



## Freedom Of Information

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### Information Management

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Our ref: 5857/17

Date: 11/01/2018

Dear Mr Hellyer,

Thank you for your request for information, received by West Yorkshire Police on 01/12/2017.

You have requested the following information:

*Please can you tell me how many children at the age of 10 or below the age of criminal responsibility have been found responsible for crimes in the police area and which towns they were in for the past five years (2012-2017).*

Please see the attached document detailing how many children, aged 10 and below, were suspects of crimes between 2012 and 2017. Please be advised that not all persons listed in the attached document would have been arrested for these crimes.

Please note that In law generally anyone under the age of criminal responsibility i.e. 10 years cannot be culpable for a crime, but in view of West Yorkshire Police taking a victim centred approach we would ordinarily record a crime in accordance with the National Crime Recording Standards and either leave it undetected or it would be reclassified as a 'No Crime'. If a person is under the age of criminal responsibility we would not necessarily arrest or detain them.

A child in custody is defined as a young person under the age of 18. When we deal with a child for a criminal offence before we consider arrest we must really question the need to arrest and consider if there are any other alternatives rather than custody.

Children brought into custody are in a particularly vulnerable position; not only by the virtue of their age, but also because of the circumstances which brought them into contact with the police. They may be under the influence of drugs or alcohol, recovering from recent trauma or coming to terms with events that may have lasting impact on their lives. Judged even against the reduce capability of a child, they will not be in a strong position to cope with the stressful and demanding nature of being in custody especially overnight.

With this in mind, if it is decided to arrest and bring a young person into custody, the length of time that they are detained is kept to the minimum possible. All decisions to arrest are fully documented and ensure that policies and procedures relating to children in custody are followed.

Any child dealt with under the above circumstances would be referred through to social services and also the Youth Offending Teams who can provide support to the young persons involved.

It is important to note that nominal records linked to offences with these criteria cannot necessarily be said to be offenders, or that any action could/would have been taken against that individual had they been of the age of criminal responsibility. It signifies only that the individual featured in the investigation.

A suspect's age is calculated from the recorded date of birth and is based on the earliest offence committed date. Offences may be reported (and therefore crimed) years after the offence was, or is believed to have been, committed. The precise date on which an offence was committed cannot always be determined, and/or offending may take place over a prolonged period of time. Offences are recorded with an 'earliest' offence date and a 'latest' offence date. The linked suspect may have been aged under 10 years as at the earliest offence date and over 10 years as at the latest offence date.

#### COMPLAINT RIGHTS

If you are not satisfied with how this request has been handled or with the information provided, please read the advice notice attached to this letter. If you do wish to take up your right of complaint, please remember to quote the reference number above, in any future correspondence.

Yours sincerely,

Rebecca Howcroft  
Disclosure Officer

## COMPLAINT RIGHTS

1. Are you unhappy with how your request has been handled or you think the decision is incorrect?

You have the right to request that West Yorkshire Police review their decision. Prior to lodging a formal complaint, we encouraged that you discuss the decision with the case officer that has dealt with your request.

2. Ask to have the decision looked at again

The quickest and easiest way to have the decision looked at again, is to telephone the case officer that is nominated at the end of your decision letter. That person will be able to discuss the decision, explain any issues and assist with any problems.

3. Complaint

If you are dissatisfied with the handling procedures or the decision of West Yorkshire Police, made under the Freedom of Information Act 2000 regarding access to information, you can lodge a written complaint to have the decision internally reviewed.

A West Yorkshire Police internal review of your decision, will be carried out by a senior member of staff who is fully trained in interpreting Freedom of Information legislation. The review will be independent conducted, regardless to the original decision made.

Complaints will only be treated as valid, if they are received by West Yorkshire Police within a 60 day timeframe from the date of the decision letter. They must include the original FOI Reference Number and can only be submitted in writing, by using the following contact details:

foi@westyorkshire.pnn.police.uk

or

West Yorkshire Police  
FOI Internal Reviews  
PO Box 9  
Laburnum Road  
Wakefield  
WF1 3QP

In all possible circumstances, West Yorkshire Police will aim to complete and respond to your internal review within 20 working days. However this date may be extended in exceptional circumstances, by another 20 working days.

4. The Information Commissioner

If you are still dissatisfied with the internal review decision, made by West Yorkshire Police. You can then make an application to the Information Commissioner, for a decision on whether the request for information has been dealt with in accordance with the requirements of the Act.

For information on how to make application to the Information Commissioner please visit their website at <https://ico.org.uk/>

Alternatively, you can phone their helpline or write to them at:

Information Commissioner's Office  
Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

FOI Help Line: 0303 1231113