

# Police response to concern for a child

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The police have a duty to safeguard and protect children. Concerns for the safety of officers attending an incident should not prevent them being deployed to protect a child.

## Information for an initial report

The call taker must prioritise the safety of the caller, victim and any other potential victims, and give safety or other advice as required. They should:

- keep the caller on the line (any background noise from an emergency call or other recorded calls to communications centres could be used as evidence and will allow the incident to be monitored)
- if the suspect has left the scene, advise the caller to lock and secure their premises and return to the telephone (where relevant, a full description of the suspect should be taken and circulated to officers in the area)
- where the caller is a child, only ask sufficient questions to gain the information essential to deploy officers

An investigation begins with a report of child abuse. Officers and police staff should establish as much detail as possible to support a thorough investigation. A victim or witness making a report of child abuse may not always identify it as such. Police officers and staff need to ask relevant questions and clearly identify reports as child abuse. See the [guidance on vulnerability-related risk](#).

When an emergency call relates to an incident where the suspect has left the scene, a description should be circulated and every effort made to locate the suspect. Full details of the incident and all parties involved should be recorded and flagged on the incident log in accordance with local policy.

For further information see [Association of Chief Police Officers \(ACPO\) \(2012\) National Contact Management Principles and Practice](#).

## Questioning

Initial questioning should determine what happened, where and when (see [information gathering checklist](#)). The safety of individuals can then be addressed and decisions made about the order in which information is gathered, and how to obtain it while providing reassurance and an appropriate response.

Not all the information in the information gathering checklist is necessary on every occasion. Some, such as the full details of those involved, can be established by the officer attending and may be better obtained face-to-face rather than by telephone. Issues relating to safety and risk should be the priority at all times in order to ensure the correct decision is made about deployment.

Details of electronic communications do not only relate to online investigations. They can also provide critical evidence for other investigations. Such information also ensures that activity in other areas of offending can be checked and cross-referenced quickly via the Child Exploitation and Online Protection Command (CEOP) Child Exploitation Tracking System.

When an individual wishes to remain anonymous, report takers should attempt to establish the capacity in which they are calling (for example, neighbour, acquaintance or health professional), ask why they wish to remain anonymous and record the reason(s). If the report is made in a professional capacity, these details will usually be given since agencies often share information throughout the case/investigation. Report takers should encourage the caller to call back with any further information and, where possible, offer a single point of contact (SPOC) within the child abuse investigation unit. Attempts should be made to trace anonymous reporters, as appropriate, using telephone tracing or other relevant methods.

For further information, see [National Society for the Prevention of Cruelty to Children \(NSPCC\) factsheet \(2013\) Child abuse reporting requirements for professionals](#).

### Information gathering checklist

Report takers should obtain, record and disseminate (as appropriate) the following information, prioritising it in accordance with the circumstances.

- Location of the incident.
- Location of the suspect and victim (and any other children in the same household, for example, siblings).

- Whether anyone is injured, nature and severity of injuries and whether medical assistance is required.
- Whether any weapons have been used.
- Whether any weapons are available to the suspect.
- Location and identity of the person making the report and the capacity in which they are doing so, for example, neighbour or family member.
- Nature of the incident or concern.
- Identity and details of the victim and any other children, including names (correctly spelt) sex, dates of birth, home addresses, telephone numbers and whether they are safe.
- Identity of other parties involved, including the suspect, their names (correctly spelt) sex, dates of birth, home addresses, telephone numbers.
- Whether communication or language issues exist and whether officers will require an [interpreter or a registered intermediary](#).
- Whether any person present appears drunk or has taken drugs.
- Whether there are any particular requirements, for example, relating to disability and/or mental ill health.
- Description of the suspect.
- Whether any court orders apply.
- A first account or what the caller says has occurred (recording it verbatim).
- Details of the children's school and GP, if known.
- Whether there is any history of involvement of children's social care.
- Details of the demeanour of the caller, victim, suspect and others present.
- Details of background noise (including shouting and words spoken).
- Details of attempts made to trace anonymous callers, for example, telephone tracing.
- Whether the child or suspect has a computer.
- Internet service provider, email address and user names.

## Preservation of the crime scene

As soon as the call taker has established that the victim is safe, they should give the caller basic advice on how to preserve the crime scene until the police arrive.

This includes any person at the scene not doing any of the following.

- Moving anything (and not allowing others to do so).
- Cleaning up or tidying the house.
- Washing or taking a shower.
- Changing clothing.
- Allowing children, relatives, neighbours or animals to enter areas where the reported incident is alleged to have taken place.
- Tampering with any computers, phones or photographic equipment.

## Evidence gathering

This is a key role of the police responding to concerns for children. Scientific corroboration in investigations of child abuse could be a primary source of evidence accepted by a court. In a case of suspected sexual offences, officers should attempt to secure evidence prior to a forensic medical examination. For further information see the forthcoming APP on [rape and sexual offences](#).

Protecting the crime scene must be a consideration in all cases, including those where there is a time lapse between the alleged offence and the report.

The victim is the primary scene and should be treated as such. The officer's first concern should be the child's safety, state of mind and ability to cope with forensic requests (which will depend on the age of the child, their understanding, and the nature of the alleged incident).

## Resources

Decisions relating to resource deployment should take into account local arrangements and [ACPO \(2012\) National Contact Management Principles and Practice](#). When despatching officers to an incident of suspected child abuse, the call taker or control room staff should ensure that all information is made available to those attending (see [resource deployment checklist](#)).

## Indicators of concern for a child

Officers attending any incident should be prepared to identify issues that affect the safety and welfare of children. Where concern for children is identified, contact should be made with the local child abuse investigation unit as soon as possible. This is especially relevant when dealing with incidents involving violence (for example, domestic abuse) but may also apply in less obvious circumstances such as reports of anti-social behaviour, drug, alcohol or substance abuse and

neighbour nuisance.

Considering the welfare of children is particularly important when dealing with incidents in places where they may reasonably be found (for example, residential areas, recreation grounds and school premises). Officers should consider whether the incident is one in a series of related incidents, not all of which may have been reported previously.

In all incidents on private premises, officers should look for indicators that children may normally reside in the household. Obvious examples can be the presence of:

- toys, games, bicycles or other play equipment
- DVDs or CDs intended for children
- children's clothing, nappies, wipes, towels or bibs
- highchairs or foodstuffs intended for children
- car seats, pushchairs or playpens

Officers should be aware of, and be able to identify, children who may have been harmed physically or emotionally, or are at risk of harm or in need, even when they are dealing with matters that appear to be unrelated to child abuse. See the forthcoming APP on identifying and reducing risk.

For further information see:

- [NICE Guidelines on Child Abuse and Neglect](#)
- [County lines child criminal exploitation](#)

## Powers of entry

Whenever concern has been expressed about a child, officers should take steps to see that child and establish their welfare. This should be with the consent of the parent or carer where possible. Officers may be confronted with a situation where it is necessary to enter premises in order to ensure the protection of a child, for example, where a parent or carer refuses permission to see the child and there is concern for that child.

The powers listed below provide a legal background against which powers of entry could be exercised. If an offence is reasonably suspected or there is a reasonable suspicion of harm to a child, an officer will usually be acting legally in obtaining entry. It may be that refusal to allow entry

by a parent or carer arouses suspicion that a child has been harmed and indicates an intention to conceal that harm. The appropriate exercise of powers of entry in order to protect a child and/or respond to suspicions of child abuse should not breach the [Human Rights Act 1998](#) or their rights under the [European Convention on Human Rights \(ECHR\)](#). Officers should record in their pocket notebook their reasons for taking action (for example, explain why they considered the exercise of powers of entry to be legal, necessary and proportionate).

Potential powers of entry include those under:

- [Police and Criminal Evidence Act 1984 \(PACE\) s 17\(1\)\(b\)](#), a constable may enter and search any premises for the purpose of arresting a person for an indictable offence
- [PACE s 17\(1\)\(e\)](#), a constable may also enter and search premises for the purpose of saving life or limb or preventing serious damage to property – in the exercise of [police protection](#) powers if entry to premises is refused, this section may give adequate powers
- common law, where a constable has the power to enter premises to prevent or deal with a breach of the peace (which is preserved under [PACE s 17\(6\)](#))
- [Children Act 1989 s 48](#), a warrant may be obtained to search for children who may be in need of emergency protection

A record of all searches should be made in accordance with [PACE](#) and [PACE Codes of Practice](#).

## Establishing the welfare of the child

The welfare of the child is the priority in all types of investigations. This might require an immediate assessment of the need for first aid or other medical assistance. Officers making decisions about a child need to listen to the child and take their views into account. Attention should be paid to what the child says and does not say, how they look and how they behave.

## Seeing and speaking to the child

Where there is concern for a child, every effort must be made to see and speak to them and any other children present or who normally reside at the premises, to establish that they are unharmed and not at future risk of harm. Officers should do this at the point of initial contact.

Officers need to communicate with children in a way that is appropriate to their age, understanding and preferred manner of communication. Officers should avoid questions that are leading and

suggestive, but should not allow themselves to be deterred from speaking to a child by concerns over compromising a formal investigative interview in the future. Officers should make a record of the content of the conversation, the timing, setting and people present. See also [Achieving best evidence in criminal proceedings \(ABE\) interviews with children and special measures](#).

There is no legal requirement for a parent or other adult to be present, or to give consent for an officer to talk to a child in order to establish the child's welfare at the point of initial contact. In cases where the officer suspects that an adult who is present may have had some involvement in the abuse, a request should be made to speak to the child separately. For information on consent prior to conducting ABE interviews with children see [consent to an ABE interview with a child](#).

For further information, see [Ministry of Justice \(2022\) Achieving Best Evidence in Criminal Proceedings: Guidance on interviewing victims and witnesses, and guidance on using special measures, section 2.4, Initial Contact with Victims and Witnesses](#).

## Adult refusal to allow access to a child

Officers should consider whether an adult's refusal to allow access to speak to a child on their own is suspicious. In cases where entry to premises, or any part of them, is refused, officers should consider using [powers of entry](#).

If an adult refuses access to speak to a child, a record should be made of the officer's request and the adult's response, and appropriate and swift action taken in consultation with the child abuse investigation unit and children's social care. Where it becomes clear that one of the parents or carers had no involvement in the suspected abuse, it is good practice to seek that parent's cooperation.

For practical and evidence-related purposes, and to provide reassurance to the child, it may be helpful for the officer and child to have an adult supporter present while the officer establishes the child's welfare. Where this is an option, the officer should be satisfied that the presence of the supporter will not adversely delay them speaking to the child, and will not inhibit the child from speaking freely owing to the adult's possible involvement in any offences, or their close association with a potential suspect.

## Communication



If concerns about a child exist and a parent or carer refuses to cooperate with police enquiries, this should not prevent further enquiries taking place to establish the child's welfare. The possibility of a future prosecution must not prevent an officer from basic communication with the child in order to determine their welfare and to demonstrate kindness and reassurance. Care needs to be taken, however, to ensure that speaking to the child is confined to:

- establishing the child's safety
- asking for the minimum information necessary
- using open questions to enable the child to give a brief account of anything that has occurred (for example, identifying any offences, suspect(s), scene and any information to preserve evidence)

As soon as the welfare of the child has been established or the officer has determined that the child is at risk of harm or has already been harmed, the conversation should be brought to a close so that it does not constitute an interview.

If a child is in the middle of disclosing abuse or telling their story, however, they should not be interrupted and the officer should not ask any questions. In some cases this will be important evidence. If an interview is conducted, this should be in accordance with the principles in [Ministry of Justice \(2022\) Achieving Best Evidence in Criminal Proceedings: Guidance on interviewing victims and witnesses, and guidance on using special measures](#).

For further information see:

- the forthcoming APP on working with vulnerable people
- [Ministry of Justice \(2022\) Achieving Best Evidence in Criminal Proceedings: Guidance on interviewing victims and witnesses, and guidance on using special measures](#)
- [HMCPSP/HMIC \(2012\) Joint Inspection Report on the Experience of Young Victims and Witnesses in the Criminal Justice System](#), section 2.5
- [Witness Charter](#)

## Interpreters and registered intermediaries

[Ministry of Justice \(2020\) Code of Practice for Victims of Crime in England and Wales](#) defines registered intermediaries as:



*...A Registered Intermediary is a self-employed communication specialist who helps vulnerable victims and witnesses with communication difficulties to give evidence to the police and to the court in criminal trials. A victim/witness might need the help of a Registered Intermediary because of their age, a learning disability, a mental disorder or a physical disability that affects their ability to communicate.*

This means that:

- all vulnerable witnesses as defined by the [Youth Justice and Criminal Evidence Act 1999 s 16](#) are eligible for the assistance of a registered intermediary
- the services of a registered intermediary should always be considered when a vulnerable child victim is interviewed ([Code of Practice for Victims of Crime paragraph 1.10](#))

A registered intermediary can be secured by contacting the [Major Crime Investigative Support](#) of the National Crime Agency (NCA) on 0345 000 5463.

Prior to the interview, the registered intermediary:

- assesses the witness's communication skills in the presence of a police officer to corroborate and act on any unsolicited comments of relevance to the investigation
- helps the interviewer to plan the interview

The registered intermediary will be present during the interview to facilitate communication as necessary. They also have a role in facilitating communication in court (subject to the court granting an application for special measures).

Registered intermediaries can be considered for any child, but particular consideration should be given when the child is young or disabled. Officers must take into account the use of an intermediary when planning interviews with children.

For further information see:

- [National Agreement on Arrangements for the Use of Interpreters, Translators and Language Service Professionals in Investigations and Proceedings within the Arrangements for the Attendance of Interpreters in Investigations and Proceedings within the Criminal Justice System, as revised 2007](#)

- [ACPO \(2012\) Practice Advice on European Cross-Border Investigations](#), Part 7

## Observing and recording the child's condition

Officers should observe the child to determine their physical and emotional condition. The nature of the observation and child's condition should be recorded for the purposes of any future investigation, child protection proceedings or for other reasons relating to a child's welfare.

### Recording the child's condition checklist

Officers should record the following information.

- Child's name, sex and date of birth.
- Name of the person(s) with parental responsibility and primary carer(s).
- Who (if anyone) was present when the child was spoken to.
- What the child said – written down verbatim.
- Any questions asked of the child and the child's responses.
- Description of the child's physical appearance including injuries, clothing and state of cleanliness, with photographs if appropriate (being aware that photographic equipment may have been used to capture the abuse, and the sight of similar equipment might upset and distress the child or witness).
- Any action the officer took to observe the child's physical condition (noting, when appropriate, that the examination did not include full observation of the child's body so that injury subsequently discovered but not accounted for in the officer's record can be explained).
- Description of the child's demeanour (for example, visible signs of distress such as shaking or crying, reluctance or inability to speak).
- Description of the child's surroundings, including the condition of the home.

## Safeguarding the child's welfare

Where an officer has assessed that a child has been harmed or is at risk of harm, they should decide how to place the child out of danger. Sometimes, it may be sufficient to secure a child's immediate safety by a parent or carer taking action to have the alleged perpetrator removed, or by the alleged perpetrator agreeing to leave the home. Where necessary, officers should use powers of arrest and [police protection](#) powers. Where there is a risk to the life of a child or a likelihood of serious immediate harm, the police should act quickly to secure the immediate safety of the child.

There is no power to remove a child or to enforce other arrangements where the child is not considered to be at risk of significant harm. There may be occasions where a child, although not at risk of such harm, is nevertheless considered to be in need (for example, where the parent or carer is taken ill or is under arrest and the child has nobody with legal responsibility to care for them). In all circumstances the child should be consulted if possible and children's social care should be involved.

According to the [Children Act 1989 s 46](#), in circumstances where the police have initiated action to safeguard a child, it is the responsibility of the police to inform the local authority and to give details of where the child is being accommodated. The police also have an important role to play in providing sufficient information to assist in decisions about where the child is to be housed.

Where consideration is being given to taking a child into police protection, an internal referral stating that the child has come to police notice should be sent as soon as possible to the local child abuse investigation unit, in accordance with local procedures. An external referral to children's social care can then be made. Where the use of temporary alternative arrangements to parental or other lawful care is considered, any temporary carers or any residents at that address should be seen, their identity verified and details of any residence in other police force areas obtained.

### **Actions on arrival at the scene checklist**

- Confirm the identity of the suspect (if they are no longer at the scene, circulate a full description via the radio system).
- Establish who is or was at the scene.
- Request intelligence checks on the suspect and household, including Police National Computer (PNC), Police National Database (PND), Violent Offender and Sex Offender Register (ViSOR), Integrated Children's System, warrants, bail conditions and civil orders, if not already done by the call taker.
- Make accurate records of everything said by all parties, including any significant statements made by the suspect.
- Record the demeanour of the child, suspect and any other witnesses.
- Consider using a camera to record evidence or arrange for a crime scene investigator (CSI) to do so (being aware that photographic equipment may have been used to capture the abuse, and the sight of similar equipment might upset and distress the child or witness).

- Obtain an overview of what has occurred, taking account of the established risk factors associated with child abuse.
- Consider using communication or photographic devices or digital storage equipment containing direct or indirect information, intelligence or evidence to support the investigation.
- Consider the value of house-to-house enquiries and seizing CCTV evidence.

## Parental responsibility

Officers conducting an investigation should consider the legal status of those responsible for a child, to ensure that the child is protected from harm. Parental responsibility under the [Children Act 1989 s 3](#) means all rights, duties, powers, responsibilities and authority which, by law, parents have in relation to their child and his or her property.

[Parental responsibility](#) can be held by the following.

- Natural mother (automatically).
- Natural father if he:
  - is married to the natural mother
  - is listed on the birth certificate (after a certain date, depending on which part of the UK the child was born in)
- An unmarried father if he:
  - jointly registers the birth with the natural mother (applicable after 1 December 2003 in England, 4 May 2006 in Scotland and 15 April 2002 in Northern Ireland)
  - obtains a parental responsibility agreement with the mother which is signed and witnessed at the family court
  - obtains a parental responsibility order from a court
- Same-sex partners who were civil partners at the time of treatment.
- The second parent in non-civil partnerships if they:
  - apply for parental responsibility
  - make a parental responsibility agreement or jointly register the birth with the first parent

Parental responsibility may also be affected if the child is looked after by the local authority or if any court orders are in force that affect parental responsibility (for example, court orders relating to child

contact). The local authority shares parental responsibility when the child is subject to a care order under the [Children Act 1989 s 31](#). Police protection does not give the police parental responsibility.

The child should be consulted and [consent established](#) prior to an ABE interview. In some cases the parent's consent is also desirable, although not essential, to enable the interview to take place.

The relevant medical professional is responsible for establishing consent for a medical examination.

## Arrest strategy

Under [PACE](#) officers have the power to arrest for any offence, but must demonstrate that they have reasonable grounds for believing that the arrest is necessary for one of the reasons listed in [s 24\(5\)](#) of the Act.

## Planning

The following should be considered when planning the arrest of a suspect.

- Current location or address of the suspect, for example, whether the suspect has access to the victim.
- Suspect's occupation, for example, whether the suspect has access to children.
- Suspect's contact with other children and especially any continuing risks that this may present.
- Preservation of evidence (particularly evidence which may be electronically stored, for example, on mobile phones or computers).
- Timing and location of the arrest, ensuring that action is proportionate to the need to protect children and to safeguard the rights of the suspect, particularly with regard to their home, work and family life.
- Consulting other agencies, such as children's social care, to ensure that the arrest safeguards the welfare of the victim and other children.

Where an arrest is made, the victim or the parent or carer should be asked for details of how they may be contacted if the suspect is released from custody. They should also be asked to provide information which could assist the custody officer with decisions relating to [bail conditions](#), for example, details of the child's school, childcare providers or leisure facilities.

## Police protection

Police protection is an emergency power which enables any police officer to protect a child who is reasonably believed to be at risk of significant harm. [Home Office circular 017/2008: The duties and powers of the police under The Children Act 1989](#) provides further information on how to use police protection powers for children.

[Section 46 of the Children Act 1989](#) empowers an officer to remove a child to suitable accommodation or prevent the removal of a child from a hospital or other place in which that child is being accommodated. When these powers are exercised, the child is considered to be in police protection. Police protection does not give the police parental responsibility and does not, for example, give the police the ability to consent on behalf of the child to a forensic medical examination. No child may be kept in police protection for more than 72 hours.

For further information see [Children Act 1989: transition to adulthood for care leavers](#).

## Exercising police protection

Before exercising police powers of protection an officer should seek advice from the child abuse investigation unit, wherever possible. Where an officer is unable to do this, the unit should be informed as soon as possible after those powers have been exercised.

Decisions relating to police protection are the responsibility of the police but, where possible, should include discussions with children's social care or any other agencies as appropriate (for example, medical staff). Where the police need to act immediately to protect a child, a strategy discussion should be held as soon as possible afterwards to plan the next steps. A referral to children's social care must be made when a child has been taken into police protection.

## Rationale

Police protection powers should be used only when necessary for reasons relating to the immediate safety of the child. Wherever possible, the decision to remove a child from a parent or carer should be made by a court. For example, an application for an emergency protection order could be used in preference to the exercise of police protection powers. Such an order can include an exclusion requirement, which specifies certain people who should be excluded from living where the child is resident. See also the forthcoming APP on working with partners.

When considering the necessity for emergency action, officers should include whether action is required to safeguard other children living in the same household of an alleged perpetrator or elsewhere. The nature of the abuse should be a key determining factor (for example, if it is known that a child is at imminent risk of significant harm then immediate action must be taken).

Where a person with parental responsibility is suspected of abusing a child who has subsequently been taken into police protection, a risk assessment should be made to consider the child's safety before the person is informed that the child is in police protection. For example, officers may consider not disclosing the location of the child. While there should not be an unreasonable delay in informing the person with parental responsibility, the welfare of the child is paramount and such action may be justified by the need to prevent coercion or contamination of the interview or other evidence.

## **Suitable accommodation**

This usually means local authority accommodation, a registered children's home or foster care, but not a police station. It also includes ensuring that a child remains in hospital, if appropriate. A child should only be brought to the police station in exceptional circumstances, such as a lack of immediately available local authority accommodation. This should be for a short period only and a child should not be taken to the cell block.

If it is necessary for a child under police protection to stay with relatives or other appropriate carers, they and any residents at their address should be seen, their identity verified and details of residence in any other police force areas obtained. Checks should be made of the proposed carers and residents at their address.

## **Adolescent support units**

These are single points of access, providing short and long-term interventions. They offer respite care, on a planned or emergency basis, where young people who need a supportive environment and time to recover can stay for a short period. Local authorities manage adolescent support units, which means that the services of each local unit will vary.

Forces should have contingency arrangements in place for children brought to police stations. A suitable, physically safe and comfortable room is available at all police premises where children can be taken. The room should have access to:



- suitable play materials
- food
- drink
- toilet, washroom and nappy-changing facilities for adolescent parents

Police forces, in collaboration with the local authority, should consider employing an on-call child minder so that any children brought to police premises are looked after by a suitably qualified person.

## Initiating officer

This is the officer who takes the child into police protection and conducts the initial enquiries. The initiating officer should:

- see the child in order to assess their individual circumstances
- communicate with the child and keep them informed, taking into account the child's wishes as part of the decision-making process and, whenever possible, acting on them
- explain to the child who they are, what their role is, what they have done and propose to do, what is going to happen next, and who else is involved in looking at the case and supporting the child
- refer to [Ministry of Justice \(2011\) Achieving Best Evidence in Criminal Proceedings: Guidance on interviewing victims and witnesses, and guidance on using special measures](#) if it becomes necessary to interview the child as a possible victim of crime, but should not be inhibited from basic communication with the child
- make an internal referral to the child abuse investigation unit
- inform the local authority, within whose area the child was found, of the action taken and proposed in respect of the child, and the reasons for taking it
- inform the local authority, within whose area the child is ordinarily resident, of the place the child is being accommodated
- inform the child's parents, anyone with parental responsibility for the child, and any other person with whom the child was living immediately prior to being taken into police protection, of the steps taken with respect to the child, the reasons for taking them and any further steps that may be taken
- complete a police protection form

## Designated officer

The designated officer is responsible for enquiring into cases in which the police take children into their protection. This person should:

- visit the child where they are staying to check the child's immediate welfare and consider the suitability of that environment (or at least ensure that the investigating officer has actually seen and assessed the child in person)
- regularly review the grounds for police protection to determine whether the power should remain in force
- complete a police protection form (see [Home Office Circular 017/2008](#))
- provide an internal referral to the child abuse investigation unit if the initiating officer has not already done so
- keep a record of any handover to another designated officer, for example, on shift changes

## Releasing the child from police protection

Under the [Children Act 1989 s 46\(5\)](#), once the designated officer has completed their enquiries, they must release the child from police protection, unless the designated officer has reasonable cause to believe that the child is likely to suffer significant harm if released. This applies even if the child has been placed in accommodation. No child may be kept in police protection for longer than 72 hours.

A child should only be discharged from police protection where one of the following applies.

- The designated officer no longer considers them to be at risk.
- An [emergency protection order](#) or [interim care order](#) has been made.
- The local authority has provided them with accommodation under the [Children Act 1989 s 20](#) and the child is no longer considered to be at risk of significant harm.

A decision to release a child from police protection should only be made following discussion with the relevant personnel in children's social care. This decision should be recorded.

## Use of reasonable force

Under the [Children Act 1989](#), the police have the power to use reasonable force in appropriate circumstances to take a child into police protection or to keep them there. Police powers under [s 46](#) of the Act cannot be exercised unless and until a child is found. A police officer does not have the

right to enter and search premises to remove a child without a warrant. However, in practical terms, they are likely to find a child in an emergency situation where other powers are being exercised for entry to dwellings, for example, under [PACE s 17](#), to arrest someone for an indictable offence or a breach of the peace, or to save life or limb. An officer may use reasonable force in the execution of his or her duty. Reasonable force has been defined under the [Criminal Law Act 1967 s 3\(1\)](#) as 'such force as is reasonable in the circumstances'.

## Investigative considerations

### Electronic evidence

In cases where the use of a computer is involved in a child abuse allegation, or is discovered in the possession of a suspect who may have used it as part of their offending, it should be treated as a crime scene. For example, in sexual abuse allegations, officers should consider the possibility that computers have been used as part of the offending, including in grooming, contact with other offenders and the use of child abuse images.

Officers should make use of any local and national systems to support the investigation of crimes involving electronic evidence and computers, for example, CEOP in relation to [child abuse images](#). In cases which involve disturbing images of children and the commission of offences against them, investigators have a duty of care to protect the child from further harm, and to demonstrate sensitivity towards the child at all stages of the investigation. This includes the controlling and handling of any indecent images. It is also important to consider how taking photographs of a child victim might affect them where they may have been photographed as part of the offending.

Reports relating to child abuse images may be received from members of the public either by telephone, email or in person. Where these reports are accompanied by digital or printed copies of images, they should be seized. A detailed statement should be obtained in all cases.

It will assist those who carry out further investigation if the following information is included in the statement.

- Identity of any other material witnesses.
- Name of the internet service provider or mobile telephone service provider through which images were received.

- Any delay in reporting the incident to the police (this will assist investigators to determine if the person reporting has committed any offence in relation to the image).

## Seized images

These should be placed in a sealed envelope to prevent accidental viewing, and stored in a secure location. Thereafter, access to the material should be recorded. If investigators are unsure how to package and store computer disks, mobile telephones, electronic organisers or other seized items containing the digital image, they should seek advice from the local hi-tech crime unit or a supervisor. The computer or other device that received the images may contain additional evidence that can only be recovered through specialist digital examination and this should be arranged with the hi-tech crime unit. Support from this unit is limited to the technical process. These investigations still require a specialist in child abuse investigation, a child-focused approach to the offender's access to children, and appropriate risk assessment.

Officers undertaking day-to-day policing activities such as searching offenders or premises on unrelated matters may discover evidence of possession, collection or distribution of indecent images of children. Relevant material could include printed pictures from a computer, handwritten notes referring to children's ages, internet chat room names, magazines relating to children and legal and academic material concerning paedophilia.

There may also be indications of an interest in children which may not seem in keeping with the suspect's circumstances (for example, a single person with no child relatives who keeps a playroom for no apparent reason). Investigators should be aware of devices, in addition to disks, that have been developed to store digital media. These include:

- watches
- pen drives (storage devices which can look like key fobs)
- wireless storage to remote devices such as printers, personal data assistants or certain mobile telephones

## Handling advice

If officers are unsure about handling these devices and the images are suspected to be stored on a computer or other storage device, they should seek advice on methods of seizure from the hi-tech crime unit. In other circumstances the images, or the digital media on which they are stored, should

be seized and packaged in a sealed envelope and stored in a secure location.

For further information see [ACPO \(2012\) Good Practice Guide for Digital Evidence, Version 5.0](#).

## **Initial response if drug or salt-induced poisoning is suspected**

Where the investigating officer suspects that drug or salt-induced poisoning is the cause of apparent illness, this should be brought to the attention of an examining physician. A request should be made for appropriate blood, hair and urine samples to be obtained for forensic analysis and hospital use. Some toxins are present in body fluids for only a limited time following administration. The investigating officer should, therefore, identify and seize any material that contains body fluids from the child (for example, traces of blood, vomit, urine or faeces). Feeding bottles and other equipment associated with feeding the child should also be seized for examination along with samples of any leftover food. Advice should be obtained from a CSI on the correct storage, packaging and submission of any items seized.

## **Initial response to honour-based violence**

Reports of crimes associated with honour-based violence or other illegitimate justifications for child abuse should alert officers to additional risk factors which can be present. See the forthcoming APP on [forced marriage and honour based violence](#).

## **Initial response to suspected parental abduction**

The first officer taking a report of suspected parental abduction should establish whether abduction has already occurred or if there is a real and imminent danger of abduction. In either case, officers should comply with local policy. Generally, this includes a referral to a suitably trained officer, the instigation of a [child rescue alert](#) (accessed via College Learn), and/or consideration of the force response to local abduction. Where a real and imminent danger of abduction is not present, officers should comply with local procedures to ensure that an accurate record of the incident is made and stored for future reference. An internal referral should be made to the child abuse investigation unit from where intelligence should be disseminated to the police force in which the child ordinarily resides.

For further information, see [Parental Child Abduction: A Brief Guide to Understanding, Managing and Responding to Parental Child Abduction](#) (this link is available to authorised users who are [logged on](#) to College Learn).

## Immediate actions in cases of suspected parental abduction checklist

The first response officer should undertake the following tasks, as appropriate.

- Activate [child rescue alert](#) or force response to kidnap/crimes in action at the earliest opportunity.
- Establish whether the child is still with the complainant or when the child was last seen.
- Establish why the complainant believes that the child may have been abducted, for example, a history of abduction or threats or attempts by the potential abductor.
- Obtain full details of the potential abductor, including name, address, date of birth, employment status and employer, description with a photograph if available, car description and registration number.
- Obtain details of the potential abductor's connections abroad, for example, has the person ever been or intended to be temporarily or permanently domiciled abroad, ties to the UK and any other country.
- Establish the current marital status of the complainant and the potential abductor and whether any court proceedings are pending.
- Establish the details of any child contact arrangements, including disputes, court orders and arrangements for supervised and unsupervised contact.
- Obtain any records of the family and potential abductor held by the police or other agencies.
- Establish whether there are any financial, family, medical or legal reasons for the potential abductor to leave the UK.
- Record details of any other sources from which the potential abductor's intentions may be learnt.
- Establish whether the child has their own passport and if so where it is.
- Obtain a full description of the child, including their name, age, date of birth, sex, nationality, appearance and clothing, a photograph if available, and the mother's maiden name.
- Ascertain the likely mode of transport, port and date or time of travel if known.
- Comply with local procedures to ensure immediate circulation for the purpose of an all ports warning.
- Make immediate contact with the police force responsible for the port of embarkation with a view to recovering the child and arresting the suspect.

- Obtain a written statement from the complainant.
- Record any grounds for believing that the allegation may be malicious or frivolous.

## Risk identification

Officers attending incidents where children are present must identify any risk factors in order to determine the actions required to safeguard the children. See the forthcoming APP on identifying and reducing risk.

Details of these risk factors should be included in the officer's internal referral to the child abuse investigation unit and all the information available should be recorded, together with any decisions made relating to the safety of the child.

For further information, see the forthcoming APP on identifying and reducing risk.

## Action in urgent or serious cases

All allegations of child abuse are potentially serious, but cases should be identified as particularly urgent or serious when an allegation involves:

- serious physical injury (in judging what is serious, the child's age and any mental or physical impairment should be considered)
- near death of a child due to physical abuse
- a child being rendered unconscious through physical abuse
- a sexual offence
- serious or chronic neglect (in judging what is serious, the child's age and any mental or physical impairment should be considered)
- a suspect who has unsupervised access to children (for example, through family, work or personal life) and poses a continuing risk
- **fast-track actions**

Any officer identifying an urgent or serious case should send an immediate internal referral to the child abuse investigation unit. Urgent action taken prior to the **internal referral** or subsequent **external referral** to children's social care should be relayed to the unit and children's social care both verbally and in writing at the earliest opportunity. This should include a full account of any action taken and the reasons for it. Officers providing a first response should include details of their



actions at the scene in their internal referral to the child abuse investigation unit. To facilitate immediate safeguarding action or a referral, the officer should notify a supervisor.

When an external referral is made to children's social care or another agency, information contained in the internal referral should be included. The information must be accurate, factual, relevant, necessary and proportionate for the purpose for which it is passed.

Where officers have concerns about a child which are likely to lead to a referral to children's social care or another professional (for example, health visitor or midwife), they should discuss those concerns with the child and the family, as appropriate. They should also explain the action that the police will need to take in terms of referring concerns to other agencies. See the forthcoming APP on working with partners.

Note: according to [HM Government \(2018\) Working Together to Safeguard Children](#) and [Welsh Assembly Government \(n.d.\) Safeguarding Children: Working Together Under the Children Act 2004](#), this should only be done where it will not increase the risk of harm to the child. If it is suspected that a child may be coerced into silence or that important evidence may be lost, this discussion should not take place. Officers should promote a positive but realistic image of children's social care and other agencies, to encourage and enable people to access the help and advice they need. They should explain the role of children's social care and the referral process to the child and their parent or carer.

For further information see:

- the forthcoming APP on working with vulnerable people
- the forthcoming APP on [rape and sexual offences](#)
- APP on [Managing sexual offenders and violent offenders](#)

### **Information for an internal referral to the child abuse investigation unit checklist**

The following information should be considered, as a minimum, for inclusion in an internal referral.

- Name and rank of the officer making the referral and their contact details.
- Name and sex of the child (and any previous names).
- Child's date of birth.
- Current address and previous addresses of the child.

- All parents'/carers' names, dates of birth and addresses, and details of any co-habitees and adults in the household (for example, those who have unsupervised access to the child such as a babysitter or parent's partner).
- Name, date of birth and address of any other person with parental responsibility.
- Details of other children in the family or household, including their name, sex and date of birth.
- Name, date of birth and address of any suspect.
- Nature of concern, how and why it has arisen, whether any particular needs are apparent and any supervisor's involvement in the circumstances leading to the referral.
- Date and time of the referral.

The following information should also be included wherever possible.

- Identified risk factors.
- Copies of relevant pocket notebook entries.
- Name and contact details of the child's GP and, if applicable, health visitor and school.
- Details of actions taken by police or other agencies (if known) and the reason for them.
- Results of checks (including the Integrated Children's System, PNC, PND, ViSOR, Impact Nominal Index, local databases, domestic abuse records, including Youth Offenders Index, Missing Persons Index, force intelligence systems, force control room records) for any crimes and other incidents recorded in respect of relevant addresses and individuals including the child, suspect and any family members or those involved in the described circumstances.
- Any special needs.
- Religion, ethnicity and spoken language.

## Single point of contact

Apart from in exceptional circumstances, responsibility for a child abuse investigation should, where possible, rest with a named officer. This person should remain as the investigating officer in the case and the single point of contact (SPOC) for the child and family throughout the case.

The SPOC and any changes should be recorded and explained to the child, children's social care and other individuals involved as soon as possible. For example, the point of contact may change when a child abuse investigation unit investigator takes over responsibility from the first response officer.

## Cross-border and international investigations

Practical considerations arise where the victim resides in a different policing area from that in which the offence(s) was committed. Subject to the overriding principle that the welfare of the child is paramount, chief officers are responsible for investigating offences committed within their area.

Sometimes, consideration will need to be given to whether the [Sexual Offences Act 2003 s 72](#) will enable a prosecution to be brought in the UK for offences committed abroad. Where suspects are living or working abroad, contact should be made with the [CEOP](#) Overseas Tracker Team, the [NCA](#) or [International Criminal Police Organization \(INTERPOL\)](#).

For further information see:

- APP on [Managing sexual offenders and violent offenders](#)
- UK Central Authority for the Exchange of Criminal Records, [ACPO Criminal Records Office](#)
- [Home Office Circular 36/2002](#)

## Tags

Child abuse