

CYPE(6)-02-22 - Paper to note 5

Y Pwyllgor Plant, Pobl Ifanc ac Addysg

Children, Young People and Education Committee

Julie Morgan MS
Deputy Minister for Social Services

Dyddiad | Date 12 January 2022

Pwnc | Subject: Use of restraints on children and young people

Dear Julie,

I have recently received correspondence from Hope instead of Handcuffs raising concerns about private transport providers sometimes using restraints on children and young people. I enclose a copy of the correspondence. This is clearly an concerning issue.

Is this practice happening in Wales, and if so, to what extent? I am also concerned that there may be children and young people who are in placements outside of Wales, who may be affected by this practice. Do you know if this is the case, and if so what actions can you take to ensure this does not continue to happen?

I look forward to receiving your response.

Yours sincerely,



Jayne Bryant MS
Chair

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.

Senedd Cymru

Bae Caerdydd, Caerdydd, CF99 1SN
SeneddPlant@senedd.cymru
senedd.cymru/SeneddPlant
0300 200 6565

Welsh Parliament

Cardiff Bay, Cardiff, CF99 1SN
SeneddChildren@senedd.wales
senedd.wales/SeneddChildren
0300 200 6565

Jayne Bryant MS
Chair
Children, Young People and Education Committee
Welsh Parliament
Cardiff Bay
Cardiff
CF99 1SN

20 December 2021

Dear Ms Bryant,

I write to you as the Founder and Chief Executive of Serenity Welfare, a provider of secure transportation and welfare services for children living in or on the edge of care. We provide our services to vulnerable children aged between 10 and 17 across the UK, including in Wales.

In 2020, we launched our Hope instead of Handcuffs campaign in England, which seeks to address the alarming rate at which innocent children are handcuffed by private transportation providers. I would like to request a meeting with you to discuss our campaign in more detail as we prepare to launch in Wales.

As you might know, children and young people living in or on the edge of care often need to be transported between care settings, taken to school, hospital or court hearings. Local authorities regularly hire private secure transportation providers to carry out these journeys. Shockingly, these private providers often use handcuffs or other forms of restraint on the children in their care. To be clear, I am talking about children who have not been involved, nor have been suspected of being involved, in any criminal activity.

Worryingly, we do not know the scale of the problem. There is no consistent approach to collecting and reviewing data on the handcuffing of children during secure transportation. Whilst we welcome the Welsh Government's recently published *Reducing Restrictive Practices Framework*, which notes that data on the use of restrictive practices should be reviewed and analysed regularly, it is not clear whether this will be mandatory nor whether the restraint of innocent children during secure transportation will be monitored too. It is also unclear whether the Welsh Government would be prepared to make the framework statutory should they find providers' restraint practices do not comply with the guidance.

Such data gaps put children at risk. Without an official regulatory or policy mechanism to record and monitor the use of handcuffs, we cannot check whether providers' restrictive practices comply with guidance and whether the method of restraint employed was the appropriate approach to begin with. Only by plugging this worrying data gap can we properly monitor and scrutinise restraint practices during secure transportation.

In England, our campaign has garnered cross-party support and we are engaging with relevant bodies on how this data gap can be addressed in the future. Notably, the approach set out in the Welsh Government's framework seeks to promote the rights and principles set out in the United Nations Convention on the Rights of the Child. Establishing a consistent approach for monitoring restraint practices, including recording instances of handcuffing during secure transportation, will increase accountability amongst providers and ensure that their services are compliant with the rights of the children in their care.

This will also ensure that any related policy development reflects the recommendations of the UN Committee on the Rights of the Child, including its recommendations in relation to Article 37, mandating that all incidents of restraint against children should be recorded, monitored and evaluated by the state.

I would welcome the opportunity to meet with you to discuss our campaign in more detail and how we can work together to strengthen protections in Wales for these vulnerable – and often forgotten about – children.

I look forward to hearing from you soon.

Yours sincerely,
Emily Aklan
Founder, Hope instead of Handcuffs