



Independent Restraint Review Panel (IRRP) Terms of Reference

Purpose

The IRRP will provide advice, guidance and promote a learning culture to develop understanding of the statements below.

YCS are committed to providing a safe, secure and decent environment in which children can make positive changes to their lives, including desistance from crime. YCS recognises the importance of meeting the needs of children in our care through a whole systems approach in which staff are empowered and equipped with the necessary skills and training to effectively manage behaviour, enabling children to engage in all rehabilitative opportunities thereby improving outcomes for all.

The population of children within the YCS increasingly present with complex behaviours which can often manifest in challenging behaviours. Staff members therefore require knowledge and skills to provide specialist support to children to de-escalate challenging behaviour. Whilst it is acknowledged that there may be some situations where it is necessary to restrain children to reduce the risk of harm to themselves and others, this should always be as a last resort and when all other options have been exhausted. When used, all force must be reasonable and proportionate to the circumstances faced.

Background

There is a collective responsibility for the monitoring of the use of pain-inducing techniques on children by the Her Majesty's Prison and Probation Service (HMPPS) Youth Custody Service (YCS), Youth Justice Board (YJB) and the Ministry of Justice (MoJ). This Panel has been convened to respond to Recommendation 11 in the independent review of pain-inducing techniques in the youth secure estate by Charlie Taylor (June 2020). It is acknowledged that this Panel consists of both members who are independent of the YCS, notably the Chair, but also those who work directly for the organisation and have a lead role to play in the improvement and development of practice.

Objectives

The IRRP will:

- 1) Review incidents where the use of pain-inducing techniques (PIT) have been deployed across the secure youth estate, inclusive of the Prisoner Escort and Custody Services contract (PECS) when involving children moving to/from Young Offender Institutions (YOIs) and the Secure Training Centre (STC) but in other custody settings by agreement.
- 2) Review a sample of incidents in which a Serious Injury or Warning Sign (SIWS) has been identified.
- 3) Look at the antecedents to incidents and develop an understanding as to why the restraint happened; helping the establishments to develop approaches which will reduce the use of PIT and restraint in general.

- 4) Periodically review the number and scope of incidents they reviewed so that it is fair and accounts for the whole sector.
- 5) Seek the views and voice of children and young people who have been subject to or witnessed restraint, PIT or SIWS.
- 6) Seek to ensure any associated practice or advice is inclusive and does not intentionally or unintentionally discriminate in accordance with Equalities Act 2010.
- 7) In lieu of PIT having not been used the panel will review incidents of restraint selected by the Chair, who may consult with the Youth Custody Service if they similarly identify an incident for review.

Scope of meeting

The panel will sit monthly and attend each establishment on as regular a basis as this allows or will base its frequency of visits on risk or volume of PIT. The Governor or, Director must be in attendance.

The panel will review available CCTV and Body Worn Video Camera footage and paperwork pertaining to the incidents involving the use of PIT and SIWS. It will identify learning points on the appropriateness and safety of these techniques on children and the safety of staff in their delivery. The panel aims to ensure the use of restraint with children in custody is fair and just in every aspect including all characteristics protected via the Equalities Act (2010).

Deliverables

- a) Prior to the meeting taking place the chair will agree what incidents are in scope for the panel's appraisal.
- b) Where practicable panel members will meet with and seek the views of children and young people who have been subject to restraint, PIT or SIWS.
- c) An action plan will be agreed between the Governor or Director and the Executive Director of the Youth Custody Service.
- d) Review action plans, data and previous meetings to see if progress is being made by the establishment in reducing the need to use PIT and force.
- e) Report on the findings of each panel to the Executive Director of the Youth Custody Service copied to His Majesty's Inspectorate of Prisons (HMIP) and the Chair of the Youth Justice Board (YJB).
- f) Provide an annual report to the Minister on work undertaken and findings.

Membership

Membership of the Independent Restraint Review Panel should include independent members and experts in this field as well as internal staff who have lead responsibility for improving practice.

Members will be appointed with due consideration of the demographics of children in custody. Membership will include those with the competence to advise regarding minority communities particularly those overrepresented amongst this population. **As a minimum** membership should include:

- Chairperson
- Independent medical advisor
- Safeguarding subject matter expert/ Local authority L.A.D.O
- Children and Young People Restraint subject matter expert
- Governor or Director
- Additional attendees as requested by the Chair or in support of the Governor or Director

Frequency

- The panel will sit approximately monthly.
- The panel will report and escalate relevant matters to the Executive Director of the YCS copied to HMIP and YJB.
- The panel will produce a report on work undertaken and findings to the Minister on an annual basis.

Administration

- Administration of the board will be undertaken by the YCS.
- Relevant reports will be provided.
- Members of the panel will be sent relevant paperwork ideally a week before the meeting.
- Minutes, decisions and action plans will be circulated within one week of the meeting.