

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

Summary Report and Recommendations



Reporting on three national research studies:
Frontline policing, police custody and analysis of electronic custody record data

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July 2026



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Thanks and acknowledgements

The research team would like to thank all the children and young people who have spoken about their experiences of policing and whose insights have shaped this study. Many thanks also to all those who have supported children's engagement in the study, including User Voice, Sphear Media, youth justice services and others.

The contribution of the primary forces involved in this study, Greater Manchester Police, the Metropolitan Police Service, Surrey Police and South Wales Police, was extraordinary. The openness with which they have engaged with the research, and the time dedicated to its support by officers across the ranks, show genuine commitment to changing their practices for the benefit of children. They are to be applauded for their efforts and are owed a huge debt of gratitude. Many thanks also to all the forces who provided custody record data, and those forces who have engaged more widely with the research and shared their work.

Particular thanks to the Nuffield Foundation without whose funding this programme of research could not have occurred and whose patience along the way has been much appreciated. The team are also very grateful to Dr Andrea Thomas, Research Assistant, for her work in the early stages of the project.

The team are also extremely grateful to the Steering and Research Advisory Groups, and their chairs Lord Carlile KC and Professor Loraine Gelsthorpe, whose support and reflections have been invaluable. Being able to engage with other academics, policy-makers, professional bodies and leading practitioners has strengthened the recommendations considerably.

Nuffield Foundation Grant No. FR-000023806

The Nuffield Foundation is an independent charitable trust with a mission to advance social well-being. It funds and undertakes rigorous research, encourages innovation and supports the use of sound evidence to inform social and economic policy, and improve people's lives. The Nuffield Foundation is the founder and co-funder of the Nuffield Council on Bioethics, the Ada Lovelace Institute and the Nuffield Family Justice Observatory. This project has been funded by the Nuffield Foundation, but the views expressed are those of the authors and not necessarily the Foundation. Find out more: Bluesky: @nuffieldfoundation.org, LinkedIn: Nuffield Foundation, website: www.nuffieldfoundation.org

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This Summary Report and Recommendations forms part of the Nuffield Foundation-funded project, *Children and Policing in England and Wales: Adopting a Child First Approach*. Further project outputs, including related reports and resources, are available via the [Nuffield Foundation project webpage](#).

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Foreword



I am delighted to commend to you these excellent reports. This programme of research is the most comprehensive examination to date of children's experiences of policing and police custody in England and Wales.

It is hard to overstate the importance of this work. For most children, engagement with the police is the limit of their experience of the youth justice system. The guiding principles of that system must shape not just the later stages of the process, but police interactions with children as well. Getting those interactions right is essential, if we are to reduce offending, make our communities feel safe for every child, and identify the support that children need to fulfil their potential.

This research has brought together academics, police forces and practitioners. Working collaboratively, they have examined where policing approaches can be changed to make them more child-centred, and piloted promising measures so that their impact can be evaluated. The recommendations in this report are therefore firmly grounded in research and practice, with a number of the proposed measures having been piloted and evaluated, and are practically implementable.

This work is also timely. The government has announced an ambitious programme of reform to the youth justice system, *Cutting Youth Crime. Changing Young Lives*. The principles which underpin it reflect those which have guided this research. The government's focus has been on the later stages of the youth justice process, but this study reveals that achieving early and effective intervention and diversion, and reducing the use of remand, begins with policing. The recommendations arising from this study represent the essential foundational reforms necessary for the government's ambitions to be realised.

Central to the findings of this study is the importance of reducing the impact on children of coming to police attention. This means ensuring that children understand what is happening, and why, that their rights are respected and that contact with the criminal justice system is no deeper and no more prolonged than absolutely necessary. The majority of officers already do their very best to make this happen, although they need more training to do this effectively. But they are held back by a legal framework which does not adequately reflect the different approach required for children, and they require earlier support from partner agencies. Children need government to take responsibility for a fragmented system which does not yet do enough to recognise and respond to their needs, or ensure that their rights are upheld.

The central message is clear: children must be treated as children from the first point of police contact. That cannot be achieved by police officers alone, however committed they may be. It requires a legal framework that properly recognises children's rights, needs and vulnerabilities, and timely support from youth justice, health, education and children's social care partners. These reports provide a compelling case for that more consistent, rights-based and Child First approach to policing children.

A handwritten signature in black ink, which appears to read 'Alex Carlile'.

Lord Carlile of Berriew CBE KC
Fellow, King's College London

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Introduction

Children's interactions with the police can have a profound and lasting impact. Police custody, in particular, is one of the most serious interventions the state can make in a child's life. It temporarily deprives the child of their liberty and marks them as a criminal suspect, acting as a gateway into the youth justice system. For this reason, the decision to arrest and detain a child should be exceptional, carefully justified and used only where necessary.

Yet, for many of the more than 58,000 child detentions recorded in the year ending March 2025 (Home Office 2026a), police custody is unlikely to have been experienced as a carefully considered measure of last resort. Instead, it is often confusing, isolating and punitive, with children held in adult-designed environments, subject to processes they may not fully understand, and dependent on safeguards that are inconsistently applied. This is particularly concerning given that, in the five-force custody record analysis, no further action was ultimately taken in 61% of children's cases (Kent and others 2026). The scale of child detention, combined with the limited outcomes in many cases, raises serious questions about necessity, proportionality and the extent to which current practice reflects a genuinely Child First approach. Such an approach requires children to be treated as children, with their rights, needs and capacities recognised, and prioritises prevention, diversion and minimum intervention wherever appropriate.

This Summary Report and Recommendations draws together the findings of the project, *Children and Policing in England and Wales: Adopting a Child First Approach*, from three linked reports:

- *Frontline Policing and Children: Towards a Child First Approach in Practice* (Kemp and Bevan 2026a)
- *Children in Police Custody: The Case for Child First Reform* (Kemp and Bevan 2026b)
- *Children in Police Custody: An Analysis of Custody Record Data* (Kent and others 2026)

Together these reports provide the most comprehensive examination to date of children's experiences of policing and police custody in England and Wales. The programme of research examines how Child First principles can be embedded across the policing pathway, from first contact through arrest, detention, diversion and release. It explores the decisions that shape children's experiences, the roles and responsibilities of partner agencies, and the structural and cultural reforms required to support a more child-centred, rights-respecting and evidence-informed approach.

Each report makes a distinct contribution to this overall evidence base. The first considers frontline policing practice, including stop and search, arrest, diversion and safeguarding. The second focuses on children's experiences of police custody, with particular attention to detention conditions, legal safeguards, interview and release. The third presents analysis of electronic custody record data from seven police forces, offering an important quantitative perspective on custody practice, the characteristics of the children who are detained, the use of safeguards and custody outcomes. In combination, the reports present a framework for Child First policing and set out recommendations for police forces, partner agencies and policy-makers seeking to improve the treatment, protection and experiences of children who come into contact with the police. An accompanying *Child First Custody Toolkit* (Bevan and Kemp 2026a) translates key findings and recommendations into practical guidance and decision-making tools for frontline and custody practitioners.

About the research

This study builds on the earlier Nuffield Foundation-funded research, *Examining the Impact of PACE on the Detention and Questioning of Child Suspects* (Kemp and others, 2023), which highlighted significant tensions between policy, professional practice and children's lived experiences of police custody. Its findings also raised broader questions about the decisions that bring children into police custody and the criminal justice system in the first place.

The present research, *Children in Police Custody: Piloting a 'Child First' Approach*, examined how Child First principles could be embedded throughout children's interactions with the police, from initial contact through arrest, detention, diversion and release. It adopted an applied, policy- and practice-oriented approach, moving from the identification of problems in the earlier study to considering how potential reforms could be implemented in practice.

The study explored frontline and supervisory decision-making, police custody, the role of partner agencies, and the practical and policy changes needed to support a more child-centred approach. It also evaluated a range of interventions and initiatives intended to improve practice, reduce unnecessary arrest and detention, strengthen safeguards, and support Child First decision-making.

Force-specific reports setting out the findings and recommendations for each participating force area are also available:

- *Review of Child-Centred arrangements in police custody – including a 12-hour clock for children piloted by Surrey Police* (Kemp and Bevan 2025a)
- *Child-Centred Policing in Greater Manchester: Frontline officers' engagement with children suspected of offending* (Kemp and Bevan 2025b)
- *Piloting a Child First approach in police custody: An evaluation of the Metropolitan Police Service Child First Custody Pilot* (Bevan and Kemp 2026b)
- *South Wales Police: Child First in practice: Frontline policing and custody decision-making* (Kemp and Bevan 2026c)

Child First in a policing context

The Crime and Disorder Act 1998 introduced major reforms to youth justice, with a risk-based approach at their core. Haines and Drakeford (1998) articulated Child First principles as a direct challenge to the risk- and offence-focused approaches that were coming to dominate youth justice. Case and Browning (2021) subsequently consolidated the evidence base, presenting a framework with four tenets. The first requires practitioners to treat children as children, prioritising their best interests, recognising their particular needs, capacities, rights and potential and acknowledging the structural barriers children face. The second promotes the building of the child's pro-social identity through constructive and future-focused work, built on supportive relationships that empower children. The third tenet requires collaboration with children, encouraging their active participation, engagement and wider social inclusion. The final tenet aims to divert children from stigma, promoting prevention, diversion and minimal intervention: 'a childhood removed from the justice system' (Youth Justice Board 2022). The approach draws heavily on the child's rights under the UN Convention on the Rights of the Child (UNCRC), particularly Articles 3, 37 and 40, and on McAra and McVie's longitudinal *Edinburgh Study of Youth Transitions and Crime* (2005; 2007a; 2007b; 2010; 2012), which identified formal system contact as a significant risk factor for reoffending. The Youth Justice Board (YJB) has adopted Child First as the guiding principle for the youth justice system (YJB 2022). Child First has also become increasingly influential in shaping policy and practice within youth

justice services (Crest Advisory 2025), although the shift in focus has not been without challenge for youth justice workers in practice (Day 2023).

Its influence on the policing stages of the youth justice experience has been less marked. Inevitably, not every tenet of the Child First approach can find full expression in policing activity, given the limited time frame and remit of most police interactions with children. Nonetheless, its key principles have increasingly been reflected in policing policy. The National Police Chiefs' Council (NPCC) has had a child-centred strategy since 2015. Its *Children and Young Persons Policing Strategy 2024–2027* states that all under-18s must be "treated as children, respecting and recognising their needs, vulnerabilities and diversity, irrespective of presented or assumed levels of maturity and age" (NPCC 2024). The NPCC's *Children and Young Persons Policing Charter* sets out a series of pledges for forces, including embedding child-centred practice across all departments, delivering a child-centred custody experience, promoting diversionary activity, and ensuring relevant staff receive trauma-informed training (NPCC 2025). Together, these frameworks signal clear expectations for how forces should engage with children.

There remain important debates regarding the meaning of Child First, its implementation and relationship with wider children's rights frameworks (Smithson and Burns forthcoming). This research does not seek to evaluate Child First as a youth justice philosophy. Rather, it examines how the key principles associated with Child First can inform policing and police custody practice to improve children's interactions with the police. The study focuses in particular on how police forces can better engage with children as children, recognising their different needs, capacities, rights and potential, promoting diversion and minimum intervention, and limiting the harmful effects of criminal justice contact. These principles reflect international children's rights instruments¹ and are echoed in the Government's recent proposals for youth justice reform (Ministry of Justice 2026:1.23ff).

Research programme and methods

The findings draw on two scoping studies of frontline policing undertaken with Greater Manchester Police (GMP) and South Wales Police (SWP), and custody-based fieldwork across GMP, the Metropolitan Police Service (MPS), Surrey Police (SP) and SWP, together with analysis of electronic custody record data from seven police forces in England and Wales. The study involved more than 400 interviews and focus-group contributions from police officers, custody staff, lawyers, appropriate adults, youth justice practitioners, partner agencies, and children and young people. It also included observations of frontline and custody practice across 64 shifts, reviews of 80 body-worn video (BWV) recordings of stop and search encounters involving children, 51 recorded police interviews and 199 detention logs, and quantitative analysis of more than 70,000 custody records. This included a consolidated dataset covering all children, adults and vulnerable adults detained during a 12-month period ending March 2023 across five police forces in England and Wales, supplemented by additional custody record data provided by a further two forces.

Children were central to the research. The study drew directly on the experiences of 82 children and young people through interviews, focus groups and case studies. This included 13 children whose experiences were explored through case studies involving interviews with the children and practitioners involved in their cases in two London custody suites; 18 children with experience of the

¹ UN Standard Minimum Rules for the Administration of Juvenile Justice (the 'Beijing Rules') (UN General Assembly 1985); UN Guidelines for the Prevention of Juvenile Delinquency (the 'Riyadh Guidelines') (UN General Assembly 1990); Guidelines on Child-Friendly Justice (Council of Europe 2010).

two custody suites during the London pilot study who were interviewed by User Voice²; and 51 children and young people with experience of policing in London, Greater Manchester and Cardiff who were interviewed by Sphear Media.³ Their accounts informed the analysis and provided important insight into how police contact, arrest, detention and diversion are experienced by children in practice.

Detailed information on the research methods and ethical procedures is provided in the three accompanying reports.

Overarching findings

Child First will remain a principle rather than a practice for as long as the decisions that most determine whether a child enters the formal criminal justice system are made by officers without the training, the guidance, the information, the institutional support, or the partner agency input to make them in a fully informed way. The findings of this study, and the recommendations that follow, are directed at closing that gap. The most consequential decisions about whether a child enters formal criminal justice processes are made not by youth justice practitioners but by police officers at the point of encounter, arrest, and detention. These decisions are typically taken by generalist officers working under operational pressures, with little or no child-specific training, minimal access to alternatives, and limited engagement with youth justice partners. In practice, the entry point into youth justice is governed by policing culture and organisational priorities rather than by the child-centred principles that are supposed to guide the system as a whole. The result is a structural misalignment: a youth justice framework built around Child First principles that begins to operate only after the key decisions about a child's entry into the system have already been made.

Report 1: Frontline policing report – Key findings and recommendations

A 16-year-old boy was stopped and searched in the early hours of the morning. During the encounter, a Police National Computer (PNC) check revealed an outstanding marker indicating that he was wanted in connection with taking a motor vehicle without consent. He was immediately arrested, handcuffed, despite being entirely calm and compliant throughout, and placed in a police vehicle. The child repeatedly explained that the vehicle belonged to his mother, that he had already attended a police station regarding the matter, and that he had been told a voluntary interview would be arranged. He asked officers to contact his mother and check whether voluntary attendance had already been agreed. Initially, his explanation was disregarded and the arrest proceeded on the basis that he was marked as wanted on police systems.

Only after the child continued to challenge the decision did officers contact a supervising sergeant, who confirmed that the case was not ready for arrest and that voluntary attendance should proceed. The child was subsequently de-arrested and released.

² 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. See <https://www.uservoice.org> for more information.

³ Sphear Media are a creative production and social impact organisation specialising in participatory engagement and peer-led research.

This case illustrates several themes that emerged across the frontline research. While there will always be situations where the arrest of a child is necessary and appropriate, this research has revealed that there are many cases in which less intrusive alternatives can and should be considered.

This vignette demonstrates the tendency to default to arrest rather than considering less intrusive alternatives, the failure to listen to and engage meaningfully with children, and the extent to which outcomes can depend on a child's own confidence and persistence. Had this child not questioned the officers' actions, he would likely have been unnecessarily arrested and taken into police custody. The case highlights the gap that remains between Child First principles and the reality of many children's interactions with the police.

1.1 Officers who have the skills to police in a Child First way

Frontline decisions about children are increasingly being made by relatively inexperienced response officers. Across the two frontline forces, supervising sergeants estimated that around 60–70% of response officers, the officers who attend incidents and make initial arrest and safeguarding decisions, had three years' service or fewer. This reflects the wider transformation of the policing workforce following large-scale recruitment and the loss of many experienced officers (Gloucestershire Police Federation 2023; Home Office 2023; Home Office 2025).

Supervisors expressed concerns that many newer recruits lacked the skills, knowledge and confidence required to operate effectively in the complex and high-pressure environment of frontline policing, particularly when working with vulnerable children. The development of the communication, judgement and relationship-building skills needed to engage effectively with children was further hampered by a shortage of experienced officers and sergeants able to provide support and mentoring.

A lack of child-specific training compounds this inexperience. Across both SWP and GMP no frontline officer reported having received focused training on child-specific issues such as child brain development, adjusting to accommodate neurodiversity, communicating effectively with children, and child-specific restraint techniques. Only two frontline PCs had heard of Child First or Child-Centred Policing as specific approaches, and most supervisors had not heard of these terms either. The small number of officers encountered who had had training in related areas, such as adverse childhood experiences and trauma awareness, reflected positively on the training and demonstrated stronger rapport building and an ability to appreciate the challenges faced by the young people they encountered. Some officers had child-specific skills as a result of work outside policing or in specialist teams, but their expertise was not systematically shared with their teams.

Officers described falling back on life experiences when engaging with children, including experience as parents or carers. While this could be helpful, it is no substitute for training on how to communicate with, and support, the very vulnerable group of children encountered on the frontline. Many officers were obviously comfortable engaging with children. But officers who had less personal experience of children, or who were not used to being around them, could find these interactions particularly difficult. As one officer explained, "I don't like kids. I'm not used to being around them and so I don't know how to deal with them" (GMP1.PC5).

The lack of training was observable in the interactions reviewed and reported in the study, including the review of 80 BWV recordings of stop and search encounters involving children. The majority of officers did their best to interact with children in an accessible and positive way and there were some excellent examples across the forces of officers engaging with real skill and empathy. However, there was significant variability, particularly on response teams working in high-pressure environments.

The BWV review revealed a number of poor interactions across both GMP and SWP, in which officers treated children in a wholly adult manner, failed to explain the grounds for the search, or responded to questions with threats rather than explanations. The requirement to record self-defined ethnicity was almost entirely overlooked in both forces. Searching based primarily on a child's presence in a designated hotspot area, typically located in areas of high deprivation, was also documented in both forces.

Children and young people themselves consistently emphasised the importance of being treated fairly, respectfully and as children. Their experiences of policing were shaped not only by the outcome of police encounters but also by how decisions were made, explained and communicated. Children frequently described the importance of being listened to and having opportunities to explain their circumstances. Encounters were viewed more positively where officers took time to communicate clearly, explain decisions and demonstrate understanding of children's needs and experiences. Conversely, experiences perceived as unfair, dismissive or disrespectful could have a lasting impact on children's confidence in the police and willingness to engage with them in the future. These findings are consistent with wider procedural justice research demonstrating that perceptions of fairness, respect, voice and neutrality play an important role in shaping trust and confidence in legal authorities (Tyler 1990; Tyler and Huo 2002).

A similar lack of child-specific training was observed in the custody strand, identified in the MPS training survey and through interviews across the four forces. Whilst the majority of officers did their best to accommodate children's particular needs and capacities, there remained significant variability, including some officers expressing or displaying pejorative or punitive approaches to children in their care. The training conducted as part of the Child First Custody Pilot within the MPS (see the Custody report for more detail) underlines the effectiveness of child-specific training in changing culture and practice (Bevan and Kemp 2026b).

Overall, the research demonstrated that delivering child-centred policing requires more than individual discretion or goodwill. It requires organisational commitment, leadership, training and support that enables practitioners to understand and respond appropriately to children's developmental needs, vulnerabilities and rights.

Summary of recommendations

The findings support nationally mandated training, professional development and supervision arrangements that equip police officers and staff to work effectively with children. Training and guidance should promote understanding of children's rights, their natural developmental immaturity and vulnerabilities, and support practitioners to apply child-centred approaches consistently in operational decision-making. Particular attention should be given to the experiences and needs of neurodivergent children, children affected by exploitation and trauma, and those experiencing multiple forms of disadvantage. Police officers should be supported to communicate with children in a manner that is age-appropriate, understandable and responsive to individual needs and vulnerabilities (**frontline recommendation 1, custody recommendation 20**). This training should be nationally mandated and incorporated into the Licence to Practise, proposed in the Home Office (2026b) White Paper *From local to national: a new model for policing*.

Special focus should be given to the quality of communication during stop and search encounters, and the importance of giving children meaningful opportunities to ask questions, express their views and understand decisions affecting them (**frontline recommendation 3**).

Police forces should identify, develop and make effective use of child-specialist expertise within teams and ensure that this knowledge is shared across the organisation (**frontline recommendation**

2). Leadership at all levels should reinforce the importance of child-centred policing and support a culture in which children's rights, welfare, participation and long-term outcomes are recognised as essential considerations alongside investigative and enforcement objectives (**frontline recommendation 16**).

1.2 Unmet welfare needs drive police contact and the criminalisation of children

Across all strands of the research, children who came into contact with the police frequently presented with significant, and often overlapping, vulnerabilities, including mental health difficulties, neurodivergence, learning disability, experiences of trauma, exploitation, family instability, substance misuse and educational exclusion. Analysis of detention records demonstrated that these vulnerabilities were common rather than exceptional. In the MPS review of 199 detention logs, 27% of children had one confirmed additional vulnerability of this sort and a further 36% presented with two or more such vulnerabilities (Bevan and Kemp 2026b).

Particularly significant were the findings relating to children already known to welfare services. Although fewer than 1% of children in England are 'looked after' (Department for Education 2025), the research found clear evidence of their over-representation in police custody. In the electronic custody record analysis, in one force where looked after status could be identified from custody records, 17% of detained children were flagged as looked after (Kent and others 2026). The detention log review in the MPS pilot suites found a similar pattern, with 21% of detained children currently looked after and a further 25% otherwise open to child welfare services (Bevan and Kemp 2026b).

These findings indicate that children already known to welfare systems are disproportionately likely to experience arrest and police detention. The frontline study identifies how, in many cases, children's unmet welfare needs are driving police contact, and too often arrest and detention, in large part because of the lack of partner agency support. Across the frontline fieldwork, officers described a substantial part of their child-related workload as involving welfare and safeguarding concerns rather than suspected offending. Officers described routinely managing situations that were primarily matters for children's social care, particularly when responding to reports of missing children, enforcing curfews for children in local authority care, attending disturbances in placements that would not warrant police involvement in a family home, and responding to children and families experiencing mental health and related crises.

One response officer estimated that missing children alone accounted for around 70–80% of their child-related workload, with looked after children representing the majority of those calls (SWP.2.PC5). Contact with the police can be stigmatising and may undermine children's trust and confidence in the police, who often felt they became viewed as the 'bad guys' as a result (SWP1.Sgt1). Such outcomes run contrary to Child First aims.

In some cases, particularly at night, the absence of an available social care response, or lack of alternative accommodation, left police officers managing situations for which there was no safe or workable resolution. Children might already be distressed or react negatively to the presence of police, particularly following earlier difficult encounters. Situations could then escalate, leading to arrest for matters such as assaulting an officer or criminal damage. In this way, an incident that began as a welfare or safeguarding concern could draw a child into an adversarial criminal justice process.

Children and young people themselves consistently emphasised the importance of adults understanding the context of their lives. Experiences of exclusion, discrimination, exploitation, instability, mental ill-health and limited support were frequently described as shaping both their

behaviour and their interactions with the police. Participants wanted adults to look beyond the immediate incident and consider the circumstances that had brought them to police attention.

Concerns of this sort have been raised previously (Howard League 2017; Whitehead and others 2025). However, the extent of the problem, and the new evidence on the acute vulnerability of children being arrested and detained, make action urgent. These issues require a cross-agency response, led by government, that establishes clear responsibilities when welfare and safeguarding concerns arise, ensures that out-of-hours support is genuinely available, and identifies alternative accommodation that frontline officers can access in real time. Recent developments such as Right Care, Right Person (Home Office and DHSC 2024) reflect growing recognition that some welfare, health and safeguarding needs may be more appropriately addressed by agencies other than the police. However, greater consideration is needed of how these principles apply to children and of the coordinated response their needs require.

Without such support, the structural pressure to use arrest and custody as a response to welfare failures will remain. For some of the most vulnerable children, police custody continues to function not as a last resort for investigation, but as the default response when no alternative source of support, intervention or safe accommodation is available.

Summary of recommendations

The findings demonstrate the need for earlier identification of vulnerability and unmet need, supported by more effective multi-agency working. National and local arrangements should provide a clear framework for collaboration between police, children's social care, YJS, health services, education providers and other safeguarding partners. Particular attention should be given to children in care, children at risk of exploitation and those whose circumstances increase the likelihood of police contact. Local safeguarding partnerships should review the availability of welfare, safeguarding, mental health and accommodation provision, including outside normal office hours, to reduce reliance on police responses where children's needs could be met more appropriately by other agencies (**frontline recommendations 7–9**).

1.3 Moving away from the default to arrest and detention

The decisions made by frontline officers when a child comes to attention as a potential suspect have a profound impact on whether they enter the criminal justice process and on their subsequent life chances. Child First approaches prioritise diversion, minimum intervention and the use of less intrusive responses wherever appropriate. These principles are reflected in international children's rights instruments and in the requirement that detention should be used only as a measure of last resort (UNCRC Article 37).

Police custody is an important investigative tool and there will always be some cases in which it is the appropriate mechanism for a child. However, for many more it is an unnecessary and thoroughly counter-productive process – a punitive and often traumatic experience, which undermines the child's trust and confidence in the police (Bevan 2022; 2025). In the current study, 20.7% of child detainees were released with no further action (NFA) as the initial outcome, that proportion rising to 60.7% of child arrests once more time had elapsed for case resolution (Kent and others 2026). An NFA does not necessarily indicate an inappropriate detention, but the scale of the figures strongly suggests that this most intrusive of police powers is being over-used for children.

Continuing and significant racial disproportionality in arrest and detention adds urgency to the need for reform. In the Child First Custody Pilot (MPS), 70% of children detained in Brixton were identified as Black, and 44% of children in Wood Green, a substantial over-representation in comparison with

local all-ages census data (Bevan and Kemp 2026b). The electronic custody record analysis reveals that Black children were markedly more likely to be strip-searched than White children (13.1% compared with 5.1%), even when controlling for offence type. They were also significantly more likely to be detained overnight (Kent and others 2026).

Across the frontline forces observed there was a tendency to default to arrest and detention, in circumstances where more appropriate alternatives were available. A child does not need to be arrested to be investigated. They can be invited to attend voluntarily for interview (PACE s29) (voluntary attendance), enabling them to answer questions at a time and in circumstances more likely to foster their ability to absorb legal advice, to give a good account of themselves and to be supported as their participatory needs require. Where arrest is required, the child can be bailed immediately (PACE s30A) in the presence of a suitable adult. However, these options were under-used in the forces observed. A range of factors driving the over-use of arrest emerged from the research, in addition to the lack of welfare agency support addressed above. These include the failure of primary legislation and statutory guidance (PACE Codes G and C in particular) to differentiate between adults and children. The legal framework is virtually silent about children, and fails to require officers to observe their different needs and rights.

Voluntary attendance places greater demands on frontline officers, requiring them to assess risk and make arrangements to facilitate children's rights and participation. Many officers lacked confidence in using voluntary attendance and reported limited guidance or training on its use. Street bail was similarly under-used, with most officers demonstrating little awareness of its availability or potential benefits for children.

There were several institutional drivers of the overuse of arrest. Notably, GMP officers described working to arrest (and stop and search) targets (even though senior management had formally removed such key performance indicators). Officers described children as the most available and least resistant targets for such activity. Child-centred initiatives in forces were often challenged by contradictory messaging from senior management. In the three English forces examined, frontline officers described the institutional message in strikingly similar terms, commonly characterising it as: "the Chief says lock them up." In both the English and Welsh forces studied, the requirement to take positive action in domestic abuse cases was producing arrests of children in circumstances that officers themselves described as inappropriate. Neurodivergent children and those with a learning disability or mental health conditions were particularly vulnerable to being drawn inappropriately into the criminal justice system through this route. Police cultural drivers were also identified, particularly scepticism about whether diversion works to prevent offending, and a residual belief among some officers that a period in custody could serve a purpose as a form of punishment for children suspected of offending.

Summary of recommendations

The evidence calls for a wholesale change in the response to children at the point of arrest, requiring a range of different initiatives. First, an updating of the statutory guidance (PACE Codes G and C), and the College of Policing's Authorised Professional Practice (APP), and ultimately reform of PACE itself, is essential to require the differentiated treatment that children are entitled to in law (**frontline recommendation 10**). Until this occurs there will continue to be limited and inconsistent progress towards achieving child-centred approaches, and hard-won progress will remain vulnerable to short-term, politically driven initiatives.

There should be a structured presumption in favour of voluntary attendance, supported by clearer operational guidance and mandatory training on how to arrange it, including outside office hours (**frontline recommendations 11 and 13**). Consistent recording and more detailed public reporting of voluntary attendance data for children, including, for example, the uptake of legal advice, would support progress and ensure children's legal rights continue to be protected (**frontline recommendation 12**). Updated guidance and training on the use of street bail are also required (**frontline recommendation 14**).

In recognition of the complexity of decision-making at the point of arrest and the need for support for young-in-service officers making complex risk calculations, the report recommends a decision-making flowchart for officers, supported by a requirement to seek supervisory authority where a child has been arrested and before they are taken into police custody (**frontline recommendations 18–19**). A generic version of the supervisory guidance and decision-making flowchart developed collaboratively with GMP is set out in the frontline report, with an updated version included in the *Child First Custody Toolkit*. Local accounts from GMP indicated that child custody detentions fell by around 100 per month following the introduction of supervisory authorisation, while youth justice statistics show that arrests of 10- to 17-year-olds in GMP fell by 12.5% between the year ending March 2024 and the year ending March 2025 (YJB 2026a). The guidance and flowchart are available for adoption by any force.

These recommendations do not prevent the police from arresting, detaining or investigating children where this is necessary and proportionate, including in response to serious suspected offending. Their purpose is to ensure that these powers are used carefully, effectively and only for as long as required.

The differential treatment of children within force policies is essential and must be reinforced by explicit senior leadership commitment to Child First and child-centred practice. Child-specific performance indicators, which capture good practice with children, and clarification of the meaning of 'positive action' in the context of disturbances by children in their home, are necessary components of preventing the criminalisation of children, particularly the most vulnerable (**frontline recommendations 5, 15–17**).

1.4 Earlier multi-agency involvement to enable diversionary decision-making

Although the dramatic reduction in child arrests has slowed, arrests across England and Wales still fell by 38% over the ten years to March 2025 (Youth Justice Board 2026a). Following arrest, a child may be charged, receive an out-of-court resolution (OOCR), such as a community resolution, youth caution or youth conditional caution, or have no further action taken. Outcome 22 may also be recorded where the child undertakes diversionary, educational or intervention activity without receiving a formal criminal justice outcome. Given the substantial fall in child arrests, those children

who do enter custody might be expected, in principle, to be suspected of more serious offending than in the past. Yet the custody record analysis reveals that the proportion charged fell from 42% in 2009 to 22% in the year ending March 2023, while OOCRs also declined from 26% to 11%. NFA, meanwhile, rose from 32% in 2009 to 61% in 2023. There is some national variation. In line with the findings from the first phase of the study (Kemp and others 2023), the Welsh force in the custody record data had a notably higher rate of OOCRs (19.6% compared with 9.2% in the four English forces), a higher charge rate (30.7% compared with 19.3%), and a considerably lower NFA rate (Kent and others 2026).

Taken together, the findings show that children in the 2023 study were less likely than those in the 2009 custody record analysis to be charged or receive an OOCR, and more likely to receive no further action, despite being likely to face more serious allegations following the substantial decline in child arrests. This raises concern that custody is being used to process children without consistently leading either to prosecution, where justified, or to formal diversion and support, where more appropriate. The data do not, however, capture voluntary engagement with support, including Turnaround or an intervention recorded under Outcome 22.

Whilst in principle the OOCR framework is structured and child-centred (HMIP and HMICFRS 2025), the research found that diversionary expertise is rarely available when key decisions about children are made. Many frontline officers had limited understanding of diversionary options and did not routinely access YJS advice. In most areas specialist input became available only after a referral had already been made, reducing opportunities for earlier diversion and support. The problem was particularly acute outside normal office hours, when many children come to police attention and YJS support is not available.

The referral process was found to compound this lack of understanding. While this process enables consistent multi-agency input and proportionate decision-making, it also means that frontline officers and investigators were not required to develop any substantive understanding of diversionary options or YJS processes. Nor do they commonly receive feedback about diversionary outcomes in children's cases. Officers therefore have limited understanding and no positive experience of diversion to draw on when making decisions at the point of arrest or when speaking to victims about alternatives to arrest or prosecution, limiting their effectiveness in both respects. Joint Decision-Making Panels were viewed positively because they enabled a more holistic understanding of children's needs and circumstances. However, concerns were raised about the time taken to initiate interventions, increasing the risk of disengagement and weakening the connection between the offending and the intervention.

At the same time, for lower-level offending, informal diversionary options are available to frontline and investigating officers without full referral to the YJS, including restorative justice and community resolutions, subject to notification of the YJS for oversight.⁴ There are also, in many areas, Early Help, Turnaround and other forms of voluntary support (Turner and others 2026). However, response officers across the forces studied urgently needed clearer information and guidance on the use of informal outcomes and the local support to which they could refer a child or family.

Diversionary decisions are highly consequential for children, and for victims and communities. If the evidence base points towards minimum intervention and maximum diversion, as the longitudinal data suggest (McAra and McVie 2015), why does the system place the police alone, a law enforcement agency with enforcement instincts and performance frameworks that privilege formal enforcement activity, at the centre of decisions about what happens to children? Child First training

⁴ See National Police Chiefs' Council's (2022) guidance on community resolutions.

for officers and better guidance can help. But the system needs to be restructured so that child-centred expertise and knowledge of desistance, from YJS, children's social care and other agencies, is available at the point when those early decisions about children are actually being made.

Summary of recommendations

The Government's proposals for reform of the OOCR framework for children are broadly to be welcomed, for the clarity it is hoped that will bring (Ministry of Justice 2026:41). Outcome 22 should also be designated as a positive resolution to incentivise its use (**frontline recommendation 20**).

A fast-track pathway for low-level offending should be developed in every force area, supported by YJS input, so that a community resolution or Outcome 22 can be imposed within days of an offence rather than weeks (**frontline recommendation 21**). This would reduce the disengagement that protracted processes risk and bring any intervention closer to the behaviour it is intended to address.

Forces should introduce a target timescale for referral to the YJS for OOCR assessment, minimising the average delay between offence and any diversionary work. A feedback loop from YJS to frontline officers on the outcomes of OOCR referrals should be established, on an aggregate basis where individual case feedback is not practicable, to support professional development and ensure frontline officers build a working understanding of how diversion operates in practice (**frontline recommendation 22**). Frontline officers should have structured access to YJS specialist advice at the point of arrest, including substantive out-of-hours provision, and local information on voluntary support for children and their families (**frontline recommendations 23–24**).

YJS practitioners should be involved earlier in diversion decisions, including through a light-touch review process for lower-level cases (**frontline recommendation 25**). The Ministry of Justice and Youth Justice Board should fund and evaluate a pilot of YJS on-call support for frontline officers, including out of hours (**frontline recommendation 26**).

Report 2: Police custody – Key findings and recommendations

Two boys, both aged 14, arrested in separate cases in the early hours of the morning, handcuffed, and taken to a custody suite on suspicion of robbery, illustrate the very different ways in which police custody can be experienced by children. The first (CS13) is White, was not previously known to the police and is 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.

At the other end of the spectrum, the second child (CS5) is 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 previously 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 presented as directly comparable cases, but as examples of 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 through the case studies, User Voice interviews 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, puts 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 (Child1.3). 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) suggests they are not incidental failings but routine features of the system.

2.1 A strengthened presumption against detention for children

The research findings confirm that Child First police custody is an extremely challenging ambition. 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 documented in this study strikingly mirror previous research (Bevan 2024; 2025; Kemp and others 2023). The impact of custody on children, and the difficulties involved in adapting an adult setting to their needs, make clear that a truly Child First approach is one that keeps as many children as possible out of the cells. There will always be a need for secure pre-charge detention for a small number of children. But children have a right to be detained only as a last resort (UNCRC Article 37), recognised by the High Court and reflected in the College of Policing's APP guidance.⁵ Where investigation is required, the majority of children should be dealt with by 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.

This study provides further evidence that police custody magnifies disadvantage, alienates children from the police and other supportive agencies, and frequently fails to elicit a full account from children, with only one in five making full comment in interview (Bevan and Kemp 2026b). The high rates of NFA and low rates of charge and diversion identified above consolidate the picture of a process that is being used without sufficient discrimination. The custody analysis underlines this, revealing that just 1% of children were refused detention across five forces (Kent and others 2026).

Lawful arrest (PACE s24) does not inevitably mean that detention in police custody (PACE s37) will also be appropriate. The two tests are different. PACE s37 creates a presumption against detention for all arrestees. The custody officer must charge or release the arrested individual unless their detention is 'necessary', not expedient or desirable, in order for evidence to be secured/preserved or obtained by questioning (s37(3)). The MPS Child First Custody Pilot demonstrated that with training (on children's rights, domestic legislation and caselaw, NPCC and College of Policing guidance applicable at the point of detention), a checklist approach supporting decision-making and early review by an inspector, child detention can be dramatically reduced, with reductions of 25% in Wood Green and 35% across Brixton and Walworth stations. With the greater knowledge and confidence the initiative instilled, custody officers were applying the test of necessity more robustly, resulting in an increase in detention refusals to 17% in Wood Green and 11% in Brixton. The checklist

⁵ *ST v Chief Constable of Nottinghamshire Police* [2022] EWHC 1280 (QB) paras 94-96; College of Policing APP Detention and Custody, Children and Young Persons.

requirements converted a decision that could previously be made unreflectively into one that had to be worked through and recorded, and could therefore be reviewed. The inspector's role was welcomed by custody officers, in supporting decision-making in what can be a challenging atmosphere, despite the power conferred by PACE on the custody officer role (Bevan and Kemp 2026b). In SWP, enhanced inspector oversight and daily management meetings reviewing all children's cases produced a genuine cultural shift, with officers developing the confidence to refuse (Kemp and Bevan 2026c). As one custody officer put it: "I'm not disputing the validity of the arrest, 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).

Summary of recommendations

The findings support the practical implementation of the child's right to detention as a last resort (UNCRC Article 37) by the introduction of an explicit presumption in PACE Code C against detention in police custody for children, save in exceptional circumstances (**custody recommendation 1**). This should include clear guidance on the exceptional circumstances in which detention may be justified, including identifiable risk of loss of evidence, and 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. Custody officer consideration of initial necessity, and inspector review of continued necessity, to detain should be supported by checklists (examples of which are included in *the Child First Custody Toolkit*).

2.2 An extendable 12-hour maximum detention period for children

The custody record analysis reveals that average child detention periods have risen by approximately a third in less than 15 years: from just under 9 hours in 2009 (Kemp and others 2012) to 11 hours and 48 minutes in the year to March 2023 (Kent and others 2026). Children's experiences in this study illustrate that longer detention periods exacerbate vulnerabilities and magnify custody's traumatic impact, as child CS5's vignette above underlines. Custody officers and staff also reported that children found it increasingly difficult to cope as detention continued, becoming more anxious and frustrated and more likely to become agitated, physically confrontational or to attempt self-harm (Kemp and Bevan 2026b).

The psychological research identifies that lengthy detention is liable to frustrate the gathering of reliable evidence, the central purpose of custody. Emotional distress, sleep deprivation and going without food, because some children eat very little or refuse to eat at all in custody, can undermine children's self-regulation and increase their vulnerability to making unreliable or self-incriminating statements (Kassin and others 2010). Environmental adjustments, such as differently decorated cells and distraction items, are noticed by children, but they have limited impact and are variably accessed by children. What children are more concerned about is time: how much has passed and when their detention will end.

The introduction of a 12-hour initial maximum detention period for children, replacing the current 24-hour initial detention period under PACE s41(1), was first proposed as a recommendation in the 2023 Nuffield study (Kemp and others 2023). It was piloted by Surrey Police from September 2023 to June 2024 and is now embedded in that force as 'business as usual' (Kemp and Bevan 2025a). As part of the Child First Custody Pilot, the MPS also introduced a similar measure between November 2024 and March 2025, requiring officers to work 'towards interview in 6 and release in 12 hours'.

The evaluation of the Surrey initiative found that the average detention period for a child fell from 11 hours and 6 minutes before the pilot to 9 hours and 24 minutes during the pilot period. By January to March 2025, it had fallen to 7 hours and 36 minutes (Kemp and Bevan 2025a). In addition, the

evaluation observed that the proportion of children held for more than 15 hours fell from 28% to 17%, and overnight detentions fell from 34% to 29%, substantially below the national figure of 43% of children detained overnight in the year ending March 2025 (Home Office 2026a). In relation to the MPS pilot, data limitations prevent the robust calculation of detention periods.

However, the 12-hour clock is not just effective in reducing detention periods. In both forces it was observed to change the dynamics in police custody, giving power back to custody officers by providing a concrete mechanism for challenging delays and the 'handover culture' where children's cases can languish for hours awaiting an incoming shift. Importantly, the 12-hour clock reinforced differentiated treatment of children more generally: "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).

The 12-hour clock also led, in both forces, to the purposeful use of short bail periods (the child being bailed to attend for interview within 24–48 hours), where necessary investigative activity (such as a PACE s18 search) had been completed or a lengthy delay overnight without likely investigative progress was anticipated. In the first half of the MPS pilot, for example, children were bailed before interview in 25% of cases in Brixton and 16% of cases in Wood Green, without any reports of the child failing to return as required.

Importantly, concerns raised in advance of the pilots that the 12-hour clock would not be feasible in practice or would have an undue impact on the wider work of investigation teams proved unfounded, including in the MPS. One investigating officer, for example, observed: "100% it can be done...It needs some organisation and understanding. Already we're getting used to it" (MPS.IO5.WG).

The capacity to extend detention to 24 hours in genuinely complex cases was central to the practicability of the model. Experience in Surrey demonstrated that extensions could be authorised where necessary while preserving the principle that detention beyond 12 hours should be exceptional rather than routine. While inspector authorisation functioned effectively in Surrey, SWP is considering chief inspector authorisation for its own pilot, 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 authorisation would mirror the adult provisions under s42 PACE and carry the strongest signal, but may not be practicable in all force areas.

An extendable 12-hour initial maximum detention period for children has now been formally adopted by a further three forces, with four more operating similar arrangements and a further eight actively considering or working towards implementation.⁶

Summary of recommendations

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 s41 (**custody recommendation 2**).

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

⁶ A survey of forces was carried out with the assistance of the NPCC.

lawyer, or other circumstances beyond the investigation's control, extension may be appropriate even in cases of lower offence seriousness.

An inspector should conduct an initial review of the child's detention as soon as practicable but at least within three hours of it 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. 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. A checklist to support this review cycle is included in the *Child First Custody Toolkit*.

2.3 A new way of multi-agency working within custody

There is an urgent need for accurate information about the child on arrival in custody, both to enable diversionary approaches to be taken at the earliest opportunity and to ensure their care and treatment in custody can be tailored to their needs. Risk assessment, the questioning of a detained person to identify any health and participation needs on booking-in, is not currently required to be adjusted for children and commonly does not result in accurate or full disclosure (Bevan 2024:78–83). Additionally, information about the circumstances of the child more generally is required to ensure they can be suitably safeguarded on release.

Two police initiatives designed to obtain additional information directly from children were reviewed in this study: additional vulnerability questions asked by arresting officers and safeguarding questions asked by designated detention officers. Both proved of limited value. Information obtained through additional questioning was often incomplete or unreliable, while safeguarding conversations generated very few meaningful disclosures. The adversarial nature of arrest and detention, combined with children's fatigue, anxiety and mistrust, limited their willingness and ability to share sensitive information. This is consistent with the HELP-PC research, which highlights the limitations of relying on detainee self-report and the importance of structured assessment drawing on multiple sources of information and professional expertise (McKinnon and Grubin 2013; McKinnon and Finch 2018). The development of the National Custody Risk Assessment provides an opportunity to build in a distinct child-specific assessment framework.

Increasingly, healthcare practitioners (HCPs) are being required to see all children in police custody, but they are not required to have child or adolescent expertise, nor did any encountered in this study use child-specific assessment instruments. In South Wales, HCPs did not have direct access to children's NHS records. Liaison and Diversion (L&D) services, available in the English forces, could provide important information for custody and investigation teams, but were not always available when children were detained, did not always see the child before interview, and did not always have child-specific training or use child-specific assessment instruments. In Wales, there was no L&D service operating in police custody, and no routine route for children to be seen by a mental health practitioner unless a formal mental health assessment was required. HCPs were therefore expected to fulfil a much wider health, mental health, safeguarding and diversion role without the necessary remit, training, tools or access to information.

As noted above, children in custody are highly likely to be known to children's social care and YJS. The information held by these services is often extensive, particularly where a child has previously been subject to diversion or an out-of-court intervention and has therefore undergone a holistic assessment using the mandatory Prevention and Diversion Assessment Tool (PDAT) (YJB 2026b). However, the mechanisms reviewed in the study for notifying YJS or children's social care and

exchanging information proved highly variable. Sometimes significant and helpful information was provided, but more commonly information exchange was delayed or extremely limited, including where the child was looked after. This was not simply a consequence of operating within a shorter custody timeframe. Emergency Duty Teams (EDT) in social care were generally not resourced or structured to engage meaningfully with police requests in real time or to provide a joined-up multi-agency response for children in custody. Importantly, notification very rarely triggered substantive engagement by social workers or YJS workers with children themselves. All force areas had a safeguarding referral process and there was evidence of impressive multi-agency working to explore possible support following release; however, this was not designed to feed information back into custody for children still in detention or to support decision-making at that point. Specialist child protection and exploitation teams were rarely involved directly with children while they remained in custody, despite the prevalence of safeguarding and exploitation concerns.

A radical rethinking of how custody teams and investigators engage with partner agencies is needed 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 social care expertise are required to achieve timely decision-making that enables child-centred care and diversion.

Summary of recommendations

Forces should work with the YJS and children's social care to agree arrangements ensuring that those agencies are notified promptly when a child is booked into custody and that they are resourced to provide timely and full information to support care and decision-making in custody, including out of hours. YJS (whether through youth justice workers or seconded officers) should provide an early case assessment to enable investigating officers to disclose likely diversion options to lawyers. Looked after children should be visited by a social worker, or at the very least have virtual contact with one.

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 (**custody recommendation 3**).

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 (**custody recommendation 4**).

Forces and healthcare providers should work together to ensure that all clinical practitioners in custody 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 (**custody recommendation 5**).

2.4 Mandatory and child-specialist legal advice for all children

Legal advice is a critical component in achieving a Child First experience for children in custody. 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.

The 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). Nonetheless, too many children still do not request legal advice, lacking an understanding of its benefits, and the appropriate adult's right to override their refusal (PACE Code C 6.5A) operates inconsistently. Despite the College of Policing (2013) guidance that custody officers

should actively counsel children on the benefits of having legal advice, this does not occur consistently.

The MPS' longstanding reversal of the presumption of legal advice for children, evaluated for the first time in this study, has proved highly effective in increasing the take-up of legal advice. Previous research indicates that children's uptake of legal advice in police custody has increased over time (Kemp and others 2023), but this study provides the first data available to the research team for the London custody suites examined. During the pilot period, uptake of legal advice across the four London custody suites stood at 96% on average, with no reports of a child refusing to speak to a lawyer once called (PACE Code C 6.5A) (Bevan and Kemp 2026b). A similar initiative in Surrey was less tightly defined and proved correspondingly less effective (Kemp and Bevan 2025a).

However, the research also revealed that in practice legal advice in police custody has shrunk to a relatively brief period around the police interview, by which point a child may already have been detained for many hours. Key legal decision points, particularly authorisation of detention, inspector reviews, case outcome and bail/remand decisions frequently occurred without any meaningful legal input. Despite the requirements in the legal aid contract⁷, lawyers did not commonly speak to their child client by telephone before attending the police station for a range of reasons including the failure to facilitate contact. Children did not routinely benefit from legal advice at the point of remand or release, and some reported leaving custody uncertain as to their bail conditions.

The structure of the police station legal aid fee is a significant factor in the hollowing-out of this vital legal safeguard (Bellamy 2021). Apart from a lower fee for telephone advice, the full fixed fee is payable only where the lawyer attends the police station, and in practice that attendance is usually centred on the interview. This creates limited financial incentive for lawyers to engage substantially with the child earlier in detention, scrutinise the grounds for detention, participate in reviews, or make representations about bail and remand. Although the fee has now been increased, the underlying structure continues to incentivise a focus on attendance for interview rather than on the child's needs and rights throughout detention. Child-specialist advice requires more than a different approach from lawyers; it also requires a fee structure that supports early and sustained engagement. This reflects the wider conclusion of the Independent Review of Criminal Legal Aid that police-station work should be properly remunerated when undertaken, rather than treated as a 'loss leader', and that investment at the front end of the criminal justice process can produce benefits and savings later in the case (Bellamy 2021).

The Child First Custody Pilot within the MPS involved the child-specialist training of 52 lawyers, alongside custody teams, and required lawyers and custody officers to hold a 'safety net conversation' shortly after detention was authorised, to review grounds for detention and exchange key information about the child. Whilst it proved difficult to match child-specialist lawyers to child cases within the pilot, the evaluation revealed that child-specialist training had a positive impact on the advice and assistance provided to child suspects. Early 'safety net conversations', in particular, proved valuable in scrutinising detention decisions and reducing detention periods for children. The child-specialist lawyers outperformed their untrained colleagues in holding effective safety-net conversations, making early telephone contact with the child and making representations in relation to bail and remand (Bevan and Kemp 2026b). Delivering specialist legal advice at scale will require different approaches in different contexts: a child-specialist duty rota in areas with an oversupply of

⁷ A lawyer is required to contact a client in police custody within 45 minutes of receiving the referral (Legal Aid Agency 2017).

police-station legal advisers, and, elsewhere, a requirement that all lawyers advising children complete child-specialist training in order to qualify for an uplifted fee.

Summary of recommendations

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 (**custody recommendation 6**).

The evidence makes a strong case for child-specialist legal advice in the police station, and the Ministry of Justice has now committed to mandating child-specialist training for lawyers representing children, including in the police station (Ministry of Justice 2026:47). However, this study makes plain that child-specialist legal advice is concerned not only with engaging with children differently, but also with doing more to secure their legal rights at both the early and later stages of detention.

To ensure the effective fulfilment of this pledge, the Ministry of Justice should mandate child-specialist training for all lawyers representing children in police custody. This should be supported by a pilot of a child-specialist duty solicitor rota in both a major metropolitan area and a smaller county force, and by restructuring and enhancing the fee paid for attendance on a child in custody so that it supports meaningful engagement throughout the detention period (**custody recommendation 7**).

2.5 The need to review the appropriate adult safeguard for children

The study generated a wealth of evidence about the implementation of the appropriate adult (AA) safeguard for children. In line with earlier studies (Kemp and others 2023; Bevan 2024), a number of shortcomings were identified, particularly in respect of the ability of parents/carers and other family members to be able to perform the full range of AA duties. Notably, their lack of standing, knowledge of the process and emotional detachment from the situation hampered their ability to perform the due process aspects of the role. This is not, however, an argument for excluding parents and carers from custody. Their presence can provide essential reassurance and emotional support for children, while parents and carers themselves have a right to maintain contact with their child and often value that involvement greatly.

However, it is plain that parents/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. At the same time, 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. Even with an expanded role for the child's lawyer, were legal advice to be mandated, there is unlikely ever to be resource for the lawyer to remain for the whole, or even substantial parts, of the detention period so as to take on those aspects of the AA role. Earlier research in Northern Ireland similarly cautioned against assuming that lawyers could absorb the AA function, emphasising the need for clear demarcation between legal advice and the AA's broader role in supporting the child's understanding, participation and welfare (Jackson and Quinn 2007).

The study also enabled some more specialised child-specific support roles to be reviewed, such as 'reachable moments workers' in Dyfed Powys (Dyfed Powys Police 2026) and the Cleveland Violence Reduction Partnership's Custody Navigator programme (College of Policing 2024). Whilst these workers were not fulfilling the AA role, both initiatives shared key features which characterise effective independent adult support for children (and their families) and would enhance delivery of

the AA role: specialist training on engaging with children and on youth justice processes, access to information held by partner agencies, prolonged presence in the custody suite to support the child, liaison with family and custody teams to exchange information to ensure that conditions are suitably adjusted, and continuity of relationship for children themselves.

These attributes fall squarely within the remit and expertise of YJS, who have statutory responsibility to provide AAs on behalf of the local authority (Crime and Disorder Act 1998 s38(4)(a)). However, contracting out these services to paid or volunteer schemes reliant on lay people doing their best with variable levels of training and no meaningful access to partner agency information has resulted in the limited, inconsistent and often unavailable AA provision observed in this study.

Summary of recommendations

In light of the evidence 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. The review should give particular consideration to its fulfilment by individuals with child-specialist training and access to youth justice and social care information. It should consider the role of the YJS in the delivery of the AA safeguard and mechanisms for retaining parents'/carers' right to remain involved in a child's detention and be empowered to advocate for them (**custody recommendation 8**).

The report also makes recommendations to improve AA provision in the short to medium term: to secure early attendance of AAs, explore arrangements to enable greater contact between the AA and the child, and to provide support for family member AAs (**custody recommendations 9–12**).

2.6 Child-specific interview training

While the interview review in this study can provide only a snapshot, it suggests continuing variability in interview practice with children. Overall, officers were doing their best to follow PEACE, the structured model of investigative interviewing used by police in England and Wales (Clarke and Milne 2001), but without more child-specific training there were inconsistencies and lapses in its application that were liable to render interviews unfair for children. Research identifies communication disorders in 60 to 90% of children in contact with the criminal justice system, the majority undiagnosed and unsupported (Day 2022). This has profound implications for the fairness and effectiveness of police interviewing. Although fitness for interview should provide an opportunity to identify and respond to such needs, the findings raised concerns about whether children's fitness was being assessed and reviewed in a sufficiently child-specific way, particularly following lengthy periods in detention. A child with autism, ADHD or a learning disability who is interviewed under standard adult procedures is not being adequately supported to give their best account and is therefore unlikely to receive a fair process. More broadly, children must be given information and explanations in language they can understand, with interviewers adapting their vocabulary, question structure and pace to the child's age, development and communication needs. This reflects the Council of Europe's (2010) child-friendly justice guidance and the Méndez (2021) Principles, which emphasise non-coercive, rapport-based interviewing, effective safeguards and particular attention to people in situations of vulnerability.

In the MPS pilot study, a review of 51 recorded police interviews found many officers explaining processes clearly, checking understanding, and creating conditions in which a child could participate effectively. However, some explained the caution inadequately, did not check whether children understood its content at all and used inappropriate question formats or pressurising questioning approaches liable to elicit unreliable evidence (Bevan and Kemp 2026b). Some children described interviews that felt designed to trip them up, with 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 often the key output – 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 therefore risks undermining the central purpose of detention. At present in almost four-fifths of children's cases no substantive account is being given, suggesting that opportunities for diversion are frequently being missed (Bevan and Kemp 2026b). There is currently no requirement for officers to have child-specific interview training, in contrast to the 'Achieving Best Evidence' framework (Ministry of Justice 2022) mandated for the interviewing of child witnesses. 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. In line with other research (Forde and Kilkelly 2024) and the Méndez Principles (Méndez 2021), this review suggests that a national framework for child-specific training for officers interviewing children is urgently needed.

Summary of recommendations

Fitness for interview assessments should be enhanced for children, with guidance focusing on the interpretation of the PACE Code C Annex G for children, routine incorporation of L&D and HCP assessment and partner agency information about the child. The assessment should be reviewed shortly in advance of the interview to ensure that the child remains fit for interview following a lengthy period of detention (**custody recommendation 13**).

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 (**custody recommendation 14**).

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. Training should address interview planning, rapport-based and non-coercive questioning, caution delivery, explanation and comprehension checking, robust but fair challenge, age-appropriate question formats, and adaptation to children's language, communication and wider participation needs (**custody recommendation 15**).

2.7 Child First decision-making at the point of release or remand

The research identified that children released from custody often spend unjustifiably long periods without a resolution of their case. Too many children, particularly those whose cases are insufficiently serious to warrant charge, languish for weeks, often months, sometimes indefinitely, without a confirmed outcome. The uncertainty this creates for children and their families can be significant and sits uneasily with Child First ambitions to minimise the impact of formal justice processes.

The evidence also reveals that, despite recent efforts to improve practice, children continue to spend unnecessary periods in police detention following charge. The legal framework governing police bail remains poorly aligned with court remand restrictions (ss98–102 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012). Transfer provisions following remand (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 (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.

Summary of recommendations

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 should be instituted for children released under investigation (**custody recommendation 16**).

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. Consideration should also be given to introducing an option for the police to bail a child arrested for breach of court bail under the Bail Act 1976 s7(4), or to transfer them to local authority accommodation where bail is inappropriate (**custody recommendation 17**).

Forces should work with partner agencies to reduce post-charge detention periods for children and improve rates of transfer to local authority accommodation under PACE s38(6). This should include joint training on the provisions, notifying lawyers so that they can make representations at the point of bail or remand, and agreeing a functioning escalation protocol where accommodation is not made available (**custody recommendation 18**). Forces should also ensure the efficient production of children to court (**custody recommendation 19**).

2.8 Putting children at the centre of policing

A key theme running throughout the research, in both the frontline and custody work, was the importance of listening to children and involving them in decisions that affect them. Children and young people contributed directly to this programme through interviews, focus groups, case studies and engagement activities, and their accounts frequently challenged assumptions about how police powers and safeguards operate in practice. Child First policing cannot be achieved solely through reforms designed for children; it requires children to be recognised as active participants in shaping policy, practice and accountability arrangements. Children's experiences and perspectives should therefore play a central role in the development, implementation and scrutiny of policing reforms. Of the 45 children and young people who completed the questionnaire, 34 (76%) reported wanting to complain about the way they had been treated by the police but not doing so. The main reasons were not knowing how to complain, not being given an opportunity to do so, and believing that a complaint would not lead to meaningful change.

The children's accounts also exposed how care experience, mental health needs and placement instability can draw children repeatedly into police contact and custody from a very young age. In Cardiff, two looked after children, a boy and a girl, described first being taken into custody at the age of 11 following incidents in their care homes. The boy, now aged 15, had appeared in court repeatedly as a result of situations arising in the home. The girls' accounts were particularly troubling. They described police being called to incidents in care placements arising from acute distress, poor mental health and difficulties in managing crisis. Behaviour that might often be managed without police involvement in a family home, or in a residential care setting with sufficiently skilled and supported staff, was instead being converted into a criminal justice matter. At precisely the point when a child required an urgent social care and mental health response, they were subjected instead to an adversarial and potentially traumatic process. Taking a distressed child into police custody risks compounding the trauma and instability they have already experienced and may itself become a further adverse childhood experience. These accounts underline the urgent

need for effective out-of-hours social care support and access to child and adolescent mental health services (CAMHS), so that police custody does not become the default response to crises in residential care.

Children also repeatedly described not understanding what was happening, what their rights were, how long they would remain in custody, when they could speak to a lawyer or appropriate adult, or how to challenge their treatment afterwards. Accessible information is therefore not limited to the police interview or to complaints. Children need clear, age-appropriate explanations throughout police contact and custody, together with practical support that enables them to exercise the rights and safeguards being described.

Summary of recommendations

Children with experience of stop and search, arrest and detention should be actively involved as stakeholders in the development and implementation of Child First reforms, including in the design of training, the development of guidance, and the scrutiny of police practice. This is not only consistent with Child First principles but is essential to ensuring that reforms genuinely reflect children's needs and experiences.

Every force should establish stop and search scrutiny panels that include children and young people with experience of being stopped and searched. Youth-led panels should be encouraged as a means of giving children a direct voice in shaping how officers interact with them (**frontline recommendation 4**).

Children should receive clear, accessible and age-appropriate information throughout police contact and custody about what is happening, their rights and safeguards, how long processes may take, and how they can obtain help or challenge their treatment. Forces and partner agencies should also ensure that children experiencing a crisis in residential care can access timely social care and CAMHS support, including out of hours, so that arrest and detention do not become the default response to unmet welfare needs.

Forces should introduce simple, accessible mechanisms for children to provide feedback on their encounters with the police and to make complaints. At present, the circumstances in which children encounter the police often make it difficult for them to know their rights, understand what has happened to them, or know how to raise concerns afterwards. A QR code provided at the conclusion of a stop and search, following an arrest encounter, or on release from police custody, linking to an accessible feedback and complaints process, would be a practical and low-cost first step.

Government should consider whether a statutory requirement to provide children with accessible information about their right to complain, in a format they can act on, is needed to achieve this consistently across forces (**frontline recommendation 27**).

Report 3: Electronic custody records analysis – Key findings and recommendations

The third strand of the research programme examined electronic custody record data from participating police forces (Kent and others 2026). While key findings from this analysis are drawn on throughout this report, this section brings together the distinctive contribution of the custody record analysis: providing a larger-scale quantitative basis for assessing patterns in children's detention and for examining the extent to which existing police data can support scrutiny of, and accountability for, children's experiences of custody.

For the first time, it has been possible to examine patterns in children's detention over a sustained 12-month period across the participating forces, including fluctuations in demand, the prevalence of vulnerability indicators, detention duration, access to safeguards and case outcomes. This provides valuable insight into how children experience police custody, whether the patterns identified in the qualitative studies are reflected more widely, and whether policy and practice reforms are having the intended effect. However, significant limitations were identified in the consistency, accessibility and reporting of key data.

Analysis of electronic custody records from five police forces captured 6,289 child detentions over a single 12-month period. The data reveal that detention was authorised in almost every case, with only around 1% of children refused detention. Children spent an average of almost 12 hours in custody, and 60.6% were held overnight under the Home Office (2026a) definition. 70% of children had their detentions authorised outside of standard working hours (defined in the analysis as before 08:00 or after 16:00). The timing of arrival in custody had a significant impact on detention duration, with those arriving during standard office hours spending less time in custody overall. Levels of vulnerability were striking: more than a third of children were flagged for mental health concerns, a quarter for self-harm and around one in seven for suicidality. Looked after children were heavily over-represented, accounting for 16.8% of detentions in the one force able to identify them, compared with under 1% of children nationally (Department for Education 2025). Black children were markedly more likely to be strip-searched than White children (13.1% compared with 5.1%), even when controlling for offence type. They were also significantly more likely to be detained overnight. Yet despite police custody representing a significant criminal justice intervention, no further action was ultimately taken in around 60% of cases, raising serious questions about the necessity and proportionality of detaining children in the first place.

The research also identified significant limitations in the availability, consistency and accessibility of data relating to children in police contact and custody in some police force areas. While recent Home Office publications have strengthened the national evidence base (see Home Office 2026a), important gaps remain. Most forces do not routinely record or electronically retain information identifying whether a detained child is looked after, despite evidence that children in care are significantly overrepresented amongst those coming into contact with the police. Some forces are not routinely able to extract key information from custody management systems, including information relating to detention times (a PACE clock), legal advice, vulnerability, looked after status and the involvement of appropriate adults. Even where information on requests for legal advice was available, records did not consistently show whether advice was ultimately received, whether it was provided remotely or in person, or when the lawyer first made meaningful contact with the child.

In some cases, important information was only available through resource-intensive manual review of custody records. The findings highlight the importance of data as a safeguard and accountability mechanism. Data should support not only operational management but also local and national oversight of children's experiences, treatment and outcomes. A stronger national focus is required on what information is recorded, how it is reported and how it is used to improve practice. Public reporting, both locally and nationally, should support greater transparency, accountability and understanding of children's journeys through police contact and custody. These limitations restrict the ability of forces, policymakers and researchers to understand children's experiences, monitor outcomes, identify disproportionality and evaluate whether reforms are improving practice and reducing unnecessary criminalisation.

Summary of recommendations

Forces should consistently collect and create electronically retrievable data on the care experience of detained children, in particular 'child in need' and 'looked after' status (**data recommendation 1**). The type of appropriate adult provided should be consistently recorded in an electronically retrievable form, along with the time of their first meaningful contact with the child (**data recommendation 2**). Vulnerability flags should be standardised across forces using a consistent set of categories to enable reliable comparison and monitoring (**data recommendation 3**). Likewise, there should be a requirement for forces to record whether legal advice was requested, whether it was received, and in what form (remote or in person), along with the time of the lawyer's first contact with the child, as distinct from first contact with the custody team (**data recommendation 4**).

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

Conclusion: National implications for policy and practice

Taken together, the findings from across the research programme suggest that Child First policing requires more than the adaptation of existing police procedures. It requires a distinct, national approach that recognises children as children, seeks to avoid unnecessary criminalisation, prioritises diversion and safeguarding, strengthens participation and procedural fairness, and ensures that detention is used only where necessary and as a measure of last resort.

Whilst reflected in the Child First framework, these principles are grounded in children's rights, child development and wider legal and safeguarding responsibilities. Policing has an important role in protecting children and responding to offending, but the research demonstrates that improving outcomes for children depends upon effective partnership working, early intervention and support, and systems that recognise and respond to children's needs, and ensure that their rights are upheld.

The research highlights the continuing importance of addressing disproportionality within policing and police custody. Black children, particularly boys, are substantially over-represented among those arrested and detained in some local areas, although the scale of this disparity can be obscured when figures are viewed only at national level. Black children were also significantly more likely than White children to be strip-searched and detained overnight (Kent and others 2026). These findings demonstrate the need for forces not only to monitor disparities, but to examine and address racial bias in patterns of arrest, the use of intrusive powers and decision-making throughout custody. The findings also reveal the profound over-representation of looked after children and children otherwise known to social care, many of whom are drawn into the criminal justice system because appropriate welfare, accommodation and mental health support is unavailable. Child First policing must therefore be both equitable and attentive to the structural disadvantages that shape children's contact with the police.

Effective implementation of a Child First approach requires stronger systems of accountability and oversight. The electronic custody record analysis demonstrated the value of routinely collected data in identifying patterns of vulnerability, disproportionality and case outcomes for children. However,

significant inconsistencies were identified in what information forces record, retain and are able to extract.

There is a need for a more coherent and consistent national approach to children in policing. Whilst many examples of effective and innovative practice were identified, implementation remains variable both within and between police forces. Children's experiences and outcomes should not depend upon where they live or which police force they encounter, or whether individual officers and partner agencies have access to training, information and support needed to make child-centred decisions. Further work is required to ensure that national policy, legislation, guidance, data systems and performance frameworks consistently recognise children as children and support Child First decision-making throughout police contact and custody.

Recent government commitments to reform youth justice and reduce unnecessary criminalisation are therefore welcome (Ministry of Justice 2026). In particular, proposals to reduce the use of remand, strengthen diversion and OOCR frameworks, and improve access to specialist legal advice and assistance have the potential to improve experiences for children and reduce avoidable progression through the criminal justice system. Such reforms recognise the importance of intervening early and ensuring that children receive appropriate support and safeguarding rather than becoming unnecessarily drawn into formal criminal justice processes. The findings from this research demonstrate that these ambitions cannot be realised without reform at the policing stage, where many of the consequential decisions about children are first made.

The research also demonstrates that meaningful change is achievable within the existing system. A growing number of forces have already adopted, or are working towards, an extendable 12-hour initial detention period for children, with evidence that this can reduce detention times, strengthen custody officers' authority to challenge delay and reinforce the differentiated treatment of children. National amendment of PACE Code C would enable this approach to be implemented consistently across England and Wales and could have a substantial and immediate impact. Other reforms, including mandatory call-out of a lawyer for every child, reform of legal aid remuneration to support early and sustained child-specialist engagement, clearer recording of the case-specific grounds for detention, rigorous inspector review of continuing necessity, and active consideration of less intrusive alternatives, could also be introduced through amendments to the Codes of Practice, national guidance and operational requirements. The examples of effective practice identified in this research show that reform need not begin from scratch, but can build on approaches already tested in policing. Ultimately, however, this research underscores the need for the primary legislation, PACE itself, to be updated to reflect children's rights and modern understandings of child brain development, and to secure differentiated treatment for children in the longer term.

The findings underline the importance of translating policy principles into operational practice. Effective implementation requires clear leadership, professional development, practical guidance, supervisory support, meaningful involvement of children and young people, robust data and accountability arrangements, and multi-agency structures that enable practitioners to apply child-centred approaches consistently. As part of the research programme, a range of practical implementation resources were developed, including a point of arrest decision-making flowchart, supervisory guidance principles, and checklists for custody officers and inspectors, designed to support child-centred decision-making and reduce unnecessary criminalisation. These are available in the accompanying *Child First Custody Toolkit*.

Fundamentally, however, the legal and operational framework for policing has not yet caught up with the requirement to treat children differently from adults. A coherent national Child First framework is needed, grounded in children's rights and bringing together police, YJS, children's social care, health

and CAMHS, lawyers and appropriate adults around a shared set of duties, safeguards and expectations. Its purpose should be clear: to ensure that children are treated as children throughout police contact and custody, that their rights are made real in practice, and that arrest and detention are genuinely used only as a last resort.

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