



22 MAR 2018

Bob McCoskrie  
National Director – Family First NZ  
[bob@familyfirst.org.nz](mailto:bob@familyfirst.org.nz)

Dear Mr McCoskrie

Thank you for your email of 22 February 2018 requesting the following information:

*Could you please release details of:*

- *The number of school children who have been physically restrained while at school for each month since August 15 2017 until February 15 2018*
- *Please include details of:*
  - *The reason for the restraint*
  - *The age and gender of the child*

Your request has been considered under the Official Information Act 1982.

The Ministry of Education is committed to ensuring the safety of both students and staff in New Zealand schools. We provide a range of support to assist schools to manage challenging behaviour. This support includes the Understanding Behaviour, Responding Safely (UBRS) workshop, which is delivered as a whole day training or in modules for whole school staff groups. It focuses on prevention and de-escalation strategies and is delivered by regional staff experienced in behaviour management.

Ministry Learning Support specialists also provide support for children and young people with behaviour difficulties to improve their behaviour, learning achievements and social interactions. The Ministry is implementing the expansion of existing behaviour services to provide specialist support to another 1,000 children a year aged 0-8 by June 2019.

However, there will be times where situations escalate and, on rare occasions, a student may need to be physically restrained to protect themselves and/or others.

Physical restraint is a serious intervention and should be used only as a last resort. It is regulated via a combination of the Education Act 1989 (the Act), the Education (Physical Restraint) Rules 2017 (the Rules) and the Guidelines for Registered Schools in New Zealand on the Use of Physical Restraint (the Guidelines). The Act and Rules set out what schools must do and the Guidelines outline good practice in using, monitoring and reporting on physical restraint.

Section 139AC of the Act defines “physical restraint” as “*using physical force to prevent, restrict, or subdue the movement of a student’s body or part of the student’s body.*” Examples of physical restraint may include such things as preventing a student from running onto the road or breaking up a fight.

The Act limits the use of physical restraint by teachers or authorised staff members in schools to situations where:

- The teacher or staff member reasonably believes the safety of the student or of any other person is at serious and imminent risk; and
- The restraint used is reasonable and proportionate in the circumstances.

Under the Rules, which came into force on 15 August 2017, schools now need to notify the Ministry of Education and the employer (board of trustees, sponsor of a partnership school kura hourua, or manager of a private school), using the Incident of Physical Restraint Form, each time physical restraint is used. This requirement allows us to provide appropriate support to schools and students, and update the Rules and Guidelines if needed to address emerging issues.

Situations involving physical contact happen in schools every day. Examples of situations which do not constitute physical restraint, and do not have to be reported to the Ministry, include:

- Temporary physical contact (such as a hand on the arm, back or shoulders to remove a student from a situation to a safer place).
- Holding a student with a disability to move them to another location, or help them get into a vehicle or use the stairs.
- The practice of harness restraint, when keeping a student and others safe in a moving vehicle, or when recommended by a physiotherapist or occupational therapist for safety or body positioning.
- Younger students, especially in their first year of school, sometimes need additional help. For example, placing a hand on a younger student’s back to guide them from one place to another does not need to be reported to the Ministry.
- Staff may hold the hand of a young student who is happy to have their hand held for a brief period of time.
- Staff may pick up a young student to comfort them briefly.

My responses to your particular questions are set out below. Please note the following caveats which attach to the data provided below:

- The data is live and is subject to change (as schools can backdate incidents).
- The data records incidents of restraint. Students may be restrained more than once. If the incidents occur at different times students may have changed school, region, age etc.

***The number of school children who have been physically restrained while at school for each month since August 15 2017 until February 15 2018***

As at 15 February 2018 there have been 1,010 physical restraints lodged nationally since 15 August 2017. As students can be restrained more than once, 599 students have been restrained since 15 August 2017. This represents a small percentage of the approximately 800,000 students and more than 2,500 schools in the school system.



The monthly breakdown you have requested is provided in the table below.

Month	Number of Reported Incidents
Aug-17	107
Sep-17	282
Oct-17	119
Nov-17	287
Dec-17	110
Jan-18	8
Feb-18*	97
<b>Total</b>	<b>1010</b>

\*As at 15 February 2018

### ***Reasons for Restraint***

All Incident of Physical Restraint Forms received by the Ministry reported restraint being necessary because of a serious and imminent risk to the safety of the student or to others.

I am unable to break this information down further (i.e. by who the risk was to). To do so would require an analysis of the "free text" fields on each of the 1,010 forms submitted within the timeframe of your request. Undertaking this analysis would be very time consuming and would have a significant effect on the Ministry's ability to carry out its core functions. I am therefore refusing this part of your request under section 18(f) of the Official Information Act as a response cannot be provided without substantial collation and research.

### ***The age and gender of the child***

The information requested in this part of your request is set out in the tables below.

Age	Number of Reported Incidents
4	1*
5	126
6	135
7	105
8	114
9	164
10	115
11	78
12	43
13	18
14	83
15	14
16	8
17	1
18	3
19	2
<b>Total</b>	<b>1010</b>

\*this incident occurred the day before the child's fifth birthday.

Gender	Number of Reported Incidents
Female	148
Male	862
<b>Total</b>	<b>1010</b>

Further information about the Rules and Guidelines relating to the use of physical restraint in schools can be found on the Ministry's website at the following link:

<http://www.education.govt.nz/news/new-rules-for-using-physical-restraint-in-schools/>

Thank you again for your email. Should you have any queries or concerns about this response I would encourage you to raise these with the Ministry's Media Team in the first instance. You also have the right to ask an Ombudsman to review this decision by writing to the Office of the Ombudsman, PO Box 10152, Wellington 6143 or [info@ombudsman.parliament.nz](mailto:info@ombudsman.parliament.nz).

Yours sincerely



Katrina Casey  
**Deputy Secretary**  
**Sector Enablement and Support**