

Britain: Inquiry details inhumane treatment of children in prison

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A recent report of an inquiry into the treatment of children in penal custody in England and Wales details the inhuman conditions facing many vulnerable young people in state institutions.

The inquiry was convened following the death of Gareth Myatt. The 15-year-old collapsed and died when three staff members at the Rainsbrook secure training centre, where he had been detained for just four days, restrained him in a “double-seated embrace.”

Headed by leading lawyer Lord Carlile, the inquiry found that such physical interventions, including the use of handcuffs, strip searching and segregation, are widespread in children’s prisons.

Launching their report, Carlile said, “We found that some of the treatment children in custody experience would in another setting be considered abusive and could trigger a child protection investigation. If children in custody are expected to learn to behave well, they have to be treated well and the staff and various authorities have to set the very highest standards. My team of expert advisers shared my shock at some of the practices we witnessed.”

The inquiry examined three different types of custodial institutions for young people in England and Wales: young offender institutions (YOIs), secure training centres (STCs), and local authority secure children’s homes (LASCH). Together, they are generally responsible for children aged between 12 to 18 years of age.

In deciding in which centre children should be placed, the Youth Justice Board (YJB) makes a vulnerability assessment taking into account available places and the child’s age and needs. Of the 3,423 children in custody in September 2005, 41 percent were found to be vulnerable, one as young as 11 years old. The majority of these were held in YOIs although 80 percent of those in LASCH were assessed as vulnerable.

The report found that the culture in the majority of

establishments was antithetical to normal teenage development. Many of the young people had chaotic and abusive childhoods that intensified their feelings of frustration, fear and anger. With this in mind, the inquiry was concerned that in some cases, “there appeared to be a culture where dissent was not tolerated and that physical restraint was used to secure conformity.”

Evidence supplied to the inquiry by the Youth Justice Board showed that physical restraint was used 5,133 times on children in prisons between January 2004 and September 2005; in secure training centres, it was used 7,020 times on children; and eight local authority units used restraint 3,359 times.

Lord Carlile reported that some of the restraint techniques had been practiced on him during the inquiry. “They ranged between the broadly acceptable and the frankly unacceptable,” he said.

“The most unacceptable was not a technique which involved pain—it involved three members of staff placing themselves in martial arts challenging poses before me. The way in which they positioned themselves was supposed to de-escalate the situation and it made me a little bit frightened—and I don’t frighten easily.”

It was found that in some establishments, staff training focused on physical management of aggression and violence rather than developing skills to avert conflict. Concern was also raised that the only compulsory component of prison officer training is physical control and restraint.

The inquiry team also attacked the lack of physical exercise and outdoor activity available to children in the establishments visited, which it considered contributed to the build-up of frustration and anger.

They drew attention to the United Nations Rules for the Protection of Juveniles Deprived of their Liberty, which states, “Every juvenile should have the right to a suitable amount of time for daily free exercise, in the open air

whenever weather permits, during which time appropriate recreational and physical training should normally be provided.”

The only time many children ventured outdoors was to walk from one building to another. The limited exercise equipment provided consisted mostly of indoor gyms focused in the main on “pumping iron.”

Of particular concern is the use of handcuffs on children in the STCs. A 14-year-old boy told a member of the inquiry team that the handcuffs hurt his wrists because they are too tight. When asked whether he felt humiliated by being put in handcuffs, he said he was a Gypsy and was used to being degraded.

Both staff and children reported that disobedience or refusal to comply with an order could result in physical restraint.

Daniel, aged 14, who is in an STC, told the inquiry, “If you don’t go to your room, they press the red button on radio and people come. Loads of them—at least 10. It’s like back-up really. They restrain you. They take everything out of your room. They kick your clothes out, they go in the corridor. They lock your door so you can’t go in the bathroom, and they take your curtains. Someone’s got your arm and head down like that. It makes you want to struggle ’cos it hurts. Someone has their leg in front of your leg, and your head’s like that. It puts pressure on your neck. I get aches on my neck from being restrained.... About a month ago or a month and a half ago I had a bad neck [from being restrained] and it only just gone a couple of weeks ago. I told the staff ‘I’ve got a bad neck; I need to talk to the nurse.’ The nurse said ‘Getting restrained makes your bones more fragile.’ I still have bad necks but there’s no point in complaining.”

More disturbingly, the report cites the high prevalence of past abuse among children and young people held in custody, particularly by adults ostensibly in positions of authority. Some of the young people were profoundly damaged by these experiences and sought physical restraint in order to satisfy their needs. Even more worrying were allegations made in one submission that staff often “baited” children into situations that would result in restraint for their own gratification.

Even despite the past sexual abuse suffered by many of the young people held—1 in 3 girls and 1 in 20 boys—strip-searching was still being routinely used. The inquiry was given no substantial evidence from any of the establishments that strip-searching was necessary for security reasons. Finds tended to be tobacco rather than

weapons or drugs. One LASCH reported the relief on the children’s faces when told they did not have to be strip-searched.

Solitary confinement is also used under differing labels—e.g., Intensive Supervision Unit, Reorientation Unit, or Care and Separation Unit. The inquiry found that most segregation units in prisons were little more than bare, dark and dank cells that were inducements to suicide.

The number of self-harm incidents in prison segregation units was a major concern. There were 117 incidents of self-injury recorded by prisons. In January 2005, 16-year-old Gareth Price took his own life whilst in the Care and Separation Unit of Lancaster Farms YOI. There have been 29 self-inflicted deaths by children in penal institutions since 1990.

Chris Callender, a lawyer with the Howard League for Penal Reform, which is taking legal action against a number of institutions for placing children in solitary confinement, said, “My experience is that there are a lot of kids finding themselves in segregation units because they haven’t received sufficient mental health support. They should be receiving psychiatric support, not prison.”

The Howard League delivered a petition to Prime Minister Tony Blair following the report’s publication, protesting the conditions.

Carolyn Willow, the national coordinator of the Children’s Rights Alliance for England and a member of Lord Carlile’s advisory panel, said, “We are not talking here about children being hurt in the rough and tumble of restraint. Staff have permission to deliberately hurt children. As a former child protection social worker, I am stunned that this is allowed to happen.”



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