

# Trouble with the Law

## Briefing for the Police and Crime Commissioner

**Congratulations** on your recent election success!

We are NYAS Cymru (National Youth Advocacy Service Wales), a children's rights charity supporting care-experienced children and young people across Wales.

With less than 2% of all children in Wales, growing up in care, it is unacceptable that over half the children currently in youth custody are care-experienced.

This briefing outlines the 4 pledges from NYAS Cymru's Trouble with the Law campaign. We are committed to working with Police and Crime Commissioners to improve the lives of children in care and care leavers, and we hope you are able to use this briefing when creating your Police and Crime Plan.

### 1. Work to keep care-experienced young people out of the criminal justice system

Care-experienced children and young people have often suffered from abuse or neglect, and the instability in their life does not always end when they enter care. As Police and Crime Commissioner you can make sure that your local police force treats those they encounter under the age of 18 as children first, promoting a child-centered policing model.

That is why all police forces need to be trauma informed. Best practice is intervening early, preventing care experienced young people from entering the criminal justice system for the first time. Championing restorative justice and diversion strategies can be key.

**Key Fact:** Over half the children currently in youth custody are care-experienced.

**Possible wording for your Police and Crime plan:** I will 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.

## 2. Never make policies about young people, without young people

Care-experienced children and young people are rarely given a meaningful platform to have their say within the criminal justice system. Policies are often developed without any input from the children and young people that they directly affect. This is a missed opportunity. The National Police Chiefs' Council acknowledges that care-experienced children often have a negative view of the police, often informed by their past experiences. **We can change this.**

Police and Crime Commissioners should proactively engage with care experienced voices – such as NYAS Cymru's Young People's Advisory Group – to build trust and community links. This can be vital in giving children and young people the confidence to contact the police when they need to whilst enriching policing strategies in the process.



**Key Fact:** Article 12 of the UN Convention on the Rights of the Child states that special consideration should be given to the opinions of children in vulnerable situations, including those who are care-experienced.

**Possible wording for your Police and Crime plan:** I will proactively engage with care-experienced children and young people, empowering their voices to shape policing strategy.



## 3. Protect victims of exploitation and missing children

Record numbers of children are currently reported missing from care. These children are at increased risk of harm, including sexual exploitation or grooming for criminal activity. Grooming and coercion often seeks to isolate children and prevent them from asking for help. It is essential that police forces treat children who have been exploited as victims first - not as criminals.

Children living in care miles from their home county have been described by MPs as “sitting ducks” for criminal exploitation such as county lines. Police forces must recognise that victims of exploitation may not always see themselves as victims. No child or young person should be disadvantaged by their care status and we must stand up for them and protect them in the same way we would our own children.



**Key Fact:** Around a quarter of all identified or suspected victims of trafficking in the UK were missing from care.

**Possible wording for your Police and Crime plan:** I will prioritise enforcement to target adults who abuse and exploit children and young people, whilst investing in services that support children as victims and prevent or reduce their risk of exploitation.

In Wales, I will work to ensure that independent return interviews are made into a statutory requirement whenever children are reported missing and ensure that these services are commissioned throughout Wales with independent providers.



#### 4. Campaign to end the lifelong stigma of criminal records

In England and Wales, many childhood criminal records are never deleted. It follows a child into adulthood, limiting their opportunities at every turn. Three quarters of employers in the UK admit that they would discriminate against young people who disclose their criminal record at an early stage. Without employment, these young people are more likely to reoffend.

In children's homes, 999 can be called for minor incidents where most parents would not even consider involving the police. In 2018, the police in England and Wales received 23,000 callouts from children's homes alone. This must change with support from residential care staff.

With the support of Police and Crime Commissioners using their influence to highlight flaws in the British approach to criminal records, we could stop children's future opportunities being severely affected at such a young age.

**Key Fact:** In 2019, 39% of care-experienced 19 to 21-year olds were not in employment, education or training, compared with 12% of their peers.

**Possible wording for your Police and Crime plan:** I will use my platform to campaign to end the lifelong stigma of criminal records obtained in childhood.

I will call on the UK Government to bring our criminal records system in line with other European nations including Scotland, raising the age of criminal responsibility from 10 to at least 12 years old.

