

National Appropriate Adult Oversight Group

Terms of Reference

Purpose

1. On 10 January 2020 the Scottish Government commenced secondary legislation enabled by the Criminal Justice (Scotland) Act 2016 (the “2016 Act”) to establish a statutory Appropriate Adult service.
2. One piece of the secondary legislation - the Criminal Justice (Scotland) Act 2016 (Support for Vulnerable Persons) Regulations 2019 – relates to the following three statutory functions:
 - the functions of ensuring the availability of Appropriate Adults and training Appropriate Adults, which are conferred on local authorities; and
 - the function of assessing the quality of Appropriate Adult support, which is conferred on the Care Inspectorate.
3. The other piece of the secondary legislation – the Criminal Justice (Scotland) Act 2016 (Commencement No.6 and Transitional Provision) Order 2019 - commenced section 42 of the 2016 Act, which places a duty on the police to facilitate support for vulnerable persons in police custody. This type of support is usually provided by Appropriate Adults.
4. These terms of reference are made in relation to the National Appropriate Adult Oversight group, which has been established by the Scottish Government as part of the work relating to the implementation of the above pieces of legislation.

Remit

5. The National Appropriate Adult Oversight group brings together key stakeholders from sectors and organisations with an involvement or interest in Appropriate Adult provision in order to promote a coordinated approach to the implementation and development of the statutory service.
6. The group is an advisory group which will make recommendations to relevant organisations and groups in relation to Appropriate Adult provision to ensure a high quality and consistent service is provided in all parts of Scotland. This includes, but is not limited to, recommendations about:
 - Delivery of services
 - Use of services
 - Training
 - Quality assessment
 - Updates to [the guidance](#)
 - Development of policy at local and national government level

7. Members will be expected to ensure that any emerging issues which are likely to affect the statutory service at a national level are identified and raised for discussion by the group.

8. The group is responsible for ensuring that good practice and ideas are shared and promoted at a national level.

9. Members of the group will be expected to represent their respective organisations / sectors at the group and ensure that all relevant information from the group is fed back to those they represent.

Membership

10. Membership of the group is as follows:

- Mental Welfare Commission
- National Appropriate Adult Coordinator
- Policy and Participation Officer- Appropriate Adults
- Scottish Government
- COSLA
- Care Inspectorate
- Police Scotland
- Crown Office and Procurator Fiscal Service
- Law Society of Scotland
- SOLD Network
- Victim Support Scotland
- Royal College of Speech and Language Therapists
- Forensic Network
- Social Work Scotland
- Scottish Legal Aid Board
- Operational Group Representatives
- Appropriate Adult Representatives

Frequency of meetings

11. Quarterly

Chair and Secretariat

12. The chair of the group is the Mental Welfare Commission and the secretariat function will be undertaken by the National Coordinator with assistance from Scottish Government.