



News release

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New report from the Children's Commissioner highlights young people's experience of restraint in secure juvenile settings

A new report published today by the Office of the Children's Commissioner (OCC) says international standards must be used as a benchmark for the safe use of restraint in the secure juvenile estate when required as a measure of last resort.

The research was conducted on behalf of the OCC by the charity User Voice, which is led by ex-offenders who work with marginalised groups in and around the criminal justice system.

Dr Maggie Atkinson, the Children's Commissioner for England, welcomes the recent commitments made by the Youth Justice Board to promote and protect young people's rights in line with internationally agreed principles and standards. Another welcome step in this area is the new Regulations laid before Parliament in 2011 on the use of restraint in children's homes.

However, in order for international standards to be complied with, the use of sanctioned pain to control children must be abolished.

In 2008 the United Nations Committee on the Rights of the Child said that the Government should "ensure that restraint against children is used only as a last resort and exclusively to prevent harm to the child or others and that all methods of physical restraint for disciplinary purposes be abolished."

However, despite these moves, Dr Atkinson still has concerns following the revelations of some young people on restraint practices in the secure juvenile estate.

Dr Maggie Atkinson said:

"This report contains the views of young people currently in the secure juvenile estate and those who have previously experienced it. The views expressed throughout clearly show how the use of restraint differs greatly between institutions, and where used and applied inappropriately can have a profound, lasting and negative impact on young people.

"It is important that those designing policy and those responsible for implementing and delivering services recognise this. We hope that they heed the words and experiences of the young people in this report and have regard to the rights afforded to all children and young people in the United Nations Convention on the Rights of the Child."

Mark Johnson, the founder of User Voice said:

"I recognise that members of staff in the secure estate can work with some of the country's most troubled children. However, physical force should only ever be used as a measure of last resort and must be done

in the safest possible way. Restraint techniques should be used to de-escalate a situation without causing further harm or trauma to those involved."

User Voice gathered the views of 89 young people for the OCC on certain practices and services in the secure juvenile estate, including the use of restraint, to help inform future policy development in these areas.

The young people's accounts of their experiences of restraint are highlighted throughout the report. Two of them said:

"I think restraining should only be used in a really difficult situation instead of just when young girls refuse to go to their room or education, it's disgusting." - Female, secure training centre

"I said loosen it because I was in so much pain, and they said no, I'm going to use the force." - Male, young offender institution

The report's recommendations, which are directed at the Ministry of Justice and Youth Justice Board, say the deliberate use of pain to control children must be banned immediately. The OCC also wants more work to be done to ensure that good practice around the use of restraint is replicated consistently across all institutions. This can be achieved by:

- The active involvement and engagement of young people with experience of the youth justice system in reviewing and evaluating policy and practice
- Using the internationally agreed standards, as set out by the United Nations Convention on the Rights of the Child and European Council, as benchmarks for how and when restraint is used on children and young people, and
- The consistent application of these standards between institutions.

Dr Atkinson added:

"We believe that the application of our recommendations would radically alter young people's experience of custody. If we want them to be constructive members of society, it is important that practices used to improve their behaviour do not result in a negative outcome for their mental health and emotional well-being."

Mark Johnson added:

"This report demonstrates the valuable insight some of the most marginalised young people can provide and the role that ex-offenders can play in gaining access to this extremely hard to reach group. I hope that what the young people have said in this report will inform future service planning in secure establishments."

ENDS

Notes to Editors:

1. You can read the OCC report, *Young people's views of restraint in the secure estate*, at www.childrenscommissioner.gsi.gov.uk

2. As a result of the difficulties User Voice faced in securing participation from establishments, two of the replacement establishments contained participants aged 18 to 20. It was not always possible to identify accurately which establishments these participants were referring to in their responses or exactly how long ago their experiences took place, but all had experience of the secure estate for children and young people.
3. The Office of the Children's Commissioner and Youth Justice Board report, '*Young People's Views on Safeguarding in the Secure Estate – A User Voice report for the Youth Justice Board and the Office of the Children's Commissioner*', is available here:
http://www.childrenscommissioner.gov.uk/content/publications/content_471
4. The Children's Commissioner for England was established under The Children Act 2004 to be the independent voice of children and young people and to champion their interests and bring their concerns and views to the national arena. The Commissioner's work must take regard of children's rights (the United Nations Convention on the Rights of the Child) and seek to improve the wellbeing of children and young people.
5. The Children's Commissioner for England is the only national statutory organisation in England with the power to enter places where children are living, other than private homes, to interview them in private which reports on issues from the child's perspective. We can also ask organisations about which we have reported to respond to our recommendations and initiate inquiries into cases where they raise issues of public policy relevance to other children.
www.childrenscommissioner.gov.uk
6. User Voice's work is led and delivered by ex-offenders. It exists to reduce offending by working with the most marginalised people in and around the criminal justice system to ensure that practitioners and policy-makers hear their voices. User Voice Councils can be developed for use within prisons or in the community for probation, youth offending teams and other related services. www.uservice.org
7. UN Committee on the Rights of the Child (2008) Concluding Observations. UNCRC.
<http://www2.ohchr.org/english/bodies/crc/docs/AdvanceVersions/CRC.C.GBR.CO.4.pdf>

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