



SCOTTISH EXECUTIVE

Health Department
Healthcare Policy and Planning Directorate

Dear Colleague

INTERVIEWING PEOPLE WHO ARE MENTALLY DISORDERED: "APPROPRIATE ADULT" SCHEMES

Guidance on "Appropriate Adult" Schemes was issued by the Health, Police and Social Work Divisions of the Scottish Office on 19 June 1998. This guidance encouraged the establishment of appropriate adult schemes throughout Scotland. The schemes were evaluated in 2002 and the report published in 2004 (Thomson LDG, Galt V and Darjee R (2004). [An Evaluation of Appropriate Adult Schemes in Scotland](#)). The Scottish Executive has agreed to take forward the recommendations in the Evaluation report.

The Scottish Executive Health Department would like to draw recommendation 73 in the Evaluation Report to your attention. All areas of Scotland are now covered by an Appropriate Adults Scheme; the recommendation is that all psychiatric ward staff are aware of their local scheme and its function, and can facilitate contact with the local scheme in coordination with the police if they wish to conduct an interview with a patient. The recommendation also states that staff should **not** attempt to act as an appropriate adult in lieu of one of the trained appropriate adults who are part of the scheme.

I would ask you therefore to draw this letter to the attention of relevant staff in your organisation. More guidance on the background to this issue and on procedures to be followed is attached.

Yours sincerely

DEREK FEELEY

18 October 2006

Addresses

For action

Chief Executives, Health Boards
Chief Executives, Local Authorities
Directors of Social Work/ Chief
Social work Officers
Chief Executive, State Hospitals
Board for Scotland

For information

Secretary, Mental Welfare
Commission for Scotland
Director, Scottish Association for
Mental Health
President, National Schizophrenia
Fellowship, Scotland
Director, Scottish Independent
Advocacy Alliance
Scottish Secretary, British Medical
Association
Royal College of General
Practitioners, Scottish Division
British Psychological Society,
Scottish division
Scottish Board, College of
Occupational Therapists
Scottish Social Services Council
Scottish Commission for the
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Law Society of Scotland
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Background

The role of the appropriate adult is defined in the guidance attached to NHS MEL 43/1998 as follows: “to ensure that a mentally disordered person is not disadvantaged during a police interview as a result of the disorder from which he or she suffers. Unless proper interviewing procedures are followed, the court may not accept the testimony of a mentally disordered person”. This MEL is currently under revision but is still extant at present.

The Evaluation Report highlighted evidence of a general under-utilisation of schemes across Scotland, suggesting that not all of those who required an appropriate adult, were obtaining this service. The main recommendation for mental health services - recommendation 73, states that each Mental Health Trust should develop a policy for the use of appropriate adults during interviews with known patients. Staff should **not** attempt to act as an appropriate adult in lieu of one of the trained appropriate adults who are part of the scheme. The recommendation also states that an appropriate adult should always be present during a police interview in a psychiatric hospital, although of course this is a matter for the police. A copy of the Evaluation Report may be accessed at:

<http://www.scotland.gov.uk/Publications/2004/11/20253/46679>

Definition of an appropriate adult

Appropriate adults can be used for a victim, witness, suspect or accused and provide support and assist communication between that individual and the police. Appropriate adults are people who:

- Understand mental disorder
- Are experienced and/or trained in dealing with people with mental disorders
- Are able to communicate with people with mental disorders
- Understand that while they may have professional qualifications and experience relevant to their appointment as an appropriate adult, that they are NOT acting in their professional role
- Are NOT police officers or employees of the police force
- Are NOT relatives or friends of the interviewee although they may be present in addition to an appropriate adult
- Are NOT carers, former carers or in a professional relationship with the interviewee
- Can act for a victim, witness or suspect /accused in the same case but not for both.

Use of an appropriate adult

An appropriate adult is required if a police officer suspects that a person being interviewed has a mental disorder. A police officer may call a forensic medical examiner and/or a psychiatrist to determine physical or mental fitness to be interviewed before an appropriate adult is contacted. The decision to call an appropriate adult is, however, the responsibility of the police officer. Transfer of an individual from a police station to a hospital, does not automatically preclude interview in that setting and an appropriate adult should be in attendance there.