



PRESS RELEASE
June 30, 2021 12:01am GMT

The International Coalition Against Restraint and Seclusion (ICARS) joins families in calling for Public Inquiries in England and Wales into the use of restraint and seclusion in schools

Four families are calling for a wider investigation into the use of restraint and seclusion in schools after children with disabilities were subjected to trauma and injury, some having experienced more than 100 incidents of restraint. ICARS awaits the imminent release of the Equality and Human Rights Commission (EHRC) report on recording and monitoring of restraint and seclusion in schools in England and Wales.

In order to inform the EHRC inquiry, ICARS, in conjunction with Positive and Active Behaviour Support Scotland (PABSS), reached out to families in England and Wales to collect the lived experiences of the use of restraint and seclusion against their children in schools. Over a span of three weeks, 275 families came forward, completing a call for evidence that was submitted to the inquiry.

Our data not only demonstrated a lack of recording and monitoring of restraint and seclusion in schools across England and Wales, it also showed a catalogue of failings and abuses against the most vulnerable children in UK society in an environment meant to educate and elevate a child's future. It highlighted systematic human rights abuses, cruel, degrading, inhumane treatment, deprivation of liberty, disability discrimination and a catalogue of harrowing abuse happening daily behind school gates.

Families detailed restraints being used, which were banned in mental health settings in 2014, along with systematic failings of schools in England and Wales to meet the needs of children with disabilities. Out of the 275 testimonies provided to the inquiry, only six represented the experiences of neurotypical children. The remaining children's lived experiences were from the families of children who have physical disabilities, learning disabilities, or are neurodivergent (autistic, ADHD, Tourette's, etc.).

ICARS believe that the UK government needs to end this cruel and inhumane treatment that has been happening for decades and continues to this day in school settings and require that measures are taken to end the suffering of the many hundreds, if not thousands, of children who are physically, emotionally, and psychologically harmed. The time to act is now before there is a death of a child at the hands of a teacher or a member of support staff.

ICARS are supporting the four families who have instructed lawyers from Irwin Mitchell to call for a statutory inquiry established by the Westminster and Welsh governments under the Inquiries Act 2005 to address and investigate:

- whether restrictive practices being used to maintain order and discipline (as is currently allowed) are acceptable and appropriate. The families are concerned that whilst restraint may be perfectly necessary in some scenarios – a teacher breaking up a fight in the playground – it provides no meaningful safeguards in the context of the repeated restraint of children with disability and educational needs for accommodations.
- whether the legislative framework is sufficiently precise to ban the use of restrictive practices in all but the most extreme of circumstances.
- whether there is a need to mandate a minimum level of training for teachers and staff as there is in the adult health and social care context;
- the role of regulators in scrutinising the use of restraint; and
- the consistency across local authorities in responding with child protection measures.

We see a broken system that is not working for the most vulnerable and have collected a repository of evidence to substantiate that the UK is in violation of its duties under domestic and international law.

The only way to confront these violations and mend a broken system is through a statutory inquiry that identifies and informs ministers, parents, and the general public about the egregious practices taking place. Practices that in any other environment would lead to criminal prosecution, accountability, and justice for victims.

ICARS now supports over 1600 families across the UK whose children have been harmed physically and psychologically through the use of restraint and seclusion.

New families are presently joining us on a daily basis. These families deserve answers, and as a group, we are united in our knowledge that this abuse is not necessary and that it needs to stop in order that other children are spared the harm that so many have suffered.

Beth Morrison, Becky Gillespie, Zoey Read, Deirdre Shakespeare.

The International Coalition Against Restraint and Seclusion.