



Acute Training Solutions

Human Rights in Action

Scenario 1 - Protecting dignity

A man was detained in a maximum security mental health hospital was placed in seclusion where he kept soiling himself. Staff declined to clean up the faeces or move him.

Outcome:

His advocate successfully challenged this using the right not to be treated in an inhuman and degrading way.

Scenario 2- Supporting family life

A couple lived in a residential centre so their parenting skills could be assessed by social services. CCTV cameras were installed, including in their bedroom.

Social workers explained that the cameras were to observe them and for the protection of their baby. The couple were distressed by use of cameras in their bedroom during the night.

Outcome:

They invoked their right to respect for family life.

Scenario 3

A woman with learning disabilities had an operation in hospital.

Her relatives visited her and found her lying on her back, eyes open but not saying a word. Usually she was talkative and lively so they asked the nurse what was wrong. The nurse said 'well, she can't talk can she, if she has a learning disability?'

Outcome:

The woman was re-examined and found to have had a minor stroke. This could be challenged as a breach of the right to life and the right not to be discriminated against.

Scenario 4

A man living in a care home had a history of starting fires. Although this had not occurred for over two years, staff were instructed to search him every time he returned from being outside unsupervised to ensure he didn't have matches or a lighter.

Outcome:

This was challenged using the right to respect for private life to argue that the blanket policy should be replaced with a proper decision making process.

The new process was based on ongoing risk assessment and was clearly communicated to the man. It was agreed that routine searching would stop after 6 months if he was not involved in any fire related incidents.