

HUMAN RIGHTS

Review of Children and Young People and Policing

DECEMBER 2024

INTRODUCTION

At a number of meetings of the Northern Ireland Policing Board during 2023, issues of concern relating to the treatment of children and young people by police officers were raised by Members of the Board. These included strip searches of children in custody and the increasing number of children stopped and searched by the PSNI. The Board then requested the Human Rights Advisor to examine these issues in more detail. The Human Rights Advisor first examined the issue of strip searching in custody and produced the [Human Rights Review Children and Young People: Strip Searching in Police Custody](#). This report has had an impact on effecting change in the way PSNI now carry out this process within custody suites.

The Board has now asked the Human Rights Advisor to extend his examination to how the PSNI engage with children and young People in general and to identify areas where PSNI can make improvements to how it carries this work out. The Board previously examined these issues in 2013 in its Human Rights Thematic Review: Policing with Children and Young People and it was overdue to re-examine this area again. Therefore, the Human Rights Advisor has undertaken a major piece of research in the chapters below.

This report focuses on the main areas where children and young people come into contact with the PSNI and where there is the greatest potential for impact on their human rights. It begins with an examination of PSNI's use of force and particularly focuses on the areas of stop and search, arrest, custody and spit and bite guards where children and young people are involved. It continues to examine the areas where children and young people are likely to be victims and examines the current issues with paramilitarism, child sexual exploitation, child criminal exploitation and the use of the national referral mechanism in Northern Ireland. The report also highlights the current issues with privacy and surveillance and the difficulties experienced by young people, particularly in relation to their mobile phones and social media. Other issues that the report considers are human trafficking, hate crime and young people in care. Therefore, this report covers important issues for children and young people at present.

The main purpose of this research is to improve how PSNI engages with and treats young people and to identify ways to enable PSNI to deliver a better service to children

and young people, to be more effective and more child focussed. It will also contribute to assisting with better implementation of the PSNI's Children and Young People's Strategy. The report aims to contribute to build trust, ensuring that children and young people will feel more confident in reporting incidents to the PSNI. The findings in the report also point to the importance of neighbourhood policing in building trust and relationships with children and young people. These officers are much more aware of the issues in the local area and those affecting the young people. In the current financial climate, neighbourhood police officers are currently not being replaced and this report provides further evidence of the need to invest and maintain the presence of sufficient neighbourhood officers. The evidence points to children and young people experiencing more problems with officers who they are not familiar with or who are not familiar with the issues and the local area.

Conversations with the young people directly has revealed how communication is also really important. Our findings illustrate how officers engage with children and young people in person and how language and attitude can either escalate or calm a situation. Moreover, we found that how officers perceive children and young people and have preconceived ideas of how they are going to behave/react can have an impact. There is a need to for communication and especially written information to be clearer and more child friendly so that children and young people can understand why and what is happening during an engagement with police officers. The PSNI also need to understand the importance and impact that the retention of mobile phones and other devices can have on young people as daily life and essential communications and services revolve around mobile phones.

As part of conducting this research, the Human Rights Advisor met with children and young people directly and engaged with those key organisations that advocate on behalf of children and young people to listen to their needs and concerns and to help identify areas for improvement. It is hoped that this document captures the essence of those conversations so that improvements can be made that have a positive impact for children and young people. Therefore, this report identifies sixteen recommendations in each of the chapters that aim to improve the PSNI's interactions with young people and to improve the service that PSNI currently provides to children and young people.

This report was researched and written over the first six months of 2024 and many of the statistics are for the year April 2023 to March 2024. There were significant public order issues and attacks on minorities and immigrants in Northern Ireland in the summer of 2024 and they deserve proper consideration and the Board decided not to add this issue to this report in its final stages.

RECOMMENDATIONS

OVERALL RECOMMENDATION

Within six months of the publication of this report the PSNI should provide an interim report and within 12 months a full update report to the Board on the progress and outcomes in meeting all the following recommendations alongside progress in implementing its Children and Young Person's strategy.

RECOMMENDATION 1:

The PSNI should review all of its policies and practices in order to minimise the use of force, particularly the use of weapons, against children under the age of 14. In the meantime, the PSNI should amend its policy to ensure that, as far as possible, spit and bite guards are never used on any child younger than 14 years of age.

RECOMMENDATION 2:

The PSNI should review all of the PSNI's policies and practices in relation to the stops and searches of children between the ages of 10 and 14.

RECOMMENDATION 3:

The PSNI should publish more detailed statistics in relation to Justice and Security Act (JSA) powers including the exact age of the children stopped and searched.

RECOMMENDATION 4:

The PSNI should publish annually the community background figures for arrest and custody of children and young people.

RECOMMENDATION 5:

The PSNI should report on the numbers, ages, and the offence for which they were arrested of all children and young people who have been detained in police custody for more than two hours and the length of time that they were detained.

RECOMMENDATION 6:

The PSNI should provide the Board annually with the numbers of children and young people who were not brought before the custody officer on arrival at the police station, their ages and the reasons why there was a delay.

RECOMMENDATION 7:

The PSNI should report to the Board what the barriers and obstacles are to increasing the diversion of children and young people away from the formal justice system.

RECOMMENDATION 8:

The Department of Justice should increase the minimum age of criminal responsibility in Northern Ireland to at least 14 years of age in order to comply with the recommendations of the UN Committee on the Rights of the Child.

RECOMMENDATION 9:

The PSNI should report on how they intend to achieve their objectives in supporting children at risk of offending or becoming victims of crime when neighbourhood police and other officer numbers are falling.

RECOMMENDATION 10:

The PSNI should investigate on how better data could be collected on boys and girls involved in Child Criminal Exploitation and/or Child Sexual Exploitation in order to consider and review the current policies and approaches.

RECOMMENDATION 11:

In the absence of a statutory definition of Child Criminal Exploitation the PSNI should adopt the following definition:

“Child criminal exploitation is a form of child abuse which occurs where an individual or group takes advantage of an imbalance of power to coerce, control, manipulate or deceive a child or young person under the age of 18 into any criminal activity. The exploitation (may be) through violence or the threat of violence (but may also appear to be transactional and in the context of perceived relationships and friendships). The victim may have been criminally exploited even if the activity appears to be consensual. Child criminal exploitation does not always involve physical contact. It can also occur through the use of technology (and social media). The criminal exploitation of children (and young people) can include being exploited into storing drugs or weapons, drug dealing, theft, violence, intimidation, vandalism, forced labour and other forms of criminality through grooming by people that children and young people trust or look up to.”

RECOMMENDATION 12:

The PSNI should meet regularly with the Commissioner for Victims of Crime, Victim Support and Assist NI to ensure the best possible ways to protect children and young people are identified and that additional training is provided to officers to help them with the process of referral to Victim Support and Assist NI.

RECOMMENDATION 13:

Data outcomes of campaigns relating to Child Sexual Exploitation, Sextortion and Sexting should be included in the PSNI reports to the Board twice a year.

RECOMMENDATION 14:

The PSNI should not in any circumstances, use children and young people as Covert Human Intelligence Sources.

RECOMMENDATION 15:

The evidence from this report appears to indicate that some young people do not report sexual crimes that have involved their telephones and other devices. This may be partly due to the fear that they themselves may be prosecuted and to a fear that their devices will be retained for long periods. The PSNI, therefore, should address these issues by:

- Setting up a speedier triage system and change its system of priorities so that the importance of the device to the victim is taken into account in how long the device is retained.
- The investigating officers need additional training to ensure that only the necessary data is being sought and that the device is returned as quickly as possible.
- Through school/youth settings, community visits and other outlets the PSNI should revisit its messaging around the sending and receiving of photographs. This is to ensure if young people are a victim they should report this crime and need not be afraid of the consequences if the image and its original communication was consensual. The victim should be reassured the real perpetrator is the person circulating the photographs.

- The current procedure for dealing with devices provides that the PSNI investigating officer completes an online form with details of what information needs to be retrieved, the nature of the incident and details of the device owner. A copy should be provided to the child when it is sent to the Cybercrime department.

RECOMMENDATION 16:

The PSNI should report twice a year to the Board on the progress and on the outcome of referrals made to National Referral Mechanism (NRM).

Northern Ireland Policing Board

James House
Block D, 2 – 4 Cromac Avenue
The Gasworks
Belfast, BT7 2JA



028 9040 8500



information@nipolicingboard.org.uk



www.nipolicingboard.org.uk



policingboard



@nipolicingboard



nipolicingboard



Northernirelandpolicingboard