



6 June 2023

## Media Statement

### OCC RELEASE POSITION PAPER ON USE OF SPIT HOODS AND RESTRAINT CHAIRS ON CHILDREN

The Office of the Children's Commissioner (OCC) has today released its position paper supporting the legislated prohibition of the use of spit hoods and restraint chairs on children in the Northern Territory.

While the OCC commended the NT Police on their decision (October 2022) to cease the use of spit hoods on children in police custody, to ensure that the NT is in line with other jurisdictions and contemporary youth justice approaches, it remains necessary to enshrine this decision in law. To date, no public announcement has been made in relation to the continued use of restraint chairs on children by NT Police.

The OCC position paper collates the latest research from child development, youth justice and health experts to show that the risk of spreading serious disease through spitting is minimal, there are more effective protective practices available, and that spit hoods and restraint chairs contribute to significant trauma and have contributed to deaths in custody. The use of these devices is unjustifiable, especially when used on children who are likely to be victims of trauma, have significant health or disability impairments, or both.

The purpose of the justice system is to facilitate a safer society. The harm to vulnerable children through the use of spit hoods and restraint chairs does the opposite. It impairs a child's healthy development and therefore to shift to more positive behaviours.

The OCC have also developed a child-friendly version of this position paper, which will be available in hard copy or on our [website](#).

#### **Quotes attributable to Nicole Hucks, A/ NT Children's Commissioner:**

- The Office of the Children's Commissioner (OCC) **supports a legislated prohibition of the use of spit hoods and restraint chairs on all children in the Northern Territory.** This is in line with national best practice for youth justice, as well as Australia's international obligations to uphold human rights.
- Police officers also have the right to be safe in their workplace. Medical evidence shows that spit hoods are not effective at preventing communicable disease transmission. Initiatives employing de-escalation tactics and health focused responses have shown to be safer for both individuals in contact with police and officers.
- Safety of front line staff can be achieved whilst also preventing our most vulnerable children from being placed at risk of serious harm.



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