



State of New Hampshire

Office of the Child Advocate

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Child Advocate reviewing use and reporting of restraint and seclusion of children in care.

Concord NH: The Office of the Child Advocate released a Briefing today to announce a System Review underway regarding use and reporting of restraint and seclusion on children. The review focuses on approximately 400 children placed in private residential facilities and the Sununu Youth Services Center (SYSC) by the Division for Children, Youth and Families (DCYF).

Annual reports to the New Hampshire Legislature document over 20,000 incidents of child restraints and seclusion in residential facilities since 2014. Moira O'Neill, Director to the Office of the Child Advocate, noted the annual reports are in aggregate. They do not include incident-specific information such as fidelity to treatment, precipitating events, staff involved, time of day, or any other specific data that would afford meaningful analysis. "We don't know what the incidents mean," O'Neill stated. RSA chapter 126-U restricts use of restraint or seclusion to situations involving substantial and imminent risk of serious harm to the child or others. Explaining the need to look further than an annual aggregate report, O'Neill stated, "The reported numbers of restraint and seclusion may reflect inconsistencies in reporting and defining the events. Or they may reflect a widespread inability to meet children's behavioral needs and de-escalate situations leading to restraints and seclusions."

"We know there is no scientific evidence of therapeutic benefit to restraint or seclusion," O'Neill said, "in fact, the interventions are associated with physical and emotional harm to both children and staff. Proper review of these practices is necessary to ensure the health and safety of children under the care of DCYF. Only in comprehensive analysis can insights and helpful recommendations be made."

The DCYF is mandated to report incidents to the Office of the Child Advocate pursuant to RSA 170-G:18, IV(a). However, there is no central monitoring system for tracking these incidents. In the nearly two years since the Office was established, DCYF has yet to provide child-specific incident reports, other than those reported from the Sununu Youth Services Center, those under special investigation due to an injury or abuse/neglect allegation, or those specifically requested by the Office of the Child Advocate.

The OCA System Review Briefing is described as a means to hold the OCA accountable to the public and ensure transparency of the office's work. Briefings are published when a review is expected to take more than a standard of 60 business days and require more Office resources. The full review is targeted for completion by October 31, 2019.

Pursuant to NH RSA 170-G:18, the Office of the Child Advocate provides independent oversight of DCYF to assure that the best interests of children are protected.

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