

Police arrest the suspect or invite them for an interview

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1. Who is this document for?

This document is primarily for police officers involved in criminal investigations into the sexual abuse of a child.¹ It explains how they can centre the child's needs when arresting a suspect or inviting them for interview, and when informing the child about this.

It is also relevant to social workers and other professionals involved with the child, to help them understand what this stage of the criminal justice process involves and how they can contribute to protecting and supporting the child at this time.

This document covers situations where a suspect is arrested or invited for interview during an investigation that has already started. Our practice guide [Police log the concerns and make an immediate response](#) outlines the situation where a suspect is arrested during an immediate safety visit at the start of an investigation.

¹ In this document we use the term 'child' to refer to anyone under the age of 18. See [An introduction to the child sexual abuse response pathway](#) for more about terminology.

2. What happens at this point?

During a criminal investigation into the suspected sexual abuse of a child, a suspect (also referred to as a person of concern or alleged perpetrator) or suspects may be identified.

The police will generally decide to **arrest the suspect**, though they need to apply the *necessity test* ([Response, arrest and detention | College of Policing](#)) to ensure their actions are justified and proportionate, balancing the needs for public safety with individual rights. When deciding to arrest, officers must consider whether there are less intrusive means available to achieve the same objectives. The necessity for arrest should be continuously assessed throughout the process, and officers must document the reasons for the arrest clearly.

If there is not an imminent safeguarding risk – for example as the suspected abuse is not recent, the suspect does not live with the victim nor have access to other children, and they are not thought to have been involved in any other offences² – the police may **invite the suspect for interview** as a **voluntary attendee**. If this process is following, police do not then have the power to take DNA or fingerprints.

When either of these events occurs, the police will inform the child and their non-abusing parent(s).³

3. How may the child be feeling?

When a criminal investigation is under way, the child may be worried about other people's reactions. For example, if the child has been told to avoid bringing 'shame on their family or community', they may not want the criminal investigation to progress further due to fear that someone will see the suspect being arrested; or in the case of a peer, they may fear blame or isolation for the arrest by their friends or classmates.

Once the suspect *has* been arrested, the child may feel a mixture of relief and anxiety at what will happen next. If the suspect has been invited for interview but not arrested, the child may wonder whether this means the police don't really

² Note that, although the suspect's DNA can be taken if they attend an interview as a voluntary attendee, it cannot be added to the National DNA Database.

³ By 'parent' we mean someone in a parental or principal care-giving role to a child; this may be their biological parent, step-parent, adoptive parent, foster parent or other relative fulfilling that role. We use the term 'non-abusing' to mean a parent who is *not considered to have been involved in sexually abusing the child*, even if they may have previously come to agencies' attention for other reasons.

believe the abuse has happened. It is important that you explain this is not the case

If the child does not believe they have been sexually abused (for example because they believe they are/were in a 'relationship' with the suspect), they are likely to be confused, resentful and angry. They will need help to make sense of the professional's concerns for them and why the investigation is happening.

"I think they should consider the fact that I was nervous enough as it was, worried enough as it was, so like phone me and tell me what was going on." (1)

4. How can the police best help the child?

As a police officer involved in the investigation, try to **minimise the child's distress**. In a case where the suspect is a member of the child's family, for example, bear in mind that seeing that family member being arrested may be traumatic for the child and other children in the household. And, as noted in section 3 above, the child may be worried that other people will see the arrest and they will be blamed by others. Remember that for children from some communities, the police are seen negatively, and this may be based on previous experiences, such as racism or discrimination (this is true of other services too).

It's therefore important to be **discreet** if you are making an arrest:

- Think about **where** and **when** you will make the arrest, and how you can limit the number of people who are likely to be present.
- Wear plain clothes if possible.
- If the suspect needs to be arrested in the family home, try to do this so that the child and any other children don't see it happening, and without drawing attention to the situation.
- If the suspect is another child and/or has special educational needs or disabilities this will need to be considered carefully, and should not be done within school hours. Advice can be gained you're from your local youth justice services or children's services.

a) *Communicating with the child and their family*

If you are not the Officer in the Case but have been assigned to inform the child and their family about the arrest because that officer is not available, read the case file first to be sure that you meet their communication needs and take account of their individual characteristics and experiences. Ensure that the

child and family know how to contact the Officer in the Case if they have any questions or want further information.

The child and their family must understand **what is happening, why it is happening** and **how the investigation will progress** over the next 24 hours.

- Explain to them that the person reported or suspected to have harmed the child will be interviewed while in police custody, and that the police may need to speak to the child again during that time.
- Let them know what will happen to the suspect next (e.g. kept in custody or released on bail). Explain the factors involved in this decision in easy-to-understand language not using police jargon or terminology.
- Make clear that the decision to detain or release the suspect does not mean that the investigation is complete or signify its outcome.
- Discuss any worries the child or non-abusing parent has about the suspect being released and help them to think about any safety needs they have and how they can be supported.

As the investigation continues, give **regular updates** to the child, their family and other professionals involved with them – even if you are only telling them that nothing has changed. This ongoing communication is very important to the child and their family. In the case of police investigation and prosecution, make sure they have **realistic expectations** of the length of time that this can take.

b) Protecting the child

If the suspect has been arrested but is **not going to be held in custody**, take action to ensure the child's safety:

- If the suspect is to be **released on bail**, they will have to meet certain requirements, such as living at a specified address or not contacting a specified person.
- Work with the child (where appropriate given their age and understanding), their non-abusing parent(s) and other professionals (such as their social worker, if they have one) to decide which **bail conditions** will best ensure the child's safety.
- Inform the child's school, so they can continue to monitor and support the child.
- If the person who has caused harm is another child consider how the school can help. It is better for children to remain in school where it can be made safe enough for them to do so. Our [Safety Planning in Education](#) resource will support education professionals to plan for this.

- Explain to the child and their parent(s) that the suspect can be arrested if they breach their bail conditions, and check that they know how to contact you (or the Officer in the Case, if that is not you) urgently if there is a breach.
- Note that the Police, Crime, Sentencing and Courts Act 2022 has **removed the presumption against bail**, replacing it with a neutral position to encourage the use of pre-charge bail where this is necessary and proportionate in the circumstances of the case. The Act also covers applicable bail periods (ABPs), including extending the initial ABP to three months in standard cases.
- If the suspect is to be **released under investigation (RUI)**, there will be no bail conditions to prevent them from making contact with the child. Nevertheless, you can use an appropriate **civil order** (e.g. a sexual risk order or a warning notice) to deny them access to the child.

Safe adults around the child – parents, teachers, other professionals – can also be alerted to identifying signs of risk to the child. Ask them to monitor who the child is engaging with, and whether the child’s behaviour suggests that they might still be being harmed. A safety plan, facilitated by professionals and developed alongside the non-abusing parents/carers and the child, where age appropriate, should be put in place.

Ensuring that the legal right to anonymity for the child who has been harmed is protected at all times is important to create safety.

Anonymity is also important if the person who has harmed is another child. The decision to waver anonymity is one that can only be made by the court and only on conviction.

c) Supporting the child

All children going through the criminal justice process, whether their case is recent or non-recent, are entitled to support from an **independent sexual violence adviser (ISVA)** or a **child and young person’s sexual violence advocate (CYPSVA⁴)**. See the Home Office’s guide to [The Role of the Independent Sexual Violence Adviser](#).

Check that the child and parent(s) know about any [support services](#) available to them, and how they can access this support. There is a common misconception that the child cannot receive emotional support or therapy during a police investigation, if there is one, but the Crown Prosecution Service’s 2022 legal guidance [Pre-trial Therapy](#) makes clear that they can, and should.

⁴ Also abbreviated to CHISVA or ChISVA.

5. Where next?

- [The police decide whether to send the case to the Crown Prosecution Service for a charging decision.](#)

Or [return to the response pathway](#)

Source of quotations

The quotation in this practice guide, from a child who has received a criminal justice response after being sexually abused, illustrates how the child may be feeling at this point.

- (1) Skinner, T. and Taylor, H. (2009) [“Being shut out in the dark”: Young survivors' experiences of reporting a sexual offence.](#) *Feminist Criminology*, 4(2):130–150.

*Procedures to be followed in cases of child abuse are set out in the Government’s statutory guidance for England, [Working together to safeguard children 2026: statutory guidance](#) and in the [Wales Safeguarding Procedures \(2020\)](#). The College of Policing’s [Authorised Professional Practice on child abuse investigations](#) includes content specific to investigations into child **sexual** abuse. The Ministry of Justice’s [Achieving Best Evidence in Criminal Proceedings](#) (updated 2023) is also relevant.*

This practice guide is underpinned by the above documents, and is not intended to repeat or replace them. It should be read alongside your local child protection procedures.

This guide is part of our [child sexual abuse response pathway](#), designed to ensure that professional responses to concerns about child sexual abuse meet the needs of children and their families. It aims to bring clarity to key response points, helping you keep the child’s needs and perspectives central.