



# Collateral Damage

**An inquiry into the impact of  
witnessing a home raid by the  
police, on the children and the  
siblings of offenders in England**

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# Foreword

*“Home is a name, a word, it is a strong one; stronger than any magician ever spoke, or spirit ever answered to, in the strongest conjuration.”* **Charles Dickens**

Raiding a home is not a decision the police take lightly. They do it to catch criminals before they can escape, or to make sure they get the evidence needed to convict someone. For the most part they are dealing with serious crimes and in conducting the raids, make our communities safer for all of us.

Yet by its very definition, a raid is a violent incident in which a person's place of sanctuary is invaded and upended. And in many cases, this will not just be the home of the person who has committed the crime. It will also be the home of their family who are often innocent bystanders. I cannot imagine what it must feel like for a small child, warmly asleep in bed, to be woken by angry, shouting men in intimidating uniforms kicking down the door, tearing your bedroom apart and finally taking your parent or older brother or sister away.

But we must do our best to imagine it. Because it is clear from the enquiries I have made over the last year, that each year thousands of children experience the trauma of having their home raided and searched, and watching a family member being arrested. And by ignoring their needs and experiences, we risk casting these children into the strong currents of criminality – making them fear and distrust the police and offering them no meaningful explanation and support to help them understand their experience.

Pulling together meaningful insights on this topic has not been easy. But I would like to thank the families that did speak to me for their honesty and thoughtfulness. I would also like to commend the passion and commitment of the volunteers and charity workers who took part, especially those with Pact and Place2Be, and the openness of some of the police and Home Office who took the time to talk to me.

I hope this report will help us remember that no child should be excluded from our commitment to protecting children and young people from harm.

## Executive Summary

This inquiry focuses on the impact on children and siblings in England who have witnessed a home raid by the police. Its purpose is to inform police, policy makers and those concerned with the welfare of children.

The key points that have emerged during the course of this project are:

- Innocent children and young people who witness a home raid are likely to be traumatised by the incident, and develop strong negative views of the police.
- Possibly as many as 80,000 children experience this each year. But the exact scale of the issue is still unknown.

At the core of this challenge is the tension between the needs of the police to enforce the law with regards to other family members in a shared property and Article 16 of the United Nations Convention on the Rights of the Child: “Children have a right to privacy. The law should protect them from attacks against their way of life, their good name, their families and their homes.”<sup>1</sup>

But while this problem could be seen as one of the entrenched “wicked” social issues that are overwhelmingly complex to solve, in this case huge improvements could be made to protect vulnerable children and young people at a very minimal cost. This can be seen clearly in the example of the Chief of Police in San Francisco who has instigated a trauma-informed approach to arrests and raids, which is sensitive to the impact on the wider family.

The recommended next steps are:

### 1. Identifying the scale

The police, led by the National Police Chief’s Council’s lead for Policing Children and Young People, should run a data project to identify the scale of this problem. This could be done on a minimal budget using sample areas.

### 2. Research to identify what would make a difference

Academics should undertake further research to pinpoint the key factors that contribute to the trauma so that police can be reliably informed of what will really make a difference.

### 3. Programme to support youth advocates

Charities working with young people or with families of prisoners should seek to provide targeted support for this forgotten group - not only listening to them, but also supporting them to become advocates for themselves and their peers.

### 4. Training for police

The police, led by the College of Policing, should do more to increase police awareness of the traumatic impact on children and the long-term effects of this.

## Background

This piece of work was originally inspired by Our Voice – a project run by the charity Pact, working with a group of young people who had experienced having a family member in prison.

Using a variety of creative art forms, the young people working with Pact put together a charter of rights for themselves as children with a family member in prison.

Of the 25 areas covered by the young people, four were focussed on home raids:

- We want there to be more consideration for the rest of the family when an arrest takes place.
- We don't want our homes to be raided.
- We don't want force to be used in front of us.
- We want our homes to be cleared up and fixed after a raid.<sup>2</sup>

Based on this project, I set out to try and understand more about the impact on children and siblings of prisoners when they witness a home raid, and what could be done to reduce that impact. Core to this was an ambition to hear from young people not only about how they had been affected, but their suggested improvements. I also hoped to get closer to knowing just how many children have experienced this.

The harsh reality is that neither has been easy to do within the scope of this study. There are very few children with a family member in prison who are being actively supported by some of the great charities in this field who do so much with parents and partners. As a result, finding children to speak to where I could be confident

that a support structure was around them proved almost impossible. Similarly, there is no data available from the police that makes it possible to work out how many children are affected. What began as a piece of research has become an inquiry: a systematic attempt to bring together what is known and understood in the field of inquiry, and to identify the gaps, rather than a more conventional piece of research. Nevertheless, I hope that the inquiry will contribute to the research agenda.

Despite this, almost everyone I spoke to felt this was an important area that needed more attention. As a result, this report has tried to provide a concise summary that covers: what we know about the impact on children and young people of witnessing home raids; an overview of current police practice in England; an insight into how many children and young people may be affected; examples of emerging good practice outside of England; and recommendations for next steps.

It is my hope that this will provide a useful framework to be picked up both by the police – who are best placed to make a real difference to these children's lives – and by the charities and other support agencies that are concerned for the welfare of these children.

## Methodology

The initial plan for this work was to ask children how they had been affected by witnessing a home raid, and what they would recommend to mitigate that impact. As such, my initial desk-based research and meetings with experts were intended to provide me with background understanding, rather than form the core of the research. However, given the paucity of information and the challenge of speaking to children, these elements have now become key to this report.

### 2.1 Desk research

The research began with an internet search around terms in two key areas – the affect of imprisonment on families, and how arrests and raids are carried out. It soon became clear that the majority of the existing research studies that do exist in this area are confined to the USA – the only notable exception being the COPING project<sup>3</sup> which took a pan-European approach. This was true in particular, with regards to research with a focus on trauma, or that made reference to the numbers affected. Indeed in the UK, any research that looked at the relationship between children and the police tended to focus on areas such as stop and search.

There are of course some excellent examples of data and information relating to imprisonment in the UK – not least the regular Bromley Briefings<sup>4</sup>. However, research that intersects with this issue – such as the Ministry of Justice’s Prisoners’ Childhood and Family Backgrounds report<sup>5</sup>, or the report to All Party Parliamentary Group for Children on relationships between the police and young people<sup>6</sup> – tends

to focus on those in the criminal justice system, rather than on their families, leaving inferences to be drawn relating to those family members who might not end up offending, but are nevertheless affected by the imprisonment of a family member.

Overall though, it is fair to say that there is very little research into this area, not only in England, but also internationally, and what does exist is piecemeal.

There are a few online forums for prisoners’ families, and relevant excerpts from these have also been included in this report.

### 2.2 Meetings with experts

Although not captured as formal interviews, initial meetings were held with experts in this field including:

- Two CEOs of charities dedicated to supporting prisoners’ families.
- Three experts from leading children’s charities.
- A CEO of a leading prison advocacy charity.
- A police officer with responsibility for

- young people and policing.
- A police officer who advises the Youth Justice Board.
- Two academics currently working with a focus on prisoners' families.
- One young advocate who had experienced parental imprisonment.

I am grateful for the time that was given in speaking to me. While the content of each discussion varied, the common theme to all was that the impact on children of home raids was an issue that everyone had come across, although for many they had only recently become aware of it. Also common across all discussions was agreement that this was an area which could cause such significant damage to children and young people that it deserved further research to identify and understand it.

### 2.3 Interviews with families

Given the potential emotional impact of being interviewed about witnessing a home raid, I decided only to speak to young people where I was confident that they were already in contact with a support charity they could turn to. This meant that to recruit interviewees it was necessary to speak to the support charities; engage their front-line key workers and volunteers; ask them to speak to relevant partners or parents they were speaking to or advertise the research in visitors centres; ask the guardians for their consent and to speak to the young person; and arrange an interview with the young person. This is a long chain of communication, and given the chaotic lives and multiple challenges that the families in question are often dealing with, it is perhaps not surprising how difficult this was. However, for the purposes of this report the

following accounts were collected:

- One male, age 17, who was 12 years old at the time his father was arrested for fraud. This account combines a transcription from a video already filmed for a charity, supplemented with written answers passed via his mother.
- One male, age 23, who was eight at the time of his older brother's arrest for murder. This was part of a joint interview he participated in with his mother.

The appendix shows information provided to front-line workers to advertise the research; template disclaimers; and interview questions.

### 2.4 Data requests

Two new pieces of data were sought as part of this report. Freedom of Information (FOI) requests were submitted to all 39 English police forces. All the police forces that were contacted provided some form of response to the request.

A search of call records made to the NSPCC's Childline was conducted for words relating to home raids. As there were only a small number of cases, this data couldn't be pulled out to be statistically relevant. However, a short analysis was provided by the NSPCC.

Appendix iv shows the full FOI request submitted.

# The Impact on Children

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# The Impact on Children

From the available evidence, it appears that there are two fundamental ways that witnessing a home raid can negatively impact a child or young person. The first is due to the event itself being traumatic in its sudden and unexpected violence. The second is that it creates a long-lasting negative view of law enforcement.

## 3.1 The traumatic impact

### Existing research

The imprisonment of a parent is now recognised as an “adverse childhood experience” (ACE), but with a unique combination of trauma, shame, and stigma.<sup>7</sup> Beyond this, research has also found that the trauma is increased when the child also witnesses the arrest, and that this can have a long-term impact on a child’s wellbeing and development<sup>8</sup>. For example a study based in the USA found that children who witnessed an arrest of a household member were 57% more likely to have elevated post-traumatic stress symptoms compared to children who did not witness an arrest.<sup>9</sup> Or as one researcher described it:

*“The child witnesses the forced removal of the parent, as well as the parents’ confusion, embarrassment and shame... He or she sees the parent being disempowered, leaving the child feeling exposed and vulnerable. Thus, the child’s immediate reactions may include feelings of helplessness, bitterness about the way the parent was arrested, and anger toward the arresting officers.”<sup>10</sup>*

In describing the impact that trauma can have on a child, The National Child

Traumatic Stress Network, says:

*“Traumatic events can evoke powerful psychological and emotional reactions such as an overwhelming sense of terror, helplessness, and horror, as well as physical sensations such as a racing heart, trembling, dizziness, and loss of bowel or bladder control. In the aftermath of trauma, children may become jumpy and hypervigilant, may struggle with intrusive images related to the traumatic events, may be unable to sleep or have nightmares, and may find it difficult to concentrate or take in new information*

*Research has shown that trauma significantly increases the risk of mental health problems, difficulties with social relationships and behavior, physical illness, and poor school performance.”<sup>11</sup>*

The most thorough research undertaken in this area, The COPING Project, had similar findings:

*“In the UK at least 25% of our sample of children were at high risk of mental health problems compared to their peers. While this is attributable to a number of reasons, the impact of a parent being arrested appeared to act as a contributing factor.”<sup>12</sup>*

### A young person’s perspective

M was 12 years old at the time his father was arrested for fraud. In the following account he describes his home being raided by the police in the early hours of the morning and the long-term impact on him.

*“It all started November 2010 when my house was raided. It was about 6/7 in the morning and the doorbell rang. The gates were thrown open and the police came barging in. I was asleep. They threw the duvet off my bed and told me to stand up. I was confused. I was scared. So many thoughts were working through my mind – why were they here? What were they doing here? Have I done something wrong? I was unsure what was happening.*

*And I felt scared. I was scared by the police at this time as I felt like I was being treated like an animal. They told me to get off my bed.*

*They shoved me in a room and told me not to move off the sofa. It was like I had done something wrong.*

*I felt like an object. I was being pushed around. I felt very, very small. It was a very traumatic experience and I was just really, really scared. I didn’t know what was going on. I was very confused. And that whole day I felt sick because I was mentally unstable. I didn’t know what was going on. I was confused. And I was just very, very upset. Then I was told I had to go to school the same day and that was*

*even more devastating because I didn’t know what people were going to say to me. I didn’t know what was going on. I was just really, really scared that my dad had been arrested. And every part of me just... blew up. There was no part of life left in me. I felt dead. And I was upset... There’s just no words to explain how I felt. I just felt mentally sick and confused and I just wanted to cry.*

*Afterwards no one really talked to me about it. I talked to my mum a bit and my brother. But that’s all. It’s been five years since it happened but I still think about it every day, early in the morning.*

*I hate the police for not helping my mum.”*

### Analysis of calls to Childline

For this inquiry a Business Information Analyst at the NSPCC conducted a brief analysis of calls made by children to Childline where a home raid was specifically mentioned.

*“Some young people stated that they suffered stress and confusion when their homes were raided by the police. Often young people didn’t fully understand why their homes were being raided which left them feeling confused and anxious. Some young people expressed worries regarding parents losing the family home, or being taken away from their parents.*

# The Impact on Children

## 3.2 Shaping a child's view of the police and likelihood to offend

### Existing research

There is significant evidence that shows that having a family member in prison increases the likelihood of another family member going on to offend. For example, in a recent study by the Ministry of Justice, 37% of prisoners said someone else in their family had been convicted.<sup>13</sup> However, there is little robust research to disentangle what the key contributing factors are.

However, the International Association of Chiefs of Police is clear that there is an important correlation between how the arrest is handled and the future relationship between a child and the police.

*“The arrest of a parent can have a significant impact on a child whether or not the child is present at the time of the arrest. Depending on age and quality of the relationship with the parent, children may feel shock, immense fear, anxiety, or anger towards the arresting officers or law enforcement in general...”*

*Later problems with authority figures in general and law enforcement in particular can arise if officers or other service providers do not take the time to address the needs of the child. Time taken with a child under these trauma-producing circumstances is time well spent. The kindness and assistance of an officer with a child creates lasting impressions even among very young children.*

*Treating a child with compassion and thoughtfulness is not only the proper thing to do, it is also a hallmark of good policing that can have long-term positive benefits for the child and the community.”<sup>14</sup>*

A report for the All Party Parliamentary Group for Children, on building good relationships between children and the police, came to a similar conclusion:

*“Many witnesses felt that children and young people’s first interaction with police officers can have a significant impact on how they view the police thereafter. The inquiry heard from several young people about the first time they came into contact with the police and for a significant number, the impact of that experience was both negative and long-lasting, cementing hostile and distrustful views of the police for years to come. Children often first come into contact with the police in ‘crisis’ situations, and there appear to be a lack of opportunities for children to meet and communicate with the police in positive, non-conflict environments. Examples of first encounters which were presented by young people to the APPGC included being stopped and searched in a park aged five; being present during a police raid on their home aged six; and being pinned to the ground face down for setting off fireworks aged twelve. Witnesses stressed that the quality of this first interaction is crucial, and the police have an important role in*

*ensuring that their behaviour does not generate or stimulate hostility from children and young people.”<sup>15</sup>*

### A young person's perspective

K was eight at the time of his older brother's arrest for murder. In this account he describes the police raid to arrest his brother, how he felt at the time, his reflections on how it has impacted his view of the police in the long-term, and what could have been done differently.

*“The way they knock on the door is terrifying. I will not lie. It’s just so aggressive. An aggressive way of knocking on the door. If you’re looking for someone, how you knock on the door won’t change if you’re going to catch the suspect or not. It won’t do anything, so I don’t get why they have to do that part. It’s just like, “Boof.” It’s just like someone is trying to kick down your door, basically. Which is an intimidation game, which isn’t really nice if you’re an innocent person staying in the house.*

*I can’t remember how many police there were. I was just told to go upstairs. There were two officers that came upstairs while we were in there. We got asked to leave again so we had to stand in the hallway while they searched, and we went back in. It definitely could have been handled a lot better. They didn’t talk to me. No one told me anything about what was going on. Literally, I had no idea. They didn’t comfort me or anything like that. They escorted me upstairs and they said: “Stay in this room.”*

*They searched my bedroom too. It was a tip. Everything was just everywhere. It was just a mess.*

*That was the most frustrating thing about the whole ‘police’ thing. It was the respect. There was no respect at all. It’s like you’re dirt with the police.*

*I was just very confused. I couldn’t really say I was hurt or angry until after, when I saw what they had done to my room and everything like that, but mostly, I was just confused. No one told me anything or comforted me to tell me what was happening.*

*I still think about that day all the time. You get flashbacks a lot. Not flashbacks, but you do drift off and think about it a lot, of course. That was a substantial moment in my life.*

*The way it affected me: it gave me a general hate for the police, which everyone will say, but it’s understandable, not for the reason that they took away my brother. It’s for the way they did it.*

*That’s the only thing. I couldn’t forgive them for a time. I didn’t like anything about them, to be honest. It made me not respect them and not respect the law, if I’m totally honest.*

*I’m not dumb. I understand what my brother did. He did do a crime. It was just about the whole way after and how they dealt with it and everything. Just anger more than anything. It’s anger towards the police in a way like that.*



# The Impact on Children

*I would say don't treat everyone else like they were a criminal. You had the suspect. You didn't have to treat anyone else like they were a criminal. Just the overall attitude and the way they messed up the rooms and stuff like that.*

*They were pumped to a level where they couldn't really communicate with anyone there. They were that power-hungry. It was like they were not doing their job. It was more like a victory for them to destroy this family. That's how I felt. I don't know if that was their thinking behind it, but that's how I felt. That's how it came across.*

*We don't know our rights, if we're being totally honest. We don't know the rights. I think they were taking advantage of that, because I don't believe there is anywhere in the rights where you can't comfort your mum or you can't sit where you want.*

*Even for the fact of just to help them, if they treat people with a little bit more respect, people will correspond with them and probably help them out even more rather than the bullying tactics.*

*I think there could be some support after, because I've not had one piece of support ever since that's happened from anywhere. I think there should be schemes that you're handed over to after*

*which are voluntary of course, but at least*

*gives you the opportunity to try and help yourself.*

*I coped with it by myself, on my own. That's it. No one else. Even my mum couldn't really help me at the time."*

## A mother's perspective

This account was posted on the blog Prison Widow UK by an anonymous mother whose home was raided by the police to search her house and arrest her husband for drug dealing. In it she describes the raid and the impact it has had on her young daughter.

*"Most children are frightened of the bogeyman or Mr Moon. My daughter isn't afraid of any of those - her fear is the police. When we walk down the street and see a police officer approaching, we have to cross the road. When we see a police car or van, with or without the sirens blaring, I have to pick my daughter up and cover her ears whilst she trembles in my arms. When my daughter's school has community bobbies coming in to do talks and presentations, she has to be dismissed from the class because she starts trembling and crying. My daughter has a phobia of the police.*

*Eighteen months ago, my husband was arrested for supplying drugs. Poor me thought he was going to 'work' every morning on a building site. One of his friends even picked him up every morning and I thought nothing of it. Eighteen months ago at 5am, the police came through my door and turned the house upside down.*

*The noise was horrendous and the police were a scary bunch. Our daughter was petrified and screaming to the point of*

*vomiting. My husband was cuffed, and behind the sink in our bathroom were rolls of money. During his trial, I was told that he was planning to leave me for his mistress, a local woman he had been having an affair with for two years. I had heard enough and turned my back on him completely because our daughter was my main concern.*

*She still has nightmares that are so bad she wakes up trembling and shaking. We were offered no support by the Police or other agencies.*

*What happens God forbid if my daughter needs the police at some point? What when she enters her teenage years she needs the police because some weirdo is bothering her or God forbid she meets a man who is aggressive towards her? At some point in anyone's life, we need the police for whatever reason.*

*I was told a few months ago that if my daughter needed counselling, I would have to pay for it. I can't afford it. The school has been relatively understanding but until you have the police coming through your door doing what they do, no one can ever understand.*

*I know the police have a job to do and I know that my husband is where he should be, but my daughter didn't ask for any of this.*

*She didn't know her builder father was a drug dealer. The school has informed me that they will try to help my daughter and push for counselling so at least now we are getting somewhere, but I have had to really fight for this. I am going to swear so please pardon my language, but it has been a fucking living nightmare. Right now I have a seven-year-old daughter who thinks that the police are bogeymen!"<sup>16</sup>*

## An analysis of calls to Childline

The brief analysis of calls made by children to Childline where a home raid was specifically mentioned, concluded:

*"In the cases where the family home was raided more than once some young people felt their family was being targeted unfairly by the police. Some went on to express feelings of fear about their home being raided again in the future."*

## Criminal Justice Practice

Guidelines and training for police and magistrates around this issue appear to be scarce.

### 4.1 Police and magistrates protocol and training

#### Review of general guidance for police

According to one senior police officer there are two scenarios in which a child could be affected.

“The first would be a pre-planned operation. In this scenario the police should be aware whether there is a child in the property through their planning and surveillance. This should then enable them to try to manage timings to reduce the number of children affected, or contact social services if they think both guardians will be arrested.

The second would be a post-arrest search. In this scenario the police would often still move hard and fast, but without the same pre-planning. However, the offender is often calmer in this situation.”

However, the guidance provided for officers in these scenarios does not include children as bystanders:

- The ‘Code of practice for searches of premises by police officers and the seizure of property found by police officers on persons or premises’ makes no references to children who might witness an arrest.<sup>17</sup>
- The College of Policing provides no guidelines referring to children, other than those considered a victim or a witness.<sup>18</sup>

#### Review of general guidance for magistrates

The Justice’s Guidance Booklet Dealing with Search Warrants states that:

*“The issue of a search warrant is a matter of judicial discretion. It is an extremely important process concerning the right of an individual not to have his home invaded. It is not part of a police operation, but rather a constitutional check upon it.”<sup>19</sup>*

However, it then goes on to place the responsibility squarely on the shoulders of the police, providing the following advice:

*“We often ask the question: “Are there children or vulnerable people on the premises?” Whilst you are entitled to ask any relevant questions, it would seem to be an abuse of a Justice’s discretion to refuse to issue a warrant on the grounds that there are vulnerable people on the premises. The manner in which the search is carried out is a matter for the police, rather than the Courts.”<sup>20</sup>*

#### Responses to the Freedom of Information request regarding training

Early in this inquiry, I asked the National Police Chief’s Council what it was doing around the issue. In an email correspondence I was told that it has:

*“Promoted the i-HOP training run by Barnados as an approach that attempts to highlight the impact of arrest and prison on children.”*

I then went on to submit a Freedom of Information request during this research to all police forces in England asking them for any guidance and training provided within their force that makes reference to offenders' children. It showed that:

*Only one force provided any training that raised awareness of the issues of children being present at arrest.*

This was Suffolk Constabulary, which stated that:

*“Student officers complete an eighteen week training programme, which incorporates the issue of children being present at the arrest of offences under code G of PACE. The students receive extensive training around stalking, domestic abuse and protecting vulnerable people and a section of this looks at the effects on children. This is a week of the timetable. We then conduct several roleplays and have included children with the roleplay scenarios to show the recruits what effect this has on the children if the adults are arrested.”*

None of the forces made references to their use of the i-HOP training.

Forces were asked to supply details of the risk assessment procedure that is undertaken before a raid on a residential property:

- Only two of these made reference to being aware of children in the property.
- Both of these included children in the

same category as dogs or animals that might be in the property.<sup>21</sup>

## 4.2 Elements of police behaviour that have an impact

### Existing research

Although there is very little research available, the Children of Prisoners: Interventions and Mitigations to Strengthen Mental Health (COPING) project, a pan-European research project, found that:

*“In the UK the potential distress caused if the arrest of a parent was witnessed by children was very evident. It was also apparent that the level of distress could be lessened significantly by sensitive police practice.*

*In the UK there were examples of both heavy handed and sensitive child-centred police practice. For example, prior to a parent going to prison, the attitude, behaviour and language used by the police in searching a home and making an arrest, can have a profound impact on the psychological and physical wellbeing of a dependent child witnessing such events.*

*Examples of practices that are distressing to a child include police wielding guns, doors being broken down during forced entries, drawers being spilled, teddy bears being cut open to look for drugs. The information provided concerning the arrest and how this is communicated, the proximity of the child to the parent within the home at the point of arrest and the use of handcuffs in sight of the child, can all have an impact.”<sup>22</sup>*

# Number of Children Affected

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# Number of Children Affected

To try to understand how many children might experience a home raid each year, this inquiry looked at data captured on a regular basis by the police as well as wider indicators from other research and studies.

## 5.1 Police data

A Freedom of Information request to English police forces asking for details of the number of raids that had taken place in domestic properties, and where children were present, found that:

None of the forces recorded data on the number of domestic raids carried out, in a searchable format. While most recorded other people who were present at the time of an arrest, none collected information on the ages of those present.<sup>23</sup>

Without this information it is impossible for the police to understand the potential impact they are having on children.

However, the Freedom of Information team at the Metropolitan Police went to extra lengths to try and provide additional useful information. Following their suggestion for an amended request, they provided data for pre-planned searches of private premises in 2015, where a form 101 was completed, in two Borough Command Units. These were as follows:

### Havering

- Number of Domestic Raids - 215
- Number of Children Recorded - 3

### Richmond Upon Thames

- Number of Domestic Raids - 33
- Number of Children Recorded - 15

## 5.2 Other data sources

Other data sources show that:

- Approximately 200,000 children in England and Wales had a parent in prison at some point in 2009.<sup>24</sup>
- 54% of newly sentenced prisoners have children under the age of 18.<sup>25</sup>
- In the year ending March 2015, there were 950,000 arrests carried out by police in England and Wales.<sup>26</sup>

One recent small-scale study for Scotland's Commissioner for Children and Young People, and Families Outside, found that:

- At the time of arrest, seven children/young people (aged four years to 15 years) were present, while the other 13 were not.

This means a third of participants, who were a sample of children affected by parental imprisonment, witnessed the arrest.<sup>27</sup>

As part of the research for the All Party Parliamentary Group for Children on relationships between the police and young people, a group of seven young people in Cookham Wood Young Offenders Institute were asked: "How old were you when you had your first contact with the police and what was the context?"

Of the seven:

- Two reported it was during home raids.
  - One when aged 10.
  - One when aged five or six.

However, others had experienced raids at a later point.

When asked: "What would have to change to improve your perceptions of the police?" one of the group responded: "*Why do they have to kick down the door, why can't they knock?*" and another replied: "*When I was 12 the police raided my house with guns. My little brothers were only six and eight.*"<sup>28</sup>

While this issue has received slightly more research in the USA, there is still a large gap in the data.

- One survey of jailed mothers in California, found that one in five children were present at the arrest of their mother.
- Among parents incarcerated in New Mexico state prison, 32% of mothers and 26% of fathers indicated that their children witnessed their arrest.<sup>29</sup>
- A separate study estimated that 67% of parents arrested were handcuffed in front of their children.<sup>30</sup>

## 5.3 Potential implications

Without the data from the police, it is impossible to gauge exactly how many children are affected by witnessing the arrest of a parent, and by the searching of their home in a raid.

Using the data from the Metropolitan Police, the percentage difference between the number of children recorded during pre-planned searches in the two boroughs is so significant that it makes it very difficult to extrapolate anything concrete. It would also be difficult to assume that these numbers would be indicative of similar numbers elsewhere in England

However, if you were to do a crude calculation based on the number of households in the UK<sup>31</sup>, using the results from Richmond upon Thames, you could estimate the following:

**4,167 children**

*estimated to be present during a pre-planned search of private premises where a form 101 was completed, in 2015.*

Based on the other data sources, if it is as high as one in three children with a parent in prison, then it could be that:

**80,000 children**

*could be affected by the potential trauma of witnessing a home raid.*

This number wouldn't include those where it was an older sibling who was the offender. It is clear that there could be thousands of children affected by witnessing a home raid each year, and given the potential scale, it is vital that we do more to understand the issues involved as a matter of urgency.

## Emerging Best Practice

While the full extent of this issue is not yet understood, there are already groups seeking to tackle it. The i-HOP guidance, developed by Action for Prisoners' Families,<sup>32</sup> provides a framework for police in England and Wales. In the USA the International Association of Chiefs of Police published guidance on safeguarding children of arrested parents in 2014.<sup>33</sup> There have also been some examples of good practice.

### 6.1 Ayrshire, Scotland

#### Leaving behind information for families

In May 2012 the South West Scotland Community Justice Authority's Family Strategy Group put together a pilot which following an arrest in the home, saw the police leaving behind a simple contact card, which listed details of key support organisations. The launch report stated:

*"In recognition of the stress and anxiety following arrest, a working group of representatives from South West Scotland CJA Family Strategy Group, comprising representatives from the police, the Lighthouse Foundation and Families Outside developed a contact card which arresting officers will leave with family members when an individual is arrested at home.*

*The cards contain contact details of sources of support and information the family may require at any point consequent to an arrest. Local helpline details include Police Stations, Social Work and the Lighthouse Foundation; national helplines include Families Outside, Parentline and Scottish*

#### *Families Affected by Drugs.*

*Whilst this information is available from other sources, what is unique is that they are pulled together in one place on this card and that the police will actively promote it at the point of arrest, which can be a frightening and bewildering time for families and children."<sup>34</sup>*

Speaking at the launch, the Ayrshire Divisional Commander, Chief Superintendent John Thomson, said:

*"I am delighted that we are able to offer reassurance to the families of those who come into police custody and provide them with advice and perhaps some solace at what may be a challenging and difficult time for them.*

*I fully understand the distress and anxiety for everyone involved. I am extremely*

# Emerging Best Practice

*grateful to our partners in the South West Scotland Community Justice authority for their exemplary and ongoing assistance and support.*<sup>35</sup>

However, during the formation of Police Scotland less than a year later, this pilot scheme fell by the wayside.

## 6.2 San Francisco, USA

### The role of young advocates

The most significant example of a change in practice is in San Francisco, where the police have adopted a trauma-informed approach to arrests. As part of this, all police now have child development training, which includes getting down to a child's level; giving teenagers time; letting the offender say goodbye; and handing over teddies. This shift in behaviour has come at the direction of the Chief of Police, Gregory Suhr, after hearing the testimonies of youth advocates.

Those young advocates were part of The San Francisco Children of Incarcerated Parents Partnership, which put together an eight-point bill of rights. Of these, the first (as shown below) focuses on the arrest and the importance of recognising their complex emotions during this process. It is noteworthy that while there is little research focused on this area, it is the first thing that these young people wanted to highlight.

### Excerpts from Children of Incarcerated Parents

#### Excerpt from A Bill of Rights

**Right 1: I have the right to be safe and**

### **informed at the time of my parent's arrest.**

*Many children are introduced to the criminal justice system when their parent is arrested and they see her taken away in handcuffs. Most police departments do not have protocols for addressing the needs of children when a parent is arrested. The resulting experience can be terrifying and confusing for the children left behind. Some wind up in the back of a police car themselves, on the way to the first in a series of temporary placements. Others are left behind in, or return home to, empty apartments. Arrested parents often prefer not to involve public agencies in the lives of their children out of fear of losing custody. Many children share this fear, but at the same time long for someone to notice and attend to the family vulnerabilities that can both lead to and result from a parent's arrest. Parental arrest is by definition a traumatic event for children. But if children's wellbeing is made a priority, it can also become an opportunity to assess a child's needs, offer aid in what will likely be a difficult period, and connect with and support vulnerable families.*

### Excerpt from Rights to realities

#### **Develop arrest protocols that support and protect children.**

*Training police officers to understand and address children's fear and confusion when a parent is arrested is an important first step. At a minimum, police could be trained to inquire about minor children, and to rely—in the absence of evidence that to do so would place a child at risk—on the arrested parent as a first source*

*of information about potential caretakers. This would minimize both the possibility of children being left alone, and of children entering the child welfare system unnecessarily when family members or other caretakers are available.*

*Keeping in mind that safety is the first priority, the following steps might also be considered when feasible:*

- *Avoiding the use of sirens and lights in non-emergency situations where their use is discretionary, to reduce the fear and/or shame children may experience.*
- *If the arrestee is cooperative, allowing her to explain to her children what is happening and say goodbye, and walking her out of sight of the children before handcuffing her.*
- *When it is not possible or appropriate for the arrestee to offer an explanation, having an officer take children into another room and offer them an age-appropriate explanation of what is happening and what will happen next (e.g., "Mom needs to take a time-out and we will be taking her someplace where she can do that. You have not done anything wrong. We will make sure your mother is safe, and grandma will be here to make sure you are safe.")*

#### **Offer children and/or their caregivers basic information about the post-arrest process: where the arrestee likely will be held, how long it may take for him to be processed, and visiting hours and procedures.**

*This information might be conveyed via*

*a simple handout. Officers might also distribute a resource guide with a list of community agencies and services to children and families.*<sup>36</sup>

### The response of the local police chief

This excerpt has been taken from a blog by Sam Hart, Sussex Prisoners Families, as part of her Winston Churchill Fellowship. Sam met with Police Chief Gregory Suhr and provides an account of why and how he felt compelled to change police practice.

*"Chief Gregory Suhr has arrested more people than he cares to remember during his 34 years in the San Francisco Police Department. And whilst he has no regrets about bringing wrong-doers to justice, one part of the process just never felt right: "If there was a little kid there. They might just be hanging around as you left, or you might have to drive a kid to CPS (Child Protection Services) in the middle of the night. That never sat well with me."*

*Unfortunately, families are all too often seen as collateral damage in the quest to arrest and punish offenders. Take for example, the case of Luna Garcia who was five years old and playing happily with her little brothers, when law-enforcement officers broke down the apartment door and overturned her bedroom in an attempt to arrest her father, a process which was repeated several times in the next eight years. To this day, Garcia, now a youth spokesperson for the San Francisco-based advocacy group Project What, is too terrified to answer if someone knocks on her door.*

*And Chief Suhr tells the story of Cheyenne MacKenzie, another Project What advocate,*

*whose graduation day was destroyed by the arrival of the police who dragged her father away in handcuffs. He shakes his head: "That day was ruined for her. And everyone else at that graduation will remember her as the girl whose father was arrested. It could have been handled differently."*

*It is stories like these which led Suhr, with the support of the department's Sergeant Rachael Kilshaw, to introduce the concept of trauma-informed arrests.*

*This process takes into account the fact that offenders have families who may be present at arrest and seeks to minimise harm caused by law enforcement agencies.*

*In active pursuit of a 'Do No Harm' policy, the SFPD now routinely factor in the needs of family members and are encouraged to make arrests when children are not present. If this is unavoidable, officers are urged to be mindful of the irreparable damage that could be caused by children witnessing a violent arrest.*

*"It's about allowing parents and children to have as good a goodbye as you can," explains Suhr. This goodbye might involve the police waiting for another family member to arrive rather than immediately handing children over to Child Protection Services. It might involve giving parents the support and time to explain the situation to their child. It could even involve allowing parents to hand out teddies to their children, drawn from a supply kept in the trunk of a police car.*

*The idea of police officers bent on arrest handing out soft toys is difficult to reconcile. But Suhr insists that this trauma-informed*

*approach is fast becoming a routine part of policing.*

*"No police officer would intentionally want to harm a child. We are talking about little kids here who have done nothing wrong. If you can spend a few minutes making life better for them, why wouldn't you?"*

## Recommendations

07

# Recommendations

It is heartening that there is some emerging interest in this area but there is an urgent need for more to be done if we are to protect thousands of children from experiencing unnecessary trauma, and the knock-on effects to their futures and their relationship with the police.

## 7.1 Identifying the scale

### Recommendation for: Police

More must be done to understand the scale of this problem. As the most reliable source of information on this issue, a mini programme should be run, led by the National Police Chief's Council's lead for Policing Children and Young People.

Key data to capture would include: For every arrest or post-arrest search in a domestic setting, was a child or young person present? What was their relationship to the offender? Was force used in the arrest/search?

The cost implications for this are minimal. For example, in a small, but representative sample of police stations, these questions could be asked to all offenders during the booking process over the period of a month.

## 7.2 Research to identify what would make a difference

### Recommendation for: Academics

A good programme of research is already underway as part of the COPING project. There would be immense value here in doing more to pinpoint the key factors that contribute to the trauma.

It is impossible for all children and young people to be prevented from experiencing a home raid. And for the police to be able to help mitigate, they must be reliably informed of what will really make a difference.

## 7.3 Programme to support youth advocates

### Recommendation for: Charities

More organisations working with young people or with families of prisoners should seek to provide targeted support for this forgotten group.

A key focus of this should not only be listening to their needs and views, but also supporting them to become advocates for themselves and their peers. The most compelling stories that will change behaviour will come from them.

If organisations are supporting parents, but don't have the resources to support children, they should ensure they have developed appropriate partnerships with suitable children's charities.

## 7.4 Training for police

### Recommendation for: Police

More should be done to increase police awareness of the traumatic impact on children and the long-term effects. It is crucial that across all forces, police learn how to avoid causing unnecessary harm.

Widespread take-up of resources such as i-HOP, and learning from examples such as San Francisco is critical.

More must be done by Police Chiefs and the College of Policing to ensure this happens. The case for this will be made easier once the earlier recommendations have been completed.



## Appendix i

### Advertisement to Participate in Research

**Were there children in the house when someone in your family was arrested during a home raid? Would you like your story to be heard and help other young people?**

#### **What is the research about?**

This study is looking at the experience of children and young people who see a parent, brother or sister being arrested during a home raid. It wants to talk to parents/carers and young people (under 18 years) who have experienced this, to help understand more about how a home raid affects the family, and to look at how any negative impacts could be reduced. It will give family members an opportunity to talk about their experience and views on home raids.

#### **Who is doing the study?**

The research is being done by Jo Tilley-Riley as part of the Clore Social Leadership Programme 2015. Jo is doing this research in partnership with the charity Pact, building on the recent 'Our Voice' project, where children and young people who have experienced a parent, brother or sister being arrested, tried and imprisoned, came together to produce their own charter of rights.

#### **Why is the study important?**

Research and policy can often overlook how arrest and prison affects the wider family, and in particular children and young people. The research will help us to understand more about the experiences, challenges and issues facing families when someone in the family is arrested. The findings will have the potential to influence some positive changes and improve the experiences of families in the future.

#### **What does taking part involve?**

One face-to-face interview with Jo at a time and place which is convenient and comfortable for you. This interview is likely to last around one hour. With your permission this interview will be tape recorded. As a thank you for giving up your time, you will receive a £10 High Street Voucher. Travel costs can be covered.

#### **What about privacy?**

The research is strictly confidential. The study is independent, which means it is not being done for the government, or any other agencies including the Prison Service or Social Services. All conversations between you and Jo are for the purpose of research and will not be shared with any other agency.

#### **Do I have to take part?**

No, taking part is entirely voluntary. However, with your help, this research will provide a valuable insight into how home raids affect the family of the person being arrested.

# Appendix ii

## Research Consent Form

Thank you for agreeing to take part in this research. Before the interview begins, please read through the information on this piece of paper. If there is anything you don't understand, please ask the interviewer.

Purpose of this research: This study is looking at the experience of children and young people who see a parent, brother or sister being arrested during a home raid.

Your participation in this research is voluntary.

You are free to withdraw from this research at any time.

Your responses are confidential - your name or identity will not be connected to anything you say.

You may refuse to answer any questions you do not wish to answer.

This interview is being recorded. It will be deleted once it has been transcribed.

The interview will take approximately 45 minutes.

I have understood this information and am happy to take part in this research

Name:  
Signature:  
Date:

### Basic information

Age:  
Postcode:  
Gender:  
Ethnicity:

I am the legal guardian of the above named young person. I am happy for them to take part in this research.

Name:  
Signature:  
Date:

# Appendix iii

## Interview Questions for Young People

### Introductory Questions

1. Can you tell me about your family?  
Who do you live with?
2. Which member of your family is in prison?  
How long have they been in prison?  
Do you know why they are in prison?

### Core Questions

3. Can you tell me what happened when they were arrested?  
What time of day was it?  
Who was in the house?  
Did the police speak to you?  
How did it make you feel?
4. Have you talked to anyone else about what happened during the arrest?  
Have you heard other people talking about it?  
Have social workers or teachers talked to you?  
Has your mum/dad/grandparent talked to you?
5. If you could ask the police to do 3 things differently, what would they be?  
Could someone have said or done something differently?  
What would have made it better?
6. Is there anything else that would have made it better for you and children like you?  
Could anyone else have said or done something differently?
7. How would you describe the police?  
Do you trust them?  
Do you think they are there to protect you?
8. Do you think about the arrest much since it happened?  
How do you feel talking about it now?
9. Is there anything else you would like to add?

