

SCLD FACT SHEET



TORTURE, CRUEL, INHUMAN, DEGRADING TREATMENT OR PUNISHMENT OF PEOPLE WITH LEARNING DISABILITIES

The 2018 'Coming Home' Report revealed how restrictive practices were used against people with learning disabilities and autism in out-of-area placements and when experiencing delayed discharge. The report also found that antipsychotic medications are used to manage 'challenging behaviour'.

The 'Coming Home' Report Findings



Of 705 people in out-of-area placements:

- 21% were subject to physical restraint
- 11% were subject to seclusion
- 44% were in receipt of medication to manage behaviour
- 36% were subject to environmental restrictions
- 9% were subject to technological restrictions.

Of 67 people experiencing delayed discharge:

- 37% were subject to physical restraint
- 10% were subject to seclusion
- 63% were in receipt of medication to manage behaviour
- 43% were subject to environmental restrictions.

Source: Coming Home: A Report on Out-of-Area Placements and Delayed Discharge for People with Learning Disabilities and Complex Needs, Dr Anne MacDonald, Scottish Government (2018)

More Information

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Scottish Commission for People with Learning Disabilities

Research (Scottish Learning Disabilities Observatory, 2020) has also found that adults with learning disabilities are prescribed antipsychotic drugs at higher rates than that of the occurrence of psychosis among people with learning disabilities. There are concerns that these are frequently administered on a compulsory basis, often in the absence of appropriate structures for supported decision-making.

Despite these findings, we have yet to see legislation and legislative guidance in Scotland protecting people with learning disabilities from cruel or degrading punishment or treatment.

Types of Restrictive Practice

Physical Restraint

Seclusion

Chemical restraint

Environmental Restraint

Mechanical Restraint

Blanket Restrictions

Recommendations



1

UK Government, including devolved nations, to embed national human rights-based legislative standards, guidance, and monitoring of restrictive practices across all settings.

2

Scotland to establish a body to promote the rights of people with learning disabilities, including monitoring restrictive practices in all relevant settings.

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