

Use of Reasonable Force Policy

Use of Reasonable Force

Reasonable use of force is defined in the Education Act of 1996 (Section 550A), this allows members of staff to use force which is reasonable in the circumstances. The Act, however, bans all corporal punishment. Corporal punishment is any physical contact with a child which is deliberately intended to punish or which is primarily intended to cause pain or injury or humiliation.

However, the Act also makes it clear that anything to avert immediate danger of personal injury or damage to property would not be considered corporal punishment. It is important, however, to note that even in such circumstances there must not be any element of punishment in the restraint so used.

The Act gives staff the right to use such force as is reasonable in the circumstances to prevent a child from doing any of the following:

- Committing a criminal offence including behaving in a way that would be an offence if the player were not under the age of criminal responsibility (ten)
- Injuring themselves or others
- Causing damage to property including their own

Definition

There are two relevant considerations when asking if the force is reasonable in the circumstances:

- The use of force can be regarded as 'reasonable' only if the circumstances of the particular incident warrant it: clearly force would be unlawful if the circumstances do not warrant the use of physical force.
- The degree of force used must be in proportion to the circumstances of the incident and the seriousness of the behaviour or the consequences it is intended to prevent. Any force used should always be the minimum needed to achieve the desired results.

Advice to Coaches recognises that physical contact with players may be necessary in certain circumstances, e.g. to demonstrate particular exercises or techniques, to administer first aid, or to comfort a player in distress. However, colleagues should bear in mind that some children find physical contact unwelcome and consider the situation appropriately. Colleagues should remember that innocent and well-intentioned physical contact can be misconstrued and used in allegations against a member of staff. Staff should therefore be careful to avoid putting themselves in a position of risk. This said, the Organisation does endorse the use of reasonable force in certain circumstances, although it is envisaged that these would be rare and infrequent.

Reasonable force could be used in the following circumstances; clearly this list is intended as a guide, but cannot be completely exhaustive:

- A player fighting another where separation would be necessary.
- A player attacking a coach or other member of staff.
- Acts of vandalism, rough play or mis-use of the objects, e.g. throwing which might cause personal injury or damage to property.
- Refusal by a disruptive player to leave the pitch/training session

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- A situation where the actions of a player might have serious health and safety implications unless dealt with immediately.

Forms of Physical Intervention Physical intervention might involve staff in placing themselves between players, blocking a player's path, holding, gently pulling or pushing, or leading a player by the arm, shepherding a player away by placing a hand in the centre of the back. Members of staff should not hold a player around the neck or collar, slap, punch or kick, twist or force limbs against a joint, trip a player, hold or pull a player by the hair or ear.

Complaints

It is necessary to remember that any form of physical intervention might possibly result in action brought by the player or parent against the Organisation. It is, therefore, important for staff to remember the importance of reasonable and proportionate action, and that any physical intervention should be used in extreme circumstances. If matters came to court, the court would have to determine whether the particular force used was reasonable in those particular circumstances. In order to determine this the court would listen to all witnesses to the incident and would consider all factual evidence and any similar cases and judgements. A policy such as this, if followed, will provide staff with a considerable degree of protection in such circumstances.

Reporting

Any incident involving the use of reasonable force by a member of staff towards a player must be reported in writing immediately to Dan Abraham. He will then, if appropriate, contact the parent of the player or players concerned. A file of such incidents is maintained by Dan Abraham.

