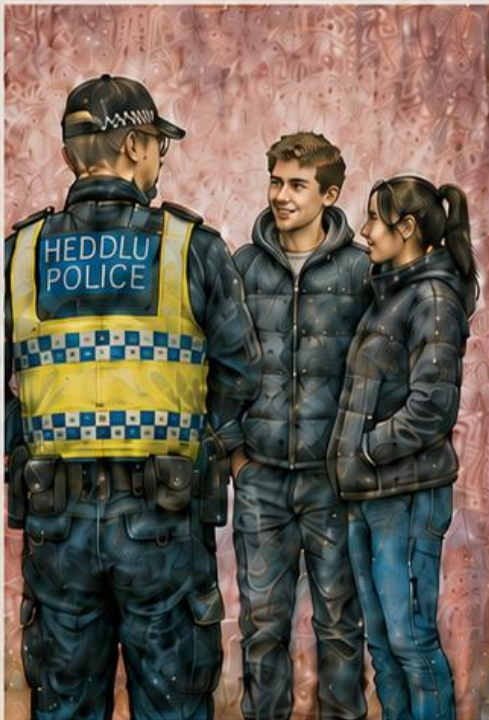


Children and Policing in England and Wales: Adopting a Child First Approach

Children in Police Custody: The Case for Child First Reform



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Glossary

ABE – Achieving Best Evidence
AA – Appropriate adult
CAMHS – Child and Adolescent Mental Health Services
CJLDS – Criminal Justice Liaison and Diversion Services
EHCP – Education, health and care plan
EDT – Emergency duty team
GMP – Greater Manchester Police
HCP – Healthcare professional
HMICFRS – His Majesty’s Inspectorate of Constabulary and Fire & Rescue Services
HMIP – His Majesty’s Inspectorate of Prisons
HMIP – His Majesty’s Inspectorate of Probation
LASPO – Legal Aid, Sentencing and Punishment of Offenders Act 2012
L&D – Liaison and Diversion
MAP – Multi-agency partnership
MASH – Multi-agency safeguarding hub
MPS – Metropolitan Police Service
NAAN – National Appropriate Adult Network
NCRA – National Custody Risk Assessment
NPCC – National Police Chiefs’ Council
OOCR – Out-of-court resolution
PACE – Police and Criminal Evidence Act 1984
PDAT – Prevention and Diversion Assessment Tool
PSHE – Personal, social, health and economic education
RUI – Released under investigation
SEND – Special educational needs and disabilities
SP – Surrey Police
SAAVS – Surrey Appropriate Adult Volunteer Service
SWP – South Wales Police
TAAS – The Appropriate Adult Service
UNCRC – United Nations Convention on the Rights of the Child
YJB – Youth Justice Board
YJS – Youth justice services

Executive Summary and Child First Custody Framework

1. Introduction

Child First is the guiding principle of the youth justice system in England and Wales (Youth Justice Board 2022). It requires children to be treated as children, with their best interests, needs, capacities and rights recognised, and places particular emphasis on prevention, diversion and minimum intervention. Applied to police custody, Child First does not preclude the arrest or detention of children where this is genuinely necessary. It requires detention to be used as a last resort, for the shortest possible period, and with effective safeguards and support throughout.

There were more than 58,000 detentions of children in police custody in England and Wales in the year ending March 2025 (58,568), the equivalent of around 160 child detentions every day. Those children were disproportionately Black or of ‘mixed’ ethnicity (Home Office 2026a). Evidence from the study indicates that looked after children¹ are substantially over-represented among children detained in police custody, many of whom have also experienced childhood adversities including mental ill-health, abuse and exploitation (Bevan and Kemp 2026b; Kent and others 2026). Yet children’s accounts provided as part of this research identify that police custody continues to be experienced as a harsh and punitive process which magnifies vulnerability and often undermines trust and confidence in policing.

The officers and staff who work in police custody are, in the main, committed professionals doing a difficult job in challenging conditions. Many recognise the vulnerability of the children they see, and many go to considerable lengths to treat them with care and humanity. The problem this report identifies is not predominantly individual practice but structural failure: a legal framework that provides almost no child-specific guidance, a governance architecture that has not kept pace with how custody operates, and a multi-agency infrastructure that is not available when children need it.

Police detention is adversarial and inherently coercive, undertaken in adult spaces designed to address the most extreme of risks. It is, by its nature, antithetical to Child First principles. The experiences of children in police custody in this study, which mirror strikingly previous research (Bevan 2022, 2024; Kemp and others 2023; Vaswani and others 2025), the impact that the process has on them, and the challenges adapting an adult setting for children, make it clear that a truly Child First approach to police custody is one that keeps as many children as possible out of the cells.

For those children who must be detained in police custody, the extreme nature of the experience warrants focused attention to ensure that their detention is as short as possible. Partner agencies must also work effectively with custody teams to support tailored treatment for detained children, to enable them to participate effectively in the process and to inform decision-making about what should happen next. The evidence from this study shows that where forces and their partners have been given the tools, the training, and the institutional backing to do things differently, they have done so, and the results are striking.

This report has a strong policy and practice focus, grounded in the robust evidence base established by the first Nuffield-funded study, which examined the impact of the Police and Criminal Evidence Act 1984 (PACE) on the detention and questioning of child suspects (Kemp and others 2023). The present research moved from identifying problems to examining implementation. It evaluated and reviewed a range of child-centred approaches in police custody, some developed directly from the

¹ ‘Looked after’ meaning that the child is in local authority care or accommodation (s22 Children Act 1989).

first study's recommendations and others arising through local reform programmes. This report considers how these approaches can be brought together into a coherent Child First framework.

The research was predominantly undertaken across four force areas. It draws on the accounts of children themselves, evidence from Child First custody pilot projects undertaken by Surrey Police and the Metropolitan Police Service (MPS), reviews of police custody in Greater Manchester Police (GMP) and South Wales Police (SWP), analysis of electronic custody records from five forces for the year ending March 2023 (Kent and others 2026), and wider engagement with practitioners and policy-makers across England and Wales.

The range of children's experiences is wide. One 14-year-old White boy from a stable home spent three hours in custody and later expressed an interest in joining the police. Another, a 14-year-old Black boy subject to a full care order, spent almost 54 hours in custody across a weekend and was found in his cell with a ligature around his neck. Both cases sat within the same legal framework and the same stated commitment to child-centred policing. What separated them was not the law but its inconsistent application. For most children, the experience falls somewhere between these two cases, but the consistency of children's accounts across force areas and successive studies (Bevan 2022, 2024; Kemp and others 2023) suggests that the difficulties they describe are not incidental failings but features of a system that has not yet been adapted to meet their needs.

The government's White Paper *Cutting youth crime. Changing young lives* (Ministry of Justice 2026) promises a renewed focus on early intervention, reducing unnecessary use of custody, and tackling the overrepresentation of care-experienced and Black children. But the reform proposals do not reach back into the police custody setting. The White Paper addresses remand, diversion and sentencing. It does not address substantively what happens between the moment a child is arrested and the moment a charge or disposal decision is made. Yet tackling disproportionality, reducing remand and intervening early enough to change the lives of children and their communities requires a focus on these earliest points at which children come to the attention of the police. That is the territory this report covers. The reforms set out in this report are the essential first steps for implementing the government's ambitions.

Child First and child-centred policing

These reforms are consistent with wider developments in youth justice and policing policy. Child First approaches require children to be treated as children, their needs and capacities to be accommodated and their active participation and wider social inclusion fostered. The focus is on prevention and diversion wherever appropriate and minimum intervention to reduce the stigmatising effects of contact with the criminal justice system (Case and Browning 2021). The Youth Justice Board (2022) has adopted Child First as the guiding principle of the youth justice system, whilst the National Police Chiefs' Council's (NPCC 2024a) *Children and Young Persons Policing Strategy 2024–2027* requires all under-18s to be treated as children, with their needs, vulnerabilities and rights recognised throughout police contact. The NPCC's (2025a) *Children and Young Persons Policing Charter* further commits forces to child-centred custody, diversion and trauma-informed practice.

A Child First approach does not preclude arrest and detention in appropriate cases, but requires that these powers are used only where necessary and proportionate, with safeguards adapted for children. The challenge identified by this research is not the absence of policy ambition but the lack of a coherent operational framework capable of translating these commitments into day-to-day custody practice.

Developing a Child First custody framework for children

The evidence identifies a series of interconnected reforms concerning detention decision-making, multi-agency working, legal safeguards, interviewing and release from custody. The principal findings and recommendations are summarised below.

2. Authorising and reviewing detention

Key findings

The decision to detain a child is the most consequential moment of the custody process. An arrest may be lawful and appropriate, but it does not automatically follow that detention will also be lawful and appropriate. The legal tests to be applied are different. PACE section 37(3) creates a presumption that the arrestee will be released unless detention is necessary for the purposes of securing or preserving evidence, or for conducting a police interview. Yet analysis of electronic custody records from five forces for the year ending March 2023 found that detention was refused in just 1% of children's cases, suggesting that detention is routinely authorised rather than subject to robust scrutiny. At the same time, six in ten children (61%) ultimately had no further action taken against them (Kent and others 2026). These findings raise important questions about whether detention is always authorised only where it is necessary, or whether, for many children, the process itself has become the punishment (Feeley 1979).

The research found that this reflects a structural problem rather than individual failings. Custody officers are expected independently to assess the necessity of detention but often operate within organisational environments where detention is assumed to follow arrest and where refusing detention requires challenging decisions made by colleagues and supervisors. More explicit guidance, stronger organisational support and clearer child-specific decision-making frameworks are needed if detention is to function as a genuine last resort for children, as required by Article 37 of the UN Convention on the Rights of the Child (UNCRC).

Once detained, children in England and Wales can currently be held for up to 24 hours, under the same initial detention limit as adults (PACE s41(1)). Given children's developmental needs, their recognised vulnerability in police custody, and the Child First principle that criminal justice intervention should be minimised where possible, there is a strong case for applying a shorter initial detention period to children. Longer periods in custody can increase the risk that children experience detention as distressing or difficult to navigate, particularly where they have additional vulnerabilities. This may also affect their ability to engage effectively with custody processes, including interview (Kassin and others 2010). For that reason, safeguards and time limits for children should reflect their distinct status and needs, rather than simply mirroring the adult framework.

Evidence from the Surrey pilot demonstrates that halving the initial detention period for children is feasible and acts not simply as a time limit but as a mechanism for changing behaviour. Following the introduction of a 12-hour detention clock, average detention times fell from 11 hours and 6 minutes to 7 hours and 36 minutes, while overnight detention fell from 34% to 29%.² Officers reported that the reduced clock encouraged earlier decision-making, earlier engagement with lawyers, appropriate adults and partner agencies, and greater scrutiny of whether detention remained necessary. Custody officers embraced the pilot as supporting their powers under PACE and the shorter clock proved practicable for investigators (Kemp and Bevan 2025). A similar pilot in the MPS demonstrated comparable changes in behaviour and confirmed the feasibility of the reduced time period in a major

² Calculated using the Home Office definition of overnight detention, being any detention where a child spends more than four hours in custody and any part of that period falls between midnight and 8am (Home Office 2026a).

metropolitan area (Bevan and Kemp 2026b). A growing number of forces have now adopted, or are actively considering, similar approaches.

Recommendations

Recommendation 1: Introduce an explicit presumption against detention for children in Code C

The existing presumption against detention in PACE section 37 should be strengthened for children in Code C, with clear guidance on the exceptional circumstances in which detention may be justified. Custody officers should be required to record their reasonable grounds for believing that less intrusive alternatives are inadequate and that detention is necessary, supported by child-specific decision-making frameworks, strengthened inspector oversight and active consideration of alternatives throughout the custody process.

Recommendation 2: Amendment to Code C to introduce a 12-hour initial maximum detention period for children

Code C should be amended to introduce a 12-hour initial maximum detention period for children, extendable where necessary through authorisation by an independent officer of at least inspector rank. The revised framework should include early review of detention, active consideration of release and short bail, and systematic monitoring of detention times.

3. Information-sharing and multi-agency working in custody

Key findings

Children arriving in police custody are frequently well known to other agencies. Many are already known to children's social care, youth justice services (YJS), health services, and missing or exploitation teams, yet custody officers and investigators often have little access to this information when making decisions about detention, interviewing, diversion and release. The research found that efforts to obtain information directly from children during risk assessment, or in safeguarding conversations, were often ineffective, particularly where children were distressed, distrustful of the police, or unable to explain fully their circumstances and needs. Notably, children in custody were rarely engaged with by officers, healthcare practitioners or other professionals with any child-specific training.

The study identified significant weaknesses in the flow of information between police custody and partner agencies. Although examples of effective practice were found, particularly through Liaison and Diversion services and links with established multi-agency safeguarding arrangements, engagement by children's social care and YJS during the custody episode was typically limited. As a result, decisions about continued detention, diversion, safeguarding and release were often made without timely input from the practitioners who knew the child and their circumstances.

The findings suggest that Child First approaches cannot be achieved through police action alone. Timely access to information held by partner agencies and meaningful multi-agency involvement during the custody episode are essential if children's needs, vulnerabilities and safeguarding concerns are to be properly understood and acted upon. Earlier involvement of YJS, children's social care and other specialist services would improve decision-making, support diversion where appropriate, and ensure that safeguarding responsibilities are shared rather than falling solely on police custody staff and investigating officers.

The safeguarding of children subject to exploitation or repeatedly reported missing cannot depend primarily on non-specialist uniformed officers who have not received relevant training. The general absence of specialist policing teams from custody is a missed opportunity to ensure that

safeguarding questions are asked in a manner likely to be productive and that bail and other measures on release are effective in safeguarding children.

Recommendations

Recommendation 3: Effective multi-agency working for children in custody

Forces should work with YJS and children's social care to ensure prompt notification when a child enters custody, timely sharing of information to inform detention, safeguarding and outcome decisions, early youth justice input into diversionary decision-making, and active engagement by children's services where a child is looked after or release arrangements present difficulties. Particular attention should be given to ensuring access to appropriate multi-agency support outside normal office hours, when most children enter custody and many safeguarding and release decisions are made.

The Ministry of Justice and Youth Justice Board should fund and evaluate a pilot of dedicated YJS support within, or directly accessible to, police custody, to test its impact on information-sharing, diversionary decision-making, safeguarding and detention duration.

Recommendation 4: Meaningful engagement with specialist policing teams

Forces should review the remit of specialist teams to enable their attendance in custody for children identified as subject to, or at risk of, exploitation and those with a history of being reported missing.

Recommendation 5: Child-specialist training and tools for all clinical practitioners in custody

Child-specific training and assessment tools are essential for healthcare practitioners (HCPs), mental health practitioners and, where available, liaison and diversion (L&D) workers if they are to meet children's needs, refer them to child and adolescent mental health services (CAMHS) where necessary, and provide accurate information for custody and investigation teams.

Forces and healthcare providers should work together to ensure that all clinical practitioners have child-specific training and use assessment tools tailored for children. They should also collaborate to address barriers to accessing NHS records and ensure access to on-call CAMHS provision for children in acute mental health crisis.

4. Legal advice

Key findings

The right to free legal advice is one of the most important safeguards available to children in police custody. Despite significant improvements in uptake, observed in this study, too many children still proceed without a lawyer, often because they do not understand the purpose or importance of legal advice. The research found that children continue to make poorly informed choices about waiving legal advice, while parents and custody officers are not always equipped to support them in making those decisions. However, evidence from the MPS pilot demonstrates that automatic call-out of a lawyer can achieve near-universal access to legal advice without creating unmanageable operational burdens.

The research also found that legal advice for children is routinely limited to a brief period around the police interview, with minimal, if any, other contact with the child. Lawyers were rarely engaged with, or present to support the child through, many of the key decisions in custody: the authorisation and review of detention, diversion or charge, and bail, remand or release. Children's accounts highlighted the importance of lawyers who communicate effectively, build trust and explain legal rights in ways they can understand. The evidence suggests that achieving genuinely Child First legal advice requires both universal access and greater specialist expertise in representing children. In the MPS pilot, lawyers and custody officers received Child First training and were encouraged to engage early in the

child's detention. The pilot was associated with increased refusals of detention, a 30% reduction in the number of children detained and greater use of short bail to enable a child to return for interview when rested and able to access necessary support. The pilot demonstrated that child-specialist training could improve the performance of lawyers and lead to better outcomes for children.

Recommendation 6: Mandatory call-out of a lawyer for children in police custody

Introduce a mandatory requirement that a lawyer be called to attend for every child in police custody. Children should receive legal advice in person before deciding whether to proceed without a lawyer present in interview, and any decision to waive the lawyer's attendance should require the agreement of the appropriate adult.

Recommendation 7: Child-specialist training for lawyers representing children in police custody

The Ministry of Justice should mandate child-specialist training for all lawyers representing children in police custody. The Ministry of Justice has already committed to the provision of specialist legal advice, including at the police station stage. In order to ensure the effective fulfilment of this pledge, two further measures are recommended: a pilot of a child-specialist duty rota, to explore in more detail the mechanisms for allocating and remunerating child-specialist lawyers, and a restructuring and enhancement of the fee paid for advising a child in custody, to ensure that the lawyer is remunerated for earlier and more sustained engagement, and has sufficient time to provide good-quality, individualised advice.

5. Appropriate adult support

Key findings

The appropriate adult (AA) is the principal statutory safeguard for children in police custody and often the only source of independent support available throughout detention. Yet the research found persistent difficulties in securing timely attendance and significant limitations in the current model, particularly the AA's ability to perform effectively in interview.

The research also raises more fundamental questions about the current AA model. Whilst children consistently valued the presence of parents and carers, evidence from observations and interview reviews suggests that family members cannot reasonably be expected to fulfil all aspects of the role, particularly those relating to legal rights, procedural fairness and effective participation. At the same time, non-familial AAs often lacked the specialist training, information held by partner agencies and authority needed to support children effectively throughout detention. The findings suggest the need for a more specialist model of independent support, drawing on child-specialist expertise and available throughout the custody episode, but without removing the parent or carer's involvement. The evidence indicates that there are also more immediate mechanisms by which the provision of AA support could be improved for children.

Recommendations

Recommendation 8: Review of the appropriate adult role for children

The Ministry of Justice and Home Office should jointly undertake a formal review of the AA role for children, with particular consideration given to a model involving individuals who have child-specialist training and access to youth justice and social care information, while supporting and empowering parents and carers to continue to play a role in their child's detention.

Recommendations 9 to 12: Improving AA support in the short to medium term

Forces should work with local authorities, YJS and commissioned AA providers, where relevant, to agree arrangements that secure earlier attendance of the AA (where not a family member), ongoing

contact with the child, consistent out of hours coverage and remote support for family members fulfilling the AA role. Forces should explore the repurposing of cells and other accommodation to make dedicated spaces for children to sit with their AA. Finally, force guidance should require officers to make contact with the AA within 45 minutes of booking-in a child, request attendance as soon as possible and support the AA's full understanding of the role (where they are a family member).

6. The police interview

Key findings

Police interviews are often the culmination of the custody process and, in many cases, the principal reason for a child being detained. Yet the research found significant variability in interview practice and limited guidance to support officers in interviewing children effectively and fairly. Children frequently arrived at interview after many hours in custody, sometimes overnight, and often with vulnerabilities or communication needs that were not fully identified or accommodated. Research has consistently identified a high prevalence of speech, language and communication needs among children in the youth justice system. Studies of children and young people who offend have reported prevalence estimates of speech and language impairment as high as 60% to 90% (Hughes and others 2012), with many of these needs remaining unidentified. The study found examples of good practice, but also examples of poor caution explanation, inadequate checks of understanding, inappropriate question formats and overly repetitive questioning.

Recommendations

Recommendation 13: A tailored process to assess children's fitness to be interviewed

Fitness for interview assessments should be enhanced for children, with guidance focusing on the interpretation of the PACE Code C Annex G. Decision-making should incorporate L&D and/or HCP assessment, and information already held by partner agencies, and the assessment should be reviewed shortly before the interview following a long period of detention.

Recommendation 14: Short bail or release under investigation for children with significant participatory difficulties

Guidance should require custody officers, wherever possible, to release on bail or under investigation any child identified to have significant participatory difficulties so that they can be interviewed following more specialised assessment and with appropriate support present.

Recommendation 15: Mandatory child-specific interview training

The government should introduce child-specific interview training drawing on Achieving Best Evidence principles (Ministry of Justice 2022) and the Méndez Principles (2021), with specific guidance on caution delivery and comprehension checking, appropriate questioning techniques, robust but fair challenge (including where no comment is being maintained), age-appropriate question formats and communication with children who have additional needs and vulnerabilities.

7. Release and outcome decision-making

Key findings

The point of release is often the most poorly coordinated stage of the custody process. Despite the significant procedural safeguards surrounding arrest, detention and interview, many children leave custody without a clear decision having been made about diversion, support or prosecution. Across the five-force custody record review, the majority of children left custody either on bail or RUI'd, with relatively few receiving resolution of their case at that point (Kent and others 2026). Too many children, particularly those whose cases are insufficiently serious to warrant charge, languish for weeks, often months, and sometimes indefinitely, without a confirmed outcome. Opportunities are

missed to intervene at the point when support is most likely to be effective, and the delays create significant uncertainty for children, and their families, at key stages in their education and development.

The research found that the YJS are often involved too late in decision-making. In many areas, the YJS become involved only after the police have identified a case as potentially suitable for diversion and referred it for assessment. This limits opportunities to identify children who might benefit from diversion and delays decisions about support and intervention. Earlier YJS involvement during the custody episode would enable diversionary options to be considered before decisions become fixed, allow lawyers to give more tailored advice before interview, and support more timely and child-centred outcomes. Whilst some cases require fuller assessment before an OOCR decision can be reached, many less complex cases could be resolved more quickly through diversionary, restorative or informal approaches, avoiding lengthy periods of bail or RUI. In appropriate cases, this should include consideration of whether an interview is necessary at all, where the matter can be safely and proportionately addressed through a child-focused diversionary response.

The study also identified continuing concerns regarding police remand and post-charge detention. Children continue to spend lengthy periods in custody following charge, whilst transfer to local authority accommodation remains rare despite the statutory framework requiring it. Delays in securing accommodation, limited legal involvement in remand decisions and difficulties producing children promptly before a court all contribute to unnecessary deprivation of liberty.

Recommendations

Recommendation 16: Child-centred decision-making at the point of release

Wherever reasonably practicable, no child should leave police custody without either a clear outcome or an explanation of the outstanding decision and arrangements for its timely review. YJS should be involved sufficiently early to influence decisions about diversion, support and prosecution, rather than only assessing cases already identified by the police as suitable for an OOCR. Where diversionary assessment is required, this should be undertaken promptly. Less complex cases should be resolved at the earliest opportunity, avoiding unnecessarily prolonged use of bail or release under investigation. Lawyers should be notified of proposed bail, remand and disposal decisions and given the opportunity to make representations and advise on bail conditions (where imposed) before the child leaves custody.

Recommendations 17 to 19: Reducing post-remand detention periods for children

Police bail and remand arrangements for children should be reviewed to bring them more closely into line with court remand thresholds. Forces, local authorities and partner agencies should work together, on joint training, mechanisms to facilitate legal advice for the child and meaningful escalation where accommodation is not available, to reduce post-remand detention periods and improve compliance with transfer obligations. Forces should work with transport providers and court listing officers to ensure that children remanded on weekday mornings are routinely produced before the court on the same day wherever practicable.

8. Respect, children's voices and accountability

Key findings

Child First policing cannot be reduced to child-friendly custody environments, diversionary schemes or improvements to individual stages of the custody process. It requires a rights-based framework that recognises children's distinct legal, developmental and social position, particularly where the state exercises coercive powers through arrest, detention and investigation.

Low levels of child-specific training remain a significant barrier to embedding Child First practice consistently. Without a shared understanding of children's rights, development, vulnerabilities and communication needs, child-specific safeguards risk depending on local practice, individual confidence or professional discretion rather than being applied consistently wherever children encounter the police.

This wider rights-based framework must also include children's voices, participation and accountability. Across the research, children repeatedly emphasised the importance of respect, clear communication, dignity, safety and access to support. These experiences are central to children's rights and to the legitimacy of police decision-making, but they are often not visible through detention records, compliance measures or case outcomes. Children should therefore be recognised not only as recipients of safeguards, but as participants whose experiences can inform governance, inspection, learning and service improvement.

Recommendations

Recommendation 20: Nationally mandated Child First training for all officers and staff dealing directly with children

The Home Office, NPCC and College of Policing should introduce nationally mandated Child First or child-centred training for all officers and staff dealing directly with children. Training should be co-created and co-delivered by police alongside external experts, including lawyers and children's rights specialists, and should incorporate the voices and experiences of children. It should form part of a national framework for consistent Child First policing practice, supported by supervision and continuing professional development.

Recommendation 21: Children's voice, feedback and accountability

Police forces should establish routine mechanisms for seeking, recording and responding to feedback from children who experience police custody, alongside accessible and child-appropriate routes for raising concerns or complaints. Children's experiences, concerns and complaints should be recognised as important evidence about the quality, fairness and effectiveness of custody practice, and should be routinely reviewed alongside operational and performance data to inform governance, inspection, training and service improvement.

Child First Custody Toolkit

Accompanying this report, a [*Child First Custody Toolkit*](#) has been developed to support implementation of the recommendations. The toolkit translates the findings into practical guidance for frontline officers and their supervisors, custody officers, investigators, inspectors and senior leaders, providing operational prompts and decision-making tools at each stage of the custody process. It is intended both as a practical implementation resource and as a benchmark against which existing arrangements can be reviewed and strengthened.

Summary of recommendations for police custody

Authorising and reviewing detention

- Recommendation 1: Introduce an explicit presumption against the detention of children in PACE Code C, requiring custody officers to specify, in terms, their reasonable grounds for believing that less intrusive alternatives are inadequate.
- Recommendation 2: Amend PACE Code C to introduce a 12-hour initial maximum detention period for children, extendable where necessary on the authority of a senior officer of at least inspector rank who is independent of the investigating team, supported by early inspector reviews, purposeful use of short bail and systematic monitoring of detention times.

Information-sharing and multi-agency working

- Recommendation 3: Establish effective multi-agency arrangements for children in custody, including prompt notification and information-sharing, early YJS involvement in diversion and release decisions, engagement by children's social care and a funded pilot of dedicated YJS support within, or directly accessible to, police custody.
- Recommendation 4: Enable specialist policing teams to attend custody where children are identified as being subject to, or at risk of, exploitation or have a history of being reported missing.
- Recommendation 5: Ensure that HCPs, mental health practitioners and L&D workers have child-specific training, assessment tools, access to relevant health information and routes into on-call CAMHS provision.

Legal advice

- Recommendation 6: Introduce mandatory call-out of a lawyer for every child in police custody, with any waiver of the lawyer's presence in interview permitted only after in-person legal consultation and with the agreement of the appropriate adult.
- Recommendation 7: Mandate child-specialist training for lawyers representing children in police custody, pilot a child-specialist duty rota and reform remuneration to support early and sustained legal engagement throughout detention.

Appropriate adult support

- Recommendation 8: Undertake a formal review of the appropriate adult role for children, including consideration of a child-specialist model that retains and supports the involvement of parents and carers.
- Recommendation 9: Improve the availability and responsiveness of appropriate adult services through prompt attendance, access to an AA throughout detention, 24-hour coverage and real-time support for family members fulfilling the role.
- Recommendation 10: Repurpose suitable cells or other areas within custody as dedicated spaces in which children can sit with their appropriate adult.
- Recommendation 11: Require contact with the appropriate adult within 45 minutes of booking-in and request attendance as soon as possible, with attendance expected within two hours in line with the National Standards.

- Recommendation 12: Provide family members acting as appropriate adults with a full explanation of the role, accessible information and opportunities to seek advice from the local AA provider or YJS.

The police interview

- Recommendation 13: Introduce a tailored process for assessing children's fitness to be interviewed, drawing on clinical assessment, information held by partner agencies and a review shortly before interview.
- Recommendation 14: Use short bail or release under investigation, wherever possible, where a child has significant participatory difficulties to enable specialist assessment or additional support before interview.
- Recommendation 15: Introduce mandatory child-specific interview training covering caution delivery and comprehension checking, age-appropriate questioning and challenge, and communication and engagement with children who have additional needs or vulnerabilities.

Release, diversion, bail and remand

- Recommendation 16: Ensure that, wherever reasonably practicable, no child leaves police custody without a clear outcome, explanation of any unresolved decision and arrangements for timely review in cases of release under investigation, supported by early YJS and multi-agency involvement.
- Recommendation 17: Review police bail and remand arrangements for children to bring them more closely into line with court remand requirements and consider mechanisms for releasing or transferring children arrested for breach of court bail.
- Recommendation 18: Reduce post-charge detention by strengthening joint training, ensuring lawyers are notified of bail and remand decisions, and establishing effective escalation arrangements where local authority accommodation is unavailable.
- Recommendation 19: Ensure that children remanded on weekday mornings can be transported and produced before the court on the same day wherever practicable.

Child First practice, children's voices and accountability

- Recommendation 20: Introduce nationally mandated Child First training for all officers and police staff dealing directly with children, supported by supervision, continuing professional development and incorporation into the proposed Licence to Practise (Home Office 2026b).
- Recommendation 21: Establish routine, accessible mechanisms for children to provide feedback or make complaints about police custody, and use their experiences alongside operational data to inform governance, inspection, training and service improvement.

Chapter 1: Introduction and context

In England and Wales, Child First is now the guiding principle of the youth justice system (Youth Justice Board 2022). Based on the United Nations Convention on the Rights of the Child (UNCRC), Child First requires children to be treated as children, so that their best interests are prioritised and their particular needs and capacities are recognised. These same principles underpin the Government's vision for a reformed youth justice system, set out in the White Paper, *Cutting youth crime. Changing young lives* (Ministry of Justice 2026:1.23ff). Child First approaches are evidence-based. They encourage children's active participation and wider social inclusion, and require a focus on prevention, diversion and minimum intervention to reduce the stigmatising effects of contact with the criminal justice system (Case and Browning 2021). While Child First now informs and shapes the policy and practice of youth justice services (YJS) (Crest Advisory 2025), it is much less well embedded in the hidden and secure environment of police custody (Kemp and others 2023).

A Child First approach does not mean that children suspected of serious offences should never be arrested, detained or questioned, nor does it displace the need to protect victims, preserve evidence or manage immediate risks. It requires those powers to be exercised in a way that recognises the person's status as a child, applies detention as a genuine last resort, provides effective safeguards and support, and ensures that intervention is no longer or more intrusive than necessary. The framework proposed in this report therefore accommodates the use of the full range of policing powers for more serious and complex cases, including extension of the proposed 12-hour detention period where the needs of the investigation genuinely require it.

This programme of research, *Children in Police Custody: Piloting a 'Child First' Approach*, is funded by the Nuffield Foundation and builds on an earlier Nuffield-funded study examining the impact of legislation and guidance on children detained for questioning by the police (Kemp and others 2023), also funded by the Nuffield Foundation.³ That research included 32 in-depth case studies involving children held in detention and practitioners working with them, alongside analysis of electronic custody records drawn from eight forces in England and Wales. The report identified a substantial gap between the safeguards and rights intended to protect children in police custody and the practical reality of their experiences in detention. The report concluded with a number of recommendations for improving police custody law and practice for children, in order to achieve a Child First approach.

This second phase of the research programme is distinctive in that it takes an explicitly practice and policy-focused approach. It builds on the findings from the first study to explore whether, and how, a Child First approach can be taken by police forces, both on the frontline and in police custody, to improve children's experience of policing. At the same time the researchers have worked collaboratively with forces, practitioners and policy-makers to explore local and national mechanisms for developing and embedding a Child First approach. The objectives of the research were:

1. Identifying how the police can be enabled to make Child First decisions in the investigative phases of their work.
2. Identifying how the police can work with external partners to better enable diversion and support for the child.
3. Identifying how a Child First approach can be implemented in police custody.

³ The views expressed are those of the authors and not necessarily those of the Nuffield Foundation.

4. Producing materials for the national adoption of a Child First approach in investigative decision-making and police custody.
5. Engaging with policymakers to advance a Child First agenda and providing the tools to do so.

This report examines the treatment of children in police custody, and the impact of child-specific measures designed to adjust that experience across four force areas. Child First approaches in police custody were piloted and evaluated in Surrey Police and the Metropolitan Police Service, and further child-centred measures were reviewed in Greater Manchester Police and South Wales Police. This report is one of three arising from this wider research programme. A companion report examines frontline police interactions with children, including decisions to stop and search, arrest and use alternatives to custody, alongside police responses to children in the context of welfare and safeguarding concerns (Kemp and Bevan 2026a). A third report presents an analysis of electronic custody record data drawn from five force areas covering the year ending March 2023, with findings incorporated across both empirical reports (Kent and others 2026).

Children are not peripheral to this research but at the heart of it. Their accounts, gathered both in custody suites and in the community, provide what large-scale studies of policing rarely capture: what it feels like to be taken into custody, held in a cell for many hours, and what lasting impact that experience can have. The principal aim of the youth justice system, as set out in the Crime and Disorder Act 1998, is the prevention of offending by children. Yet research consistently shows that contact with the criminal justice system is more likely to increase than reduce offending, and that the further a child is drawn in, the greater that risk becomes (McAra and McVie 2007). Police custody sits at the sharpest end of that dynamic: it is the point of deepest and most immediate contact with the system, and the point at which the gap between Child First principles and the reality of what children experience is most acute. With Child First now the guiding principle of youth justice in England and Wales, this report examines that gap and why closing it matters, for children, for a police service that has pledged to put them first, and for a government committed to building a youth justice system that does the same (Ministry of Justice 2026).

This report follows the child's journey through custody, examining police decision-making and the adjustments made to accommodate children, with a particular focus on multi-agency working and the obtaining and use of relevant information to enable effective Child First practice. It also examines the principal legal safeguards available to children, including access to legal advice and appropriate adult support, before considering police interviews, case outcomes, and decisions relating to out-of-court resolutions (OOCRs), bail and remand.

In light of the challenges identified and the promise shown by certain child-specific measures, the report sets out a framework for embedding Child First as a genuine principle in police custody, identifying the changes to law, policy, practice and funding needed to make that a reality rather than an aspiration. These include, for example, the introduction of a 12-hour detention clock for children, extendable where necessary with senior officer authorisation, replacing the adult framework that currently applies regardless of age.

Methods

The fieldwork for this report was conducted across four force areas between August 2024 and November 2025, comprising custody pilots in Surrey Police (SP) and the Metropolitan Police Service (MPS) and custody reviews in Greater Manchester Police (GMP) and South Wales Police (SWP). In total, 39 shifts were observed in 10 custody suites and 211 semi-structured interviews were conducted across the four police force areas: 49 in SP, 116 in MPS, 12 in GMP, and 34 in SWP. The

MPS fieldwork also generated 82 online survey responses, 13 online feedback forms, detailed review of 199 children's detention logs and analysis of 51 recorded police interviews. An overview of the fieldwork is set out in Annex A.

The shifts observed were selected to cover a range of shift patterns (early, daytime and night shifts) and days of the week. Interview participants were recruited to reflect a range of roles, experience levels, and ranks. Interviews were conducted individually, lasted between 30 and 90 minutes, and were audio recorded with consent. Interviews were also conducted with officers in specialist policing teams and roles, and with officers seconded to YJS. Additionally, partner agencies, particularly YJS and relevant children's social care teams, were contacted and interviews conducted wherever possible.

Children's accounts

Children's accounts are central to this research. As part of the MPS pilot, researchers conducted semi-structured interviews with 13 children as case studies, seeking to interview all officers and practitioners who had engaged with each child during their detention. Eight case study children were detained at Wood Green, four at Brixton, and one at a comparison suite (Bromley). The children ranged in age from 12 to 17 (2 aged 12, 3 aged 14, 4 aged 16 and 4 aged 17). Three were White and 10 were from Black or minority ethnic groups. One child identified as female and 12 as male.

User Voice was commissioned to conduct research interviews with 18 children who had experience of being held in the two MPS pilot suites during the pilot period: 14 at Wood Green and 4 at Brixton.⁴ The User Voice participants ranged in age from 12 to 18, with the majority aged 14 to 17. Over a third were aged 14. In terms of ethnicity, 64% identified as Black, 14% as mixed heritage, 7% as White, and 15% as other. At least one participant was a girl, though gender breakdown was not recorded. The small sample size means these figures should not be regarded as representative of children in custody more generally. However, the ethnic profile is consistent with the broader pattern of disproportionality documented in custody data across the force areas studied.

Children's accounts were also gathered through interviews and focus groups conducted by Sphear Media⁵ with 51 children and young people in England and Wales. Forty-five of those participants also completed a questionnaire. The interviews and questionnaire explored experiences of police contact and custody, perceptions of fairness and respect, understanding of rights, access to support, complaints processes, and the impact of police encounters on attitudes towards the police.

The children and young people who took part were drawn from Newham and Brixton in London, Salford and Stockport in Greater Manchester, and Cardiff. They included children with varying levels of contact with the police and the criminal justice system, ranging from those with little or no direct police contact to those with repeated experience of stop and search, arrest, police custody and court involvement. Twenty-eight of the 51 participants had direct experience of being in police custody. The sample was predominantly aged between 14 and 17, although it included younger children and a small number of young adults aged predominantly 18 to 20. It was also overwhelmingly male, with 46 male and five female participants. The sample was ethnically diverse, though the profile varied by location. Around three-quarters of the participants in the England sample identified as Black or mixed heritage, while the Cardiff participants were predominantly White.

⁴ User Voice is a charity run by people with lived experience of the justice system. The research interviews were conducted using a peer researcher model, ensuring the research was peer-led at every stage. See <https://www.uservoice.org> for more information.

⁵ Sphear Media are a creative production and social impact organisation specialising in participatory engagement and peer-led research.

As with the User Voice work, although not intended to be representative, the discussions and questionnaire responses gathered by Sphear Media provide important insight into how children understand and experience police contact and custody. Their accounts are drawn upon throughout this report to illustrate and contextualise the findings from the custody observations, practitioner interviews and pilot evaluations.

Coding and anonymity

Force area references and coded identifiers are used throughout where findings are in the public domain. Coded references identify the force area (GMP, SP, MPS or SWP) and the role of the individual, for example CO for custody officer, Insp for inspector, DO for detention officer, AA for appropriate adult and LA for lawyer/legal adviser. Cases included in the 199 detention logs are identified as 'Child' followed by a chronological number and an abbreviation for the custody suite involved: BRI for Brixton, WG for Wood Green, WEM for Wembley and BRO for Bromley.

Case studies are numbered chronologically from CS1 to CS13. Where practitioners involved in a case study are cited, their role is identified by an initial following the case study number. References to User Voice data identify whether the interview took place at Wood Green or Brixton rather than identifying individual children, and are given by page number where the quote was made in the relevant User Voice report, referenced as UVWG and UVB respectively.

References to interviews and questionnaire findings generated through the Sphear Media engagement work use the prefix SM followed by a number identifying the participant group: SM1 (Newham), SM2 (Brixton), SM3 (Salford), SM4 (Stockport School), SM5 (Stockport YJS), SM6 (Cardiff boys) and SM7 (Cardiff girls). Where comments are attributed to an individual participant, a further numerical identifier is used, for example SM1.3 or SM4.1. In some group discussions it was not possible to attribute comments to a specific participant and quotations are therefore identified only by participant group.

Custody record data

Custody record data provided by the four force areas included in this study were analysed to examine how approaches to children's detention and custody practice operated across different settings. In addition, a separate analysis of electronic custody record data from five anonymised police forces (Forces A-E) covering a 12-month period ending March 2023 was undertaken to examine wider patterns in children's detention. Data from two further forces covered different periods and were therefore analysed separately rather than included in the five-force dataset. Findings from these analyses, including patterns relating to detention decisions and recorded vulnerability indicators, are incorporated throughout this report. The data include information on all detainees arrested on suspicion of having committed an offence, on refusals of detention, requests for legal advice, time spent in custody, use of force, strip searches, offence type, case outcomes, and demographic information including age, gender, ethnicity, and recorded vulnerabilities (Kent and others 2026).

Analysis

Throughout, interactions with children were evaluated through a Child First lens, asking whether children were treated as children, whether their particular needs and capacities were accommodated, whether they were supported to participate effectively and exercise their rights, and whether the focus was on diversion wherever appropriate.

All interviews and case studies were audio recorded with consent, transcribed, and coded thematically using NVivo. The 51 recorded police interviews were analysed using the framework developed by Farrugia and Gabbert (2020) examining the questioning of vulnerable suspects, with additional analytical components. Each recorded interview was also assessed for delivery of legal

rights, lawyer and appropriate adult engagement, and whether safeguarding questions were asked and answered.

Ethics

Ethics approval was obtained from the Research Ethics Committee, University of Nottingham on 3 November 2022, building on the ethics framework developed for the earlier Nuffield-funded study (Kemp and others 2023). Ethical approval for the MPS research was obtained from the MetRec and Research Faculty on 24 November 2024. Data sharing agreements were completed with all four forces. Before any child was approached in custody, the custody officer responsible for the child's welfare undertook a risk assessment and, where possible, the child's appropriate adult was contacted. Where the appropriate adult could not be contacted, the child was first spoken to by a custody or detention officer to establish willingness to participate. All children were given information about the study and asked for their consent, supported by an animation explaining the research in a child-centred way. The process also included a flowchart to guide researcher decisions on safeguarding, handling disclosures of criminal activity, and circumstances where the wishes of a child might need to be overridden in cases of serious or significant harm.

To contextualise the findings, the following sections set out the national picture of children in police custody, including who those children are and what the outcome data shows, before turning to children's own accounts of the custody experience. The report then examines each substantive area of custody practice in turn, from the authorisation of detention, through multi-agency working, legal and appropriate adult support, to case outcomes.

The national picture

Police custody is one of the settings in which Child First principles are hardest to apply and where getting it wrong matters most. More than 58,000 children were detained in police custody in England and Wales in the year ending March 2025, the equivalent of around 160 children every day. Those children are disproportionately Black or of mixed ethnic backgrounds (Home Office 2026a). Evidence from this study indicates that looked after children⁶ are disproportionately represented among children detained in police custody, and only a third of detained children will ultimately be cautioned or charged with a criminal offence. The majority will spend many hours in a cell, almost 12 hours on average, and leave with no outcome other than the experience itself (Kent and others 2026).

Child First, as consolidated by Case and Browning (2021), requires that children are treated as children rather than as small adults or as risks to be managed. It prioritises their best interests, recognises their particular needs and capacities, and supports their active participation in decisions that affect them. It is future-focused, building on children's strengths and pro-social identities rather than labelling and stigmatising them through contact with the criminal justice system. It requires minimum intervention and maximum diversion, keeping children out of formal processes wherever possible and ensuring that where they do enter those processes, the experience does not compound the disadvantages they already face.

The National Police Chiefs' Council's (NPCC 2024a) *Children and Young Persons Policing Strategy 2024 to 2027* states that all under-18-year-olds must be treated as children, respecting and recognising their needs, vulnerabilities and diversity, irrespective of presented or assumed levels of maturity. The NPCC's (2025a) *Children and Young Persons Policing Charter* goes further, committing forces to delivering a child-centred custody experience, including mandatory legal advice for all children, multi-agency custody scrutiny panels, notification of children's services whenever a looked after child

⁶ Looked after meaning that the child is in local authority care or accommodation (s22 Children Act 1989).

is detained, and access to mental health and neurodiversity support pathways. Together these frameworks establish clear expectations for how forces should treat children in custody, reflecting the core Child First principles that currently guide the wider youth justice system.

Police custody sits in direct tension with those principles. It is an adult environment, designed for adult bodies and adult cognition, operating on adult timescales and governed by a legal framework that is almost entirely silent about children. The Police and Criminal Evidence Act 1984 (PACE) and its Codes of Practice make no substantive distinction between the detention of a child and an adult. Beyond the mandatory appropriate adult requirement (PACE Code C 3.15) and the notification of a person responsible for the child's welfare (PACE Code C 3.13), PACE leaves the treatment of children to guidance and local initiative. The adjustments that do exist are therefore dependent on the knowledge, attitudes and priorities of individual custody officers, and on whether their force has made Child First a genuine priority. The experience of police custody is shaped as much by local practice, available support and professional discretion as by the legal framework itself.

The purpose of custody, as set out in law, is specific and bounded. Detention before charge is authorisable only where it is necessary to secure and preserve evidence and to obtain evidence by questioning (s37(2) PACE). It is not, in law, a place of punishment, a mechanism for social control, or a substitute for welfare provision. Yet research consistently shows that it functions as all three. Choongh's (1998) foundational study demonstrated how police custody operates as a form of social control that extends well beyond its stated legal purposes, used to assert authority, manage difficult individuals, and process those who do not fit neatly into other categories. For children in particular, custody is commonly experienced as punitive regardless of outcome. Being arrested, often handcuffed, placed in the back of a police van, booked into custody, and held in isolation in a cell for many hours is experienced by many children as a punishment in itself (Bevan 2022). And for the majority of children detained, it is the only consequence they face (Kemp and others 2023).

The outcome data makes this stark. Comparing the findings from this study with earlier analysis of custody records from 2009 (Kemp and others 2011), the proportion of children charged fell from 42% in 2009 to 22% in the year ending March 2023. OOCRs declined over the same period from 26% to 11%. The proportion receiving no further action nearly doubled, rising from 32% to 61%. In 2009, children spent on average just under 9 hours in police custody (Kemp and others 2012). This had increased by a third to almost 12 hours in the year ending March 2023, despite the majority of cases ultimately resulting in no further action (Kent and others 2026). A system that once arrested large numbers of children, including for minor offences, still charged or diverted the majority of them. The system that has replaced it arrests far fewer children, for on average more serious alleged offending, yet takes no further criminal justice action in the majority of cases. Malcolm Feeley's (1979) observation, made about American lower courts, that the process is the punishment, remains apt as a description of how police custody in England and Wales feels for many children (Bevan 2024). Unlike the sentence of a court, this punishment is imposed without any testing of the evidence and without a finding of guilt.

The rise in no further action outcomes reflects not only changed policing practice but also the growing difficulty of progressing cases through a court system characterised by chronic backlogs, compounded significantly by the Covid-19 pandemic (Godfrey and others 2022). Where prosecution becomes protracted and uncertain, the practical case for pursuing it weakens.

The detention, however, has already happened and, whether or not it is followed by charge or OOCR, it is not without effect. The research evidence on the harm caused by police custody for children is unambiguous. Far from deterring offending, detention is associated with exclusion (Bevan 2022, 2024). More broadly, evidence indicates that deeper involvement in the formal youth justice system

can impede desistance, supporting an approach based on minimum intervention and maximum diversion (McAra and McVie 2007, 2010). The effects observed here sit uneasily with the principal aim of the youth justice system under section 37 of the Crime and Disorder Act 1998: to prevent offending by children and young persons.

The extreme vulnerability of children in police custody

The population of children who come into custody compounds these concerns. This group does not represent a cross-section of children in the general population. Children's accounts reveal that those who come into police custody have not, in the main, had a straightforward path in coming to police attention. They have often grown up in circumstances marked by instability, trauma and neglect, the kind of childhood that makes contact with the justice system more likely and more damaging. Some are looked after, moving between placements, with no consistent adult in their lives. A significant proportion are themselves victims. Many have been groomed, exploited or drawn into gangs and county lines by adults who have identified and manipulated their vulnerabilities (Action for Children 2024; Maxwell 2024). Research identifies communication disorders in 60 to 90% of children in contact with the criminal justice system, the majority undiagnosed or unsupported (Hughes and others 2012). Although custody records contain limited information about children's vulnerabilities, analysis of data for the year ending March 2023 gives some indication of their prevalence in the detained child population: 35% had a mental health flag, 25% a self-harm flag, 16% a drugs or alcohol flag, 15% a suicidality flag, and 11% a learning disability flag (Kent and others 2026).⁷

Despite looked after children being disproportionately brought into police custody, there is no electronic variable in custody record data to identify the looked after status of a child and whether they are known to social care. Fewer than 0.7% of children in England are looked after (Department for Education 2025), yet they are dramatically over-represented at every stage of the justice system. Analysis of linked Ministry of Justice and Department for Education datasets shows that custodial sentences become more likely as the level of child welfare involvement increases (Leyland 2024), and 62% of children in the youth secure estate have been in care at some point in their lives (Prison Reform Trust 2025).

Police custody has not previously been examined in this way, since forces are not required to collect care experience data. But a hand-sift of 199 detention logs across the two MPS pilot suites found that 22% of detained children were currently looked after and a further 25% were otherwise known to social care. In addition, 62% had at least one further vulnerability, including neurodevelopmental conditions, language needs, recent victimisation, domestic abuse, school exclusion, and concerns about child criminal or sexual exploitation. Of those, around 27% had one additional vulnerability and 36% had two or more (Bevan and Kemp 2026b). These figures are likely to be underestimates, as only information confirmed by the local authority or Police National Computer (PNC) was counted. These are not children on the margins of vulnerability. They are, in many cases, among the most vulnerable children in the country, and they are being processed through a system that was not designed for them and is not equipped to meet their needs.

The police custody process for children has not materially changed over 40 years of PACE. The safeguards and adjustments provided by the legal framework, such as they are, have not kept pace with growing understanding of child development (Blakemore 2008; Larson and Luna 2018; Scott and others 2018), the particular vulnerabilities of children in contact with the justice system (McAra and McVie 2024), or the need for reform recognised by the UN Committee on the Rights of the Child

⁷ Not all forces provided data on all flags, and these figures are themselves known underestimates since mandatory electronic fields do not capture conditions such as ADHD and autism.

(2019). Nor are they adequate to support the growing prominence of Child First approaches in policing policy and practice. This report sets out what needs to change.

Children's experiences of police custody

Two boys, both aged 14, arrested for robbery in separate cases in the early hours of the morning, handcuffed, and taken to a custody suite, illustrate the very different ways in which police custody can be experienced by children. The first (CS13) was White, not previously known to the police, from a middle-class household. He spent three hours in custody, exceptionally brief by the standards documented in this study, and the experience, while upsetting, was not unduly traumatic. Having chatted to the officers who arrested him about films, he later expressed an interest in joining the police service.

At the other end of the spectrum, the second child (CS5) was Black, neurodivergent and considered to be at risk of exploitation. Subject to a full care order, he was living with his foster mother. He had been arrested prior to this instance, and was arrested for a third time during the research period. On the occasion of this robbery arrest he spent almost 54 hours in custody across a weekend, having been remanded following charge. On the Sunday afternoon, he was found lying on the floor of his cell with a ligature around his neck. When roused, he said: "I want to sleep forever." He was taken to hospital but later that evening returned to custody and put in a cell to wait to be taken to court on Monday morning.

Both cases sit within the same legal framework and the same stated commitment to Child First principles. They are not directly comparable cases, but illustrate the range of children's experiences of police custody documented in this study. Those experiences are shaped by a combination of factors, including the nature of the allegation, the child's circumstances and vulnerabilities, whether a parent or carer is able to attend the station, the availability of alternative support, and the decisions made by officers and custody staff. For most children the experience falls somewhere between the two cases. But the accounts gathered in this study, from case studies, User Voice interviews with children, and Sphear Media engagement, are consistent: custody is experienced as a space of uncertainty, sensory deprivation and emotional distress, regardless of outcome. CS10, a looked after child brought into custody on numerous occasions, put it directly: "Custody is shit but I've learned how to cope just by not caring." One young person said that all children who go into custody for any length of time should be given therapy, so profound is the impact (SM1.3). These are not complaints about comfort but accounts of psychological harm, and their consistency across force areas and successive studies (Bevan 2022, 2024; Kemp and others 2023; Vaswani and others 2025) suggests they are not incidental failings but routine features of the system.

Despite police custody being a traumatic experience for many children, a recurring observation across custody suites was that detention helped to keep a child safe, at least for a short time. Rationales for authorising detention noted by custody officers on detention logs, for example, included: "most of all I know DP [detained person] will be safe whilst he is here" and "DP is in a safe custody environment where they will be cared for, fed and hydrated, and visited regularly" (Child 1.BRI; Child 119.WG). That instinct is understandable. A child found with a knife or a machete, known to be at risk of exploitation, returning to the same circumstances that produced the arrest, is genuinely at risk. But custody is not experienced by children as a safe space in any meaningful sense. It is a brief period of containment, after which the child commonly returns to exactly the same circumstances. For the child, custody itself causes harm, magnifying the vulnerabilities that brought them to police attention in the first place (Bevan 2025).

Once in custody, children enter a world designed for adults and largely closed to the outside. They have no phone, no clock, no means of knowing what time it is or when anything will happen. A parent or carer must be notified, and a child may make a telephone call, but neither is guaranteed to happen quickly. In practice, many children spend hours without contact with anyone they know. Children who participated in the research recounted similar experiences of uncertainty, isolation and the difficulty of knowing what was happening or how long they would remain in custody. Several described the absence of information, limited contact with people they knew and time passing slowly while waiting in a cell. They are, in practice, often left isolated from the outside world, waiting in silence in a cell (Kemp and others 2023; Bevan 2024). CS1, for example, was a 16-year-old Black boy arrested for robbery. He had been in custody many times. His mother had given up attending the station; she will collect him when it is over, but will not come for interview. When a researcher talked to him in his cell, he did not know what time it was. He did not know that the CCTV pixelates the toilet area. He had been assuming that someone could watch him. He would not eat the food. When asked what the worst part of being in custody is, he said it is when he runs out of sleep. "You're just up, staring at walls."

CS1 is not unusual. Food is a persistent and telling indicator of children's experience in custody. Whilst children are routinely offered food and drink, they commonly refuse or do not eat it when it is provided. CS5 refused to eat anything from the time of his detention in the early hours of Saturday morning until his attempted suicide late on Sunday afternoon. It was only as the ambulance arrived that he was given food and drink bought from outside custody. CS6, brought in at 2 am, had eaten nothing by mid-afternoon. CS11, aged 14, had eaten only biscuits across more than 24 hours in custody. CS12 had refused food entirely. The User Voice data from both MPS pilot sites reflect the same experience: most children did not eat while detained, either because the food was inedible, anxiety suppressed appetite, or, as one child put it, "the only thing I could trust was the biscuits" (UVWG:10). This pattern is not new. In the earlier Nuffield study, based on fieldwork in custody conducted in 2021 and 2022, 16 of 32 children had not eaten during their time in custody, with six waiting 15 hours or more before being interviewed (Kemp and others 2023:55).

Food is not a trivial concern. Hunger compounds the cognitive and emotional effects of detention, and those effects are already severe. Children in custody are isolated, disoriented and frightened in an environment designed for adults. The research literature is clear that these conditions are particularly damaging for children, whose developing brains are more sensitive to stress and whose capacity for emotional regulation is still forming (Steinberg 2005; Gudjonsson 2026). Emotional distress, sleep deprivation and the absence of food are identified as primary factors undermining children's self-regulation and increasing their vulnerability to making unreliable or self-incriminating statements (Kassin and others 2010). This is exacerbated by the prevalence of communication disorders, often undiagnosed or unsupported, in this group of children (Hughes and others 2012). For these children, the impact of the custody environment is acute.

CS1, reflecting on his longest period in custody, almost three days after being arrested over the weekend and remanded to Monday morning's court, described how he felt: "I'd say I wanted to kill myself. Well, I actually wasn't going to kill myself, but when you're in a cell for so long, I was just knocking my head on the wall. I was thinking, what am I going to do. I was losing my mind." He is 16 and, having been in custody many times, he has normalised this experience. That normalisation is itself a measure of the system's failure.

CS5's case illustrates how custody can become a recurring feature of a child's life. Known to police initially only as a regular missing child, he was arrested three times within a single month, with live concerns that he was being groomed by a local gang. The system that detained him provided no

mechanism for interrupting that trajectory. On each occasion, he was returned to the same circumstances that had produced his arrest.

These accounts illustrate why children's experiences cannot be treated as a secondary consideration in assessing the operation of police custody. Custody may provide temporary containment, but it rarely addresses the circumstances that have brought the child into contact with the police and may instead intensify existing distress, vulnerability and disengagement. The chapters that follow examine the decisions, safeguards and institutional arrangements that shape these experiences, and consider how the use and impact of custody might be reduced through a more consistently Child First approach.

Developments since fieldwork in GMP

Following its review of a draft of this report, GMP provided information on work undertaken since fieldwork in police custody was completed in February 2024. GMP highlighted a range of activity intended to strengthen governance and oversight, detention decision-making, safeguarding, child-centred policing and performance assurance. GMP advised that these developments form part of a broader programme of organisational reform and reflect an ongoing trajectory of improvement.

The research team did not assess these developments directly and therefore cannot comment on their effectiveness or impact. The findings presented in this report are based on evidence gathered during the fieldwork period and should be interpreted in that context. However, by way of update, a summary of further developments reported by GMP since completion of the study is provided at the end of the report.

Chapter 2: Authorising and reviewing detention

Police detention is adversarial and inherently coercive, undertaken in adult spaces designed to address the most extreme of risks. It is, by its nature, antithetical to Child First principles. The accounts provided in the preceding chapter illustrate the impact that detention in such a setting can have on a child: magnifying their vulnerabilities, both in custody and in their home circumstances, and undermining their ability to participate effectively in key processes, particularly in their police interview. Their experiences, which strikingly mirror previous research (Bevan 2022, 2024; Kemp and others 2023; Vaswani and others 2025), underline the importance of diverting children from police detention wherever possible and realising their right to be detained only as a last resort and for the shortest appropriate period, under Article 37 of the UNCRC. This chapter considers the key gatekeeping decision, the authorisation of detention under PACE s37(3), and subsequent mechanisms for ensuring that the impact of detention is mitigated and that detention durations are as short as possible in all the circumstances.

The five-force electronic custody record analysis for the year ending March 2023 revealed that the majority of children's cases resulted in no further action (61%), while 22% proceeded to court and 11% received an OOCR. Children who were detained spent, on average, 11 hours and 48 minutes in custody (Kent and others 2026). These findings raise important questions about how decisions to authorise and review the continued need for detention are made in practice, including whether existing safeguards operate as meaningful constraints on the use of child detention. Under PACE, custody officers and reviewing inspectors are intended to operate as independent safeguards against unnecessary detention. The evidence from this study suggests that, in practice, neither role currently functions as the law intends, and that structural change is required to bring practice into line with legal obligations.

The decision to detain a child in police custody is the most significant moment in the entire custody process. It is not only the point at which the state determines that a child will be deprived of their liberty, but also the main gateway into the youth justice system, and the law is unambiguous about what that requires. PACE section 37 creates a presumption in favour of release, on bail or under investigation, where there is insufficient evidence to charge. The custody officer can only detain if they have reasonable grounds for believing that detention without charge is necessary to secure or preserve evidence, or to obtain evidence by questioning, under PACE section 37(3). The College of Policing's (2013a) Authorised Professional Practice (APP) guidance is clear: detention should be authorised by a custody officer only where it is necessary, not convenient or expedient, and it should always be a last resort for children.⁸ The decision should not be seen as a rubber-stamping of the decision to arrest but as a separate, independent determination, one that continues throughout the custody episode, and which must be regularly reviewed.

Yet guidance in relation to authorising detention in Code C is inadequate, particularly in relation to its application to children. First, Code C 3.4(a) unhelpfully addresses the grounds for arrest and the decision to authorise detention in the same subsection. The authorisation of detention decision is introduced halfway through a bullet-point which begins by addressing the detainee's response to the arresting officer's grounds. The guidance does not set out the test in section 37(3) PACE, in particular the need for reasonable grounds for believing that one or both of the necessity conditions apply. Detention log reviews in this study reveal that the 'grounds' for detention which are required to be recorded have generally become a repetition of the necessity conditions, not, as the legislation

⁸ APP, Detention and Custody, Detainee Care, Children and Young Persons.

requires, a record of the officer's reasonable grounds for believing that either or both necessity conditions exist. The authorisation test is fundamentally undermined in this way, both for adults and for children.

Second, Code C is silent about children at this point, providing no structure for applying the necessity test differently where the detainee is a child. There is no reference to the child's right under Article 37 of the UNCRC to be detained only as a last resort, and no acknowledgement of the duty under section 11 of the Children Act 2004 to safeguard and promote the welfare of children that binds every custody officer who makes that decision.

Authorisation of detention decision-making in the study

Analysis of the quantitative custody record data identifies that detention was refused in just 1.02% of children's cases. Children are being detained at rates that differ only marginally from adults (refusals of detention occurred in 0.41% of adult and 0.31% of vulnerable adult cases), despite children's right to differentiated treatment. Analysis of primary offence type from custody record data reveals that children are being detained for offences which do not obviously indicate that custody was necessary or proportionate, given its impacts. For example, criminal damage is among the most common primary offence types, comprising 8.2% of child detentions (Kent and others 2026). These data add to consistent research findings that the custody officer's decision to authorise detention functions in practice not as a genuine gatekeeping decision but as a near-automatic administrative step, the rubber-stamping of an arrest that has already been made (Dehaghani 2017; Kemp 2020a).

The weak operation of the authorisation decision also has implications for racial disproportionality. The pattern varies between areas, depending on local demographics and policing contexts, and the same profile should not be assumed across all force areas. However, in the London pilot suites, racial disproportionality was stark. Children identified as Black were substantially over-represented among those arrested and those detained at both Brixton and Wood Green when compared with local all-ages census data. At Brixton, Black children accounted for 62.1% of children detained before the Child First pilot and 70.4% during the pilot period. At Wood Green, Black children made up the largest ethnic group in both periods, accounting for 51.5% of children detained before the pilot and 43.9% during it (Bevan and Kemp 2026b). This disparity was already present among the children arrested and presented for detention, and authorisation or refusal of detention did not meaningfully alter those proportions (although the numbers of refusals were small).

Children's accounts gathered by Sphear Media help explain why this matters in practice. In the Brixton engagement, Black and mixed heritage boys described repeated stop and search, being targeted because of their area, appearance, clothing, hair, family associations and previous police contact, and being treated as adult men rather than children. Several described stop and search as routine, with some reporting that they were stopped once or twice a week, or more often. One said that the grounds given were usually that he 'matched the description', which he understood as meaning that he was a Black young man (SM2.1). These accounts are consistent with wider evidence that racial disproportionality can accumulate across criminal justice decision points, and that Black and mixed heritage boys can face particular barriers in being recognised and responded to as children rather than as risks to be managed (Lammy 2017; HM Inspectorate of Probation 2021). For children with this history of police contact, detention was not experienced as an isolated legal decision. It formed part of a wider pattern in which they felt watched, suspected and controlled.

Authorisation of detention is a key safeguard in this regard. The evidence from the custody record analysis, the London pilot data and children's own accounts point in the same direction: if custody follows arrest as a near-automatic administrative step, the children most exposed to policing are also

the children most likely to be detained. The opportunity to address disproportionality at the gateway to the youth justice process is lost. Robust scrutiny of necessity is therefore not only a matter of compliance with PACE. It is also a mechanism for interrupting the cumulative and unequal impact of policing on children who are already over-exposed to police powers. Without that structural safeguard, existing patterns of disproportionality are likely to be reproduced at the custody desk.

The same concern arises in relation to children who are looked after or otherwise well known to children's social care. As discussed above, the custody record data available to this study indicate substantial over-representation of looked after children among those detained. For this group as well, robust application of the necessity test under PACE s37(3) is an essential safeguard. Previous contact with police, social care involvement or familiarity to local services must not make detention routine or inevitable.

Structural challenges to robust decision-making

The evidence suggests that the problem is structural rather than individual. Custody officers who authorise detention without rigorous scrutiny of the necessity test are, in most cases, operating without clear guidance and within a framework that makes robust gatekeeping exceptionally difficult. It is well established that, rather than custody officers being the dominant decision-makers, as PACE requires, it is investigating officers who drive most decisions in practice. This is a function of the command-and-control style of policing in which discretion exercised within the police hierarchy consistently overrides the nominal authority of the custody officer (Kemp 2014; Hucklesby 2024). The arresting officer, investigating officer and senior leadership may all have an organisational interest in securing the authorisation of detention following an arrest. PACE created an extraordinary role in the custody officer, whose decision on authorisation of detention can, in the legislation, only be overridden by a superintendent.⁹ However, the expectation that a custody officer will refuse detention to a more senior colleague, and maintain that refusal under challenge, requires both institutional backing and personal confidence that the current framework does not reliably provide. The evidence from the force areas studied suggests that the personal cost of doing so can be considerable. One experienced custody officer, who described having developed a firm approach to enforcing the necessity test, recounted the consequences:

A senior manager said, 'Why are you being hostile to my officers?' and I've mellowed a bit since then because ultimately this causes me concern and made me ill. I was being challenged about enforcing the law ... I still enforce the law but I do it in a different way. Doing the right thing in policing doesn't win you a lot of friends as you are seen as being obstructive.

That account illustrates a structural reality in which a custody officer who applies the law as it is written may find themselves acting against the expectations of other officers within the policing organisation. A custody officer in another area captured the institutional dynamic more tersely: "Upstairs want to see positive action, custody want to see less risk in their cells." The pressure to demonstrate enforcement activity does not disappear when a custody officer refuses detention; it concentrates on that officer as being obstructive to the investigation. Where child-centred arrangements were introduced in Surrey, including a shorter maximum detention period for children, a reform considered in detail later in this report, custody officers described the change in more positive terms, but the underlying dynamic was the same: the value of the new arrangements was precisely that they gave custody officers something with which to push back. As one put it, "I'll chase

⁹ PACE section 39(6) enables a superintendent to override a custody officer's decision in relation to an individual in 'police detention', defined in PACE section 118(2) as an arrested individual brought into police custody in the detention of a constable.

them [investigators] more saying that they need to be ready to interview early on. It gives us quite a lot of power back" (SP.PI1). The language of power is telling. Custody officers should not need to recover power that PACE already vests in them. That they describe it in those terms reflects how far the structural reality has drifted from the legal position. The two pilot studies, in Surrey and London, show how this position can be changed, but only when the custody officer's role is structurally supported rather than individually dependent.

Piloted measures: Child First training and custody officer checklists (MPS)

The Child First pilot in two London custody suites provides the most detailed evidence of what that structural support can achieve. Refusals of detention for children rose to 11% at Brixton and 17% at Wood Green during the pilot period (Bevan and Kemp 2026b). Custody officers attributed this shift directly to two particular issues: Child First training and a checklist to be followed when authorising detention. The training covered children's rights, domestic legislation and case law, and NPCC and College of Policing guidance applicable at the point of detention. This gave custody officers both the knowledge and the confidence to apply the necessity test more robustly. There were clear indications that training was beginning to have an impact on the culture in custody when dealing with children: "As soon as they [child arrestees] walk in the back gate and we meet them, we think more about options, child welfare and family – things like that" (MPS.CO3.BRI).

The checklist required officers to gather all available background information about the child, explore less intrusive options to detention, and to record a case-specific rationale for detention. That requirement was important, not because paperwork changes outcomes, but because it converted a decision that could previously be made unreflectively into one that had to be worked through and recorded, and could therefore be reviewed. These were two custody suites dealing with a higher profile of serious offences and significant criminal exploitation, which makes the scale of the change more striking. The children who continued to be detained during the pilot period were predominantly arrested for serious, often indictable-only offences, suggesting that more robust gatekeeping was being applied discriminately, not indiscriminately.

An enhanced inspector role in police custody

When PACE was enacted in 1984, custody was dispersed across police stations, with a single custody officer responsible for only two to four cells. That world no longer exists. Large custody suites of 30 to 50 cells are now the norm, with inspectors a more constant presence within them, and decisions about children's liberty are made within institutional hierarchies that PACE never anticipated. Yet the governance architecture has not been adjusted accordingly. As outlined above, the anomalous role of the custody officer has proved vulnerable to institutional hierarchies in a way that calls into question the ability of a custody officer, who must be at least the rank of sergeant, to make robust decisions on authorisation of detention within that wider police hierarchy.

Inspectors are senior, visible and present in many large custody suites, but have no formal role in the initial decision to detain. Their statutory function under section 40 of PACE is to review detention after it has been authorised, within 6 hours and again at intervals of no more than 9 hours, to assess whether detention remains necessary. It is not suggested that the inspector's authority should displace that of the custody officer. Rather, it is proposed that the inspector's role could be clarified and brought in earlier, so that inspectors can support robust decision-making at the point detention is authorised, ask questions about necessity and proportionality, and help expedite the process for children where detention is unavoidable. This would be distinct from relying solely on the existing

statutory review mechanism, which is typically engaged at or around the six-hour point following the authorisation of the child's detention.¹⁰

Piloted measures: Early and ongoing inspector engagement (MPS, Surrey and SWP)

The research examined early and ongoing inspector engagement across different initiatives in three forces.

The MPS first introduced an early review of a child's detention by the custody support inspector in 2022, as part of their C.H.I.L.D. initiative to adjust police custody for children.¹¹ Within an hour of booking-in, inspectors were required, using a pro forma template, to speak to the custody officer to review the circumstances of a child's detention and its necessity, and to ensure that other C.H.I.L.D. adjustments were in place.

The MPS built on those arrangements two years later through the Child First Custody Pilot in London (Bevan and Kemp 2026b). As part of that initiative, inspectors were additionally required to ensure that the Child First adjustments in the pilot were being followed and, in particular, that the child's right to be detained 'for the shortest appropriate period' was being strictly observed both pre- and post-charge. This supported the suites' aim of completing the interview within six hours and releasing the child within 12 hours. As before, the inspector's rationale was required to be recorded on the custody record. This created a record of that engagement, making the inspector's reasoning visible and reviewable. The evaluation therefore allowed both the original and enhanced review arrangements to be examined across pilot and comparison suites (Bevan and Kemp 2026b).

Across the sites, whilst mindful of the additional work for inspectors, custody officers welcomed the benefit of another pair of eyes in ensuring all necessary adjustments were made in the busy environment of custody: "It's brilliant ... because they're picking up a lot of stuff that's being missed, especially in a busy suite like this. They play a good, key role with children in custody" (MPS.CO7.WG). Custody officers in the pilot suites particularly remarked on the positive effect of a more senior officer's scrutiny in terms of expediting an investigation and reducing detention periods: "After the first hour, the governor [the inspector] has to review it as well. Once the governor starts getting involved people start listening" (MPS.CO3.BRI).

However, the one-hour review requirement proved logistically unworkable and was met in fewer than a third of cases across the two pilot sites. A slightly longer period was also identified as enabling the inspector to engage more meaningfully with information about the child (which would be more likely to be available within the longer time-frame), and to review progress of the investigation and preparation for interview. The MPS accepted the recommendation to extend the review period to within 3 hours and these new arrangements for inspectors have now been implemented across all London suites.

The Surrey pilot explicitly drew on the MPS CHILD framework. Under the Surrey arrangements, in addition to the 6-hour review of detention required by PACE, inspectors were required to conduct an initial review of children in detention (within 3 hours) and a further review at 12 hours (corresponding with the 12-hour initial detention period for children).¹² Earlier involvement in

¹⁰ Previous research has raised concerns about the practical impact of statutory detention reviews on release decisions (Dixon and others 1990; Skinnis 2011; Kemp 2020a).

¹¹ The MPS uses the mnemonic C.H.I.L.D. to prompt custody officers: Change in the presumption of legal advice; Have a conversation with the AA; Inform the local authority; Legal advice referral; and Direct the investigation without delay.

¹² While operating under a shorter detention clock for children, it is important that the initial period of 12 hours can be extended to 24 hours, or later if required, in appropriate cases.

children's cases led to inspectors having an increased role in reviewing the continued need for detention. There was a clearer expectation that progress would have been made in children's cases by the time of the statutory 6-hour review, and inspectors described engaging actively with that question at the time of the three-hour initial review: "I'll look to see if we can deal with the child within 12 hours and I'll note if I think there's a problem. I'll note in the first review whether I've considered short bail. I'll also look at the investigators and ask why the child hasn't been interviewed and why they're waiting" (SP.PI1).

As in the MPS, the inspector's involvement, reinforcing the custody officer's efforts to expedite matters, was felt to be important in giving custody teams leverage with investigators:

When we've got a child in custody, not only are we asking the investigation team 'what's going on?' but the inspectors are too when doing their reviews. There's a little bit more focus, a bit more attention on the child (SP.CO4).

The focus for inspectors was primarily on expedition rather than on the initial decision to authorise detention, which remains the custody officer's responsibility. However, once a child was detained, the 12-hour clock meant that both custody officers and inspectors were actively questioning whether continued detention remained necessary. The impact of that on detention times and overnight stays is addressed in the section on the 12-hour clock below.

In SWP, an enhanced inspector oversight role was introduced as organisational policy in response to criticisms from HMICFRS (2023) over some children being held for too long in detention. Inspectors were required to conduct an early review within one to two hours of a child's detention being authorised. This enhanced inspector role was supported by an increase in the number of inspectors on duty and daily management meetings at which all children's cases are reviewed by senior leadership. Better resourcing of the role meant the inspector could be more visible and engaged at an earlier stage: "I sit on the bridge and can see when a child comes in" (SWP.Insp2). A custody officer reflected on what that meant in practice: "The inspector is now aware straightaway that we have a child, and they want to know what the plan is, and they'll want to know why if the officers deviate from it" (SWP.CO4).

The changes were not framed within an explicit child-centred framework, in the way the Surrey and London pilot projects were, but, nevertheless, these changes were having an impact. Custody officers described a genuine cultural shift: decisions about detaining children were becoming less automatic, with custody officers discussing cases, exercising judgement, and developing the confidence to refuse: "I'm not disputing the validity of the arrest," one custody officer explained, "but now that you are here and we are in slow time, this person does not need to be dealt with in custody" (SWP.CO5).

Rather than displacing the custody officer's authority, inspector involvement created shared accountability, what one officer described as a double-edged approach, with both the custody officer and the inspector pursuing investigators and each acting as a safeguard for the other. The daily senior leadership review of all children's cases added a further layer of institutional scrutiny that goes beyond what any individual inspector could achieve alone.¹³

Across all three force areas, the evidence points consistently to the value of early inspector involvement that is focused on the necessity of continued detention, rather than merely on case progression. Where inspectors have engaged with that question, the evidence suggests that overnight stays are considered more carefully, short bail is used more purposefully, and custody

¹³ Similar themes concerning supervision and support for inexperienced frontline officers are explored in the report examining frontline officers.

officers feel supported rather than isolated in applying the necessity test. The distinction between reviewing progress and reviewing necessity matters in practice: the former helps to reduce delays, the latter asks whether detention should continue at all. Reviewing the ongoing necessity of detention is not an extension in principle of the inspector's role – it is exactly what section 40 of PACE expects of a reviewing officer when they authorise the person's continued detention.

Challenges mitigating the physical experience of police custody

The accounts gathered by Sphear Media provide important context for understanding the experience of detention. Among the 26 questionnaire respondents who reported having been arrested and taken into police custody, over half said that nobody had asked how they were feeling whilst detained, with a further small number unsure or giving mixed responses.

The wider questionnaire, interview and focus group material showed that children overwhelmingly described custody in negative terms, referring to boredom, confinement, frustration, uncertainty, dehumanisation and isolation. When asked to describe their experience of police custody in one word, questionnaire respondents used terms including 'bored', 'horrible', 'shit', 'agitated', 'caged', 'disgusting', 'upset', 'insane' and 'dehumanised', alongside repeated references elsewhere to lengthy periods of waiting and feeling cut off from others. One participant described feeling that "no one is on your side" and being "cut off in a cell" (SM3.2). In a Cardiff group discussion, a participant with repeated custody experience described detention as "boring" but also "dehumanising", saying that she felt "like a dog trapped in a cage" (SM7.2). These accounts reinforce the understanding that detention is not a neutral administrative step in an investigation but a substantial intervention in a child's life.

As part of child-centred arrangements, some forces have made changes to the physical environment of their custody suites in response to growing recognition that the standard adult environment is unsuitable for children. These range from distraction materials to more substantial alterations to custody suites and cells. While distractions such as soft footballs, fidget toys and books are available in most suites, their distribution often depends on staff remembering that they are available and, when they do, making a judgement about whether a particular child, in their view, warrants them. Several police forces have made more child-friendly adaptations to custody suites and cells. In Cleveland, every child is now brought to a purpose-built suite separate from the rest of the custody facility, with its own entry point, booking-in area, a break-out room with sofas and a TV screen, a small exercise area, and artwork designed by young people (Cleveland Police 2024). In Cumbria, specially designed cells for children feature calming colours and wall imagery designed by young people, chalkboards, sensory and distraction items, and there are interview and engagement rooms with soft furnishings. The changes have been made in combination with a range of other adjustments, including accessible rights and support information (College of Policing 2026). As part of the MPS Child First Custody Pilot, physical changes were made at Wood Green in the form of brighter paint used in the cells, along with a painted chalkboard section, a child-friendly interview room with a skyscape ceiling, and a discrete booking-in area with a bright beach scene photo-mural (Bevan and Kemp 2026b). Here too, [accessible rights information](#) was provided and displayed on embedded screens.

These changes matter and children notice them. CS2, a 17-year-old detained at Wood Green, found the child-friendly interview room calming. An embedded appropriate adult who knew individual children described the changes making a palpable difference in several cases. Similarly positive responses to physical adjustments have been reported in Cumbria, both in relation to the painted cells and the chalkboards. Cumbria Police also tracked the use of force on detained children as part of the pilot, finding a marked reduction in each of the three suites involved, although the measures

in the third suite had been in operation for only three months at the time of analysis (College of Policing 2026).

However, the User Voice data illustrates the limitations of these adaptations. Children assess them in the context of their experience of detention as a whole. Having been arrested, deprived of their liberty, and detained within a process that remained otherwise largely unadjusted, some were dismissive of limited environmental adaptations that did little to change their wider experience of detention or the fact that they did not want to be there. One participant said that the therapeutic colouring of her cell made it look “more like a CAMHS room” and that she felt “like a child” (UVWG.20), by which she meant patronised rather than supported. The chalkboard, intended as a distraction, was similarly experienced by some older children as infantilising (UVB.19). In the Brixton custody suite, another participant replied bluntly when asked whether the suite was more child-friendly: “No f***ing different, they’re all the same” (UVB.19).

The gap between provision and implementation was also striking. At Wood Green, child-friendly adaptations were not consistently used. CS6 was not placed in a painted cell despite one being available. The discrete booking-in area was regularly bypassed when the suite was busy and was increasingly used by detention officers as an additional workstation. In some cases, this reflected judgements about whether children were considered ‘deserving’ of age-appropriate treatment: “We’ve had people in here terrified. They deserve discrete booking-in ... But [not those] in gangs who love it” (MPS.CO4.WG). The seriousness of the alleged offence was also sometimes treated as a reason not to offer adjustments. Two 12-year-olds, CS7 and CS8, who were not previously known to the police but had been arrested for a serious offence, were not interviewed in the child-friendly room.

Practical barriers also mattered. Moving to the discrete booking-in area required staff to log off one terminal, wait for another computer to load and log in again. When custody teams were working under pressure, as they often were, this additional effort could discourage use of the facility. Some officers also hesitated to offer adjustments in case children found them patronising. Although some responses were plainly punitive and indicate a need for further training, the wider implementation failure reflects a deeper structural challenge: attempting to embed child-specific practice in an environment, and within a workforce, that remain primarily oriented towards adults.

The children’s own verdict is instructive. When asked what would make custody better, the most consistent answers across the case studies, User Voice and Sphear Media material concerned information and communication rather than the physical environment: knowing what time it is, when something will happen and what the likely outcome will be. CS1 asked for a clock: “There needs to be a time in here. A lot of people need that.” CS9 said the worst aspect was being unable to see daylight or know what was happening. CS13, in custody for the first time, was told nothing about what would happen or when: “They just said I’d be in the cell and they’d let me out for the interview, but they didn’t tell me when or how long.” A Sphear Media participant similarly explained: “You press the buzzer but don’t know how long you’ve been there because there’s no clock” (SM5.3).

Children’s suggestions were generally modest and practical: clearer information, something to occupy their time and simple ways of maintaining a sense of orientation. In Cardiff, children called for officers to “talk to us” and “give us some entertainment”. One participant, who had been held for 38 hours with nothing to do and nobody coming to speak to him, said: “They just chuck you in there, leave you. And it’s just like you’re forgotten about” (SM6.1). These are not expensive interventions. They concern the information and support to which children are entitled, and communication that recognises their distinct capacities and enables them to cope with prolonged uncertainty and waiting.

Physical improvements are important and should continue. But time emerged as a more substantial determinant of a child's custody experience: how long it lasts, who controls any delays and how they are accounted for. PACE places responsibility for the welfare of those in custody on the custody officer, but it is the investigating officer who controls the timetable, deciding when to gather evidence, when an interviewer is available, and to a considerable degree when the interview will take place. The child waits, but provided detention remains within the initial 24-hour period the custody officer has little purchase on expediting the process. A 12-hour detention clock for children would change that.

Piloted measure: The extendable 12-hour detention clock for children

The introduction of a 12-hour initial maximum detention period for children is the most significant structural change to emerge from this programme of research. First proposed as a recommendation in the 2023 Nuffield study (Kemp and others 2023), the 12-hour clock was piloted by Surrey Police from September 2023 to June 2024 with the support of the then NPCC custody lead. Custody teams and investigators work to an expectation that a child will be released within 12 hours, with a requirement that an inspector authorise any child detention beyond 12 hours. This is supported by the enhanced inspector review schedule discussed above. Following successful review of the pilot, the 12-hour clock was embedded as 'business as usual' across the force.

Before the pilot, the average time a child spent in custody was 11 hours and 6 minutes. Following its continuation as business as usual, by January to March 2025 it had fallen to 7 hours and 36 minutes. In addition, the proportion of children held for more than 15 hours fell from 28% to 17%, while overnight detentions fell from 34% to 29% (Kemp and Bevan 2025).¹⁴ This is itself a significant achievement. Nationally, 43% of children detained in police custody were held overnight in the year ending March 2025 (Home Office 2026a). The problem was even more pronounced in the five-force custody-record dataset, in which 60.6% of children were held overnight (Kent and others 2026). Against that background, the trajectory in Surrey, sustained and deepening as the clock has become embedded in practice, provides the strongest evidence available that the measure works. It has since been formally adopted by a further three forces, Northamptonshire, West Midlands and Dorset, with four more operating similar arrangements and a further eight actively considering or working towards implementation.¹⁵

That this shift is happening at all is significant, although without legislative foundation it remains vulnerable to competing operational pressures and dependent on the commitment of individual forces and officers. The full evaluation of the Surrey 12-hour clock initiative (Kemp and Bevan 2025) was considered by the Home Office PACE Strategy Board and received support from both the Board and the NPCC. The proposal has also attracted the interest of policy-makers. A measure that determines how long a child is deprived of their liberty should not rest on local initiative. It requires a statutory footing.

In November 2024, the MPS introduced its own approach through the Child First Custody Pilot, based in two custody suites, with an operational target of interview within 6 hours and release within 12 hours, embedded through a custody sergeant's checklist. In contrast to the Surrey arrangements, there was no formal requirement to seek authorisation to extend detention beyond 12 hours for children. Custody officers embraced the target:

¹⁴ Using the Home Office overnight detention definition, being any detention where a child spends more than four hours in custody and any part of that period falls between midnight and 8am (Home Office 2026a).

¹⁵ A survey of forces was carried out with the assistance of the NPCC in May 2026.

We haven't had any pushback or negative feedback and most officers come down quite quickly. The investigators want it being dealt with as quickly as possible and so having two figures in place, 6 and 12 hours, really helps (MPS.CO13.BRI).

Their colleagues in investigation took a similar view: "100% it can be done. It needs some organisation and understanding. Already we're getting used to it" (MPS.IO5.WG).

Limitations in the MPS custody management system mean that aggregate detention times cannot be extracted in the same form as the Surrey data, because the system does not record a PACE clock in a way that enables systematic analysis. Nonetheless, reductions in average detention periods were identified during the pilot period in comparison with the same period in the previous year: in Brixton average detention periods for children fell by 15%, and in Wood Green by 26%. However, the comparison suites, which were not working to the shorter time period, also showed an aggregate reduction of 25% in overall detention time. There was some evidence that the pilot had influenced practice more widely across non-pilot suites. Overnight detention also fell, from 83.2% to 69.6% at Wood Green and from 78.2% to 74.0% at Brixton.¹⁶

Children were increasingly being bailed before interview, particularly where they might otherwise have been detained overnight. The detention logs suggest that this occurred in a quarter of child cases at Brixton and 16% at Wood Green during the first half of the pilot, with bail periods typically very short. Importantly, no failures to return on bail were identified in the logs reviewed, directly addressing a concern sometimes raised about its use in children's cases.

What the reduced clock does well

The 12-hour clock is not simply a time limit. Its significance lies in what it changes about the dynamics of custody. Custody officers described it as giving power back to custody teams:

I think the CHILD initiative is very good, it's appropriate and really important. Children should not be in custody, it's not good for them. The 12-hour clock is really helping to focus people's minds when we deal with children (SP.PI1).

The reduced time span gave custody officers and inspectors a concrete mechanism for challenging delay and handover culture, particularly where children were brought in during the late afternoon or evening and investigators might otherwise expect to pick the case up the following morning:

The amount of time we chase investigators and they tell us to bed them down. But what are they going to do overnight? It allows them to sleep for hours, and the case is picked up in the morning, but they've done nothing (SP.CO1).

The clock changed that expectation, making delay visible and requiring it to be justified.

The 12-hour clock also reinforced differentiated treatment of children more broadly. Officers described it as a prompt that kept the focus on the child even when the suite was busy and resources were stretched:

¹⁶ Detention period calculations and overnight detention figures for the MPS should be approached with caution. The extractable data aggregates all detention periods for a single case, combining initial detention periods following arrest with periods spent in custody when returning on bail, and counts the administrative closure of the record as the end of the detention period (rather than charge or release). The Brixton figures may also have been affected by a change in the population of children detained there during the pilot period, as children who would ordinarily have been taken to nearby Walworth Road were instead taken to Brixton.

The 12-hour clock has an important role to play when people make decisions in times of frustration. It makes you more aware of the vulnerability of children and if you didn't have a shorter clock, then our best intentions would go out of the window (SP.NT2).

Short bail and avoiding overnight detention

One of the most important practical effects of the 12-hour clock was the more purposeful use of short bail, particularly for children brought in late in the evening where it was not possible to progress the case immediately. Rather than keeping a child in custody overnight, custody officers in Surrey described making a judgment about whether bail to return the following day was appropriate:

We tell them at the beginning what we'll do to get children out quicker. If they come in late at night, the presumption will be short bail and get them back in the morning so they can sleep. If it's a school day, we can bail back at the weekend (SP.CO1).

An inspector confirmed the approach: "We use short bail depending on the offence. Or we tell them that they can interview them now and then we'll let them go. I think we're doing more short bailing than voluntary interviews now" (SP.PI1).

As indicated above, the London pilot saw the same approach adopted purposefully in both pilot suites, with no failures to return on bail identified in the logs reviewed. A significant ground for arrest and detention was often the need to seize items, particularly mobile phones, conduct a search of the child's home under section 18 of PACE, or occasionally take particular samples. Once those steps had been completed, it became less likely that reasonable grounds remained for believing detention was still necessary solely to conduct the interview in custody.

Practicability

In advance of the pilots, some policy-makers had expressed concerns that a 12-hour clock might be unworkable, placing undue pressure on investigation teams and potentially affecting the quality of investigation in adult cases deprioritised as a result. The evidence from both pilots addresses those concerns directly. Across custody and investigation teams, the overwhelming view was that a 12-hour initial period was manageable for the majority of children's cases, provided there was capacity to extend to 24 hours in serious or complex cases: "It works 100% if you allow the default to go back to 24 or 36 hours if needed. For the majority of children's cases, it should be a 12-hour clock" (SP.CO5). Investigators in both forces took the same view, recognising that with appropriate organisation and planning the target was achievable for the great majority of children's cases without undue impact on adult investigations.

The cases in which extension proved necessary involved scene preservation, forensic processing or serious offences whose complexity meant that investigative steps could not be completed within 12 hours. CID officers in Surrey were candid about the limitations of the clock in those circumstances: "A 12-hour clock will be unrealistic if you have things like forensics. We deal with more serious crimes and so allowing default to 24 or even 36 hours is important" (SP.CID4). Another, with experience of homicide cases, made the same point: "If there isn't a planned arrest, we can't deal with really serious offences within 12 hours. There's things to plan, like the scene management, securing evidence, and conducting searches, these all take time. We need to use the 24-hour clock in these cases and document why there has been a delay when dealing with a child" (SP.CID5). It is precisely for cases of this sort that the extension mechanism was envisaged, and with that option available, most investigators, including those in specialist teams, were supportive of the 12-hour clock as the default.

The question of who should authorise an extension is live and unresolved. In Surrey, extensions beyond 12 hours were authorised at inspector level, which proved workable, though there was a

clear preference among custody officers and inspectors for that authorisation to rest with a custody inspector independent of the investigating team, rather than a duty inspector who might be part of the team. SWP, when planning its own 12-hour clock pilot, was considering requiring authorisation at chief inspector level, specifically to reinforce the message that 24 hours should be the exception rather than the default and to give the extension decision appropriate institutional weight. Superintendent-level authorisation would mirror the adult provisions under section 42 of PACE and carry the strongest signal, but given the possible volume of extensions in children's cases this may not be practicable. The recommendation below reflects the evidence that inspector level is workable, while the independence of the authorising officer from the investigating team is an important safeguard.

Conclusions and recommendations

Child First police custody is revealed by this study to be an almost impossible ambition. The experiences of children in police custody, the impact that the process can have on them and the challenges adapting an adult setting for children, make it clear that a truly Child First approach to police custody is one that keeps as many children as possible out of its cells. There will always be a need for secure pre-charge detention for a small number of children. However, a child should be detained only where strictly necessary (s37(3) PACE) and as a last resort, as made plain by Article 37 of the UNCRC, its recognition in case law, including *ST v Chief Constable of Nottinghamshire Police*¹⁷, and College of Policing guidance (2013a). The majority of children should be investigated through voluntary attendance or bailed to attend for interview, when they are in a suitable state to give a good account of themselves and can be properly supported in doing so. It is equally clear from this study that a number of changes are required to enable robust decision-making at the point of authorising detention and when that detention is reviewed.

First, clearer guidance is required to identify the test to be applied for children, and to support structured decision-making. There is a presumption against detention in PACE s37(2) for all detainees. Detention is only available where necessary to achieve investigative aims (PACE s37(3)). However, Code C does not support robust application of that test. Nor does it allude to the different approach to be taken in respect of children, in line with Article 37 of the UNCRC, case law and domestic legislation (s11 Children Act 2004). PACE Code C should be amended to include a presumption against the detention of children save in exceptional circumstances. The Code should make clearer the duty to record the officer's reasonable grounds for believing that detention is, exceptionally, required and to identify why less intrusive measures are inadequate to permit an effective investigation.

Recommendation 1: Introduce an explicit presumption against child detention in PACE Code C.

The existing presumption against detention in PACE s37 should be strengthened for children by an explicit presumption in PACE Code C against their detention in police custody, with clear guidance on the exceptional circumstances in which detention may be justified, including an identifiable risk of evidence being lost, or a case-specific risk of collusion or failure to attend. Custody officers should be required to specify, in terms, their reasonable grounds for believing that less intrusive measures are not adequate in the particular case.

The evidence from Surrey is unambiguous. Before the pilot, the average time a child spent in custody was 11 hours and 6 minutes. By early 2025 it had fallen to 7 hours and 36 minutes. Overnight detentions fell from 34% to 29% (Kemp and Bevan 2025). The shorter clock works not simply as a

¹⁷ [2022] EWHC 1280 (QB).

time-limit but as a mechanism for cultural change. It gives custody officers and inspectors a concrete tool for challenging delay, making the question of necessity visible at each review and requiring investigators to prioritise children's cases. Officers who had previously felt powerless to push back described the reduced clock as giving them leverage they did not previously have. The concerns raised in advance of the pilots, that a 12-hour clock would be unworkable for serious cases, were addressed directly by the evidence: the overwhelming view across custody and investigation teams was that the clock was manageable for the majority of cases, with extension to 24 hours, and beyond, where genuinely required.

Recommendation 2: Amendment to PACE Code C to introduce a 12-hour initial maximum detention period for children

PACE Code C should be amended to introduce a 12-hour initial maximum detention period for children, reducing for children the current 24-hour maximum initial detention period under PACE section 41.

Where the investigation requires it, detention may be extended to 24 hours on the authorisation of a senior officer of at least inspector rank who is independent of the investigating team (and in serious or exceptional cases to 36 hours on the authorisation of a superintendent in the usual way). Extension should not be automatic for serious cases: many serious cases do not require additional time and the grounds for extension should be specific and recorded. Where a child cannot be interviewed within the initial period because of intoxication, unavailability of an appropriate adult or lawyer, or other circumstances beyond the investigation's control, extension may be appropriate even in cases of lower offence seriousness, provided that all reasonable steps have been taken to secure the prompt attendance of the appropriate adult and lawyer.

An inspector should conduct an initial review of the child's detention as soon as practicable and, in any event, within three hours of detention being authorised, engaging explicitly with the necessity of continued detention and not merely the progress of the investigation. The review should confirm that contact has been made, or at least attempted, with the child's lawyer and appropriate adult, that investigators are actively progressing the case, and that the possibility of short bail has been considered where the investigation cannot be completed within the initial period. A further review should be conducted at or before the six-hour point, with a final review before the expiry of the 12-hour period.

Forces should be required to record detention times in a form that enables systematic monitoring. The inability of a force to extract aggregate detention time data from its custody management system is a serious governance gap that should be remedied as a matter of priority.¹⁸

The presumption at each review should be release, with short bail used purposefully to avoid overnight detention where the investigation can safely be completed without the child remaining in police custody. The evidence from the Surrey and London pilots shows that short bail before interview materially reduces the time children spend in custody and was not associated with any identified failures to return in the cases reviewed.

¹⁸ See Recommendation 5 in the accompanying custody record analysis report (Kent and others 2026).

Chapter 3: Information-sharing and multi-agency working in custody

There is an urgent need for accurate information about a child on arrival in custody, both to ensure that care is adapted to their needs and to enable diversionary approaches to be considered at the earliest opportunity. Risk assessment, the questioning of a detained person on booking-in to identify any health or vulnerability needs, is the usual mechanism for obtaining this information. However, this process is not required by legislation or guidance to be tailored to children, despite the fact that children present different health, developmental and communication needs from adult detainees and experience high levels of neurodevelopmental vulnerability (British Psychological Society 2015). Previous research has identified that this process, typically conducted without ensuring separation from adult detainees and others in the suite, is confusing for children and does not routinely result in accurate or full disclosure (Bevan 2024:78–83).

Police initiatives to obtain further information from the child

Reviewed measure: additional risk assessment questions asked of the child

In one force a short vulnerability assessment was required to be completed by the arresting officer. This comprised five questions for the child, including whether they were in education, employment or training, had a social worker or an education, health and care plan, or were looked after by the local authority. The remaining sections required the officer to review the force systems for vulnerability information, such as missing episodes, and previous contacts and to consider any other features which might indicate additional vulnerabilities, such as the child being out late at night or far from home. The form was expected to be completed and available at the time of booking-in.

Although the form had been in use for a considerable period before the research began, the form was rarely completed before authorisation of detention, frequently chased by the custody officer and sometimes not returned and logged until after the child had left custody. Completion of the form itself was variable. In some cases, questions were answered ‘not known’ or ‘no concerns’ in cases where local authority information revealed significant vulnerabilities or contradicted the information provided by the officer. In other cases, the information provided was very detailed and much fuller than that reported by the local authority. This variability is inevitable given reliance on the child, whose co-operation, insight and understanding will vary, particularly with regard to their precise relationship with the local authority. Additionally, there were indications that officers themselves did not always understand what the form was asking, particularly in relation to the EHCP and the child’s looked after status. The final section, reviewing police databases, was the most consistently well-completed. It is clear from reviewing this arrangement that, whilst vulnerability assessment should begin at the earliest opportunity where children come to attention, relying on the child to provide information about their engagement with supportive services is unlikely to be effective.

This finding is consistent with wider research on health and vulnerability assessment in police custody. The HELP-PC research programme has highlighted both the limitations of relying on detainee self-report and the importance of structured assessment processes that draw on multiple sources of information and professional expertise (McKinnon and Grubin 2013; McKinnon and Finch 2018). Given the known prevalence of neurodevelopmental needs, mental ill-health and safeguarding concerns amongst children in custody, an assessment process that depends primarily on information volunteered by the child is unlikely to be effective. Emerging developments coordinated by the NPCC, including work informed by the HELP-PC framework and the forthcoming National Custody Risk Assessment (NCRA), reflect a similar emphasis on evidence-based assessment

and the use of information held across agencies rather than reliance on disclosure alone. While these developments are directed at custody risk assessment more generally, there is growing recognition that children require a distinct approach to assessment. The development of the NCRA should provide a platform from which a child-specific assessment framework can be developed, reflecting the particular risks, vulnerabilities and developmental needs associated with childhood.

Reviewed measure: safeguarding approaches to children in custody

Some forces are starting to designate a detention officer to care for a child. In one force, the designated officer was tasked with, amongst other duties, asking safeguarding questions of the child. These related to the child's home circumstances and invited them to raise any safety concerns. Whilst designated detention officers interviewed in that area were often committed and empathetic, they did not describe having received training to conduct sensitive safeguarding discussions of this sort. Many children in the suites concerned were either in care or known to social care, or identified on police systems as being at risk of exploitation. Yet children rarely disclosed safeguarding concerns during these conversations, often deflecting questions or declining to engage. Among almost 200 cases reviewed, only one relevant disclosure could be identified as arising from safeguarding questioning by a detention officer.

There is also the danger that such conversations become, in effect, police interviews, given that discussion may trespass on suspected offending. Indeed, more than one designated detention officer described how they would particularly discuss the child's alleged offending behaviour: "I'll sit them down and ask questions. Why this? Why that? Have you thought of what you'll be doing in the future, if you continue with this, think about where it will lead you?" (DO5). Evidential crossover challenges also arise where safeguarding questions are asked in police interview (discussed below).

Information from other actors in custody

Healthcare practitioners (HCPs)

The only non-police actor almost always available within custody is the healthcare practitioner (HCP). In Surrey, the CHILD initiative mandated that every detained child be seen by the HCP and by the Criminal Justice Liaison and Diversion Service (CJLDS) worker. The HCP focused on medical issues, whilst the CJLDS worker addressed other vulnerabilities and liaised with external agencies. This division worked well, although the two practitioners could see the child together to avoid overburdening them with repeated questioning.

In SWP, there was no L&D service operating in police custody and no other mental health support was routinely available for children. The HCP was therefore required to undertake a much wider role, completing a clinical triage and safeguarding screen with every child using an adult assessment template. However, the HCP workforce in South Wales, drawn largely from paramedic and emergency backgrounds, had limited formal training in child-specific practice, despite being expected to identify and respond to a wide range of health, welfare and safeguarding concerns: "We do our best but is it good enough? Probably not" (HCP1). HCPs automatically submit safeguarding referrals to social care for every child, but responses were administrative rather than operational: "It's just tick-boxing, we don't actually do anything with the child" (HCP1).

A Wales-specific structural barrier compounds this: HCPs cannot access NHS health records, meaning medication histories, mental health diagnoses and neurodevelopmental assessments are invisible at the point of assessment. This information can be obtained by contacting relevant services directly, but this is only possible during working hours, leaving officers caring for children detained out of hours without access to potentially critical clinical information. These challenges are not unique to South Wales. Recent research on healthcare provision in police custody in England has similarly

highlighted the increasingly important role played by HCPs in identifying vulnerability and safeguarding need, whilst drawing attention to limitations in information-sharing, access to health records and the wider infrastructure available to support effective assessment and intervention (Rees and others 2025).

Liaison and Diversion

L&D services can have a significant impact on children's experiences in police custody and their engagement with support on release. Well-resourced and integrated L&D services can also play a key role in ensuring the necessary information is available to decision-makers in custody.

All English forces reviewed had a form of L&D service for children. Surrey's CJLDS, available from 7 am to 7 pm on weekdays, approaches every child, and, where the child consents, uses a child-specific vulnerability assessment tool. All assessments are forwarded to the specialist Children and Young Person Lead in the community, whose team then follows up with the child, offering a wide range of assistance and referrals to other services. They ensure that safeguarding referrals are made and attend the daily risk briefing reviewing all children in custody (discussed below).

Importantly, the CJLDS worker also completes a child-focused safety plan with the child to ensure that their care in custody is tailored to their specific needs. As a CJLDS worker explained, if a child is, for example, identified as neurodivergent, or having communication difficulties, "We hand this over to the custody sergeant ... this will include noting if the child says they don't like to be touched, or if they struggle with bright lights ... We'll create a plan with the police if there are any specific risks of self-harm. We can discuss with the police the best way to deal with them" (SP.1.LD1). Custody officers valued this highly: "They give us an understanding of the child's history, their trauma, and how they are feeling at that minute ... They'll also check on any communication needs a child might have" (SP.1.CO1).

In contrast to some forces where the L&D workers reported feeling marginalised, in Surrey the CJLDS workers sit on the 'bridge' alongside the custody staff, enabling them to observe booking-in processes. Both CJLDS and custody officers welcomed this:

It's really helpful to be based on the bridge ... We can chat with custody staff about any concerns they have with children ... we are amongst it and we have a good relationship with police staff, which helps (SP.3.LD1).

It's great that we have CJLDS on the bridge. They can do some preliminary checks just by listening to what's happening. If they were tucked away in a room, they'd have no idea about what the person was like when they were booked in. We have a good rapport with them ... I find it very helpful that we're all singing off the same hymn sheet (SP.1.DO1).

There were a number of limitations observed, however, across the three L&D services encountered. Most significantly, L&D service hours were limited in every force, never extending beyond 7pm and often not covering every day of the week. This has a particular impact for children who are more likely to be arrested in the evening and on weekends. In the custody record data, 70% of children had their detention authorised between 4 pm and 8 am, and 47% after 8 pm (Kent and others 2026). All services had a mechanism for following up children not seen in custody. These were more comprehensive where L&D services made their own administrative checks on children in custody to identify those to approach in the community, rather than relying on a custody officer to notify the child and obtain their consent to provide details to the service. Expertise is also an important issue. L&D services are all-age services and not every practitioner encountered across the forces had child-specific expertise or substantive mental health training. This reflects wider concerns identified in recent child-focused research on L&D provision, which found that, although L&D has the potential to

support children at the point of arrest, provision for children and young people is variable and not always working effectively within the current all-age model (Lennox and others 2025).

L&D workers did not always see, or complete their report on, children before their police interview, so that information on their participation needs could be acted upon. In the MPS, for example, child-specialist L&D workers often did an excellent job of collating information about a child in custody, including making recommendations about adjustments to questioning approaches, but this was not always received prior to the police interview. Additionally, L&D services are consent-based and workers often commented on children's unwillingness to engage once approached. The custody environment is often not conducive to what can be difficult discussions: "some are quite distressed and they don't want to talk about what's happening at home, they just want to get out" (SP.1.LD1). This is not always a bar to the L&D worker contributing information to a child's care. In Surrey, the CJLDS worker screens every child who enters custody against NHS systems on a safeguarding basis, regardless of whether the child consents to an assessment, so that any necessary, relevant information can be provided to the custody officers and team.

Finally, the assessment of a child who is detained in a suite outside their home area might not be acted upon. This was a source of frustration for some teams: "We'll do a full assessment for a child who lives in their area but they [the child's home services] won't accept it. People have needs, they talk to us but still they won't accept it. They won't come here to see the child. We've done the assessment but it's a waste of time" (SP.1.LD2). Significantly, it appears that children who are invited to attend for voluntary interview are not regularly being referred before interview to any L&D service encountered in this study, even though this is a requirement within the NPCC voluntary interview guidance (NPCC 2024b:21).

Other external practitioners

In the MPS suites observed there were also ENGAGE workers who visited children. However, their focus is on fostering children's access to supportive opportunities on release and they did not routinely provide information to custody teams to support the child's care during detention. The role and contribution of the appropriate adult is addressed separately below.

Taken together, these findings raise wider questions about whether the health, mental health and diversion support available in police custody is configured to meet children's needs. In England, HCPs and L&D workers are well placed to contribute to the early identification of vulnerability, communication needs, safeguarding concerns and opportunities for diversion, but this potential was not consistently realised across the forces studied. In Wales, the position is more limited: there is no L&D provision in police custody, the mental health provision that is available does not cover under-18s, and HCPs are also expected to ask exploitation-related questions without having received specialist training for that safeguarding role. As a result, HCPs may be left to fulfil a much wider health, mental health, safeguarding, exploitation and diversion function without the necessary remit, training, child-specific assessment tools or access to relevant information.

Services which are unavailable when children are most likely to be detained, are delivered by professionals who lack child-specific expertise or assessment tools, or are not integrated into custody and investigation decision-making before interview, inevitably make a limited contribution to a Child First custody model. Commissioning arrangements should therefore require child-specific training and instruments, timely input before interview wherever possible, and a clearly defined role in supporting diversion, release planning and referral to community-based support.

Information from other agencies

Children well known to services

The information which these officers and professionals are seeking to obtain from children, at such cost and with limited success, is often already held by other agencies. A significant proportion of the children detained in police custody are well known, particularly to children's social care. For example, in the MPS pilot suites during the detention log review period almost half of children (46%) were either looked after or were currently known to children's social care. Northumbria Police went further than the other forces in this study by manually reviewing individual detention logs to capture information not available through standard electronic downloads, creating a richer dataset. It was the only one of the seven forces whose electronic custody record data included looked after status, providing a rare insight into the over-representation of looked after children in custody: 16.8% of detained children were flagged as looked after (Kent and others 2026). This represents a very significant over-representation of looked after children, given that they make up less than 0.7% of children in the general population (Department for Education 2025).

Likewise, many of the children detained in police custody will also be known to the local YJS. Home Office (2026a) statistics reveal that 22% of child detainees were detained on at least two occasions within the 12 months to March 2025. Only two of the seven forces providing custody record data were able to supply information on prior offending recorded against child detainees. In one of those forces, 55% of children had prior offending recorded, rising to 81% among children who were currently looked after (Kent and others 2026). The information held by YJS teams is likely to be detailed, particularly following the Youth Justice Board's (YJB) introduction of the Prevention and Diversion Assessment Tool (PDAT) in April 2024. The tool is mandatory across England and Wales for children subject to diversion and out-of-court interventions, including voluntary engagement, and comprises a detailed assessment of their circumstances, health and wellbeing, developmental and diversity needs and, where indicated, SEND and language needs (YJB 2026a).

Officers often recognised the importance of this flow of information: "Sometimes kids won't talk to us and we need to know if there's any learning difficulties, safeguarding issues, or inappropriate behaviour when they're with us. The YJS might know about these things" (SP.1.CO1). However, despite this wealth of information held by external agencies, custody officers (like their frontline colleagues) have very limited input from partner agencies to support decision-making at the point of authorisation of detention, in considering how to care for the child and in assessing their fitness for interview, and any adjustments they may require. The research enabled several different mechanisms for improving the flow of information to police decision-makers during the custody process to be reviewed.

Reviewed measure: routine notification of local authority or youth justice services

In one force area a long-standing initiative was in place requiring custody teams to notify the child's local authority of their detention within an hour of booking-in, with the expectation that the local authority (or emergency duty team (EDT) out of hours) would respond within the hour. In 61% of child detentions contact was made by the custody team within one hour of detention being authorised, and a further 18% within two hours. However, the flow of information back into custody was extremely variable and it could be several hours before there was a call-back to custody by the local authority. Sometimes significant and helpful information was provided, enabling custody teams to identify looked after children, understand behaviour in the context of trauma, consider appropriate bail addresses and assess whether a parent or carer was suitable to act as the appropriate adult.

However, the information was not infrequently limited to confirming whether the child was known to the local authority and whether a parent or carer could fulfil that role. This included cases where the child was looked after and considerable information would have been held. The process itself could also be cumbersome. Whilst local authorities in the relevant area were identified as more responsive than those outside the area, detention officers could sometimes be on hold for lengthy periods trying to make the notification call, or described being passed between local authorities. Significantly, the notification process did not often trigger substantive engagement from children's social care. Very occasionally a child's allocated social worker might telephone to speak to a child, but this was a rare occurrence, and a physical visit was even rarer, despite many children having allocated social workers.

In Surrey a similar local authority notification system had been streamlined, so that a 'youth notification' was automatically triggered by the booking-in process, although the notification went to the relevant YJS, rather than children's social care. In practice, custody officers reported much the same experience: responses were generic and rarely triggered substantive engagement.

Multi-agency meetings following a custody episode

As described in the accompanying frontline report, in all four of the force areas involved in the study there was a safeguarding referral form (variously named), which was required to be completed, typically by the arresting officer or the custody team, in respect of every child who was arrested and detained. These are reviewed by the Multi-Agency Safeguarding Hub (MASH), or equivalent within the force, typically on the same or next working day where the child was arrested overnight. MASH arrangements bring together police, children's social care and other partners to share information and coordinate safeguarding responses (College of Policing 2022; Department for Education 2026).

For example, in Surrey, the YJS have their own notifications process (separate to that triggered automatically on booking-in). The YJS call through to custody suites asking for information on any child in custody in the last 24 hours or over the weekend. They identify whether any detained children are known to their service or to children's social care, and a police officer seconded to the YJS is responsible for bringing together information about the child. There is a multi-agency meeting every weekday morning at 10 am, called a 'daily risk briefing'. Chaired by the YJS, the meeting includes police officers seconded to the YJS, OOCR colleagues within the YJS, Surrey Police, CJLDS, Mountain Healthcare (HCP providers within custody), CAMHS, the Engage Project lead and a Children's Services Multi-Agency Partnership (MAP) representative.¹⁹ The purpose of the meeting is to identify opportunities for early intervention and to adopt a multi-agency approach where safeguarding, exploitation or social welfare issues need to be addressed.

This multi-agency working is impressive in its timeliness and in bringing together information and expertise from a wide array of partners. However, critically, officers in custody and investigation teams do not appear routinely to have the benefit of that multi-agency input when the child is in detention or when decisions are being made about bail or remand and about whether to charge or refer for assessment for an OOCR. When asked whether the daily meetings influenced decision-making within police custody, the OOCR officer replied, "No, just afterwards, when the investigation is complete" (SP.4.OR1).

¹⁹ The MAP is a partnership of agencies, some co-located and others via virtual links, that have a duty to safeguard children and who have agreed to work within an integrated team in order to improve decision making whenever there are concerns about a child.

Youth justice input for diversion and bail/remand decision-making

The focus of Child First is on diversion and taking the least intrusive approach wherever possible. Such approaches not only require accurate information about the child and their circumstances, but also a confident understanding of the distinct approach to be taken for children and the range of available outcomes. Yet key decisions made during the early stages of detention, including whether diversion may be appropriate, whether a police interview is necessary, and how the child might safely be released, are often taken before the YJS has had an opportunity to contribute. As identified above, where a child has previously come to attention, the YJS is likely to hold a wealth of information relevant to those decisions. Where the child is not already known, youth justice expertise is equally important in helping investigators identify children who may be suitable for diversion so that lawyers can provide tailored advice before interview. Whilst YJS involvement may occur later in the process, particularly in relation to OOCR assessments and disposal decisions, opportunities to influence the child's pathway are often greatest at the earliest stages of detention. YJS involvement at this stage does not interfere with the conduct of the investigation; rather, it provides information to identify which cases, should the evidence meet the threshold of being capable of proving the offence, might be suitable for diversion.

Early case assessment

In only one force was there any early routine engagement of YJS expertise. In the SWP areas studied, YJS-seconded police officers reviewed cases while the child was in custody, and noted on the system where diversion was likely to be appropriate. SWP officers described how early case assessment and disclosure of the likely diversion option to the lawyer encouraged engagement in interview and increased the prospect of diversion. In some cases, timely YJS input could mean that an interview is unnecessary, with diversion agreed before that stage is reached. The absence of systematic YJS involvement during the custody episode represents a significant missed opportunity.

Overload and overlap

Officers and practitioners across the research areas reflected on the questioning burden on children in police custody. In the MPS, for example, a child could be asked well-being or safeguarding questions by the arresting officer, the custody officer, their designated detention officer, a non-familial appropriate adult, their lawyer, the interviewing officer and up to three external support practitioners (L&D, ENGAGE and the HCP). As one custody officer noted: "They're exhausted by the end of it. Some of them just want to say 'go away and leave me alone'... There's quite a lot of repetition in what we have to do" (MPS.CO8.BRI). This issue of repetition and overlap is also significant for practitioners. For example, in Surrey the automatic youth notification when a child is in custody is replicated by the YJS conducting their own checks. Likewise, in SWP, HCPs make safeguarding referrals that duplicate the referral by the arresting officer. However, in both areas the various notifications rarely resulted in active engagement of those services at the time of the child being detained.

Specialist exploitation and safeguarding engagement in police custody

Many of the children detained in police custody are already known to specialist policing teams, such as child protection teams (sometimes called public protection or safeguarding teams), missing teams and exploitation teams. Yet custody remains a point at which specialist safeguarding expertise is rarely available. Whilst specialist child protection, missing and exploitation teams exist in all force areas, their engagement with children in custody was observed only exceptionally. In one study area, among almost 200 cases reviewed, there was evidence of only one occasion on which an officer from a specialist team visited a child in custody (the child refused to engage). Custody officers confirmed

that specialist officers are “just occasionally” in attendance to speak to children: “A lot of stars have to align for that to happen ... I’ve only seen it once or twice.” Similar levels of engagement with specialist teams were observed in another force area. There, specialist officers described attending custody to speak to children, but custody officers noted that this rarely happened and it was not seen on observation to be occurring. One notable example involved an inspector with a background in MASH and exploitation who routinely contacted exploitation teams when children entered custody and encouraged them to attend. However, this depended on individual knowledge, relationships and initiative rather than any systematic process.

The difficulties are partly structural. Meaningful safeguarding work is rarely achievable within the short period of detention available, particularly where children are frightened, distrustful of the police, or advised not to discuss matters unrelated to the alleged offence. Safeguarding support frequently operates more effectively outside custody through MASH arrangements, exploitation teams, social care and voluntary-sector provision. As Byrne (2023) observes, there is growing recognition within safeguarding systems that children who offend should continue to be viewed first and foremost as children in need of support, and that responses should remain Child First regardless of whether concerns arise through welfare or criminal justice routes. Yet the findings from this study suggest that once a child enters the criminal justice process, the continuity of that support can become more difficult to sustain. Agencies working with a child on safeguarding or exploitation grounds may become understandably cautious about engaging in conversations that could generate material relevant to a criminal investigation. As a result, the child can find that the support built around them recedes at precisely the point it is most needed.

This creates a particular difficulty for children affected by exploitation, who frequently occupy the dual position of suspect and victim. Whilst police custody may provide an important opportunity to identify exploitation and engage safeguarding pathways, the evidence from this study suggests that those opportunities are often missed because specialist expertise is absent, information does not flow effectively between agencies, and responsibility for the child becomes fragmented across organisational boundaries.

Lack of child specialism in custody

In practice, the most striking feature of multi-agency engagement in police custody is that children are routinely detained without access to anyone with specialist expertise in childhood or adolescent development. Occasionally a child might speak to their social worker on the telephone, but it was highly unusual for a member of children’s social care to attend custody in person across all the forces studied. With the exception of L&D provision in MPS, L&D workers are not child specialists, nor are HCPs. Although the YJS are responsible for appropriate adult provision where a family member cannot attend, only in one area (SWP) did youth justice workers themselves attend to fulfil the role (and then only in office hours). ENGAGE workers typically have youth work expertise, but they are not involved substantively with the wider care of the child in custody. As a result, many children experience police custody without contact with anyone who has specialist expertise in childhood, adolescent development, safeguarding, exploitation, or the wider systems of care and support that shape children's lives.

The absence of child-specialist practitioners has implications not only for professional decision-making but also for the quality of engagement with children whilst they are detained. Children’s accounts suggest that important welfare information is not always identified through direct engagement with the child. Among the 26 questionnaire respondents who had been arrested and taken into police custody, over half said that nobody had asked how they were feeling while

detained, with a further small number unsure or giving mixed responses. Effective safeguarding depends not only on information-sharing between agencies but also on meaningful direct engagement with the child themselves.

However, this requires someone with training in communicating effectively with children, particularly when they are distressed, vulnerable or detained in the challenging environment of a police cell. Ideally, this should involve an individual able to build trust with the child and not perceived simply as part of the police response. The accounts provided to Sphear Media by children in Cardiff illustrate the practical consequences of this gap: many children did not recall being asked about their emotional welfare, anxieties or support needs while detained. This meant that distress or vulnerability could remain unrecognised unless the child was able and willing to raise it themselves. A system that does not routinely engage directly with children, in an accessible way, about their welfare and support needs risks overlooking information that may be critical to safeguarding and decision-making.

Conclusions and recommendations

Multi-agency information and support

Safeguarding is, by definition, a multi-agency activity (Department for Education 2026). Yet, as with their frontline colleagues, custody officers and investigators are expected to meet the needs of children, and make life-altering decisions about them, with extremely limited information and support from external partners. The adversarial nature of the arrest and detention experience disinclines children to divulge personal information and the emotional and physical demands of detention, together with repeated attempts by different practitioners to obtain information from them, mean that children are often too exhausted to engage effectively. Timely access to detailed information held by partner agencies is essential to ensure that age-appropriate care is provided for children and that diversionary decisions can be made at the earliest opportunity. Engagement with children's social care and the YJS should begin at the point of the child coming to attention and the flow of information should continue into custody.

This is particularly important given the substantial over-representation of looked after children and children already known to social care among those detained. Their familiarity to services should not make detention routine or inevitable; rather, it should trigger earlier multi-agency engagement, closer scrutiny of the necessity for detention, and a stronger presumption that welfare, care and diversionary responses are explored.

The limited effectiveness of the initiatives to streamline information exchange in custody underlines the need for a radical rethinking of how custody teams and investigators engage with partner agencies if Child First approaches are to be realised. Police custody cannot continue to be a closed environment, inaccessible to external agencies. Likewise, custody teams cannot be expected to care for, and make decisions about, children around the clock without well-resourced support. YJS and children's services expertise are required to achieve timely decision-making which enables diversion. This will require resourcing of round-the-clock child-specialist support for the police within YJS and/or children's social care. It is plain that EDT arrangements, at least in the areas reviewed, are not sufficient to meet the needs of children and to provide a joined-up multi-agency response.

Recommendation 3: Effective multi-agency working for children in custody

Forces should work with the YJS and children's social care to agree arrangements to ensure that:

- children's social care and the YJS are notified promptly when a child is booked in (if not already notified by the arresting officer);

- where the child is known to partner agencies, relevant and detailed information is swiftly and routinely available to custody staff and investigation teams to inform reviews of detention, treatment within custody, safeguarding, disposal and release decisions;
- YJS (whether through youth justice workers or seconded officers) provide an early case assessment to enable investigating officers to disclose likely diversion options to lawyers;
- where remand is a realistic prospect, or placement difficulties prevent release, alternative accommodation is actively sought at the earliest opportunity;
- looked after children, and children currently open to children's social care are visited by, or have virtual contact with, a social worker during their detention.

The Ministry of Justice and Youth Justice Board should fund and evaluate a pilot of dedicated YJS support within, or directly accessible to, police custody, to test its impact on information-sharing, diversionary decision-making, safeguarding and detention duration.

Specialist responses to exploitation and missing children

The safeguarding of children subject to exploitation or repeatedly reported missing is not effectively achieved by the efforts of untrained, non-specialist and uniformed officers. Specialist policing teams have significant skills in engaging with children and in putting in place measures to disrupt exploitation and to reduce missing episodes. Their absence from custody is a missed opportunity to ensure that safeguarding questions are asked in a manner likely to be productive and that bail and other measures on release are effective in safeguarding children.

Recommendation 4: Meaningful engagement with specialist policing teams

Forces should review the remit of specialist teams to enable their attendance in custody for children identified as subject to, or at risk of, exploitation and those with a history of being reported missing.

Child-specialist health and mental health provision

The number of children detained in most custody suites is unlikely to justify dedicated CAMHS clinical provision around the clock. However, child-specific training and assessment tools are essential for HCPs, mental health practitioners and, where available, L&D workers to meet children's needs, to refer on to CAMHS where necessary, and to provide accurate information for custody and investigation teams. In Wales, where there was no L&D service operating in police custody and the available mental health provision did not cover under-18s, equivalent child-specific provision is needed so that HCPs are not left to fulfil a wider health, mental health, safeguarding, exploitation and diversion function without the necessary remit, training, tools or access to relevant information.

Recommendation 5: Child-specialist training and tools for all clinical practitioners in custody

Forces and healthcare providers should work together to ensure that:

- HCPs, mental health practitioners and L&D workers are appropriately trained and resourced for child-specific practice in custody, including training in child development, trauma-informed approaches, exploitation indicators and neurodevelopmental needs;
- all clinical and related staff use child-specific assessment tools and frameworks to support the accurate identification of children's health, welfare, safeguarding and participation needs;
- barriers in accessing NHS records are identified and addressed as a matter of urgency;
- children in acute mental health crisis can be referred to on-call CAMHS provision.

Chapter 4: Legal advice

Children detained in police custody have the right to free and independent legal advice under PACE section 58. This chapter examines whether that safeguard operates effectively in practice. The evidence from this study reveals a consistent and concerning pattern. Whilst rates of uptake of legal advice have improved, as discussed below, too many children still do not access legal advice. For those who do, the support they experience is typically telescoped into a short period around the police interview. Their lawyers do not routinely advocate for them in relation to key decisions made in police custody, including the authorisation and continued review of detention, nor are they present to support them at the point of charge, release or remand.

Children value and feel empowered by good-quality legal advice. Their accounts stress the importance of a lawyer who communicates effectively, fosters trust and provides advice that is intelligible: “like he [the lawyer] spoke to me on a level, and he spoke to me like I was human and gave me respect, so I gave him my respect and trust back, and yes, he helped me” (UVWG:13). Some children have a lawyer who they know and trust. However, this trust is fragile and could be fundamentally undermined by delays. CS6, whose time in custody was significantly prolonged as a result of an administrative mix-up in calling out his lawyer, nevertheless recognised the value in waiting: “I needed a good solicitor. It was worth it in the long run.” This was not the case for everyone. In London, a child described being ‘beaten up’ on arrest but explained that he had not told his lawyer about it: “They were taking hours to come so I just brushed it. I just got my interview and then I cut” (UVWG:9).

The experiences described by children through the Sphear engagement strongly reinforce these findings. Children who had accessed legal advice generally described lawyers as a trusted source of support in custody and contrasted their interactions with lawyers favourably with other aspects of the custody process. Participants valued lawyers who explained what was happening, listened to their concerns and helped them understand the decisions being made. However, this was not universal. One participant felt particularly let down when his lawyer encouraged him to admit offences which he said he had not committed so that he could receive an OOCR and avoid the risk of court proceedings. He described the lawyer as “about as helpful as a chocolate teapot” (SM6.4). In the end, he admitted only the conduct he accepted and subsequently engaged voluntarily with the YJS under an Outcome 22.

Overall, the lawyer was the practitioner children trusted most during detention. These accounts are significant because they suggest that the challenge does not lie simply in persuading children of the value of legal advice once they receive it. Rather, it lies in ensuring that all children have timely access to advice of sufficient quality and that lawyers engage meaningfully with the child throughout the custody process.

Where the option to decline legal advice remains open, children’s decision-making continues to reveal a lack of understanding of the benefits and importance of legal advice (Bevan 2020; Kemp and others 2023). CS4, for example, declined a lawyer, telling the custody officer he had done nothing wrong. Nor do parents always make better-informed decisions. Under Code C 6.5A, a parent, guardian or other person responsible for the child’s welfare may request legal advice where the child has refused, but in practice parents often endorsed the child’s decision to proceed without a lawyer. CS13’s parent, familiar from previous professional experience with the custody process, was an exception. She attended swiftly and immediately requested legal advice for her child. In CS4’s case, however, despite the protocol in the custody suite requiring automatic call-out of a lawyer, no such call was made. The custody officer explained that they had decided to wait for his mother to arrive.

On arrival she confirmed her son's decision and he was interviewed without a lawyer. Had she requested legal advice for him, this would likely have prolonged his detention, adding another tension for parents in making what is already an unfamiliar and unsupported decision. Despite College of Policing guidance (2013a) that custody officers should actively counsel children and their AAs who decline legal advice about its benefits, custody officers in this study continued to suggest that the prohibition on discouraging legal advice in Code C 6.4 prevented them from providing any positive guidance on its benefits.

Children's accounts also continue to underline the fundamental importance of legal advice which is tailored to their needs and capacities and accessible at each of the key stages of the custody process. Two particular issues stand out. First is the understanding of the caution and the child's ability to appreciate and exercise the right to silence, an issue observed in other research as well (Forde and Kilkelly 2024). CS13, for example, understood that if he did not say something that was relevant during the police interview he would not later be believed in court: "If they've only got his [the complainant's] story I'm finished, aren't I?" In his interview the officers simply asked him to confirm that he understood the caution rather than clarifying it. Second, children revealed significant issues understanding bail conditions imposed on release from custody, when lawyers are not routinely accessible to the child: "I was just confused. I accidentally started breaking my conditions" (UVWG:17). This is hugely problematic, unjustifiably setting children up to fail and drawing them deeper into the justice process.

The voices of children in this study add evidence to support the repeated calls for a change in children's access to legal advice in police custody, which have been made now for more than 20 years (Brookman and Pierpoint 2003; Kemp and others 2011; Taylor 2016; Bevan 2020, 2024; Kemp and others 2023). Achieving a reduction in the unnecessary and prolonged use of police custody, and challenging the rubber-stamping of authorisation of detention, requires an advocate for the child at that key gatekeeping decision point, and when the decision is reviewed by the inspector. Increased diversion cannot meaningfully be achieved without a lawyer to advise children on the significance of the police interview, who understands the complex legal framework encompassing the Child Gravity Matrix, the guidance on child knife-possession offences, and national and local diversion provisions (YJB 2024; National Police Chiefs' Council 2025b; Home Office and Ministry of Justice 2026).

Moving away from the overuse of remand for children begins with children being supported at the point of release from custody by a lawyer who understands the complexities of police and local authority bail, remand and transfer arrangements (under s38 PACE) and can advocate for them at that moment. The greater our appreciation of the extreme vulnerability of children in police custody, the adversities that they have experienced and the prevalence of additional need in this group, the more compelling the arguments become. Timely and expert legal advice is required at all these decision points so that the justice process functions as intended for the benefit of all stakeholders, not just for the child in custody.

Mandatory legal advice for children in police custody

Uptake of legal advice by children in police custody has increased significantly in recent years, from 45% in 2009, rising to 80% during 2019 to 2021 (Kemp and others 2023), to 87% in this study (Kent and others 2026). This was borne out in the research. In one force, not operating any particular legal advice initiative, 76.4% of children opted for legal advice in the period April 2023–January 2024, including 80.6% of Black children and 79.3% of Asian children. However, significant numbers of children still waive their right to legal advice, and the findings from this study confirm a pattern

identified more than a decade ago that 10–13-year-olds remain the least likely of all children to seek legal advice (Kemp and others 2011).

There is also considerable inconsistency in practice. While appropriate adult schemes generally proceed on the basis that children should receive legal advice, parents acting as appropriate adults often support a child's decision to decline it. The approach taken by individual custody officers can also vary considerably. Some are very much more encouraging of uptake than others:

If they decline I say 'Really? This is a really serious offence. It's free – are you saying you don't want something that's free?' I push back on any suggestion that it takes too long. I think I have had a child refuse to see a solicitor once they had been called but it doesn't happen often (GMP.CO2).

It is plain that for children to access legal advice consistently there will need to be a change in the current 'opt-in' approach (s58(1) PACE).

Reviewed measure: reversed presumption of legal advice (MPS and Surrey)

In May 2022, following a short pilot, the MPS introduced a mandatory requirement for a lawyer to be called to attend for every child in all custody suites, the child retaining the right to refuse to see the lawyer (under Code C 6.5A) once they attended. This was well embedded when the measure was evaluated in November 2024 to March 2025 and proved to be highly effective, with monthly uptake of 92–100% across the pilot and comparison suites during that period (Bevan and Kemp 2026b).

There were no indications in the evidence that the Defence Solicitor Call Centre (DSCC) was unable to accommodate the increased numbers of requests in the MPS area, or that co-ordinating lawyer attendance for more cases was unmanageable for the suites. Strikingly, there were no reports of children refusing to speak to lawyers when they had attended.

Surrey Police also operated a reversed presumption of legal advice as part of their CHILD pilot, introduced in September 2023, but this was less clearly defined than that in the MPS. Officers were instructed that they were to 'presume' that legal advice was required for all children and to make the call requesting a lawyer to the DSCC, but there was no explicit guidance about how a child or their appropriate adult could opt out of legal advice.

The local volunteer appropriate adult scheme already required legal advice for every child (under Code C 6.5A) so the change only related to children supported by familial appropriate adults. However, custody officers, and investigating officers, reported various degrees of understanding of the initiative, including that there had been no change to the presumption. This meant that the initiative had an uneven impact and that there was particular inconsistency for children supported by familial appropriate adults. Overall, from April 2023 to June 2024, 82% of children requested legal advice, with uptake of 86% in custody suite 3 and 81% in custody suites 1 and 2. There was in fact a slight fall in the request rate for legal advice during the pilot period (83% uptake for September 2023–June 2024) in comparison with the pre-pilot period (85% uptake for April to August 2023) (Kemp and Bevan 2025).

The Surrey trial underlines how deeply ingrained the Code C opt-in legal advice provisions are and the need for clarity in any amended requirement. The MPS pilot indicates that clearer requirements, and more time to embed, can produce stronger results, but that blanket call-out for children still remains elusive. Taken together, it is clear that for all children to benefit from legal advice, call-out must be a mandatory requirement for children in police custody, stipulated at least in the statutory guidance (Code C), although ultimately section 58(1) PACE will require amendment in due course.

More challenging is the question of whether the child (or their appropriate adult) should be able to opt out of legal advice. The empirical evidence, in this and earlier studies (Kemp and others 2023; Bevan 2024), provides little short of an overwhelming case for mandatory advice without the power to waive. Whilst the child's autonomy is important, cherished by children themselves and significantly undermined in police custody in so many other ways, it is debatable that retaining a child's autonomy to refuse legal advice is anything other than a superficial win. Legal advice is essential for the child to be able to exercise their autonomy in relation to their other fundamental rights, particularly their right to silence, their ability to participate effectively in other key decisions in custody, and to understand any restrictions on release.

This helps to explain why some jurisdictions have made legal advice mandatory for children in police custody. In countries such as Belgium and the Netherlands, children do not have the right to waive legal advice. Nor does the MPS pilot suggest that the autonomy to waive is routinely exercised, given that no child refused to engage with a lawyer when called. However, representative bodies of legal practitioners have raised concerns during consultation that a requirement for mandatory attendance could place lawyers in difficulty where a child refuses to engage with them, potentially enabling children to frustrate or delay the interview process. That concern appears overstated, given children's accounts of custody and their overwhelming desire to leave as quickly as possible. Nevertheless, in light of these objections, we recommend a modified approach: every child should receive legal advice in person from a lawyer, but following that consultation should retain the right to waive the lawyer's presence in interview, provided that their appropriate adult agrees. Where the appropriate adult does not agree, the lawyer should remain present for the interview.

Child-specialist legal advice for children in police custody

Limitations of legal advice for children

Mandatory call-out alone cannot address the fundamental problem with legal advice for children in custody: in practice, it has shrunk to a relatively brief period around the police interview, by which point a child may already have spent most of their detention without meaningful legal input. Key legal decision points, particularly the authorisation of detention, inspector reviews and bail or remand decisions, therefore frequently occur without legal advice and assistance.

Despite lawyers' contractual obligations to endeavour to make first contact with the client, either in person or by telephone, within 45 minutes of accepting the instruction (Legal Aid Agency 2017), the evidence across the forces indicates that, while lawyers contacted custody teams, direct contact with the child at that stage rarely occurred: "Lawyers don't have early contact with a child, they wait until they come down to the station" (GMP.1.CO3). A number of factors appear to contribute to this. Lawyers reported difficulties contacting custody suites by telephone: "It's not uncommon that it takes me three or four hours to get through" (MPS.LR8). Detention officers described limited capacity to facilitate calls, while some lawyers expressed the view that an advice call patched through to a cell offered little meaningful opportunity to engage with the child.

These difficulties reflect earlier findings that custody telephones were not always answered and that, even when lawyers got through, staff could be too busy to connect them with their clients or facilitate a confidential call (Kemp 2020b). Although detainees are entitled to consult a lawyer privately by telephone, this was not always possible in practice. Some custody suites had a separate booth or telephone facility, but elsewhere calls took place at or near the custody desk, where the child's side of the conversation could be overheard by custody staff. In custody suites where calls could be patched through to a cell intercom, similar concerns arose because the same system was used for routine communication with detainees and family members and could be monitored from

the custody area. The child had to speak loudly into the intercom, with the lawyer's voice broadcast back into the cell, meaning that conversations could be overheard by anyone passing nearby. Some lawyers therefore considered that an advice call conducted in this way offered little meaningful opportunity to establish trust, take instructions or provide confidential advice to a child (Pattenden and Skinns 2010; Kemp 2020b).

Authorisation and reviews of detention

Outside the pilot arrangements discussed below, there was no area in which lawyers routinely engaged with the custody officer at an early stage to challenge the authorisation of detention, despite this arguably being the key decision in the entire custody process. Nor was there evidence of lawyers being routinely engaged in reviews of detention by the inspector, as envisaged in PACE section 40(12)(b), including where the lawyer was present at the custody suite at the time of the review. This is unsurprising, given that lawyers are routinely marginalised within custody suites (Kemp 2013, 2020b) and are therefore unlikely to be identified as "available at the time of the review" for the purposes of section 40(12)(b) of PACE. As a custody officer in one force explained: "We don't let solicitors up to the desk here – they are made to wait in the solicitors' waiting room. We don't like to have anyone here who is not necessary." Additionally, lawyers' working practices mean that contacting a lawyer outside their attendance might prove difficult, particularly where, as was commonly the case, inspectors were under considerable time pressure dealing with multiple reviews, often in different custody suites. It is notable that the custody record analysis identifies a spike in the release of children around the time of the first review, at six hours, but no similar spikes around the subsequent reviews at 15 and 24 hours (Kent and others 2026), suggesting that these later reviews have limited impact and strengthening the case for more engaged lawyer involvement.

Timing and quality of pre-interview advice

Almost without exception, lawyer attendance was timed so that they arrived shortly before the child's police interview. This was the case in all areas, but was illustrated clearly in the MPS pilot detention log review. Inevitably, not every lawyer's arrival or first contact with the child was identifiable in the detention logs. However, where the lawyer's attendance was logged, in most cases this was within an hour of the child's police interview beginning, with the lawyer receiving disclosure from the officer in the case and commonly beginning their first consultation with the child within 30 minutes before the interview commenced. Some consultations with child clients were concerningly brief, including where the child was noted to have significant additional needs. For example, Child 113.WG spent 11 minutes in consultation with their lawyer, despite the log noting that they had autism, ADHD and 'learning difficulties'. It is difficult to imagine how a lawyer could reasonably introduce themselves, establish rapport, explain the child's legal rights (including the caution and right to silence) and take meaningful instructions in such a short period, even if the child was already known to them.

The limited time spent with some children also raises concerns about the extent to which legal advice was individually tailored. Across the 51 police interviews reviewed, children made full or substantial comment in only 11. In 16 interviews, the child provided a prepared statement followed by full or substantial no comment, with 14 of those statements amounting to a full denial. Full or substantial no comment was made in the remaining 24 interviews. There are many legitimate reasons for advising a child to make no comment, including limited disclosure, weaknesses in the prosecution case, concerns about the child's fitness for interview and the risk that a child may become carried away in conversation and inadvertently incriminate themselves in relation to matters beyond the offence under investigation. A child may also choose not to answer questions because of exhaustion, frustration or defiance (Bevan 2024:293ff). The predominance of no comment interviews

in this study should not, therefore, be taken as evidence that the advice was necessarily inappropriate in individual cases.

Nevertheless, the findings raise concerns about whether advice was always sufficiently individualised and fully explained to the child. Where consultation takes place shortly before interview, sometimes for only a few minutes, there is limited opportunity to establish rapport, assess the child's communication and participation needs, explore the circumstances of the alleged offence and explain the consequences of the available options.

This is particularly significant because a no comment response may close avenues to diversionary outcomes, many of which require an admission or acceptance of responsibility. Advice that properly protects the child's legal position must therefore also take account of the potential consequences for diversion, without placing pressure on the child to make admissions. This requires experienced, child-specialist lawyers who have the time and expertise to provide advice based on the individual child, the strength of the evidence, the available disclosure and the likely disposal options.

The current fixed-fee structure does little to support that level of engagement (Bellamy 2021). It principally rewards attendance culminating in the police interview and provides no incentive for extended consultation, early involvement or continued engagement at later decision points. Good-quality legal advice requires sufficient time for preparation, meaningful consultation and advice tailored to the individual child and the circumstances of the case. Proper remuneration is therefore integral not only to early legal engagement, but also to the quality of the advice given before interview.

Release, bail and remand

Likewise, as noted above, there was very limited evidence of lawyer engagement at the point when the custody officer considers a child's release, and issues of bail or remand arise. Lawyers in all forces tended to leave swiftly once the interview, and a short conference with the child, had concluded. The point of release or remand will often occur long after the interview, sometimes many hours later. Lawyers are, therefore, as one described it, "at the mercy of custody staff" (MPS.LA1) in terms of being notified at the point of a child's release. In the MPS pilot, evidence of lawyer representations being made in relation to bail or remand was extremely limited. While not every case will warrant representations, it is concerning that representations by a lawyer at any stage of the custody process were recorded in only 17 of the 199 child detention logs reviewed. This is likely to be an undercount, particularly considering that, due to the marginalisation of the lawyer from the custody officer, representations may have been made to the investigating officer, but not relayed to the custody officer and not recorded on the custody record. Some lawyers described encouraging their child client to ask to speak to them at the point of release where the child was being remanded, as they were entitled to do. This depended on the child understanding that they were being remanded, recognising when the decision was being made, remembering that they could ask to speak to their lawyer and being able to identify who their lawyer was. It also required a custody officer to be available and willing to act on the request. There was only one occasion in the detention logs when a child attempted to speak to a lawyer at the point of charge. It was 04:18 and, unsurprisingly, the call was not answered (Child 50.WG).

Remand provisions themselves are extremely complicated, and custody officers and investigators in the MPS pilot identified a lack of understanding about the legal framework. For example, one investigating officer remarked, "I've been here 5 years and I didn't know we could remand children to a non-secure location. Heard it yesterday, never heard of them before" (MPS.IO5.WG). The number of children being remanded is high (relatively speaking), and the rate of transfer to local authority accommodation strikingly low (PACE s38(6)). During the pilot period across the two suites, 41

children were charged and remanded, but only 3 were transferred out of custody (all to non-secure accommodation). The case for expert legal advice and assistance for the child in these circumstances is strong and is not being met. Additionally, as identified above, children raised confusion over bail conditions and conditions which interfered substantially, and potentially unnecessarily, with their daily lives.

Delays and availability

It is also of concern that opting for legal advice is associated with extended detention periods. In the aggregate custody record analysis, children who requested legal advice spent, on average, 5 hours and 22 minutes longer in custody than those who did not.²⁰ A similar, although smaller, difference was found in one force, where regression analysis showed that children requesting legal advice were detained, on average, for 3.76 hours longer than those who declined (Kent and others 2026).

Previous research has shown that the factors contributing to longer overall detention periods are complex. A lawyer's attendance may itself be deferred while the police investigation continues, including where further evidence is gathered following the request for legal advice (Kemp and others 2023; Bevan 2024). This is also supported by an analysis of the reasons for delay conducted by a custody inspector in one force area. Through manual review of individual detention logs, the inspector found that delay was attributed to waiting for a lawyer in only 0.4% of cases. The most common reasons were police-related factors, such as the time taken to gather evidence, which accounted for 39.3% of cases, while a further 19.6% involved a child who was intoxicated. In 36.8% of cases, no reason for delay was recorded (Kent and others 2026).

However, there were a number of features in this study indicating delays arising from lawyers' working practices that could have a significant impact on a child's detention period. First, in all force areas, custody teams, investigators and staff complained of lawyers 'stacking' cases, taking on a number of cases in one shift and thereby delaying police interviews. For example, an inspector in one force noted: "They [lawyers] have multiple jobs, sometimes at multiple stations. You can negotiate with them. Unfortunately, it's up to them and they prioritise severity [of the allegation]." Similar challenges arose elsewhere, as one custody officer explained: "We had a duty [solicitor] yesterday and she had nine jobs. If one was a child, where in the list would they be? ... Yes, they'll take on the jobs, but they won't release them if the investigators are ready to interview at the same time." This is not a new issue and has been highlighted in previous research (Kemp 2013).

There were also frequent complaints about lawyers not being available late in the evening or during the early hours. As a custody officer in a third force remarked: "We have solicitors who say they're not coming out at night to see a child as it's not appropriate and they'll see them in the morning. If it's midnight, the child might be suitable to be processed, but you've then got a delay." There may be good reasons why a police interview is not appropriate in the early hours, but the child remains entitled to legal advice during overnight detention. However, the fee structure provides little financial incentive to provide such advice, because the full attendance fee is tied to completion of the police interview. A lawyer who attends and argues against interview in the early hours may therefore receive no payment for that work. In addition, firms are not generally organised to accommodate overnight call-outs, and the rostered duty solicitor is likely to have court or other client commitments the following morning.

²⁰ This difference remained statistically significant after adjusting for gender, age, ethnicity, mental health, self-harm, force used before detention and offence type (95% confidence interval: 4.509–6.241 hours; $p < .001$). This means that the association is highly unlikely to reflect chance variation in the data, although it does not establish that requesting legal advice itself caused the longer detention.

Limited training on child-specific issues

There is currently no requirement for a lawyer representing a child in custody to have any child-specific training. A survey of 40 lawyers attending training as part of the MPS pilot, mostly very experienced practitioners with more than 8 years of police-station work, found low levels of prior training on adverse childhood experiences and trauma, neurodiversity, and representing care-experienced children, even among those who had self-selected to attend a training day on representing children.

Piloted measure: MPS pilot of child-specialist lawyers

Against the backdrop of these concerns, as part of a broader Child First Custody Pilot, the MPS trialled introducing child-specialist lawyers in two custody suites. Fifty-two lawyers received child-specialist training over a day and an evening session. Custody officers, local authority and other partner-agency colleagues received a full day of similar training. Both lawyers and custody officers worked to checklists designed to encourage early communication and facilitate diversionary decision-making. The scheme required an early 'safety-net' conversation between the custody officer and lawyer shortly after booking-in, reviewing the rationale for detention and exchanging key information about the detained child.

The training was enthusiastically received by lawyers. However, it proved difficult to match trained lawyers to child cases in custody because of the breadth of the duty solicitor rota serving the two suites. During the detention-log review period, from 13 November 2024 to 31 January 2025, 199 children were detained for PACE matters in the pilot suites, but only 18 were attended in person by Child First-trained lawyers, representing 9.0% of cases. In a further 15 cases, representing 7.5%, a Child First-trained lawyer was involved by telephone at an early stage, or the attending lawyer worked for a firm with one or more Child First-trained lawyers. These are referred to here as 'Child First-linked' lawyers.

The evidence therefore provides only a snapshot of the potential offered by child-specialist lawyers. Nonetheless, it suggests that the practice of specially trained lawyers differed from that of their untrained colleagues, particularly in relation to early engagement with custody staff, early contact with children and the making of representations on their behalf. Despite being involved in fewer than 17% of cases, Child First-trained or Child First-linked lawyers were disproportionately represented among those holding effective safety-net conversations and making early telephone contact with the child, accounting for 10 of the 20 recorded advice calls. They also accounted for 11 of the 17 recorded cases in which representations were made in relation to bail or remand.

Perhaps most striking was the effectiveness of 'safety-net' conversations. The case of Child 66.BRI illustrates their potential. He was a 15-year-old boy detained at 16:25 in relation to two allegations of assaulting police officers and criminal damage. He was confirmed to have autism, and there had been recent social care involvement. His father and lawyer attended at approximately 17:30. During the safety-net discussion, the lawyer made representations that he should be bailed, given that there was no civilian victim and that returning on bail for interview was preferable. He was bailed at 18:30 and returned for interview on another day as required.

It is plain that child-specialist advice requires more of lawyers than a different approach; it requires early and more sustained engagement with both the child and the custody and investigation teams. This will need to be supported by an adjusted legal aid fee structure that remunerates, and thus incentivises, this more comprehensive representation. This reflects the wider conclusion of the Independent Review of Criminal Legal Aid that police-station work should be properly remunerated when it is undertaken, rather than treated as a 'loss leader', and that remuneration should support

early engagement, with investment at the front end of the criminal justice process capable of producing benefits and savings later in the case (Bellamy 2021).

Early and meaningful engagement with the custody officer requires separate remuneration. The current structure principally rewards attendance culminating in the police interview, while telephone-only advice attracts a fixed fee of just over £30. An early intervention by the lawyer, such as a safety-net discussion that results in the child's release, may therefore result in no attendance fee being paid for what is substantive legal advice and assistance. Child-specialist advice will require additional funding to enable lawyers to engage at all the key points in the custody process: challenging the authorisation of detention at an early stage, contributing to inspector reviews, spending sufficient time building rapport with and advising the child, and advocating for the child at the point of release or remand.

Delivering specialist legal advice at scale will require different approaches in different contexts: a child-specialist duty rota in areas with an oversupply of police-station legal advisers, and a requirement for all lawyers advising children elsewhere to complete child-specialist training in order to receive an uplifted fee.

Conclusions and recommendations

In the context of the limitations in the current provision of legal advice for children in custody, the complexities of the youth justice framework at the pre-charge phase, and the particular vulnerabilities of the children who find themselves in police custody, there are two clear conclusions that can be drawn.

First, there is a strong case for mandatory call-out of a lawyer for every child in police custody. This is necessary not only to support compliance with children's rights obligations, but to ensure that children are able to engage their legal and fair trial rights in practice, including in relation to diversionary options.

Recommendation 6: Mandatory call-out of a lawyer for children in police custody

The Ministry of Justice should introduce a mandatory requirement that a lawyer be called to attend for every child in police custody, with a corresponding amendment to PACE Code C. The child should retain the right to waive the lawyer's presence in interview, but only after an in-person consultation with the lawyer and with the agreement of the appropriate adult. Where the appropriate adult does not agree, the lawyer should remain present for the interview.

A mandatory call-out requirement would provide the clarity needed to secure consistent access to legal advice and bring practice in England and Wales more closely into line with international child rights obligations (UN Committee on the Rights of the Child 2023).

Given the already high uptake of legal advice, and the anticipated reduction in the number of children detained under the other measures recommended in this report, the additional cost is likely to be limited. Effective early legal advice is also likely to improve decision-making and generate benefits later in the criminal justice process, consistent with the conclusions of the Independent Review of Criminal Legal Aid (Bellamy 2021).

Second, mandatory call-out alone will not be sufficient unless the legal advice provided is genuinely child-specialist and supported by a funding structure that enables lawyers to engage meaningfully throughout the custody process. The MPS pilot suggests that child-specialist training can improve early engagement with custody staff, contact with children and the making of representations at key decision points. However, delivering this consistently will require both specialist training and changes to the way police-station legal advice is allocated and remunerated.

Recommendation 7: Child-specialist training for lawyers representing children in police custody

The Ministry of Justice should mandate child-specialist training for all lawyers representing children in police custody. The Ministry of Justice has already committed to the provision of specialist legal advice, including at the police station stage. In order to ensure the effective fulfilment of this pledge, two further measures are recommended:

- a pilot of a child-specialist duty rota, in both a major metropolitan area and a smaller county force, to explore in more detail the mechanisms for allocating and remunerating child-specialist lawyers; and
- a restructuring and enhancement of the fee paid for advising a child in custody, to ensure that the lawyer is remunerated for engaging at an early stage and at all key decision points, and has sufficient time to provide good-quality, individualised advice, including explaining the implications of answering questions or making no comment and the potential consequences for diversion. Payment should not be linked solely to attendance for the police interview.

Chapter 5: Appropriate adult support

The appropriate adult (AA) is the only substantive statutory protection for the child in detention. No one who has watched a child being booked in at a raised custody desk, or spent time with a child in a custody cell, needs persuading of the fundamental importance of independent adult support for a child detainee throughout the custody episode. Police custody is the starkest expression of the adversarial nature of the youth justice process. At no other time in that process is the child so alone. Yet, unlike stop and search, for which children may receive some preparation through Personal, Social, Health and Economic (PSHE) education and citizenship lessons in school, they are rarely prepared for what to expect in police custody (PSHE Association and NPCC 2021; College of Policing 2023). For good reason, Moses LJ described the AA role as “critical because it provides a gateway to a young person’s access to justice” and as necessary to make good the “imbalance” between the child and the police.²¹

It is no surprise therefore that the role is extensive and demanding. The AA is required to safeguard the child’s welfare, provide emotional support and reassurance, facilitate communication, and ensure the process is conducted fairly and the child’s rights are understood and facilitated (Code C 1.7A). Yet in practice, across both custody and scoping studies, the role was routinely under-resourced and challenging for individuals to fulfil, particularly family members acting as AAs, and was structured in ways that limited its protective function. To a significant degree the evidence in relation to the AA safeguard gathered throughout this study reflects many of the challenges for the role and its implementation which have been observed in earlier studies (Kemp and others 2023; Bevan 2024, ch 4). However, there are three areas in which the new data from this study provide fresh evidence or the pilot measures indicate a useful way forward in ensuring that the AA safeguard achieves the aims of Code C 1.7A in practice.

Delay

Delay in AA attendance is the most immediate problem. This has been long identified in previous research (Children’s Commissioner for England 2017; Kemp and others 2023; Bevan 2024) and was revealed to be an ongoing issue in this project. Published data suggest that the position is improving substantially. In the year ending March 2025, based on a subset of 13 forces, in 26% of cases the AA attended at the same time as the child, in a further 38% of cases, the AA attended within 1 hour of being called, and overall, an AA attended within 6 hours of being called in 89% of cases (Home Office 2026a). However, these statistics should be approached with care, since they remain statistics ‘in development’ and the subset does not include the major metropolitan areas of the MPS, SWP, GMP and West Midlands Police. Nor do the data identify the lapse of time between arrival at the police station and when the AA was called, which could be a number of hours. Unsurprisingly, delayed attendance of the AA was an issue which both of the forces piloting Child First measures sought to address, as well as one of those involved in the scoping study.

Early call-out and immediate attendance

Code C para 3.15 requires the custody officer as part of the booking-in process to notify the AA ‘as soon as practicable’ and ensure that their attendance is ‘secured’. On the evidence of earlier studies, this rather loosely framed requirement has been variously interpreted, but commonly it has been approached as requiring the AA to be notified that the child is in custody and that they will be required to come to the station, but their attendance is then orchestrated to coincide with the

²¹ *R on the Application of HC (a child by his litigation friend CC) v SoS for the Home Department (HC)* [2013] EWHC 982 (Admin), [2014] 1 WLR 1234 [65].

investigators being ready for police interview, which can be many hours after the child's booking-in (Kemp and others 2023; Bevan 2024:168ff).

The importance of early attendance of the AA was a feature of child-specific adjustment in two forces in the study, MPS and Surrey, with varying degrees of success. In the MPS the prompt in the original 2022 CHILD initiative to 'Have a conversation with the AA' was enhanced in the Child First Custody Pilot. Step 1 of the custody officer checklist required the call to the AA to be made within 45 minutes of booking-in and for the AA to be asked to attend as soon as possible (and at least within two hours, in line with National Standards).²² The detention log review revealed that contact was achieved swiftly in many cases, and in 70% of cases (138 of 199) the AA was contacted within 45 minutes of detention being authorised.

Attendance of the AA within two hours was much less common, although it was not always possible to trace on the logs the exact time of the AA's attendance. Where a familial AA was able to attend, they were commonly present in the early stages, often at booking-in. This was a positive development in contrast to observations in the earlier studies, and is likely, in part, to arise because of the longstanding focus on AA attendance in the wider CHILD initiative.

However, where no familial AA was available or suitable to act, securing a non-familial AA could be very difficult and attendance within two hours was not commonly recorded. On occasion there simply was no availability of an AA during the early hours of the morning from the commercial providers who take over from the volunteer scheme after 10 pm, and sometimes during the day and evening the volunteer schemes could not meet demand either. This is particularly concerning where a child was awaiting strip search. For example, Child 62.BRI spent almost four hours in handcuffs and on constant watch awaiting an AA. The difficulty of securing AA attendance overnight was commonly raised by custody teams:

It's ridiculous how many times we ring up during the night trying to get an AA. We have a young kid in at 2 am and we want to make progress and do the basics but no one will come out – we're told to ring back at 7 in the morning. That's not service. If we're 24/7, as people rightly expect, the support also needs to be there all the time (CSI5.BRI).

Children's reports to User Voice reflect similar variation with some children supported by parents reporting swift attendance, but a few experiencing longer delays.

In recognition of this issue, in the MPS Child First Custody Pilot an additional mechanism was in place to secure early support for children awaiting AA attendance. The custody officer checklist encouraged them to ask ENGAGE workers, or similar support workers, if they were available in the suite, to support the child as soon as possible. The intention was that these workers would be able to provide the child with early information about rights and some initial reassurance about the process and what to expect whilst they awaited their AA. However, this was rarely achieved, predominantly because children were commonly booked into custody at times when ENGAGE workers were not present in the suites (Bevan and Kemp 2026b).

Similar difficulties with AA availability were encountered in GMP. Requests by custody officers for non-familial AAs to attend as soon as possible for rights and entitlements to be repeated were not always met. A number of factors were identified. First, the local provider had identified that, if an AA attended as soon as possible, because of lengthy detention periods, by the time the child came to be interviewed a different AA would likely be on shift. This was considered to add unacceptably to the child's emotional load. So, the provider suggested, it was more desirable for a single AA to attend

²² See National Appropriate Adult Network (NAAN) (2018:59). The National Standards require AAs to attend as soon as possible following call-out and in any event within 2 hours.

once when the police were ready to interview the child, even though that meant delayed arrival. Second, the organisation operated a call-out cut-off time of midnight, and contractual arrangements limited the amount of time that an AA could spend in custody. As one AA from the local provider explained, the organisation “don’t want us waiting around [in custody] because of the money.”

In SWP, although no specific early call-out initiative was in place, there were similarly considerable difficulties sourcing non-familial AAs in the evening and overnight. In that area the AA provision was covered by EDT out of hours: “At night, getting an AA out is incredibly difficult. You’re ringing and ringing and you might get a call back eventually, but by then it’s getting towards shift change” (SWP.CO2). The issue seemed to be well-understood but not addressed: “Everyone knows EDT can’t always get someone out. It’s not a new problem. But nothing seems to change” (SWP.CO7).

The early call-out initiative functioned more effectively in Surrey suites which had a similar requirement to the MPS to ‘have an early conversation’ with the child’s AA. Even without a specific time requirement, this was having a positive impact, with many children having early access to their AA. Two particular issues emerged as supporting this more consistent early attendance. First, the identification of the AA began with response teams, as one response sergeant noted, “It’s drilled into my officers that the child will require an AA. I’m expecting them to identify the AA at the time of arrest” (SP.2.RS2). Although it is not possible to say conclusively, it is likely that the 12-hour clock for children was driving this early focus on AA identification. Second, the local volunteer AA service, Surrey Appropriate Adult Volunteer Service (SAAVS), operates a 24/7 service, 365 days a year, and was described as willing to attend immediately, including in the early hours, for rights and entitlements. Nor did they overburden themselves in terms of taking on several cases. Inevitably the service is not perfect and there was variation in practice. Whilst the co-ordinator described AAs working to attendance within one hour, one volunteer remarked: “Because of the distance I have to travel, it often isn’t worth going back home. So I prefer to come down for the interview only and won’t do rights and entitlements on its own” (SP.1.AA1).

Not only were children in Surrey generally having much earlier access to AA support but it was notable that custody officers and staff spoke more positively of the AA role than in other suites. They recognised the benefit of having an AA present at an early stage, who could sit with the child in the holding cell, support risk assessment at booking-in and then stay with the child during their detention, as far as room availability allowed, to keep a child calm whilst they waited. Such support makes considerable strides towards realising a Child First experience in police custody.

It is clear that an early call-out, supported by a timescale by which the initial contact should be made, and proactive efforts on the part of response officers to identify an AA at the point of arrest, can make progress in reducing delays. However, it is equally obvious that these efforts will fail where there is inadequate AA provision by the YJS. At present, in three of the four areas, a fundamental safeguard, mandatory under PACE, is often effectively unavailable to children in custody during a significant proportion of each day. This is precisely a period when children commonly require an AA. In the year to March 2025, 43% of child detentions included detention overnight (Home Office 2026a). The statutory duty on the YJS to provide an AA where family cannot attend is not limited in time (Crime and Disorder Act 1998 s38). This failure to ensure that all children can benefit from this key safeguard is unjustifiable. Whilst the issue rests with partner agencies, the inability of forces to produce robust data relating to time of call-out and attendance of AAs, with which to hold partners to account, is a contributory factor.

There is also limited scrutiny of the AA safeguard within inspection regimes. It is welcome that AA provision is now considered by HM Inspectorate of Probation as part of its inspections of youth justice services. However, the attention given to the safeguard appears modest, with limited

evidence used to support the judgement on AA provision in the first report published under the new inspection framework (HMIP 2025).

A separate concern arises from the incorporation of custody-suite inspections into the wider PEEL inspection programme. The broader scope of PEEL appears to provide less detailed scrutiny of custody than the previous dedicated inspection arrangements, including limited consideration of the availability and quality of AA provision. This was evident in the first PEEL report to include custody inspection findings, where the judgement on AA provision was supported by very limited evidence (HMICFRS 2026).

Where an AA could not be secured, and investigators were unable to conduct the interview, custody officers working to a 12-hour initial detention period described using short bail as a pragmatic solution and releasing the child to attend for interview the following day when AA provision would be available. Whilst this reflects a structural failure in AA provision, what it prompted was in fact a much more robust consideration of whether it really continued to be necessary for the child to remain in police custody, in accordance with PACE section 37(3). In the MPS pilot suites, this occurred relatively frequently and contributed to a significant rise in the use of bail before interview, occurring in 25% of child cases in Brixton and 16% in Wood Green. Nor, during the review period, did any child bailed before interview fail to return on bail as required. It is perhaps unrealistic to anticipate that YJS will receive more substantial funding to maintain AA services (although they should). However, were more robust decision-making to be implemented at the point of authorisation of detention, this snapshot from the MPS suggests that the number of children requiring that support, especially overnight, should be very much lower.

Access to the child

Getting into the custody suite

Previous studies have identified challenges for the AA in getting through to, and into, the custody suite (Kemp and others 2023:71-72). Whilst there were signs in all force areas of greater effort being made to enable access for AAs, implementation remains inconsistent. In the current study there were a number of instances of similar access difficulties. On one occasion, for example, the parent of CS5 recounted waiting three hours to see her foster child, having attended at the time requested. In GMP, the scheme co-ordinator had instituted an ad hoc arrangement in light of the repeated difficulties their AAs had making contact with suites by telephone. Their scheme AAs call twice and then set off for the custody suite if the calls have not been answered. However, there were then concerns about the safety of non-familial AAs waiting extended periods to be let into the suite after attending. These delays plainly affect both the timeliness of support for the child and the ability of AAs to challenge custody teams over the protection of the child's rights, as well as wasting precious resources.

Access to the child once in custody

There have been long-standing concerns about AAs having very limited access to children once they are in the suite itself, of parents and other AAs being required to wait outside the suite having spoken to the child, and then struggling to be able to get in again (Bevan 2024). There was evidence in the current research that this problem persists. The mother of CS9 paints a familiar picture of AA access:

I've been coming back and forth since this morning. I spoke to him (my son) over the phone at about 5 pm and was then told to come down to see him at about 8 in the morning. I sat there while they took his fingerprints and pictures. I wasn't able to chat to him on my own – I'm not

allowed to do that. I then got another call and asked to come down for 10.45 am for questioning. I had to go back upstairs and then the lawyer arrived and so I was able to come down with him.

Far from fostering the positive aspects of the child's life, treatment of this sort is frustrating and disrespectful and is liable to alienate families from the police and to complicate their relations with the children they are supporting. For one child with several previous experiences of custody, the fact that his mum would no longer attend was a source of sadness, that she "Just gave up, gave up with this police stuff ... She won't come for me, unless it's the end" (CS1).

There were signs in the current study, however, in all force areas, of custody teams working hard to ensure more contact between children and their AA in custody. In London, when next attending police custody, the AA for CS5 described how, for the first time, she had been allowed to sit with her foster child in a consultation room for an extended period. In Surrey, there was a clear shift in their suites to enabling children to sit with their AA for extended periods in a consultation room, whenever practicable. An inspector explained, "As soon as the AA arrives they are off into a side room" (SP.1.PI1). However, it was noted that this was more likely to occur where the AA was a family member, "It's a bit harsh to expect them [volunteer AAs] to sit with a child for 5 hours" (SP.2.NT3). There had been a practice of AAs sitting with children out of the cell in Surrey prior to CHILD but this had been embedded by a requirement in the CHILD arrangements to justify placing a child in a cell. Whilst Code C has long required the custody log to be noted where the prohibition on holding a child in a cell cannot be honoured (Code C 8.8 and 8.10), adherence to this requirement has not been observed in earlier research. Officers noted the benefits of this increased contact with the AA: "It's better in reducing the risk rather than a child being bored and trying to do something to themselves ... it puts the onus back on the parents to work with the child" (MPS.CO4.BRI). However, in Surrey, as in other areas, the availability of rooms was an issue, especially at busier times and in suites with fewer consultation and interview rooms.

In the face of limited accommodation, in SWP parents were commonly allowed to sit with the child in their cell, subject to risk assessment and, in most cases, the removal of vapes and mobile phones, "If they want to, they're more than welcome. We can put in another mattress. It's not often they'll stay overnight but they'll go into the cell for a period of time" (SWP.CDO1). However, this understandably depended on the suitability of the AA and the behaviour of the child. Custody officers were also conscious that sitting in a cell was not ideal for familial AAs, particularly older relatives. Alternatives, in the form of interview and consultation rooms, were less likely to be available for extended periods (and lacked the benefit of CCTV and other means of oversight without a detention officer stationed outside the room). In Cleveland, the child custody suite contains a child-friendly 'Break-Out' room, observed during the fieldwork, which is available for practitioners to sit with children and represents a significant advance in providing space for familial AAs and other professionals. The wider youth-focused custody suite opened in Middlesbrough in July 2024 and was designed to provide children with a separate and more suitable environment away from adult detainees (Cleveland Police 2024).

Throughout the period of detention

Whilst Code C stipulates those processes for which the AA's attendance is mandated, the wide-ranging support envisaged by Code C 1.7A necessitates presence, or at least access, throughout the detention episode. Indeed, the National Standards mandate it,²³ and Code C envisages the same, in detailing the child's entitlement to "consult privately with their AA at any time" (Code C 3.15).

Beyond issues with accommodation, a major challenge to support throughout is the length of a child's detention. Where a child's detention might run to more than 12 hours, it is not realistic for

²³ NAAN (2018:66).

anyone, but particularly a non-familial AA, to wait in custody with the child for the whole period. However, the child's needs persist, and arguably become more urgent as the detention episode wears on. Children frequently report refusing to eat and struggling to sleep, and custody officers and staff commonly note the greater difficulty children have coping in the later stages of long detention episodes, making them more likely to become anxious and frustrated, to 'kick off', or to attempt self-harm. However, AAs often report that, where there is a lengthy delay, they will leave and return for discharge, or even deal with that remotely. Children's accounts to User Voice of confusion surrounding bail conditions make plain the fundamental importance of the discharge moment. Advice over the telephone from an AA, in the absence of a lawyer, is in no way sufficient to enable their effective participation in the process and their understanding of their legal position. A child who leaves without a full understanding of their bail position has been let down by the system and set up to fail. Breach of bail and failure to attend make future remand more likely and propel children deeper into the youth justice process.

The child's entitlement to speak to their AA 'at any time' is key to addressing this gap in support. However, previous research has generally identified this protection as being entirely overlooked (Bevan 2024:174), and this was the case in two of the areas studied in the current research. Indeed, in one such area, the AA co-ordinator reflected that the provision was only intended to bite where the AA is already in the suite, an interpretation not supported by the wording of Code C.²⁴ In Surrey, a more positive approach was evident, with detention officers and inspectors confirming they would arrange a call to the AA on request.

The MPS pilot enabled researchers to observe an alternative approach to securing support throughout the detention process. In Wood Green, during the early weeks of the pilot, The Appropriate Adult Service (TAAS), a commercial provider, had an embedded AA in the custody suite during the daytime. This approach appeared to work extremely well, enabling an experienced AA to be present virtually immediately to support a child. This was welcomed by investigators, "The embedded AA is fantastic. They get it" (MPS.IO2.WG). Not only was support timely and available throughout the AA's shift, but there was an advantage in terms of the assistance the embedded AA could provide. She described building a familiarity with some of the children more regularly present in custody, including having an awareness of any additional needs they might have and she felt this enabled her to ensure that the custody team were able to accommodate those needs more swiftly and consistently. She was familiar with the distraction items, and the adjusted spaces for consultation and interview and was active in ensuring that they were used for every child wherever possible. She also described providing ad hoc support for familial AAs who she encountered in the suite. The continuity that she was able to provide for children was also welcomed. One child (CS1) described how reassuring it was to see the familiar face of the embedded AA.

There have long been anecdotal concerns about embedded AAs, that they might become subsumed into the culture of the suite, losing their independence in the eyes of the child and their ability to challenge custody teams. The National Standards advise against such arrangements (NAAN 2018:5). However, this individual AA was particularly well-qualified, since she had a history of working with children and running secure children's placements, which she drew on in building rapport with children and engaging professionally with police and partner agencies. The snapshot provided of the embedded approach indicates that it warrants further investigation.

²⁴ Where a provision applies only if the AA is present in the suite, this is made explicit in the text. See, for example, Code C 15.3(c), where the words 'if available at the time' are inserted.

Family member appropriate adults

Benefits of familial AAs

As observed in earlier studies (Kemp and others 2023:73ff; Bevan 2024:177ff) children often really valued and were reassured by the presence of someone known to them, regardless of their knowledge or ability in navigating the process: “it would have been much worse if she [my Mum] wasn’t there. She makes it less like scary” (CS13). Confidence in the person was a key aspect, “I trust my parent” (User Voice.13.BRI). Accounts provided through Sphear Media echoed the importance of having a trusted adult present in custody. Participants described valuing the reassurance provided by a parent, carer or other supportive adult during what could be an unfamiliar and intimidating experience. These accounts reinforce the importance of the AA role not simply as a procedural safeguard, but as a source of emotional support and stability during detention. Children’s enthusiasm for scheme AAs was much less marked, with a level of detachment often expressed by those expecting a non-familial AA to attend. When asked who his AA would be, CS10 responded “I’ve no idea and I don’t care.”

The presence of a family member is also practically useful in several ways. In particular, where the custody officer was considering alternatives to detention, early attendance of a family member who could take responsibility for the child and take them home, was a key issue in securing early bail. The specific knowledge of a familial AA was considered useful in terms of accurate risk assessment and suitable adjustment to accommodate need. Custody officers recognised that a child might ‘clam up’ or fail to appreciate the significance or reason for the questions in the risk assessment, and a ‘parent is good’ in identifying the relevant information. Additionally, custody teams noted that where a parent sat with the child, this could work well in improving both the child’s experience but also the workload of officers in the suite, sparing them the more intensive attention required by children who are struggling with being locked alone in a cell. The findings of this study also supported observations in previous research that being able to have speedy contact with their child in custody is also important to parents and carers and reduced children’s anxiety on their behalf (Bevan 2024).

Challenges for familial AAs

However, this study also adds to the increasing body of evidence which indicates that it is not reasonable or fair to expect a parent or carer to fulfil all the functions of the AA, as the role is currently formulated. Issues surrounding the provision of information to parents about their rights and responsibilities in the role (Kemp and others 2023:75ff) persisted in this study, despite improvements in the nature of material available.²⁵ Additionally, taking in complex information in those fraught circumstances can be extremely difficult. As the familial AA noted for CS9: “The whole situation is overwhelming.” Nor is the information provided orally always accurate, or at least fully understood. For example, the same AA reported, “The police didn’t say I could have a private conversation with him. When I first came down I wasn’t allowed to talk to my son.”

This study also casts new light on familial AAs’ capacity to fulfil their duties during interview. This is an area that has received limited attention. The only substantial review of the AA’s role in children’s police interviews was conducted more than 30 years ago by Roger Evans (1993), prior to the embedding of the PEACE interviewing approach.²⁶ The review of 51 child police interviews in this study provides new insights into the familial AA’s ability to support a child in police interview. Familial AAs supported children in 29 of those interviews. The picture that emerges is concerning. In only two

²⁵ See for example ‘Being an Appropriate Adult’ animation available at <https://www.gov.uk/government/publications/guidance-for-appropriate-adults/being-an-appropriate-adult>

²⁶ PEACE is the structured model of investigative interviewing used by police in England and Wales.

of those interviews did a familial AA intervene in a helpful way, in each case to ensure the child's welfare. For example, in his police interview the 12-year-old CS7 was visibly upset and shaking, prompting his father, acting as AA, to ask if he wanted to stop the questioning. In two cases, familial AAs intervened inappropriately, on both occasions to provide evidentially relevant material. On two further occasions the AA's intervention was inappropriate and actively unhelpful. In both of those interviews the AA apologised to the interviewing officer for behaviour which the child in interview characterised differently to the version being put by the officers and was denying amounted to an offence. In a further case, when the familial AA tried to intervene the interviewing officer stopped them, without identifying what the issue was, and without challenge from the lawyer. This particular exchange underlines the difficulty of a familial AA challenging an officer in circumstances of such power and knowledge imbalance. Overall this picture is somewhat less positive than the findings of Evans in 1993, where only a quarter of familial AAs intervened and were as likely to be supportive as unsupportive (Evans 1993:39).

Across the interviews there were frequent examples of unduly repetitive and inappropriate questions being asked by investigators (e.g. leading or legal closure questions), including when the child was supported by a familial AA. In no such circumstance did a familial AA intervene, in line with their duty to "observe whether the interview is being conducted properly and fairly" (Code C 11.17). In some cases lawyers intervened, potentially reducing or removing the burden on the AA to step in, although this was not always the case. Nor did any familial AA intervene to ensure that the child understood the caution and their right to silence, in line with their duty to support rights understanding and exercise in Code C 1.7A. This is despite there being more than 10 interviews (within the more focused 40 interview review) where the AA was familial and caution explanation and/or comprehension checking was inadequate or revealed a misconception on the part of the child.

These findings are entirely to be anticipated. One could not expect a familial AA to have an appreciation of PEACE interviewing requirements, or a firm knowledge of the caution and appropriate means of explanation and comprehension checking. However, they do underscore how unrealistic it is to ascribe a due process role to a familial AA, particularly in an interview setting. Although it is worth noting in this context that non-familial AAs do not perform particularly strongly in these due process areas either. No non-familial AA intervened in the reviewed police interviews to challenge inappropriate or repetitive questioning or check a child's comprehension of the caution where their response was equivocal or indicated a faulty understanding. The findings also accord with an earlier study of recorded interviews with child suspects (Kemp and others 2023), in which active listening and rapport-based approaches were commonly observed, but questions remained about children's ability to participate effectively and give their best evidence.

In addition to these due process challenges, this study provides further evidence of the difficulties which can arise as a result of the familial AA's emotional engagement with the process and their own beliefs as to its purpose. A response sergeant noted, for example, that some parents can approach the process with hostility or use their knowledge of the system to influence the child, while others are "overly police friendly and try to guide the child to make admissions - even if it isn't appropriate" (SWP.2.Sgt1). There was also acknowledgement in more than one area of the difficulties for a child being interviewed in relation to a sexual allegation in front of their parent or carer. A further pattern identified in the evidence is that some families understand the child's passage through custody as punitive, seeing their role as reinforcing that experience rather than supporting the child through it.

Embedded and specialist child support in custody

An embedded AA role was seen in the MPS pilot to have advantages. Benefits were identifiable not only for the child, in terms of support throughout the process and a degree of continuity for children who were repeatedly arrested, but also for family members acting as AAs. The embedded AA played an important role in supporting familial AAs and ensuring that age-appropriate adjustments were provided to all children. However, proper evaluation of such arrangements is required. Additionally, while such a model may be practical in major metropolitan areas, the throughput of children in rural areas is unlikely to justify a round-the-clock dedicated service embedded in the custody suite.

The study also enabled some more specialised child-specific support roles to be reviewed. In Dyfed-Powys, specially trained on-call 'Reachable Moments' workers screen and refer children in custody to external support services, while also providing practical and emotional support during detention, spending time with children and liaising with family members (Dyfed-Powys Police 2026). A similar Custody Navigator programme has been introduced by Cleveland Violence Reduction Partnership (College of Policing 2024). The navigators are specialists in working with children and provide support in custody, refer children to services and enable engagement to continue in the community. Importantly, they work closely with external partners during the custody episode to ensure that custody teams and investigators have real-time access to information about the child's needs and capacities.

These workers do not fulfil the AA role: in particular, they are not present in police interview and do not have a due process function. However, they share key features that characterise effective independent adult support for children and their families and which could enhance the non-familial AA role. These include specialist training in engaging with children and understanding youth justice processes, access to information held by partner agencies and a sustained presence in the custody suite to support the child. Importantly, they liaise between families and custody teams, exchanging information about the child to ensure that conditions are suitably adjusted and offering continuity of relationship for children themselves.

These attributes fall squarely within the remit and expertise of the YJS, which has statutory responsibility to provide AAs on behalf of the local authority (Crime and Disorder Act 1998, s38(4)(a)). However, contracting services out to paid or volunteer schemes has meant that this child-specific expertise is not routinely available to children in custody. Reliance on lay people who do their best with variable levels of training inevitably results in inconsistency in the support provided. Nor does the scheme AA have the standing of a YJS worker or meaningful access to information held by the YJS and local authority. The length of time an AA can spend with the child is also limited, either by what can reasonably be expected of a volunteer or by restrictions imposed by the contracting provider. Attendance out of hours, particularly after 10 pm, remains a persistent problem in some areas. This is surely not what was envisaged by the legislators of the Crime and Disorder Act 1998 for this most critical of PACE safeguards for children. Contracting-out the service is not necessarily a problem in and of itself. However, it is important to recognise that the safeguard is fundamentally weakened where that contracting-out results in AAs lacking child-specific expertise, access to relevant information or integration with local youth justice and safeguarding arrangements.

Conclusions and recommendations

The need for a review of the AA safeguard

It is plain from the evidence reviewed above that the vast majority of parents, carers and other family members will simply not be able to perform the full range of AA duties. In particular, they have

neither the standing nor the knowledge and sometimes also lack the emotional detachment to perform the due process aspects of the role. Additionally, it is also clear that their presence in interview can sometimes be more of a hindrance than a help for children. This is not, however, an argument for excluding parents and carers from custody. Their presence matters enormously to many children, with long delays before they can speak to a familiar person being described as one of the worst aspects of their experiences. Some children are substantially reassured by having a family member supporting them emotionally in interview, whether or not that person intervenes in the exchanges. Parents and carers themselves have the right to have contact with their child in custody and the experiences of many familial AAs, across this and other studies (Bevan 2024), underline how essential and valued that contact is by adults as well.

However, it is equally plain that parents and carers will frequently need independent, informed support to fulfil those aspects of the AA role that go beyond reassurance, support and welfare concerns, so that the child is able to understand their rights and participate effectively in a fair process. Alternatively, those justice and due process aspects of the role will need to be fulfilled by a trained individual who has the knowledge and standing to challenge poor or non-compliant practice. Should the recommendation for mandatory legal advice be implemented, some aspects of that role might be more effectively fulfilled by the lawyer, particularly ensuring that questioning in interview is fair and appropriate and providing advice and support in respect of bail and remand arrangements. However, the child's broader need for support and information begins before the lawyer is likely to be in attendance, even on an expanded approach to legal advice duties for child-specialists, and continues throughout the process. There is unlikely ever to be sufficient resource for the lawyer to remain for the whole, or even substantial parts, of the detention period so as to take on all the justice and due process aspects of the AA role. Earlier research in Northern Ireland similarly cautioned against assuming that lawyers could simply absorb the AA function, emphasising the need for clearer demarcation between legal advice and the AA's broader role in supporting the child's understanding, participation and welfare (Jackson and Quinn 2007).

The evidence of this and similar studies suggests that current provision is not consistently meeting the needs of children or ensuring their access to justice in police custody. In light of the issues raised in this and similar studies (Kemp and others 2023; Bevan 2024), and the much reduced but more vulnerable population of children finding themselves in police custody, there is an urgent need for a full review of the AA role.

Recommendation 8: Review of the appropriate adult role for children

The Home Office and Ministry of Justice should undertake a formal review of the AA role for children, with particular consideration given to its fulfilment by individuals with child-specialist training and with access to youth justice and social care information.

The review should also consider:

- support for parents and carers to remain involved in a child's detention where appropriate;
- the retention of rights for parents and carers to make representations relating to the child's detention;
- the role of the YJS in delivering the AA safeguard, and any potential conflicts arising from its wider statutory functions;
- the quality, training, supervision and information-sharing arrangements for contracted and volunteer services, should they continue to be a means of AA provision; and
- how an effective out-of-hours service should operate.

Reform in the short to medium term

The evidence indicates that there are also more immediate mechanisms by which the provision of AA support could be improved for children. Plainly the timely attendance of the AA is, to a degree, beyond the control of the police, but there are certainly mechanisms that can be put in place by forces to enhance the current arrangements.

Recommendation 9: Improving the availability and responsiveness of appropriate adult services

Forces should work with local authorities, YJS and commissioned AA providers, where relevant, to agree arrangements that enable:

- immediate attendance on the child as soon as practicable after booking-in, so that rights and entitlements can be repeated and support and reassurance provided;
- children to have contact with an AA when they request – making meaningful the ‘at any time’ provision (Code C 3.15);
- 24/7 coverage for custody suites (as statutorily required and within the NAAN National Standards); and
- a provision by which familial AAs can be provided with remote, but real-time, support in understanding and fulfilling the custody role.

Recommendation 10: Dedicated spaces for children and appropriate adults

Forces should consider repurposing cells or spaces within custody as dedicated spaces for children to sit with their AA once in attendance.

Recommendation 11: Early contact with the appropriate adult

Force guidance should require custody officers, or those responsible for contacting the AA, to:

- make contact with the AA as soon as practicable, and at least within 45 minutes of the child being booked-in;
- request that the AA attend the custody suite as soon as possible (and at least within two hours, in line with National Standards) to ensure that the child’s rights and entitlements can be fully explained and that any concerns about fitness to be interviewed, and additional support in detention and interview, can be raised by the AA at the earliest opportunity.

Recommendation 12: Support for familial appropriate adults

Force guidance should require custody officers to ensure that, where a familial AA attends, the role is explained to them fully in person. Familial AAs should be provided with information about the role, and the child’s rights and entitlements, in a range of formats, including the [NAAN video](#), and be given an opportunity to seek advice from the local AA provider or YJS, where such arrangements can be agreed.

Chapter 6: The police interview

The police interview is the culmination of the custody process and, in many cases, the primary justification for the child spending many hours in detention. The child's response in interview is often the principal factor in decisions about whether the case results in no further action, diversion, charge, or another disposal. Where a case proceeds to court, the interview may also constitute a significant part of the evidential record (Bevan 2024:258ff). The College of Policing APP (2013b, Principles 1 and 2) states that the aim of investigative interviewing is to obtain an 'accurate and reliable' account from the suspect by questioning them 'fairly' and 'without prejudice'. The interviewing of a child in police custody fundamentally challenges that aim. By the time of police interview a child in custody has often waited many hours, sometimes overnight, in cognitively and emotionally depleting conditions. Often they have not eaten. They are then asked to engage with a formal process whose purpose and implications they may not fully understand.

Nor is there a robust system for assessing the child's fitness to be interviewed. The question of fitness to be interviewed is governed by a confusing and poorly understood test (Code C 12.3 and Annex G), which is the responsibility of the custody officer, who is rarely trained in child development or apprised of the well-documented limitations in children's ability to engage in legal processes (Lamb and Sim 2013). The question is typically considered as part of the risk assessment at booking-in, which can be many hours before the child is interviewed (Bevan 2024:262ff). The remedy for fitness for interview concerns in respect of an adult is the provision of an AA (Annex G para 5). The child has an AA automatically, and so the test does not, as Chris Bath has observed, in practice provide a reliable 'prompt' to consider any additional criteria that may render a child 'particularly vulnerable' (All Party Parliamentary Group for Children 2014:38). Whilst Annex G paragraph 8 allows additional safeguards to be adopted, there are no arrangements to facilitate more specialist support such as an intermediary.

This is compounded by the very limited framework to support officers to interview children in an effective and fair way. In contrast to the interviewing of child witnesses and complainants, who should be questioned by an officer with particular training in interviewing vulnerable individuals,²⁷ an officer can interview a child suspect without more than the most basic of interview training (PIP 1). Code C exhorts officers to take 'extra care' in interviewing children (Note 11C), guidance reflected in the College of Policing Guidance (2013b). Such a warning is well-placed. Psychological evidence has long identified that children are more vulnerable to providing unreliable answers and more likely to be susceptible to interrogative pressure because of a range of factors, in particular that they may recall fewer details of their experiences, be confused by unfamiliar and complex questions and are generally more suggestible than adults (Kassin and others 2010; Lamb and Sim 2013). However, there is no more tailored guidance as to what taking extra care may require in practice.

In the current study, 51 recorded police interviews with children were analysed. These included 40 interviews selected randomly from MPS suites during the pilot period and additional interviews involving children who formed case studies within the evaluation. The questioning of the child was analysed in accordance with the framework identified by Farrugia and Gabbert (2020) in relation to the questioning of vulnerable suspects. In addition, each interview was considered for the delivery of legal rights, engagement of the lawyer and the AA. The analysis also considered whether safeguarding questions were asked and responded to.

²⁷ In accordance with the Achieving Best Evidence framework (Ministry of Justice 2022)

Fitness for interview and adjustment to accommodate need

Most children interviewed could not identify any adjustments made to render their interviews more child-friendly, nor could any be observed in the interview review. This is concerning given the elevated levels of vulnerability experienced by children in contact with the police and identified in the detention-log review, with 62.3% of child PACE detainees having at least one additional vulnerability, including 35.7% who had two or more additional vulnerabilities (Kent and others 2026). Research also suggests that between 60% and 90% of children in contact with the criminal justice system have communication disorders, many of which are unidentified and unsupported (Hughes and others 2012). One User Voice participant described being asked about their neurodiverse conditions but stated that no changes were made as a result. Another neurodivergent child had been given a stress ball.

Two children reflected in their discussions with User Voice on feeling ‘tired’ or ‘half asleep’ by the time they came to be interviewed. There are also indications in the interview review of a failure to respond appropriately to children’s welfare during interview. For example, in his police interview the 12-year-old CS7 was visibly upset and shaking, prompting his father, acting as AA, to ask if he wanted to stop. Despite the boy’s distress, neither the police nor his lawyer addressed his obvious need for support. Likewise, throughout CS5’s interview, the 14-year-old showed signs of distress as he struggled to breathe and was frequently coughing up phlegm. Again it was only the AA who responded to his welfare needs saying, “Let’s get this done so he can see the nurse and get some sleep.”

Caution delivery and comprehension checking

It was noticeable, when reviewing the police interviews, that the caution was frequently delivered at pace and in a rather routinised fashion. Despite the availability of a crib sheet for officers (sometimes visible in the video interviews), the caution was variably explained and comprehension often inadequately assessed. This variability was also observed in the review of interviews as part of the first Nuffield-funded study (Kemp and others 2023:53). Of the 40 randomly selected interviews reviewed in this study, the caution was fully and accurately explained in only five interviews, partially explained in a further 20, with no explanation provided in six interviews and a misleading explanation given in the remaining nine (for example phrasing the explanation in a way that suggested that the judge/jury would inevitably conclude that the child was lying if they advanced a case at trial that was not raised in interview).

In terms of caution comprehension-checking in those 40 interviews, in 7 interviews no check at all was made and in 19 interviews the officers simply asked, ‘Do you understand?’, eliciting an apparently positive response in all cases. In 14 interviews the three standard questions were asked to check comprehension, but in 10 of those interviews the answer provided by the child might be interpreted as indicating that they had not fully understood the caution. This latter finding is unsurprising given that research has repeatedly raised concerns about the comprehensibility of the caution (Quirk 2017; Fenner and others 2002; Sim and Lamb 2018; Forde and Kilkelly 2024). CS18 in the 2023 study encapsulates the experience of many children: “They repeat it and try to explain it, but they are using the same words in a different order every time. I have a solicitor telling me to make no comment but then the police are telling me they can use it against me. What does that mean? It doesn’t make sense” (Kemp and others 2023:54).

Where the child answered a comprehension-checking question incorrectly, the officer, typically, would correct the child but not repeat the comprehension check to ensure that the correction had

cured the misunderstanding. This is understandable to a degree. In some interviews the delivery and explanation of the caution was the longest part of the process. However, the child's full comprehension of the caution is essential for understanding their right to silence and its ramifications.

A notable feature is that in none of the interviews did the lawyer or the AA intervene at this stage to ensure that the child understood the caution. There are certainly adversarial reasons for this. If the interview transcript suggests a lack of understanding of the caution then an adverse inference would be unlikely to be supportable at trial. However, from a children's rights perspective, this risks the child being unable to fully exercise their legal rights.

The views expressed by children in the Sphear research echoed these concerns about understanding and communication. Participants emphasised the importance of officers explaining processes clearly and in language they could understand. Several described uncertainty about what was happening, what would happen next, or why they were being asked particular questions. These accounts reinforce the importance of clear communication as a precondition for meaningful participation in the police interview process. Children cannot effectively exercise their legal rights or make informed decisions about answering questions if they do not understand the process they are being asked to engage in.

No comment interviews

Perhaps the most striking aspect of the interview review is the infrequency with which children provided evidentially relevant material. Across the whole 51-interview sample, children made full or substantial comment in only 11 interviews, just over a fifth of the interviews. In 16 interviews the child provided a prepared statement followed by full or substantial no comment, with 14 of those statements providing full denials. Full or substantial no comment was made in the remaining 24 interviews. As discussed in Chapter 4, there are many legitimate reasons to give no comment advice, and a child might opt to make no comment for a range of reasons, including exhaustion, frustration and defiance (Bevan 2024:293ff). However, a no comment response is liable to close avenues to many diversionary options, most of which require an admission or an acceptance of responsibility. Whilst the interview review in this study provides only a snapshot of interview outcomes, and is not generalisable, it does suggest that the current approach to interviews in custody is not serving that aim. A process that commonly traumatises children but infrequently results in evidentially relevant material requires careful reconsideration.

The quality of questioning

Overall, in line with observations in the 2023 study, interviewing style was generally appropriate, with officers adopting a conversational, active-listening approach without undue pressure. However, there was significant variation and some more concerning practice, including unduly repetitive questioning, inaccessible phrasing, the use of jargon and inappropriate questioning techniques. Similar variation was identified in earlier research, including the use of repetitive, persuasive and accusatory questioning and techniques which sought to maximise or minimise the seriousness of the allegation or its likely consequences (Kemp and Hodgson 2015).

The interview experiences of the User Voice participants were similarly mixed. Some children felt that they understood what was being asked and had sufficient time to answer, while others considered that interviewers asked leading or unfair questions. Concerns about questioning approaches were particularly evident where children were maintaining a no comment response. One child explained: "They tried to, like, manipulate me into changing the whole interview up from a no

comment one to a normal interview. They was like, 'Oh, the reason you're not answering is because you've done this and that,' this, this, this" (UVWG:15). Other accounts similarly revealed confusion and pressure. CS11, aged 14, maintained a no comment response under repeated questioning during an interview that he described as attempting to 'trip him up'. Such accounts accord with previous research with children (Bevan 2024:285ff).

The no comment interviews reviewed revealed several concerns. They were sometimes unnecessarily exhaustive, with officers putting every possible scenario to a child beyond what might reasonably be required to provide a basis for drawing an adverse inference and returning to some questions several times. There were also occasions when officers used more pressurising questioning approaches in an attempt to elicit a response. For example, 'maximisation' techniques, which involve exaggerating the seriousness of the allegation or its possible consequences (Kassin and others 2010), were sometimes used to encourage children to answer questions. Child 124.WG, aged 14, was told during an interview concerning allegations of robbery and possession of an offensive weapon: "Very serious robbery, serious offence. An adult person for robbery can get up to life in prison, OK, that's an adult person alright. I'm not saying or anything, I'm not saying you are going to get any time. Same thing for possession of an offensive weapon alright. Is there anything you wanna tell me...?" An officer might also allude to the possibility of a co-arrestee implicating the child, as in the case of 13-year-old Child 115.BRI: "They might be blaming you, they might be saying you've called them to do this, you've done this ..." (Child 115.BRI).

PEACE is the structured model of investigative interviewing used by police in England and Wales. The acronym refers to Planning and Preparation, Engage and Explain, Account, Closure and Evaluation, and the model is intended to support fair, ethical and reliable interviewing rather than confession-seeking (Clarke and Milne 2001). Across the interviews, many officers clearly did their best to follow the PEACE interviewing approach but, without child-specific training, struggled to formulate questions in an accessible and age-appropriate way. For example, one officer attempting a 'free recall' question of a 14-year-old asked: "How do you respond to the allegations of criminal damage brought against you?" Questions were also sometimes multiple in form or phrased as legal-closure question, as in this question put to a 16-year-old: "Was it your intention to dishonestly take these phones, snatching them from their hands from the owners, without their permission clearly, were you intending to permanently deprive them of it?"

Safeguarding questions in interview

Safeguarding questions were fairly routinely asked in interview under caution in the review sample. There will be occasions where some of these questions are appropriately asked to investigate possible defences, such as modern slavery and duress, and therefore properly occur under caution. However, these safeguarding questions are generally much fuller and invite the child to reflect on their safety in their home and local area, their relationships with friendship groups, substance use, and their mental health, among other matters. Safeguarding questions of this sort were asked in 33 of the 51 interviews reviewed.

Sometimes interviewing officers provided a preamble which explained that the questions were asked for safeguarding purposes and were not part of the officer's investigation of the alleged offence, but often no such preamble was provided. Nor was there always a clear separation between the end of the safeguarding questions and the return to questioning about the offence. This approach is liable to confuse a child who is otherwise seeking to make no comment and may lead them to answer questions about the offence. Sometimes this seemed a more deliberate tactic. In CS5's case, detectives were seen to ask safeguarding questions as an investigative tool to try and encourage the

14-year-old to break with his 'no comment' approach and respond to questions on the alleged offence.

However, in those 33 interviews, the child answered the safeguarding questions fully or partially in only nine cases, and in only one did the child make what might be considered a positive disclosure. Given the prevalence of no comment interviews, this low response rate is unsurprising. Taken together, these findings suggest that asking safeguarding questions as part of an interview under caution concerning the allegation is not a fruitful approach and may, in practice, be unfair to the child. There may be good reason to record the child's response to such questions, but the evidence from this review indicates that doing so would likely be more productive, and fairer, in a separate interview.

Legal intervention in interview

The review of 51 police interviews of children provides a snapshot of legal engagement in the interview process to support children. In 50 of the interviews the child was represented. In over half of the interviews ($n = 27$), the lawyer intervened in a potentially positive way (not including where the lawyer simply read out a prepared statement). Given that intervention will not be required in every interview, this presents a fairly positive picture of legal intervention. Interventions included six interviews in which the lawyer challenged the officer about the relevance or appropriateness of a question or line of questioning. Other interventions included seeking clarification of a question, reminding the child of their advice to make no comment or asking for a break.

Generally, representation of the child's legal interests appeared to be of variable quality. Some lawyers were excellent in ensuring that questioning remained appropriate and relevant. However, in other cases representation was less effective. For example, several lawyers appeared to be significantly preoccupied with their phone during the interview (e.g. Child 122.WG, Child 116.BRI, Child 106.LD). There were also a number of occasions where questioning became extremely repetitive, particularly where the child was responding 'no comment', or questions were of an inappropriate type (e.g. leading or legal closure questions), without intervention from the lawyer. No lawyer intervened in relation to any of the examples of inappropriate questioning discussed above.

Children's experiences of interview and participation

The review of 51 police interviews provides important evidence about how children's interviews are conducted in practice. Children's own accounts add a further perspective: whether they understood what was happening, felt able to participate and experienced the interview as an opportunity to give an account or as another stage in a process controlled by adults.

Across the Sphear Media engagement, children described the wider custody process as confusing, lengthy and disempowering. Several reported only partial understanding of their rights and wanted clearer explanations of what the police were doing and why. Some also described frustration with questioning that they perceived as repetitive or designed to elicit a response despite their decision not to answer questions. These accounts reinforce concerns identified in the interview review that no comment interviews can become unnecessarily exhaustive and undermine children's confidence in the fairness of the process. This matters for the interview itself. A child who is tired, distressed, isolated, unclear about their rights or uncertain about the role of the lawyer or AA is unlikely to be well placed to participate effectively, even where the formal requirements for interview have been met (Kassin and others 2010).

These findings point to the need for a more explicitly child-centred approach to investigative interviewing, one that treats the interview not simply as a procedural stage in the investigation but

as an interaction requiring planning, adaptation and safeguards if the child is to participate effectively. This is also supported by the *Principles on Effective Interviewing for Investigations and Information Gathering*, known as the Méndez Principles (2021). Developed from international law, science and professional ethics, the Principles reject coercive interrogation and emphasise rapport-based, non-coercive interviewing aimed at gathering accurate and reliable information while respecting dignity and rights. Importantly for children, effective interviewing is framed not as a single event but as a process beginning from first contact with the authorities, through planning and preparation, implementation of safeguards, assessment of vulnerability, the interview itself and the evaluation of information obtained. The Principles require particular attention to people in situations of vulnerability, including assessment before interview and a flexible, tailored response to the individual's needs. Applied to children in police custody, this means that interviewers should not rely on the formal presence of an AA or lawyer as sufficient. They should actively consider the child's age, development, trauma history, communication needs, neurodiversity, mental health, tiredness, distress and understanding before deciding whether, when and how the interview should proceed.

A Child First approach to interview therefore requires more than avoiding oppressive questioning. It requires interviewers to create the conditions in which children can understand, participate and give their best account. That includes ensuring that the child has had enough rest, has received legal advice in a form they understand, has meaningful AA support and has been given clear explanations of the purpose of the interview and the possible consequences of speaking or remaining silent. It also requires interviewers to adapt their communication, check understanding throughout and recognise that silence, limited comment or apparent disengagement may reflect fear, confusion, tiredness, neurodiversity, trauma or lack of trust, rather than simply a strategic decision not to cooperate.

Conclusions and recommendations

Whilst the interview review in this study can only provide a snapshot, it suggests that there is continuing variability in interview practice. Overall, officers appeared to be doing their best to follow PEACE approaches, but without more child-specific training there were inconsistencies and lapses in their application which were liable to render interviewing unfair for children. The high prevalence of communication disorders among children in contact with the criminal justice system, many of which are unidentified and unsupported, reinforces the need for child-specific interview practice. A child with autism, ADHD or a learning disability who is interviewed under standard adult procedures without appropriate assessment or adjustment is unlikely to receive a fair process. Many officers explained processes clearly, checked understanding, and created conditions in which a child could participate effectively. However, some did not check whether children understood the caution at all and used inappropriate question formats or pressurising approaches liable to elicit unreliable evidence. Children described interviews designed to trip them up, questions repeated in different forms, and pressure to move from a no comment stance.

Police custody is costly, not just in monetary terms, but in its impact on children and their future engagement with the police. The child's account in interview is a key potential output, since the primary purpose of detention in many cases is to obtain a reliable and fair account from the child. The lack of tailored adjustment at this point risks undermining that purpose. Across the 51 interviews reviewed, children made full or substantial comment in only 11. While there may be legitimate legal and welfare reasons for a child not to answer questions, the limited amount of evidentially relevant material obtained raises questions about whether the current interview process is achieving its purpose. Child-specific guidance for interview is urgently needed.

Guidance should begin before the interview with a clear test and process for assessing the child's fitness for interview and ability to participate effectively. This should make use of L&D and HCP assessments, by appropriately trained practitioners, using child-specific instruments wherever possible. As discussed in Chapter 3, information already held by partner agencies should be available to the custody officer in making that decision. The assessment should be reviewed shortly before the interview to ensure that the child remains fit for interview following a period of detention. Where there are significant concerns about the child's ability to participate effectively in interview, the default approach should be to release the child on bail or under investigation (RUI), so that appropriate support can be put in place within a more generous timeframe and there is scope for more specialist assessment. In the unusual event that a child with significant participation difficulties cannot be bailed, on-call YJS/children's social care should be available to support the arrangement of more specialist adjustment. As the role is currently configured, a lay AA, particularly a familial AA, is highly unlikely to have the skills required to address a significant deficit in participatory capacity in the context of a police interview.

Interviewing officers should be required to have child-specific interview training, drawing on ABE principles, but adjusted to ensure that there is guidance on simplifying language, supporting robust but age-appropriate challenge, and identifying suitable question formats. Guidance on caution explanation and comprehension-checking is particularly important. Given the complexity of the caution, and in light of the evidence that crib sheets and similar initiatives do not necessarily result in consistent delivery, there may be a case for producing a pre-recorded video explanation which a child can watch in advance of the confrontational interview setting to ensure that the caution is accurately and fully explained in an age-appropriate way.

Challenges with caution comprehension in this and earlier studies (Kemp and others 2023; Bevan 2024; Forde and Kilkelly 2024) suggest that there may be a case for reviewing the modified caution for children and the drawing of adverse inferences at trial. Such consideration could fall within the upcoming review of the youth court by Professor David Ormerod announced in the White Paper (Ministry of Justice 2026).

The guidance should also include fair approaches for a child making no comment, which provide the basis for an adverse inference where appropriate but are not unduly repetitive or exhaustive. The MPS has already committed to producing training for officers interviewing children as suspects and is exploring innovative approaches to improving caution delivery and explanation. That work is ongoing and draws on the findings from this interview review. The development of this guidance should also draw on emerging European work on child-sensitive investigative interviewing and on identifying and responding to children's language and communication needs.²⁸

As identified in Chapter 4, the lawyer too should have child-specialist training to support the child and challenge questioning which is inappropriate. These are not simply adjustments to accommodate child suspects appropriately but are essential to obtaining admissible evidence and guaranteeing a fair and efficient process, aims which benefit victims, witnesses and the wider public.

Recommendation 13: A tailored process to assess children's fitness to be interviewed

Fitness for interview assessments should be enhanced for children, with guidance focusing on the interpretation of the PACE Code C Annex G for children. Decision-making should incorporate L&D

²⁸ See COST Action CA22128, [Establishing Networks to Implement the Principles on Effective Interviewing for Investigations](#) (IMPLEMENDEZ), and COST Action CA22139, [Justice to youth language needs: human rights undermined by an invisible disadvantage](#) (Y-JustLang).

and/or HCP assessments, by appropriately trained practitioners using child-specific instruments wherever possible. Information already held by partner agencies should be available to the custody officer in making that decision. The assessment should be reviewed shortly before the interview to ensure that the child remains fit for interview following a period of detention.

Recommendation 14: Short bail or release under investigation for children with significant participatory difficulties

Guidance should require custody officers, wherever possible, to release on bail, or under investigation, any child identified as having significant participatory difficulties so that they can be interviewed following more specialised assessment and with appropriate support present.

A child-specific interviewing framework

In addition to assessment of fitness and participation, the evidence points to the need for a child-specific interviewing framework. Guidance is required to ensure that interviews with children are planned and conducted in a way that supports participation, ensures fairness and enables reliable evidence to be obtained. This is consistent with the Méndez Principles, which emphasise non-coercive, rapport-based interviewing and require particular attention to people in situations of vulnerability. For children, this requires interviewers to consider not only the formal presence of legal advice and an AA, but whether the child is able to understand, participate and give their best account.

Recommendation 15: Mandatory child-specific interview training

The Home Office and Ministry of Justice, working with the College of Policing, should mandate child-specific training for officers interviewing children, drawing on the principles of Achieving Best Evidence and the Méndez Principles (2021). Training should include guidance on interview planning, rapport-based and non-coercive questioning, caution delivery, explanation and comprehension checking, robust but fair challenge, including where no comment is being maintained, and age-appropriate question formats.

Interviewers should be required to assess and record how the interview has been adapted to the child's needs, including age, development, communication needs, neurodiversity, trauma, mental health, tiredness, distress, understanding of rights and the adequacy of legal and AA support.

Chapter 7: Release and outcome decision-making

The point of release is where the system's indifference to children as children is most visible. Enormous procedural effort goes into the arrest, the booking-in, the rights and entitlements, the interview. Far less goes into what happens when a child is released. The point of release is, in the earlier and current Nuffield-funded studies, often the most chaotic and least considered moment of the entire process. There are procedural requirements: a pre-release risk assessment, AA presence, and confirmation of accommodation. But what these requirements cannot guarantee is that anything substantive has been decided. In the majority of cases it has not. Most children were released under investigation (RUI) (23%) or on bail (42%), with the case unresolved and no decision made about help, support or diversion. At the point of release, just 12.3% of children were charged, with 20.6% given a 'no further action' (NFA) outcome and OOCRs the least common identifiable outcome, at a strikingly low 2.1% (Kent and others 2026). This suggests a rise in unresolved cases at the point of release, from 37% in the first Nuffield study, comprising 22.1% released under investigation and 14.4% bailed, to 65% in the current study (Kemp and others 2023:53).

Plainly one would not want a child to be kept in custody unnecessarily while a final disposal is determined. There will also, inevitably, be many cases where further investigation is required, or further assessment is needed, necessitating a period of bail or RUI. However, there are several concerns which arise at this point. First, there would appear to be some cases where the outcome is in fact already known, including NFA outcomes, but it is simply easier administratively to release the child on bail or RUI to complete the paperwork at a later time. In the 2023 study, children were sometimes RUI'd even where the investigating officer later acknowledged that no further action was the obvious outcome and could have been recorded at the point of release. In one case, an officer admitted that no further action would be taken, even though the child had been RUI'd. When the boy asked for the return of his phone, the custody officer told him it would be held by the police for six months, knowing that this was not the case and the phone was to be returned but, said the officer: "I just thought I'd let him think that" (Kemp and others 2023:89).

Second, where it was not possible to arrive at a final outcome, children and their families often had no understanding of what was happening, why a decision could not be reached and what to expect next. The lack of good information is a source of distress for children and their families whilst they are still in custody. CS6 discovered only at the point of being bailed that his mother had told the police she would not have him home. CS5's foster carer, sitting in the consultation room, had been trying to think through what would happen when he was released. Having surrendered her phone before spending time alone with her foster child, she had no means of contacting anyone and no information about what was happening. She was watching the clock because the support worker caring at home for another of her foster children, who had disabilities, was about to finish her shift. CS9's mother had been waiting in a corridor while her son remained in a cell after his interview. The investigating officer knew that he was going to be bailed but he told her that a decision had not been made.

Confusion often continued after the child left custody. The User Voice data suggests that this was consistent across sites. Several children described not understanding their bail conditions: one had accidentally begun breaching them, while another had been excluded from the area where he lived (UVWG:17). Feedback from children participating in the Sphear research echoed these concerns. Several participants described uncertainty about what would happen after release, how long decisions would take, and what the next stages of the process involved. Children frequently valued clear explanations and updates from practitioners, but some felt that decisions were being made around them rather than with them. This difficulty is compounded by the routine absence of legal

advice and assistance at the point of release/remand and the fact that lawyers are not routinely informed by the custody or investigation team of the outcome for the child. These accounts reinforce the importance of ensuring that children leave custody with a clear understanding of any conditions imposed upon them, the progress of their case, and where they can obtain support.

Third, the custody record analysis reveals that children could remain ‘under investigation’ for many months and, in some cases, indefinitely (Kent and others 2026). Bail periods too were often extremely lengthy. While the process grinds on, the child waits, with delay imposing additional financial and human cost. In the year to March 2025, the average time from offence to charge was 136 days, the joint highest figure on record and a 139% increase since 2015 (YJB 2026b). The situation may be considerably worse for children whose cases are ultimately not sufficiently serious to warrant charge. For children who have been RUI’d, in particular, there is no formalised oversight of the delays they are experiencing. The toll on them and their families, at key junctures in their lives, often while they are undergoing national examinations and facing important decisions about their futures, is considerable.

These findings mirror issues discussed in detail in the frontline report in relation to diversion and out-of-court resolutions. The experiences described by children through the Sphear engagement suggest that delays are experienced not merely as administrative processes but as periods of prolonged uncertainty, during which children often feel uninformed about what is happening to their case. Delays in diversionary decision-making, limited access to YJS expertise and fragmented responsibility for case outcomes were observed across both the diversionary and custody landscape. However, they become most visible at the point of release from custody. Responsibility for those decisions is dispersed across investigators, known as evidential review officers in some areas, CPS lawyers and custody officers, with no clear expectation that outcomes should be resolved at the earliest opportunity. The result is delay, uncertainty and missed opportunities for timely intervention.

Drivers of the over-use of police remand

Research has long identified an imbalance between the use of police and court remand (Gibbs and Ratcliffe 2018:14). Anecdotally, it is widely appreciated that the majority of children refused bail by the police are being bailed in the youth court, but there are no published data to identify the proportions with clarity. Police remand not only means an unnecessary and often lengthy extension of the child’s time in police custody but, as HM Inspectorate of Prison’s most recent thematic report, *Children on short-term remand* (2026), has identified, also reduces the ability of the YJS to intervene early and provide timely support, rendering custodial remand at court more likely.

A range of factors emerged in this study which may be driving the push for remand from frontline and investigation teams. First, there is some indication that frontline officers lack an appreciation of the very high threshold for remand at court (under the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (LASPO)). One custody officer complained: “The officer said they would be looking for remand, and I said no, if it went to court for first offence, no way would these two be remanded. They weren’t happy.” There was some recognition across investigators of the benefit of further training on police and court bail/remand for children.

For some, making a remand application presented a way to shift the risk burden to other officers. As an investigator in one force explained: “For us, it’s how we manage the risk. We’ll do the remand applications because we don’t want the risk of bailing them.” There was also some indication that this was felt to be a more palatable approach to report to victims, as an investigator identified:

When we call up the victim, it's a lot better to say we've charged and they're going to court tomorrow. Sounds so much better than they've been released, they've got conditions, we'll let you know when there's an update.

Frontline officers often talked with frustration about delays in bail cases and the spiral of offending that this might allow for a child. Remand as a better route to support for the child was also raised in this context, essentially because it meant an immediate court date. As one investigating officer explained: "If they go to court, they'll be put on court bail and that's much stronger than police bail. They'll have an opportunity to get social support, monetary social support that we can't provide. So even though it sounds harsh, remanding a kid, in the long term that is a possibility of them getting the support they need."

A significant issue is the very substantial gulf between the criteria for the police remand of children (s38(1)(b) PACE) and the much tighter restrictions on court remand (under Chapter 3 of LASPO). The criteria for police refusal of bail for children following charge are undifferentiated from adult requirements, save in respect of the taking of samples and the additional power to remand a child 'in his own interests'. By contrast, court remand provisions for children under LASPO are stringent, particularly in relation to remand to youth detention accommodation under sections 98–102. These include significant restrictions on the qualifying offences, through the 'offence condition' in section 98(3), and on the nature of the harm to be averted, through the 'necessity condition' in section 98(4). Charges such as simple possession of a bladed article under section 139 of the Criminal Justice Act 1988 could not result in a child being remanded to youth detention accommodation by the court, but commonly result in refusal of bail by the police under section 38(1)(b) of PACE. Given the time constraints involved in police bail decision-making, and the resources available to the custody officer, it is not unreasonable that there might be some difference between police and court bail requirements. However, the gulf between police and court remand tests is unjustifiable from a child rights perspective and is liable to lead to unnecessary and prolonged police detention.

A further issue observed across forces, consistent with earlier studies (Kemp and others 2023; Bevan 2024), was the extremely long periods in police detention endured by children arrested on warrant for breach of court bail (Bail Act 1976 s7(4)), particularly where that occurred over a weekend. The lack of any mechanism to release a child on bail in those circumstances, or transfer them to local authority accommodation, as under PACE s38(6), was observed, including by custody officers, to lead to unjustifiably long periods in detention for a child, especially considering the inevitability of their immediate release on production to court in most cases. It is appreciated that any interference by the police would conflict with the usual principle that breaches of court bail should be the province of the court. However, the impact of the provisions on children is, it is argued, sufficiently disproportionate to warrant reconsideration.

Post-charge detention and local authority accommodation

Lengthy periods in police detention for children remanded following charge have long been a concern (Kemp and others 2023; Bevan 2024). The [*Concordat on Children in Custody*](#) (Home Office 2017) was developed to streamline decision-making and ensure that transfer was achieved in accordance with the legal framework. It was published in 2017, but the Home Office has not maintained a focus on adherence to it, and its requirements were not routinely referred to by custody officers interviewed in this study. The lack of local authority accommodation, despite the statutory duty to accommodate remanded children following charge under section 38(6) of PACE, has long been identified as the fundamental challenge in achieving transfer (Just for Kids Law 2022) and has been the subject of litigation, but with limited meaningful improvement. There has recently been

considerable progress in remand pilot arrangements in both London (YJB 2026c) and Manchester (Smithson and others 2026), providing alternative accommodation for children remanded in custody by the court. These pilots offer hope that similar progress can be made in identifying accommodation for transfer under section 38(6) of PACE, but no significant progress has yet been made in this regard. Local protocols could also clarify the use of the power of a force under section 21(3) of the Children Act 1989 to recover the reasonable expenses of accommodating the child from the responsible local authority, where applicable.

Piloted measures: MPS mechanisms to reduce post-remand detention periods for children

In the MPS, the Child First Custody Pilot put in place several measures to reduce post-remand detention periods for children and increase the chance of identifying accommodation to which the child could be transferred, in accordance with s38(6) PACE. Bail and remand decision-making, and the processes for transfer to local authority accommodation as set out in the Custody Concordat, were addressed directly in the Child First training attended by custody officers in the pilot suites. In addition, the custody sergeant checklist required the custody officer to initiate enquiries about support and/or accommodation immediately after authorising detention, and then to chase those enquiries at the six-hour review. A checklist at the point of remand reminded officers to apply the remand criteria strictly, to follow the Custody Concordat flowcharts in pursuing local authority accommodation (Home Office 2017), to record the efforts made and escalate the matter where no accommodation was available.

There was some evidence that custody officers were scrutinising remand applications more thoroughly: “We tell the officers they really have to give us good grounds for remand” (CO8.WG). There were also some indications that custody teams were engaging at an earlier stage on the issue of bail and remand. One inspector explained, “Last night I had a case, I wasn’t looking at a remand, and I’d talked to the sergeant of those officers about the plan from the outset - and that’s my style, to work with the borough” (CSI2.WG). However, local authority transfer rates remained extremely low. Approximately 13% of the child PACE detentions during the pilot resulted in remand (41 cases in total across the two suites, 26 in the detention log review period). It was not possible to extract electronic data on the proportion of remanded children transferred to local authority accommodation across the whole pilot period. However, during the detention log review period only three of the 26 remanded children were transferred, all to non-secure accommodation (the child’s home address in two cases). As a result, some children spent extremely lengthy total periods in custody (e.g. two children were detained for 50 hours and a third for 43 hours).

The detention log review and interviews with custody officers and inspectors shed light on the challenges they were encountering in securing their transfer. There was limited evidence on the detention logs of focused early enquiries seeking accommodation. Officers explained that the possibility that alternative accommodation might be needed could rarely be identified with any certainty at an early stage and that there was no point in notifying the local authority early in the child’s detention, particularly since the request was unlikely to be acted upon until bail had actually been refused. Secondly, officers expressed a general understanding that secure accommodation was simply not available. They nevertheless undertook the required, often time-consuming enquiries, despite having little expectation that suitable accommodation would be found. Thirdly, there was a sense that the local authority might be uncomfortable accepting the risk where transfer was required on a non-secure basis, or that the non-secure accommodation offered (with parents/carers) might not be suitable. In addition, a number of officers described or revealed a lack of understanding of the legal framework, and some observed that local authority partners were sometimes similarly unsure about the provisions, an issue observed across the forces studied. Finally, whilst officers might

escalate to their custody support inspector where no accommodation was available, several took the view that within the local authority there was nowhere to escalate matters to, especially when dealing with EDT.

Lawyers did not, according to the logs, have much involvement in assisting officers to navigate the complex legal provisions surrounding remand and ensuring the child's right to transfer is honoured (PACE s38(6)). There was very limited evidence on the detention logs of representations made by lawyers in respect of bail or remand (reference appearing on only 17 of the 199 detention logs reviewed). Lawyers are very rarely present in the custody suite when bail/remand decisions are made, largely because this often occurs several hours after the police interview is completed. Since these findings were highlighted in the detailed project report provided to the MPS and partner agencies, the researchers have become aware, through anecdotal reports, of efforts to improve this situation. Lawyers report that some officers are making contact with them when a bail or remand decision is being made, including by text message, to invite their representations before a decision is reached.

Delays in producing children to court

Finally, problems with transfer were compounded in the MPS by very substantial delays in producing remanded children to court in some cases. There were several occasions, on weekdays as well as weekends, where children were remanded in the morning but not produced to court until the following day. This is not an MPS failing, and similar issues were observed in other forces. Rather, the early cut-off time for notifying Serco, the prisoner escort and court transport provider in London, of children requiring transport to court (4 am) and limited court sitting times (and cell availability) combined to extend post-charge remand periods in a way that is hard to justify. The lack of Sunday court sittings exacerbates this issue, with children's lengthy periods of detention tending to span the weekend. Whilst the introduction of full Sunday court sittings would be a very substantial endeavour, there would appear to be grounds for exploring other options, such as a review by a magistrate where a child's post-charge, or breach of bail, detention extends beyond, say, 12 or 24 hours. This should not, however, be read as a proposal for virtual court hearings for children. No child should be at risk of court remand without a live hearing. But whether a review by a magistrate could expedite a child's release on police bail, or their transfer to appropriate local authority accommodation, is worthy of consideration.

Conclusions and recommendations

The evidence from this chapter suggests that, despite recent efforts to improve practice, children continue to spend unnecessary periods in police detention following charge. The legal framework governing police bail is unjustifiably misaligned with court remand restrictions. Transfer provisions following remand under PACE s38(6) are complex and not consistently understood by all parties involved. Opportunities to secure a child's release on bail are not always fully explored and, where remand is authorised, the statutory expectation that children will be transferred to local authority accommodation under PACE s38(6) is rarely realised in practice. Delays in securing accommodation, limited legal engagement with remand decisions and difficulties producing children promptly before a court all contribute to children spending longer in custody than is necessary.

These findings are particularly concerning given the principle that detention should be used for children only where strictly necessary and for the shortest possible period (UNCRC Article 37). The focus of reform should therefore be on improving decision-making at the point of release, reducing the number of children refused bail from police custody, ensuring that transfer obligations are complied with where remand occurs, and minimising delays in bringing remanded children to court.

The following recommendations address each of these stages: the point at which a child leaves custody, the legal framework governing police bail and remand, the transfer of remanded children to local authority accommodation, and the timely production of children before the court.

Recommendation 16: Child-centred decision-making at the point of release

No child should leave police custody without a clear outcome having been identified, wherever this is reasonably practicable. Where further investigation or diversionary assessment is required, the reasons for delay should be recorded and explained to the child and their parent or carer, and arrangements for timely review of progress, where a child is released under investigation, should be instituted.

Achieving this will require earlier engagement with YJS and other relevant agencies, so that decisions about diversion, support and prosecution begin during the period of detention, rather than after release, and do not delay the child's release. Earlier multi-agency involvement would increase opportunities for diversion, reduce unnecessary delay, and help ensure that children are directed away from formal criminal justice processes wherever appropriate.

Police bail and remand

The misalignment between police bail and court remand restrictions also requires attention.

Recommendation 17: Bringing police bail into closer alignment with court bail for children

The Ministry of Justice and Home Office should review police bail arrangements in PACE for children, to bring them into closer alignment with court remand requirements under sections 98–102 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012. Consideration should also be given to introducing an option for the police to bail a child arrested for breach of court bail under section 7(4) of the Bail Act 1976, or to transfer them to local authority accommodation if bail is inappropriate.

Transfer to local authority accommodation

Recommendation 18: Reducing post-remand detention periods for children

In order to reduce post-remand detention periods for children, forces should work with partners to ensure that legal obligations on all stakeholders are met by:

- providing joint training for custody officers, lawyers and social care/emergency duty teams to ensure that all parties understand the respective police and local authority decision-making processes set out in Annexes A and B of the *Concordat on Children in Custody* (Home Office 2017:24–25);
- agreeing a mechanism to notify lawyers at the point of bail/remand so that children can receive legal advice and representations be made; and
- agreeing a protocol for escalation where requested accommodation is not available, including arrangements for resolving responsibility between local authorities and, where applicable, recovering accommodation costs under section 21(3) of the Children Act 1989.

Production before the court

Recommendation 19: Efficient production of children to court

Forces should negotiate with transport providers and court listing officers to ensure that children remanded on a weekday morning are produced before the court that day wherever practicable.

Chapter 8: Respect, children's voices and accountability

Children's accounts provide a different way of understanding the harms of custody. They show that detention is experienced not only through formal procedures, but cumulatively: through time, waiting, isolation, lack of information, uncertainty, searches, force, property being taken, and the impact on parents and siblings. In the Brixton engagement with Sphear Media, when children with custody experience were asked what the worst thing about custody was, one group answered simply: 'time'. One participant became visibly upset when reflecting on his experience of police custody. Asked whether anyone had enquired how he was feeling during the process, he explained that they had not. Looking back on the experience, he described it as an event that had 'ruined' his life (SM1.3). Whether or not others would characterise his experience in the same way, the account illustrates an important point: detention may be lawful, procedurally compliant and ultimately result in no further action, while still having a profound impact on a child's wellbeing, confidence, future relationship with the police and wider prospects. Contact with the criminal justice system can disrupt education, contribute to exclusion or disengagement from school and have lasting consequences for a child's future. These accounts reinforce the central finding of this report: custody is not a neutral administrative stage in an investigation. It is an intervention that children experience physically, emotionally and relationally, and its effects often extend beyond the child to their family.

As Chapter 2 showed, children's prior experiences of policing shape how detention is understood and experienced, particularly for children who are already over-exposed to police powers. These included Black and mixed heritage boys in the Brixton engagement, whose accounts showed custody as part of a wider pattern of being stopped, searched, watched and judged. This wider context matters because children who enter custody expecting to be disbelieved or disrespected may be less able to ask questions, challenge decisions, seek support or make a complaint.

Children's accounts to Sphear Media in Cardiff added a further dimension to this finding. They showed how early some children's experiences of custody can begin, particularly where police contact is linked to care experience, mental health need, placement instability or crisis. Girls in particular described custody experiences closely connected to distress, self-harm risk or difficulties in the home or care placement. One girl and one boy, both living in residential care, described first being taken into custody at the age of 11 in circumstances connected to problems in their care placements. Other girls also described being in custody from a young age. Their accounts were harrowing. Several described being placed in cells with the door open because of concerns about mental health or self-harm, with officers sitting outside to observe them but not speaking to them. One girl described this as strange and unsettling; another described having to use the toilet while the cell door remained open, with officers outside. These accounts show how custody can become dehumanising for children whose needs are primarily health and welfare related. In such cases, police custody becomes a place of containment and surveillance rather than care.

Such detentions are also extremely resource-intensive for the police. Managing highly vulnerable children in custody can require additional officers, including in some cases response officers, to be taken away from other duties to maintain constant observation. This is not an appropriate or sustainable substitute for welfare-based provision. Where children require constant observation because of mental health need, self-harm risk, care placement breakdown or acute distress, the response should come from social care, mental health services or both, rather than from police teams. These accounts illustrate why children's experiences must be understood not only through legal safeguards or custody outcomes, but through how custody feels and whether children are treated with dignity, safety and respect.

The Sphear Media questionnaire provided an opportunity to explore these themes more directly. When asked what mattered most, participants consistently prioritised being treated with respect, being listened to, having things explained clearly and feeling safe. These priorities are striking because they closely mirror the themes that emerged throughout this report. Across detention decision-making, legal safeguards, interviewing and release from custody, children's experiences repeatedly turned on questions of communication, participation, dignity and support.

These findings suggest that a Child First approach is not defined solely by the availability of safeguards or the outcome of a case. Children consistently attached importance to how they were treated whilst in custody and whether they felt able to understand and participate in the process. This resonates with Skinns and others' work on 'good police custody' (2020), which identifies dignity as a central component of legitimate detention practice. For children, dignity is closely connected to being listened to, having decisions explained, understanding what is happening and being treated as a child rather than simply as a suspect.

These experiences also have implications for trust and police legitimacy. Procedural justice research emphasises that people's perceptions of legal authority are shaped not only by outcomes, but by whether they feel listened to, treated with dignity and respect, and given clear explanations for decisions. Where custody is experienced as confusing, uncaring, unfair or disproportionate, particularly where no further action follows, it may undermine children's trust in the police and their sense that police authority is legitimate, while also deepening mistrust within families and communities (Tyler and Huo 2002; Tyler 2006).

Children's voices and accountability

A recurring theme throughout this research has been the extent to which children's experiences remain hidden from formal scrutiny. Police forces routinely monitor detention times, legal safeguards, case outcomes and compliance with procedural requirements, yet they rarely seek systematic feedback from children about their experiences of custody. Children's voices therefore risk being absent from assessments of what constitutes effective custody practice. A Child First approach requires children to be recognised not simply as recipients of safeguards, but as participants whose experiences provide valuable evidence about the quality, fairness and effectiveness of police custody.

Children's accounts highlighted very low levels of confidence in police complaints and accountability processes. Among the 26 questionnaire respondents who reported having been arrested and taken into police custody, 25 said that they had wanted to complain about the police at some point, but 20 had not done so. Children gave a range of reasons for not complaining. Some described practical barriers, including not knowing how to complain, not being given the opportunity to do so, or not wanting the 'hassle'. Others described a deeper lack of trust that complaints would be taken seriously or lead to change. Cardiff questionnaire responses were particularly clear on this point. One participant explained that police "always get away with everything" because "no one listens" (SM6.1), while another said that "police have more power and it's my word against theirs" (SM6.8). A further Cardiff respondent said that he had not complained because "it was a corrupt sergeant" (SM6.6). These accounts suggest that, for some children, the very people or systems they would need to complain to were not seen as independent, safe or trustworthy.

This was reinforced in the Cardiff group discussion with girls. One participant said that she had complained while in custody and was told that police would "think about it and get back to me", but "never did" (SM7.3). Others questioned whether police would ever hold their own officers to account, with one asking: "why would they lock up their own officers?" (SM7.2). The girls' accounts also linked complaints to wider experiences of being ignored in custody, including when using the cell

buzzer, asking for food or drink, or trying to explain distress. In this context, complaints were not experienced as a meaningful safeguard. They were seen as another process controlled by adults whom children did not trust to listen or act.

These findings suggest that complaints processes are not experienced by many children as accessible, safe or meaningful. This is particularly important in custody, where children may experience searches, use of force, removal of property, isolation, poor communication, distress or lengthy detention, but leave without any realistic opportunity to explain how they were treated. A Child First approach therefore requires feedback and complaints mechanisms that are visible, child-accessible and capable of informing practice, rather than processes that exist formally but are not experienced by children as meaningful.

Throughout this programme of research, children consistently returned to a relatively small number of themes when describing what mattered to them during police contact and custody. Across the Sphear Media engagement, User Voice interviews, custody observations and case studies, children spoke about respect, communication, participation and safety. These priorities were reflected not only in questionnaire responses but also in children's wider accounts of custody. Positive experiences were often associated with practitioners who communicated well, listened to concerns and treated children as individuals, not only as suspects. Negative experiences frequently centred on feeling ignored, disrespected or excluded from decisions affecting them.

These findings point to two linked requirements. First, officers and staff need nationally mandated Child First training that equips them to communicate with children, recognise vulnerability, understand the impact of detention and treat children with dignity and respect. Secondly, forces need routine mechanisms for hearing from children themselves, both to provide meaningful opportunities to complain and so that their experiences can inform training, governance, scrutiny and service improvement.

Recommendations

Recommendation 20: Nationally mandated Child First training for all officers and staff dealing directly with children

The Home Office, National Police Chiefs' Council and College of Policing should introduce mandatory Child First training for all officers and police staff dealing directly with children. The training should include:

- what Child First and child-centred approaches require in practice, and the evidence base for the effectiveness of minimum intervention and diversion in supporting desistance;
- children's experiences of punitive approaches, including the inappropriate use of arrest and detention, and the ways in which such experiences can impede desistance and damage attitudes towards the police;
- child brain development, natural developmental immaturity and the impact of peer presence on behaviour;
- adverse childhood experiences and trauma-informed approaches;
- neurodiversity and its behavioural presentations;
- communicating effectively with children;
- child-specific de-escalation and restraint techniques; and

- disproportionality and bias, including how race, ethnicity, age, gender, care experience, mental ill-health, neurodiversity, deprivation and previous police contact can shape decisions about children and how children experience police custody.

Training should be delivered in-person, co-created and co-delivered by police alongside external experts, including lawyers and children's rights specialists, and should incorporate the voices of children with experience of policing. It should form part of a national framework for Child First policing practice, supported by supervision and continuing professional development. The requirement to complete child-specific training should be incorporated into the Licence to Practise proposed in the Home Office White Paper, *From local to national: A new model for policing* (Home Office 2026b).

Recommendation 21: Children's voice, feedback and accountability

Police forces should establish routine mechanisms for seeking, recording and responding to feedback from children who experience police custody, alongside accessible and child-appropriate routes for raising concerns or complaints. Children's experiences should be recognised as an important source of evidence about the quality, fairness and effectiveness of custody practice.

Feedback and complaints processes should be accessible, voluntary and appropriate to children's age and needs, and should include opportunities for children to comment on issues such as communication, participation, dignity, safety and access to support. Children should be told clearly how they can provide feedback or make a complaint, and should have access to support to do so where needed.

Forces should ensure that children's feedback and complaints are routinely reviewed alongside operational and performance data and used to inform local governance, inspection, training and service improvement. This should include reviewing feedback by age, ethnicity, gender, care status, disability, detention length, use of force and case outcome, so that forces can identify whether particular groups of children are more likely to experience custody as punitive, unsafe, confusing or unsupported.

Conclusion

Taken together, the findings demonstrate the need for a fundamental shift in the treatment of children in police custody. Child First custody requires more than procedural compliance: it requires decisions, safeguards and services to be organised around children's rights, development, welfare and effective participation. The recommendations in this report provide a framework for reducing unnecessary detention, improving children's treatment and support, strengthening legal and procedural safeguards, and ensuring that children's experiences inform the continuing development of custody practice.

The evidence also shows that reform is both necessary and achievable. The pilots and child-centred measures examined in this study demonstrate that stronger scrutiny of detention, shorter time limits, earlier use of bail and more purposeful involvement from partner agencies can reduce the time children spend in custody and improve decision-making. However, local initiatives remain fragile where they depend on individual leadership, informal arrangements or operational goodwill. Lasting change therefore requires national standards, clearer legal duties, effective oversight and sustained investment in the people and services needed to support children before, during and after detention. The central aim should be not simply to make custody less harmful, but to ensure that children enter it only where no less intrusive response is sufficient.

Implementation and subsequent developments

Child First Custody Toolkit

Alongside this report, an accompanying [*Child First Custody Toolkit*](#) has been developed to support implementation of the recommendations. The toolkit translates the findings into practical guidance for custody officers, investigators, inspectors and senior leaders, providing operational prompts and decision-making tools at each stage of the custody process. It is intended both as a practical implementation resource and as a benchmark against which existing arrangements can be reviewed and strengthened.

Further developments reported by GMP

Following review of a draft of this report, GMP provided information on developments since completion of fieldwork in February 2024. These developments build on recommendations arising from previous inspections, inquiries and research, including the findings of the present study.

According to GMP, custody governance and oversight arrangements have continued to develop, supported by enhanced performance monitoring, audit and scrutiny processes. GMP reports that detention decision-making and custody management are now subject to greater supervisory oversight, review and challenge, alongside strengthened safeguarding arrangements for children.

GMP also highlighted the continued development of its Child-Centred Policing model, including the role of the Custody Coordination Unit (CCU), and associated developments in the management and safeguarding of children in custody. In addition, GMP noted that some aspects of children's experiences in custody, particularly access to lawyers and AAs, are influenced by wider partnership and national arrangements that extend beyond police control alone.

The research team did not assess these developments directly and therefore cannot comment on their effectiveness or impact. They are included here to provide context regarding developments reported by GMP since completion of the fieldwork period.

References

- Action for Children (2024) *Shattered lives, stolen futures: The Jay review of criminally exploited children*. Available at:
https://media.actionforchildren.org.uk/documents/Shattered_Lives_Stolen_Futures_Report_-_Full_Report.pdf
- All Party Parliamentary Group for Children (2014) *“It’s all about trust”: Building good relationships between children and the police: Report of the Inquiry held by the All-Party Parliamentary Group for Children 2013–2014* (National Children’s Bureau).
- Bellamy, Sir Christopher (2021) *Independent review of criminal legal aid*. Available at:
<https://www.gov.uk/government/groups/independent-review-of-criminal-legal-aid>
- Bevan M (2020) Young suspect perspectives: An exploration of the factors affecting the uptake of legal advice by children in police custody, 8 *Crim LR* 686.
- Bevan M (2022) The pains of police custody: A recipe for injustice and exclusion?, *British Journal of Criminology*, 62(4), 805–821. <https://doi.org/10.1093/bjc/azab107>
- Bevan M (2024) *Children in police custody: Adversity and adversariality behind closed doors* (Oxford University Press).
- Bevan M (2025) Making children’s rights a reality in police custody (Report of the APPG on Children in Police Custody). Available at:
https://kclpure.kcl.ac.uk/ws/portalfiles/portal/368962422/Published_APPG_CPC_full_report.pdf
- Bevan M and Kemp V (2026a) *Child First Custody Toolkit* (University of Nottingham). Available at:
<https://www.nuffieldfoundation.org/project/child-first-children-in-police-custody>
- Bevan M and Kemp V (2026b) *Piloting a Child First approach in police custody: An evaluation of the Metropolitan Police Service Child First Custody Pilot* (MOPAC).
- Blakemore SJ (2008) Development of the social brain during adolescence, *Quarterly Journal of Experimental Psychology*, 61(1), 40-49.
- British Psychological Society (2015) Children and young people with neuro-disabilities in the criminal justice system. Available at:
https://orchidadvocacy.org/uploads/3/4/6/2/34624943/british_psychological_society_-_children_young_people_with_neuro-disabilities_in_the_criminal_justice_system.pdf
- Brookman F and Pierpoint H (2003) Access to legal advice for young suspects and remand prisoners, *Howard Journal of Criminal Justice*, 42(5), 452–470. <https://doi.org/10.1046/j.1468-2311.2003.00300.x>
- Byrne B (2023) Child First: Thinking through the implications for policy and practice, in S Case and N Hazel (eds) *Child First: Developing a new youth justice system* (Springer).
- Case S and Browning A (2021) *Child First justice: The research evidence-base* (Loughborough University).
- Children’s Commissioner for England (2017) *A night in the cells: Children in police custody and the provision of non-familial appropriate adults* (Children’s Commissioner for England).
- Choong S (1998) Policing the dross: A social disciplinary model of policing, *British Journal of Criminology*, 38:4, 623–634. DOI:10.1093/bjc/38.4.623

Clarke C and Milne R (2001) *National evaluation of the PEACE investigative interviewing course*. Police research award scheme. Report No: PRAS/149 (Institute of Criminal Justice Studies).

Cleveland Police (2024) *First of its kind Youth Focused Custody Suite launches in Middlesbrough*. Available at: <https://www.cleveland.police.uk/news/cleveland/news/2024/july/first-of-its-kind-youth-focused-custody-suite-launches-in-middlesbrough/>

College of Policing (2013a) *APP on detention and custody/detainee care/children and young persons*. Available at: <https://www.college.police.uk/app/detention-and-custody/detainee-care/children-and-young-persons>

College of Policing (2013b) *APP investigative interviewing*. Available at: <https://www.college.police.uk/app/investigation/investigative-interviewing/investigative-interviewing>

College of Policing (2022) *APP on police response to concern for a child*. Available at: <https://www.college.police.uk/app/major-investigation-and-public-protection/investigating-child-abuse-and-safeguarding-children/police-response-concern-child>

College of Policing (2023) *Stop and search education and advocacy for young people*. Available at: <https://www.college.police.uk/support-forces/practices/stop-and-search-education-and-advocacy-young-people>

College of Policing (2024) *Custody navigators for young people*. Available at: <https://www.college.police.uk/support-forces/practices/custody-navigators-young-people>

College of Policing (2026) *Children and young person custody project (Cumbria)*. Available at: <https://www.college.police.uk/article/children-and-young-person-custody-project>

Crest Advisory (2025) *Applying the Child First framework in youth justice services*. Available at: <https://www.crestadvisory.com/post/applying-the-child-first-framework-in-youth-justice-services>

Dehaghani R (2017) Automatic authorisation: An exploration of the decision to detain in police custody, *Criminal Law Review*, 3: 187-202.

Department for Education (2025) *Children looked after in England including adoptions: Reporting year 2025*. Available at: <https://explore-education-statistics.service.gov.uk/find-statistics/children-looked-after-in-england-including-adoptions/2025>

Department for Education (2026) *Working together to safeguard children 2026: A guide to multi-agency working to help, protect and promote the welfare of children* (Department for Education). Available at: <https://www.gov.uk/government/publications/working-together-to-safeguard-children--2>

Dixon D, Bottomley K, Coleman C, Gill M and Wall D (1990) Safeguarding the rights of suspects in police custody, *Policing and Society*, 1: 115–140.

Dyfed-Powys Police (2026) *Dyfed-Powys Police launches project to break cycle of youth offending*. Available at: <https://www.dyfed-powys.police.uk/news/dyfed-powys/news/2026/january/dyfed-powys-police-launches-project-to-break-cycle-of-youth-offending/>

Evans R (1993) The conduct of police interviews with juveniles, Royal Commission on Criminal Justice, Research Study No 8 (HMSO).

Farrugia L and Gabbert F (2020) Vulnerable suspects in police interviews: Exploring current practice in England and Wales, *Journal of Investigative Psychology and Offender Profiling*, 17(1), 17–30. <https://doi.org/10.1002/jip.1537>

- Feeley M (1979) *The process is the punishment: Handling cases in a lower criminal court* (Russell Sage Foundation).
- Fenner S, Gudjonsson G and Clare I (2002) Understanding of the current police caution (England and Wales) among suspects in police detention, *Journal of Community & Applied Social Psychology*, 12(2), 83–93.
- Forde I and Kilkelly U (2024) Children and police questioning: A rights-based approach, *Criminology and Criminal Justice*, 24(3) 648–669.
- Gibbs P and Ratcliffe F (2018) *Path of little resistance: is pre-trial detention of children really a last resort* (Transform Justice). Available at: https://www.transformjustice.org.uk/wp-content/uploads/2023/02/TJ-December-2018-PRINT_V2-December.pdf
- Godfrey B, Richardson J and Walklate S (2022) The crisis in the courts: Before and beyond Covid, *British Journal of Criminology*, 62: 1036-1053, <https://doi.org/10.1093/bjc/azab110>
- Gudjonsson G (2026) Youth vulnerability during police questioning: False confession and the five-level process model for assessing risk, in L Malloy, R Helm and T Zottoli (eds) *Confessions and guilty pleas of youth: Developmental science and practical implications* (American Psychological Association).
- HMICFRS (2023) *Report on an inspection visit to police custody suites in South Wales Police*: <https://hmicfrs.justiceinspectorates.gov.uk/publications/inspection-of-custody-suites-in-south-wales-2023/>
- HMICFRS (2026) *Humberside PEEL assessment 2025–27*. Available at: <https://s3-eu-west-2.amazonaws.com/assets-hmicfrs.justiceinspectorates.gov.uk/uploads/peel-assessment-25-27-humberside-73424842.pdf>
- HM Inspectorate of Prisons (2026) *Children on short-term remand: A thematic review by HM Chief Inspector of Prisons*. Available at: https://hmiprisons.justiceinspectorates.gov.uk/hmipris_reports/children-on-short-term-remand/
- HM Inspectorate of Probation (2021) *A thematic inspection of the experiences of Black and mixed heritage boys in the youth justice system* (HMIP). Available at: <https://hmiprobation.justiceinspectorates.gov.uk/document/a-thematic-inspection-of-the-experiences-of-black-and-mixed-heritage-boys-in-the-youth-justice-system/>
- HM Inspectorate of Probation (2025) *An inspection of youth justice services in South Tees* (HMIP). Available at: <https://hmiprobation.justiceinspectorates.gov.uk/document/an-inspection-of-youth-justice-services-in-south-tees-2025/>
- Home Office (2017) *Concordat on children in custody: Preventing the detention of children in police stations following charge*. Available at: https://assets.publishing.service.gov.uk/media/5a82211140f0b6230269afee/Concordat_on_Children_in_Custody_ISBN_Accessible.pdf
- Home Office (2026a) Police powers and procedures: Other PACE powers, England and Wales, year ending 31 March 2025. Experimental statistics derived from custody records submitted by 13 police forces. Available at: <https://www.gov.uk/government/statistics/police-custody-and-pre-charge-bail-year-ending-march-2025/police-custody-and-pre-charge-bail-year-ending-march-2025>.
- Home Office (2026b) *From local to national: A new model for policing* (HMSO).

Home Office and Ministry of Justice (2026) *Government guidance for child knife possession offences* (HM Government). Available at:

https://assets.publishing.service.gov.uk/media/698616b6c106cc5501b6e491/2026_Government_Guidance_for_Child_Knife_Possession_Offences_-_gov.uk_v3_FINAL.pdf

Hucklesby A (2024) *Pre-charge bail and release under investigation: An examination of their use, effectiveness and impact on suspects' and victims' rights and confidence in the criminal justice system* (Birmingham University).

Hughes N, Williams H, Chitsabesan P, Davies R and Mounce L (2012) *Nobody made the connection: The prevalence of neurodisability in young people who offend* (Office of the Children's Commissioner for England).

Jackson J and Quinn K (2007) Of rights and roles: Police interviews with young suspects in Northern Ireland, *British Journal of Criminology*, 47(2), 234–255.

Just for Kids Law (2022) *It's horrible when they keep you in there at night. Ending the overnight detention of children in police custody*. Available at:

https://www.justforkidslaw.org/sites/default/files/upload/J4KL_Detention%20briefing%202022_0.pdf

Kassin S M, Drizin S A and Grisso T (2010) Police-induced confessions: Risk factors and recommendations, *Law and Human Behaviour* 34:3.

Kemp V (2013) No time for a solicitor: Implications for delays on the take-up of legal advice, *Criminal Law Review*, 3/184–202.

Kemp V (2014) PACE, performance targets and legal protections, *Criminal Law Review*, 4/278–293.

Kemp V (2020a) Authorising and reviewing detention: PACE safeguards in a digital age, *Criminal Law Review*, 7/569–584.

Kemp V (2020b) Digital legal rights: Exploring detainees' understanding of the right to a lawyer and potential barriers to accessing legal advice, *Criminal Law Review*, 2/124–142.

Kemp V, Balmer N and Pleasence P (2012) Whose time is it anyway? Factors associated with duration in police custody, *Criminal Law Review*, 10: 736–752.

Kemp V and Bevan M (2025) *Review of child-centred arrangements in police custody – including a 12-hour clock for children piloted by Surrey Police* (University of Nottingham). Available at:

<https://www.nuffieldfoundation.org/project/child-first-children-in-police-custody>

Kemp V and Bevan M (2026a) *Frontline policing and children: Towards a Child First approach in practice* (University of Nottingham). Available at: <https://www.nuffieldfoundation.org/project/child-first-children-in-police-custody>

Kemp V and Bevan M (2026b) *South Wales Police: Child First in practice – Frontline policing and custody decision-making* (University of Nottingham). Available at:

<https://www.nuffieldfoundation.org/project/child-first-children-in-police-custody>

Kemp V, Carr N, Kent H and Farrall S (2023) *Examining the impact of PACE on the detention and questioning of young suspects* (Nuffield Foundation). Available at:

<https://www.nuffieldfoundation.org/project/impact-of-pace-on-the-detention-and-questioning-of-young-suspects>

Kemp V and Hodgson J (2015) England and Wales: Empirical Findings, in M Panzavolta, D de Vocht, M van Oosterhout and M Vanderhallen (eds), *Interrogating young suspects: Procedural safeguards from a legal perspective* (Intersentia).

Kemp V, Pleasence P and Balmer N (2011) Children, young people and requests for police station legal advice: 25 years on from PACE, *Youth Justice*, 11/1, 32–48.

Kent H, Kemp V and Bevan M (2026) *Children in police custody: An analysis of custody record data* (University of Nottingham). Available at: <https://www.nuffieldfoundation.org/project/child-first-children-in-police-custody>

Lamb M and Sim M (2013) Developmental factors affecting children in legal contexts, *Youth Justice*, 13(2), 131–144. <https://doi.org/10.1177/1473225413492055>

Lammy D (2017) *The Lammy review: An independent review into the treatment of, and outcomes for, Black, Asian and Minority Ethnic individuals in the criminal justice system* (Ministry of Justice).

Larson B and Luna B (2018) Adolescence as a neurobiological critical period for the development of higher order cognition, *Neuroscience and Behavioural Reviews* 94: 179-195.

Legal Aid Agency (2017) *Standard crime contract* (TSO).

Lennox C, Smith L, Hefferman-Clarke R, Senior J, Dyer W, Chitsabesan P, Hughes, N and Shaw J (2025) Brief summary of a realist process evaluation of liaison and diversion services for children and young people. *The Journal of Forensic Psychiatry & Psychology*, 36(5), 830–839. <https://doi.org/10.1080/14789949.2025.2536259>

Leyland A (2024) Data insight: Children involved with child welfare services and the likelihood of a custodial sentence (ADR UK). Available at: <https://www.adruk.org/news-publications/publications-reports/data-insight-children-involved-with-child-welfare-services-and-the-likelihood-of-a-custodial-sentence/>

McAra L and McVie S (2007) Youth justice? The impact of agency contact on desistance from offending, *European Journal of Criminology* 4(3): 315–45.

McAra L and McVie S (2010) Youth crime and justice: Key messages from the Edinburgh Study of Youth Transitions and Crime, *Criminology and Criminal Justice*, vol. 10, pp. 211–230.

McAra L and McVie S (2024) Raising the minimum age of criminal responsibility: lessons from the Scottish experience, *Current Issues in Criminal Justice*, 36(4), 386–407

McKinnon I and Grubin D (2013) Health screening of people in police custody: evaluation of current police screening procedures in London, UK, *European Journal of Public Health*, 23(3), 399–405.

McKinnon I and Finch T (2018) Contextualising health screening risk assessments in police custody suites: qualitative evaluation from the HELP-PC study in London, UK, *BMC Public Health*, 18, 393. <https://doi.org/10.1186/s12889-018-5271-6>

Maxwell N (2024) *Child criminal exploitation* (HMIP). Available at: <https://cdn.websitebuilder.service.justice.gov.uk/uploads/sites/32/2024/07/Academic-Insights-Child-Criminal-Exploitation-FINAL.pdf>

Méndez J E (2021) *Principles on effective interviewing for investigations and information gathering* (Geneva: Association for the Prevention of Torture; Washington, DC: Anti-Torture Initiative; Oslo: Norwegian Centre for Human Rights). Available at: <https://interviewingprinciples.com/>

Ministry of Justice (2022) *Achieving Best Evidence in criminal proceedings* (Ministry of Justice).

Ministry of Justice (2026) *Cutting youth crime. Changing young lives. The youth justice system reform and delivery plan* (HMSO CP1585).

National Appropriate Adult Network (2018) *National standards for the development and provision of appropriate adult schemes in England and Wales*. Available at: <https://www.appropriateadult.org.uk/downloads/national-standards>

National Police Chiefs' Council (2024a) *Child centred policing: Children and young persons policing strategy 2024 – 2027*. Available at: <https://www.npcc.police.uk/SysSiteAssets/media/downloads/publications/publications-log/local-policing-coordination-committee/2025/children-and-young-persons-policing-strategy-2024.pdf>

National Police Chiefs' Council (2024b) *Voluntary interview guidance*. Available at: <https://library.college.police.uk/docs/NPCC/Voluntary-interview-guidance-2024.pdf>

National Police Chiefs' Council (2025a) *Children and young persons policing charter*. Available at: <https://www.npcc.police.uk/SysSiteAssets/media/downloads/publications/publications-log/local-policing-coordination-committee/2025/cyp-charter-final-2025.pdf>

National Police Chiefs' Council (2025b) *Child Gravity Matrix: Children under 18*, version 2.4. Available at: <https://www.npcc.police.uk/SysSiteAssets/media/downloads/publications/publications-log/criminal-justice/2023/child-gravity-matrix-v2.2---september-2023.pdf>

Pattenden R and Skinn L (2010), Choice, privacy and publicly funded legal advice at police stations, *Modern Law Review*, 73(3), 349–370.

PSHE Association and National Police Chiefs' Council (2021) *Police in the classroom: A handbook for the police and PSHE teachers*. Available at: <https://pshe-association.org.uk/hubfs/Guidance/Documents/CYP%20police%20in%20the%20classroom%20handbook.pdf?hsLang=en>

Prison Reform Trust (2025) *Bromley briefings prison factfile*, February 2025. Available at: <https://prisonreformtrust.org.uk/wp-content/uploads/2025/02/Winter-2025-factfile.pdf>

Quirk H (2017) *The rise and fall of the right of silence* (Routledge).

Rees G, Mulrine S, Blell M, McKinnon I and Addison M (2025) *What is 'equivalence' in police custody healthcare?* (Newcastle University).

Scott E, Duell N and Steinberg L (2018) Brain development, social context and justice policy, *Washington University Journal of Law and Policy*, 57.

Sim M and Lamb M (2018) An analysis of how the police 'caution' is presented to juvenile suspects in England, *Psychology, Crime & Law*, 24(8), 851–872. <https://doi.org/10.1080/1068316X.2018.1442449>

Skinn L. (2011) *Police custody: Governance, legitimacy and reform* (Willan Publishing).

Skinn L, Sorsby A and Rice L (2020) "Treat them as a human being": Dignity in police detention and its implications for 'good' police custody, *British Journal of Criminology*, 60(6), 1667–1688, <https://doi.org/10.1093/bjc/azaa051>

Smithson H, Westwood K, Jump D and Gray P (2026) *Evaluation of the Greater Manchester remand pilot*. Available at: <https://ccyjr.mmu.ac.uk/wp-content/uploads/sites/439/2026/04/Remand-Project-9-2.pdf>

Steinberg L (2005) Cognitive and affective development in adolescence, *Trends in Cognitive Sciences*, 9(2), 69-74.

- Taylor C (2016) *Review of the youth justice system in England and Wales* (Ministry of Justice).
- Tyler T (2006) *Why people obey the law* (Princeton University Press).
- Tyler T and Huo Y (2002) *Trust in the law: Encouraging public cooperation with the police and the courts* (Russell Sage Foundation).
- UN Committee on the Rights of the Child (2019) *General comment No. 24 on children's rights in the child justice system*. UN Doc. CRC/C/GC/24 (Office of the High Commissioner for Human Rights).
- UN Committee on the Rights of the Child (2023) *Concluding observations on the combined sixth and seventh periodic reports of the United Kingdom of Great Britain and Northern Ireland*. CRC/C/GBR/CO/6-7 (Office of the High Commissioner for Human Rights).
- Vaswani N, Moodie K and McEwan D (2025) Children's experiences of police custody and the implications for trauma-informed policing, *Youth Justice*, 25(1), 108–125.
<https://doi.org/10.1177/14732254241282503>
- Youth Justice Board (2022) *A guide to Child First*. Available at: [https://yjresourcehub.uk/wp-content/uploads/media/Child First Overview and Guide April 2022 YJB.pdf](https://yjresourcehub.uk/wp-content/uploads/media/Child_First_Overview_and_Guide_April_2022_YJB.pdf)
- Youth Justice Board (2024) *Case management guidance: How to use out-of-court resolutions* (YJB). Available at: <https://www.gov.uk/guidance/case-management-guidance/how-to-use-out-of-court-resolutions>
- Youth Justice Board (2026a) *Assessment in context: Learning from the implementation of the Prevention and Diversion Assessment Tool* (YJB). Available at: [https://assets.publishing.service.gov.uk/media/6972514cd8adeaf266040564/Evaluating the implementation of the Prevention and Diversion Assessment Tool.pdf](https://assets.publishing.service.gov.uk/media/6972514cd8adeaf266040564/Evaluating_the_implementation_of_the_Prevention_and_Diversion_Assessment_Tool.pdf)
- Youth Justice Board (2026b) *Youth justice statistics: 2024-2025*. Available at: <https://www.gov.uk/government/statistics/youth-justice-statistics-2024-to-2025>
- Youth Justice Board (2026c) *London accommodation pathfinder 2nd evaluation*. Available at: <https://www.gov.uk/government/publications/london-accommodation-pathfinder-2nd-evaluation>

Annex A: Overview of custody fieldwork

Table A1: Custody fieldwork conducted across four police force areas

Force	Study type	Period	Custody shifts	Interviews	Other data
Surrey	Custody pilot	Aug – Sep 2024	10 shifts	49 custody staff, investigators, external agencies	Custody record data analysis
MPS	Custody pilot	Dec 2024 – Apr 2025	23 shifts (16 pilot, 7 in comparison suites)	116 police officers, custody staff, partner agencies; 82 online survey responses; 13 online feedback forms	199 detention logs; 51 recorded police interviews; 13 children's case study interviews; custody record data
GMP	Custody review	Feb 2024	2 shifts	12 custody staff and practitioners	Custody record data
SWP	Custody review	Nov 2025	4 shifts	21 custody staff and practitioners; 13 police investigators and partner agencies	Custody record data

Review of custody suites

The pilot study of new Child First arrangements in Surrey included observation and interviews at all three custody suites. In the MPS pilot, two pilot suites (Brixton and Wood Green) and two comparison suites (Bromley and Wembley) were selected to allow assessment of whether changes introduced at the pilot sites produced measurable differences in practice and outcomes. Custody reviews were also carried out in GMP, covering two suites, and in one suite in SWP.

Custody record data

Custody record data from the four force areas were analysed to examine patterns in children's detention and, where relevant, how changes in practice affected detention statistics. For the MPS, custody record data were drawn from all four suites: Brixton, Wood Green, Bromley and Wembley. Brixton and Walworth Road custody data were brought together for analytical purposes, as all children arrested in the vicinity of both suites were diverted to Brixton during the pilot period.