



## **Joint Statement regarding United Nations Committee on the Rights of the Child: Concluding Observations on Restraint and Seclusion in UK Schools**

On June 2, 2023, the United Nations Committee on the Rights of the Child (UNCRC; hereinafter, “the Committee”) issued Concluding Observations calling for immediate legislative action in the United Kingdom. The Committee called for prohibition on the use of restraint and seclusion in UK schools as a disciplinary practice, only reserving such measures as a practice of true last resort. The Committee also called for a ban on police presence in schools, the public release of educational restraint and seclusion recording and reporting data, as well as the investigation of all cases of abuse and maltreatment of children. Furthermore, the Committee called on the UK to adopt a child rights-based approach in educational settings. To read the full findings of the Committee, please visit [here](#).

The International Coalition Against Restraint and Seclusion (ICARS), NeuroClastic, and Paris Hilton’s 11:11 Impact Media express their appreciation for the Concluding Observations pertaining to the combined sixth and seventh reports from the United Kingdom of Great Britain and Northern Ireland. We especially recognize and appreciate the committee's statements concerning the application of restraint and seclusion in educational environments.

To date, parties across the UK have been working to "reduce" the use of restraint and seclusion (restrictive practices). However, we and our international partners have always championed the elimination of restraint, except in cases of true “last resort,” and the implementation of legislative protections for children and educators.

We are encouraged to see that some of the recommended legislative protections proposed in [The ICARS Report: Restraint and Seclusion in England's Schools](#) (April, 2023) by ICARS and NeuroClastic, which were partially covered during the ICARS presentation at the [Restrictive Practices in Schools](#) event held by Doherty Street Chambers and Irwin Mitchell on Monday, March 13, 2023, are echoed in the UNCRC's conclusions.

We and our international partners have called on Westminster to institute numerous legislative protections including:

- The public release of reporting, recording, and analysis of restraint and seclusion data in line with international best practice
- Prohibition of restraint for anything other than “true last resort,” removing it as a disciplinary measure
- Elimination of seclusion and isolation (restrictive practices)
- The creation of robust complaint mechanisms enabling survivors, parents, and caregivers to report incidents of abuse and maltreatment; complaints are investigated, and when individuals are found to have mistreated or abused children, they are held accountable.

The new conclusions from the UNCRC committee contain the most comprehensive and powerful recommendations regarding restraint and seclusion in educational settings to date. The findings set a global precedent for upholding the human rights of children.

We wish to extend our gratitude towards the Department for Education for their willingness to engage in constructive discussions regarding the proposed amendments to the "Use of reasonable force in schools" guidance. Our commitment to being "critical friends" in this dialogue remains strong. We sincerely hope that subsequent legislative measures will embrace the recommendations put forth by ICARS and the United Nations. Our shared objective is to safeguard children's welfare and provide robust support for educators, ultimately aiming for a fair and equitable outcome for all children.

Below are the critical areas pertaining to restraint and seclusion in education from the United Nations Committee on the Rights of the Child: Concluding observations on the combined sixth and seventh reports of the United Kingdom of Great Britain and Northern Ireland:

### **Data collection**

12. Recognizing the large body of data available on children's rights, the Committee recommends that the State party:

(c) Regularly collect, analyse and publish disaggregated data on the use of stop-and-search checks, harmful devices, seclusion, restraint, solitary confinement and isolation on children

### **E. Violence against children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39)**

#### **Torture and other cruel, inhuman or degrading treatment or punishment**

30. The Committee notes with appreciation the information provided by the State party on the regulations governing the use of electrical discharge weapons, pain inducing techniques and seclusion on children, but remains deeply concerned at the large number of children who continue to experience such treatment, particularly children belonging to ethnic minority groups and children with disabilities. The Committee reiterates its previous recommendations and urges the State party to:

(a) Take legislative measures to explicitly prohibit, without exception, the use of: (i) harmful devices including spit hoods, tasers, plastic bullets, attenuating energy projectiles and other electrical discharge weapons against children; (ii) strip searches on children; and (iii) solitary confinement, isolation, seclusion and restraint as disciplinary measures in schools and alternative care and health settings;

(b) Develop statutory guidance on the use of restraint on children to ensure it is used only as a measure of last resort and exclusively to prevent harm to the child or others, and monitor its implementation;

(c) Investigate all cases of abuse and maltreatment of children in alternative care and health settings, particularly among children with disabilities, adequately sanction perpetrators and provide reparation to victims

### **I. Education, leisure and cultural activities (arts. 28–31)**

47. Noting with concern inequalities in educational attainment and outcomes for children in disadvantaged situations, the Committee recommends that the State party:

(j) Explicitly prohibit the use of restraint and seclusion in educational settings and adopt a child rights-based approach to addressing violence or other disturbances in schools, including by prohibiting the presence of police in schools and providing regular training for teachers on relevant guidance for addressing such disturbances in a child-sensitive manner;

## **IV. Implementation and reporting**

### **A. Follow-up and dissemination**

60. The Committee recommends that the State party take all appropriate measures to ensure that the recommendations contained in the present concluding observations are fully implemented and that a child-friendly version is disseminated to, and made widely accessible for, children, including the ones in the most disadvantaged situations. The Committee also recommends that the combined sixth and seventh periodic reports and the present concluding observations be made widely available in the languages of the country.

