

Case Studies – Police and Law

Case study : Callam – Police, Youth Justice, lawyers

Callam is 14 years old. He was apprehended at the scene of an altercation and placed in a police van. He and his parents claim that he was assaulted by a police officer and Callam says that he made an allegation of assault at the time, but no such allegation was recorded or acted upon. The police then investigated this, which resulted in a written warning to the police officer involved. However, Callam and his parents were not satisfied and wanted to take it further – they feel that Callam’s rights have been infringed in two ways – firstly, the assault and secondly the failure to act on the allegation, which they suggested was because Callam was a young person and that if he was an adult he would have been listened to and his allegation would have been taken more seriously.

Case study : Geraint – Police, youth Justice, Social work, Education

Geraint aged 14 has been arrested at 1 a.m. for criminal damage of a property after a complaint by his parents. He is very subdued and had rejected the offer of a solicitor. A social worker has been called to the police station to act as an appropriate adult as neither of his parents have come with him. During the questioning Geraint gets very upset and said that he only smashed the pictures and doors at the house after his parents kept on and on about how he had never fit into the family properly, about how disappointed they were with his continued poor results at school, and that they wished they had never adopted him. They have said they do not want him to return to the house.

Case study : Lauren – youth Justice, Police, Education, Social work

Lauren is 13 she has been referred to the Youth Offending Team after being arrested for shop lifting from the local shops. It appears that she has not been attending school regularly for the last 4 months. Her mother works some night shifts as a care worker and expects Lauren to look after her two half brothers aged 2 and 4 if she needs to sleep in the day. Lauren has previously been arrested for disorderly behaviour whilst drinking with an older group of friends.

Case study : Fiona - Police, Education, Social work

Fiona is 12 years old. She has severe and multiple disabilities. She was taken to school by taxi each day and on three occasions arrived home with unexplained injuries. Her Local Authority and Police became involved with the case, which was investigated to an extent by the police. However, the police decided that because Fiona had communication difficulties she was not a credible witness and the lack of clear testimony from her led to the police not pursuing her case. Fiona's injuries remained unexplained. However, Fiona's parents want to lodge a complaint against the police because they claim that failure to interview Fiona effectively contravenes guidance in Working Together to Safeguard Children – this states that 'disabled children with communication difficulties should have available to them at all times a means of being heard...' They feel that her rights have been infringed and would like the IPCC to take this further.

Case study : Darren – police, education, lawyers, Youth Justice

Darren is 16 years old. He was apprehended by a police officer for being in possession of a small amount of cannabis. Darren says he is not a regular substance abuser, but that he does occasionally smoke cannabis. He told the police officer that he was really keen for his parents not to find out about this, but that he was happy to tell his pastoral tutor at school and that she would come with him to the police station. The police officer asked for Darren's address and the name of his parents, but Darren refused to provide this information. He did give his teacher's name and the name of his school, but asked if he could be the first one to speak to his teacher about this. The police officer is worried and feels strongly that Darren's parents should be told. He wants to insist on this, threatening to arrest Darren and take him to the police station immediately if he doesn't provide the information requested. Darren is very unhappy about this and feels that it should be his decision about whether to involve his parents or not.

Case study : Kyle – Lawyers, social work

Kyle is 23 months old. He was taken into local authority care when he was 2 months old and has been living with a foster family since that time. His mother is addicted to heroin and has been told that she is not able to prioritise his needs. She has tried to come off drugs several times but has not maintained a drug free life. She has been allowed limited supervised contact with Kyle while he has been in care as she has been contesting the care order and Social Services have been looking into other options. Contact has stopped as an adoption order has been made. Kyle is in the process of getting to know his intended adoptive parents and will shortly be permanently living with them. The foster mother contacts the office upset that the adoptive mother has been calling Kyle by a completely different name while she takes him out on visits and has made it clear that she will not be calling him Kyle once he is living in their home.

Case Study : Bahman – lawyers, social work

Bahman is an age disputed minor from Iran claiming to be 15 years old. He had been age assessed by a local authority in England as over the age of 18. However, on receiving the age assessment, it was evident to the child advocate that this was not a Merton compliant¹ age assessment. The child advocate wrote to the social services department that conducted the age assessment and requested that they completed another age assessment.

Bahman maintained that he was a minor and was very distressed by the situation that he faced. The child advocate talked to Bahman about other methods of showing the authorities that he is a minor. Bahman mentioned that he has documents with his date of birth on them, that his uncle sent the documents from Iran but that they are all written in Farsi. Bahman is very distressed and unsure what to do.

Merton-Compliant - a term used to describe a local authority age assessment that has been conducted in accordance with the case law on age assessments and is therefore fair and lawful. The term derives from the Merton judgment of 2003 which gives 'guidance as to the requirements of a lawful assessment by a local authority of the age of a young asylum seeker claiming to be under the age of 18 years'.

Case Study 26: Tahir – police, social work , lawyers

Tahir is 15 years old and he is from Afghanistan. He came to the attention of services in the UK, when he was picked up by the police and referred to Social Services. During an interview, he stated that he had just arrived into the UK on the back of a lorry, after an 18 month journey from Afghanistan. He fled his home village with his mother, after his father and sister were killed by the Taliban, leaving his surviving sister behind. However, during his journey from his home, his mother also died from injuries received at the point of flight. There were concerns around Tahir's mental state, due to reports of suicide attempts. He was referred to the Welsh Refugee Council (WRC) advocacy worker who assisted him in getting access to medical professionals, solicitors and activities and educational facilities aimed at young people. A referral was also made to Children's Services, who moved him to a hostel for young people. He was told that there are no available foster placements for him, which left him isolated and unhappy.

Case study: Alex – Police, youth justice,

Alex is 13 years old and has autism. He sometimes spends time with boys from school David and Paul. There is not much to do in the town where they live and so they hang around outside the local shops. David dares Alex to go into the shop and steal something. The shop keeper notices what he is doing and calls the police. Alex is taken down the police station and questioned. Alex becomes distressed and rocks back and fore and generally acts in a strange way.

Case study : Gethin – social work, police, education

Gethin is 10 years old and he has been physically abused by his mother. This has been going on for the last three months and his mother has admitted that she hits him when she gets stressed – and recently she has been very stressed because Gethin’s father has left the family home, leaving them without any money. Gethin is very distressed about his father leaving and about his mother’s abuse. The social worker allocated to the case informed the child protection police officer. The police officer felt, in consultation with the social worker, that there was not reasonable cause to believe that a child would be likely to suffer significant harm, and decided not to remove the child. They decided that it is in Gethin’s best interests to stay within the home – the social worker said that Gethin’s mother does not want him to be removed and she is keen to keep the family together. The social worker will monitor the situation carefully and has arranged some interim financial support for the family. She will make sure the police officer is updated when she can.