



Child arrests in England and Wales 2020

Research briefing

Image credit: Andy Aitchison

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 reduce child arrests to just over 63,000 in 2020, a massive reduction from the nearly 250,000 child arrests recorded in 2010
- Every force in England and Wales has reduced the number of child arrests between 2010 and 2020, with 27 forces achieving reductions of 75 per cent or more over this period
- As a result, hundreds of thousands of children have not had their lives blighted by experiencing an arrest and police have not wasted resources
- There was a 13 per cent reduction in child arrests between 2019 and 2020; this has been partially driven by the pandemic lockdowns but it is also a result of continued improvements to police practice
- In response to police concerns, the Howard League launched a programme to end the unnecessary criminalisation of children in residential care in 2016. The charity has worked closely with police forces and others to reduce the disproportionate arrests of this group of children. In 2020, children in residential care were three times less likely to be criminalised than they were in 2014
- Children from Black and minority ethnic backgrounds continue to be disproportionately drawn into the criminal justice system. The police need to focus on preventing unnecessary arrests of this group of children and addressing the underlying causes of discrimination
- Increases in child arrests are often linked to police operations to tackle county lines. More work needs to be done to prevent child victims of trafficking and criminal exploitation from being arrested and criminalised
- Managing and supporting frontline officers is key to reducing unnecessary child arrests. Training is essential, but there must also be systems in place to ensure that officers are appropriately managed to make the right decisions about how to deal with incidents involving children
- 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 numbers of child arrests in England and Wales. The charity has worked closely with police forces since then to understand why children are arrested and to prevent unnecessary arrests.

In 2020, there were 63,272 child arrests in England and Wales,¹ a 74 per cent reduction from the 245,763 child arrests police reported in 2010. Child arrests fell each year from the start of the programme until 2019, when there was a small increase from 2018 of just under two per cent. This concerning anomaly has been reversed in 2020, which saw a nearly 13 per cent reduction in child arrests from the previous year. The pandemic will, of course, be at least partially responsible for these reductions, with lockdowns and restrictions having an obvious impact in keeping children off the street and on police work. However, this is not the whole story, with many forces reporting continued efforts to improve their policing of children and the success of initiatives to reduce child arrests in their areas.

The Howard League's work to reduce child arrests has been spearheaded by the charity's Chief Executive, Frances Crook, who retires this year after 35 years in the post. The work she has done to lower child arrests and keep children out of the criminal justice system is her proudest achievement:

“Working with the police we have stopped hundreds of thousands of children from coming into the system by them not getting arrested. The arrest is the gateway, the door to the system. When we started this campaign there were a quarter of a million child arrests, this year there were just over 63,000. The result of that, in 2010 there were over 2,000 children in prison, now there are less than 500.”

¹ NB Incomplete data was provided by Staffordshire Police owing to the implantation of a new records management system

Improvements in police practice

Over the last decade we have witnessed great progress in the policing of children. There are now specialist officers within forces, driving improvements in knowledge and practice among their colleagues and championing a more child-centred approach. The National Police Chiefs' Council (NPCC) has been pivotal in this shift, publishing, in 2015, the first national strategy for policing children, 'Child-Centred Policing'. This programme of work will receive an update and boost this year with the introduction of a new set of best practice principles for the policing of children, developed by the NPCC with input from UNICEF and the Children's Commissioner.

The principles are based on children's rights as laid down in the United Nations Convention on the Rights of the Child and the four principles of procedural justice: voice, neutrality, respect and trust. Importantly, they have taken into account views expressed by children during a consultation process. The principles state that it is a police priority to ensure that children are not unnecessarily criminalised and that every opportunity be taken to divert them from the criminal justice system. They provide a clear best practice framework for forces' continuing efforts to further reduce the numbers of child arrests in their areas.

Training, management and support of frontline officers

Whilst there is often excellent understanding of the issues affecting children and a commitment to child-centred policing at senior and specialist officer levels, there have been challenges with filtering this down to frontline officers, many of whom will be new to the job and possibly not very much older than some of the children they are policing. Lack of experience and training of frontline officers is a particular problem given the current drive to recruit 20,000 more officers nationwide.

Responding appropriately to children and in a way that de-escalates often complex situations requires very considerable knowledge and skill. All officers should receive training to educate them about the vulnerabilities and needs the children they come across may be facing and to equip them with practical techniques that will

give them the ability to approach and respond to children in a positive manner. The charity often hears from the police of situations that have started with a minor offence or a safeguarding issue but then escalated, following the arrival of the police, to the child being arrested for assaulting an emergency worker. There is an awareness in the police that many of these instances could have been avoided if officers had appropriate training.

In addition to training, frontline officers require management and support to deal with what can be very stressful and complex situations. Forces should have systems in place so that frontline officers are not making decisions that can profoundly affect the lives of children without the involvement of a senior officer or the opportunity to take advice. The case study from Norfolk Police shows how some forces are requiring frontline officers to get the approval of a senior officer, such as the Custody Officer, before they arrest children. It shows the continued learning and development opportunities that can be provided to help improve frontline officers' interactions with children.

CASE STUDY – Norfolk Police

As part of its commitment to reducing child arrests, Norfolk Police has implemented a system which requires frontline officers to contact the Custody Officer before bringing a child to the police station. The Custody Officer will take into account the age of the child, the timing of arrest, vulnerability and risk factors and any other relevant information in order to decide whether detention is necessary, not just convenient or expedient. Wherever possible, children are not brought into the police station and other options are considered, such as Voluntary Attendance. Decisions are explained to frontline officers within the context of a supportive discussion to ensure they take learning and improved understanding from the incident.

Police custody as a last resort

The United Nations Convention on the Rights of the Child (1989) states that arrest and any detention of a child should “be

used only as a measure of last resort and for the shortest appropriate period of time” (Article 37). Research with young people in police custody has shown how damaging the experience of being held at a police station can be for children (Bevan, 2019). Increasingly, forces are reporting an awareness of the impact police custody is likely to have on a child and many areas are putting measures in place to avoid bringing children into custody wherever possible. The use of Voluntary Attendance has increased and some forces are also considering other diversionary measures as an alternative to unnecessary arrests, including working with schools to avoid children being unnecessarily criminalised for incidents that have taken place in an educational setting.

Lack of support from other agencies

An issue the police have frequently raised with the Howard League is lack of support from other agencies, particularly children's social and children's mental health services (CAMHS). As one officer said, the police are often called out because they are the only agency that will turn up no matter what the time or the circumstances. Police have told the charity that children are being arrested and brought into police custody because social services refuse their requests to get involved, or are unavailable, and the police don't know what else to do to keep the child safe. This offloading of responsibility onto the police is, of course, a waste of police resources, but it is also causing children to be unnecessarily criminalised.

In many parts of the country efforts are being made to improve multi-agency working. Often these are driven by the police partly with an eye to resources but also because they know it will improve outcomes for children. Local work to improve multi-agency co-operation is to be encouraged but this is a systemic issue that requires a government response at a national level. Initiatives such as the *National protocol to reduce the unnecessary criminalisation of children in care and care leavers* must receive central government follow-up and oversight to ensure that all agencies are upholding their responsibilities to keep children out of the criminal justice system.

Table 1: Number of child arrests 2010-2020 by police service area

Police force	2010	2017	2018	2019	2020
Avon & Somerset Constabulary	7,255	1,342	1,251	1,259	1,029
Bedfordshire	1,853	943	682	663	568
British Transport Police	(a)	865	1,160	1,406	1,103
Cambridgeshire Constabulary	3,440	821	715	636	639
Cheshire Constabulary	1,870	1,025	1,007	998	754
City of London	273	140	(a)	102	82
Cleveland Police	4,367	936	760	819	944
Cumbria Constabulary	1,274	554	405	684	460
Derbyshire Constabulary	4,194	1,038	994	895	804
Devon & Cornwall Constabulary	4,132	895	884	960	1,015
Dorset Police	2,310	459	495	594	485
Durham Constabulary	3,658	1,009	830	603	581
Dyfed Powys Police	2,307	341	398	388	318
Essex Police	7,739	1,923	1,942	2,055	1,805
Gloucestershire Constabulary	1,516	649	580	554	515
Greater Manchester Police	(a)	3,197	2,799	2,933	2,439
Gwent Police	2,503	747	466	594	626
Hampshire Constabulary	8,267	3,960	4,044	3,917	3,283
Hertfordshire Constabulary	3,948	1,480	1,084 ^(c)	1,266	1,059
Humberside Police	5,751	1,385	1,202	1,402	1,310
Kent Police	7,505	2,683	2,070	1,807	1,813
Lancashire Constabulary	9,779	1,893	1,826	1,654	1,483
Leicestershire Constabulary	3,322	1,129	1,104	1,190	904
Lincolnshire Police	(a)	779	745	696	587
Merseyside Police	10,197	2,336	2,151	1,900	1,484
Metropolitan	46,079	17,672	13,791	14,183	13,599
Norfolk Constabulary	2,510	1,083	1,374	1,448	955
North Wales Police	3,420	1,040	531 ^(c)	536	475
North Yorkshire Police	4,525	1,034	1,077	1,065	905
Northamptonshire Police	2,594	880	918	777	629
Northumbria Police	11,407	2,440	2,136	2,092	1,833
Nottinghamshire Police	5,743	1,466	1,357	1,220	841
South Wales Police	5,659	1,820	1,728	1,842	1,337
South Yorkshire Police	6,235	1,302 ^(b)	1,236 ^(c)	1,465	1,320
Staffordshire Police	4,163	1,081	1,105	1,093	208 ^(b)
Suffolk Constabulary	3,716	903	1,034	1,120	852
Surrey Police	1,955	730	751	778	774
Sussex Police	5,779	1,893	1,766	2,015	1,858
Thames Valley Police	8,012	2,482	2,525	2,361	2,242
Warwickshire Police	1,419	447	411	511	505
West Mercia Police	5,491	805	655 ^(b)	1,052	887
West Midlands Police	14,387	4,674	4,049	3,960	3,431
West Yorkshire Police	12,947	3,953	3,697	3,577	3,270
Wiltshire Constabulary	2,262	1,447 ^(c)	1,254 ^(c)	1,405 ^(c)	1,261
TOTAL	245,763	79,681^(c)	70,989^(c)	72,475^(c)	63,272

(a) Data unavailable

(b) Incomplete data provided

(c) Updated from previous briefings after revised data provided

Targeted approaches to reducing unnecessary child arrests

There are some groups of children that are being disproportionately criminalised compared to their peers. These include Black and minority ethnic children, children in residential children's care and child victims of trafficking and criminal exploitation.

Recording and analysis of child arrests data is key to ensuring forces are aware of where problems lie and to monitoring efforts to tackle those problems.

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, 2019).

Children from Black and minority backgrounds

The lack of consistency with the recording of ethnicity data, which was reported in the Howard League's 2019 child arrests briefing, continued in 2020. The wide range of labels used to denote children's ethnicities makes analysis difficult and suggests a lack of coherence at a national level to addressing discrimination. Even more concerning was the complete lack of recording of ethnicity in a large proportion of cases; in 2020, the ethnicity of the child was not recorded for nearly 5,200 arrests.

Black children and children from minority backgrounds suffer discrimination and disproportionality at every stage of the criminal justice system. It is vital that the police play their part in addressing this inequity at the point of entry. Whilst good police work has reduced the overall numbers of child arrests over the last ten years, during this period the disproportionate use of arrest on Black children has increased. In the year ending March 2010, 80 per cent of arrests were of white children; this had reduced to 68 per cent in the year ending March 2020. The proportion of arrests of Black children had increased during that period from 10 per cent in year ending 2010 to 17 per cent in the year ending March 2020 (Ministry of Justice/Youth Justice Board, 2021).

Discrimination and disproportionality is exacerbated as children move through the criminal justice system. Between March 2006 and March 2019, the percentage of young people in custody who were white went down from 71.9 per cent to 50.6 per cent; during the same period, the percentage of young people in custody who were Black more than doubled from 12.5 per cent to 27.8 per cent (Ethnicity Facts and Figures, 2020). In June 2021, over half the children in custody were from Black and minority ethnic backgrounds (Youth Custody Service, 2021).

In June 2021, the Howard League published *Making Black Lives Matter in the Criminal Justice System: A guide for antiracist lawyers* in association with Black Protest Legal Support. The guide is primarily aimed at lawyers but it is also essential reading for the police and others who are committed to tackling disproportionality and reducing unnecessary arrests of *all* children.

More can and must be done to actively address the disproportionate levels of arrests of children from Black and minority ethnic backgrounds. Ensuring robust, consistent data is collected is the starting point.

Children living in residential care

In 2016, the Howard League responded to police concerns about inappropriate call-outs from children's homes with the launch of its *Programme to end the unnecessary criminalisation of children in residential care*. There has been much excellent work undertaken by the police and partners to address this issue during the course of the programme, which the charity has supported and encouraged with visits to forces, presentations at police training events, publication of six briefing papers and a new children in care and care leavers category in the annual Howard League Community Awards, in addition to other campaigning and lobbying work.

Government data shows how successful these efforts have been: in the year ending 2014, 15 per cent of children in children's homes received a caution or conviction; in the year ending 2020, this proportion had been reduced to five per cent.² These reductions

² NB data is only collected for children who have been in care for twelve months or more during that care period

are particularly impressive given that they have been achieved during a period that has seen a sharp increase in the numbers of teenagers coming into care – more than a third of children entering care in 2018/19 were aged between 13 and 17 (Children’s Commissioner, 2021). Many teenagers who come into care have complex needs and vulnerabilities that the care system finds difficult to deal with and many are housed in residential children’s homes or unregistered settings.

Whilst these reductions are to be celebrated, it is important to note that numbers of *all* children who have received a caution or sentence have gone down much more rapidly – over the last ten years by 82 per cent and in the year 2019/20 by 12 per cent (Ministry of Justice/ Youth Justice Board, 2021). There is more work to be done and we urge forces to continue their focus on reducing police contact with this group of children.

The Howard League’s website contains a section with links to the briefings and to blogs offering a wide range of information on preventing criminalisation of children in residential care and examples of good policing practice (<https://howardleague.org/programme-to-end-the-criminalisation-of-children-in-residential-care/>).

Child victims of trafficking and criminal exploitation

In 2019, several of the forces who had reported increases in the numbers of child arrests informed the Howard League that these increases were at least partly attributable to operations to combat county lines activity. Similar reports have been made this year also. The Howard League is aware that many of these arrests do not lead to charges and that there is some excellent work being done by the police and other agencies to support children post-arrest. However, serious damage can be caused by arresting a child who has been trafficked and criminally exploited and more needs to be done to find ways to help children without arresting them. For example, a child who is already the victim of exploitation can be traumatised further 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.

This is undoubtedly an extremely difficult issue for the police for which there are no easy answers, but it must be addressed and solutions must be found. For further information on this topic, see the Howard League’s briefing *Victims not criminals: Protecting children living in residential care from criminal exploitation* (2020), which contains information that is applicable to all groups of children.

Summary of child arrests data

The data obtained by the Howard League shows that in 2020 there were 63,272 child arrests in England and Wales.³ This constitutes a reduction of 74 per cent since 2010 and a decrease of 13 per cent compared to 2019.

Every police force in England and Wales has reduced the number of child arrests between 2010 and 2020, with 27 forces achieving reductions of 75 per cent or more. Twelve forces have seen reductions of over 80 per cent in child arrests during this period.

Five forces reported small increases in child arrests in 2020 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 9,422 arrests of girls in 2020. In 2010, girls accounted for 19 per cent of children arrested; in 2020, they accounted for 15 per cent. Because of the relatively small numbers, girls who come into contact with the criminal justice system are often ignored and little has been done to address their needs. Recent research has provided evidence of the vulnerability of this group of children, many of whom will have experienced abuse by a family

³ NB Incomplete data was provided by Staffordshire Police owing to the implantation of a new records management system

member or someone they trust (Agenda and Alliance for Youth Justice, 2021). The Howard League's programme to reduce the arrests of women has highlighted the high number of unnecessary arrests of women and the compelling case for the police to consider the unique needs and vulnerabilities of females (see <https://howardleague.org/our-work/women-in-the-penal-system/arresting-the-entry-of-women-into-the-criminal-justice-system/>).

Primary school-age children

In 2020, there were 261 arrests of primary-school-aged children, a significant reduction on the 392 children aged 11 and under who were arrested in 2019. The Howard League commends forces for reducing arrests of primary-school-aged children over the period since 2010 and encourages them to continue in their efforts to minimise arrests of such young children.

The low age of criminal responsibility in England and Wales – just ten years – has been criticised by the United Nations Committee on the Rights of the Child as being too low. The Committee recommends that countries should raise the age of criminal responsibility to at least 14 years and commends countries that have a higher minimum age of 15 or 16 years (UNCRC 2019, paragraph 33).

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.

Bibliography

Agenda and Alliance for Youth Justice (2021) *Young Women's Justice Project Literature Review*. London: Agenda and Alliance for Youth Justice.

Bevan, M. (2019) *Children and young people in police custody: an exploration of the experience of children and young people*

detained in policy custody following arrest, from the perspective of the young suspect. PhD Thesis, London School of Economics and Political Science. Available at <http://etheses.lse.ac.uk/3951/>.

Children's Commissioner (February 2021) *Characteristics of children entering care for the first time as teenagers*. London: Office of the Children's Commissioner.

Ethnicity Facts and Figures (2020) *Young people in custody*. Available at <https://www.ethnicity-facts-figures.service.gov.uk/crime-justice-and-the-law/courts-sentencing-and-tribunals/young-people-in-custody/latest>.

Howard League for Penal Reform (2021) *Making Black lives matter in the criminal justice system. A guide for antiracist lawyers*. London: Howard League for Penal Reform.

Howard League for Penal Reform (2020) *Victims not criminals: Protecting children living in residential care from criminal exploitation*. London: Howard League for Penal Reform.

Howard League for Penal Reform (2019) *'Know your numbers': Using data to monitor and address criminalisation*. London: Howard League for Penal Reform.

Ministry of Justice/Youth Justice Board (2021) *Youth Justice Statistics 2019/20. England and Wales*. London: HM Government.

National Police Chiefs' Council (2015, updated 2016) *Child-Centred Policing. National Strategy for the Policing of Children and Young People*. London: National Police Chiefs' Council.

United Nations Committee on the Rights of the Child (2019) *General Comment No. 24 (2019), replacing General Comment No. 10 (2007) Children's rights in juvenile justice*. Geneva: United Nations.

United Nations General Assembly (1989) *United Nations Convention on the Rights of the Child*. New York: United Nations.

Youth Custody Service (2021) *Monthly Youth Custody Report – June 2021*. Available at <https://www.gov.uk/government/statistics/youth-custody-data>.

Howard League for Penal Reform

1 Ardleigh Road t 020 7249 7373
London e info@howardleague.org
N1 4HS w www.howardleague.org
@TheHowardLeague

2021

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

ISBN 978-1-911114-62-8



9 781911 114628 >
ISBN 978-1-911114-62-8