



Position Statement

**The human rights case for priority COVID-19
vaccinations for people with learning/intellectual
disabilities**

The Scottish Commission for People with Learning
Disabilities

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We are now hearing positive news about the development and approval of vaccines for Covid-19. This short note outlines the human rights case on why people with learning disabilities should be prioritised for the COVID-19 vaccine in the earlier waves of its delivery.

People with learning/intellectual disabilities have been disproportionately negatively impacted by the Coronavirus pandemic. Data from the Care Quality Commission¹ in England has shown reported a 134% increase in deaths of people with learning/intellectual disabilities and autism receiving care services in England, between March and April this year. New findings have also stated that people with Down's Syndrome are 10 times more likely to die because of contracting COVID-19².

These findings are particularly concerning given we know:

- Respiratory disorders are the leading cause of death among people with learning/intellectual disabilities³
- People with learning/intellectual disabilities die on average 20 years earlier than the general population⁴
- Premature mortality was 12 times higher for children and young people with learning/intellectual disabilities compared to other children and young people⁵

In addition to this, a recent Public Health England analysis of COVID-19 deaths amongst people with learning disabilities in the first wave of the pandemic reported rates of death 3-6 times higher amongst people with learning disabilities compared to people generally.⁶ These rates of death become even more disproportionate at younger ages, with a peak age of COVID-19 deaths at age 55-64.

In understanding this, we must make sure that people with learning/ intellectual disabilities, their supporters and families are among those prioritised for COVID-19 vaccine. This should be administered when safe to do so and with the informed consent of people with learning/

¹[Care Quality Commission \(2020\)](#)

²[Clift et al \(2020\)](#)

³ [NHS Health Scotland \(2017\)](#)

⁴[The keys to life \(2013\)](#)

⁵[Scottish Learning Disabilities Observatory \(2020\)](#)

⁶ <https://www.gov.uk/government/publications/covid-19-deaths-of-people-with-learning-disabilities>

intellectual disabilities, their supporters, and their families. We believe that if this prioritisation does not occur, we risk violating people with learning/ intellectual disabilities human rights.

We believe priority vaccination of people with learning/ intellectual disabilities is in line with:

- Article 2 of the Human Rights Act⁷
- Section 20 (3) of the Equality Act⁸
- Articles 5⁹, 10¹⁰, 11¹¹, 25¹² of the United Nations Convention on the Rights of Persons with Disabilities (UNCPRD)

It is also supported by section 66 of Committee on the Rights of Persons with Disabilities General comment Number 6¹³. Which outlines that,

“Under articles 5 and 25 of the Convention, States parties must prohibit and prevent discriminatory denial of health services to persons with disabilities and to provide gender-sensitive health services...States parties must also address forms of discrimination that violate the right of persons with disabilities that impede their right to health through violations of the right to receive health care on the basis of free and informed consent, or that make facilities or information inaccessible.”

People with learning disabilities experience far worse health outcomes than the general population and see their human rights violated on a consistent basis. These conditions were not created by the pandemic, but they have been exacerbated by it. Based on available data and informed by human rights considerations, we believe there is a strong case for people with learning disabilities being treated as an urgent priority for COVID-19 vaccinations.

⁷ [Human Rights Act \(1998\)](#)

⁸ [Equality Act \(2010\)](#)

⁹ [UNCPRD \(2006\)](#)

¹⁰ [UNCPRD \(2006\)](#)

¹¹ [UNCPRD \(2006\)](#)

¹² [UNCPRD \(2006\)](#)

¹³ [Committee on the Rights of Persons with Disabilities \(2018\)](#)



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