

Children's views on restraint

Reported by the Children's Rights Director for England



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Introduction

Roger Morgan, Children's Rights Director for England



As Children's Rights Director for England, the law gives me the duty to ask children and young people in care for their views about their rights, their welfare, and how they are looked after in England. The law also gives me the duty to ask children getting any sort of help from council social care services, as well as care leavers and children and young people living away from home in any type of boarding school, residential special school or further education college.

As well as asking children and young people for their views and publishing what they tell us, with my team I also give advice on children's and young people's views and on children's rights and welfare to Her Majesty's Chief Inspector at Ofsted, and to the government. I have a duty to raise any issues I think are important about the rights and welfare of children or young people in care, getting children's social care support or living away from home. With my team, I do this both for individual young people and for whole groups of young people.

In 2004, we asked children for their views about physical restraint and published our last report about this. Children have raised concerns about restraint in consultations we have held about other things since then, and we decided we should carry out a follow-up consultation to check what children now think about restraint. So we consulted children again this year to find out their views and concerns about restraint. This report gives their views, in 2012.

I am sending this report to the government, to councils and to people making decisions now about how to keep children in care safer, for them to take the children's views into account in the decisions they are making.

A handwritten signature in black ink, appearing to read 'Roger Morgan'.

Dr Roger Morgan OBE
Children's Rights Director for England



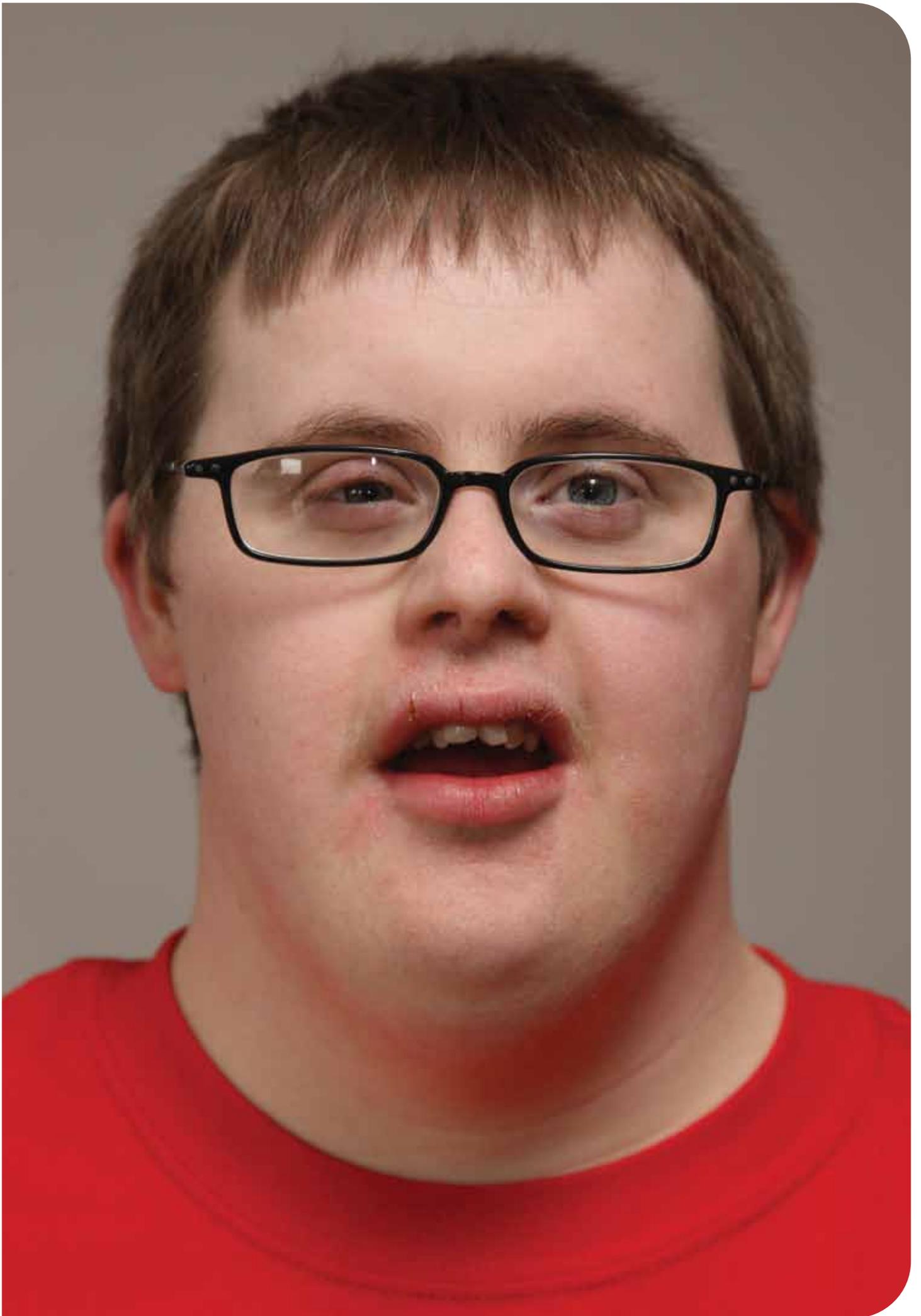
What we found back in 2004

In our last report on physical restraint, *Children's views on restraint* (2004), we gave these key messages from children.

- Something quite minor can build up until restraint becomes necessary – staff need to be able to calm children down and stop problems building up until a child has to be restrained, and should only use restraint as a last resort.
- Some people do sometimes need to be restrained – but only when someone is likely to get hurt or property is likely to get seriously damaged.
- Restraint should never be used as a punishment, or if people are just not doing as they are told.
- Restraint by an adult can be upsetting for someone who has experienced abuse by adults.
- Restraint can make a child want to get their own back later.
- Restraint also affects people watching it happen.
- Restraint should never involve pain.
- Staff need training in how to restrain without either hurting people or making things worse.
- Restraint should calm the child down, not make them angrier.
- Each child's Placement Plan should say how to calm them down and what to do if they lose control.

The government quoted our 2004 report in its legal guidance on children's homes (Children Act 1989 Guidance and Regulations Volume 5: Children's Homes). The following conclusions from our report went into the guidance:

- 'the importance of all children's homes having genuinely predictive strategies in place to avoid the use of restraint;
- 'the need for any means of physically intervening with a child to be based on their specific individual personal needs; and
- 'the importance of staff being competent to deliver physical intervention in such a way that children are not hurt.'



How we asked young people for their views this year

We asked children and young people in care for their views at a big consultation event we held in the north of England. We invited children from different local authorities across the country, and did not just choose children we already knew or who were already in local participation groups or Children in Care Councils. We asked the children for their views in a series of discussion groups. At the same event, we ran other discussion groups to ask children and young people for their views on two other subjects for our next reports. These were running away, and keeping out of trouble. We also collected responses to all our questions from a group of children at a northern local authority.

Altogether we held nine discussion groups on the subject of physical restraint (as well as getting answers from a further group through their local authority). Each group we ran was led by a member of the Office of the Children's Rights Director, and another member of our team took notes of the views the children gave. Parents, carers, staff members and other adults who had brought children and young people to our discussion groups were not with the children during the discussions, so that the children could freely talk about their views.

We gave children a shopping token to thank them for taking part in our discussions, and they were also able to take part in activities for young people at the activity centre where we held all our nine discussion groups.

At that centre, we also set up some electronic screens on which children could enter more views while they were waiting for our groups, or waiting to join activities, or during the lunch break. The answers typed on to those screens have been used in this report, alongside what was said in our discussion groups and the responses from children in the local authority that gathered their views for us.

As always in children's discussion groups we run, we asked open questions for discussion, but did not suggest any answers. We told the children and young people that they did not have to agree on any 'group views', but could give different views, and disagree

without having to argue for their views against anyone else, and we would write down all their different views. We asked many of the same questions that we had asked eight years before, for our 2004 report on restraint, to see whether children's views and experiences were different now from how they were then.

This report contains, as far as we could note them down, all the views given by the children and young people in the discussion groups, not our own views. We have not added our comments. We have not left out any views we might disagree with, or which the government, councils, professionals or research people might disagree with. Where we have used a direct quote from what a child or young person said, this is either something that summarises well what many had said in a group, or something that was a clear way of putting a different idea from what others had said.

As with all our reports of children's views, we have done our best to write this report so that it can be easily read by young people themselves, by professionals working with young people and by politicians.

You can find and download copies of all our children's views reports on our children's website: www.rights4me.org.

The young people who gave their views

Altogether, 94 children and young people took part and gave us their views in our 10 different groups (the nine groups we ran and the one run for us by a local authority). These included both boys and girls, children and young people from different ethnic backgrounds and children from different types of care placement.

The questions and answers

When is it right to use physical restraint?

The law (in the Children's Homes Regulations) says that physical restraint must only be used in children's homes to stop the child or someone else getting injured, or to stop serious damage happening to their own or other people's property. If the children's home is a secure unit, the law says restraint can also be used to stop a child from running away.

As in 2004, each of our groups agreed that **it is right to use restraint to prevent injury to anyone – the child themselves or anyone else – or to stop a child damaging property**. Some included the example of stopping a child from self-harming. One group said that it was right to use restraint to stop a child damaging property, but did add, '...though property can be fixed!' Another group summed up their view by saying that it is right for staff to use restraint if you put yourself, someone else, or something in danger.

Some in our groups suggested other times when it might be right to use physical restraint. Examples were to stop a child from resisting arrest, situations where a child is 'kicking off' and out of control, when a child is being abusive or aggressive, where they are obviously going to harm themselves (for example by jumping out of a window), or are clearly going to hurt or assault someone or are threatening to do this, where a child is trying to commit suicide, or is trying to trash cars

or commit arson. Restraint may be right if a child has already 'smacked someone' or to break up a fight. One group said that restraint should be used to prevent someone committing a crime, and that it is always right to use restraint if a child or young person is assaulting a police officer.

Those in one group stressed that there always has to be a good reason for restraining someone, and that 'staff don't have the right to restrain if you haven't done anything wrong'. One group also said that **there can be risks that mean that restraint shouldn't be used – for example it can be dangerous to try to restrain somebody who is threatening you with a knife**. You may well end up getting stabbed.

Children in one group said that physical restraint is risky, even when it is right, not only for the child being restrained, but also for the staff, who might get hurt while trying to restrain someone.

Another group **warned against seeing restraint as a general solution to preventing injury or serious damage – sometimes it may not work**: 'It's not rocket science to get out of a restraint.'

Should restraint be used straight away or as a last resort?

The law (the Children's Homes Regulations) says that restraint should only be used if there is no alternative way to prevent someone being injured or property being seriously damaged.

Overall, children in our discussion groups agreed that **restraint should usually be used as a last resort**. Every group said that staff should always **try to calm things down before things get so bad that restraint is needed**. Some did however say that **in very dangerous situations, it was important to use restraint straight away** without waiting or trying other things first – for example if a child is carrying a weapon or to break up a very serious fight, or if a child is in danger of immediate injury (as in the example of going to jump from a window).

'Things build up and get out of control'

A minority of those in our groups thought that restraint should be used straight away when it was right to use it. Some were not sure about this question.

We heard in some of our groups that staff should take time before using restraint to talk with children and to assess the situation, including watching for emotions and body language.

What can trigger the need to use restraint?

We asked each of our groups what sorts of things were likely to trigger a child or young person becoming violent and likely to need restraining.

One group summed up how **some small trigger can 'escalate' and end up with a restraint**: 'Things build up and get out of control.'

Examples of things that can trigger this build-up, ending up in restraint, were: someone showing off as better than everyone else, making other people react against them; anger at staff or other children or being provoked by them; someone cheating at something; jealousy; children not getting what they want; brothers and sisters winding each other up; being wound up by staff; being treated unfairly; reacting to bad problems in your birth family; being told to do something; returning from contact with your birth family; having a contact with your birth family cancelled; being

'It's not rocket science to get out of a restraint'

insulted; being constantly criticised ('chipping away'); being bullied; hitting another child back for hitting you; frustration; watching violent films or playing violent games (for younger children); seeing someone else being violent and wanting to join in.

A few children told us that some people act in a way that ends up in restraint in order to get attention.

Sometimes there is not a single obvious trigger, but someone can be in an emotional state, generally stressed, depressed, have ADHD, suffer from a personality disorder, have 'anger problems', or be 'at the mercy of their hormones'. They can then overreact to something very minor indeed. Alcohol or drugs can also make someone likely to act or respond in a way that might mean they need to be restrained.

One group also advised that anger leading to restraint is much more likely if a child or young person is in the wrong placement for them. **Getting the right placement is a major way of reducing the need for restraint.**

At our consultation event, we asked children to use our electronic screens to tell us the reasons for any physical restraint they had experienced. We were told the reasons for 14 recent uses of physical restraint. The two most common reasons (written by three people each) were damaging property and hitting someone. Two more children told us they had been restrained for attacking staff. The other reasons given were trying to cause a riot, trying to throw a chair, trying to use a knife to stab someone, losing their temper, trying to run away, and refusing to go to school.

How serious does damage to property need to be to justify restraint?

The law says that restraint can be used to stop damage to property if the damage is likely to be 'serious'. We wanted to know how 'serious' children thought damage to property would need to be before it was right to use restraint to stop it.

Those in our groups agreed that **damage to property would need to be 'fairly' or 'really' serious to make it right to use restraint to stop it.** Examples of damage serious enough to make restraint right were smashing a car, breaking things when you had lost control of yourself, using a baseball bat to smash things up, smashing a house up, smashing a TV. The most common sort of damage suggested was smashing windows. Some thought that **if a lot of similar damage is being caused, rather than just one act of damage,** restraint should be used. An example was breaking a number of windows.

One group said that anyone beginning to damage property in a foster home should be restrained, and that foster carers should be able to restrain foster children if this became necessary.

Some groups gave examples of actions or damage that wouldn't be serious enough to make it right to use restraint. These included kicking or throwing tables over, kicking a wall or the door on the way out of the room, or damaging your own things rather than anyone else's. One group made the point that **small acts of damage can easily lead to bigger ones** – 'If you can smash something then you can do something worse.'

'If you can smash something then you can do something worse'

Some in our groups said that as well as whether the damage would be serious, it also mattered **whether it was accidental or being done on purpose.** Breaking a window by accident would not make restraint right, but doing something on purpose to cause serious damage would make it right to use restraint to stop it.

Some discussed how far **the value of the damage** made a difference. One group suggested that if the damage is likely to reach a couple of hundred pounds, then restraint should be used to prevent it. There was however the problem of a small action having a high cost – 'keying' the paintwork on a car is not a violent act, but costs a lot of money to put it right.

One of our discussion groups told us that seriously damaging property is not something completely separate from injuring people. Damaging property can often progress into violence against people, and restraint needs to be used if you can see that this is going to happen.

Should restraint be used to keep good order and control?

There were mixed views on this question. **The overall majority view from our discussion groups was that restraint should not be used if there is no risk of injury or serious damage to property, simply to help staff keep good order and control.** One young person told us that using restraint simply to keep order and control could be child abuse. In some groups though, children thought that restraint should be used to keep control of a situation, even if damage or injury was not happening.

There are other ways to keep good order and to keep control, without using restraint. As someone in one group put it, 'There should be sanctions, not restraint.' One group was worried that if restraint was allowed to keep good order, it could lead to some very odd uses: 'It would be daft to restrain a six-year-old for not brushing their teeth.'

One group advised us that staff and carers need to know each child well, and to realise that some children will always need to let their anger out in one way or another.

One group advised that restraint is not always a good option to keep control. They also thought that a breakdown in good order can get bad enough for a risk of injury or serious damage to begin – as an example, as others had said, staff would have to look to their own safety if a young person had a knife.

We also heard the warning that since restraint itself can wind people up, using it can be a very bad way of trying to keep calm, order and control.

Should restraint be used to make somebody do what they are told?

The overall view from our discussion groups was that **restraint should not be used to make somebody obey a reasonable instruction they are refusing to obey**. Only a few children thought that restraint should be used to make a child obey a reasonable instruction. One group told us that this depends on age. For example, a very young child in a kitchen with hot pots may have to be physically stopped from doing something dangerous they have been told not to do.

Should restraint be used as a punishment?

In all but two of our discussion groups **the majority said that restraint should never be used as a punishment**, though a few children thought this was reasonable for something very bad. Restraint may need to be used as **a last resort when all else has failed and nothing else will calm a situation down, but this is different from using it to punish people**.

Again, though, some warned that the risk of restraint itself winding people up made it a bad form of punishment anyway, and there was a risk of making things worse rather than improving behaviour.

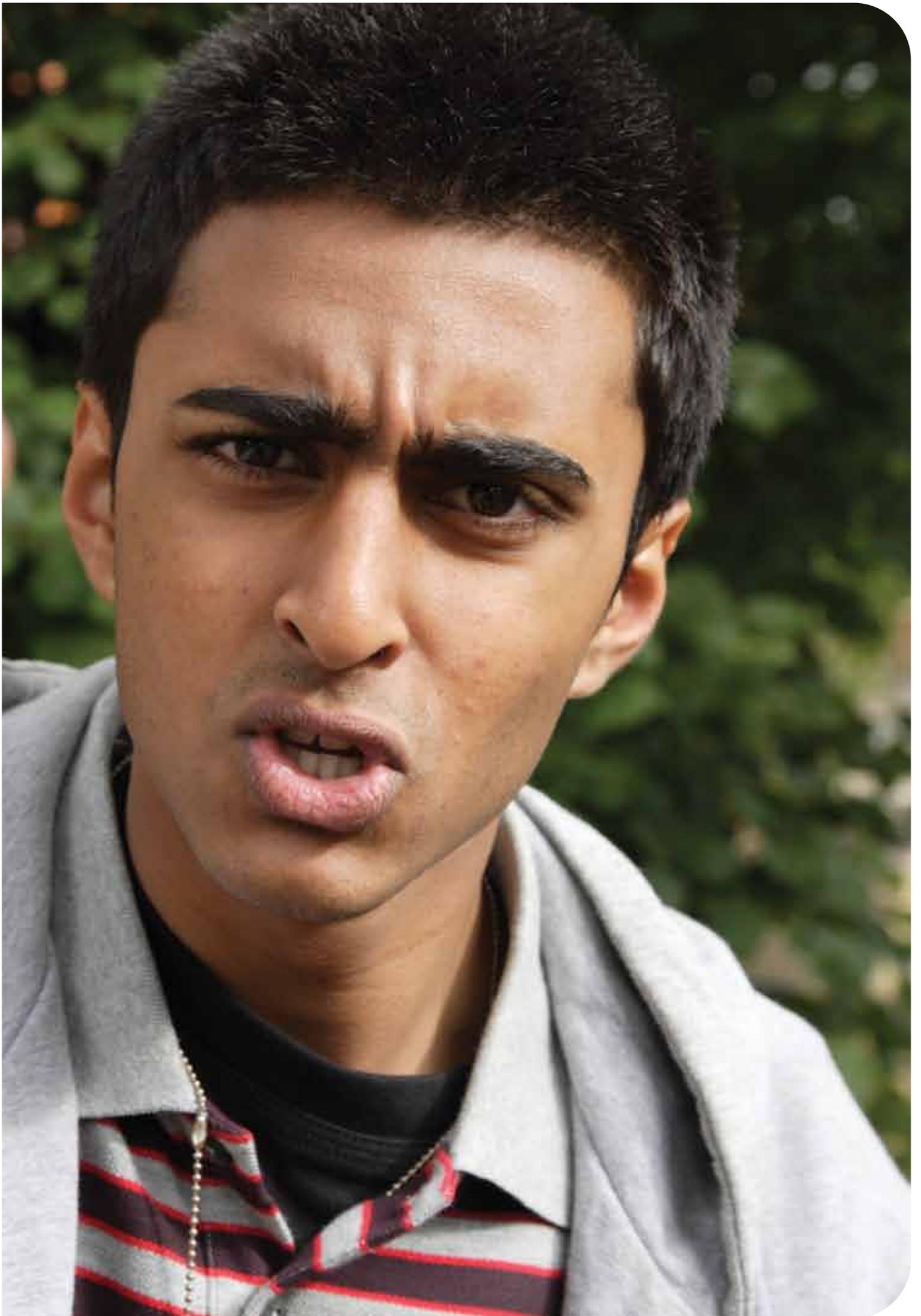
Some in our groups advised on much more effective punishments for keeping good order. A financial or activity ban was often effective. One group thought that a slap was better for a very young child than being restrained. One young person described a 'car ban' as a very effective sort of punishment – it meant the young person had to walk anywhere they wanted to go, which they did not like doing. Overall, punishments needed to be 'appropriate and just'.

What training do staff need to restrain children?

Those in our groups advised that **staff need training in how to carry out a restraint without hurting or injuring anyone**. This 'should be part of their basic training as a residential worker'. The training should

'There should be sanctions, not restraint'

'You can break something if you do it slightly wrong'



include when it is and is not right to use restraint, how to calm children and young people down so that restraint is not needed, and how to make sure that as staff they don't get carried away and go too far during restraint, not knowing their own strength and ending up hurting someone. One group advised that nobody should be allowed to use restraint if they hadn't been trained first. Restraining people without knowing how to do it safely could be dangerous: 'You can break something if you do it slightly wrong.'

In one of our groups, the proposal was made that staff should be trained in a range of different restraint techniques. That way they could use one that fitted the situation best, and **not always keep using the same method regardless**. Part of staff and carer training should be to recognise that every child is different and that this makes a difference to deciding when or whether to use restraint on them.

Two children said they thought that as well as training in restraining children, staff should also be trained in methods of self-defence.

One group told us that in their experience, staff did not generally want to restrain children, and that where staff had been properly trained, less restraint happened. This was because the training also gives staff skills in calming young people down without using restraint.

Should restraint ever hurt?

The law (the Children's Homes Regulations) says that restraint should never involve more force than is necessary. The law itself does not actually say that nobody should get hurt during restraint. However, the government guidance for children's homes (Children Act 1989 Guidance and Regulations Volume 5: Children's Homes) does say this. It says that 'any technique for restraining a child should never be intended to inflict pain'.

All our groups agreed on this question. **Restraint should never hurt a child or young person**. Those in one group thought that hurting or injuring a child during restraint was itself abuse. Some in our groups gave examples of being hurt, or feeling in danger, while being restrained. One young person told us that he had felt that his blood circulation was being stopped by the way he was being held. A person in one group summed things up when they said, 'It's just supposed to calm you down, not hurt you.'

Some groups again raised the issue of **staff possibly hurting a child accidentally because they did not realise their own strength**, which should not happen. One group said that accidents in which a child gets hurt during restraint can always happen. Two groups said that sometimes **children can hurt themselves by the amount of struggling they do**: 'If you're being restrained but still kicking off.'

One group said that some situations were so extreme that getting involved would risk someone getting hurt. For example, 'If someone's doing your house over, of course you're going to take them down.'

'It's just supposed to calm you down, not hurt you'

How can staff calm a child before needing to use restraint?

Here is a list of different things suggested in our groups that may calm a child down so that restraint does not have to be used.

- Separate young people from each other.
- Staff should not scream at children.
- Let young people walk away to calm down on their own.
- Understand the different ways to calm each young person down.
- Keep talking calmly, in a calm voice, and try to communicate well.
- Persuade them to calm down.
- Reward good behaviour.
- Talk with the child (perhaps over a cup of tea).
- Send a child to another room for time out.
- Try to solve whatever problems are leading to the need for restraint.
- Disengage from the situation so that it does not escalate.
- Help children to express their feelings in different ways.
- Give children time.

- Use activities to help people calm down.
- Let the child talk to their keyworker or social worker.
- Let a friend try to calm the child down.
- Let the child walk away from the situation.

Some in our groups stressed that **no one thing works for everyone – it all depends on the individual.**

As well as depending on the child, it also depends on who the carers are. One group said that it needs someone the child trusts to calm them down. A hug might calm one child down, but wind another one up. One young person said, 'Talking winds me up.' For some, 'It's scary if someone tries to calm you down.' Efforts to calm some children down are unlikely to work: 'There's no such thing as the best way to do it.' Sometimes there may be no way of calming the child or young person down.

One group warned of the dangers of using promises to calm people down: 'Some people, when they're trying to stop it, they bribe you by saying things like you can go out for a meal. Next time you might react the same so you can go for a meal.'

One young person said that in their experience, staff do not always give a child a chance to calm down before they restrain them. They thought young people want to try to calm down rather than be restrained: 'If you tell me to calm down before you slam me to the floor, I will calm down.'

'There's no such thing as the best way to do it'

'Talking winds me up'

One group explained how they thought **staff often created situations which got out of control and ended up needing the use of restraint**. As one person in the group said, 'If you know the situation is going to wind a young person up, then don't create the situation.'

How does restraint make a child feel?

Overall, those in our groups told us that **being restrained is likely to make a child or young person angry and resentful**. A phrase used by many was that it makes you feel 'pissed off'. Others said that it makes the child feel trapped, out of breath, paranoid, sorry, uncomfortable, frustrated, 'walked all over', not having any rights, 'crazy and in pain' – but for some, 'calmed down'. However, it does get you 'seen and heard' and gives you attention. For some it was 'the worst thing ever'.

Being restrained **can make a child or young person worked up and 'madder'**: 'it makes you feel worse'; 'how am I expected to calm down when I have people dragging me all over the place?'; 'sometimes people just need space, not people dragging you about all the time'. It can make you 'annoyed and more angry'. One child said being restrained made them feel 'madder and upsetter'.

One of our groups told us that how you reacted while being restrained could get you into more trouble afterwards, even though you were out of control at the time: 'If you insult the person restraining you, you get done for it.'

In one group we heard that being restrained can make you feel angry with yourself about what you did to deserve the restraint. In another we heard that it can make you feel anger at the person who has restrained you.

Using restraint can be good because it stops injuries or damage, but at the same time, once calming a child down has failed, using restraint is likely to work the child up rather than calming them down.

How does it feel to see someone else being restrained?

All our groups agreed that **seeing someone else being restrained has an impact on children and young people**, and also that it is usually unpleasant for them to see. Seeing someone being restrained certainly 'makes you think'.

Some in our groups said that other children should not be watching while someone is being restrained. It can be important who is watching. If the person who is being restrained has just had a problem with another child, and that child is present, they may be laughing and this will make people kick off more.

Feelings when seeing someone else getting restrained included being upset (although we did hear that people can be upset by someone arguing and shouting too), insecure, curious, shocked, feeling sorry for the person being restrained, wanting to help the person being restrained. It can also make children seeing it feel that they don't want it to happen to them. **Many felt happy that they were not the ones being restrained** – 'relieved that it's not you'.

'If you know the situation is going to wind a young person up, then don't create the situation'



Members of one group said that seeing someone else being restrained could be funny, or give you an adrenaline rush, or make you want to prove to your peers that you can fight.

Those in one group told us that seeing restraint working and calming someone down could make you feel good.

One young person said that seeing someone getting restrained made them want to ask if they needed any help, but if not, they would go back to doing whatever they were doing before. Another said that it all depended who was being restrained. If it was their mate, they would want to help them and stick up for them.

We heard that if restraint isn't working, other children who are there can become fearful.

What rules should there be about restraint?

Here is the complete list of rules for restraint put forward by members of our discussion groups.

- Try to calm the child down first, before using restraint.
- Know when it is appropriate to restrain – and when to stop.
- Know where it is safe and acceptable to grab a child.
- Don't hurt a child during restraint.
- Stop the restraint if it gets to the point where it is becoming harmful.
- If you are hurting the person, let go.
- Do not use restraint in a dangerous place for the child or staff member (eg where there are knives around, in a kitchen or on stairs).
- Only use restraint as a last resort.

- Give the child a number of warnings to stop what they are doing and tell them that if they carry on they will have to be restrained – 'three strikes and you are out'.
- Give children the opportunity and space to be alone to calm down.
- Use rewards as well as sanctions to encourage good behaviour.
- Have both genders of staff on duty, and always at least two members of staff.
- Know whether a child has been sexually abused, and take this into account in deciding whether to restrain them.
- Keep a child in restraint until they calm down, then stop.
- Avoid keeping a child in restraint for too long.
- Avoid being heavy-handed in how restraint is done.
- Use restraint as soon as it is clear it needs to be done.
- Make sure there is nobody else close enough to get hurt.
- Do restraint where there are witnesses – they can help if someone gets hurt, and may be needed if the restraint is done wrongly.
- Never restrain someone 'for a buzz'.
- Don't interfere with someone's breathing.

There were different views on whether the child's **gender** should make a difference. Some thought that men should not restrain girls. Others thought that men should not usually restrain girls, but that it depended on the situation – this might have to be done if the situation was urgent and serious, or if the girl was very big and strong. Most people who raised the issue of gender said that men should not usually restrain girls, but one group also said that a woman should not usually restrain a boy.



Some in our groups advised that **staff need to be very aware of their size and strength in relation to the child** they are restraining: ‘You could have a little lad and a massive bloke’, but ‘a big bloke could restrain a little kid as long as they’re gentle’.

A child in one group summed up in these words what many had said: ‘Only do it carefully.’

What types of restraint shouldn’t be allowed?

The Government’s legal guidance on using restraint (in Children Act 1989 Guidance and Regulations Volume 5: Children’s Homes) sets out some sorts of restraint that shouldn’t be used because of risks to children. It says that using restraint should not interfere with the child’s

breathing, no child should be held by the neck, and hurting the child by hitting their nose (a method called ‘nose distraction’) should not be used in children’s homes (including secure children’s homes) because it involves pain and excessive force.

Our groups gave their own examples, often from their own personal experience, of types of restraint that they thought should not be used. In most cases this was because group members thought they were dangerous to the child being restrained. Here is the full list.

- Holding around the neck
- Grabbing arms and pulling them painfully across you
- The ‘basket hold’ – because it hurts and still allows the child to kick or head butt the person restraining them

- The ‘single wrap’ or ‘sleeper hold’ because they can stop the child breathing
- Holding the child face down on the floor
- Holding the child face down on the floor with knees on their back
- Hurting by holding the wrists
- Dropping a child to the floor with a foot behind their knee
- Dropping a child on to their back – they are likely to hit their head, especially dangerous on a hard floor or stairs
- Putting your full weight on to a child
- Sitting on a child
- Using handcuffs
- Moving a child around on the floor
- Putting a child’s arm up their back
- Grabbing a child’s hair
- Anything involving the child’s face
- Restraining anywhere where it is dangerous to do it (for instance, near to the top of the stairs)
- Any sort of restraint that leaves marks on the child
- Restraint that involves touching people’s private parts
- Restraint that involves holding a child too tightly
- Restraint that damages the child’s dignity
- Use of things like pepper spray
- Two or more people on top of one child

One group told us that there were some places where restraint shouldn’t be allowed, such as in public in the street. Another advised of the greater danger of restraining above a concrete floor.

Are there any children who should never be restrained?

Our groups suggested a number of groups of children they thought should never be restrained. These included **very young children**, such as babies and young children (‘a five-year-old isn’t going to cause too much damage’). Groups had different ideas about how old children should have to be before it was OK to use restraint. Some thought five, others eight or 10.

Some thought that restraint shouldn’t be used with **children who had only just come into care**. All our groups also said that restraint shouldn’t be used on **disabled children** or young people – including **children with some medical problems** like asthma, diabetes, weak bones, a heart problem or epilepsy, where restraint could trigger problems or an attack. Two groups said that it shouldn’t be used with **children who have mental health issues**.

Some advised that physical restraint shouldn’t be used on **children who have been sexually abused**. One group advised that restraint shouldn’t be used with a **young person who was likely to hurt the staff member** while they were trying to use restraint.

The view was given in two groups that **even if a child is very young, or is disabled, restraint may still have to be used if they are going to cause injury or serious damage**: ‘We should all be treated equally and if a restraint is needed it is needed.’

Final words



The final words of this report go to the child who summed up a lot of views about restraint from many children and young people in just four words: 'Only do it carefully.'

'Only do it carefully'

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