

Model Policy for the Metropolitan Police when conducting arrests

I. POLICY

Police officers will be trained to identify and respond effectively to a child, present or not present, whose family member is arrested, with the goals being:

- a) to minimise disruption and potential trauma by providing the most supportive environment possible after an arrest;
- b) to support a child's physical safety and well-being following an arrest by determining the best alternative care for the children that is safe; and
- c) to maintain the integrity of the arrest and the safety of all those involved including police officers, suspects and other involved individuals.

II. DEFINITIONS

- a) **Child:** Any person under the age of 18, whether or not he or she is present at the arrest, who is closely related to the arrested adult. "Child" refers to both an individual child and to multiple children.

III. PROCEDURES

1. Training

The following should be included in the curriculum of each basic law enforcement training class and as a component of in-service training each year for certified police officers:

- i) child development and the effects of trauma on the child; and
- ii) how to effectively communicate with the child using developmentally appropriate language during an arrest.

2. Pre-Arrest Planning

When service of an arrest or search warrant is planned, police officers shall consider:

- i) the ages and likely location of any children when determining the time, place and logistics of executing the arrest and/or search;
- ii) whether it is reasonably possible to delay an arrest until the child is not likely to be present

3. Making an arrest

- a) When making an arrest, the officers shall inquire about the presence of any children, including whether the arrested adult has responsibility for any child, present or not present. When making an arrest in a home environment, officers should be aware of items which suggest the presence of a child, such as toys and clothing.
- b) If a child is present and it is reasonable and safe to do so, police officers should make the arrest, including handcuffing and questioning, in a location away from the child's sight and hearing.
- c) If a child is present and it is reasonable and safe to do so, police officers should allow the arrested adult to assure the child that they will be safe and provided for. If it is not reasonable and safe to do so and/or the arrested adult is unable/unwilling to provide reassurance to the child, then a police officer at the scene should provide an explanation to the child in an age- and developmentally-appropriate manner and offer reassurances to the child that both the adult and the child will be cared for. It should be emphasised that the child has done nothing wrong.
- d) If the arrest creates an interruption in a child's supervision and care, the arrested adult shall be given reasonable opportunities to make alternative arrangements for such care. If they are unable or unwilling to do so, then police officers shall determine whether an adult relative or other responsible adult is willing to take responsibility for the child.
- e) If a child is present, a police officer must remain at the scene of the arrest until the child is in the care of a caregiver.
- f) If a child is not present but the adult is the primary caregiver, then the police officer should be prepared to discuss with the arrested adult how the child will be picked up and by whom. If the child is at school, the police officer should contact the head teacher to advise that the arrested adult will not be collecting the child and provide placement information if it is available.
- g) The phone number and address of the police station the arrested adult is being taken to should be provided to the non-arrested carer of the child, and where appropriate should also be provided to the child. Information regarding the booking process and detention should also be provided and where appropriate the telephone numbers for advice helplines should be given: this could be done in the form of a standardised information flyer.

4. Follow up

Police officers should ensure that follow-up is performed, by a police officer, social worker or other, if the child is temporarily placed with alternative carers.

5. Documentation

Whenever an arrest is made, the existence of a child, present or not, shall be noted in the arrest report.