

# Reducing the criminalisation of care-experienced children and young adults: the voices of young people

August 2022

*“Don't punish the behaviour. Explore the feelings behind the behaviour. Because kids don't just kick off at nothing. Nobody does, really.”*

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## Introduction

In 2022 the Welsh Government published the 'All Wales Protocol: Reducing the criminalisation of care experienced children and young adults'. To ensure effective adoption of the protocol they commissioned Missing People, Llamau and an independent expert in decriminalisation and youth justice to develop a toolkit and training to be shared with professionals alongside the protocol.

As part of this project Missing People and Llamau conducted consultation with care-experienced young people with the aims of exploring:

- What they think can contribute to the criminalisation of care-experienced young people
- How the response to being reported missing can contribute to criminalisation
- What they think could be done better
- What they would like professionals working in safeguarding to know

This report provides a summary of the themes that young people shared. As much as possible direct quotes have been included as young people's voices are the most important tool in helping us to develop practice. In some places quotes have been edited for clarity.

Thank you to all the young people who contributed, we really appreciate your honesty and willingness to share your experiences. We will use what you shared with us to advocate for change for others in the future. We are also really grateful to the National Youth Advocacy Service and Voices from Care Cymru, alongside others, who facilitated recruitment and allowed us to speak with young people who they are supporting.

## Methodology

There were two parts to our engagement with care-experienced people for this project:

1. A survey was developed and shared through social media and through organisations who work with care-experienced young people in Wales. The survey was completed by 39 people who identified themselves as care experienced.
2. Consultation which took place via a mixture of in-depth interviews and small discussion groups with care-experienced young people and adults.<sup>1</sup> The consultations took place over 7 sessions involving 18 young people and adults.

Both the survey and consultation sessions explored similar topics, so findings have been combined in the analysis below.

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<sup>1</sup> Interviewers from Missing People and Llamau used a topic guide with a range of questions including three scenarios, these were included to encourage participants to talk through ways, in their experience, that care-experienced young people are likely to come into contact with the police; how young people might feel in different situations; how they might become criminalised; and what they think good practice would look like in the response. All of the people who took part in the consultations were care-experienced, most had been missing themselves in the past, and some had experience of the criminal justice system.

## Findings and themes

The conversations with young people were wide-ranging and touched on many different issues that care-experienced young people face. This report presents what young people told us.

### Being reported missing and contact with police

*“Because sometimes young people see police as a threat, as an authority and they try and run away even more from it. So you're just gonna make the situation worse than what it is.”*

Many of the young people talked about being reported missing as one of the key moments that can lead to contact with the police. They also talked about the fact that this is more likely to happen for care-experienced young people, and about some of the negative implications that this can have.

### Over-reporting of care-experienced young people as missing

Participants spoke about being reported missing in circumstances when non-care-experienced would not have been:

*“If I am going to be late at half past 10 they would like automatically ring the police. They need to not automatically call the police because children are going to be late.”*

*“Social workers should be looking at it as well. Why? There's reasons why people go missing. Sometimes it's because their friends don't have to be in until 10:30 at night. But you gotta be in a 9:00 o'clock. So you're like, ‘oh, if I just stay on for that hour, it's not gonna cause a problem.’ But you've had social workers call the police. You've had everyone out looking for you. Just because you wanted that extra time. Or say you come out the film late and you haven't been able to contact someone, stuff like that. It's sometimes, it's the simplest problem that results into the biggest problem.”*

They felt that carers and social workers need to try and reduce this over-reporting, either by giving young people more space, acknowledging their need for independence, or by taking action themselves, rather than calling the police when there is no immediate risk.

Some young people spoke about the need for carers and social workers to safety plan with the child to prevent them from going missing, and to recognise that each individual will have specific needs and experiences:

*“Just make sure that being a foster parent, you just have to kind of, and specially with teenagers you have to nag them to charge their phone. You have to like, you know, make sure that, you know, you've got enough money on you. And if you're stuck, ring from a payphone or something like a backup thing.”*

*“Nobody will go missing unless there's a reason for them to go so that that needs to be addressed and looked at. A problem to me, may be a little problem to someone else but may be a really big problem to me. So there needs to be a non-judgmental approach to it and to*

*look at the reasons. OK, well, this person's unhappy. What can we do to make them happy? What can we do to make this not happen again? Or if this is gonna happen in the future? What? What plans are in place? Right. I know last time they went to this place. So go to these places first before you like initially ring the police, etcetera. [...] And then after have ongoing support, so how to resolve this, are you gonna go missing again? What could be put in place to stop you from feeling like this and so on and so forth and just have the support and understanding around them. I think that's what it lacks a lot."*

*"The minute they were like, 'OK, but you know you can come back. You can say to your friends one night a week or twice a week, come back in between just so we can pop in, have a cuppa, make sure you're alright. Brilliant. No problems. I barely stayed out. It wasn't going missing. There was no police."*

A number of people spoke about giving young people space and focussing on making them feel safe to return home rather than calling the police

*"Try and relate and understand. Don't go full pelt, because that's gonna make the child scared to come back. Then he's gonna cause another escalation... So the scenario could have been dealt with a lot calmer in a different way. So just try and give a little bit of 'give and take' as well sort of thing. Everyone runs a few minutes late."*

*"Carers need sort of understanding and training on why someone would go missing, even if it's only for say like 6 hours because I used to go on really big walks because I couldn't, I couldn't stand being inside when I got too overwhelmed. It just happened that those walks would be like in the middle of the night. [...] As like you need that time to decompress, but it still needs to be addressed the next day. But again in like that calm way of 'do you wanna talk about what caused it, what can be done differently and see what the foster carer can put in place' and do to help as well as them also being able to like talk to the social workers."*

*"Because sometimes young people see police as a threat, as an authority and they try and run away even more from it. So you're just gonna make the situation worse than what it is."*

Another mentioned the potential benefits of talking to young people about risks, explaining concerns and helping them to understand why the police might need to be called if they don't stay in contact or come back at a certain time in the future

*"Could you get like, I don't wanna say a social worker to do it because if they don't get on with their social worker that's just not gonna work in any way shape or form, maybe like the foster carers could have more training in how to communicate effectively. So like when they do come back at 9:30 or 10:00 o'clock instead of being like 'you've done this you've done that.' Instead communicate like 'love, this is what you've done. This is why we're concerned this could have happened. And I wanna, you know, talk to you about the dangers of what could've happened. We didn't know where you were and stuff'."*

One person spoke about the need to not conflate making a missing report with a disciplinary response if a child breaks rules or tests boundaries:

*"Try in house discipline first like you would if the child was at home. You wouldn't actually ring the police, you'd say 'Right? You were late. Then you come in an hour earlier today or you don't go out, you don't go out to see that person you know' and then actually let the police do their job."*

*“Yeah, it's basically being clear about the different roles and sticking to them. Carers are there to care. Police are there to police.”*

There were some circumstances where the young people acknowledged it is really important to report to the police:

*“Now if you're with, you know if I was, if it's a 13-year-old child and a 26-year-old man, then yes phone the police and get them sent there because that's not safe”*

*“There are certain situations that you need to report them missing as soon as they go. Sometimes it may be that they have just said to you I'm gonna go kill myself right now. And then they left. And you believe that there's a chance that that could happen? Yes. Phone the police. Yes. Phone whoever it is. You need to phone because you do what's best for that person because they might not be in the right frame of mind to decide that for themselves.”*

*“There's no harm in them calling the police... You can't just run away.”*

Overall there was a sense that there needs to be a proportionate response based on age and risk, informed by carers and social workers who have a relationship with the young person and know what might be happening for them. These responses also emphasised the feeling that care-experienced young people are being treated differently than non-care-experienced young people:

*“Let me go out with my friends to a reasonable time.”*

*“My foster carers gave me a bit of leeway and I would always stay in contact”*

*“Carers don't operate on a “would I do it for my child” principle.”*

*“I think it all depends how old you are. Like when I like when I was 17, they would phone the police when I wasn't in at like 10 o'clock. You know what I mean. But if you're like 13 or around that age I think it is the right thing to do to phone. You're more than likely to be in danger with that age.”*

*“Although you need to be, always be prepared for the worst, I think it's really important not to be on edge all the time. Think how would I react if this was my child?”*

## **Police response after being reported missing**

*“Sometimes you'd have nice police. They would be respectful. A lot of times they would have a go at you, d'you know cos you're wasting police time. And I'm like, well, I was just genuinely 5 minutes late getting in sometimes.”*

When the police *are* contacted, and they find or come into contact with a missing young person, participants reported that their response can make a significant difference to the child's perceptions of the police. Some young people spoke of very negative experiences with the police:

*"I was having issues at home and run away and they were really horrible to me and dragged me back without asking my reasons for going."*

*"I was reported missing, hadn't been gone long. It wasn't late. It wasn't like it was past my curfew or anything [...] The police officers, I seen them coming and I was like I'm not going back yet I'm not ready. So I tried to run. My friends stopped me. The police grabbed hold of me and they took my phone out of my hand and threw it on the floor. And then they basically grabbed me, threw me up against the wall. They took me to the police station and put me in a room, still handcuffed and just left me there. Then when the officer came back in the room, she was telling the other officer that I was cheeky, that I was very rude. And, you know, just not very nice things. And I was like, I haven't said any of those things. Like I've barely spoken to you. I might have told you to get off me and leave me alone but that's about it, because I, you know, nobody wants to be thrown up against the wall by police officers; get their property thrown on the floor; and then dragged through a busy bus station. I was only 14 at the time."*

Worryingly young people spoke about being made to feel like they were wasting police time:

*"Sometimes you'd have nice police. They would be respectful. A lot of times they would have a go at you, d'you know cos you're wasting police time. And I'm like, well, I was just genuinely 5 minutes late getting in sometimes."*

*"They think it's a waste of time and they shouldn't have to do it."*

*"You know, like, I'd be late, but you have to see the police. You'd have to get out to bed. You'd have to speak to them. Sometimes you'd have nice police. They would be respectful. A lot of times they would have a go at you, d'you know cos you're wasting police time."*

Others talked about how being reported missing and the police response had impacted on their relationship with, or trust in, the police:

*"I don't ever feel like the police ever liked being there in the situation and that like I never felt and I could go to the police [...] even now as an adult when I've needed the police I still feel the minute they find out that I was in care. I still feel they treat me differently."*

*"I had one experience with the police and it's always stuck with me. Like they were very just disrespectful. OK, I gotta I I'd got arrested, There was an altercation with my ex-partner, but as soon as they knew like cause, the only record they had of me was when I had gone missing in my children's home. And then as soon as they realized I was linked, they were like ohh, they were like really disrespectful and really rude to me and like, made like comments about me because they knew me from back then."*

*"I'll be honest with you, that [unnecessary force when found while missing] actually gave me a fear and a dislike towards police officers that still, unfortunately is still with me today. I have a lot more knowledge about what they do and I understand that they are necessary, they're important, they're there to keep people safe, and I'm grateful for all the work they do. But I'm not the type of person that will stop and chat to one and be friends."*

It was clear from the conversations we held with young people that being reported missing in circumstances when non-care experienced peers wouldn't be, and the reaction from professionals when a report is made, can contribute to feelings of being over-policed, can lead to breakdown in trust of professionals, and could ultimately contribute to criminalisation. Young people want carers, social workers and the police to take a more cautious approach to missing reports, with decision-making centred around the young person and their unique circumstances, rather than an automatic or tick-box approach.

Addressing inappropriate missing reports can be one way to reduce care-experienced young people's exposure to the police.

## The criminalisation of care-experienced young people more broadly

*“OK, there's young people... they're just struggling now as adults and can't get jobs because they've had criminal records for things they've done in care, like smashing cups or breaking washing machines or like adolescent behaviour.”*

In addition to their experiences of the police if / when they had been reported missing, the young people shared their experiences and perspectives of their interactions with the police more broadly.

In the survey we asked care-experienced young people whether they agreed or disagreed with a number of statements about the police, the following table shows their responses:

	Strongly agree / agree	Neither agree nor disagree	Strongly disagree / disagree	Don't know
The police treat everyone fairly	27% (7)	19% (5)	46% (12)	8% (2)
Young people living in care are more likely to have contact with the police than those living in family homes	51% (16)	23% (7)	23% (7)	3% (1)
The police don't listen to the concerns of children and young adults	45% (14)	23% (7)	33% (10)	0%
Carers are more likely to call the police about a young person in their care than parents in family homes	51% (16)	23% (7)	20% (6)	6% (2)

The police are helpful and friendly to young people	36% (11)	26% (8)	38% (12)	0%
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Responses to the survey show that care-experienced young people feel they are more likely to have contact with the police, and that they don't always feel listened to or treated fairly when those interactions take place. Over 50% agreed that young people in care were more likely to have contact with the police than those living in family homes, and that carers were more likely to call the police about a young person in their care than parents in family homes.

Where respondents had had contact with the police, we asked how this experience had made them feel:

	Strongly agree / agree	Neither agree nor disagree	Strongly disagree / Disagree	Don't know / Not sure
My contact with the police made me feel anxious or scared	73% (11)	7% (1)	20% (3)	0%
I have been treated well by the police	40% (6)	7% (1)	47% (7)	7% (1)
My contact with the police made me upset or angry	67% (10)	7% (1)	27% (4)	0%
I respect the police	40% (6)	13% (2)	47% (7)	0%

These responses show that there is work to be done to ensure that police interactions with care-experienced young people improve. Over 2/3rds of those answering this question agreed that their contact with the police had made them feel anxious or scared, upset or angry. This feedback gives some insight to the impact that contact with the police can have on young people.

There was a general sense from young people during the interviews and focus groups that those in care are over exposed to the police for many different reasons, not only if they are reported missing. Some spoke about their frustration with how children in care will be penalised in situations that would never have escalated to the same point if they were in a family home. Others spoke about how those situations could be better managed.

## Police called too easily for minor incidents

*“They'd play music and it would be winding me up, d'you know like it was like sibling things, but cause you weren't siblings we then we would have the police called on us.”*

*“I went to meet my biological dad when I was 18 and the social worker threatened to call the police on me. It made me feel invalidated, that I couldn't make my own choices, made me feel about 5.”*

*“I was told police would be called on me if I went to my aunty’s funeral instead of college.”*

For some young people these incidents resulted in a criminal record, despite being minor, which then had impacts on their opportunities later in life:

*“You know, try and to get a career and like pursue a good life, but then it can affect you... If you ever have to have like, try to get a job it's ohh you got criminal record because you done criminal damage but they don't actually look into what was that criminal damage. Something tiny, but then it can really affect you. Like if you go to court, you know, like I have to declare on my record I have a criminal damage thing for something stupid from growing up.”*

*“OK, there's young people... they're just struggling now as adults and can't get jobs because they've had criminal records for things they've done in care, like smashing cups or breaking washing machines or like adolescent behaviour.”*

*“Even when you declare oh by the way, when you do this CRB check it's gonna come up and they're like there's gotta be more to it. And I think that needs to change for young people because like I said, it's hard enough for young people anyway.”*

## **Police attitudes**

Throughout the consultation sessions police responses and attitudes to care-experienced young people was mentioned consistently, outside of just the missing response. There were examples of both good and bad practice, and the impact that those can have for young people.

Young people spoke about the importance of kindness from officers that have any interaction with care-experienced young people:

*“I like if the police officer was nice and they talked to the young person like they were a person.”*

*“They were nice when they put me into the car and they made me feel safe.”*

*“They need to treat us like people. not all police officers have been bad in the way they have spoken to me, but most have. Because they know where I live, they think I'm trouble and don't listen.”*

*“They could be more understanding. There has only ever been one police officer who can relate and understand because they have been through the care system.”*

*“I've had police that stayed with me for three hours. Literally just sit with me. Like absolute stone cold silent, just sat with me for three hours until I was like, you know what? I can go back now. Like didn't, didn't ask me a single question. They went. Are you OK? But I didn't reply. They just sat with me. They didn't try and, like, get aggressive or try and get more answers. She just sat with me until I was like, you know what? I can go now.”*

*“You gotta be led by the child, just not obviously let them control the situation fully. So see if you gotta take them back. You still gotta take them back. But if you're taking them back kicking and screaming versus you've had a chat with them, you calm them down and they're willing to go back is gonna be so much better for the for the child. Like, that's gonna be so much less traumatizing than having to be handcuffed in the back of a police van. And then on top of it, deal with whatever happens with the foster care or anything.”*

Others spoke about the importance of acknowledging young people's maturity and autonomy:

*“Actually listen and not speak down. They have a tendency to speak to us like you're a little kid. That's just gonna not help any relationship between the young person and the police because they're just always gonna feel like essentially like invalidated and like they don't really care and that they kind of feel worthless essentially because it's like no one values you. At that point it feels like you're just too young to have a say in anything.”*

*“If you have, say, run away, say 'I see there is a reason and you don't wanna be here' not just 'Ohh that was a stupid thing to do. You shouldn't be doing that'. That's quite patronising. That's not gonna help this situation.”*

*“Yeah. Take you home, take you back to the placement and then say 'maybe don't do it again'. So how's that gonna help?”*

There was also some discussion of the importance of officers understanding mental health issues and how to communicate with someone who might be struggling:

*“I was in a hostel and they come out for a young person who was suicidal and the guy went 'Oh well, why don't you do it?' They are awful. They have no people skills. It's ridiculous. They are not trained for young people with mental health in any way, shape or form.”*

Some young people also spoke about the discrimination and judgement they have faced at the hands of the police:

*“The police take the piss. I believe police needs to take the time and listen about the situation. Some cases the police make the case a lot worse than it seems to be. A lot of them are racist or they just judge but there are times when police are useful.”*

## **Importance of trauma-informed responses**

Participants also talked about the need for trauma-informed responses:

*“Understand, care-experienced young people. I think that's the first thing that the police force need to be taught is to understand the minds of somebody who has experienced trauma, whatever that looks like [...] And remember, they're still children. I think that's the big thing. They forget sometimes that they're still kids, they may be 15 or 16, but they're still, in comparison, they're still kids.”*

And the need for professionals to not stigmatise or make assumptions:

*“Don’t assume people are guilty even if they are shouting loudest. People have to stand up for themselves too much. There has to be a removal stigma for foster children. They are the problem child, they are always the problem and they are no good. We are seen as being bad children even for going into care. We are seen as being the issue. Stigma that we won’t achieve anything. I am going to college and a job. For me it fuelled me to achieve.”*

*“Been stopped and searched many times at train stations - they thought it was county lines and wanted to take me to the station. Never had anything on me and never a reason to stop me.”*

## **Alternatives to calling the police after damage or violence**

Participants had lots of ideas about how these situations can be deescalated, rather than an automatic report to the police. Again, some of these responses referenced the difference in treatment care-experienced children often experience when compared to children who are not care-experienced:

*“Well, I think the residential staff should get the kids to fix it or what they would do with their own children”*

*“If a child painted a wall in the house, you'd make the child clean it up. If a child smashed [a cup], we're gonna help. You'd make the child clean up and take it out of their pocket money and get them to, you know, cover the cost of it.”*

*“One of the young people threatened to hit myself and the staff with a fire extinguisher. He never did. I'm not sure exactly what happened, I just remember being thrown like not thrown but pushed into the office room with the door locked [...] And there was armed police everywhere. So I'm sitting in this member of staff's car, not really knowing what's going on, just being like it's absolute chaos. And then all I seen was the young lad being dragged out basically by the police, taken in a van and I'd never seen him again. And you know it's, it's sad because I don't know the full situation with the young person and I never will, but I can't even begin to imagine what they've experienced and why they displayed that behaviour and I think if that behaviour had been explored rather than being punished, I think they could have made a difference in that situation.”*

*“Don’t be so strict on young people, and less armour sometimes they can be quite intimidating, try approaching less scary as well.”*

## **Police not being seen as ‘helpers’**

Some young people shared the importance of the police being called or actively intervening when young people are the victim of crime, rather than being a punitive force in care-experienced children’s lives.

*“[In response to a sexual assault and ongoing abuse from an older man] The staff just were not very supportive which is why I run away and I literally felt like I had no one and this was when my mental health like went downhill. And I wish like they [the police] could have been*

*somebody that I could run to... somebody that actually listened and cared because I literally felt like I had no one... I just wish then that I'd had somebody there fighting my corner."*

*"I think it's impacted me... because I still don't like them. We still wouldn't talk to them. They'd be my last port of call if I ever needed help."*

As part of the survey respondents were asked whether they thought that living in care had affected the way they had been treated by the police. Interestingly 10 said no compared to 4 who felt it had. This was not reflected in the consultation we carried out or elsewhere in answers to the survey.

## **Police in placements and informal activities**

We know that some areas and care settings create neutral or positive opportunities for care-experienced young people to interact with their local police. We explored this with young people to understand any benefits or negatives to this type of familiarity.

Some participants felt that it is unnecessary and further differs care-experienced people's experiences of the police from that of other children, for example:

*"Get this... they only need to be in the unit if a child is seriously putting somebody at risk of harm, or if they're in harm or danger themselves...they're not meant to be there and you just wanna be treated like normal. Like I said, it's not a normal situation to be in anyway, when you're in a house and your staff are changing all the time and you've got six or seven children there... No, and I think it's impacted me because I still don't like that we still wouldn't talk to them. They'd be my last port of call if I ever needed help. I don't trust them. And I don't like them. Honest just because, like they were always around."*

However, others felt that it could be really positive for some young people, if done in the right way

*"I think for children's homes, OK, yeah, it could be a little bit stigmatized to have a police officer be allocated to each one... but maybe just do it so they're like, 'OK, I'm your local police officer in the area. I'm not here to judge you. I'm not here to punish you. I understand that things can be very difficult for you, and sometimes you may get angry. Sometimes you may get upset. And just know that if you see us and you're feeling a little thing, you can come and talk to us, don't have to run away from us. We're not gonna punish you. We just wanna help you...' making young people know that they're not the enemy. They don't wanna be the enemy. They wanna help and I think that's what the young people need to see is if they really wanna help."*

*"I wouldn't want police in my home but I would like them to know me and know I am ok"*

*"Because I believe it will be engaging and insightful to know that police officers are willing to engage and take side of a young person"*

*"It would be good to have fun with the police too"*

*"Fun activities would be nice"*

*“See them on neutral grounds where the kids can feel more relaxed, a park or in a theme park in casual clothing. Wouldn’t want to be seen by my friends. If I am seen with an officer you’re either a snitch or done something.”*

We asked a question about whether these types of interactions could improve relationships between care-experienced young people and the police in the survey. We asked whether respondents would participate in any of the following:

	Yes	No	Don't know
Drop in sessions with a police officer (e.g. at your care home)	26% (8)	58% (18)	16% (5)
Activity evening with pizza and snacks run by the police	42% (13)	39% (12)	19% (6)
Sports/Games events run by the police	55% (17)	42% (13)	3% (1)
Visits by police to House Meetings	35% (11)	55% (17)	10% (3)

These responses support the reflections from young people during the consultation that young people would prefer to meet with officers away from their placement, and we would suggest these events should always be optional as some young people were not keen on any option:

*“What family does the above with Police?”*

*“The police add to my anxiety”*

*“They bring police to all events anyway and this is the reason most kids misbehave or don’t wanna go because they feel under pressure being watched by police”*

## Carers, social workers and care environments

*“It's just understanding the minds of each young person because everybody's different... That's my main thing is just get to know them, work with them, listen to them and let them help you support them.”*

Our conversations with young people also highlighted the importance of the role of their carers, social workers and home environments in preventing police contact, and in reducing the risk of criminalisation.

Young people spoke about needing supportive, caring relationships with those responsible for their care, and vitally they talked about the need to be listened to and really heard so that their needs could be met.

## The importance of trust and building relationships

*“Quite simply, they need to be caring. They need to be able to treat you as they would their own children in the sense and actually like, show you and build up and explain children about boundaries and repercussions, but not go to criminal records.”*

Having meaningful relationships is vital. Young people spoke about the benefits of being able to trust and talk to the professionals around them, and the negative consequences if these relationships are not built. They also felt that professionals who knew them well would be able to deescalate challenging situations, and judge what response was needed, in contrast to professionals who did not know them.

*“So they'd actually be present like they're they wouldn't lock themselves in the office, like they would try help you with things or go for a walk with you [...] or would just treat you like a human being, you know. Like some staff like would help me like do my homework and the other staff wouldn't like, you know, and then I'd get in trouble. And if, like, I mean, I have to do something, but I don't know how, but then I end up with the repercussions of that, because I haven't done something where I had nobody to ask them for their help.”*

*“So you can talk and you've got someone there. Not always constantly like jumping down your throat or worrying about when the police are gonna come next to your door [...] You should be able to feel that you can just go home and relax and like, speak to someone, not be put down by someone. Especially when it comes to authority. You shouldn't have to feel like that [...] There needs to be more support out there for people like really like relationships, like more understanding on how their young persons gonna, how their young person is gonna feel beforehand if that makes sense.”*

*“There are staff you could talk with like and there were staff like I absolutely hated. You know, you don't get on with everyone. And it's bad enough, as an adolescent to get on with*

*your parents. So imagine if, like, you have your parents times like 20, because like the staff change and different staff would work differently.”*

*“It's just understanding the minds of each young person because everybody's different... That's my main thing is just get to know them, work with them, listen to them and let them help you support them.”*

*“Last foster carer was the best. First social worker. There were boundaries and I was listened to. He went out of his way to get in touch on my birthday. He was thoughtful. He had my back. The foster carer is always there for me.”*

Some participants also spoke about the police needing to build that trust:

*“Take time to build trust as well, our lives have been ripped away we have nothing to live for or look forward to and we need help to change that thinking. Ideal police officer would have the experience themselves. They also need to prove they are worthy of trust. We need to recruit officers that are open to change and listen to other people's experiences”*

Due to the importance of those relationships, some of the young people we spoke to felt that carers, who were often the professionals who knew them best, should hold more responsibility for decision-making. They identified that carers would often know how they were feeling and would be able to make in-the-moment judgements about what might be happening and whether they were at risk, taking a more person-centred approach.

*“They knew me. They knew where I was going, who I would be with. They'd be able to tell just by the way I was in the mornings what kind of day I was gonna have. They were the ones that spent every single day with me, so they knew me better and I think they could have maybe pushed a bit more and said actually, 'we know her, we don't think this is gonna work, this is just gonna make her push back more, it's just gonna make her shut down' because they would have had that knowledge. But then I think a lot of it is from the social workers because they, you know, they don't give enough responsibility to the carers and foster carers.”*

*“It's about giving the power to the ones that actually look after the young people. The ones that are with them day-to-day every day, day in, day out, that know them better than anybody. Because they see them on the cycles, they see everything they go through. They learn their behaviours, their triggers, you know, and good carers will pick up on that.”*

The impact of poor relationships, or negative attitudes from those responsible for young people's care was also made clear.

*“Like when you're in [care], you're already locked down and out of society. They don't ever think you're gonna go far in life.”*

*“They are seen as troublemakers and coming from broken homes more likely to get in trouble.”*

*“I could probably write a book on the things that they could do better, like not so much just the police, for me the police, I don't think it's always their fault. You know, sometimes it is the system, the actual social care system itself and just how they manage young people. They*

*treat them like they are criminals. I think they forget that the criminal justice system and the care system are completely different. They're not the same."*

## **Placement stability**

Participants spoke about the over-reliance on placement moves to address negative incidents or behaviour that was perceived as negative. A number of young people mentioned examples of young people being moved as the only real response, despite this sometimes only making things worse, including increasing risks of criminality and increasing instability.

*"Instantly, the police are called. They removed from the property or wherever... And then you don't see them again. They just get moved to somewhere else."*

*"We'll just remove them and put them somewhere else and hope that fixes it'. Moving somebody to a different area isn't fixing their problems, it's just causing more problems and more issues, more confusion, more risk of vulnerability because they have nobody around them that they trust, more at risk of being exploited, you know, and get involved in things that they probably don't wanna be involved in, like actual crime."*

One young person spoke about improving placement planning as a way to reduce the negative impacts for young people.

*"Introduce to the placement before moving in. Ideally a tester weekend. Often I didn't get a chance to meet people. Have the child meet someone who has been in care or is in care. A kind of buddy. Teach them their rights. We need care ambassadors"*

## Centring the young person

*“Never dismiss when somebody is telling you their experience. Even if you view it from a different point of view, it's OK to share your point of view. I'll never say it's not, but never tell a young somebody their truth isn't their truth.”*

In many ways the strongest message that came through in many of the conversations we held was the need to centre the young person. By this we mean really treating them like an individual: getting to know them; listening to them; genuinely trying to act on their wishes and fulfil their unique needs. Many of the quotes above reflect this in relation to what happens if the young person goes missing, and their relationships with the police and other professionals more generally.

### **Listening to young people and making genuine changes based on what they tell you**

In many of the conversations we held there was obvious frustration at the lack of autonomy that care-experienced young people have in their own lives. Participants spoke about being lied to, about having no control over what happens to them; about changes not being made despite really deep unhappiness.

Young people really want the professionals around them to listen and to actually take action to try and address any problems or to help how they are feeling.

There were a number of different ways in which this came up. Some young people talked about the importance of privacy and personal space at home. This was seen as an important part of respecting their boundaries and a way to reduce the likelihood of conflict that could escalate to the police being called.

*“At my foster care we had rules where we didn't go in each other's bedrooms and obviously if someone entered your room without your permission then my foster carer would sort that out. Whereas obviously other placements they don't have those rules in place.”*

*“Yeah, this [breaking a door because another child wouldn't leave your room] is likely, you need your space and the girl won't get out of her room”*

*“Separate the girls, give them head space, then speak to them separately about what's happened. Make communal space in the home, as well as protected private space.”*

*“Foster carer's daughter used to deliberately caused arguments. I pushed her out of the room. The police were called. Her mum should have got involved and stopped it. Foster carers should be trained more on how to deal with situations. Moving people and calming people down. There should be rules about going into people's rooms. I had them in the last placement and the foster carer would address when rules were broken.”*

Others spoke about the need to be heard. Some gave examples of how not being listened to led to them feeling like they had to take action that ended up in them being criminalised.

*“Never dismiss when somebody is telling you their experience. Even if you view it from a different point of view, it's OK to share your point of view. I'll never say it's not, but never tell a young somebody their truth isn't their truth.”*

*“For me, for instance, I was always telling my social workers put me in a residential home, that's what I want. I don't want foster placements for years and years. They didn't listen. They finally moved me into a residential place and I stayed there until I left. And they told me they wish they had listened and I was like, wow, that's all you gotta do. Sometimes it's listen.”*

*“And because they didn't listen, it took, I then had to get involved with police. Then had to get into trouble all the time until they eventually listened. Because I basically had to do it so they had no choice but to put me in that placement.”*

## **Giving young people some control / options**

***“We're not problem children. We're just frustrated at the situation that's going on and we're quite upset that we have this life. We've been put here, but we're not allowed to do anything. We're not allowed to say, ‘oh, I wanna do that.’”***

Many of the people we spoke to emphasised the importance of control and choice. This included feeling that they had some control over what happened to them, and what they were allowed to do. It also came up in the context of how they were treated when a violent or disruptive incident took place.

*“ I think that's the big thing is when they're [the police] there, you don't feel like you're in control of the situation at all. You feel like no matter what you say, you know, in the end it's going to be whatever they want to happen. If they want you back to your foster care, you're going back to your foster carers. But are you going willingly or kicking and screaming? But either way, you're going back. No control at all. I think that is probably it, you need to feel some control.”*

*“Like you're told where you have to live. You're told what school you gotta go to. You're told everything that you gotta do in your daily life. You have like zero control essentially. Like what, you get to choose what clothes you wear. Like and then having to on top of it to be told when you gotta do something, how you gotta do it to fix the situation that you know you've gotta fix at some point. It just doesn't help because you already know it. Like I said, dude, we're not stupid.”*

*“I know fully well I've done something wrong. I can take that. I can't take someone telling me how I should fix it.”*

*[How to ensure placement moves don't lead to criminalisation] “Simply ask the young people. ‘Where do you want to live?’ Something as simple as that I can change everything. Listen to them. Don't be like, ‘Oh well, I don't think that's good for you.’ Obviously it's different if they're like, Oh well, I wanna go back home to Mum and Dad and they can't because they're on full care order until they're 18. Then explain that to them. Like, OK, can't*

*have this one, but what's your best alternative? Which one? Like out of your options? Your options. What do you wanna do? Where do you think is going to be better for you?"*

## Understanding presenting behaviours

Young people also spoke about the need for professionals to explore violent, angry or frustrated behaviours to understand what might be causing the young person to act that way. This links to the importance of being trauma-informed, as already identified above.

*"So you've got normal teenage issues. Add on top of them and they're then amplified by all of these issues. Well, how else is it meant to come out?"*

*"Speak to people who are offending and see the reasons why they're offending and help them. If you stop offending them at an early age and see what the actual problems are, it's less likely they're gonna offend when they're older or they're not gonna be a repeat offender in, like, going back to prison."*

*"When children are scared, they hit out."*

*"Children bounce around and it affects their behaviour, they do not have the support they need to keep them out of crime, crime can be a way of them to express that they need the help."*

*"A lot of people become rebellious which may seem fun to the young person but don't realise it causes trouble. Care experienced children don't really have many good influence people in their life to guide them, so they just do whatever they want. Also, they might turn into the partying, drinking, drugs and fighting due to their trauma or their hardship in their life."*

*"Don't punish the behaviour. Explore the feelings behind the behaviour. Because kids don't just kick off at nothing. Nobody does, really."*

## Child-centred actions

A child-centred response should not only extend to how young people are talked to or taking their concerns seriously. It was clear that this needed to be reflected in the action that professionals take. Young people spoke about positive experiences when professionals took a flexible approach – making individualised decision on what was best for them rather than following 'company policy' or a standardised set of actions.

*"I was being reported missing whenever I left, no matter where I went, how long I was gone, the minute I left the grounds I was being reported missing and I understand that they thought they were doing what was best for my safety. But it was like I was under house arrest without actually committing a crime [...] I was like, 'look, I just want to see my friends. I just wanna see my family. I just want to go out. I just want to go to the shop. I just wanna be able to go and get myself a drink and a packet of crisps or something without being locked up.' I said I haven't done anything wrong. So both the police officers understood where I was coming from and they used to try and get them to change the process [...] The hope was then [...] they would have to reassess how they were managing my care."*

*“It's like something simple about having a safe word. This is something that my carers in my residential home they had with me if I was ever going anywhere with my friends that I wasn't sure about, or even just being with my friends or anybody. It would be the right before I left our house. We'd remind each other. OK, this is the safe word. If I call or text using this word then they would come straight away to get me.”*

*“And it's about putting things in place to support both parties, because I can understand if you've just been given a child to look after that's not yours it can be daunting if they just disappear on you. If it's your own child and you know where they are and stuff, but when it's not, there's a more seriousness of the responsibility, and I understand that, but it's about also, not being too scared.”*

## **Supporting young people in decision-making**

Participants also spoke about the importance of being supported in learning how to make positive decisions. Some spoke about having witnessed negative or angry responses, and how this can become a learnt behaviour if more positive patterns aren't established. Taking a supportive approach to addressing why a young person has responded in a certain way, and supporting them to think through and action alternative responses in future was seen as a way to prevent future harm as well as helping young people in the moment.

*Children and adolescents need to be taught to deal with problems and to manage them and stuff like that, rather than running away from the situation because later on in life they're not gonna have the social skills, the skills that they need to deal with adult problems because they're going to use the mechanism of, oh, I don't have to do this. I'm going to just run away from it and then they're going to be stuck in the cycle of not improving anything because they're too scared to change.*

*The way that people went about us when we're younger it like shapes who we are as adults. So if we get angry in a situation, we still think that's right when we're an adult to do in that situation. I've just gone through direct or behavioural therapy and I believe that it should be put in for all children. So even people that aren't in care can understand what is actually going on and that it's OK to feel the way that you feel. And don't be ashamed. Have self-respect in situations. Evaluate. Give them stress management. Because sometimes, when someone's being, as you say, angry, they could be really frustrated instead. So the crying like could be frustration rather than anger. Or they might be so upset that their point of view isn't getting across because they are a child or they're a teenager in the situation. But then we got brought up to be told, well, you're gonna be an adult when you're 18. What you gonna do when you're an adult? Ohh. If you're not gonna let me sort it out I'm gonna always have destructive mechanisms. I'm always gonna be that angry person. I'm gonna be the one with the problems. Everyone has problems, but no one taught us. We have that label, that stigma against us to say ohh they're a kid in care so they're just naughty, they just go missing. They just can't be bothered to get their grades... So I think people need to be aware that it's not easy to be a kid in care, but also there are tools and techniques out there for people in situations like this, but no ones willing to offer.*

*OK, so how can we teach them to manage that behaviour? Because OK, you can't just start throwing things if somebody has annoyed you. OK, so how do you know when you're getting annoyed? What can you do before you get to that explosive? How to manage their*

*behaviours, but remember, not everybody manages everything the exact same way either. It's about tailoring the support to each young person.*

*"Teaching us to manage our anger and stuff like that instead of just punishing us for a because some of us haven't seen anything different."*

## Access to services

The final theme in this report is young people's access to services, including how the identification of support needs and subsequent effective pathways into the help to address them can really help to reduce the risk of criminalisation.

## Mental health support

Some young people spoke about not being able to get a diagnosis of underlying mental health conditions, and the fact that this then meant professionals misunderstood or failed to respond effectively to resultant behaviours. This also meant that they themselves could not understand what was happening for them.

*"I've got a personality disorder. Punching doors is very common. I've punched many, many of those because I'd rather hurt myself than anyone else in that situation. And I've had this since I was a teen everyone was like ohh, she's violent. When in reality, I've got a personality disorder that I've been trying to navigate life with since I was a kid. You get what I mean?"*

*"I've got it [a personality disorder] myself. And on top of that, I've got ADHD. So literally it is very, very hard to like, try and control it and manage it. It is. And especially when you're being misdiagnosed for years on end, people just put you down as a problem child."*

Even when young people had a diagnosis, access to mental health support was sometimes limited by being in the care system. For one young person, this was linked to moving to different locations due to placement moves:

*"Yeah, you know, I wasn't getting any support and unfortunately then because I was moved so many places and it wasn't like down the road or up the street, it was different parts of [location], just all over the place and I wasn't being able to get supported by mental health professionals because I'd register and go on the waiting list in one area but before I even get a chance to see them I would have probably moved twice."*

## More awareness of support services

Many participants said that they had not been aware of where they would be able to access support while they were in care. They identified that this would be helpful to many and might help some from being criminalised. This could be because they would have someone to advocate on their behalf if they were being treated unfairly, or because support could help them to manage their feelings or any issues that might drive them to act in a way that resulted in criminalisation.

*"Like for me, from Missing People's point of view, there isn't really anything like around. So I think there needs to be bigger presence on social media... because I would have said like, put your phone number in my phone. Maybe doing like train stations... that information needs to be there."*

*“[Question about getting helpline information in children's homes] They'd be, they'd very scarcely put information up in residential homes or in foster care. You know, the reason why I say this is because [organisation] have been trying for years to get social workers to put up their phone numbers and a lot of the social workers and council officers won't because they think it's there for them to complain, or to make change.”*

*“Maybe if they offered like services, like if they were like made aware of services for young people like advocates would be amazing. When I was in my first placement, now I actually hated her, I was asking to move, but it didn't work. You want an advocate, but I didn't know an advocate was available. If the police was like 'if you need someone to talk, here are some services'. Maybe I wouldn't have gone.”*

## **Opportunities to become advocates and make change**

A number of young people also spoke about being part of making changing themselves, and how positive this could be for empowering them and ensuring that they are able to escape negative patterns of treatment and behaviour.

*“But I am safe. I'm out the other side. I got a happy life now and that's why I've continued to do the work with [Voices from Care Cymru] and stuff. But back then I had nobody that could have helped.”*

*“VFCC [Voices from Care Cymru] are amazing. They listen and care, they take the time to understand each and every member. They are always there for us. Our group, Echo, is working to change the system. I was encouraged to come and at that point my depression was really bad. It hasn't been as bad since. Everyone at VFCC has helped.”*

## Summary

The care-experienced young people and adults who gave their time to this consultation were clear about the need for change in how professionals provide support, and in how a range of agencies can reduce the risks of criminalisation.

In these conversations we heard about the harm of being over-exposed to the police, whether through unnecessary missing reports, or because of the police being called to minor incidents. We heard about the need for a greater focus on de-escalation and support rather than punitive responses.

Participants were passionate about acknowledging care-experienced young people's autonomy and their need to have some control over their own lives, including in decisions about their care and living situation, in their privacy and right to independence, and in their response and restorative actions when they have done anything harmful.

We were told about frustrations with the poor expectations that some professionals hold for care-experienced young people. Experiences of being treated like they are going to do something wrong which can become a self-fulfilling prophecy, rather than professionals having seen strengths and expected positive outcomes for them. We also heard examples of how this was compounded by negative attitudes from professionals including the police, with young people being treated disrespectfully, and not being listened to or heard.

The conversations highlighted the need for a child-centred response. We heard about the need to acknowledge the unique experiences that have led to young people entering the care system, and the impacts that the system will have on them, including taking a trauma-informed approach, acknowledging the lack of control young people may feel over their circumstances, and understanding the impact of non-traditional home situations. However, participants were clear that despite the need to understand experiences of care, it's also important to remember that every child is unique and needs responses tailored to them. Decisions made about each young person should be based specifically on them and their needs and assumptions should be avoided. This can only be done by ensuring stability; creating genuine opportunities to hear what young people want and to trigger change; building relationships to truly get to know the young person; and by taking a flexible approach when something negative does happen: focussing on what is in the young person's best interests rather than following a generic process.

We will be using the themes and examples that young people shared with us to develop both the toolkit and training for professionals who work with care-experienced children and young adults. We hope that professionals will also use this report, with an understanding of the importance of the voices of those with lived-experience, and consider how they can best implement supportive responses to prevent criminalisation.