

TROUBLE WITH THE LAW

WHAT DO POLICE AND CRIME PLANS DO FOR CARE-EXPERIENCED CHILDREN AND YOUNG PEOPLE?

NYAS (NATIONAL YOUTH ADVOCACY SERVICE)

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Introduction

Children in care are 15 times more likely to be criminalised than other children.

Despite their overrepresentation within the criminal justice system, NYAS' (National Youth Advocacy Service) *Trouble with the Law* campaign highlights how support for care-experienced young people is too often overlooked in Police and Crime plans. We believe that the work of Police and Crime Commissioners can have an enormous impact on the most vulnerable children. Our campaign demonstrates how critical their inclusion in these plans is for young people to live fulfilled and successful lives.

In 2021, our *Trouble with the Law* campaign called on the Police and Crime Commissioner and Mayoral candidates to protect and support care-experienced children and young people by pledging their commitment to the following pledges:

1. To work to keep care-experienced young people out of the criminal justice system.
2. To never make policies about them, without them.
3. To protect victims of exploitation and missing children.
4. To campaign to end the life-long stigma of criminal records.

After Police and Crime Commissioners published their Police and Crime Plans, NYAS conducted an analysis to identify areas where support for care-experienced children and young people has been prioritised in line with our campaign recommendations. Our analysis found that efforts to support care-experienced children and young people rarely feature in Police and Crime Plans.

While care-experienced children currently make up half of those placed in youth custody, many Police and Crime Plans overlook their needs.

To avoid negative outcomes for care-experienced children, Police and Crime Commissioners must work with young people to amplify their voices when decisions are being made about them. Early intervention and prevention are also key to reducing the criminalisation of children in care, keeping them safe and identifying risk of criminal exploitation. Making this a core part of Police and Crime Plans will not only save police time and resources but also reduce the overrepresentation of care-experienced young people within the criminal justice system.

The rest of this report will highlight a breakdown of our findings through a data summary, as well as best practice where Police and Crime Commissioners have taken forward our recommendations to shape their Police and Crime Plans.

Data Summary

Out of the 146 election candidates written to, 33.6% of the candidates signed up to our campaign pledge achieving a one-third engagement rate. 12.3% of the candidates who signed the pledge were elected into office with only two-thirds fully reflecting the campaign recommendations in their plans and the rest partially adopting the recommendations.

The following three-part data summary is the result of an analysis of 43 Police and Crime Plans across England and Wales. In contrast to NYAS' *Trouble with the Law* campaign, the

overall focus of the Police and Crime Plans assessed is to tackle anti-social behaviour with little emphasis on care-experienced children and young people.

Part 1 of this data summary will shed light on positive outcomes from the Police and Crime Plans in relation to our *Trouble with the Law* campaign and identify the gaps. Part 2 will show the extent to which Police and Crime Plans adopted our campaign asks, regardless of whether they pledged support to our campaign. The final part will highlight other trends identified within the Police and Crime Plans.

Part 1 - Initial Findings

Problem:

The Police and Crime Plans of **43 elected Police and Crime Commissioners** across and England and Wales do not fully reflect our *Trouble with the Law* campaign pledge. Only a few Police and Crime Plans feature NYAS' *Trouble with the Law* campaign recommendations, with the majority failing to mention care-experienced children and young people.

See below the strengths and limitations of Police and Crime Plans relating to the NYAS' *Trouble with the Law* campaign recommendations.

Strengths

1. **10** Police and Crime Commissioners fully adopted some of our campaign recommendations which we hope will lead to better outcomes for care-experienced children and young people.
2. A total of **26** Police and Crime Commissioners partially included our *Trouble with the Law* campaign in their plans.
3. Although only **six** Police and Crime Commissioner election candidates who signed the campaign pledge were elected, all six of them used NYAS' *Trouble with the Law* campaign recommendations to some extent.
4. Where care-experienced children and young people were not specifically mentioned (except for Durham, Dyfed Powys, and West Midlands), all Police and Crime Plans made promises to support children and young people in general.

Limitations

1. Only **eight** Police and Crime Plans explicitly mention children in care and care leavers: Avon and Somerset, Dorset, Durham, Dyfed Powys, London, North Wales, Staffordshire, and West Midlands.
2. Only **two** Police and Crime Plans referred to "ending the life-long stigma of criminal records". These were North Wales and Dyfed Powys. This is despite criminal records following children into old age, limiting their opportunities at every turn. Our research highlights the gravity of these records showing that indeed, **75% of employers** in the UK admit they would discriminate against young people who disclose their criminal records at an early stage. Without employment, young people are more likely to re-offend.
3. Most of the Police and Crime Plans focused on adults when it comes to public engagement. Only a few of them partially mentioned actions to engage children and young people in the policies that affect them.

Part 2 - Emergent Themes

The table below highlights key themes that summarise our *Trouble with the Law* campaign recommendations and how many times they feature in the Police and Crime Plans analysed.

NB: Some Police and Crime Plans featured more than one theme.

Key themes in relation to NYAS' <i>Trouble with the Law</i> campaign recommendations	The number of times these themes feature in Police and Crime plans		
	Full <i>Trouble with the Law</i> policy	Partial policy	Total
Prevention: Keeping care-experienced young people out of the criminal justice system.	8	16	24 /43
Participation: Never make policies about young people, without young people.	7	3	10 /43
Protection: Protect victims of exploitation and missing children.	6	3	9 /43
Ending Stigma: Campaign to end the life-long stigma of criminal records.	1	1	2 /43

Theme 1 (prevention) from our *Trouble with the Law* campaign recommendations, had the most features in the Police and Crime Plans with a 55.8% commitment rate. This is promising because it demonstrates the possibility of reducing the number of vulnerable young people who continue to enter the criminal justice system. We encourage Police and Crime Commissioners to consider ways to make sure the other themes mentioned are also championed within their priorities.

Part 3 - Other Trends

Despite the frequent omission of support for care-experienced children and young people, we identified other relevant trends in the Police and Crime Plans published:

1. There was a major focus on child sexual abuse and exploitation in the context of victim support, but rarely were links made to children who go missing from care.
2. Violence against women and girls appeared as a priority for many of the Police and Crime Commissioners.
3. Restorative justice was a recurring theme when it comes to preventing and reducing offending.

Part 4 - Best practice

Our analysis found best practice examples for supporting care-experienced children and young people in Police and Crime Plans. These examples feature three Police and Crime Plans that have fully adopted the themes of our *Trouble with the Law* campaign recommendations: prevention, participation, protection and ending stigma.

Police and Crime Plan	Theme	Best Practice Wording
Dyfed-Powys	Prevention	“Work to keep young people out of the criminal justice system, by promoting a trauma-informed, child-centred policing model. In particular, I will support the introduction and implementation of a national protocol to reduce the disproportionate criminalisation of care-experienced children and young people.”
	Ending Stigma	“Campaign to end the lifelong stigma of criminal records obtained in childhood.” “I will lobby the UK Government to bring our criminal records system in line with other European nations including Scotland, raising the age of criminal responsibility from ten to at least twelve years old.”
Durham	Participation	“Ensure policies about young people will be made after engaging and involving young people.”
North Wales	Protection	“I will work to ensure that independent return home interviews are made into a statutory requirement whenever children are reported missing and ensure that these services are commissioned with independent providers”

Conclusion

Our *Trouble with the Law* campaign set out to encourage Police and Crime Commissioners across England and Wales to reduce the criminalisation of care-experienced young people and to make sure there is better support and protection for them within Police and Crime Plans. Over a year since the election, there is still a significant gap to be filled when it comes to ending the unnecessary criminalisation of care-experienced children and young people.

Evidence and best practice have been synthesised to highlight these gaps, with the most substantial being the lack of focus on ending the lifelong stigma that comes with criminal records. To tackle this issue, this report has underlined the need for early intervention and diversion of young people away from the criminal justice system to reduce criminalisation. The report also emphasises pockets of good practice in terms of Police and Crime Plans that can be built on to better support care-experienced children and young people.

We are pleased to find parts of our *Trouble with the Law* campaign recommendations have been reflected by a number of Police and Crime Commissioners who specifically mentioned care-experienced children and young people in their plans. We encourage current and future Police and Crime Commissioner and Mayoral candidates to consider our campaign recommendations and help shift the national debate toward protecting and improving outcomes for care-experienced children and young people.

At NYAS, we believe every effort must be made to keep care-experienced children and young people out of the criminal justice system. Police forces must treat those they encounter under the age of 18 as children first and promote the child-centred policing model. Best practice intervenes early, preventing care-experienced young people from entering the criminal justice system for the first time. We will continue to advocate on behalf of these young people to make sure their voices are being heard.

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NYAS (National Youth Advocacy Service) is a rights-based charity supporting care-experienced children and young people and empowering their voices to be heard. Alongside our services and projects across England and Wales, we also campaign to improve the lives of care-experienced children and young people. Read more here: <https://www.nyas.net/campaigns/>

This document is an analysis of the Police and Crime Plans of 43 elected Police and Crime Commissioners and Mayors of all political parties. It is not intended to promote or support any particular political parties.