Children and Policing in England and Wales:

Adopting a Child First Approach

Children in Police Custody:
An Analysis of Electronic Custody Record Data

Dr Hope Kent
Dr Vicky Kemp
Dr Miranda Bevan

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University of Nottingham
UK | CHINA | MALAYSIA

KING'S College LONDON

Nuffield Foundation

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1. Introduction

Each year, thousands of children in England and Wales are arrested, brought into a police station, and held in a locked cell, often without their parents present and with limited understanding of what is happening to them or why. Despite this, remarkably little is known about the scale and nature of children's experience of custody at a national level. Individual forces hold detailed electronic records of every detention, but these records are rarely analysed systematically, compared across forces, or used to understand patterns in how children are treated. In this report, we present the findings of an analysis of electronic custody record data provided by seven police forces across England and Wales.

This report forms one part of a wider three-report series examining children's experience of police custody, alongside the Frontline Policing report and the Custody report. While those two reports draw primarily on qualitative fieldwork, interviews, and case study analysis to explore the lived experience of children in custody in depth, this report provides the quantitative backbone for the project. Its purpose is to establish, at scale, the patterns that the qualitative fieldwork in the other two reports explores in greater depth and nuance, providing context, triangulation, and in some cases statistical confirmation of issues identified through fieldwork, such as disparities in strip searching and overnight detention, the relationship between legal advice and time spent in custody, and the persistently high rate of 'no further action' outcomes.

The PACE Codes of practice indicate that a custody record must be opened for all individuals brought under arrest to a police custody suite. These custody records contain key details relating to the detained person, and in some cases can be downloaded en-masse electronically. We sent out a request for data relating to all individuals brought into custody between 1st April 2021 and 31st March 2023. Seven forces responded to this request for data, although the data coverage they were able to provide varied. Five forces (A-E) were able to provide data in an overlapping 12-month period, and their data were combined to carry out this analysis. A further two forces (F and G) were able to provide relevant data for shorter time-periods, and these data contained some variables not provided by forces A-E. These data have therefore been used to provide additional contextual information throughout.

The main part of this analysis therefore relates to data from all children, adults, and vulnerable adults brought into custody between 1st April 2022 and 31st March 2023 in five police forces in England and Wales. In total, there were 71,381 individuals detained in custody under s37 of PACE during this time - 65,092 adults (6% of whom were vulnerable adults - 3,868), and 6,289 children.

2. Data availability and missing data

Table 1 describes the data availability by Force, and table 2 describes the data cleaning process. Of note, Force F were able to provide considerably rich data, which included looked after child status and type of appropriate adult in attendance. However, this was hand-sifted rather than drawn down electronically, and coverage was not available for the full 12-month period of interest for this study.

Table 1: Data availability and missing data by force

Force	Outcome Variables				Demographics			Contextual Information				
	Legal Advice Requested	PACE Clock	Strip Searches	First and Final Disposals	Ethnicity	Age & Sex	Vulnerability flags and person warnings	Custody suite	Use of Force Before and In Custody	Whether the detention was initial or return for this offence	Type of Appropriate Adult	Child in Need/at Risk/Looked After
A	✓	✓	✓	Final only	✓	✓	1, 2, 3, 4	✓	Before custody only	✓	X	✓
B	✓	X	✓	✓	✓	✓	1, 2, 5, 6, 7	✓	✓	X	X	X
C	✓	✓	✓	✓	✓	✓	1, 2, 3, 7, 8, 9, 10, 11, 12, 13, 14, 15	✓	✓	X	X	X
D	✓	✓	✓	✓	✓	✓	1, 2, 3, 7, 8, 9, 10, 11, 12, 13, 14, 15	✓	✓	X	X	X
E	✓	✓	✓	✓	✓	✓	1, 2, 3, 7, 8, 9, 10, 11, 12, 13, 14, 15	✓	✓	X	✓	X
F*	✓	X	X	First Only	✓	✓	X	✓	X	✓	✓	✓
G*	✓	X	X	First Only	✓	✓	X	✓	X	X	X	X

Note: Whilst the data provided by forces F and G were reasonably comprehensive, they were not able to provide data covering the full 12-month period of interest, and therefore they could not be included in our main analysis.

Key for vulnerability/person warning flags:

1. Mental Health
2. Self-harm
3. Suicidal
4. Disability
5. Learning Disability
6. Recent alcohol use
7. Substance dependency
8. Ailment
9. Alleges
10. Conceals Items
11. Weapons
12. Violent
13. Escaper
14. Contagious
15. Impersonates

Table 2: Data Cleaning Process

Force	Number of Raw Custody Records	Number of Individuals	Number of detentions not authorised	Number removed due to being held on non-PACE matters	Number removed due to unknown or missing arrest reasons	Number removed due to anomalous detention times, likely to be administrative errors (>100 hours)	Number removed due to being likely a return detention (see notes)	Number removed due to missing data on age	Number in final dataset		
									Adults	Vulnerable Adults	Children
A	23,793	23,117	79	3,179	49	47	899	1	17,217	1,126	1,225
B	69,653**	29,495	19	2,402	0	33	22*	1,100	16,874	704	2,487
C	14,972	14,157	108	1,202	28	20	820*	8	10,712	1,026	1,061
D	10,668	10,320	75	1,261	57	31	368*	8	7,929	339	634
E	157,678 **	11,730	96	1,471	6	5	105*	3	8,492	676	882

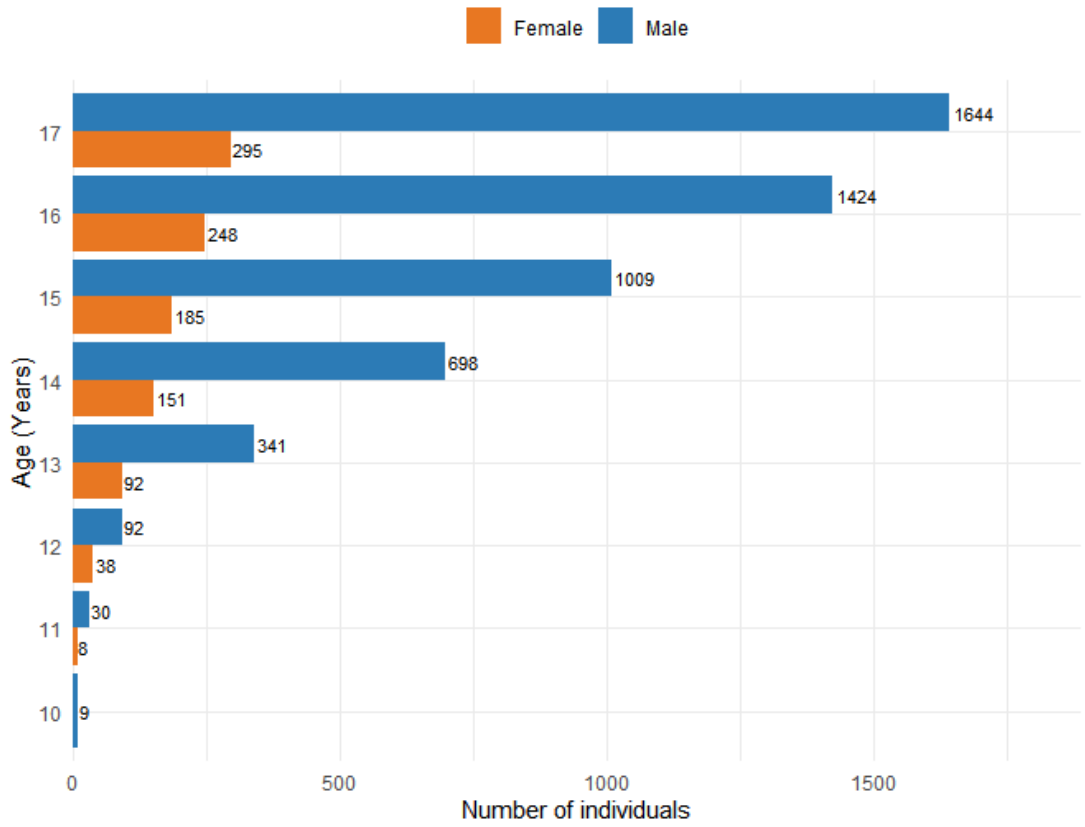
Notes on Table 2: Forces are from England and Wales, and do not cover London. Information on whether a detention was initial or return was only provided by two forces. This is important, as return detentions are likely to be shorter than initial detentions, and our research questions regarding PACE only relate to initial detentions.
*Where forces were able to provide information on whether a detention was initial or return for a specific episode, this variable was used directly. Where this information was not available, two steps were taken to remove likely return detentions: first, individuals with multiple custody records on the same custody record number within the study period were identified and only their earliest detention was retained; second, any remaining records where the individual was held for less than 30 minutes were removed, as these short detentions are likely to represent returns to custody on an existing matter rather than new detentions. These individuals may have had their initial detention just before the defined study period, and returned within it. This 30-minute threshold was agreed with participating forces; however, it is likely to still be an underestimate of the number of return detentions and should be regarded as a source of error. See Table 1 for further detail on missing data.
** For Force E, person warning flags and disposal records were recorded in long format, meaning each additional warning flag and disposal update created an additional record per detention. For Force B, disposal records were similarly recorded in long format. The raw record count reflects this structure prior to reshaping into one record per detention.

3. Profile of suspects

Sex

The majority of child suspects were boys, with girls accounting for 16.3% of all child detentions. This is broadly consistent with the sex breakdown seen for adults (15.3% female) and vulnerable adults (21.9% female). Figure 1 provides a complete breakdown of age and sex among child suspects, split by age.

Figure 1: Number of male/female child suspects by age



Age

The mean average age of children brought into custody was 15.5 years. For adults, it was 35.0 and for vulnerable adults it was 34.1.

Ethnicity

Table 3 describes the ethnicity of the sample. Officer-defined ethnicity was used throughout this analysis, as any bias in treatment on the basis of ethnicity would most likely be reflected in how officers perceived those they were dealing with. Officer-defined ethnicity was recorded using a standardised six-category scheme across all forces, distinguishing White North European, White South European, Black, Asian, Chinese/Japanese/Southeast Asian,

and Middle Eastern or Arab backgrounds. Due to small numbers in several categories for children and vulnerable adults, these were collapsed into three broad groups for analysis: White, Black, and Asian.

Missing data on officer-defined ethnicity was low for adults (4.9%) and vulnerable adults (4.5%), but higher for children (13.4%). This higher rate of missingness for children is largely attributable to one force, which accounted for 96.7% of unknown ethnicity records for children. Of note, records of self-defined ethnicity had substantially higher missingness across all groups (15.4% for adults, 15.5% for vulnerable adults, and 24.0% for children), and is not directly comparable to officer-defined ethnicity as it includes additional categories such as mixed backgrounds.

Table 3: Ethnicity of suspects

	Children	Adults	Vulnerable Adults
White	4,210 (66.9%)	47,824 (78.1%)	3,207 (82.9%)
Asian	425 (6.8%)	5,540 (9.0%)	193 (5%)
Black	812 (12.9%)	4,845 (7.9%)	294 (7.6%)
Unknown	842 (13.4%)	3,015 (4.9%)	174 (4.5%)

Comparative regional ethnicity data has not been provided, as this could identify participating forces. However, for context, the 2021 Census recorded 81.7% of the England and Wales population as White, 9.3% as Asian, 4.0% as Black, and 2.9% as mixed background. It should be noted that these figures include London, which is not covered by our data and has a substantially more diverse population. The proportion of White children in our participating regions is therefore likely to be somewhat higher than the national average. Against this backdrop, Black children appear particularly overrepresented in custody relative to their share of the general population, a finding consistent with our previous study (Kemp and others 2023) and with the findings of the Lammy Review (2017).

Vulnerability Flags

Table 4 presents the proportion of children, adult, and vulnerable adult detainees with each type of vulnerability flag (sometimes called person warnings) recorded at the time of detention. We note very high rates of vulnerability – one quarter of children had a self-harm flag, and over one-third had a mental health flag. Notably, 2.7% of adults had a learning disability flag recorded, but were not recorded as vulnerable. Amongst vulnerable adults, just over half had a flag for self-harm, and just under half had a flag for suicidality. These findings highlight the vulnerability of people brought into police custody.

Table 4: Vulnerability flags

	Children	Adults	Vulnerable Adults
Mental Health	35.4%	44.3%	81.7%
Self-Harm	24.8%	28.6%	55.7%
Suicidality*	15.2%	26.2%	47.5%
Drugs/Alcohol**	16.0%	19.5%	30.8%
Learning Disability***	11.2%	2.7%	35.4%

Note: The following forces did not provide these vulnerability flags. Percentages are calculated proportionally.
*Force B did not provide a flag for suicidality.
** Force A did not provide a flag for substance dependency/use. For Forces C, D, and E, this flag was derived from a person warning recorded as 'Drugs'. For Force B, this flag was derived from a risk assessment question recorded as 'Drug/Alcohol Dependency'.
*** Only Force B provided a flag for learning disability

Force A was able to provide a flag for whether the child entering custody was identified as a child in need, or a child that appears on the child protection register. 5.1% of the 1,226 children in Force A were identified as a child at risk, and 5.3% were identified as being on the child protection register. In combination, these were 121 unique children, which is 9.9% or one in 10 of Force A's child detentions.

None of the five forces who were able to provide the full 12 months of data were able to provide a flag for being a looked after child, however this flag was provided by Force F, in their hand-sifted dataset. In a sample of available months in these data, 16.8% of children were flagged as looked after children, compared to an estimate of 0.7% in the general population[1]. In Force F, looked after children were significantly more likely to have been in custody before (81% of looked after children had a prior arrest, compared with 55% of children who were not looked after, ($\chi^2 = 65.11$, $p < .001$)) indicating cyclical contact with the justice system.

Notably, recording of vulnerability and person warnings was very inconsistent. We recommend more standardised reporting and collecting of information relating to vulnerability in police custody. In particular, the electronic recording of children who are

[1] https://explore-education-statistics.service.gov.uk/find-statistics/children-looked-after-in-england-including-adoptions/2025

looked after, on the child protection register, and identified as a child at risk is essential, given the vulnerability of this group and the consequences of custody being used as a place of safety.

Beyond the inconsistencies of recording, some of the flags raised additional concerns. For example, in a couple of forces, a small number of person warning flags were identified in the data that were labelled 'Hist – Male Impersonator' and 'Hist – Female Impersonator'. The meaning of these flags is unclear; however, if they represent a historical method of recording transgender or gender non-conforming individuals, this is a concerning and inappropriate way of documenting this information. Police forces should ensure that their custody record systems have appropriate methods of recording gender identity that reflect current understanding and best practice.

Primary Offence Types

Figures 2, 3, and 4 break down the percentage of children, adults, and vulnerable adults with each primary offence type. Violence Against the Person was the most common offence type – it was recorded as the offence type for 32.5% of children, 36.8% of adults, and 39.1% of vulnerable adults. It was the most common offence type for both male and female children. Criminal damage was the second most common offence type for female children.

For children, Public Order Act offences and Drugs offences were joint second most common (8.9% each), followed by Criminal Damage (8.2%) and Sexual offences (7.8%).

Figure 2: Primary offence types for children

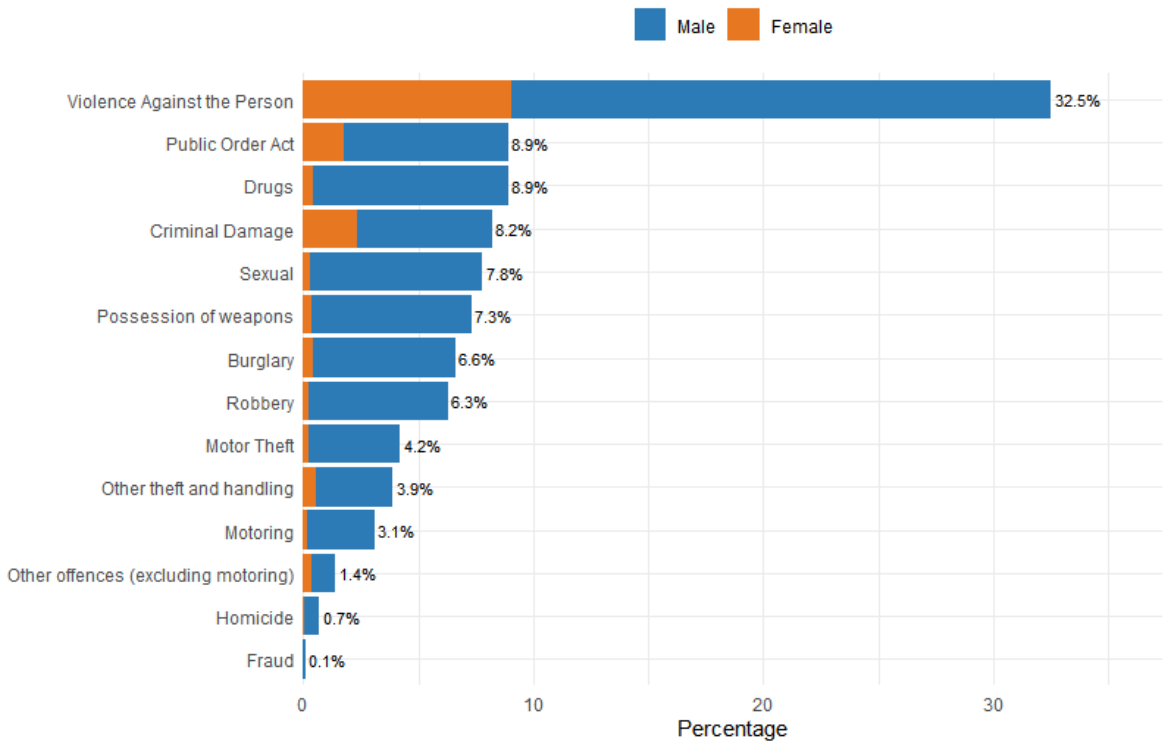


Figure 3: Primary offence types for adults

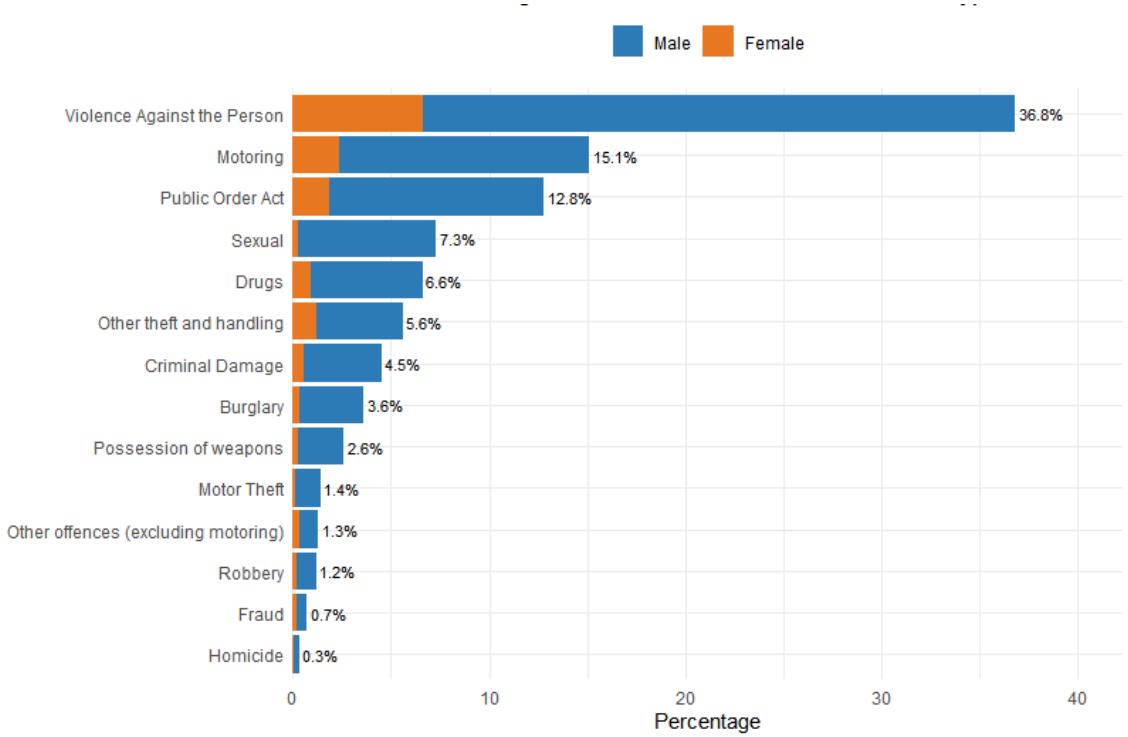
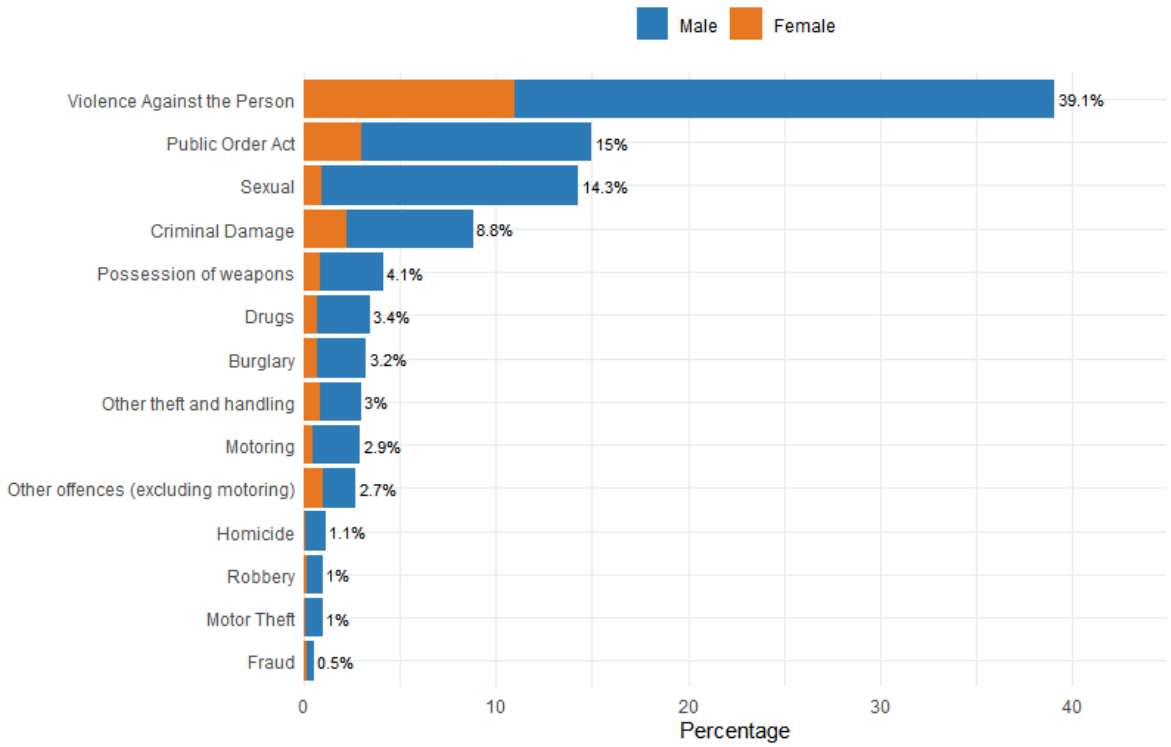


Figure 4: Primary offence types for vulnerable adults



4. Authorising detention

Police custody is the gateway into the criminal justice system for children, and detention should be used as a last resort. When children are brought into custody, the custody officer must decide whether or not detention should be authorised, based on information provided by the arresting officer.

In this sample, detention was not authorised for 1.02% of children, compared with 0.41% of adults, and 0.31% of vulnerable adults. This suggests that the authorisation of detention is almost automatic, consistent with findings from our previous study (Kemp and others 2023) which found detention was refused in 0.8% of all PACE cases. The slightly higher rate for children compared with adults may suggest that custody officers are marginally more likely to question the necessity of detaining a child.

Where detention was not authorised, some further demographic information was available from some forces. Among children whose detention was not authorised (n=65), 35.4% were female and 64.6% were male. This is notable given that girls represent approximately 18% of all children in the dataset, suggesting that custody officers may be more likely to refuse detention for girls than boys.

In terms of ethnicity, 66.2% of children whose detention was not authorised were White, and 20% had unknown ethnicity recorded. However, given the small numbers involved, these findings should be interpreted with caution and it is not possible to draw firm conclusions about any differential treatment by ethnicity.

Among children whose detention was not authorised, the mean age was 15.1 years. When examining the age distribution, younger children (aged 13-14) appeared proportionally overrepresented compared to the overall child sample, which may suggest that custody officers are somewhat more likely to refuse detention for younger children than older children. However, given the very small numbers involved these findings should be interpreted with considerable caution.

In the hand-sifted data provided by Force F, looked after children were significantly less likely to have their detentions refused ($\chi^2 = 6.31$, $p = .012$), despite being over-represented in police custody overall. Possible explanations for this could be the use of police custody as a ‘safe place’, and police not feeling that there was anywhere else safe to accommodate looked after children instead. We recommend that other forces record electronic data on looked after children and children otherwise known to social care in order to monitor disproportionality in the future.

5. Volume of detentions

Figures 5, 6, and 7 present the volume of detentions by month across the study period for adults, vulnerable adults, and children. For all three groups, there is a notable dip in

September, suggesting this may reflect broader patterns in policing activity rather than anything specific to a particular group.

For children, the data shows a pattern consistent with the school calendar. Detentions peaked in May (659) which might coincide with study-leave prior to exams for students aged 16 and older, and July (581) and August (553) which coincide with school holidays, before dropping sharply in September (438) at the start of the new academic year. December saw the lowest number of child detentions across the study period (368), likely reflecting the Christmas holiday period when young people may have less unsupervised time, as well as colder weather.

For adults, fluctuations were more modest, with no clear seasonal pattern beyond the September dip. Adult detentions ranged from 4,661 in September to 5,487 in July.
For vulnerable adults, detentions ranged from 276 in November to 357 in August. There appears to be a steady increase from November through to May, and fluctuations over the summer.

Figure 5: Volume of child detentions by month

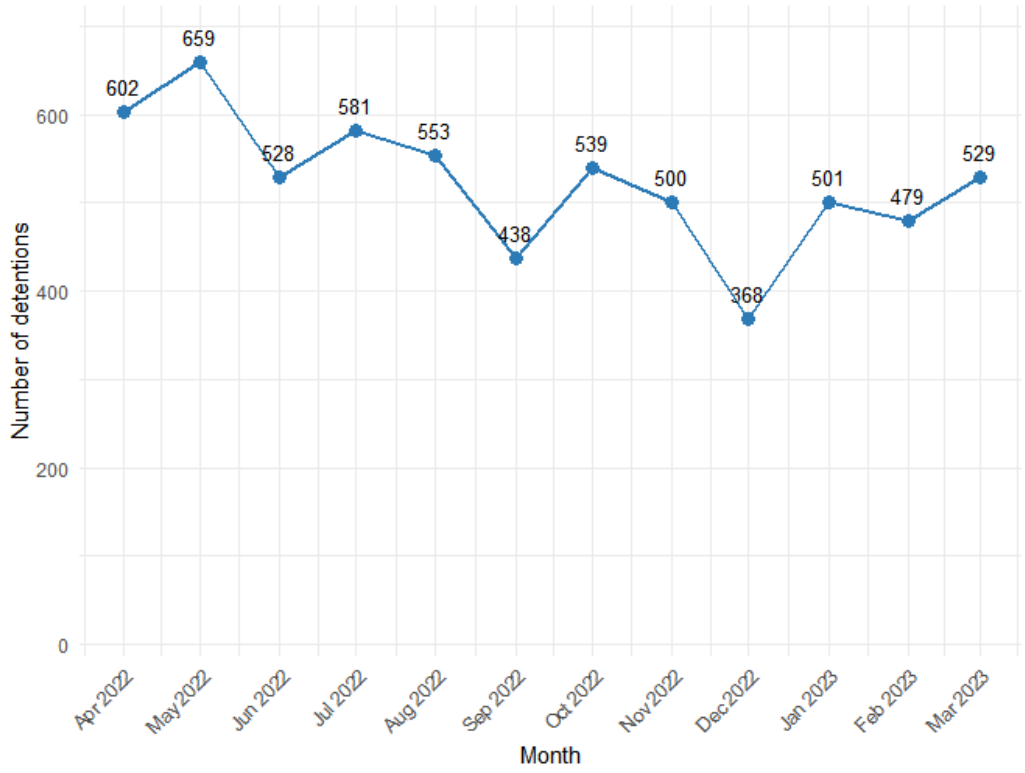


Figure 6: Volume of vulnerable adult detentions by month

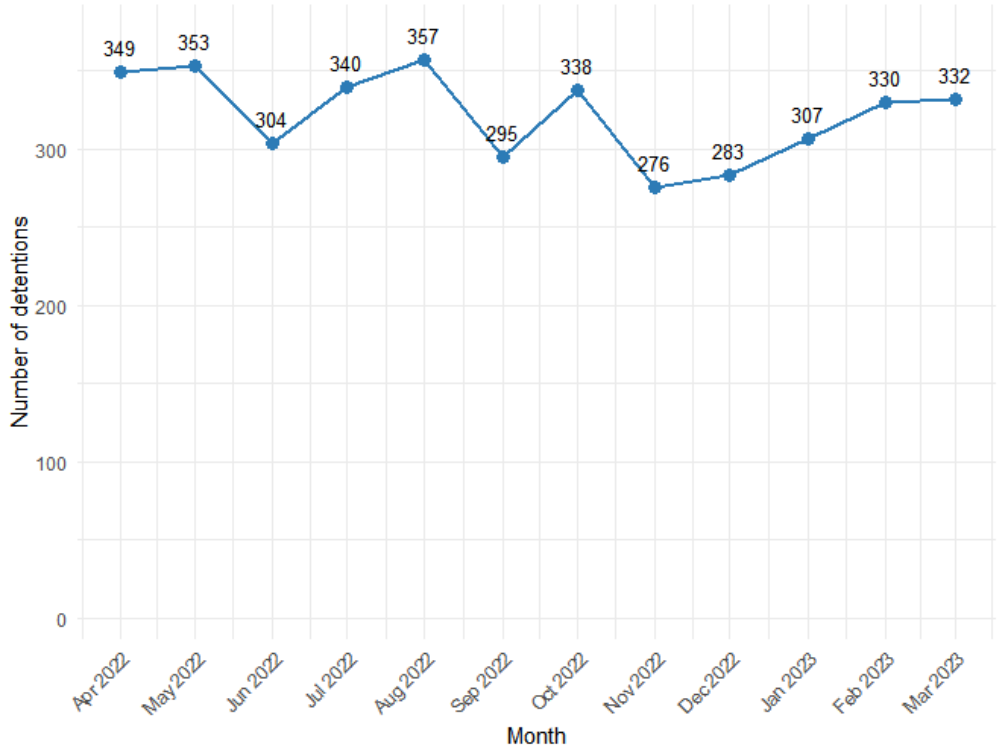


Figure 7: Volume of adult detentions by month

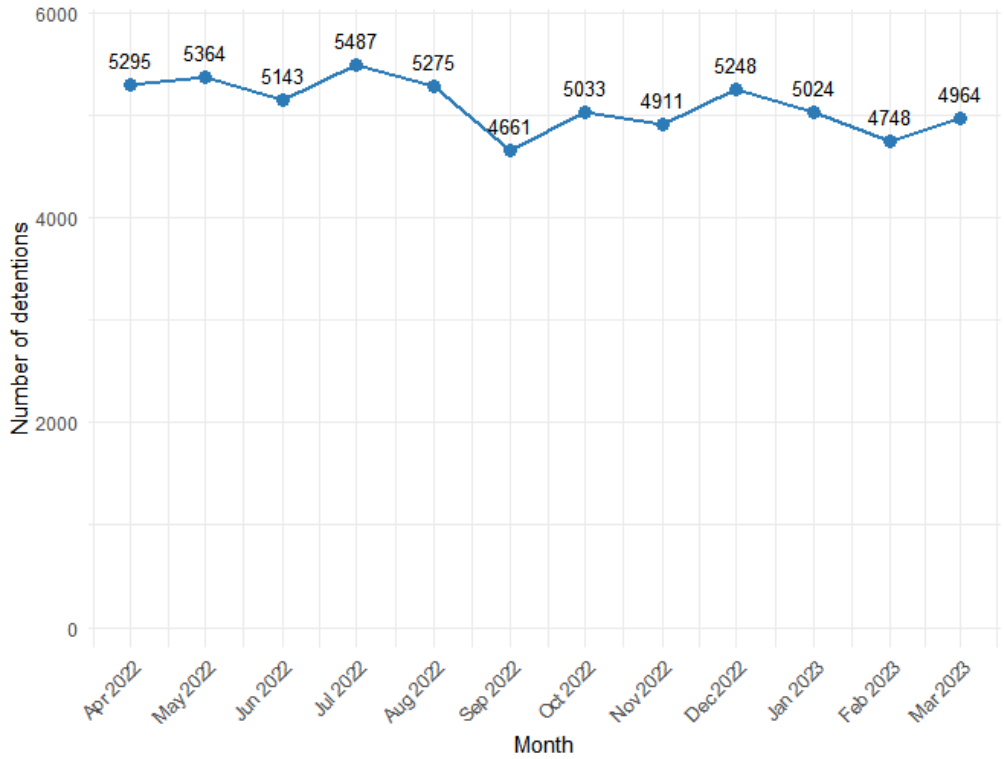
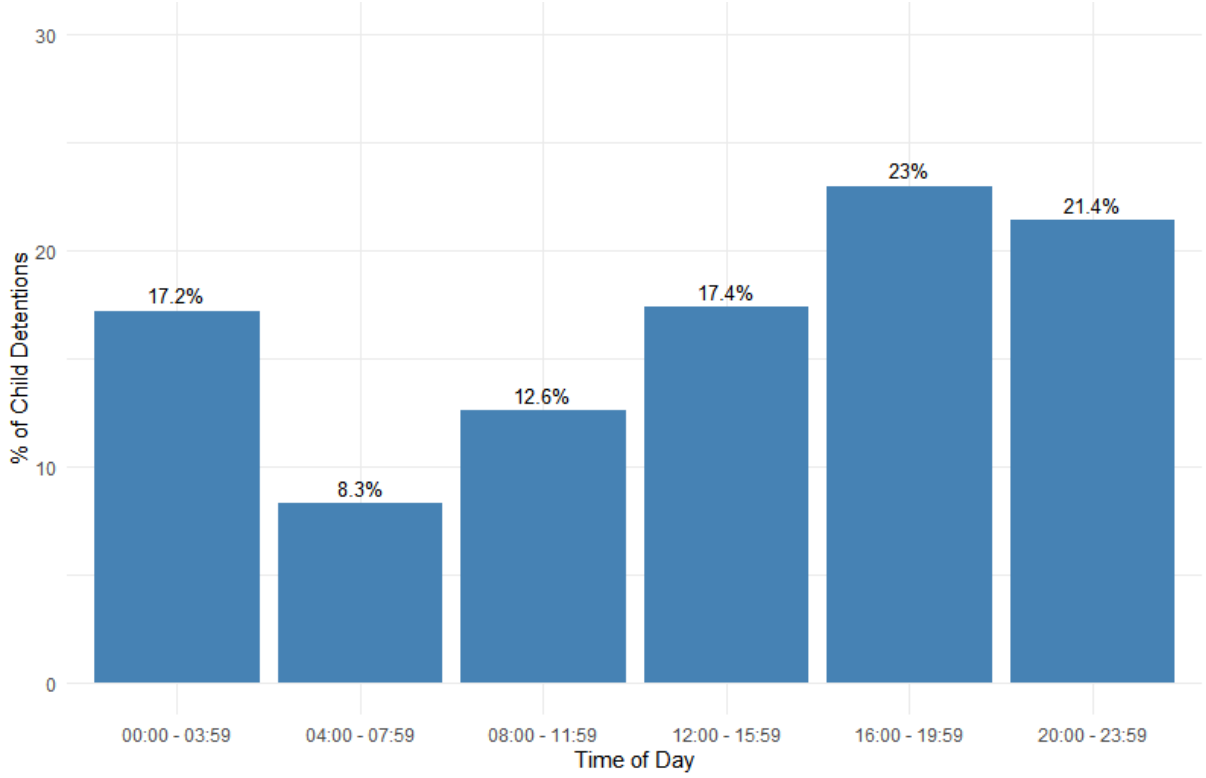


Figure 8 shows the time of detention authorisation for children across the 24-hour period. 70% of children had their detentions authorised outside of standard working hours (defined here as before 08:00 or after 16:00). The greatest volume of child detentions were between 16:00–19:59 (23%), followed by 20:00–23:59 (21.4%) and 00:00–03:59 (17.2%), suggesting that children are most commonly brought into custody in the late afternoon and evening.

Figure 8: Time of day that children are brought into custody



6. Requests for legal advice

All five forces were able to provide information on whether or not legal advice was requested – but not whether legal advice was actually received (e.g. if the detainee changed their mind) , or which form it was received in (e.g. whether it was in-person or remotely). Although, with the exception of arrests during the Covid19 pandemic, all children who request legal advice will receive it in-person during the police interview.

86.7% of children requested legal advice. Request rates were similar for vulnerable adults (86.9%) and less for adults (62.1%). This is a slight increase seen on the rates observed in our 2023 analysis, when 80.2% of children and 61.0% of adults requested legal advice (Kemp and others 2023).

- Child request rates ranged from 82.1% (Force B) to 94.8% (Force E)
- Adult request rates ranged from 52.7% (Force D) to 67.7% (Force C)
- Vulnerable adult request rates ranged from 83.1% (Force E) to 94.5% (Force C)

Male children were slightly more likely to request legal advice than female children (87.3% compared with 83.8%), and this difference was statistically significant ($\chi^2 = 8.82$, $p = .003$). Table 5 shows the percentage of children, adults, and vulnerable adults who requested legal advice, broken down by sex.

Table 5: Percentage of children, adults, and vulnerable adults requesting legal advice, by sex

	Children	Adults	Vulnerable Adults
Female	83.8%	59.4%	84.8%
Male	87.3%	62.6%	87.5%

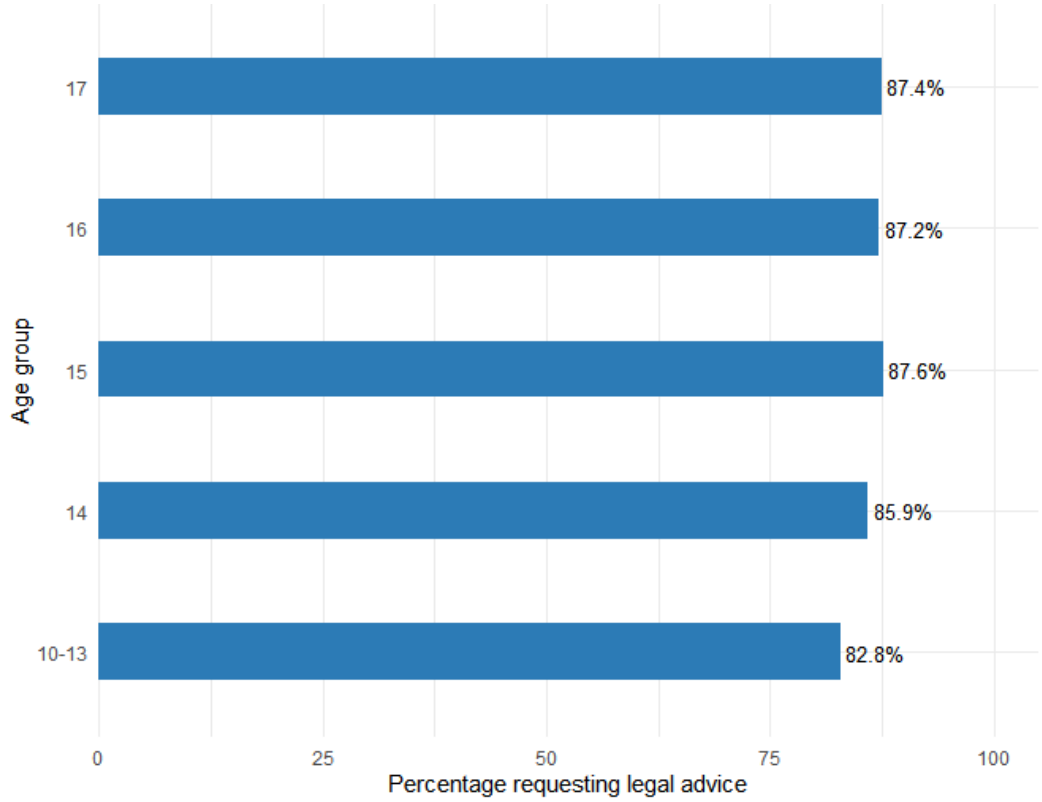
Request rates also differed by Ethnicity – Asian and Black children were more likely to request legal advice than White children. Table 6 shows the percentage of children, adults, and vulnerable adults who requested legal advice, broken down by ethnicity. These findings reflect similar findings from earlier work (Pleasence and others 2011, Kemp and others, 2023).

Table 6: Percentage of children, adults, and vulnerable adults requesting legal advice, by ethnicity

	Children	Adults	Vulnerable Adults
White	85.4%	59.7%	86.7%
Asian	91.1%	73.1%	91.7%
Black	90.6%	72.3%	88.4%
Unknown	87.2%	63.0%	83.9%

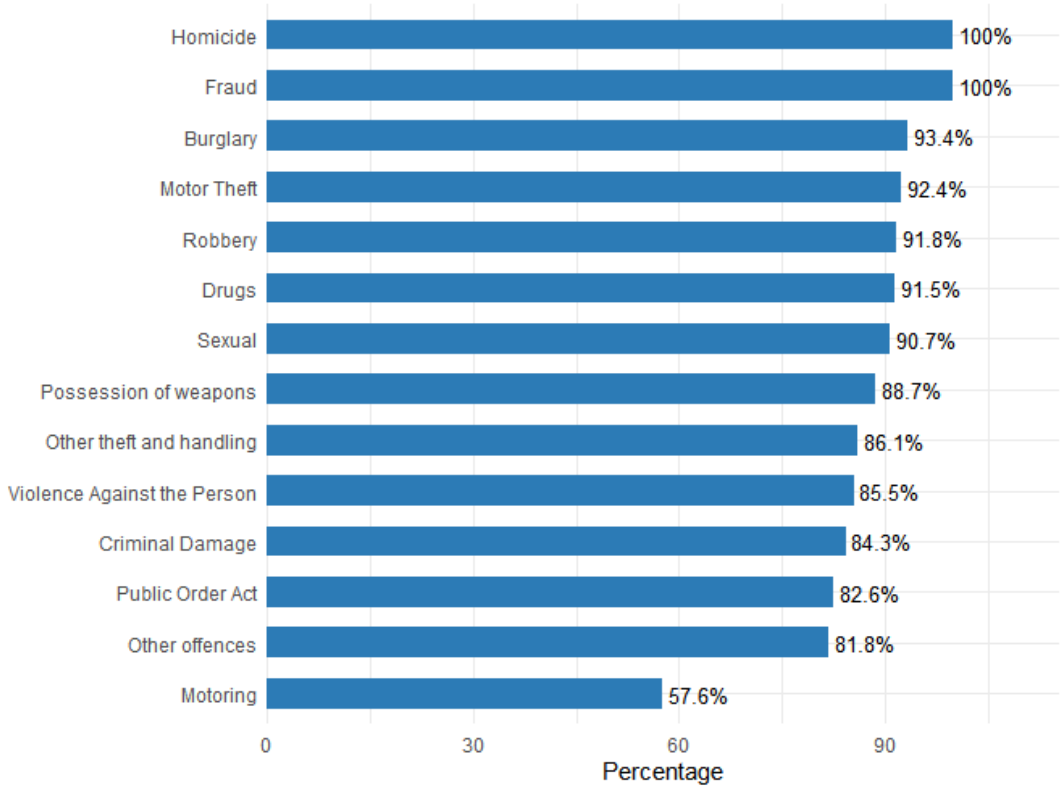
Younger children were slightly less likely to request legal advice than older children. This is shown in figure 9. This could be potentially associated with the fact that younger children were more likely to have family/friends acting as appropriate adults (as described below), rather than formal schemes who may be more likely to recommend that children seek legal advice. This finding, that 10–13-year-olds are less likely than older children to request legal advice, is one that we have noted consistently in previous work (Kemp and others 2011; Kemp and others 2023).

Figure 9: Percentage of children requesting legal advice by age



Legal advice requests varied by offence type for children, as shown in figure 10. 100% of those detained for homicide or fraud requested legal advice, and rates were consistently high across most serious offences - over 90% for burglary, motor theft, robbery, and drugs offences. The lowest request rate was for children detained for motoring offences (57.6%).

Figure 10: Percentage of children requesting legal advice by primary offence type



We ran a logistic regression model to test which factors were statistically significantly associated with children requesting legal advice. This allowed us to input multiple variables and assess their influence in the presence of other variables. For the purposes of the model, we grouped offences into: acquisitive crime (burglary, fraud, theft of motor vehicles and other theft/handling); violent offences (including violence against the person, robbery and possessing a weapon); sexual offences; drug offences; criminal damage; motoring offences; and other offences (including Public Order Act offences). Homicide was not included in the model due to there being very small numbers of children in this category. The extent to which force was used prior to detention was coded as: no force used; handcuffs; and more serious forms of force. Requesting legal advice was treated as a binary outcome variable. The model was statistically significant overall and explained approximately 5.9% of the variance in requests for legal advice (McFadden's pseudo $R^2 = .059$).

We found that both Black and Asian children were significantly more likely to request legal advice than White children (Black: OR=1.72, p<.001; Asian: OR=2.00, p<.001). Older children were more likely to request legal advice than younger children (OR=1.10, p<.001), consistent with findings from our previous study. Children with a mental health flag were significantly more likely to request legal advice (OR=1.61, p<.001), while self-harm was not significantly associated with legal advice requests.

Children who had handcuffs used before detention were significantly more likely to request legal advice than those where no force was used (OR=1.43, p<.001). In terms of offence type, children detained for acquisitive (OR=2.01), drug (OR=1.64), and sexual offences (OR=2.00) were all significantly more likely to request legal advice than those detained for 'other' offences. Children detained for motoring offences were significantly less likely to request legal advice (OR=0.23, p<.001) than those detained for 'other' offences. Violent offences and criminal damage were not significantly associated with legal advice requests. The full results of the model can be found in Appendix 1.

7. Appropriate adults

An appropriate adult (AA) is a legal requirement for all children detained in police custody and should also be provided for adults identified as being vulnerable. Across the five forces, 83.6% of children had an AA recorded as required. However, one force (Force B) had a notably high rate of unknown AA status for children (39.7%), which we might guess is a recording issue (due to officers not completing the field because it is automatically required) rather than children genuinely having no AA present, given the mandatory legal requirement. Excluding Force B, 98.9% of children had an AA recorded as required, which is more consistent with the legal requirement. For vulnerable adults, 98.5% had an AA recorded across all five forces.

Force E were able to provide a variable indicating the type of AA. This variable was called 'AA Relationship Description', and we coded the text provided into four categories. These were: Organised/Dedicated AA scheme (where the record indicated an AA from an organised volunteer scheme or paid provider); Family and Friends (including parents, grandparents, siblings, and other relatives or friends); Other professionals (including social workers, carers, and nominated persons); and Unknown/Not recorded.

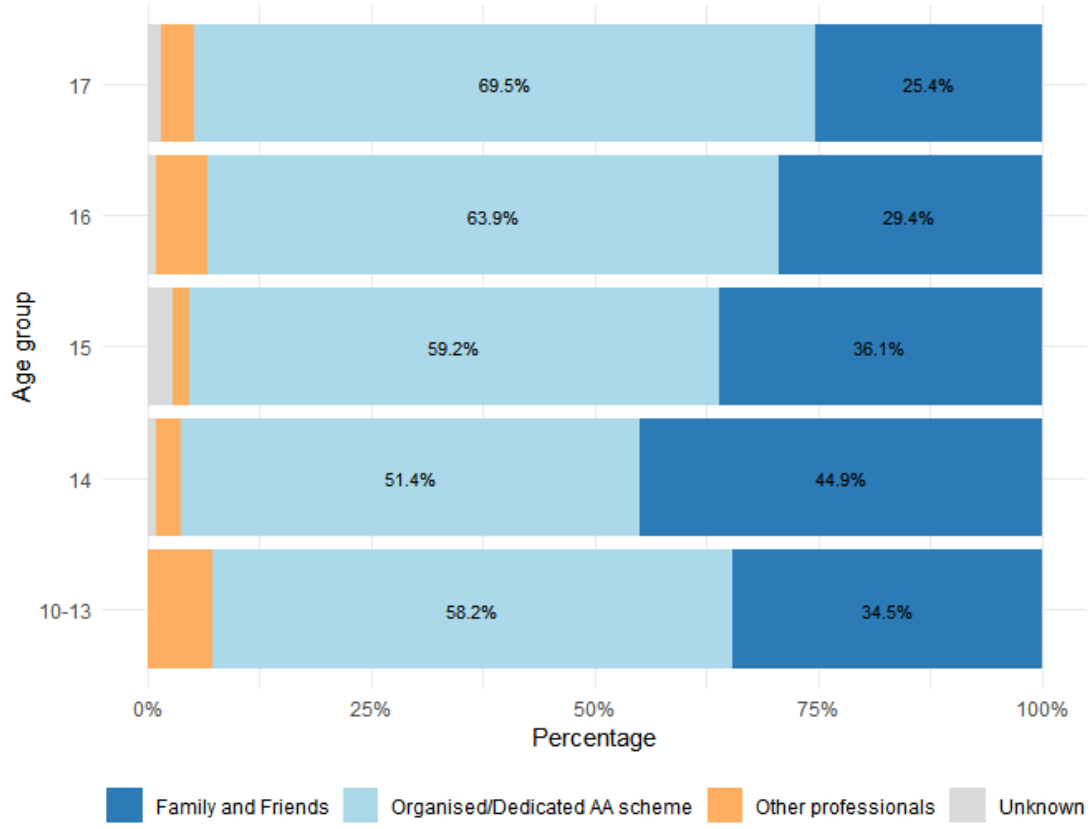
Table 7 presents a breakdown of AA type for children and vulnerable adults in Force E. Children were more likely than vulnerable adults to have a family member or friend act as an AA (26.2% compared with 4.8%). Half of children, and 68.4% of vulnerable adults had an AA from a formal AA scheme.

Table 7: Types of AA in attendance for children and vulnerable adults in Force E

Type of AA	Children	Vulnerable Adults
Organised/Dedicated AA Scheme	50.6%	68.4%
Family and Friends	26.2%	4.8%
Other professionals	3.3%	1.8%
Unknown/Not Recorded	20.0%	25.1%

Younger children were more likely to have family and friends as AAs than older children, who had higher rates of AAs from formal schemes. However, it should be noted that these figures relate to one force only, and the balance between familial and formal scheme AAs is likely to vary considerably depending on local factors. Data from other forces would be needed before any conclusions could be drawn about whether these figures are representative more broadly. This is visualised in figure 11.

Figure 11: Type of appropriate adult by age group (Force E only)



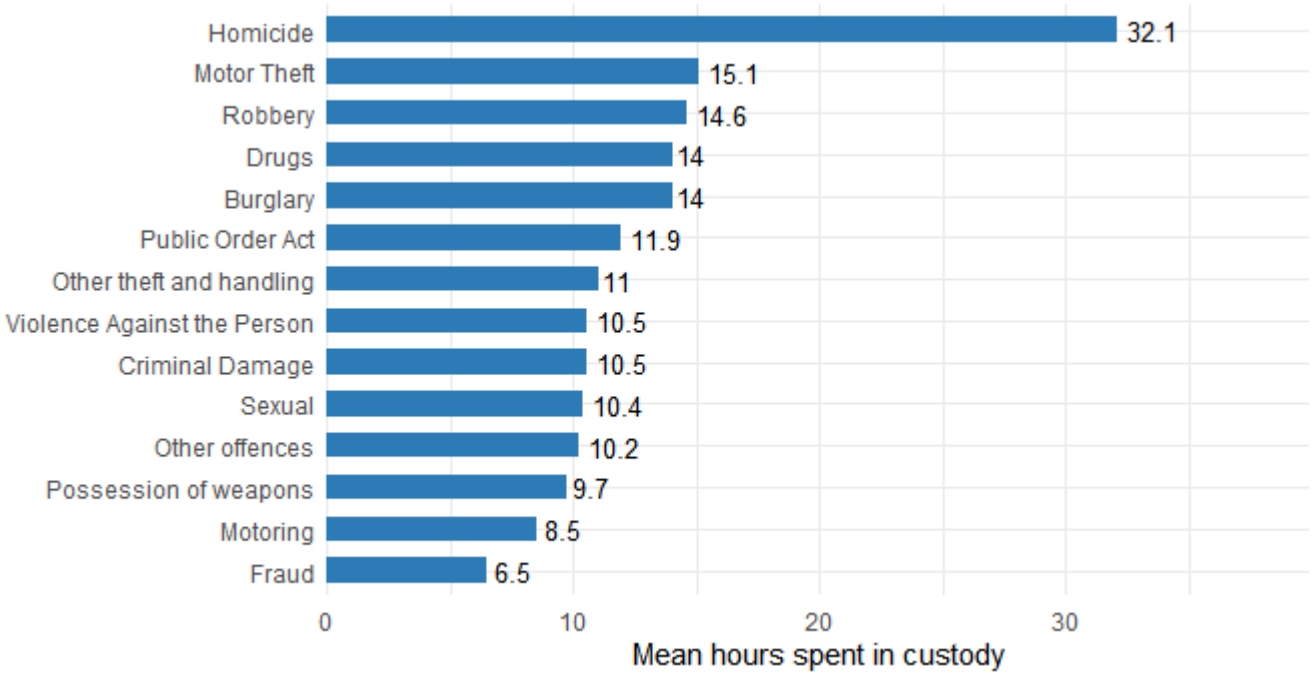
8. Duration of detention

Four of the five forces were able to provide a PACE clock, which records the time spent in detention. A PACE clock pauses for any interruptions to the detention period, such as if the child has to go to hospital. The following analyses relating to time spent in detention therefore describe data from force A, C, D, and E only. These durations relate to the initial detention period only, insofar as this is possible to identify from the data provided.

The mean average time spent in detention for children was 11 hours and 48 minutes, compared with 14 hours and 12 minutes for adults. Vulnerable adults had the longest detention times, with a mean average of 17 hours and 24 minutes.

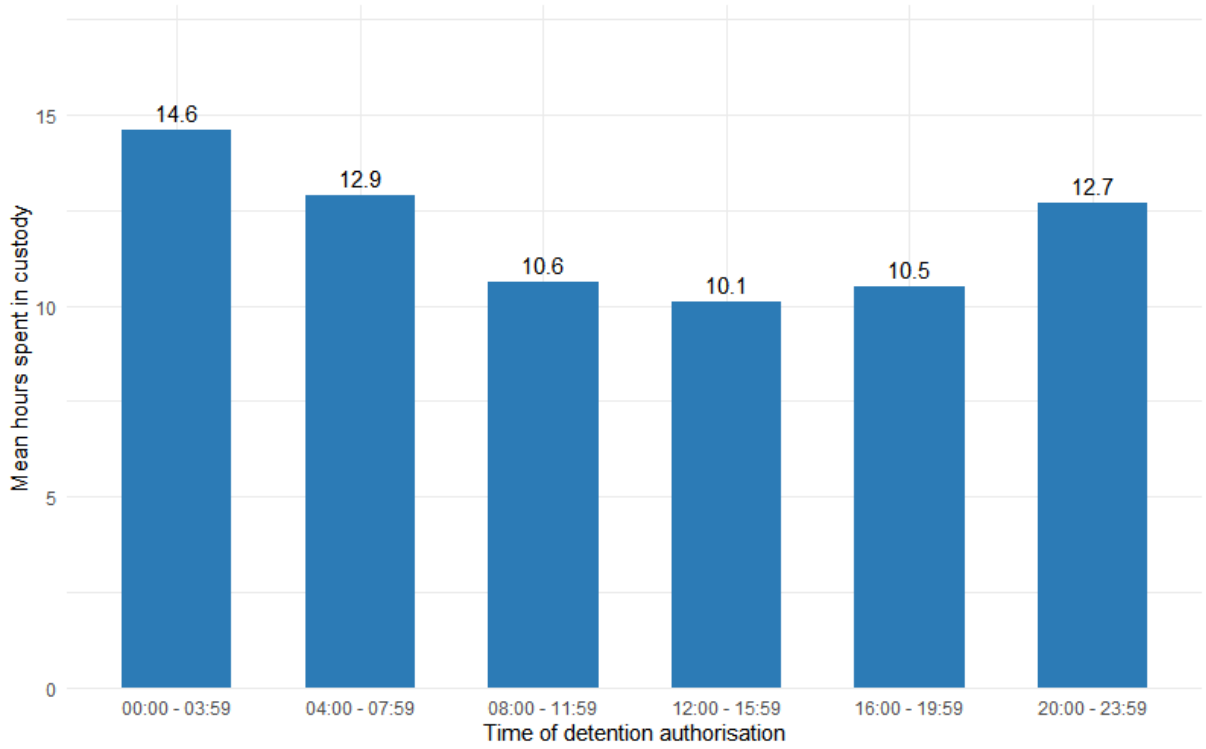
Children detained for homicide spent by far the longest time in custody, with a mean detention time of 32 hours 6 minutes, though it should be noted this is based on a relatively small number of cases. Excluding homicide, motor theft (15 hours 6 minutes) and robbery (14 hours 36 minutes) were associated with the longest custody times, while fraud (6 hours 30 minutes) and motoring offences (8 hours 30 minutes) were associated with the shortest. This is illustrated in figure 12.

Figure 12: Average time spent in custody for children by offence type



Children detained between midnight and 08:00 spent the longest time in custody, with those arriving between 00:00 and 03:59 spending an average of 14 hours 36 minutes in custody, and those arriving between 04:00 and 07:59 spending an average of 12 hours 54 minutes. Children detained during daytime hours (08:00–19:59) spent considerably less time in custody, with mean detention times ranging from 10 hours 6 minutes (12:00–15:59) to 10 hours 36 minutes (08:00–11:59). This is illustrated in figure 13.

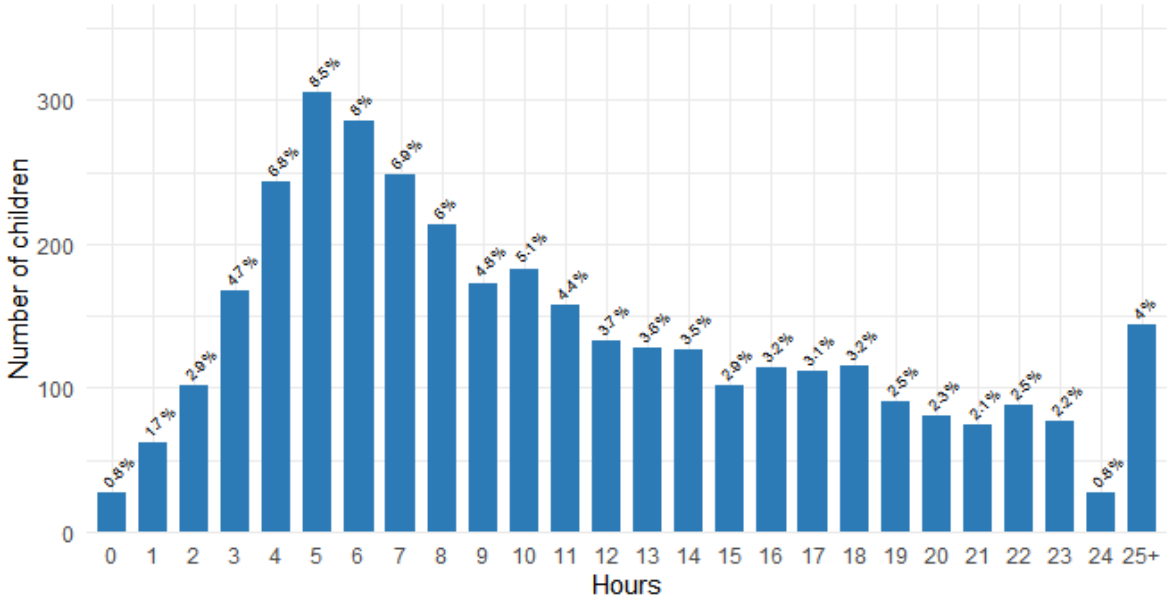
Figure 13: Average time spent in custody for children by time detention was authorised.



We also examined whether this pattern in Figure 13 varied by day of the week, given that staffing levels and access to services such as legal advice and appropriate adults may differ at weekends or during busy periods (such as Friday nights). Mean detention duration did not differ significantly by day of the week ($F = 0.90$, $p = .49$), ranging from 11.2 hours (Monday) to 12.1 hours (Friday). The pattern of longer detention times for children arriving between 20:00 and 07:59 held consistently across all days.

Custody reviews occur at 6, 15, and 24 hours. Figure 14 shows the percentage of children released after x hours in custody. While the greatest number of children were released after spending 5 or 6 hours in custody – around the time of the first inspector's review – there was no spike in the release of children at the 15-hour review, or the 24 hour review, which we would expect if the reviews were effective in helping to expedite cases.

Figure 14: Number of children released after X hours in custody



We conducted a linear regression model examining factors associated with time spent in custody for children, adjusting for gender, age, ethnicity, mental health, self-harm, force used before detention, offence type, and whether legal advice was requested. The model was statistically significant overall ($F = 27.38$, $p < .001$), and it explained 13.5% of the variance in detention time (adjusted $R^2 = .135$), suggesting that other factors not captured in the data also play a role in determining how long children spend in custody.

The strongest predictor of time spent in custody was whether a child had requested legal advice. Children who requested legal advice spent on average 5 hours and 22 minutes longer in custody than those who did not (95% CI: 4.509 – 6.241, $p < .001$). Children who were subject to more serious force before detention also spent significantly longer in custody (5 hours and 0 minutes longer than those subject to no force; 95% CI: 2.724 – 7.285, $p < .001$). Older children spent longer in custody, with each additional year of age associated with an additional 41 minutes. Black and Asian children spent significantly longer in custody than White children (1 hour 51 minutes and 1 hour 42 minutes respectively), even after controlling for all other factors in the model. Gender, mental health, and self-harm flags were not significant predictors of detention time. The full results of the model can be found in Appendix 1.

Of note, In Force F, a custody inspector manually examined the reasons for delays in individual custody records. In 36.8% of cases no delay was recorded. Where delays did occur, the most common reason was police-related factors such as time taken to gather evidence (39.3%), followed by the child being intoxicated (19.6%). In only 0.4% of cases was the delay attributed to waiting for a solicitor, suggesting that the association between requesting legal advice and longer detention times is more likely to reflect officers

undertaking more extensive investigations when a solicitor is going to be present, rather than delays caused by solicitors themselves. While our model controls for offence type, it cannot account for offence severity within categories. We have previously attempted to calculate gravity scores based on offence type, but these were uninformative due to not having sufficient information on mitigating and aggravating factors. It is plausible that children may decline legal advice where the allegation is less serious - which may also partly explain the greater investigative activity observed in cases where legal advice was requested.

9. Overnight detentions

Overnight detentions were calculated using the Home Office definition of overnight detentions; where an individual spent at least 4 hours in custody, and any part of this detention crossed over between 00:00 and 08:00. From analysis conducted by the Home Office (2025) of data provided by 37 forces, 43% of children were detained overnight based on this definition.

Our analysis of overnight detentions was limited to Forces A, C, D, and E, due to the fact that Force B was unable to provide a PACE clock.

60.6% of children, 70.3% of adults, and 74.7% of vulnerable adults were detained overnight, under this definition. This represents a considerable increase from our previous findings (see Kemp and others., 2023 - 53.6% of children and 61.7% of adults were detained overnight). This is likely to be because the Home Office definition of overnight detention was updated since 2023 from spending at least 4 hours in custody and any part of this detention crossing over between 00:00 and 04:00, to between 00:00 and 08:00.

Black children were significantly more likely to have an overnight detention (66.2%) compared to White children (60.0%; $\chi2 = 4.94$, $p = .026$). This is consistent with the 2023 (Kemp and others) study, which also found Black children were significantly more likely to be detained overnight compared to White children. There were no significant differences in overnight detention rates between Asian (59.5%) and White children ($\chi2 = 0.001$, $p = .972$), and no significant differences by gender.

10. Strip searches

Across all five forces, 6.1% of children, 6.4% of adults, and 5.5% of vulnerable adults were strip searched.

Amongst children, 6.3% of males were strip searched compared with 4.7% of females. This difference was not statistically significant ($\chi2 = 3.59$, $p = .058$). There were, however, significant differences by ethnicity. Black children were significantly more likely to be strip searched than White children (13.1% vs 5.1%; $\chi2 = 71.17$, $p < .001$), as were Asian children compared to White children (8.0% vs 5.1%; $\chi2 = 5.92$, $p = .015$).

Overall strip search rates have declined since our 2023 (Kemp and others) study (from 7.5% to 6.1% for children), consistent with recent policy changes in this area. However, ethnic disparities persist - Black children remain significantly more likely to be strip searched than White children, and while the absolute rate for Black children is broadly comparable to the 2023 findings, the rate for White children has fallen further, meaning the relative disparity has in fact widened.

We ran a logistic regression model to test which factors were associated with children being strip searched. The model was statistically significant overall and explained approximately 23.1% of the variance in strip searching (McFadden's pseudo $R^2 = .231$). The full model is described in Appendix 1.

Children detained for drug offences were by far the most likely to be strip searched, with odds nearly 11 times higher than those detained for other offences (OR = 10.927, $p < .001$). The use of force before detention was also strongly associated with strip searching. Children for whom handcuffs were used prior to detention had over four times the odds of being strip searched (OR = 4.321, $p < .001$), and those subject to more serious force had three times the odds (OR = 3.370, $p < .01$), compared to children where no force was used. Contrary to the descriptive findings, females were significantly more likely to be strip searched than males after controlling for other factors (OR = 1.756, $p < .01$), and older children were more likely to be strip searched than younger children (OR = 1.320, $p < .001$). Black children remained significantly more likely to be strip searched than White children after controlling for all other variables (OR = 2.027, $p < .001$), while the difference between Asian and White children was not significant. Mental health and self-harm flags were not significant predictors of strip searches.

11. Use of force

All five forces provided a variable describing the level of force used before custody. Four of the five forces (all except Force A) provided a variable describing the use of force in custody as well. The descriptions of the level of force used were categorised into three levels – no force used, handcuffs, and more serious force. More serious force include, for example, restraint techniques, tasers, and incapacitant spray.

Table 8: force used before custody:

	Children	Adults	Vulnerable Adults
No Force Used	26.3%	29.0%	26.1%
Handcuffs	69.0%	67.4%	69.9%
More Serious Force	4.8%	3.6%	4.0%

Table 9: Force used in custody:

	Children	Adults	Vulnerable Adults
No Force Used	90.7%	92.4%	90.1%
Handcuffs	4.3%	3.8%	6.3%
More Serious Force	4.9%	3.8%	3.6%

12. Case outcomes

Initial disposals when suspects were first released from police custody were provided by four of the five forces (all except A) and are described in table 10. Most recent disposals were provided by all five forces and are described in table 11. Disposals attached to the custody record are updated as the case progresses. We are using the term 'most recent disposal' to reflect that these are the most up-to-date recorded disposals at the time data were drawn (between Jan 2024 and Jan 2025 depending on the force). Older cases (e.g. from April 2022) will have therefore had more time to be resolved than cases from e.g. March 2023, which must be noted as a limitation. Some cases therefore exist in the "final" disposals, which remain unresolved at the time data was collected (e.g. released under investigation, or released on bail).

Table 10: First disposals (on release from custody)

	Children	Adults	Vulnerable Adults
No Further Action	20.6%	25.4%	26.7%
Out-of-Court Resolution	2.1%	6%	5.9%
Bail	41.6%	28.8%	30%
Released Under Investigation	23.1%	13.2%	10.4%
Charge	12.3%	25.4%	25.8%
Other	0.3%	1.2%	1.2%

Children were notably more likely to be bailed (41.6%) or released under investigation (23.1%) compared to adults, and considerably less likely to be charged (12.3% vs 25.4%) or - given an out-of-court resolution (OOCR) (2.1% vs 6%). 20.6% of children (one fifth) were given no further action (NFA) on initial release, raising questions about whether their detention was absolutely necessary.

Table 11: Most recent disposals

	Children	Adults	Vulnerable Adults
No Further Action	60.7%	52.9%	57.5%
Out-of-Court Resolution	11.3%	6.3%	6.3%
Bail	1.5%	1.0%	0.9%
Released Under Investigation	3.8%	2.2%	2.2%
Charge	21.6%	35.8%	31.6%
Other	1.0%	1.7%	1.6%

When cases had more time to resolve, more than half of all detainees (including adults, vulnerable adults, and children) had no further action as their case outcomes. The rate of NFA for children increased to 60.7%. OOCRs also increased for children once cases had more time to resolve; from 2.1% at first disposal to 11.3% at most recent disposal. Of the 21.6% of children who had 'charge' as their most recent disposal, 9% were remanded in custody.

The average time a child spent in custody varied depending on the first case outcome. Those children who received an OOCR initially spent the least time in custody, at an average of 8 hours and 36 minutes, while those who were charged spent the longest, at an average of 17 hours. In cases where NFA was taken, children spent an average of 9 hours and 6 minutes in custody, and for those released under investigation it was also 9 hours and 6 minutes. Children who were initially bailed spent an average of 11 hours and 30 minutes in custody.

Figure 15 shows the proportion of final case outcomes by age group for children. NFA was the most common outcome across all age groups, ranging from 59.4% for 14-year-olds to 62.7% for 15-year-olds. Older children were slightly more likely to be charged, rising from 18.4% of those aged 13 or younger to 24.6% of 17-year-olds, while younger children were more likely to receive an OOCR, with 16% of those aged 13 or younger receiving an OOCR compared to just 8.7% of 17-year-olds.

Figure 15: Proportion of case outcomes by age for children

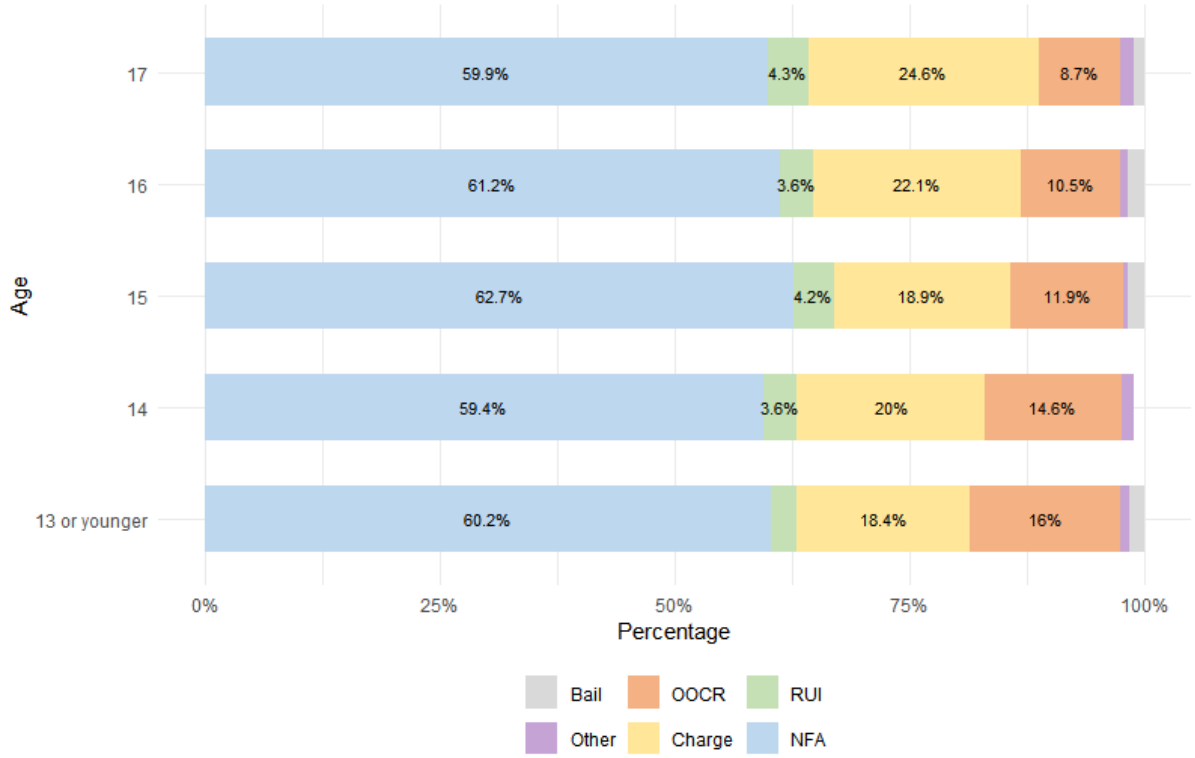


Figure 16 shows the proportion of initial case outcomes for children, split by whether they did or did not request legal advice. NFA rates were similar across both groups (20.6% vs 20.9%). Children who did not request legal advice were more likely to be released under investigation, and also less likely to be charged, but a higher proportion were released on bail. One important limitation to note when interpreting the following charts is that we did not have a measure of the seriousness of the offence – which may have impacted both requests for legal advice and case outcomes. Previously (see Kemp, Kent, & Farrall, 2023), we have attempted to assign gravity scores to individual offences, however we found this to be imprecise due to a lack of information on aggravating and mitigating factors.

Figure 16: Proportion of initial case outcomes for children who did/did not request legal advice

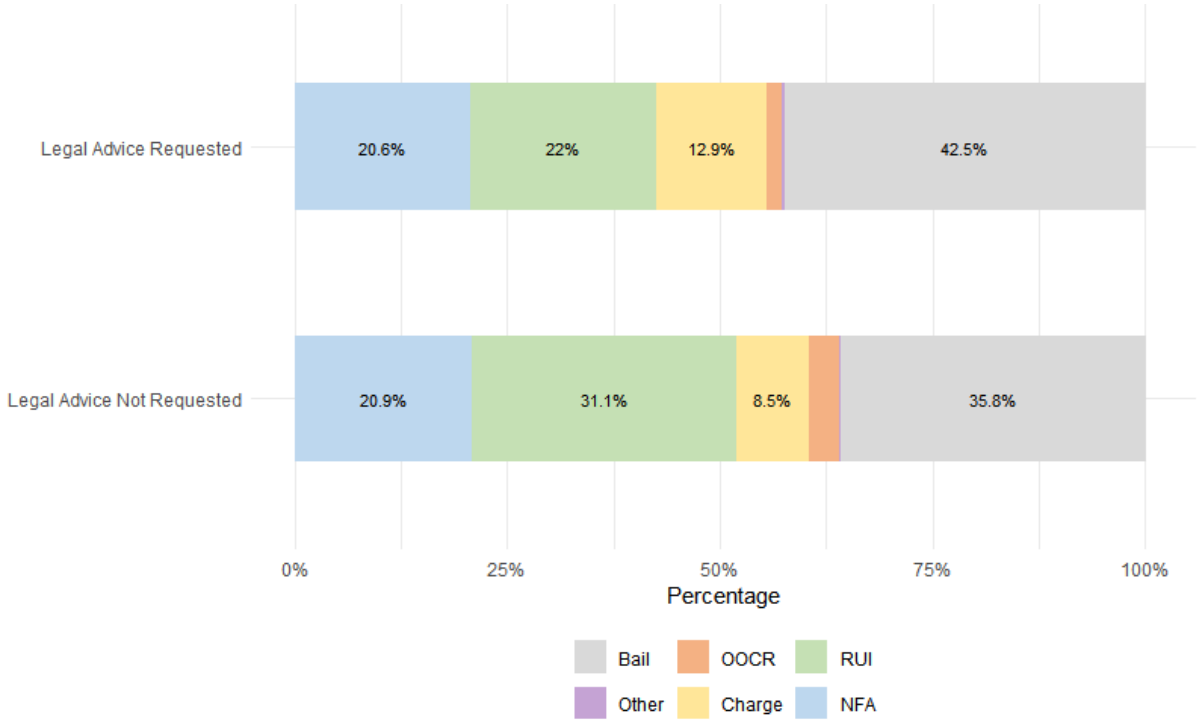
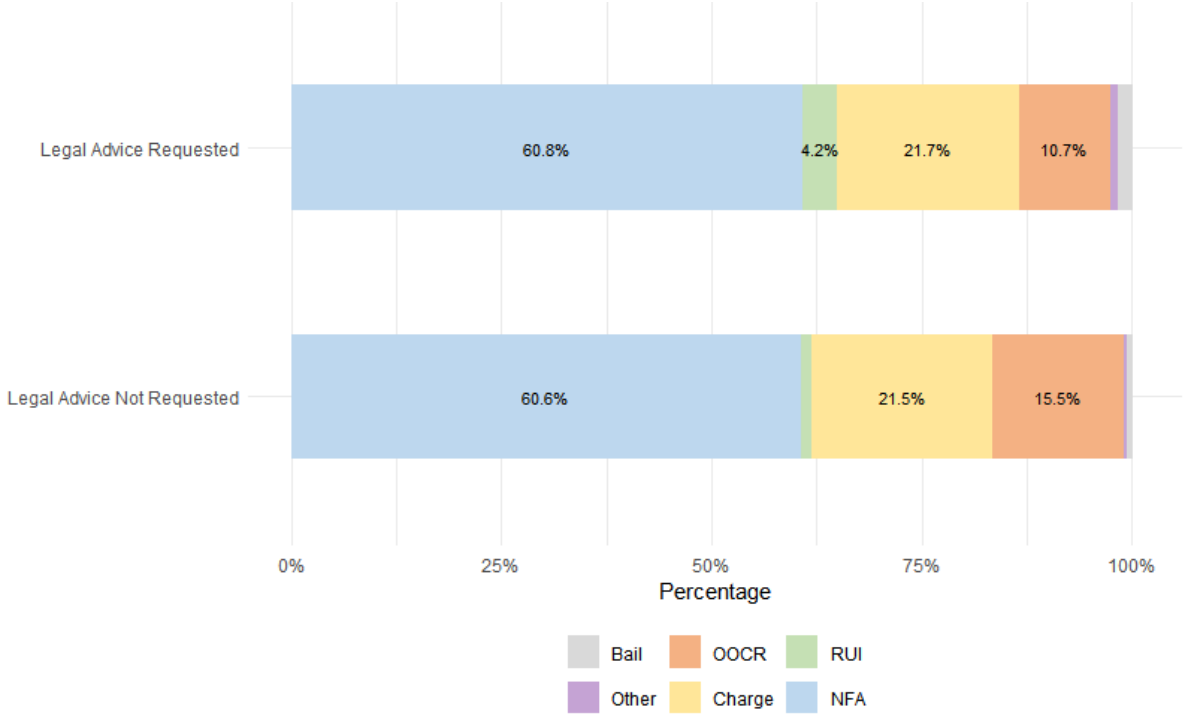


Figure 17 shows proportion of most recent case outcomes for children, split by whether they did or did not request legal advice. As with initial case outcomes, the proportion of children who had NFA as their most recent outcome was very similar between those who did and did not request legal advice – 60.8% and 60.6%. Those children who did not request legal advice were more likely to have OOCR as their most recent outcome.

Figure 17: Proportion of most recent case outcomes for children who did/did not request legal advice



There were some observable differences in most recent case outcomes by offence type, as described in figure 18. For example, over half of children (51.8%) arrested for motoring offences had a charge as their most recent outcome, while NFA was relatively low at 42.1%.

Sexual offences had the highest percentage of cases with NFA as the most recent outcome (68.3%), which is consistent with the well-documented difficulties in prosecuting sexual offences. Homicide also had a high NFA rate (58.1%) though this should be interpreted cautiously given the small number of cases.

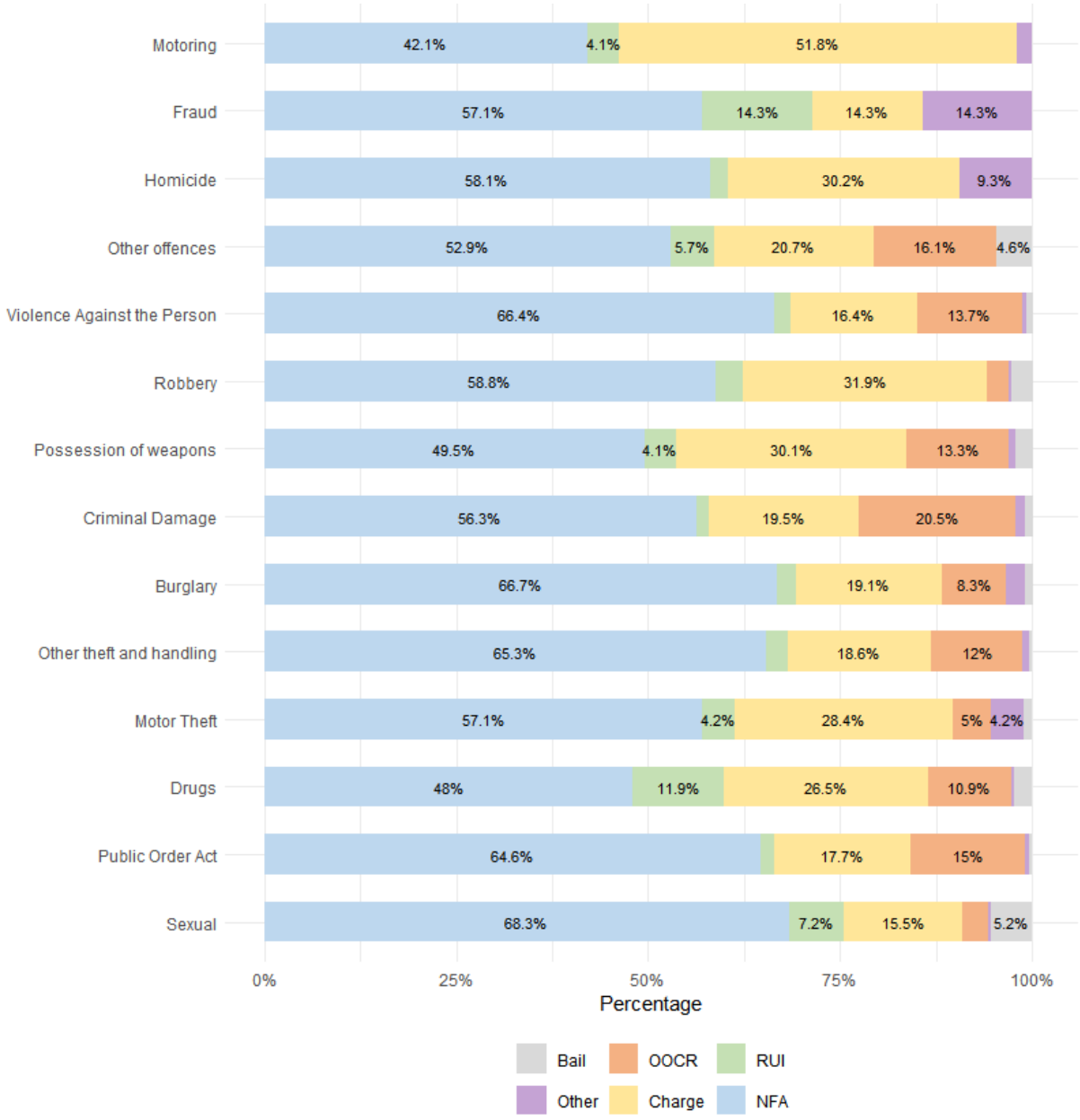
One of our five forces was Welsh, and we noted a difference in most recent case outcomes for children in this Welsh force when compared with the four English forces. The use of OOCR was significantly higher – 19.6% of children in the Welsh force received these, compared with 9.2% of children in the English forces. A higher proportion of children in the Welsh force also had charge as their most recent outcome (30.7% vs 19.3%), while fewer had no further action (44.2% vs 64.3%). This is shown in Table 12.

Table 12: Most recent disposals for 1 Welsh force, compared with averages from 4 English forces for Children

	Wales	England
No Further Action	44.2%	64.3%
Out of Court Resolution	19.6%	9.2%
Bail	0.1%	1.9%
Released Under Investigation	3.1%	4.0%
Charge	30.7%	19.3%
Other	0.9%	1.0%

OOCR were most common for criminal damage (20.5%), violence against the person (13.7%), and public order offences (15%). Drug offences had a notably high RUI rate (11.9%) compared to other offence categories, and a relatively high charge rate (26.5%). Robbery and possession of weapons both had relatively high charge rates (31.9% and 30.1% respectively).

Figure 18: Proportion of most recent case outcomes by offence type for children



13. Conclusion

This report has examined custody record data across five police forces, providing a detailed picture of how children are processed through the custody system. The findings raise a number of concerns that warrant attention from policymakers, police forces, and those responsible for the oversight of children in the justice system.

The high rate of NFA outcomes for children (60.7% across the five forces) raises fundamental questions about the proportionality of detaining children in the first place. Where the majority of children who enter custody ultimately have no further action taken, this suggests that detention is not always necessary or justified, and that diversion at an earlier stage should be more actively pursued. This is particularly pertinent given the high levels of vulnerability in this population. Over a third of children had a mental health flag recorded, around a quarter had a self-harm flag, and 15.2% had a suicidality flag. In Force A, one in ten children entering custody was identified as either a child at risk or on the Child Protection Register, and data from Force F suggests that looked after children are significantly overrepresented in custody compared to their share of the general population.

The data also highlight persistent racial disparities. Black children are overrepresented in custody relative to their share of the population and are significantly more likely to be strip searched than White children, a disparity that has widened since our 2023 (Kemp and others) study despite an overall decline in strip search rates. Children who requested legal advice spent on average over five hours longer in custody than those who did not, even after controlling for offence type, which underscores the need for earlier engagement between lawyers and police to reduce unnecessary delays. Children detained between midnight and 4am spend the longest time in custody on average, highlighting the importance of all-hours services.

Recommendations

Recommendations relating to custody record data collection

1. Forces should consistently collect and create electronically retrievable data on whether a child is a child in need or looked after child.
2. The type of appropriate adult provided should be consistently recorded, along with the time of first contact, distinguishing between first administrative contact and meaningful engagement with the child.
3. Vulnerability flags should be standardised across forces using a consistent set of categories to enable reliable comparison and monitoring.

4. Whether legal advice was requested, received, and in what form (remote or in person) should be consistently recorded, along with the time of first solicitor contact with the child.

5. Some forces (including large urban forces where the greatest numbers of children in custody are detained) currently cannot pull electronic records on how long individuals are held in custody under a PACE clock (which adjusts for time spent on bail prior to interview, and time spent in hospital for example). This is a significant gap given the centrality of detention duration to PACE compliance and should be addressed as a priority.

Recommendations emerging from the findings

6. Forces should address the near-automatic authorisation of detentions, particularly given that the majority of children detained ultimately receive no further action. High NFA rates suggest that in many cases detention is not proportionate or necessary, and earlier diversion should be more actively pursued.

7. Mandatory legal advice for children should be considered, with particular attention to younger children who are currently less likely to request it. Further focus should be given to reducing systemic delays associated with solicitor attendance, including through earlier engagement between lawyers and police prior to the police interview where possible.

8. More should be done to ensure all-hours provision of appropriate adults, solicitors, and other support services. Children detained between midnight and 4am spend the longest time in custody on average, and earlier access to legal advice and support could both reduce detention duration and improve outcomes.

9. The lower rate of OOCRs for older children (17-year-olds) should be examined further, as should the differential use of OOCRs in England and Wales.

10. Forces should take concrete steps to address racial disparities in custody and strip search rates. Black children are significantly overrepresented, and the disparity in strip search rates has widened since the 2023 study. Responses should include impact monitoring, sustained anti-racism training, and meaningful community engagement, particularly with communities disproportionately affected by serious youth violence and over-policing. Structural responses are needed alongside individual-level training.

11. Children in need and looked after children should not be held in custody due to a lack of safe and appropriate provision in the local authority. Funding for local services to address this is essential.

15. References

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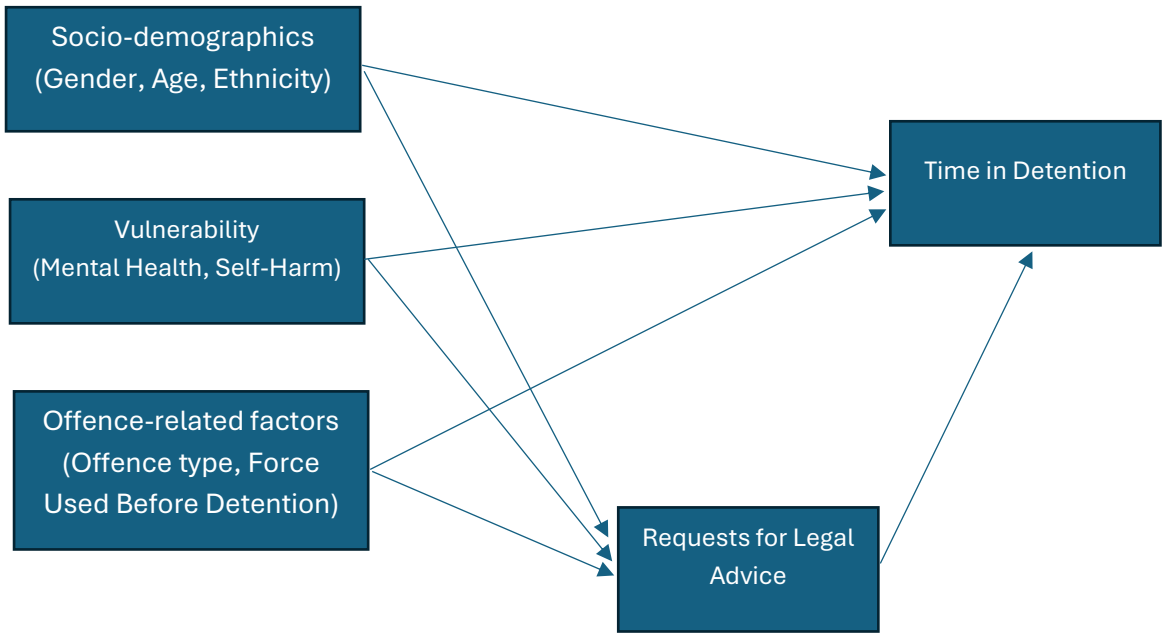
Appendix 1: Regression Models

Theoretical Model

We designed the statistical models according to the assumptions outlined in Figure 19. We assume that individual characteristics (such as age, gender, and ethnicity), vulnerability factors (flags for mental-health and self-harm which were provided by all 5 forces), and the immediate circumstances of the arrest (offence type and force used before detention) are associated with whether the child requested legal advice (the thin arrows represent these relationships). All of these factors, *and* whether or not the child requested legal advice might impact the time spent in custody for that child.

Figure 19: Schematic of theoretical model



For the purposes of the regression models, we grouped offences into: acquisitive crime (burglary, fraud, theft of motor vehicles and other theft/handling); violent offences (including violence against the person, robbery and possessing a weapon); sexual offences; drug offences; criminal damage; motoring offences; and other offences (including Public Order Act offences). Homicide was not included in the model due to there being very small numbers of children in this category. The extent to which force was used prior to detention was coded as: no force used; handcuffs; and more serious force.

Factors affecting requests for legal advice

A generalised linear model (logistic regression) was used to model factors associated with a child requesting legal advice (a binary outcome variable).

Table 13: Results of logistic regression model examining factors associated with requests for legal advice for children (adjusted model – all estimates are adjusted for all other covariates)

Variable		Estimate	Odds Ratio (Adjusted)	95% Confidence Interval
Gender (Male is reference category)	Female	-0.214	0.808	0.640-1.023
Ethnicity (White is reference category)	Black	0.540	1.717***	1.315-2.269
	Asian	0.693	2.000***	1.415-2.902
Age		0.094	1.098**	1.035-1.165
Mental Health Flag		0.476	1.610***	1.318-1.972
Self-Harm Flag		-0.181	0.835	0.668-1.046
Force used before detention ('No force used' is reference category)	Handcuffs	0.357	1.429***	1.183-1.723
	More serious force	-0.453	0.635*	0.441-0.929
Offence Type ('Other' is the reference category)	Acquisitive	0.697	2.007***	1.433-2.819
	Criminal Damage	0.120	1.127	0.791-1.612
	Drugs	0.497	1.644*	1.098-2.499
	Motoring	-1.458	0.233***	0.156-0.347
	Sexual	0.691	1.996**	1.322-3.065
	Violent	0.192	1.211	0.928-1.569

Note: *, ** and *** indicate that p is significant at the .05, .01 and .001 levels, respectively.

Factors affecting time spent in detention

A generalised linear model (linear regression) was used to model factors associated with the time children spent in custody. We included a binary predictor for whether or not children requested legal advice, as we hypothesised that this may influence time spent in custody.

Table 14: Results of linear regression model examining factors associated with time spent in detention for children (adjusted model – all estimates represent hours, adjusted for all other covariates in the model)

Variable		**Estimate (adjusted)**	**95% Confidence Interval**
Gender (Male is reference category)	Female	-0.648	-1.430 - 0.135
Ethnicity (White is reference category)	Black	1.849***	0.861 - 2.837
	Asian	1.699**	0.449 - 2.949
Age		0.680***	0.480 - 0.880
Mental Health Flag		0.590	-0.021 - 1.201
Self-Harm Flag		0.446	-0.252 - 1.144
Legal Advice Requested		5.375***	4.509 - 6.241
Force used before detention ('No force used' is reference category)	Handcuffs	2.325***	1.697 - 2.953
	More serious force	5.004***	2.724 - 7.285
Offence Type ('Other' is the reference category)	Acquisitive	2.084***	1.112 - 3.055
	Criminal Damage	-0.447	-1.564 - 0.669
	Drugs	1.780**	0.541 - 3.019
	Motoring	-2.525**	-4.385 - -0.664
	Sexual	-0.893	-2.246 - 0.459
	Violent	-0.042	-0.904 - 0.820

Note: *, ** and *** indicate that p is significant at the .05, .01 and .001 levels, respectively.

Factors associated with strip searches for children

A generalised linear model (logistic regression) was used to model factors associated with a child being strip searched (a binary outcome variable).

Table 15: Results of logistic regression model examining factors associated with strip searches for children (adjusted model – all estimates are adjusted for all other covariates)

Variable		Estimate	Odds Ratio (Adjusted)	95% Confidence Interval
Gender (Male is reference category)	Female	0.563	1.756**	1.170 - 2.596
Ethnicity (White is reference category)	Black	0.706	2.027***	1.470 - 2.777
	Asian	0.294	1.342	0.853 - 2.061
Age		0.277	1.320***	1.179 - 1.484
Mental Health Flag		-0.139	0.871	0.634 - 1.189
Self-Harm Flag		-0.009	0.991	0.679 - 1.434
Force used before detention ('No force used' is reference category)	Handcuffs	1.464	4.321***	2.705 - 7.305
	More serious force	1.215	3.370**	1.549 - 7.158
Offence Type ('Other' is the reference category)	Acquisitive	-0.443	0.642	0.338 - 1.211
	Criminal Damage	0.551	1.734	0.956 - 3.174
	Drugs	2.391	10.927***	6.828 - 18.249
	Motoring	-0.554	0.575	0.165 - 1.553
	Sexual	-0.269	0.764	0.312 - 1.703
	Violent	-0.235	0.790	0.490 - 1.325

Note: *, ** and *** indicate that p is significant at the .05, .01 and .001 levels, respectively