



Image credit: Andy Aitchison

Child arrests in England and Wales 2019

Research briefing

Howard League for Penal Reform

Key points

- In 2010 the Howard League for Penal Reform launched its Programme to Reduce Child Arrests
- The charity has helped to reduce child arrests to 71,885 in 2019, a massive reduction from 245,763 in 2010
- As a result, hundreds of thousands of children have not had their lives blighted by experiencing an arrest and police have not wasted resources
- Every force in England and Wales has reduced the number of child arrests between 2010 and 2019, with 18 forces achieving reductions of 75 per cent or more over this period
- 2019 saw a concerning creep upwards in 22 forces, resulting in a small national increase for the first time since 2010. However, the majority of forces continue to see reductions or are maintaining the low numbers achieved
- Some forces are arresting children who are victims of trafficking or county lines
- A lack of experience and training of frontline officers should not lead to an increase in child arrests
- Forces need to conduct regular audits of their child arrests data to identify and tackle problem areas so that children are not drawn into the criminal justice system unnecessarily
- Police should focus attention on reducing arrests of children from Black and minority ethnic backgrounds, victims of child criminal exploitation, and children living in residential children's social care
- This analysis is based on freedom of information data from 43 police service areas in England and Wales and the British Transport Police.

Introduction

In 2010, the Howard League launched a programme to reduce the high number of child arrests in England and Wales. The charity has worked closely with police forces around the country to understand why children are arrested and to prevent unnecessary child arrests. Over the last nine years, it has met with almost every force in the country, forming relationships and often spending time with operational staff. The charity presents at local and national police and multi-agency training events and produces regular publications on pertinent issues, some of which are mentioned in this briefing. Its legal and policy teams, with input from other specialists, have published guides for lawyers to assist them in providing effective representation and safeguarding of children who come into contact with the police (Howard League 2019a; 2020a).

Among the issues raised by police forces time and again are concerns around call-outs from children's homes. In response to these concerns, in 2016, the Howard League launched a further programme to end the criminalisation of children in residential care.

As the National Police Chiefs' Council has recognised, unnecessary criminalisation, starting with arrest, can have heavy costs to that child for life and to wider society (2016). It is both morally right and in everyone's interests to keep children out of the criminal justice system wherever possible.

There has been a huge commitment by forces around the country and at a national level, spearheaded by the National Police Chiefs' Council, to reducing child arrests and improving police interactions with children and young people. The impressive reduction in child arrest figures over the last nine years bears testament to these efforts: in 2010, there were 245,763 child arrests in England and Wales; in 2019, this figure was down to 71,885. The reduction in child arrests has been pivotal to falls in child custody levels of over 70 per cent over the ten-year period to March 2019 (Youth Justice Board, 2020).

The excellent work continues, as the case studies included in this briefing demonstrate. However, finding solutions to the multiple

challenges facing police forces in their policing of children and young people is extremely difficult and progress is not always linear. In 2019, there have been worrying, albeit at the moment relatively small, increases in over half of all force areas (22 forces) which have led to an overall national increase of just under two per cent since 2018. Given the huge decreases that forces have achieved over the last nine years it would not be surprising if the year-on-year reductions started to slow down but the increases are concerning and require urgent attention, showing how important it is for everyone to keep a close eye on what is happening in their area.

The Howard League has written to all chief constables, as usual, this year to highlight the data in their force area, to ask about the good practice they have developed and, for those forces that have experienced an uplift in the numbers of child arrests, to explore the reasons for those increases. It can be seen that these increases are occurring even in forces where exemplary work with children and young people is taking place.

Data is key to addressing the issues

Experience of working with the police to reduce unnecessary arrests has shown that data analysis is vital for identifying, addressing and monitoring problem areas. Focused and timely data should be used to inform strategic oversight and as a basis to help develop the culture and management that is needed to prevent unnecessary arrests. Forces have become increasingly aware of this and we have seen great improvements in intelligent data management over the last ten years. However, there are still forces where robust regular monitoring and analysis of child arrests is not taking place.

The Howard League is grateful to those forces that analysed their child arrests data this year in response to the charity's correspondence. The results of their investigations are revealing and demonstrate how important this analysis is.

A very significant number of forces reported that the uplift was believed to be, at least in part, related to operations to tackle county lines. One force reported that it had seen an increase in the number of children arrested for

assaulting an emergency worker. Identifying this problem had, it said, focused its attention on developing opportunities for improving relationships with children and working with partners to understand why this might be happening.

The lack of experience and training of frontline officers also appears to be a significant issue. One chief constable explained that 80 per cent of his force's frontline response team had fewer than two years' experience. This will be a problem for many forces given the current drive to recruit 20,000 more officers nationwide.

Training is vital as well as close management by senior officers. Custody officers should challenge every arrest in accordance with the Custody and Detention Authorised Professional Practice. Monitoring of data by senior management on a regular basis is essential. Children must not be criminalised because frontline staff are responding or arresting inappropriately.

The Howard League urges forces to conduct regular monitoring, as well as a comprehensive annual audit, of their child arrests data and conduct case reviews in order to identify and address problem areas. This analysis will provide focus for child-centred policing work and prevent unnecessary child arrests.

More information about using police data to address criminalisation can be found in the Howard League's briefing '*Know your numbers': using data to monitor and address criminalisation* (Howard League, 2019b).

Targeting and reducing unnecessary child arrests

There are several groups of children that are being disproportionately and unfairly impacted by the criminal justice system. These include: children from Black and minority ethnic backgrounds; child victims of criminal exploitation, including by criminals operating county lines; and children living in residential care. Police forces should focus attention on these groups to understand how unnecessary arrests of children in these groups can be prevented.

Case Study - Dyfed-Powys Police

Dyfed-Powys police has used data and a collaborative approach to reduce child arrests in its area. Relationships have been developed with children's homes to provide a supportive yet robust approach to call-outs from care workers. Calls are monitored and if a home calls more than three times this triggers a joint inspection from the Police and Care Inspectorate Wales to explore any areas of concern and work with homes to resolve issues. One "problem" home has seen a reduction of 75 per cent in call levels. The force worked collaboratively with the local authority and other services to address the problems leading to child arrests in a particular area. An outreach van, jointly funded by the police and the Police and Crime Commissioner, enabled a youth outreach worker and other support services to engage with local children to address needs. Children were helped with a range of issues including housing, substance abuse, employment and access to food banks. None of the children who engaged re-offended within an eight-month period and many continued to receive long-term support.

Children from Black and minority ethnic backgrounds

The large reduction in the numbers of child arrests in the last decade is a success story but the data shows continued inequalities for Black children and those from minority ethnic backgrounds who have not benefitted from efforts to divert children to the same extent as white children. Government figures reveal that Black children are over four times as likely as white children to be arrested. The proportion of white children arrested has fallen by 13 per cent over the last ten years, whilst the proportion of Black children arrested has doubled to 16 per cent (Youth Justice Board, 2020).

The disproportionate impact of the criminal justice system on Black children and children from ethnic minority backgrounds grows exponentially as children progress through the system, resulting in huge disparities in the numbers held on remand and serving sentences in child prisons. In September 2020, 51 per cent (273) of the 536 children held in youth custody were from Black, Asian and minority ethnic backgrounds (HM Prison

and Probation Service, 2020). In Feltham and Cookham Wood prisons, around two-thirds of children being held on remand are Black or from minority ethnic backgrounds (Howard League for Penal Reform, 2020a).

Police recording of ethnicity

A key, and simple, starting point for forces to tackle this problem is, once again, with the data. Robust recording and analysis of ethnicity data should be used as a tool to drive changes to cultures and to improve strategic oversight, management and practice throughout forces.

The Howard League asks police forces to break their child arrest figures down by age, gender and ethnicity. The ethnicity breakdown is very revealing: there is inconsistency in recording of data and huge gaps in the data as a result of failure to record ethnicity for large numbers of children who have been arrested.

Some forces submitted data based on the IC (identity codes) '6+1' system which records officers' perceived views of a person's ethnicity based on a visual assessment. Others have sent data based on the 'Self Defined Ethnicity – 16+1' codes or the 'Self Defined ethnicity - 18+1 standard' codes. There have even been instances of forces that are using codes that do not appear in any of these systems.

Police recording of ethnicity appears to be getting worse not better. The government statistics record that the number of child arrests with an unknown ethnicity has increased by 60 per cent from the year ending March 2009 and by 72 per cent compared to the previous year (Youth Justice Board, 2020). This accords with the Howard League's own findings: in 2018, ethnicity was not recorded in over 4,000 cases; in 2019, there was no record of ethnicity for over 5,000 arrests.

This inconsistent approach to data collection and failings to record ethnicity at all will be hampering efforts to understand, analyse and address problems nationally and at a local level. Amongst the forces with the poorest recording systems, it suggests a lack of commitment to tackling disproportionality and racism. This is unacceptable and requires urgent action.

Victims of child criminal exploitation

A significant number of forces have told us that operations to tackle county lines have contributed to increases in child arrests in their areas. Some children are being arrested because they are suspected of having committed crimes as a result of exploitation and they are not recognised as being victims. The Howard League has also been told that children are being arrested because the police do not know what to do with children they suspect are being exploited and want to keep them safe. Many of these arrests do not lead to charges and there is some excellent work being done to support children post-arrest. Nevertheless, forces must recognise the damage that can be caused by unnecessarily arresting children: a child who is already the victim of bullying or exploitation will be further traumatised by arrest and may lose confidence that authorities can help them; arrests can contribute to a process of informal criminalisation leading to children having more contact with the criminal justice system; they can deter children from disclosing safeguarding issues or from otherwise engaging with the police and other services; and they can lead to formal criminalisation, for example, through resisting arrest or assaulting a police officer.

Finding ways to tackle county lines and other forms of exploitation without arresting and criminalising child victims is a key challenge for the police over the next few years. Further improvements must be made to ensure that all officers — particularly those new, inexperienced officers on the frontline — are aware of exploited children's legal status as victims not criminals and ways must be found of safeguarding children without arresting them. Engagement of local authorities, health and social services is key and vast improvements are needed in the response of these services to their responsibilities in this regard.

For further information on this topic, see the briefing *Victims not criminals: protecting children living in residential care from criminal exploitation* (Howard League, 2020b), which contains information that is applicable to all groups of children.

Table 1: Number of child arrests 2010-2019 by police service area

Police force	2010	2016	2017	2018	2019
Avon & Somerset Police	7,255	1,533	1,342	1,251	1,259
Bedfordshire Police	1,853	1,085	943	682	663
British Transport Police	*	130**	865	1,160	1,406
Cambridgeshire Constabulary	3,440	1,013	821	715	636
Cheshire Constabulary	1,870	1,187	1,025	1,007	998
City of London Police	273	51	140	*	102
Cleveland Police	4,367	1,206	936	760	819
Cumbria Police	1,274	900	554	405	684
Derbyshire Constabulary	4,194	797***	1,038	994	895
Devon & Cornwall Police	4,132	994	895	884	960
Dorset Police	2,310	447	459	495	594
Durham Constabulary	3,658	1,157	1,009	830	603
Dyfed-Powys Police	2,307	501	341	398	388
Essex Police	7,739	2,588	1,923	1,942	2,055
Gloucestershire Constabulary	1,516	663	649	580	554
Greater Manchester Police	*	3,714	3,197	2,799	2,933
Gwent Police	2,503	930	747	466	594
Hampshire Constabulary	8,267	1,711****	3,960	4,044	3,917
Hertfordshire Constabulary	3,948	1,558	1,480	1,084‡‡	1,266
Humberside Police	5,751	1,409	1,385	1,202	1,402
Kent Police	7,505	2,900	2,683	2,070	1,807
Lancashire Constabulary	9,779	2,775	1,893	1,826	1,654
Leicestershire Police	3,322	806	1,129	1,104	1,190
Lincolnshire Police	*	913	779	745	696
Merseyside Police	10,197	2,570	2,336	2,151	1,900
Metropolitan Police	46,079	20,387	17,672	13,791	14,183
Norfolk Constabulary	2,510	1,261	1,083	1,374	1,448
North Wales Police	3,420	1,532	1,040	531‡‡	536
North Yorkshire Police	4,525	1,291	1,034	1,077	1,065
Northamptonshire Police	2,594	885	880	918	777
Northumbria Police	11,407	2,838	2,440	2,136	2,092
Nottinghamshire Police	5,743	1,466	1,466	1,357	1,220
South Wales Police	5,659	2,499	1,820	1,728	1,842
South Yorkshire Police	6,235	1,396	1,302*****	1,236‡	1,465
Staffordshire Police	4,163	1,350	1,081	1,105	1,093
Suffolk Constabulary	3,716	858	903	1,034	1,120
Surrey Police	1,955	889	730	751	778
Sussex Police	5,779	2,185	1,893	1,766	2,015
Thames Valley Police	8,012	2,446	2,482	2,525	2,361
Warwickshire Police	1,419	597	447	411	511
West Mercia Police	5,491	1,247	805	655‡‡‡	1,052
West Midlands Police	14,387	5,244	4,674	4,049	3,960
West Yorkshire Police	12,947	4,663	3,953	3,697	3,577
Wiltshire Police	2,262	953	778	747	815
TOTAL	245,763	87,525	79,012	70,482‡‡‡‡	71,885

* Data unavailable ** Data limited to the period from 1 January 2016 to 20 February 2016 as crime recording system was changed *** Limited data – some data was lost when a new system was introduced **** Police force provided data for number of children arrested, not number of arrests. Data from 2017 to 2019 relates to number of arrests and is therefore not directly comparable with previous years ***** Does not include data from 6 December 2017 onwards when a new recording system was implemented ‡ data provided after publication, so not included in 2018 briefing ‡‡ This figure is lower than reported in the 2018 briefing; forces provided revised data after publication ‡‡‡ 2018 data did not include all arrest data ‡‡‡‡ Total differs from the one published in last year's briefing (70,078) because of new data submitted by forces after publication. Please see notes ‡ and ‡‡.

Children living in residential children's care

In 2016, the Howard League launched a campaign to reduce the disproportionate and unnecessary criminalisation of children in residential care. In the year ending 31 March 2014, 15 per cent of children living in children's homes were formally criminalised; in the year ending 31 March 2019, this proportion had gone down to seven per cent (Howard League for Penal Reform, 2020b). This is a huge achievement. The reduction demonstrates how targeted, multi-agency work, as illustrated by the two case studies in this briefing, can dramatically reduce the unnecessary criminalisation of children and improve their life chances.

Case study – Norfolk Constabulary

Work done by Norfolk Police shows how well-led, focused policing can bring about rapid improvements: Norfolk Police's residential care work began at the end of 2016; in the first five months there was a reduction of 50 per cent in the numbers of criminal justice outcomes (charges and cautions) for children in residential care. The programme is built on a local protocol, awareness raising and close multi-agency work. Relationships have been developed with homes through Single Point of Contact (SPOC) officers and urgent support has been made available to help homes deal with challenging behaviour without criminalising children. Training has been provided across the county to care workers and other professionals to improve knowledge and restorative skills. District police leads receive a monthly data package detailing call-outs from children's homes in their areas.

Summary of child arrests data

The data obtained by the Howard League shows that in 2019 there were 71,885 child arrests in England and Wales. This constitutes a reduction of 71 per cent since 2010 but an increase of just under two per cent compared to 2018. Every police force in England and

Wales has reduced the number of child arrests between 2010 and 2019, with 18 forces achieving reductions of 75 per cent or more. All but three forces have reduced the rate of child arrests in their areas by more than 50 per cent since 2010. Twenty-two forces have reported a rise in child arrests in 2019 from the previous year. The Howard League is working with these forces to understand the reasons for these increases. Monitoring and analysis of even small rises in child arrests can highlight areas of concern, which can then be addressed.

Gender

There were nearly 11,000 arrests of girls in 2019. Arrests for girls have fallen at a faster rate than for boys over the last nine years, although there is some evidence of increases in a number of areas. We will be monitoring this and discussing with affected forces. We encourage forces to monitor arrests by gender to identify any issues.

Primary school-age children

In 2019, there were nearly 400 arrests of primary school aged children. This is a small increase from the 383 arrests of children in this age group in 2018. The Howard League commends forces for their efforts in reducing arrests of primary-school-aged children over the period since 2010 and encourages them to continue to minimise arrests of such young children.

About the Howard League for Penal Reform

The Howard League is a national charity working for less crime, safer communities and fewer people in prison. We campaign, research and take legal action on a wide range of issues. We work with parliament, the media, criminal justice professions, stakeholders and members of the public, influencing debate and forcing through meaningful change.

A full list of references is available on our website www.howardleague.org.

Howard League for Penal Reform

1 Ardleigh Road
London
N1 4HS

t 020 7249 7373
e info@howardleague.org
w www.howardleague.org
@TheHowardLeague

Company limited by guarantee
No. 898514
Registered charity
No. 251926

2020

ISBN 978-1-911114-53-6



9 781911 114536 >
ISBN 978-1-911114-53-6