	employee	20
7	Beatrice	female	public	volunteer	3
8	Sabir	male	voluntary	employee	<1
9	Sabrina	female	public	employee and volunteer	4

* Pseudonyms have been used to ensure anonymity

2.4.2.4 Sample size: A sample of nine was considered acceptable for an abbreviated version of grounded theory. Implications of the sample size and sample demographics are explored in the Discussion. In full versions of grounded theory, the aim is to reach 'theoretical saturation' and thus the

researcher continues to collect data until no further categories emerge. Creswell (1998) recommended between 20 to 30 participants for a grounded theory research in order to reach saturation. However, Guest, Bunce and Johnson (2006) found that saturation occurred within the first eight to 12 interviews. Turpin et al. (1997) support this in their suggestion that eight participants are sufficient to uncover meaningful points of similarity and differences.

2.4.3 Sources of Data

Grounded theory is compatible with a wide range of data collection techniques, including participant observation, diary analysis and interviews (Willig, 2013). Individual face-to-face interviews were chosen as the method of data collection. Alternative methods such as focus groups were considered. However, it was deemed that this could present logistical difficulties in recruitment and restrict opportunities for the rich detail that individual interviews can afford.

2.4.4 Interview Schedule

The researcher used a semi-structured interview schedule to guide the course of the interviews. This format enabled a focus on the research questions but also allowed flexibility to respond to, and explore directions participants took in the interview (Bryman, 2008).

2.4.4.1 Interview questions: To develop sensitising concepts at the beginning of the research, the researcher consulted informally with a work colleague who had experience of the appropriate adult role as a volunteer prior to starting work within the NHS. Aspects of the interview schedule drafted by the researcher were amended as a result of these conversations – a question was added about the possible future of appropriate adult schemes, for example. It is acknowledged that these conversations may have influenced how the researcher carried out the literature review and analysis of the participants' accounts.

Questions in the initial interview schedule were used in the first set of interviews. After an initial analysis of the collected data, the researcher used the emerging codes and categories to adapt questions for subsequent interviews in accordance with grounded theory methodology.

Feedback collected after the initial set of interviews found that some participants found it difficult to recall specific experiences 'on the spot'. As a

result, the researcher emailed future participants and asked them to reflect on their experiences of working with adults with mental health needs or vulnerabilities before the interview.

2.4.5 Interview Procedure

Interview locations varied according to each participant's preference. Interviews were one-to-one with the sole researcher. The majority of interviews (six) took place in a private room in an appropriate adult scheme building. Two interviews were carried out in community spaces, and one was carried out at the University of East London. Lone working protocols were followed. A digital audio-recorder was used, allowing for active listening by the researcher (e.g. minimal note-taking) and accurate transcribing. Before the interview, the researcher reiterated that participation was voluntary and that the interviewee could choose what information they wanted to share, decline to answer specific questions, take breaks, and withdraw from the interview at any time without disclosing a reason. It was agreed that participants would let the researcher know verbally if they were becoming distressed, or tired and wished to stop or pause the interview. A consent form was signed (Appendix I). Participants were given the opportunity to ask questions and seek clarification. They were informed that the interview would last approximately an hour. Interviews varied from 49 to 101 minutes, with an average of approximately 72 minutes.

The researcher explained that the interview would focus on participants' work with adults who were considered to be mentally vulnerable rather than their work with children, or with people who have a learning disability diagnosis. The interviews began with questions about demographics, followed by questions about the nature of their work with vulnerable people and with different agencies, including the police and legal representatives, followed by open-ended questions designed to invite thoughts and reflections. Participants were finally asked if they felt they had been given the opportunity to share all aspects of their experiences they wanted to discuss, and add further thoughts or reflections. Participants were invited to give feedback about the interview and ask the researcher questions. They were thanked for their participation and invited to sign part two of the consent form (see 2.5 Ethical Considerations). Participants were also offered a debriefing letter after the interview containing information about potential sources of support (Appendix J).

2.5 Ethical Considerations

2.5.1 Consent Procedure

Consent forms contained a double signature. Participants were asked to give their signed consent prior to the interview to confirm their understanding of the process, and then again, after the interview, to confirm that they were happy for the content to be used for analysis. Participants were advised that they could withdraw their data at any time up until January 2016, without disadvantage or obligation to give reason. After this time, a full comparative analysis would have started and thus their data could not be removed.

2.5.2 Anonymity

Anonymity and confidentiality procedures were outlined in both the participant information letter and discussed at the interview. Participants were advised that their interviews would remain confidential unless there were concerns about their safety, or the safety of others. However, any concerns would be discussed with them, where possible, before sharing any information. Participants were asked to refrain from using identifying details, such as names or locations, during the interview, but were reassured that any such details mentioned would be omitted during transcription.

Any identifiable participant information acquired during recruitment (e.g. contact details) was held on a password-protected Excel document. Signed consent forms were stored separately. Audio recordings and transcripts of interviews were password-protected and stored on an encrypted USB memory stick. Access to the data was restricted to the University supervisor and the thesis examiners. Audio files and transcripts will be kept for five years and then destroyed.

2.6 Analysis Procedure

This section outlines the method employed to transcribe and analyse the data, including coding, memo-writing, and raising codes to categories and concepts.

2.6.1 Transcription

Transcription is considered to be a core initial process in the analytical process (Bird, 2005). Each interview was transcribed as soon as possible after the interviews in order to retain some familiarity with the content. A transcription

system with conventions adapted from Banister et al. (2011) and Malson (1998) was used to ensure consistency amongst transcripts (Appendix K). To ease readability, some words have been omitted to shorten quotes. Punctuation was also added: it is noted that this can influence the meaning (Poland, 1995). Poland (1995) reminds us that the 'messiness' of natural conversation – the emotional context, and non-verbal communication, for example, is impossible to capture on an audio recording. In an attempt to retain intended meaning, prosodic features of the interview were noted – for example, long pauses and emotional expression such as laughter and crying – however vocalised, but non-lexical phenomena (e.g. 'erm') and kinesic phenomena (e.g. gestures) were omitted as these were not deemed necessary for grounded theory analysis.

2.6.2 Coding

Data coding is the first step in analysis and provides the 'scaffolding' for constructing grounded theories (Tweed & Charmaz, 2012: p. 136). Line-by-line initial coding was used (in the right hand margin of the transcript) as it enables a greater richness to the analysis, especially when using an abbreviated version of grounded theory (Willig, 2008). Many codes were 'in vivo', consisting of words or phrases used by the interviewees themselves, thereby attempting to reflect that participant's reality (Hawker & Kerr, 2007) and limiting the influence of existing theory into the analysis by the researcher. Following this, focused coding was conducted (in the left hand margin of the transcript) to integrate initial codes into meaningful units (Tweed & Charmaz, 2012). See Appendix L for an example of a coded transcript.

2.6.3 Memo-writing and Constant Comparisons

Memo-writing commenced during the initial coding of the first interview transcript and continued until data analysis was complete. Memos were used to consider the processes and assumptions in the data. The researcher aimed to construct codes that would transcend individual descriptions and interviews by using constant comparisons and memos to group together frequently occurring and significant initial codes that appeared to share similar properties.

2.6.4 Raising Categories to Theoretical Concepts

As the analysis progressed, the similarities and differences in the focused codes between each data set were noted and selectively raised to tentative

categories, with the aid of memos. These categories were gradually refined and then raised to tentative concepts, further refined and then raised to theoretical concepts. See Appendix M for illustrative examples of the process.

2.7   Evaluating Qualitative Research

How best to assess the quality of qualitative research is debated with the field, with several researchers publishing guidelines to aid the process (e.g. Elliott, Fischer & Rennie, 1999; Yardley, 2000). The quality of this research was evaluated using the principles of contribution, credibility and rigour (the guiding principles of Spencer & Ritchie, 2012) and this is outlined in the Discussion. In line with critical realist contextualist grounded theory, the researcher evaluated the extent to which theoretical sufficiency has been achieved (Dey, 1999). This too is outlined in the Discussion.

3   ANALYSIS

This chapter presents an analysis of participants' accounts of their experiences of working as an appropriate adult with adults who are considered to be mentally vulnerable in police custody. Pseudonyms have been given to all locations or names of places to ensure anonymity.

3.1   Core concept, categories and sub-categories

The structure of the analysis with regard to concepts, processes, categories and sub-categories constructed from the data are outlined. The categories are discussed in relation to theoretical understandings generated from the data analysed. These categories are considered to be interwoven in the context of the participants' experiences, and as such should not be viewed as separate from each other. Where possible, the sub-category uses participants' own words, as indicated by speech marks. Extracts from interview transcripts aim to represent the data in which the analysis is grounded. All sub-categories were developed from data across two or more interviews. However, they are illustrated using at least one participant's excerpt.

3.1.1   Core Concept

The core concept generated in the analysis was that appropriate adults 'construct and manage multiple identities'. This core concept is illustrated in Figure 2, and elucidated through the categories as described below. Figure 3, situated in the Summary section of this chapter (see 3.6. Summary) provides a more detailed illustration of this process, and includes the sub-categories.

3.1.2   Categories

Using a grounded theory method, the researcher identified four categories during the analysis of the interview transcripts: 'what is PACE?'; 'in negotiation with the police'; 'in negotiation with the clients' and 'my appropriate adult scheme'. A complex negotiation and dynamic understanding of each category influenced participants' construction of their identities as an appropriate adult.
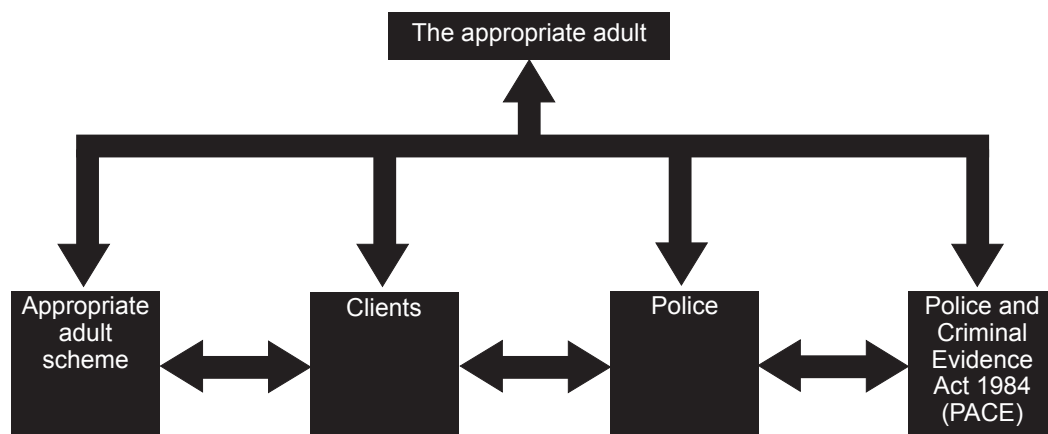
Figure 2: Core Concept: appropriate adults 'construct and manage multiple identities'

3.1.3 Sub-categories

Each category was broken down further using sub-categories identified during the coding stages of the analysis. Each of the sub-categories can be seen as a factor that influences the construction and management of the appropriate adult's identities.

In addition, all participants were influenced by their motivation (why they became an appropriate adult); their experience (both years as an appropriate adult and wider personal and professional experiences); and the context in which they work (currently austerity). 'Constructing and managing multiple identities' was thought to subsume all categories and sub-categories identified within participants' accounts of their experiences.

3.1.4 Defining 'Identity'

The core concept uses the term 'identities'. It is noted that there is not a common understanding of the term or concept 'identity'.

The Oxford Dictionary Online (2016) lists the following synonyms: 'personality', 'self', 'position', 'subject', 'individuality', and 'characteristics'. The Cambridge Dictionary Online (2016) defines identity as 'who a person is, or the qualities of a person or group that make them different from others'.

There are a number of different understandings about identity within psychology. Essentialist theories tend to describe the individual qualities or

attributes, beliefs and experiences that contribute to the individuality that governs human action. Benwell and Stokoe (2006) write that questions based on essentialist understanding may include biological sex, hair or eye colour. Although it is acknowledged that people can present themselves differently dependent on context, underneath 'lurks a private, pre-discursive and stable identity' (Benwell and Stokoe, 2006: p.3).

In contrast, postmodern (or constructionist) definitions of identity suggest there is no fixed or unique identity: the notion exists only in dialogue, and in relationships, situated in the wider social context (Gergen, 2009). Rather than being 'reflected in discourse, identity is actively, ongoingly, dynamically constituted in discourse' (Benwell & Stokoe, 2006: p.3). Therefore, people can agree it to be whatever they want in any given historical or cultural context. Benwell and Stokoe (2006) understand the term identity as 'who people are to each other, and how different kinds of identities are produced in spoken interactions' (p.6).

In line with the researchers critical realist epistemological position, this research considers identity not only in terms of fixed 'things' within a person that characterises them, but also as something that is socially constructed, fluid, and communicated to others through interactions (Patel and Davidson, 2009). The term 'multiple identities' is used to further demonstrate this 'multiplicity'.

In the context of this analysis, the researcher has differentiated between an appropriate adult's 'identities' and their 'role'. This is because the word 'role' is used within other research literature about both the CJS and appropriate adults to describe the external assigned task of an appropriate adult (the 'job description'). Identities, roles and behaviour are linked through meaning (Stryker & Burke, 2000). Within this research it is argued that how a person goes about understanding, performing or implementing their role is influenced by the 'identities' constructed at any particular time in response to people or situations within the custody suite.

3.2   Category 1: 'What is PACE?'

All participants referred to Code C of the PACE Codes of Practice to define their role. However, as Laurie reports, PACE does not outline what this should look like in practice.

> There are a few bits of PACE which are a bit too vague, which means you get different people's interpretations and that's not helpful. (Laurie: 196-197)

All participants felt that a particularly important element according of their role was facilitating communication – when the caution was being read or evidential samples were taken, for example. During the formal interview, their role was to aid communication between the detainee and the police officer; to ensure their client's rights were upheld; and to monitor their welfare.

Different aspects of the Code were drawn upon, or given more emphasis, to meet the needs of a particular client, or at a particular time in the custody process. Participants interpreted a 'protection' element of the role differently, depending on whether they placed more of an emphasis on the welfare of their client, or a 'check and balance' of the police. Participants who were new to the role tended to emphasise welfare, and had less confidence in challenging policing processes.

The participants' comments suggest that there can be some variation in the way the Codes are interpreted, and thus what duties are emphasised. These variations may be influenced by experience and knowledge of the PACE Code, both in theory and in practice.

3.2.1 Welfare

When appropriate adults first met a client, his or her welfare was the top priority. A client's welfare included making sure food and clothing were provided, and that any health needs were addressed. The PACE Code makes no reference to welfare: appropriate adults said attending to a client's welfare was 'upholding their rights' (included in the PACE Code).

> I'm there as a level between obviously their legal representative and I am there to make sure everybody understands what's going on ultimately, and also to make sure in many cases they have had medication, to make sure they have seen the nurse, to make sure that they are fit to be interviewed, but it is that role, of yeah, I describe it as the pastoral care within their time at the police station. (Jenny: 33-37)

I don't need to know [full disclosure information] because it's not our role to know. It's just more kind of, for support that we are there, to check on their welfare, that kind of stuff. (Naija: 138-139)

3.2.2 'Safety of the Evidence'

Beatrice – an experienced appropriate adult – said the 'actual' purpose of an appropriate adult is to protect the evidence, or minimise the risk of unreliable evidence (Nemitz & Bean, 2001).

You need to have a very clear idea of what you are there for. Now that varies according to the appropriate adult concerned, you know, what they think they are there for. The general description of the rule tends to be that you are there to help, you are there to support the detainee, and that tends in practice to be how the police describe it to the detainee. That's not actually true, that's only part of it, what you are actually there to do is to guarantee the safety of the evidence. (Beatrice: 523-529)

3.2.3 Check and Balance

Jefferson, another experienced appropriate adult, described the circumstances under which evidence might be rendered unreliable, and the importance of working as a 'check and balance' to protect against unfair police tactics such as coercion or oppression, which could result in a coerced-compliant false confession (Gudjonsson, 2003) from the detainee.

Sometimes they [clients] say things 'cause they just want to get out of the police station as quick as possible, you know, and sometimes they just sort of say things without thinking and we can sort of pull them up and say you know 'you're saying that', you know … and the police may ask them the same question over and over again when they've already given them an answer to possibly try to trick them or you know, just try to wear them down and stuff like that, so we can sort of speak up so, you know, really just to watch what's going on, sort of a bit like watching how the police operate basically, and if you're not happy with something, or a person is confused or upset, you can stop the interview. (Jefferson: 151-160)

3.2.4 Detainee Distress

On some occasions, even though participants had a clear idea what they were able to offer the detainee based on their understanding of PACE and the

Code's definitions and duties, they were however unable to provide support because of the detainee's level of distress.

> He was spitting and bringing his arms through [the wicket of the cell door], he was just screaming the whole time and I thought, 'I don't know how am going to communicate with this person… what am I going to do, I don't know how I can support him.' (Naija: 153-163)

Participants' concerns about an appropriate adult's inability to support someone in such distress led them to question how the role of appropriate adult is interpreted by the police. At times, there was a shared understanding between appropriate adults and police officers. However, many police officers had a different perspective.

3.3   Category 2: 'In Negotiation with the Police'

Participants were required to consistently renegotiate their appropriate adult role, and the identities they constructed in order to undertake that role, with the police. They carefully considered how they presented themselves in order to feel they were acting in line their understanding of PACE, the guidance of their appropriate adult scheme, and in the best interests of their client. They described a complex and mixed picture in their working relationships with the police.

Their negotiations and relationships were influenced by factors relating to the following four sub-categories: 'building a relationship with police officers within custody'; 'how police officers understand the appropriate adult role' (and their beliefs about the value of appropriate adults within the custody process); the impact of 'police power'; and the effect of the 'canteen culture narrative of the police'.

3.3.1   Building a Relationship with Police Officers in the Custody Suite

Participants noted a high level of staff turnover among both the police officers (and healthcare staff), which made it difficult to build up relationships. They were consistently renegotiating their identities as an appropriate adult with new officers. They attributed high turnover to funding cuts in public sector services, and the security of lifetime employment being lost.

Things have changed so much now, you know, you used to get police officers, custody officers and inspectors and they were there for like years and years, and over those years you would sort of build up relationships with them. It's so difficult now cause the police sort of move on. (Jefferson: 418-422)

Jefferson highlights the difficulty in building up relationships with the police. Other participants saw negotiating with changing personnel as part of the role. Each time they were on shift, they expected to meet a new officer, learn their views about PACE, appropriate adults and the individuals in custody, and would adapt themselves accordingly.

As participants' understanding of the need for renegotiation grew, so did their understanding of their appropriate adult identities in relation to the police.

3.3.1.1 Changing perceptions: Negative perceptions of the police prior to becoming an appropriate adult stemmed from societal perspectives and perceived reasons why an appropriate adult service is needed.

However, these perceptions had changed over time. Overall, participants showed an appreciation for the work of the police, and described amicable working relationships, particularly if participants had been in the appropriate adult role in the same area for some time. Feelings about the police were mediated by their individual case-by-case experiences, and an overall acknowledgement of, and appreciation for, the difficulties of the policing role in varying situations.

When I first started here I was just, like, anti-police. I'm not saying that I'm pro-police now, but I can of take each kind of situation as it is now… I don't have a generalised kind of opinion or anything because I think, you know, they do work hard (.) they have to kind of put up with a lot of crap. (Naija: 424-427)

You only hear about the bad ones, you do not hear about the people in the [name of location] police station who are trying to protect us and look after people (.2.) Huge, huge respect. (Jenny: 211-212)

The excerpt below shows how Sabir conceptualised the creation of the appropriate adult role as a check and balance that was needed to protect people from the police.

> I think the general perception of the police in wider society is not the most positive … and because (.) I mean, as an appropriate adult, your role is to protect the rights of detained people with mental health issues, or juveniles, against the police, and I mean if this role exists, then there is clearly an issue, so yeah, I came into this role with the mindset that I'll have a lot against the police. (Sabir: 403-410).

Participants from black and Asian ethnic groups initially held more negative perceptions about the police: the researcher did not ask why this was the case, however a review of potential contributing factors is outlined in the Discussion chapter. The perspectives of white participants' varied. Either their perception of the police as 'hard-working, selfless people who do care' and 'will do their upmost for many' (Jenny: 165-166) remained, or they became more cautious over time as a result of the negative experiences they experienced and witnessed in the treatment of mentally vulnerable adults.

3.3.2   How Police Officers Understand the Appropriate Adult role

One of the factors influencing the negotiation of the appropriate adult identities was police officers' understanding of the appropriate adult role.

3.3.2.1 'It's in their guidelines': Police officers' understandings of PACE shaped why and when they thought an appropriate adult should be requested. Police officers had particular requests and expectations of an appropriate adult based on their sometimes inaccurate interpretations of the role. For example, requests were made for detainees to be added to an appropriate adult's 'caseload': Appropriate adults do not have a caseload. Requests were also made for an appropriate adult to attend the station at a later date to support the detainee during further interviews: Appropriate adults work shifts and do not necessarily see the same detainee twice. Participants also noted a variation in the frequency they were requested to act in the role.

> Some days we get no call outs, some days we get several call outs, more call outs than we can handle. (Sabir: 98-100)

The reasons for this variation were due to: a lack of acknowledgement and understanding of the appropriate adult role; failing to identify an individual's distress or vulnerability; and the views of the custody sergeant on shift.

> You definitely get the sense that they [police] are only calling an appropriate adult out because it's in their guidelines and I suspect… they don't call an appropriate adult out every time they should… I reckon we probably get called out about 60 per cent of the time. (Stephen: 641-645)

> There are a whole lot of issues around the identification of vulnerable people at police stations… The custody sergeant says to me, 'does she need an appropriate adult Geron?' and I'm like 'well yeah, I was with her last week, she's got bipolar. I mean, you know, it's a serious mental health problem', and he goes 'oh (.) What? Does bipolar mean that somebody needs [an AA] – they've got a mental health problem?' This is an experienced custody sergeant who I like a lot, but I was very surprised to hear him say that. (Geron: 218-238)

Participants such as Laurie, suggested that the vague nature of the PACE definitions has resulted in both a lack of understanding and a misuse of the appropriate adult system by the police.

> You called me because she's a 'very frightened little thing'. She was young, and she was female and she was a bit shaky, of course she was, she had done something completely idiotic, and she was literally quite a small person. On that basis, the all male custody suite had decided that she deserved, she deserved some help from an appropriate adult (.5.) she wasn't vulnerable (.) She didn't have any other issues. I think that's just a little tiny abuse of the system. (Laurie: 541-547)

The excerpt above highlights the subjective nature of the term 'vulnerable' as used within PACE, and the knock-on effect this has for an appropriate adult understanding their role. In this case, the police officers had interpreted a physically small female as 'vulnerable' within an all-male environment, which for them justified the need for an appropriate adult. In this case, they may have been acting in a risk adverse manner, or as Laurie suggests, they could have been actively misusing the system so they could get on with 'real police work' – crime control – and leave the welfare element to an appropriate adult. There

was an additional subjective element to the request – pertaining to the idea that someone was more or less deserving of help from an appropriate adult, regardless of his or her level of need. In contrast, some participants agreed with the judgements made by the police because they valued and/or respected their professional expertise:

> 90 per cent of the time it's very straightforward, everyone sings from the same hymn sheet. There are the odd occasions when I would say (.) but it's about everybody, me as well, being open to dialogue to, you know, if the custody sergeant was to say 'well actually Jenny, in my experience I think they're absolutely fine' and … then I think, you know, 'I really respect you. Okay'. (Jenny: 281-285)

3.3.2.2 'Ticking the boxes': Some participants believed that certain officers think appropriate adults are simply part of the administrative procedure that enables the custody process to take place, without giving much thought to what PACE says appropriate adults are there to do. Other participants said they felt the police used them to safeguard the custody process – to ensure outcomes were not questioned – instead of safeguarding the detainee.

> Sometimes you feel like you're just there because they're ticking the boxes. You know what I mean? And sometimes they [the police] are a bit shocked or whatever if someone speaks up. (Jefferson: 151-160)

> The way that they kind of say, "fit for interview with an appropriate adult", I think that they think that we're like a band-aid, that we're going to kind of, I don't know, paper over the cracks just to get the process rolling to cover the police… I think that's what I can surmise from the way that they treat and they use us. (Sabrina: 567-571)

Participants believed that the police had lost touch with a core feature of the appropriate adult role – that of a check and balance/safeguard against miscarriages of justice for people considered vulnerable. Participants said they sometimes had to remind police of the historical origins of PACE, and police malpractice in the Maxwell Confait case, perhaps as a way of justifying their presence and clarifying their role within custody suites. However, this did not necessarily make any difference to the way appropriate adults were treated.

Within the custody setting, the police were perceived to be the more powerful body.

3.3.3 Police Power

The perceived power or status of the police impacted upon how participants could implement their role, and on their working relationships. Many of the participants referred to the authoritarian-type position that the police held within the custody suite that separated them from others. From this position, the police held the power to make the majority of decisions and were 'used to getting their own way' (Stephen: 309). As those legally responsible for the welfare of all detainees, custody sergeants' understanding of the purpose of the appropriate adult role, and the value the custody sergeant gave it, influenced the interaction between the appropriate adult and their client. For example, how an appropriate adult was introduced, and how much time the sergeants allowed for a private one-to-one consultation prior to the formal interview with the police, influenced how the appropriate adult carried out their role. This control was subtle and could lead to both positive and negative outcomes. Some participants felt they were 'allowed' to carry out their role.

> Most of the time they are really understanding [of the role], they allow us to have our own space within the whole process, they give us as much time as possible in having private consultations and they allow us to speak in interviews. (Sabir, 445-448)

If the appropriate adult's presence was seen as a 'necessary annoyance' (Geron: 400) in the evidence-gathering process, the standard introduction (read from a card) was more likely to be rushed through by the sergeant. If the appropriate adult's purpose was valued, the police gave a more thorough introduction, which avoided confusion. Naija explained that this initial contact influenced a detainee's first impressions of an appropriate adult.

> Before they [the police] hand over, they're supposed to say 'you will have to have an appropriate adult' and they're meant to, kind of, introduce me, or any appropriate adult, and then you, kind of, take it from there. You can then reintroduce yourself and explain where you are from. Sometimes, police officers don't do that, and then, you know, the client might be unsure of who you are, they are, like, 'are you the solicitor?' and you are,

like, 'no I'm different, the solicitor is coming'. You, kind of, start off badly. (Naija: 189-195)

Like others, when new, Sabir felt under-confident in the face of this authority.

I was terrified, I was, like, you know, can I really make these decisions against the police? Can I really raise my voice against custody sergeants? (Sabir: 347-349)

Sabir uses the term 'against the police', which suggests the belief that appropriate adults are working in an opposing position. He also believed that appropriate adults were in a lower position.

Others noted it could be difficult to negotiate their role in the context of a powerful 'other'. Participants were aware of their role according to PACE, their training, and what they wished to do. However in practice it could be difficult to challenge a high status institution. As Laurie described:

You're aware that you are there to fulfil a very specific remit that you've been trained to do but … that's part of what makes that incredibly difficult (.) you are there to challenge, and you are challenging people who, every single one of them, has a higher status than you do in that setting. (Laurie: 64-67)

On the other hand, some participants were proud to be working alongside the police, and were angered by societal negative judgements of the police.

Despite what everyone says about the police, I find them to be hard working, selfless people who do care, you know?, and will do their utmost for many (Jenny: 165-166)

You only hear about the bad ones you, do not hear about the people in the [place] police station who are trying to protect us and look after people (.2) Huge, huge respect. (Jenny: 211-212)

3.3.3.1 Appropriate adult knowledge: Participants felt their knowledge of PACE was better than some police officers and other professionals in the custody suite (e.g. Laurie: 55-58) and believed that some officers saw this knowledge as a threat to their authority. Conflicts between police officers and appropriate adults arose when officers did not like the way appropriate adults carried out

their role. At times, custody sergeants attempted to assert their authority and 'overrule' recommendations by the appropriate adult.

> The police officer says 'well, I'm going to overrule your guidance' and … I said 'well, you know it's part of the Code of Practice, I don't think you've got the authority to overrule that', and I said 'if you want to overrule that, then that's fine, but am not going to be participating as an appropriate adult because I wouldn't be doing my duty if I was'. (Stephen: 252-256)

Other professionals sometimes ignored the additional knowledge of appropriate adults. Sabrina says solicitors often take no notice of what she says even though in addition to being an appropriate adult, she is legally qualified.

> It looked like they [the detainees] were guilty because they gave a 'no comment' interview … I said to him [the solicitor] at one stage, 'don't you think it would have been better to give a personal statement to be read out and then do a no comment?' And he said, 'no' and I said, 'ugh'. I just wanted to say, 'I'm legally qualified too' [laughs]. (Sabrina: 662-666)

3.3.3.2 Canteen culture narratives: Participants found that, like their clients, they could be part of the police canteen culture narrative. Some police were grateful for the service provided by appropriate adults. However, some held stigmatising attitudes towards both appropriate adults and their clients. An awareness of these attitudes impacted upon how participants felt they could implement their role, and on their working relationships with the police. Volunteer appropriate adult participants thought they were perceived as 'do-gooders' (Laurie: 63), even though the police knew nothing of their about them, or their skills outside of their volunteering role. Police therefore treated volunteer appropriate adults differently from others within the station.

> There were those who would behave differently every time you went down there, you know, some people don't want working relationships, especially with non-professionals so there's that, (.4.) and there were a few custody sergeants engaged in what we call 'appropriate adult baiting' which was, you know, people get bored 'cause sitting in a custody suite, a lot of people get very bored, and they can only read the Daily Mail so many times, and [they] would come up with odd bits of behaviour just to provoke us. (Laurie: 184-191)

Participants took on the identity as 'protector' of their clients who were discussed informally within the custody setting in the context of 'Oh just wait until you hear what he did…' (Beatrice: 553) type talk. Participants noticed that detainees repeatedly received different treatment from the police depending on the officer's perception of their need and the circumstances of their arrest – thus, what each individual detainee 'deserved'.

Laurie said she had heard the police refer to two different types of detainees: 'revolving door detainees' and 'slippery slope detainees' (558-559). She found that police officers would take the view that 'revolving door detainees' had internal attributes that resulted in their being 'recalcitrant now, you know this is what they do, they shoplift to feed their drug habits, they're beyond help' (563-566). The police expect to see them time and time again.

'Slippery slope detainees' on the other hand, were those who were younger, or who might have been arrested for the first time. The police explained these detainees' actions were the result of unfortunate external circumstances. 'They would say "he's got in with a bad crowd."' (571-572). The police would adopt either a 'saviour' position or a 'persecutor's' position towards the detainee, depending on whether they were a 'slippery slope' or 'revolving door' type. This position would determine the way in which they were treated during their time in custody. This in turn influenced what identity/identities appropriate adults believed they needed to adopt or develop for both the police, and their client. Participants appeared to adapt their behaviour in order to counteract the power hierarchies within custody. In order to carry out their role effectively, and thus meet the perceived needs of the detainee, they employed different strategies to help them negotiate their relationships and carry out their role.

3.3.3.3 Interactional strategies: Participants appeared to adopt a number of strategies to help them develop or establish a different identity/different identities to help them negotiate relationships with the police; keep true to what they believed their role as an appropriate adult to be (and work within the guidelines of their scheme) and maintain a focus on the needs of the detainee.

For example, experienced participants would adopt a 'not-knowing', one-down type position in order to not threaten the status quo of the custody area.

You almost have to be, I think in a lot of situations, you have to be less assertive than you really are, you have to be less articulate than you really are. It's quite an odd one when I think about it, you have to sometimes seem less knowledgeable so that you ask an officer for advice. (Laurie: 404-407)

I mean I always say to people, 'I don't know what do you think' or 'I'm not happy, what do you think?', you know, it's not that I, you know, I don't know, but I'm not trained in any way, shape or form apart from, you know, as an appropriate adult. (Jenny: 183-185)

Others would quote the PACE 'rules' and the stated rights within them, such as the right to request a solicitor or view the custody record. They also sometimes quoted the policies set by their appropriate adult scheme.

It's all based on the PACE Code of Practice and that gives you a set of rules, it gives you a set of resources for handling situations. (Beatrice: 384-385)

In these circumstances, the identity of an appropriate adult was one of a 'messenger' – delivering the message of the PACE Codes, and/or the message of their appropriate adult scheme in an inflexible manner. In doing so, an appropriate adult was perceived by the police to have limited power. They were able to abnegate all responsibility for rules dictated by PACE or their scheme.

Sometimes, participants adopted a more personable, flexible identity when dealing with the police, allowing interpersonal relationships and co-working to develop. Participants talked about a reliance 'on people, and being willing to do you favours or a kind of reciprocity really'. (Beatrice: 507-509).

I've done quite a lot of favours for them, I've stayed late occasionally, I'll finish a case, you know, they'll go 'oooh, could you give someone a hand reading something', you know. I will try and be as helpful as I can be them when (.) when I'm able to (.). (Jenny: 285-289)

This strategy tended to keep an appropriate adult more involved with cases, which allowed them to help maintain the wellbeing of their client. As part as this reciprocity, participants could 'negotiate deals' on behalf of their clients to stay

outside of the cell, or for an additional exercise break for example. Geron described a client who was mistrusting of the food in the police station because he had fought with the officers when he came in. The client would not eat because the thought police officers might contaminate the food they gave him in order to punish him.

> So I said, 'why didn't you eat?'. He <the client> said because he didn't trust the police, you know, gob in the food etc, so what I negotiated with the sergeant was (.) could we go to where they stored the food and he can see the DDO <designated detention officer> civilian taking the microwave meal out, showing him that it was sealed, putting it into thing etc and the sergeant agreed to do that. (Geron: 335-339)

Participants who employed these 'personable identity' strategies spoke about being 'established' or well known within the police station, and felt respected by most police officers. These participants tended to be those who had been acting as an appropriate adult regularly, or for a longer amount of time, and so custody sergeants were less likely to be hostile, and more likely to trust someone with whom they had established a relationship.

3.4   Category 3: 'In Negotiation with the Clients'

Participants were motivated by concern for their clients and a desire to help them. They spoke about the importance of being able to build up some form of a rapport or relationship quickly and acting, as much as possible, in a non-judgemental manner. The majority of participants acknowledged the lack of power their clients had in custody. They looked beyond the label of 'suspect' and tailored the support they offered to the personal needs of each client.

While constructing 'identities' that enabled them to interact with clients successfully, participants were influenced by three sub-categories: 'building a relationship within custody', 'understanding mental health', 'understanding the "crime"'. Their understanding of mental health and the crime was informed by both their professional and personal experiences.

Their emotional reactions to these influences also played a part. Many participants described feelings of empathy, sadness, fear, frustration and pity. They also noted their sense of frustration at their inability to have an impact on

the wider societal influences that maintained many of the cycles for people in custody. Many participants believed they could have no long-lasting impact on their client's lives beyond custody.

3.4.1 Building a Relationship Within Custody

Along with the custody record documentation, an initial private consultation helped the appropriate adult to make an assessment of the client, and their needs prior to the custody interview. They could learn of any issues that might be relevant, such as difficulty reading, feelings of anxiety in small spaces, and adapt their communication style and support during the interview accordingly. Participants acknowledged that building up an initial understanding and rapport was not always possible when clients were extremely distressed, confused and feeling wary of others.

> People are very suspicious and also a lot of people are very unwell so, you know, you can't form a relationship even if you are down there for seven or eight hours with them, because, well it's beyond suspicious, they are probably paranoid, so that doesn't help. (Laurie: 144-148)

> Detainees vary between sort of hostility of like – 'I don't want you, why you here? What's it saying about my mental health, I don't need anyone', – you know, to ambivalence, which I got yesterday from one of the detainees, the one that I happened to be intervening in the interview about (.) He was quite ambivalent about me being there, and some who are generally very pleased, and you know, appreciative of the support that can be offered. (Geron: 281-286)

3.4.1.1 Being independent from the police: Participants perceived that their relationships with clients changed for the better when they made them aware that they were independent from, and not working for, the police. Participants believed this could be because clients felt less threatened by their status in comparison to the police. In some cases, they felt that detainees were more trusting and more willing to converse with appropriate adults than they were with police officers at different times in the custody process.

> Although you are using the same words, they are a lot more receptive I think, when they realise we're independent from the police and not a

service that the police are offering that is going to come with any hidden catches. (Stephen: 166-169).

Participants also felt that their clients were appreciative of the time they spent with them in custody, listening to their stories and experiences, and supporting them throughout the custody process. Talking to appropriate adults may be a welcome distraction to alleviate the distress that can be caused while being subjected to the conditions of custody, conditions that are known to be especially detrimental for people experiencing psychological distress.

> They [detainees] might have been there for like ten odd hours, it's just nice to speak to someone that's kind of, not related to the case. That's one of the things I make it clear, like, I don't know what's happening and I'm independent from the police and the solicitor, but I always remind them they can't speak to me about the case specifically, because I don't have any legal privilege. (Naija: 232-237)

While trying to build rapport and trust, Naija stressed the importance of clients understanding that their conversations were not covered by legal privilege. Anything that a detainee says can be used later as evidence against them in court if the appropriate adult is called as a witness. This led to conflicting feelings for the participants, and influenced the identity they adopted during their conversations with the client.

3.4.1.2 Similarities and differences: Participants spoke of similarities or differences between themselves, the police and the detainee in terms of race, religion and mental health diagnosis. These similarities or differences could help or hinder the development of a relationship and influenced which identity appropriate adults developed when working with a client. Participants from black ethnic groups described their ethnicity as not being 'invisible in my role' (Sabir: 641). Some participants experienced racism from their clients and used a range of strategies to manage these experiences (also see Discussion).

> They [the detainee] said point blank 'no, I'm not being dealt with by a black person'… you kind of grow, kind of, a thick skin about it, if you get what I mean <inaudible> in relation to the volunteering, I'm like [I think] 'you know what, I'm fine, you are the one in the custody suite. If you don't deal with me, umm, that's fine. I'm on until four, or until five, or until

11, they can get someone else the next day. See ya.' (Sabrina: 279; 288-293)

Some participants said they could help a detainee feel more comfortable if they shared the same religious faith. Sabir, for example, said he was positioned by a client of the same religion, as 'an insider rather than an outsider – as everybody else was' (Sabir: 625). This enabled the client to open up about his mental health concerns. Stephen acknowledged the apparent differences between himself and those he supported, and his discomfort in feeling demographically more similar to the police rather than the client.

> They're obviously usually somebody who's got mental health problems and very often, you have more in common with the police in terms of, you know, maybe demographics, and discussions a lot of the time, they will be in the cell, and you'll be sitting there talking to the police officer and it's very easy to forget that, well I think it can be very easy to forget that you're not there to help the police, you have a very independent role, and even if the police are being very nice, you have to be very forceful in terms of what they can and can't do. (Stephen: 292-299)

3.4.2 Understanding Mental Health

Participants' understanding of 'mental health' was an important influence in the development of the identities they constructed when working with clients. Their understanding was also influential on the quality of the relationship that could be formed. While participants described a degree of sympathy towards detainees who had mental health needs, they were at times influenced by the wider stigmatising attitudes known to be present in society (Pinfold et al., 2003).

Some participants placed an emphasis on finding out about the client via custody records, and chose to read the risk assessment before meeting with the client. Some described feeling anxious about working with clients who had been given a particular mental health diagnosis such as schizophrenia.

Sabrina's perspective was influenced by a combination of personal experience when she had been threatened by a family member, and by some of her experiences as an appropriate adult.

It just makes me more aware of how vulnerable I am and how random things are… anything can happen at any time. It's the main feeling I come away with every time I deal with people who have mental illnesses, because they are unpredictable, and their actions are random sometimes, and sometimes their reality isn't the reality of what actually happened. (Sabrina: 402-408)

One of the strategies used by participants when dealing with clients they thought might pose a risk was to adopt 'professional' identities. Participants were guided by the core elements of the appropriate adult role according to PACE, and offered little more.

In contrast, other participants felt that in-depth information was not needed to order to carry out the appropriate adult role effectively.

Sometimes the police think, okay, 'do you want disclosure?' and I am, like, 'no'. They think we want that disclosure 'cause that's what they give the solicitor and I will be like 'no, that's fine, I don't need to know', 'cause it's not our role to know, it's just more, kind of, for support that we are there, to check on their welfare and that kind of stuff. (Naija: 136-139)

3.4.3 Understanding the 'Crime'

Overall, participants aimed to treat detainees with respect and with a non-judgemental attitude about the crime in question.

The person I care about is the client, and sometimes they are horrible, sometimes they are really not very nice, but that's not the point, you know they are technically innocent of whatever it is they were alleged to have done. (Beatrice: 545-548)

Participants believed a client was 'innocent' or 'guilty' and this influenced their attitude towards them. Their perspective was based on previous experience or a momentary assessment of their client.

Some participants took a largely contextualised view of a detainee's alleged crime, and any mental health needs. Drawing on an awareness of potential psychosocial issues, they placed the client's alleged offence in the wider context of 'vulnerability' and disadvantage, and considered the social causes of crime, in order to help their understanding.

I am not condoning crimes but they're people whose circumstances -- I don't feel I often work with bad people, I deal with people from, that are in situations that are so awful that they end up turning to crime, or they become aggressive, and, of course many of them become aggressive only when they don't take their medication. (Jenny: 305-309)

Beatrice provided various examples of how individuals had multiple vulnerabilities such as homelessness and found custody and/or the prospect of a custodial sentence better than their current circumstances.

I was called to Popal police station to deal with a lady who suffered from paranoid schizophrenia who had essentially been ejected from the Eagleman mental health hospital the day before and didn't have anywhere to go. She ended up on the streets of London all night, and decided she didn't like it, (.) not unreasonably in my view, (.) and so decided to get herself arrested by going to the front office of Popal and heaving an empty bottle through the partition [window], which I thought was quite a creative way of dealing with the situation really [laughs]. (Beatrice: 386-392)

In that outcome, I could say, 'yes Jim, this time you are going to be getting a custodial sentence. That means you are not going to be sleeping rough over the coldest part of the year.' (Beatrice: 569-571)

Participants reported hearing graphic details of crimes supposedly committed by their client during the interview and from corridor conversations within the police station. Participants also saw photos and CCTV footage that could be distressing, and at times helped create a negative view of the detainee. While Naija didn't let this deter her from wanting to help or work with a client, like many of the participants, she explained she ruminated on the evidence or conversation content witnessed in the interview.

Naija: I think one of the hardest parts is the CCTV footage (.4.)
Researcher: What's hard about that?
Naija: Seeing what's happened. When the CCTV footage is there, you think 'ok that person is guilty' or 'ok this has happened.' I think one of the first CCTVs I saw, (.) that played on my mind for a while because I thought it was quite brutal, that was quite hard to see... it's hard to believe that he [the detainee] could have done something like that 'cause

you've had a nice conversation with him, and he was fine (Naija: 642-657)

Najia and others, such as Jefferson, noted that it has been necessary to employ particular strategies to protect themselves in order to continue with the role, for example: 'you just act like you didn't see the footage' (Najia: 660).

> Your mind just sort of adapts to it, and you just sort of get on with it, and you know, it doesn't upset you anymore, or me personally. It sort of hardens you up a bit. I dunno, it's weird. But you know, that's what it is. (Jefferson: 403-406)

3.4.4 Being Led by Emotions

Different understanding and knowledge of the detainee provoked both positive and negative emotional reactions in the participants, and thus influenced if and how they allowed a relationship to develop, and the development or creation of an identity they used when supporting a client. Other influences were the needs of their client, and the participants' perception of their clients' needs.

For example, participants adopted 'friendly' or 'maternal' identities if they deemed it suitable. Sabrina used 'maternal' identities to connect to one client who reminded her of her daughter. She described going 'beyond her remit' for the client as a result – for example, negotiating with the police to keep her out of the cell, and doing her hair prior to evidence photos being taken.

> There was this mixed race girl (.) she was 17, so treated as an adult in PACE… I don't think she had someone who was a mother figure to her (.) So I came in and I'm thinking, 'oh, you are a similar age to my daughter', and so we sat down, and we were talking and so, to keep her out of the cells, (.) she was in the custody suite on the bench, (.) we just talked and talked. (Sabrina: 302-310)

Sometimes, detainees shared their problems and concerns, as well as their aspirations, which allowed participants to build up a picture of the complexities in peoples' lives, and the support required. References were made to the feeling that people with mental health needs were being let down by the wider welfare system. While participants were sure that their involvement in the short term was 'really important in the immediate setting' (Stephen: 854) when they

could help the detainees feel worthwhile, there was also a feeling that appropriate adults 'jumped in for a tiny snap shot' (Stephen: 858). As a result, they were unable to have any influence as people continued their lives after custody.

> They [detainees] go back out, because either they are bailed, or they go to court they, you know, all the many things that can happen to people, I don't think that their lives would allow the impact of an appropriate adult you know, to influence or to be part of their chaos. I don't feel that having an appropriate adult is going to change it, (.) you know, there are times when I have said to people, (.) I always say to people 'you're worth it', you know 'don't do it, you know, you are worth it, try to get some help, try', but at the end of the day, when they leave that police station or that prison cell, if they end up in prison and go back into their lives, and I can't change their lives (…) so hopefully it is just a moment when there is somebody else there, that actually is there for them, and only them and whether that has an impact I don't know. (Jenny: 491-499)

Participants described a range of emotional responses to the lived experiences of mentally vulnerable adults. These included feelings of frustration, helplessness, anger and fears that UK social structures would not change to better respond to their needs. People wanted to make a different but felt powerless to do so.

> You're just there with the detainee so it's almost, it's almost like someone saying to you 'you know what, you're not actually here to change the world, you know, change how the police operate, how custody sergeants are and all the stereotypes, the rest of it. Well you're not being asked to do that. You are just here to pay attention to this one person. Get on with it.' (Laurie: 1017-1022)

> You get to know someone a little bit, but I am sad that they keep coming, you know… these are some of the most chaotic people. Their lives are desperately sad in many cases and they are just not going to get, they can't get off that treadmill. Many of them have got addiction problems plus mental health problems plus in many cases, some historical abuse

problems, you know. There are certain people you know that you are just desperate to help, but you can't. (Jenny: 58-64)

Participants felt a sense of difference and distance from 'the rest of' society in terms of their understanding of how the police operate, and the experiences of their clients at difficult times of their lives. Consequently, participants described feeling distant from people in their social networks who made judgements about people with mental health needs and so-called criminals.

They've had their liberty taken away from them, they are in a situation where they have absolutely no power at all, (.) generally speaking they have a mental health problem. I'm damn sorry for them. (Beatrice: 558-560)

3.5   Category 4: 'My Appropriate Adult Scheme'

Different appropriate adult schemes place a different emphasis on how they define the appropriate adult role, the type of service they allow appropriate adults to offer, and what support they provide. All appropriate adult schemes are constrained as a result of funding restrictions and threats to the future of the service. There were two subcategories in the analysis: 'what does my scheme say?' and 'contextual constraints'.

3.5.1   What Does my Scheme Say?

Schemes that are members of NAAN have in-house training and service procedures that define the scope for flexibility within the appropriate adult role.

Different appropriate adult schemes have created their own methods of processing referrals from the police. Among participants' schemes, this process was always completed by a trained, paid appropriate adult. Either a volunteer or paid worker would attend the police station.

Each scheme had also put in place its own screening criteria that had to be met before an appropriate adult would respond to a request to attend a police station within the borough/s covered by that scheme. For example, one scheme asked police officers if a family member had been approached, and if they were unable to attend, why that was. Another scheme used the appropriate adult right to request that a solicitor be contacted to ensure there was one available when the appropriate adult arrived at the police station.

Some schemes produced their own checklists, forms or documentation for appropriate adults to complete as a reminder of their set duties, and to ensure that they were providing a consistent service.

Some participants chose to do more than was deemed necessary by their scheme, while others emphasised the way their scheme interpreted the role in order to manage and reject the multiple requests from the police that were deemed unreasonable.

Participants from both voluntary sector and local authority services felt that the support they provided was very much 'immediate' and 'in the moment'. However, there was variation among participants about what happened following the appropriate adult's time in police custody. Participants based within local authorities were able to signpost clients to services, such as drug and alcohol services, when the individual was in custody, but provided no further follow up. They placed an emphasis on creating a comfortable, safe and appropriate 'journey' in the custody suite.

> We don't have any diversion from the police station so it is very much that moment that they are there and making that journey appropriate for them ultimately (Jenny: 50-52) … although I don't necessarily know what happens to the people, in the long-term at least I know with the time I'm with them that they're safe and they're ok and whatever the outcome. (Jenny, 591-592)

> My volunteering allows the process [in custody] to go ahead or not, it allows me to safeguard somebody on their journey but only for a tiny little bit, so one, I don't get emotionally involved, and two, I know I'm a keg [cog] in the wheel, that's going to go round and round. I know my place, you know what I mean, my place in the big scheme of things. (Sabrina: 776-781)

Sabrina's excerpt illustrates one way the appropriate adult role is understood – temporarily contributing to detainees' experience in the CJS.

Having these limited boundaries set by local authority schemes helped participants to be realistic about what they could offer and were able to achieve, despite the ambiguous role defined by PACE Codes. These boundaries also

helped participants protect themselves against the practical and emotional difficulties of the work.

Participants who worked for appropriate adult schemes embedded in voluntary sector services providing general mental health support were able to follow up and signpost clients to other services after custody, usually via phone call, if requested by the client. Therefore, their role was not confined to the custody setting.

> I see the importance of seeing [charity name] having an appropriate adult service because we will be able to help people beyond just custody, because we are within that area anyway as a charity. (Sabir: 794-796)

While some participants working in the voluntary sector described difficulties in having to re-define their role on a case-by-case basis, for others it allowed a welcome element of flexibility, giving appropriate adults a choice in what they could offer.

3.5.1.1 Sharing understandings: Having the same interpretation of the role and consistent methods amongst appropriate adults within the scheme in which they worked was important to participants, especially when there was a need to challenge police officers' perceptions of the role.

Training, shadowing and peer support groups were important and helped participants to define their role and construct their appropriate adult identities. Paid and volunteer appropriate adults were encouraged by their managers to come together to share experiences, best practice, techniques and strategies learned both within the custody suite, and in their lives outside. This helped participants, particularly those who were newer, to clarify their role further and understand what was within their remit, as defined by their scheme.

> [The] support group meeting… it's really good because you get [different] experiences, and you can get to hear what people did and you talk about what you've done well, and what you haven't done so well, challenges that you are having with particular police officers maybe (.2.) general themes that you are noticing within the station… The training beforehand was really, really good but the ongoing training to see the different perspectives, experiences, especially if you are a volunteer, you may be

doing two or three shifts a month, it's really important, and definitely the best… People are coming at it from (.) I mean, I'm probably one of the younger people, but there's people with much more experience and there are loads of people who do it and also work in social work as their day job, and you get their experiences as well, and they often have very different opinions of things, and then you kind of go, 'ok actually yeah, maybe I could have done that,' which is really nice, it means you get to challenge the way that you're working and think about more ways to improve. (Stephen: 525-550)

Participants also discussed how best to help police officers understand their role and the PACE Codes, how to manage different situations and differentiate themselves from other professionals, such as solicitors and advocates, within the custody suite.

We [appropriate adults] would discuss them [the Codes] at length and talk about cases we'd had, and then try to come up with the best interpretation of whatever it was. So for example, 'if somebody is vulnerable but if they are definitely going to have a solicitor, then do they need an appropriate adult as well?' 'Well yes, of course they do, it's a completely different role,' but you would have a custody sergeant who would say 'no, that will be too many people in the interview room' (.4.) some arbitrary notion, 'what is too many people, what if they needed an interpreter?' … So we ended up challenging that every single time because you could not establish best practice in that situation at all. (Laurie: 196-208)

Participants talked about the importance of having supportive networks not just to help manage multiple identities, but also to manage the emotional impact of the appropriate adult work.

They emphasised the importance of having a conversation with their managers or colleagues about some of the problems that might have arisen in relation to particular clients, police officers or circumstances following their shift. These conversations were an opportunity to talk about their fears, struggles and sadness.

Beatrice, for example, described an incident where a man was released from the police station in error. When the police tried to re-arrest him at his home address, he jumped from a second floor window.

> I phoned up [appropriate adult scheme manager] on the bus on the way home and basically sobbed down the phone and said, you know, this has happened. (Beatrice: 219-221)

> We get huge support from <AA service manager> you know, at the end of my shift I ring him, we discuss what I have been through and sometimes things are traumatic you know (.) I have had to have the internal strip search of a women who is a heroin addict who is five months pregnant. (Jenny: 292-294)

Not everyone had an opportunity to speak with someone after their shift, or if they did, the emotional impact of the work sometimes needed further discussion. Four participants also sought support from their personal partners. However, this could only help to a certain extent because of confidentiality restrictions and partners' lack of understanding of the context in which participants were working.

> Sabrina: I come home and I go, 'oh my gosh' to my husband [laughs] and he goes 'why do you do it, you do this every single time' and I go, 'I do it for her, and I do it for her, and I do it because'
> The researcher: For her and her, meaning your children?
> Sabrina: Yes … and he said, 'you just always come back really stressed' and I was like, 'I come back thinking, oh my God' and I do every time, I think. (791-799)

3.5.2 Contextual Constraints

Participants talked about the implications of cutbacks during times of austerity. Appropriate adult schemes are currently funded to provide support to individuals living in a particular borough. However, funding constraints, and the closing down of police stations – a public sector service also affected by government cuts – have caused particular problems for appropriate adult services.

> Things have changed a lot now, Endor police station has shut down so everything is going into Yardley Green police station [based in Haverish borough] because they've got a massive station down there, with 40 odd cells, so everything is going in there. We're funded for Haverish people and we're obviously getting stuff from people in Haverish, but now Endor and well, people from all over London are going in there, and the councils are not too happy because obviously they are paying for people from other areas. (Jefferson: 625-631)

Jefferson went on to depict the increase in demand for appropriate adults in their area as a result of these closures, which have forced mentally vulnerable individuals to be detained in boroughs where they do not reside. Appropriate adult schemes are attempting to meet the increased need on the same budget, and with the same amount of paid staff and volunteers.

> There is an increase of probably about a third more calls we are getting… everything has sort of changed, you know, and the game has kind of upped, and we have stayed static, you know, the same money, you don't get an increase, obviously councils have got no money, so it's been a bit of a struggle. (Jefferson: 776-781)

This highlights a practical grey area for appropriate adult schemes. Are they contracted by a local authority to support anyone who attends a police station within the borough, or to support only residents of the borough?

Two participants described the limitations of having only one volunteer on a shift at a time to cover a borough when the demand for an appropriate adult was high.

> Because there's nobody else on the rota, that other person might get held overnight. There's nobody else to help them. (Laurie: 502-504)

This had negative implications for both the police, who would have a cell occupied for the whole night, but more significantly for the detainees, who through no fault of their own, were held in restrictive conditions for a considerable amount of time, potentially causing them more distress.

Participants noted the difficulties of the financial climate and their concerns about the future of the appropriate adult role. Full-time paid participants noticed

a shift in their position from supporting clients and managing volunteers to spending a substantial proportion of their time on writing and presenting data to justify the continued need for the service. Participants could see the value in their work but believed that appropriate adult services for mentally vulnerable adults were particularly at risk because they are not a statutory requirement, and thus not a Government priority.

> I think it's hugely important but horribly undervalued and under resourced … It wouldn't surprise me get a call saying thanks [Geron] but we've got no legal obligations to provide appropriate adults for vulnerable adults, so we need to save money, so thank you, good bye.' (Geron: 185-186; 208-210)

> I feel as if what I am doing is valued by the people who are at the sharp end of it, but I don't think it's valued by the Government (.) but then I don't really think the justice system is valued by the Government, so you know, being part of a minor safeguard against miscarriages of justice, I don't think they care… they probably think we are a jolly good thing but we shouldn't cost any money. I think what they don't want is, they don't want to be egregious in miscarriages of justice that are an embarrassment to the state, but they are not willing to pay to make sure it is available. (Beatrice: 664-678).

3.6 Summary

Appropriate adults appear to be continuously conceptualising their role, using a combination of the PACE Codes and drawing on their own and others' experiences in practice. In order to carry out the role, an appropriate adult develops and constructs multiple identities that they present when working with the police and detainees.

All participants, despite their level of experience, referred to the appropriate adult role as 'very much a role you learn as you go along' (Jenny: 27) and one that 'changes over time with experience'. (Sabir: 312-313)

Figure 2 (p.48) illustrated the core concept appropriate adults 'construct and manage multiple identities'. A second diagram was constructed (see Figure 3) to represent the detailed process of constructing and managing multiple

identities that enable appropriate adults to carry out their role within the custody suite. The diagram highlights factors that contribute to how different identities are developed, and how the role is managed. The black boxes represent the categories, and the white boxes represent the sub-categories developed during the analysis.

Through the overarching influences of their 'experience' and 'motivation', and the wider current impact of 'austerity' on all public sector services, appropriate adults engaged in a complex navigation process that enabled them to both understand their role and carry it out effectively. They constructed and managed a range of identities when interacting with PACE, the police, the clients and the appropriate adult scheme in which they worked. Rather than being a set role, as PACE and the current literature may construe it to be, the role of an appropriate adult in practice is an ongoing process of negotiation, construction and management of multiple identities, developed in the face of a fluid and changing system. The work of an appropriate adult is multifaceted; participants had to sometimes switch between different identities (e.g. when interacting with the police and client during one shift) and make multiple decisions about which identities to adopt each time they started a new shift, and each time they saw a new client.

Factors that influence the identities constructed by an appropriate adult

The appropriate adult

experience

motivation

austerity

what does my scheme say?	building a relationship in custody		welfare
contextual constraints	understanding crime	police power	safety of the evidence
	understanding mental health	understanding the appropriate adult role	check and balance
	being led by emotions		detainee distress

Appropriate adult scheme ⟷ Clients ⟷ Police ⟷ Police and Criminal Evidence Act 1984 (PACE)

Figure 3: Detailed representation of the grounded theory

4   DISCUSSION

This chapter provides a summary of the analysis and main findings of the study in relation to the research questions. Comparisons of the analysis and existing literature are then discussed, including the introduction of additional literature that was not presented in chapter one. Following this is an evaluation of the research, including the researcher's reflections on the study. A consideration of the methodological issues, potential implications of the research recommendations for further research are proposed.

4.1   Summary of the Analysis

Since the introduction of PACE (1984), police custody areas have been increasingly attended by an array of professionals to meet the diverse needs of detainees, in accordance with the legislation (Skinns, 2008). 'Professional' appropriate adults have a complex role that is distinct from other professionals working in the custody suite. PACE and its Codes of Practice are intended to provide a definition of the duties of the appropriate adult in order to safeguard the interests of vulnerable adults, including people who have mental health needs. However, the vague nature of its terminology has resulted in varied interpretations of the role in practice. As stated in previous literature, appropriate adults provide a mixture of support and assistance regarding the detainee's rights and welfare, and aim to ensure that the treatment from the police is fair. Unlike previous studies about appropriate adults, this research explores the accounts of appropriate adults directly, and this provides a further layer of understanding of the processes in which appropriate adults develop and construct their identities to enable them to carry out the role effectively.

An appropriate adult continuously interacts with and negotiates the PACE Codes, draws on other appropriate adults' experience in supportive settings. Their emotional reactions towards their clients influence the identities they construct, and how the role is implemented. Their interpretation of their role, and their ability to carry out their duties, is also dependent on the context and quality of relationships developed with police officers.

Police officers' understanding of the role of appropriate adult, and how they wished for the role to be implemented, at times conflicted with participants' reading of PACE. The custody area was viewed as the 'territory' of the police into which appropriate adults and other professionals could be invited or ejected. Furthermore, participants believed the police held negative stereotypes of both appropriate adults, in terms of who they were and what they could offer, and of detainees, as shown in their 'canteen narratives'. Participants feared being co-opted into the police culture, as opposed to acting as a 'check and balance' of the police, in line with PACE requirements.

Reasonable co-operation between the police and appropriate adults was a result of a number of factors. These included mutual familiarity between participants and custody sergeants. Participants employed particular strategies to negotiate their relationships with police, as well as clients, to ensure that the role was being carried out effectively.

While participants could see the short-term benefit of the role, influencing police practices and improving the custody process for clients, references were made to the complexities of the lives of those who enter custody and a feeling that these individuals were being let down by the wider system.

This produced mixed feelings about the appropriate adult role. Given the degree of uncertainty, and emotional intensity associated with the work, in addition to the appropriate adult's feelings of personal responsibility towards the detainee and poor access to support, it is unsurprising that many of the participants did not feel sure of what they were doing, and how to go about doing it. Participants were thoughtful about their role as an appropriate adult, and active in their desire to do their best to respond to needs of those they were supporting.

Benwell and Stokoe (2006) highlight a dualism in identity theories between 'agency' and 'structure' – are people able to construct identities (e.g. the identities of an appropriate adult) in the way they want to, or is the construction of identities constrained by forces of the unconscious psyche and/or institutionalised power structures (e.g. the CJS)? As illustrated throughout the analysis, participants described how at different times, all those in of the custody were restrictively positioned within existing discourses. Participants

were ' only appropriate adults' 'volunteers' and 'do-gooders'. People in custody with mental health needs were 'suspects' 'criminals' and 'mad' and 'beyond-help'. The police were 'powerful'. On the other hand, the participants demonstrated 'agency' in working within these restraints and undertaking their role.

4.2 Discussing the Findings

This research aimed to produce a representation and theoretical understanding of the social process of being a 'professional' appropriate adult for vulnerable adults, based on the first-hand accounts and experiences of appropriate adults. Two research questions were developed to guide the construction of this understanding.

1) How do 'professional' appropriate adults understand their role of working with adults identified as 'mentally vulnerable' in police custody?

2) How do 'professional' appropriate adults understand and experience their working relationships with the police force?

4.2.1 'What is PACE?'

All participants' reported that the PACE Codes are the legal framework they used to define their role. They were aware that they were not in the custody suite solely to observe. Their purpose was to support the detainee and observe whether the interview was conducted fairly. They also facilitated communication (Code C, Para, 11.17, p.32). However, like Thomas (1995), participants highlighted that the vague nature of the Codes resulted in people having different interpretations. Participants' two main areas of focus were the legal requirements of PACE, and the welfare aspect of the role. As highlighted by one participant, the legal framework states that the focus of the role should be centred around protecting the rights of those less able to protect themselves (Nemitz & Bean, 2001). There is no reference to welfare-oriented functions for adults in the Codes. So why did participants focus to such an extent on welfare? This could be related to participants' motivation for being in the role – for example, the desire to help. Providing food and clothing, might lead to instant feedback for the appropriate adult, who could then be reassured that they were 'doing something'. When concentrating on a client's welfare, there were no 'rules' compared with the more formal interview process.

Another reason for focusing on welfare could be participants' levels of experience and confidence. If they did not feel confident in carrying out their role, they may not be so inclined to act as a 'check and balance' on the police because this has the potential to create a direct conflict amongst the authority group.

4.2.2 'In Negotiation with the Police'

Participants reported that their role was very much dependent on police officers who decided when they were called, how they were treated, and how their client initially perceived them. Similar to the findings by Skinns (2008), the perception the police had about appropriate adults affected how often participants thought they were called, and how they were valued in the custody suite.

Participants had mixed reactions to the police, based on their initial experiences and belief in wider societal views. Some participants felt initially to be anti-police, while others appeared to be supportive of the police. It is hard to accurately differentiate if this is a result of the fact that participants were from black or Asian ethnic groups, or if it was due to the length of time a participant had been working as an appropriate adult. Pierpoint (2000) suggests that the stereotypical volunteer, who is a white, middle-class person, is less likely than other ethnic groups to have had personal contact with the police, and any contact is more likely to entail the 'service' rather than the 'force' aspects of policing. Research providing a 'consumer's perspective' on policing highlights a similar pattern, with black respondents feeling that the police were unfair to certain ethnic groups and, therefore, less willing to co-operate with the police than white respondents (see Spencer & Hough, 2000; Clancy et al., 2001). The 2000 British Crime Survey figures show 38 per cent of black respondents and 23 per cent of Asian respondents could recall being 'really annoyed' by the behaviour of a police officer in the last five years, compared to 19 per cent of white respondents (Sims & Myhill, 2000). It is possible that some participants had more often experienced the 'professional' or 'service' side of the law, and thus could attempt to sympathise, but not truly understand the dynamics, complexities and difficulties experienced by vulnerable groups in relation to their feelings about the police (Littlechild, 1995a).

4.2.2.1. Police power: One of the categories that was alluded to by participants was the perceived power of the police and the police 'institution'.

The police, like all people, do not implicitly have power. Instead, power is exercised through the techniques or actions in which they engage. Therefore, power is defined as a process or action, an 'interactionally produced moment-by-moment phenomenon' (Benwell & Stokoe, 2006: p.89). Turner (1991) considers power to be the potential to influence, and to influence is the exercise of power.

The police are invested with the power (via the legislation of PACE and the police institution which has been authorised by the Government and society to implement such powers [see Agar, 1985]) to identify 'vulnerability' within police custody. It has been argued that PACE facilitated and legitimatised existing powers and practices of the police, rather than regulating them (Skinns, 2011). This research shows how stereotypes held by the police can interact, and influence each other. Participants reported that within the police 'canteen culture', police officers categorised people who came through the custody suite (e.g. 'slippery-slope detainees' or 'revolving door detainees' Laurie: 558-559). This supports previous research such as Dehaghani (forthcoming) who showed that police officers used their own definition of mental vulnerability, and perceived certain mental health 'conditions' as being more or less worthy of attracting the appropriate adult safeguard. This enables those in positions of authority, i.e. the police, to feel and express beneficence, while obscuring the operation of power from which they are benefitting (Boyle, 2003).

Warner (2008) cites that young black men are a group that are positioned as a threat to community security. This excludes them from notions of vulnerability (and also excludes them from accessing services) – police and public stereotypes do not paint a picture of vulnerability in those who are feared. Brown (2012) states that vulnerability can be used to indicate risk posed by certain individuals, as well as to them. However some people do not conform to accepted notions of 'innocence' or 'vulnerability'. It has been proven that institutionalised racism exists within the police force (e.g. Macpherson, 1999), and specifically, the increased risk towards the intersection of black men who also have a diagnosis of schizophrenia (Fearon et al., 2006). In this study, participants said their main client group was young black men, supporting the noted over-representation of this group within custody settings (see 1.3.2.1 Intersectionality; Hannan et al., 2010). Alternatively this could show that the

police were also able to identity vulnerability for people who could also be seen as a threat. As the dominant group, the police were able to reduce particular 'vulnerable' individuals to being 'beyond help' without giving thought to the wider context and multiple reasons for such vulnerability, or other reasons for their alleged crime, such as poverty.

Participants acknowledged the power that the police held, legally, and contextually. Sabir talked about his perceived inability to 'raise my voice' when working with the police. This may reflect a common reaction towards the police force which has become automatic through socialisation; from childhood we are taught to respect and fear the presence of the police and their powers (De Camargo, 2012), not act against them. Participants established interpersonal strategies that helped them negotiate their role. Drawing on systemic ideas, participants may be actively adopting a one-down position when negotiating their relationship with the police. Positioning themselves as unknowledgeable, or having a personable but subservient identity, or as merely a powerless 'messenger' identity, for example, may have helped them to maintain an element of control, allowing them to hold onto their values and motivation for the client in a powerful system. There appeared to be little difference in the treatment between paid and volunteer appropriate adults. However, participants who volunteered appeared to feel the need to work harder to gain the respect of officers in terms of what they could offer. This suggests that as a volunteer, they may have felt there was something to prove, although doing the same job.

Crawford (2008) suggests that the police might 'lend legitimacy to non-police providers through accreditation schemes and partnership arrangements'. Participants described the subtle control of the police within this partnership arrangement in 'allowing' them to carry out their duties as an appropriate adult. The police continue to maintain power in the sense that they could ultimately decide on the value of an appropriate adult. They allowed the participants to do their job, but only if it was considered within their interest.

4.2.3 'The 'Clients'

Participants held ideals about how they would like to work with their clients. However, this was tempered by their understanding of mental health, and their knowledge of the crime. Participants were also motivated by their personal experience of a client's vulnerability: if they identified with a client in some way,

they were more likely to go beyond what they considered to be their remit. If participants had negative connections, or drew on societal views about particular mental health concerns, were more likely to be risk adverse. The set-up of the custody suite also impacted upon these relationships. For example, the longer a participant spent with a client, the more likely they were to build up a relationship, or to begin to understand their crime, or potentially hold more negative views, and put up 'professional' boundaries. Participants placed their client's experiences in the context of the wider environment and noticed some of the similarities and differences between them. This served to motivate participants, but left them feeling helpless in the long-term.

Pierpoint (2001) stated that unlike families, 'professional' appropriate adults are not impeded in their role by emotional attachment or a conflict of interest. This was not found to be the case for this research. While participants were not related to any of the detainees, their emotional reactions (both negative and positive), and attachments based on their time in custody, contributed to the way they carried out their role. This was particularly true for participants who had been appropriate adults for a long time: they had come to know many of the 'repeat offenders', or more readily empathised with their clients as a result of personal experience.

The concept of emotional labour (Hochschild, 1983) could explain some of the emotional feelings participants had during and as a result of their interactions with the police and their clients – both (potentially) known and unknown people. It might also explain the reasons for drawing on particular strategies to manage these relationships. Part of their role was to manage the emotional state of the detainee, and manage the ethos of the custody suite. They were also required to manage their own emotions, and how they displayed them, to comply with the social rules expected within the custody setting. While participants were able to speak to their manager following their shift, and share stories with colleagues at other times, they were working alone in the custody suite, and thus were not supported at that time, or offered supervision. Wouters (1989) suggests people who are not supervised are required to engage in more emotion management than those who are closely supervised. It is important to understand the impact that emotional labour might have on how appropriate adults perform their role, and their interpretation of their duties.

Participants felt that their clients found them less threatening, and tended to show more trust towards them than they did the police. Skinns (2011) had similar findings in her research looking at the relationship between 'police staff' – civilians employed by the police to work in the custody area – and police officers. She found that detainees liked police staff more than police officers because they felt they demonstrated more compassion. Detainees were able to build a level of rapport and felt able to communicate better with police staff. They also noted a lessening of power differentials because they felt police staff were 'more like them' (Skinns, 2011: p.151). Detainees felt that police staff did not pre-judge them, and tended to view them as innocent, as did participants within this study (e.g. Beatrice). Like police staff, perhaps appropriate adults could serve to act as mediators or 'neutral buffers' (Skinns, 2011: p.151) between their clients and the police in order to diffuse difficult situations between the two groups.

Palmer and Hart (1996) hold the view that appropriate adults should also be experts-by-experience, i.e. have also experienced psychological or mental distress, in order to further increase the insights they may have into a person's experiences while in custody. An expert-by-experience perspective was not examined in this research, but could be an area for further research (also see 4.4.2 Data Analysis).

4.2.4 'My Scheme'

Different appropriate adult schemes placed a different emphasis on how they defined the appropriate adult role, the type of service they allowed appropriate adults to offer, and what support was provided. Participants emphasised the importance of having a conversation with their managers, but noted that this wasn't as regular as they would have liked. Supervision is valued within particular professions, such as psychology, however this may be seen as a luxury for charities and third sector services where budgets are stretched.

When evaluating their experience, and how they went about supporting their clients, participants described the value of meeting other appropriate adults to offer or receive support and discuss guidance. Participants shared their experiences and also tried to develop informal best practice strategies for use within custody settings. Baumeister and Leary (1995) suggest that people derive much of their self-evaluation from their immersion in relationships with

others. They describe the need to belong as an innate feature of human nature, and this can motivate people to develop a 'collective identity'. It is possible that by collaborating with peers, participants were seeking to create a 'collective identity' (Melucci, 1995) where they shared group consciousness as well as addressing practical concerns about best practice. The concept of a collective identity has been criticised for reducing the personal and subjective experience to the suggestion of a fixed, unified group category. The researcher is careful here not to use the term 'collective identity' as an indisputable identity formation in order to create a label for all appropriate adults or reduce their individual and relational experiences. Communities of Practice theory (Lave & Wenger, 1991) defined as 'an aggregate of people who come together around some common endeavour', could describe and explain the process. Social engagement, social practice and talk are emphasised rather than the mere label (of appropriate adult) that brings them together and therefore describes the social collective that is meaningful to those choosing to participate (Benwell & Stokoe, 2006).

Appropriate adult schemes were constrained as a result of funding restrictions and threats to the service. Participants were aware of these constraints: this awareness impacted on how secure their role was perceived to be, and they talked about concern for the future. NAAN (Bath, 2014) has stressed its concern about budget cuts to current appropriate adult service provisions. It has discussed fears about the potential use of untrained members of the public, or police-run schemes, in order to fill the gap in provision. NAAN speculates that if appropriate adult schemes are lost, there is the danger that police forces would create well-intentioned schemes that are 'at risk of breeding compliant appropriate adults, creating distrust in the mind of the person being detained, and damaging public perceptions of independence' (Bath, 2014).

4.3 Evaluation of Research

The quality of this research was evaluated using the principles of contribution, credibility and rigour, the guiding principles of Spencer and Ritchie (2012). In line with grounded theory, the researcher also drew on the evaluative suggestions of Pigeon and Henwood (1997) and Madill et al. (2000).

4.3.1 Contribution

Contribution refers to the relevance and value of the findings in terms of applicability to theory, policy or practice, or to individuals' lives. In exploring the perspectives of the 'professional' appropriate adult, this research has provided an in-depth and nuanced understanding of the processes used to negotiate the professional appropriate adult role in a way that has been unexplored by academics and policymakers.

I have sought to provide novel insights that are grounded in participants' experiences. Although this understanding is specific to the data collected, and not aiming to be generalisable, it could act as an explanatory system for appropriate adults working with adults with mental health needs.

The findings may also have implications for appropriate adults working with all vulnerable adults, be it in custody suites or court proceedings. Findings may also resonate with other professionals who volunteer or work in partnership with the police to support vulnerable adults, such as advocates, befrienders, mental health professionals and legal representatives.

4.3.1.1 Dissemination: The research results will be given to participants and appropriate adult scheme managers who were contacted during recruitment, as requested. It is hoped that, through submission to a relevant academic peer-reviewed journal, and via presentations to multiple audiences, such as the NAAN conference, appropriate adult scheme training days, and within the police force, the findings and implications of this study will be disseminated widely and be made meaningful for individuals working as appropriate adults.

4.3.2 Credibility

In an attempt to ensure my findings were plausible and credible, the researcher has reported the development of the core concept, categories and sub-categories used to reach conclusions and generate the explanatory representation of participants' experiences.

In using raw data examples, participants' accounts were grounded in the conditions within which they were produced. When discussing these ideas, the researcher referred to relevant research sources and demonstrated links between them in order to further support interpretations. The researcher consulted with one participant and the original consultant of the study

throughout the initial stages of analysis, which led to some refinement of the categories. Unfortunately, time constraints meant it was not possible to give them, or the four other participants who requested to be involved in the participant validation process, a full summary of the analysis prior to thesis submission. In preparing for publication, the researcher will seek their views in order to better evaluate the findings. The researcher also sought the feedback of her supervisor in order to challenge the coherence of the research.

4.3.3 Rigour

Yardley (2000) conceptualises rigour are the transparency or disclosure of all relevant research processes. The processes of the literature review, data collection and analysis as outlined in Chapter 2 to aid the reader in understanding the use of the grounded theory method in this research. The researcher aimed to present a balance of the broad themes and content of participants' accounts grounded by examples of the participants' narrative to enable the reader to assess the adequacy of the analysis (Madill et al., 2000). Using extracts as opposed to summarised or paraphrased text aimed to make the process of data analysis transparent.

As recommended by Willig (2001), the researcher aimed to keep interpretations grounded in the research via the use of a reflexivity diary and the use of detailed memos throughout data analysis. These assessed the potential contribution made by the researcher's construction of meaning.

4.3.4 Reflexivity

Critical realist and contextualist epistemological positions acknowledge that a researcher's personal and cultural perspectives will influence the way that data is gathered and how findings are interpreted. Therefore, an important criterion for evaluation is reflexivity (Madill et al., 2000).

In this section, and in the section on Study Development below, I have chosen to refer to myself in the first person so not to minimise the importance of reflexivity and owning one's own position.

During the interview process, I was aware that I could be viewed as an 'expert' in relation to my position as the 'researcher' and in my knowledge of mental health, and thus be experienced differently by the participants. I reflected on the notion of the 'standardised relational pair' (Benwell & Stokoe, 2006) and the

'institutional expert' that I referred to within the custody setting, and wondered if and how this applied within research. As the 'interviewer' I could impose pre-allocated turn types, I ask questions (without stating my own opinions), the 'interviewee' answers, the speaking 'rights' are tied to our respective roles. In reflecting on the processes of the interview, I better understood the importance of ethics (consent, withdrawal, debriefing, gaining feedback etc.) within research. The opening statement and semi-structured nature of the questions helped to empower the participants: through stressing the importance of their perspectives and experiences and emphasising that there was no right or wrong answer.

I also reflected on my position as a black woman, in her 20s, and wondered about the potential impact this may have on the way in which the participants – the majority being white, older individuals – interacted with me and what they chose to share. I wondered if participants did not feel able to express the variety of their feelings, or describe some of their experiences to me, a young, black woman. Did they avoid language or topics (e.g. biological sex or race) that they believed could be construed as offensive to me? Interestingly, I noticed that I found it difficult to bring up the subject of race if the participant did not mention it. This may have eliminated the chance for rich discussion about this area. For example, unless the participant mentioned race, I did not ask their views about people from black and Asian ethnic groups being over-represented in police custody settings (as shown in previous research). Under the grounded theory approach, I was able to amend my interview schedule to include a question about race, which allowed me to name and open up a space for this discussion, if it was considered relevant for the participant. I found that documenting my feelings and reactions following each interview and later reflecting on some of these issues with my thesis supervisor was useful.

While I considered the impact of my race, biological sex, age and professional position within the participant interviews, I did not consciously consider the potential influence my identities might have in the research supervisory relationship until my viva examination. I worked with a male, white British supervisor who held a senior position within the university. There is an inevitable power dynamic between a supervisor and their supervisee, with the supervisor often holding more power within the relationship. This could be

based on differences which I (and others) identified – trainee/examining senior lecturer; black/white; male/female. This could also be based on perceived expertise, reputation and renown within the field of psychology, and the differences in the status we each held as a result of this intersectionality. At times, I gave my supervisor the power to determine the credibility of the thesis content, and had to work to appreciate my own knowledge and position of researcher within the analysis process. I believe I felt able to discuss the categories and themes that arose from the data openly with my supervisor. However, I also found myself wondering if discussions with a supervisor or colleague from a similar ethnic background, or same biological sex, or of similar age and status, or with similar experiences regarding the police, may have changed how I approached the research. I also questioned how realistic it would have been to find such a person.

My reflections as a critical realist helped me to understand the subjective nature of research. A researcher writes for a particular audience (e.g. for the purposes of examination, or publication), and there are a number of mediators in what I have chosen to privilege in my writing, and what I have not written about, intentionally or otherwise. Sometimes I felt confused about which audience I was writing for.

Throughout the research process, I found myself feeling more curious about why I was interested in the work of the police and the public perception of what they do.

When reading back over my initial reflective diary entries, I realised the extent to which my perspective of the police force was influenced by my negative contact with police officers both in my personal life, and as a public sector professional.

As a trainee psychologist, I was made uncomfortable by the prospect that I was initially making judgements of a whole 'group' – i.e. the police force – as a result of some of these experiences. I noticed my increased awareness of new global media stories about the police force (in the UK and the US), namely the links between those experiencing mental distress and acts of violence and/or terrorism, and the killings of unarmed black males. While I did not want to deny my own experiences, I was keen to stay aware of my own influences in the

interviews, and during data analysis. In maintaining this awareness, I was able to understand in greater detail the wider context in which the police force operates, including governmental cuts, a lack of training and resources.

In the process of analysis and writing a reflexive diary, I noticed that my feelings towards appropriate adults started to change. While individual participants' accounts were interesting, I noticed feeling somewhat underwhelmed by the role, and wondered if others felt this way. However, during the analysis, and as the complexities and nuances of the role surfaced, I felt admiration and appreciation for their work. I wondered if appropriate adults were affected by the lack of appreciation and acknowledgement of their role, at an individual and governmental level, and therefore undersold their skills set when reflecting on what they do. I referred back to previous literature sources looking at perspectives of appropriate adults supporting children to see if there was evidence of experiences that were similar to my own.

Overall, I believe I learned a great deal during the process of this research, not only about the work of appropriate adults, but also about myself as a researcher. It has helped me to consider ways in which research can promote awareness and change.

4.3.5 <u>Study Development</u>

As noted in the method, the study is different from the research initially proposed. Originally, I aimed to compare the attitudes and experiences of police officers with mental health professionals supporting individuals in police custody. Unfortunately, I had difficulties finding a sponsor for a qualitative piece of research with a police force near to an associated NHS mental health trust. The focus was therefore changed to appropriate adults. I had hoped to compare the perspectives of appropriate adults with the perspectives of health professionals. However, due to time limitations following the original setback, this was also not a possibility. I have learned to carefully consider if and how my research interests can become a reality. In this case, attempting to recruit from two large public sector organisations with additional systems in place for ethics and research and development, and the requirement of an internal supervisor within the police force, was unmanageable within the timeframe, and for an individual researcher new to qualitative research.

4.4 Methodological Limitations

Grounded theory methodology worked well to identify and explain the social processes occurring within the specific context of police custody suites. However some of the limitations have been outlined.

4.4.1 <u>Data Collection</u>

Data in this study was collected via individual participant interviews and analysed using an abbreviated version of grounded theory. Participant interviews allowed for the exploration of the 'contradictions and complexities' inherent in their experiences, and in the operational practices of public sector services (Banister et al., 2011: p.50). Within a critical realist perspective, it is acknowledged that participants' accounts were gathered in a specific interview context, with a particular interviewer, and thus are considered to be a partial representation of the ways they may think, feel and behave outside of this context. Some researchers may have considered the incorporation of more naturalistic data, such as observations of appropriate adults working within the custody setting, which may have built a richer picture (Potter & Hepburn, 2005).

4.4.2 <u>Data Analysis</u>

Line-by-line coding of all the interview transcripts was carried out in order to enhance the quality of the abbreviated grounded theory analysis, as recommended by Willig (2008). This helped the researcher to remain grounded within the data. Because the abbreviated version of grounded theory was used, further data collection – i.e. theoretical sampling – as a result of the emerging categories was not possible. Theoretical sufficiency (Dey, 1999) of the data was met in the sense that no new categories or variations for existing categories emerged following the coding process (Willig, 2013). However, there were variations of these categories found during the analysis that could have been explored in further detail if theoretical sampling had taken place, increasing the richness of the data and providing new insights within the analysis. For example, towards the final interviews, participants discussed personal experience of mental health. While this was categorised as contributing to the understanding of mental health, this may have become a category of its own in a full version of grounded theory. Participants acknowledged the over-representation of black men in the CJS (e.g. Beatrice: 31-32). However, there

were no black male participants in the research. It is unclear if this represents the lack of black men working or volunteering as appropriate adults.

There are clear guidelines for use of the full versions of grounded theory, such as Glaser and Stauss (1967) and Charmaz (1995; 2005), as identified within the Method chapter of this thesis. However, there is not a clear method for carrying out an abbreviated version as described by Willig (2008). Some researchers, such as Dehaghani (forthcoming) have referred to the use of methods such as 'grounded theory lite'. The researcher found it confusing at times to know when it was appropriate to draw on aspects of the full version when using an abbreviated version. Sometimes, it was difficult to hold in mind that it was not necessary to create a theory, but instead to present an exploratory understanding. The researcher had informal discussions with other trainee psychologists who described similar experiences of confusion about the use of the abbreviated version of grounded theory. One trainee suggested a one-off peer support meeting, whereby each trainee presented a brief summary of their method, and their analysis. This was useful in orientating the researcher back to the aims of the research.

I noticed the societal power asymmetries and hierarchies of the people coming together in the custody setting. Qualitative research methods that utilises a discourse analysis could be useful in identifying some of the discourses underlying the language used by these participants (or other appropriate adults), and help to uncover how these discourses might operate to sustain these hierarchies (Benwell & Stokoe, 2006) and more about the experience of being an appropriate adult in understanding the processes in the detail of talk.

4.4.3 Sample and Recruitment

The sample is representative of volunteers in the CJS according to Davis Smith (1998). Two-thirds of the sample was white British. Three out of the four volunteers were in paid employment, and, although not asked directly, were more likely to be from a higher socio-economic group as a result. There were an equal number of paid and voluntary appropriate adults in the sample from three different schemes operating in the public and voluntary sectors across London. The sample included a wide age range (21-65) and a similar number of men and women. It is not known how accurately this sample represents the appropriate adult population. Figures were requested from NAAN about the

demographics of their members: the researcher was informed that this data is not collected nationally.

Despite recruiting from various types of appropriate adult schemes affiliated with NAAN, no participants were recruited from a private sector scheme. As a result, the researcher could not compare the experiences of appropriate adults working in private sector schemes with the experiences of appropriate adults working in public and voluntary sector schemes, and was unable to investigate how this may have impacted upon the definition of the role, and relationships with the police. Recruiting from a private sector scheme could have provided a deeper understanding of the appropriate adult role from a full range of perspectives. It might also have been interesting to see if the demographics of appropriate adults working in the private sector were different. Further research is needed with different groups of appropriate adults to substantiate these research findings. It is also noted that the lack of financial incentive or paid expenses may have discouraged some individuals from participating in this research.

4.5   Recommendations for Further Research

Recommendations for further research have been discussed throughout this Chapter in relation to the outcome of the findings specific to this data. However, there may be lines of inquiry generated within the research of future interest. For example, this research was carried out in London boroughs. It would be interesting to know how role of an appropriate adult supporting mentally vulnerable adults is negotiated in rural areas of the UK. It would also be interesting to know who the role is negotiated when supporting a different client group.

Non-professional appropriate adults' (e.g. social workers and family members) understanding of the role was not researched. While the researcher agrees with the initial decision to focus exclusively on 'professional' appropriate adults in order to limit the potential of superficial understanding, further research may generate different perspectives.

Clients' perspectives were also absent. Empirical research exploring the experience of working with an appropriate adult from a client's perspective may provide useful insights into how the role is received. Research that compares

the experiences of people who receive the appropriate adult safeguard and those who do not could highlight similarities and differences in experiences and coping styles, leading to further insights.

As part of the research debriefing, a number of participants offered their suggestions on areas for research which felt important based on their experiences. A participatory action research (Whyte, 1991) qualitative methodology could allow these participants explore what it is like for appropriate adults to work with particular crimes, such as suspected homicides and sexual offences, and the experiences of working with individuals who are repeatedly arrested.

4.6   Implications

This research generated rich data that offers an explanation about how 'professional' appropriate adults understand their role when working with adults identified as 'mentally vulnerable' in police custody. While it is noted that this research is exploratory in nature, some implications for policy and practice are offered.

Appropriate adults supporting mentally vulnerable adults are an unknown and undervalued, but much needed resource within the CJS. However, there is a danger of professionals such as the police seeing them as a tick-box exercise demanded by PACE, reducing the human element of the role to a legal guideline. It can be argued that police officers need further training, both in understanding the role of an appropriate adult, but also in how to accurately and sensitively identity people who may have mental health needs and thus could be considered vulnerable. While people who are experiencing high levels of psychological distress may be easily identified, and then screened by L&D services (who can then check if a person is known to local NHS mental health services), the needs of these individuals, and therefore the need for an appropriate adult, may be more subtle and easier to miss.

Attending to and protecting the wellbeing of appropriate adults who are consistently negotiating a complex role is an important part of the appropriate adult service provision. It is important for retaining both paid appropriate adults and volunteers, helping them to find a sense of achievement and ensuring that their clients receive the best service possible.

This research highlights a number of areas where a psychological contribution could enhance both the quality of the appropriate adult service, and help to reduce the level of intentional or unintentional harm caused to vulnerable people during their time in custody (e.g. coercion or not attending adequately to their welfare needs). With regard to the police, psychologists could provide consultancy or contribute to training in methods of interviewing and identifying vulnerability in the context of custody. These research findings could help officers to understand the complexity of the appropriate adult role, leading to more positive interactions with the custody setting.

With regard to appropriate adults, participants highlighted the role to be one that requires a complexity of understanding of dynamic social processes. They emphasised the emotional impact of the role, and their reliance on managers and peers to manage them on an informal basis. This research supports the need for provision of regular supervision or reflective space to provide an outlet for appropriate adults to discuss and reflect on their work. This could be provided by a psychologist on an individual or group basis. Alternatively, a psychologist could co-facilitate a reflective group with an appropriate adult, or provide consultation to an appropriate adult who could facilitate such a group for their colleagues. Currently NAAN members are provided with a training package. It is unknown if psychologists have contributed to the development of this package. This study could provide a basis for further research to contribute to the development of the appropriate adult training programme, including the important aspect of reflecting on one's emotional and psychological wellbeing from the onset.

Psychologists could work in partnership with appropriate adults to carry out further research to demonstrate the need for appropriate adult schemes, and inform policies for working with vulnerable adults while in police custody. They could use their evidence-based knowledge and understanding of psychological distress/wellbeing to support policymakers in their decision-making processes at government level (BPS, 2010; 2013), for example, to inform broader debates about the need for a statutory provision of appropriate adults for vulnerable adults, as envisaged in the Bradley Report (Bradley, 2009) and supported by the There to Help report (NAAN, 2015) to ensure the safeguarding of funding for future services.

4.7 Conclusions

This research has provided an explanatory model of how appropriate adults construct multiple identities to enable them to carry out their role while supporting adults who have mental health needs in police custody. The complexities and challenges faced by 'professional' appropriate adults working to support mentally vulnerable adults in custody have been elucidated. This research will contribute to the knowledge base about appropriate adult services, and may inform the development of training for both police officers and appropriate adults. It is suggested that this research has succeeded in providing some answers to questions about the role of appropriate adults who support mentally vulnerable adults in police custody. However, like all research, it can be said that this study does not provide all the answers, but rather paves the way for better questions. Therefore, this research makes recommendations based on the findings, but also provides the basis for further research.

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6 APPENDICES

Appendix A: Literature Search Strategy

The following databases were used to conduct a literature search between the years 1970-2016: Science Direct, PsychINFO, PsycARTICLES, CINAHL, Google Scholar and PubMed.

Key search terms included:

(Mentally disordered OR mental illness OR mental ill health OR vulnerable adults OR psychiatric symptoms OR mental stigma) AND

(police officers OR police force OR custody sergeants) AND

(appropriate adults)

Key phrases included:

 "Appropriate adults … Criminal Justice System"

"Vulnerable detainees in police custody"

"Mental health… police stations"

"Police interviewing with appropriate adults"

"Miscarriages of justice, appropriate adults"

Due to the legal context of this study, articles from outside of England and Wales were not included. National legal and policy documents were also reviewed to contextualise the literature.

Appendix B: Police and Criminal Evidence Act 1984 (PACE) Code C.

Police and Criminal Evidence Act 1984 (PACE) Code C Revised Code of Practice for the Detention, Treatment and Questioning Of Persons by Police Officers. Relevant paragraphs for exact terminology of the law.

1. PACE Code C, para 1.4. Page 2.

   If an officer has any suspicion, or is told in good faith, that a person of any age may be mentally disordered or otherwise mentally vulnerable, in the absence of clear evidence to dispel that suspicion, the person shall be treated as such for the purposes of this Code.

2. Note for guidance PACE Code C, para.1G. Page 5.

   When the custody officer has any doubt about the mental state or capacity of a detainee, that detainee should be treated as mentally vulnerable and an appropriate adult called.

3. PACE Code C, para, 11.17. Page 32.

If an appropriate adult is present at an interview, they shall be informed:
- they are not expected to act simply as an observer; and
- the purpose of their presence is to:
    - advise the person being interviewed;
    - observe whether the interview is being conducted properly and fairly;
    - facilitate communication with the person being interviewed.

4. PACE Code C, para, 3.13. Page 9.

If the detainee is a juvenile, the custody officer must, if it is practicable, ascertain the identity of a person responsible for their welfare. That person may be:
   – the parent or guardian;

– if the juvenile is in local authority or voluntary organisation care, or is otherwise being looked after under the Children Act 1989, a person appointed by that authority or organisation to have responsibility for the juvenile's welfare;

– any other person, who has, for the time being, assumed responsibility for the juvenile's welfare.

5. PACE Code C, para. 3.15. Page 9.

If the detainee is a juvenile, mentally disordered or otherwise mentally vulnerable, the custody officer must, as soon as practicable:

- inform the appropriate adult, who in the case of a juvenile may or may not be a person responsible for their welfare, as in paragraph 3.13, of:
    - the grounds for their detention;
    - their whereabouts;
- ask the adult to come to the police station to see the detainee.

Appendix C: Reflective Journal Extract

Example excerpt of entry following interview:

That interview was too long, again! How do I allow people to discuss what feels important to them – thus gaining potentially interesting and rich data, but cut off stories that are not relevant? Can I say something will not be relevant before I have heard the story? I want to be careful not to treat interviews like I would a therapy session, but also noticed my desire not to get stuck on a particular line of thought for too long. Did I leave enough space between questions, or just keep the questions going to a point that the participant couldn't get his point across?

It really threw me going to the interview today with participant 5. They had written pages of notes in short hand, which I then couldn't understand! I wonder how much the content of this interview changed as a result of this – was she answering my questions or did she have her own agenda.

Every time I turn the recorder off, once the interview is finished, people continue to talk and say really interesting things. I feel frustrated by this because I fee like some things will not be able to go into the analysis, or maybe because I can't always remember exactly what people have said I think that this particular bit of information is the key to my analysis! What is it about being recorded that means that people don't always say what they might 'really' think? Why do I doubt what the participant wants me to think?

___

Entry following initial stages of coding in analysis:

I have read the transcripts again and made a start on my initial coding. I am feeling quite overwhelmed about how much data there actually is and how many potential codes, sub-categories and categories there might be.

I naively somehow expected for something to jump out at me as a central component when the reality is that people's stories are complex, confusing and contradictory!

After reading through and coding the first transcript I noticed the influence it had when I started the second one. I found myself looking for similarities and

differences to the previous transcript before I had allowed the contents of this one to settle on its own.

Entry following pulling of quotes to evidence categories;

I have noticed that I am trying to balance out getting a quote from every participant in order to make the time they spent with me worthwhile, but in doing this I am losing what I am trying to actually say and not representing any of the participants' understandings and perspectives. Very little is the same between participants and I find myself wanting to interpret what has been said and read between the lines a little bit more. I can see that there is the potential for me to influence the data massively in my interpretations, what I choose to include, and what I leave out. I have been trying to stay close to the grounded theory method in this way, to keep referring back to codes, comparing the codes against the codes, the categories against the categories and keep building up my understanding of the data. However I fear that I could pick quotes that privilege a particular perspective more than others. For example, people's experiences of the police feel particularly important, as there is such a divide in views. Another reason why I find this hard is because I am placing people's comments in a context – for example, people who are new to the AA role seem to be more positive about the police than those who have been doing it for a number of years.

Meeting with Dave today has been helpful in thinking about how I am engaging with the data. Dave talked about coming back to my method and using this to place myself in the context of the data, i.e. Madill's contextual approach, which allows space for me to acknowledge my own interpretations of the data while also making sure to give sufficient evidence for claims made in the quotes used.

Entry following second stages of analysis;

In today's society, what does it mean to just be helping one person and not considering how to change the whole system? Do we need layers of help? People that will help each other out while others think about the 'bigger picture?'

Appendix D: Ethics Application Approval Letter

UNIVERSITY OF EAST LONDON
School of Psychology

REQUEST FOR AMENDMENT TO AN ETHICS APPLICATION

FOR BSc, MSc/MA & TAUGHT PROFESSIONAL DOCTORATE STUDENTS

Please complete this form if you are requesting approval for proposed amendment(s) to an ethics application that has been approved by the School of Psychology.

Note that approval must be given for significant change to research procedure that impacts on ethical protocol. If you are not sure about whether your proposed amendment warrants approval consult your supervisor or contact Dr Mark Finn (Chair of the School Research Ethics Committee).

HOW TO COMPLETE & SUBMIT THE REQUEST

1. Complete the request form electronically and accurately. ✓

2. Type your name in the 'student's signature' section (page 2). ✓

3. When submitting this request form, ensure that all necessary documents are attached (see below).

4. Using your UEL email address, email the completed request form along with associated documents to: Dr Mark Finn at m.finn@uel.ac.uk ✓

5. Your request form will be returned to you via your UEL email address with reviewer's response box completed. This will normally be within five days. Keep a copy of the approval to submit with your project/dissertation/thesis.

6. Recruitment and data collection are **not** to commence until your proposed amendment has been approved.

REQUIRED DOCUMENTS

1. A copy of your previously approved ethics application with proposed amendments(s) added as tracked changes. ✓

2. Copies of updated documents that may relate to your proposed amendment(s). For example an updated recruitment notice, updated participant information letter, updated consent form etc. ✓

3. A copy of the approval of your initial ethics application. ✓

Name of applicant:	Raselle Miller
Programme of study:	Professional Doctorate in Clinical Psychology
Title of research:	An exploration of mental health in the community and criminal justice system: attitudes and experiences of healthcare professionals and appropriate adults.
Name of supervisor:	Dr. Dave Harper

Briefly outline the nature of your proposed amendment(s) and associated rationale(s) in the boxes below

Proposed amendment	Rationale
Title	Due to recruitment difficulties, I am no longer able to interview police officers.
Recruitment participants	Due to recruitment difficulties within the police force, I would like permission to recruit and interview people who work or volunteer at an appropriate adult service supporting vulnerable people who come into contact with the criminal justice system.
Recruitment and interview locations	I would like permission to contact organisations that provide an appropriate adult service and interview people at these locations where possible.

Please tick	YES	NO
Is your supervisor aware of your proposed amendment(s) and agree to them?	✓	

Student's signature: Raselle Miler

Date: 09/10/15

TO BE COMPLETED BY REVIEWER		
Amendment(s) approved	YES	
Comments		

Reviewer: Mark Finn
Date: 16/10/15

Appendix E: Title Change Approval Letter

SCHOOL OF PSYCHOLOGY
uel.ac.uk/psychology

Acting Dean: Professor Rachel Mulvey, BA MA DCG PhD FICG FHEA

UEL
University of
East London

Date: 09/02/2016

Student number: u1137917

Dear Raselle,

Notification of a Change of Thesis Title:

I am pleased to inform you that the School Research Degree Sub-Committee has approved the change of thesis title. Both the old and new thesis titles are set out below:

Old thesis title: An exploration of mental health triage in the community: Attitudes and experiences of police officers and healthcare professionals.

New thesis title: An exploration of mental health triage and support in the criminal justice system: Attitudes and experiences of professionals supporting people with mental health needs.

Your registration period remains unchanged. Please contact me if you have any further queries with regards to this matter.

Yours sincerely,

Dr Kenneth Gannon
School Research Degrees Leader
Direct line: 020 8223 4576
Email: k.n.gannon@uel.ac.uk

Appendix F: Participant Information letter

UNIVERSITY OF EAST LONDON

School of Psychology
Stratford Campus
Water Lane
London E15 4LZ

The Principal Investigator
Raselle Miller
Email: u1137917@uel.ac.uk

Consent to Participate in a Research Study
The purpose of this letter is to provide you with the information that you need to consider in deciding whether to participate a research study. The study is being conducted as part of my Professional Doctorate in Clinical Psychology degree at the University of East London.

Project Title

An exploration of mental health in the community and criminal justice system: attitudes and experiences of professionals supporting people with mental health needs

Project Description

This research aims to explore your experiences of working with vulnerable people considered to have mental health needs who are in contact with the criminal justice system. You will be asked about experiences in your paid or volunteer role as an Appropriate Adult in police custody. You will also be asked about your experiences of working with the police and others at the police station. There will be questions to help you talk about and clarify your experience.

This study does not aim to cause any after-effects, discomfort or distress. However if you experience any of these throughout the interview, you are able to pause or stop it at any time, and/or withdraw from the study. There will be time during and at the end of the interview to ask questions and discuss any concerns you may have.

Confidentiality of the Data
Information provided in the interview will be recorded using an audio recording device and will be stored securely. The information will then be transcribed for analysis. All personal identifying details such as your name and individual services used will not be reported at any stage of the research in order to ensure your anonymity. All information provided will be confidential. Once the study is complete, your audio recording will be erased but anonymised transcripts may be kept for further analysis. If you would like a copy of the recording or written study, please contact the researcher.

Location
The study is likely to be carried out in a private room in a local community building, the University of East London or your place of work.

Disclaimer

You are not obliged to take part in this study and should not feel coerced. You are free to withdraw at any time. Should you choose to withdraw from the study you may do so without disadvantage to yourself and without any obligation to give a reason. Should you wish to withdraw once analysis is underway, the researcher reserves the right to use your anonymised data in the write-up of the study and any further analysis that may be conducted by the researcher.

Please feel free to ask me any questions. If you are happy to continue you will be asked to sign a consent form prior to your participation. Please retain this invitation letter for reference.

If you have any questions or concerns about how the study has been conducted, please contact the study's supervisor, Dr David Harper, Professional Doctorate in Clinical Psychology, School of Psychology, University of East London, Water Lane, London E15 4LZ, d.harper@uel.a.cuk.

Or

Chair of the School of Psychology Research Ethics Sub-committee: Dr. Mark Finn, School of Psychology, University of East London, Water Lane, London E15 4LZ. (Tel: 020 8223 4493. Email: m.finn@uel.ac.uk)

Thank you in anticipation.

Yours sincerely,

Raselle Miller

Do you work or volunteer as an Appropriate Adult?

I would like to hear about your experiences of working

as an appropriate adult supporting vulnerable adults in a short confidential interview

Please contact me, Raselle Miller at
xxxxxxx@uel.ac.uk

Thank you, I look forward to speaking with you!

This research is being carried out by Raselle Miller, Trainee Clinical Psychologist.

If you choose to participate, all information will be anonymous and confidential.

You are able to withdraw from the research at any time.

Appendix H: Interview Protocol and Interview Schedule

Below outlines the planned structure and possible topics for discussion during interviews with appropriate adults. The wording and order of questions may change slightly depending on how the participant would like to talk about their experience.

Questions and information for participant prior to interview questions:

Before we begin…

- Did you have any questions from information sheet? Any other questions?
- I would like to explore with you your experiences of working with people who are believed to have mental health needs while in the criminal justice system.
- Participation is voluntary, you can stop or take a break from the interview at any time
- Stop me at any time to ask questions or to repeat a question. You can chose not to answer a specific question
- All interviews are recorded (explain recording device), content is confidential (except if a risk issue comes up, supervisor will advise)
- All information will be anonymised during transcriptions (explain) – but if you can, try not to use names or identifiable details of clients you have seen.
- Would you like to be contacted regarding analysis of the interview?
- You have an opportunity to give feedback about this interview at the end
- Are there any questions at this stage?

Test recording device is working (carry spare batteries)
Consent form – two copies (both signed?)

Semi-structured Interview Schedule

1. **Demographic details:**
   - Job role

(AA as part of professional job, paid on a sessional basis, volunteers?)
   - What setting(s) do you work in/have you worked in?

(*e.g. Police stations, not specific location*)
- How long have you been working in this profession/role?
- Over the last year, how many times have you been called to a situation that has involved someone suspected of having a mental health need or vulnerability?

Experiences as an AA
- Can you tell me what contributed to your decision to work as an appropriate adult?
- [(Tell me what do you do?)](#) What defines appropriate adult work? Are some aspects of your work seen as more important, or more interesting than others?
- Feelings towards your work as an appropriate adult?
- Are some aspects of your work:
  - More interesting than others?
  - Seen as more important by others?

Please focus on specific example/particular experience:
- Can you tell me about a case where an adult is considered vulnerable that you have been involved in?
- Prompts: what made it memorable? What worked well? What didn't work? If not, what would you have liked to be done differently?
- Do you think your work as an AA is valued? By who?

2. Training
- Have you received training to work as an appropriate adult?
- If yes, please tell me about the training you received.

Further prompts or questions if necessary:
- Have you received training in working with people with mental health needs?
- Have you received training helping you to understand the criminal justice system? What did you think of the training?
- To what extent did the training involve mental health services and/or the police force?

- Tell me about your support systems in the AA role.
- How do you prefer to work with people with suspected mental health needs? Do these ways of working fit with the service/legal requirements?

3. Working with other organisations or agencies

- Tell me about your experiences of treatment in your interactions with other organisations (prompts: police, others you are in contact with)?
- What do you think contributes towards your understanding/the police force/ societal understandings of individuals with a label of mental illness?
- What support do you think you/police officers/other staff need when working with people experiencing symptoms of mental distress?

4. **Impact**

- Do you feel your work as an appropriate adult has an impact?

Prompts if necessary:

- The individuals you support?

   Prompts: E.g. Charging decisions? Time spent in stations?

- Families of the client?
- The organisations you work with?

   Prompts: e.g. Police officers?

Other prompts: An appropriate adult is not subject to legal privilege – thoughts?

Debrief and closing the Interview

- Thank you for taking part in the interview
- Do you feel that the interview has covered all the important aspects of your experiences of work?
- Is there anything else you would like to add now?
- How have you found the interview?
- Do you have any feedback about the interview or research?
- Any questions? Thank you once again

(Give debriefing information sheet – highlight support contact numbers)

Appendix I: Participant Consent Letter

UNIVERSITY OF EAST LONDON

Consent to participate in a research study

An exploration of mental health in the community and criminal justice system: attitudes and experiences of appropriate adults

I have the read the information sheet relating to the above research study and have been given a copy to keep. The nature and purposes of the research have been explained to me, and I have had the opportunity to discuss the details and ask questions about this information. I understand what is being proposed and the procedures in which I will be involved have been explained to me.

I understand that my involvement in this study, and particular data from this research, will remain strictly confidential. Only the researcher involved in the study will have access to identifying data. It has been explained to me what will happen once the research study has been completed.

I hereby freely and fully consent to participate in the study, which has been fully explained to me. Having given this consent I understand that I have the right to withdraw from the study at any time without disadvantage to myself and without being obliged to give any reason. I also understand that should I wish to withdraw once analysis has commenced, the researcher reserves the right to use my anonymous data in the write-up of the study and in any further analysis that may be conducted by the researcher.

Participant's Name (BLOCK CAPITALS)

…………………………………………………………………………………………

Participant's Signature 1   Participant's Signature 2

…………………………………   …………………………………

Researcher's Name   Researcher's Signature

RASELLE MILLER   …………………………………

Date: ………………………

Appendix J: Debriefing Letter

UNIVERSITY OF EAST LONDON

Debriefing Information

An exploration of mental health in the community and criminal justice system: attitudes and experiences of appropriate adults

Thank you for your participation in this research. Your time is valued greatly.

The purpose of this study is to explore your perspective of working with people considered to be vulnerable within the criminal justice system

Confidentiality of the Data
The information you provided in the interview has be recorded using an audio recording device and will be stored securely. The information will then be transcribed for analysis. All personal identifying details such as your name and individual services used will not be reported at any stage of the research in order to ensure your anonymity. All information provided will be confidential. Once the study is complete, your audio recording will be deleted. Anonymised transcripts may be kept for further analysis. If you would like a copy of your transcript or written study, please contact the researcher.

If you have any concerns or questions following your participation in this study please do not hesitate to get in touch with either myself, or my supervisor. Our contact details are as follows:

Raselle Miller, Professional Doctorate in Clinical Psychology, School of Psychology, University of East London, Water Lane, London E15 4LZ. Email: u1137917@uel.ac.uk

The study's supervisor, Dr David Harper, Professional Doctorate in Clinical Psychology, School of Psychology, University of East London, Water Lane, London E15 4LZ, Email: d.harper@uel.ac.uk

Additional support
If you feel you need additional support as a result of taking part in this interview or as a result of the topics discussed we recommend that you consider contacting the following:

SAMARITANS
Need someone to talk to?

Samaritans is a confidential emotional support service available 24 hours a day for people who are experiencing feelings of distress or despair. Volunteers offer support by responding to phone calls, emails and letters.
Across the UK you can call Samaritans on 08457 90 90 90 http://www.samaritans.org
Thank you.

Appendix K: Transcription Conventions

(.) Pause.

(.5.) Timed pause.

.... Indicates that part of the transcript has been omitted.

[inaudible] inaudible section of recording.

[laughs] laughter during the interview.

< > and [ ] surround skipped words, misused terms and words that are not part of the transcript but added for clarity.

<speech> denotes brief interjection by other speaker.

Sounds such as "errmm" and "er" have been transcribed phonetically, as have colloquialisms, abbreviations, stutters and half-said words. These have been removed from analysis excerpts for readability purposes.

Margins are set and numbered lines to aid the analytical process.

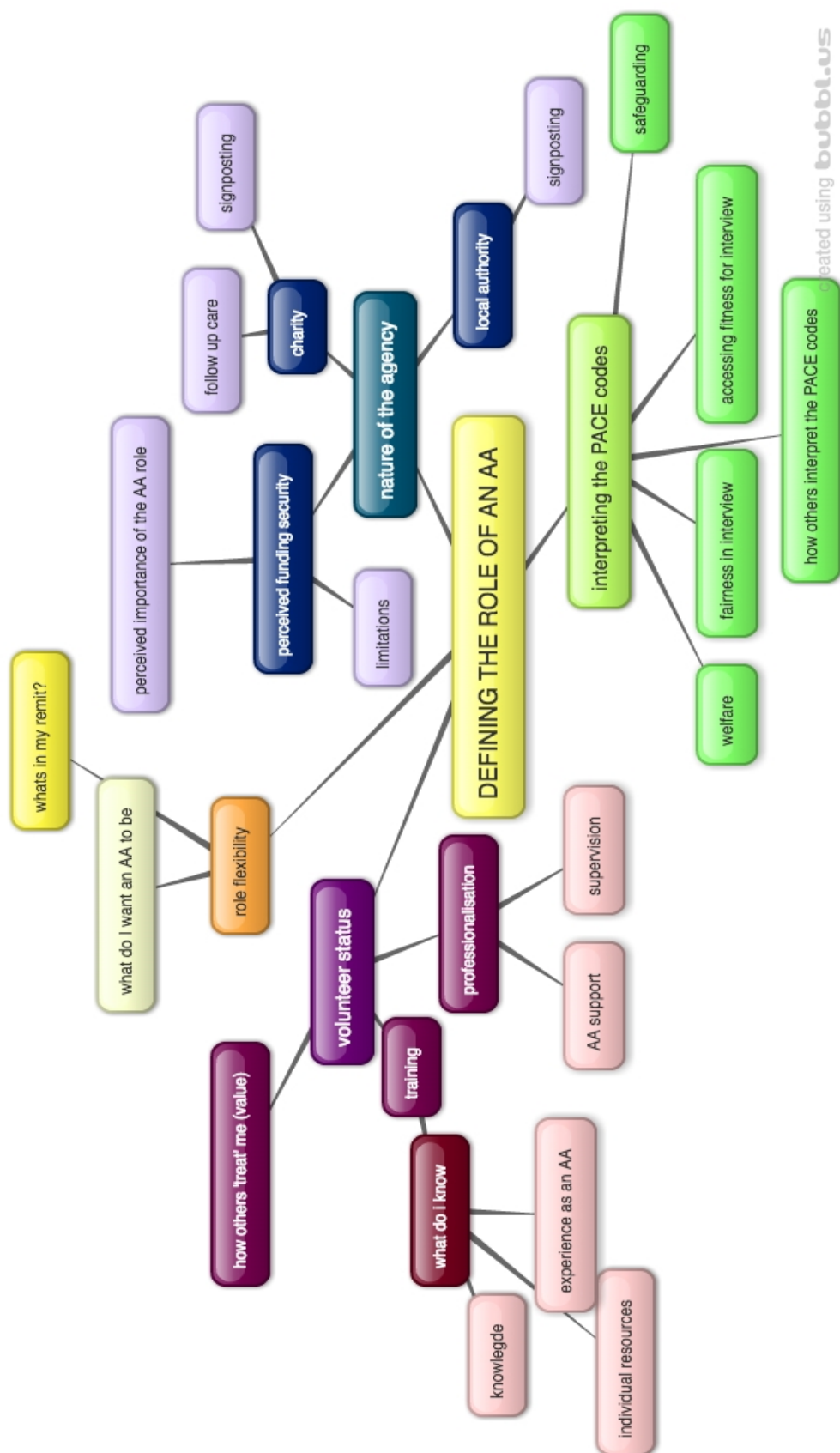Punctuation is used in order to make the transcript as readable as possible.
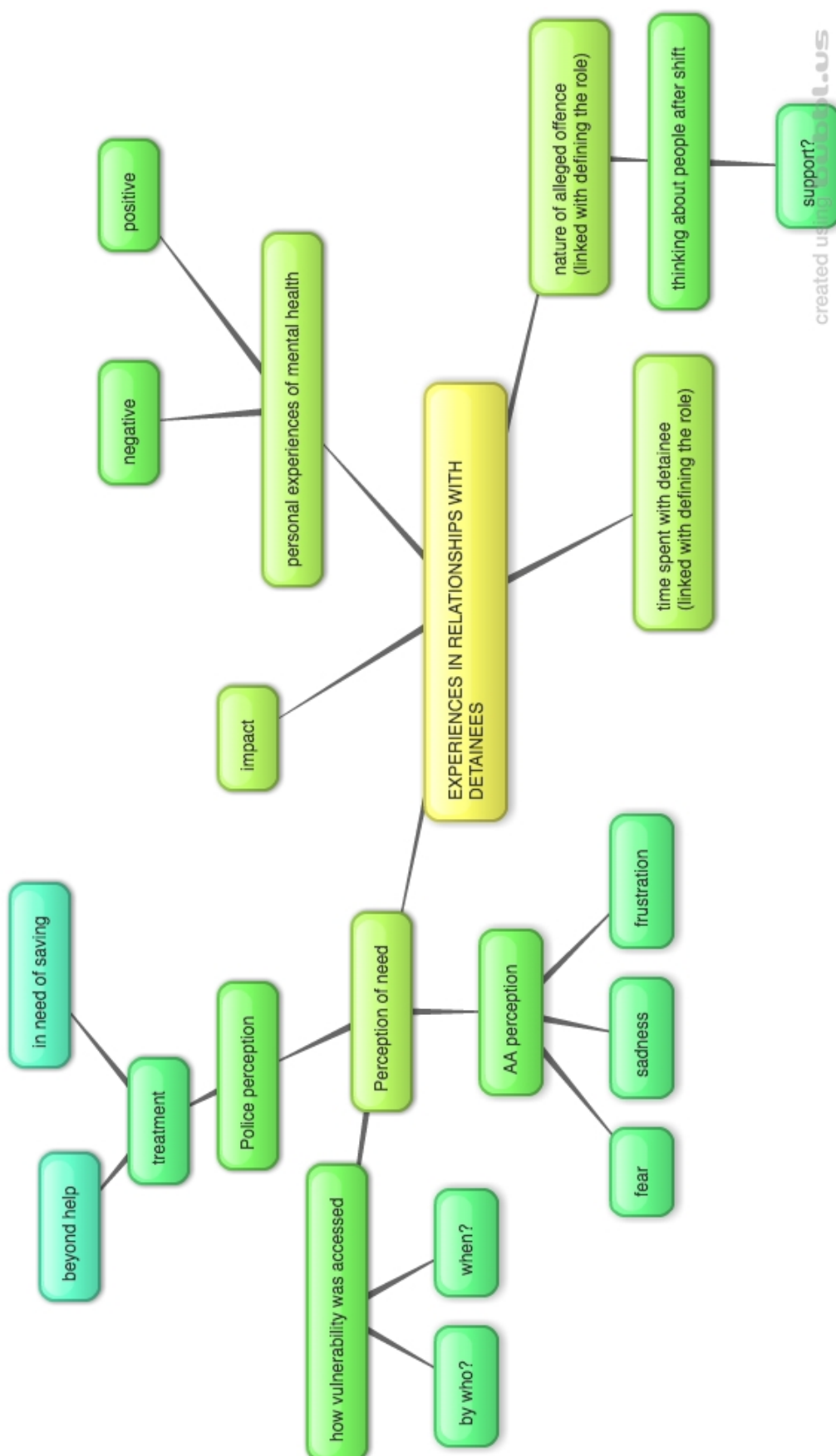
Adapted from Malson (1998: xv)

Code	Line	Transcript	Coding note
	150	S3: Yeah I suppose there is the social work side of things (.) and then there's a	Social work side, and communication and rights
PACE_C	151	communication element ensuring that they understand their situation, but not	Communication
	152	only their situation, but their rights in the process that they are going through (2)	
PACE_W REFERRAL	153	and then secondary role which is more about making sure they are comfy, we	Secondary role of welfare. **WELFARE**
	154	can refer them to drugs and alcohol workers err sometimes they say "I'm not	**REFERRALS TO OTHER SERVICES**
	155	interested" but when you talk to them it seems that they actually are quite	
	156	interested or they have you thinking that actually the drinking or the drug	Drug and alcohol services - connecting people to other services.
	157	problem is (.) you know not difficult. I mean obviously I only see them for a	
TIME	158	short amount of time so I don't know what the impact of that is over long-term	We only see people for a short amount of time, so don't know what the impact of that is over the LT.
	159	but letting them know that its possible to connect them with people like that in	**TIME**
	160	the police station is quite important. (3) I think although the police largely do a	**PERCEPTION OF THE POLICE**
	161	good job. I mean that some sergeants I worked with have you would say	Police do a good job,
POLICE ATTITUDE	162	questionable in terms of their caring attitude I think it's much (.) I think for the	Some police questionable – caring attitude is questionable
	163	detained person when it's coming from the police it almost feels like they are	
	164	offering an interaction with the police that they maybe don't want to have,	Don't want to talk to police – AAs can help relationship between
	165	whereas if I explain to them although you are using the same words and	
TRUST	166	basically offering the same service they are a lot more receptive I think, they	People more receptive to you than the police
	167	realise its independent to the police and not a service that the police are	People pleased to know you are independent from the police and with no hidden catches
	168	offering that is going to come with any hidden catches or anything like that.	**TRUST - RELATIONSHIPS INDEPENDENT OF THE POLICE**
	169		
	170	RM: And what are your your feelings towards the role? You mentioned that it's	
	171	a little bit different to how you expected, can you fell me how, do you feel about	
	172	being an appropriate adult?	
	173		
	174	S3: Yeah, I think it's really important. I think the most important part of it is I	

- calling on the PACE 'rules'
- going beyond my remit
- doing 'favours'
- downplaying AA abilities
- decision making?
- strategies to maintain relationships
- NEGOTIATING RELATIONSHIPS
- response to detainee
- nature of the alleged offense
- identifying with the detainee
- similarities and differences
- race/gender/ethnicity?
- justifying our position
- Understanding others roles
- what do we share
- strategies to work together?
- We all want the same thing
- identifying with the police

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