

Police Service of Northern Ireland

Policy for Public Disclosure.

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POLICY DIRECTIVE

PSNI POLICING WITH CHILDREN AND YOUNG PEOPLE

1. POLICY IDENTIFICATION

POLICY TITLE: Policing with Children and Young People

POLICY OWNERSHIP:

**DEPARTMENT
BRANCH**

**Criminal Justice
Community Safety**

POLICY APPROVED BY:

**CCF REF/OTHER
DATE OF APPROVAL**

**ACC Criminal Justice
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2. POLICY STATEMENT

- (1) (a) The Police Service of Northern Ireland (PSNI) will work in partnership with statutory and voluntary agencies, the business sector and the community to provide a co-ordinated, consistent and appropriate approach for all interactions with young people.
- (b) The Police Service recognises the need to engage effectively in a consistent manner with children and young people through consultation to ensure our service delivery reflects their needs and protects their rights.

(2) Who does this Policy apply to?

- (a) To ensure a consistent approach within Northern Ireland, the Police Service will follow the guidance set out by Office of First Minister Deputy First Minister (OFMDFM) and this Policy will apply to everyone up to the age of 18 years and young people with disabilities and care leavers up to the age of 21.
- (b) Making contact with youth is an extremely important aspect of the PSNI's work, whether that be by way of educational outreach, offence behaviour or behaviour that gives concern for their safety and well-being.

3. INTRODUCTION

(1) Summary

- (a) This Policy draws on the aims and objectives identified at a national level through the Association of Chief Police Officers' (ACPO) strategy for children and young people and has been developed taking full cognisance of the issues concerning young people and policing in Northern Ireland. This will enhance and expand upon the work already undertaken with children and young people in the community.
- (b) Police engagement with children and young people from an early age can only pay dividends, supporting communities and building positive relationships thereby encouraging young people to play an active part in society. The Policy also takes account of the fact that today's children and young people will be tomorrow's potential public representatives, professional employees and employers, police officers, and other opinion formers within Northern Ireland society.
- (c) There are many circumstances where children and young people come into contact with police. In some of these situations there can be a negative perception associated with the children and young people concerned. This can be seen in the high number of reports to police of 'Youths Causing Annoyance'. Part of this can be attributed to a lack of understanding of youth culture and a lack of understanding of the needs and concerns of the young people involved.
- (d) It is recognised that mid to late teenage years are a difficult time whereby some young people come into contact with the criminal justice system, and this policy through the key themes outlined below, aims to assist the Police Service to manage this. The Policy recognises the challenges facing children and young people in their interaction with police and the need to embrace a positive service delivery approach
- (e) **It is important to remember however in all interactions with police that the vast majority of children and young people do not engage in anti-social or criminal behaviour, and it is vital that the Service engage with children and young people in an open minded manner to understand and address their concerns in the most appropriate way for each individual. In doing so, consideration of wider familial or situational factors of each individual needs to be recognised. It is also important to bear in mind that young people are much more likely to be victims of crime than older people.**
- (f) As a report on the attitudes and experiences of young people in North Belfast has shown, many young people have negative views of the police and this should be borne in mind when dealing with them. (The report can be found at <http://www.nipolicingboard.org.uk/publications/youthsurvey.htm>)
- (g) In providing guidance to Districts this Policy seeks to provide a framework for officers to have confidence in their interaction with children and young people.

(2) Aims and Objectives

(1) The aims and objectives of the PSNI's Youth Policy are documented under five headings:

- (a) Engagement with children and young people;
- (b) Children and young people as victims and witnesses;
- (c) Crime prevention and the safety of children and young people;
- (d) Crime reduction - Interventions by Police;
- (e) Human resource development to support specialist roles and the organisation at large;

(2) It is incumbent on Districts to consider the objectives under each aim.

(3) Engagement with Children and Young People

(a) Aim

The PSNI will seek to build and maintain positive relationships, with and between all children and young people, based on constructive dialogue.

(b) Objectives

- (i) To treat children and young people with dignity, understanding and respect, and listen to their views on key policing issues which affect them.
- (ii) To develop effective consultation and involvement with a representative range of children and young people, through appropriate strategic, and district level mechanisms.
- (iii) To ensure a particular focus on the development of effective engagement with vulnerable, isolated, and hard to reach groups, including those from minority ethnic or other communities, and those with a disability.
- (iv) To work in partnership with other key agencies involved in the provision of services for children and young people with a view to contributing to, and learning from their engagement with this sector of the community.
- (v) To work in partnership with the education sector, in particular, through the vehicle of the Citizenship and Safety Education programme and associated initiatives, to promote and encourage good citizenship among children and young people [see 4(b)(ii)].
- (vi) To research and identify appropriate good practice from other Police services, Youth Justice agencies and the Voluntary/Community sectors, for development and dissemination within District Command Units.

(4) Children and Young People as Victims and Witnesses

(a) Aim

- (i) To provide children, young people, and their parents and carers, with appropriate support and information to help to prevent and reduce the likelihood of being subjected to crime and to deal effectively with any crime they may experience.
- (ii) To ensure that children and young people are provided with the best available information to enable them to avoid crime and disorder.

(b) Objectives

- (i) To increase levels of reassurance and confidence within children and young people, and their parents and carers, regarding the reporting and investigation of crimes involving young victims and witnesses.

- (ii) To work in partnership with the Education system through the delivery of the Citizenship and Safety Education programme and related initiatives to:
 - (aa) Prevent children and young people from becoming involved in crime.
 - (bb) Divert children and young people away from crime.
 - (cc) Educate children and young people regarding the consequences of crime as victims and perpetrators.
 - (dd) Support and educate children and young people to become good citizens.
- (iii) With our partners in the Criminal Justice System, to maximise the use of special measures for children and young people as vulnerable witnesses at Crown Court and in the Youth Court (Legislation referring to special measures can be found at <http://www.opsi.gov.uk/si/si1999/19992789.htm>)
- (iv) To ensure that effective information sharing mechanisms are in place internally and externally to assist with the identification and assessment of the needs of young people as victims and witnesses.
- (v) To ensure the robust investigation of all reported incidents of bullying where there is evidence of a crime having been committed, and the provision of appropriate support through a partnership approach.

(5) Crime Prevention and the Safety of Children and Young People

(a) Aim

To identify those children and young persons at risk of becoming involved in offending or anti-social behaviour and to work with partner agencies in the provision of appropriate support and intervention.

(b) Objectives

- (i) Through the Youth Diversion Scheme framework to identify children and young persons at risk of offending and subsequent social exclusion.
- (ii) To take a lead role in sharing information with other key agencies to identify and assess those at greatest risk, developing protocols to allow this to happen.
- (iii) To work with partners regarding the development of and access to individual support and intervention programmes for those identified at risk.
- (iv) To develop and implement the use of Acceptable Behaviour Contracts across all District Command Units as a corporate responsibility where appropriate, and complementary to the use of other statutory diversionary interventions.
- (v) To develop the appropriate use of restorative interventions as a problem solving tool to address the behaviours of children and young persons which fall short of being criminal, but which are perceived to be anti-social (acting in a manner that caused or was likely to cause harassment, alarm or distress).
- (vi) To research and develop in partnership with other agencies the targeted provision of appropriate diversionary programmes/measures for children and young persons.

(6) Crime Reduction - Interventions by Police

(a) Aim

- (i) To deal promptly, effectively and fairly with children and young persons who have offended.
- (ii) To have a consistent and proportionate response across all District Command Units.

- (iii) To enable children and young persons to understand the impact and consequences of their offending behaviour, to take responsibility for their actions, and to make changes regarding their future behaviour.

(b) Objectives

- (i) To ensure, when appropriate, the utilisation of the Youth Diversion Scheme when dealing with children and young people who have offended.
- (ii) To ensure the Police Service of Northern Ireland meets agreed organisational standards and procedures from first contact to sentence.
- (iii) To ensure that children and young persons who offend are dealt with in a manner which is consistent with the Human Rights Act 1998, the UN Convention on the Rights of the Child and the legal requirements highlighted in section 3(3).
- (iv) To ensure information sharing takes place with key agencies compliant with legal and policy directives.
- (v) To engage victims through the use of restorative interventions to explore the harm caused, and better inform children and young persons.
- (vi) To engage in a multi-agency approach to secure the provision of appropriate interventions and support for the children or young persons and their parents or carers.
- (vii) To work in partnership with other agencies to identify and respond effectively to persistent offenders.

(7) Human Resource Development to support Specialist roles and the Organisation at large

(a) Aim

- (i) To ensure the staff of the Police Service of Northern Ireland who have regular focused contact with children and young persons are appropriately vetted and selected and have appropriate skills to effectively perform their role.
- (ii) To ensure the Police Service of Northern Ireland provides appropriate and adequate training for staff working with children and young persons.

(b) Objectives

- (i) To clearly define roles and responsibilities for police officers in respect of those policy areas which involve significant interaction with children and young persons.
- (ii) To maintain appropriate role profiles based on the Integrated Competency Framework - see PoliceNet.
- (iii) To identify training needs and requirements for those staff, ensuring the provision of such training, in particular with regards to children and young people who are minority groupings and hard to reach.
- (iv) To ensure that officers are trained for the role of restorative caution and informed warning delivery and to maintain practice standards in the use of restorative interventions.
- (v) To provide qualitative and quantitative benchmarks against which the performance of individuals and the organisation can be assessed.
- (vi) To pursue external evaluation and validation of key policies and interventions with children and young people.

(3) Legal Basis

- (1) Police officers have a duty according to Section 32 of the Police (NI) Act 2000.

- (a) To protect life and property;
 - (b) To preserve order;
 - (c) To prevent the commission of offences; and
 - (d) Where an offence has been committed, to take measures to bring the offender to justice.
- (2) When carrying out these duties police officers shall protect human dignity and uphold the human rights of all persons as enshrined in the European Convention on Human Rights.
- (3) In addition to these, the United Nations Convention on the Rights of the Child identifies four core principles:
- (a) The best interests of the child must be paramount (Article 3);
 - (b) Children have a right to be heard (Articles 12 and 13);
 - (c) Children have a right not to be discriminated against (Article 2);
 - (d) The State has a duty to protect children (Article 19).
- (4) The above principles should be considered and applied in police interactions with children. (Summary of all the UNCRC articles included in Appendix B).
- (5) Officers are to ensure that they have regard to the welfare of children and young people whilst exercising their core functions, section 53(3) of the Justice (NI) Act 2002.
- (6) The following non-binding human rights standards should also be applied to police interactions with children and young people:
- (a) UN standard Minimum Rules for the administration of Juvenile Justice: the Beijing Rules (1985);
 - (b) UN Minimum Rules for Non-Custodial Measures: the Tokyo Rules (1990);
 - (c) UN Guidelines for the Prevention of Juvenile Delinquency: the Riyadh Guidelines (1990).

4. IMPLICATIONS OF THE POLICY

The following implications were considered:

(1) Financial and Efficiency Implications

- (a) The aim of this Policy is to provide a consistent and professional policing service across all districts in respect of engagement with children and young people. This will be achieved by building on existing resources, structures and procedures.
- (b) There are no immediate financial implications for the implementation of this Policy.

(2) Human Resources/Training

- (a) Community Safety Branch is responsible for the provision of training of Community and Schools' Involvement Officers and also restorative justice training for Youth Diversion Officers. The contents of this Policy Directive should be incorporated into training given to all officers in respect of diversity.
- (b) Human Resource Department will be required to work closely with DCUs and Departments with regards to the design of specialist/corporate role profiles to ensure correct selection procedures can be actioned.
- (c) DCU commanders will assess training needs that can be tailored to local needs in relation to the content of this Policy Direction. Where this is considered necessary, an interagency approach is recommended. A recent example of such an approach to a local training issue

was the involvement of Re-solv, a charity dedicated to the prevention of solvent and volatile substance abuse (VSA), in the provision of VSA training to local officers.

- (d) Training, Education and Development Branch will be required to assess the contents of this Policy Direction with regard curriculum design and the training and development of student officers, detectives and managers.

(3) Partnerships

- (a) As outlined in “Policing with the Community in Northern Ireland” a major objective of community policing is to establish active partnerships between the police, the community and other relevant bodies through which crime, service delivery and police-community relations can be analysed and appropriate solutions designed and implemented.
- (b) The Police Service will continue to work to establish new, and build on existing partnerships with community, voluntary and statutory agencies who engage with and support, children and young people.

(4) Risks

- (a) In carrying out its functions in relation to children and young people, the police service will have due regard to the need to promote equality of opportunity. It must be borne in mind that some children or young persons will require more support or assistance than others according to their specific needs, in order to provide a consistent service.
- (b) By not fully implementing this Policy the PSNI will be failing in its duties under Section 32 of the Police (NI) Act and its responsibilities under Human Rights legislation and Section 75 of the Northern Ireland Act 2000.

(5) Consultation

- (a) The following police officers and departments were consulted:

- (i) Police Service/Chief Constable’s Forum;
- (ii) Legal Adviser;
- (iii) Human Rights Legal Adviser;
- (iv) District Commanders;
- (v) Training, Education and Development Branch;
- (vi) Superintendents Association;
- (vii) Police Federation.

- (b) The following voluntary and statutory agencies were also consulted:

- (i) Children’s Law Centre;
- (ii) Include Youth;
- (iii) NI Human Rights Commission;
- (iv) Northern Ireland Commissioner for Children and Young People (NICCY);
- (v) Northern Ireland Office (NIO), Community Safety and Central Management Units;
- (vi) Northern Ireland Education and Library Boards;
- (vii) Northern Ireland Health and Social Services Board – Children’s Planning Committees;
- (viii) British Irish Rights Watch;
- (ix) Global Club – Youth Council;

- (x) Probation Board;
- (xi) Youth Justice Agency;
- (xii) Northern Ireland Association for the Care and Resettlement of Offenders (NIACRO);
- (xiii) Youth Action;
- (xiv) Barnardos;
- (xv) Parents Advice Centre;
- (xvi) National Society for the Prevention of Cruelty to Children (NSPCC);
- (xvii) Public Prosecution Service (PPS).

5. HUMAN RIGHTS/EQUALITY/INTEGRITY/FREEDOM OF INFORMATION

- (1) This Policy potentially engages Article 5, 6 and 8 of the European Convention on Human Rights. Any rights engaged under the terms of this Policy will be necessary and proportionate to the prevention of crime, in the interests of public safety and for the protection of the rights and freedoms of others.
 - (a) **Article 5:** The right to liberty.
 - (b) **Article 6:** The right to a fair hearing.
 - (c) **Article 8:** The right to respect for home and family life.
- (2) This Policy is deemed to be Human Rights compliant; it has been screened for Section 75 considerations and meets integrity standards. This Policy Directive should be read in conjunction with the Code of Ethics for the PSNI. It is considered that in its implementation, the Policy would have a neutral or positive impact on children and young people, and therefore an Equality Impact Assessment (EQIA) would not be considered necessary.
- (3) This Policy is suitable for public disclosure in accordance with Freedom of Information Act 2000, however, the accompanying Procedure and Guidance is suitable for internal dissemination only.
- (4) In addition to these, the United Nations Convention on the Rights of the Child identifies four core principles:
 - (a) The best interests of the child must be paramount (Article 3);
 - (b) Children have a right to be heard (Articles 12 and 13);
 - (c) Children have a right not to be discriminated against (Article 2);
 - (d) The State has a duty to protect children (Article 19).
- (5) The above principles should be considered and applied in police interactions with children. [Summary of all the (UNCRC) articles included in Appendix B].
- (6) Officers are to ensure that they have regard to the welfare of children and young people whilst exercising their core functions, section 53(3) of the Justice (NI) Act 2002.
- (7) The following non-binding human rights standards should also be applied to police interactions with children and young people:
 - (a) UN Standard Minimum Rules for the administration of Juvenile Justice: the Beijing Rules (1985);
 - (b) UN Minimum Rules for Non-Custodial Measures: the Tokyo Rules (1990);
 - (c) UN Guidelines for the Prevention of Juvenile Delinquency: the Riyadh Guidelines (1990)

- (8) Due to the vulnerable nature of children and young people, it is extremely important that all officers engaging with them ensure that every effort is made to inform children and young people of their rights.

6. REVIEW

- (a) This Policy will be reviewed annually. The first review will take place on or before 5 October 2007. Inspector, Community Safety, Lisnasharragh will undertake the Review.
- (b) Any feedback in relation to this Policy should be forwarded to the Inspector, Youth Issues Team Community Safety Branch, Lisnasharragh.