



A life like any other?

Human Rights and Adults with Learning Disabilities



An Easy Read Summary of a Report by the Joint Committee on Human Rights

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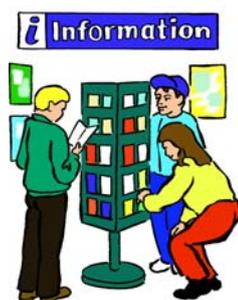
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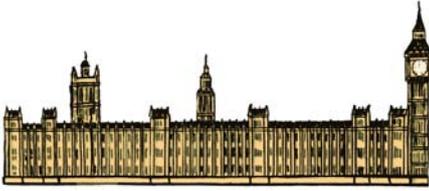
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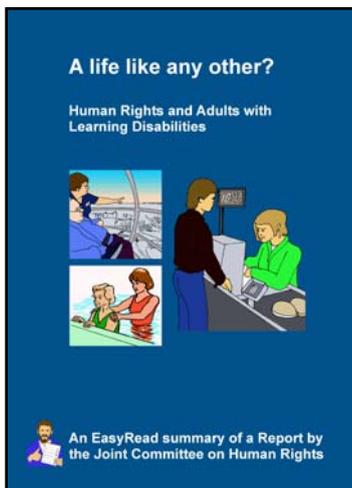
1. Introduction



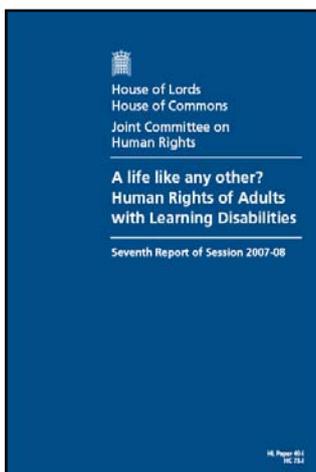
The Joint Human Rights Committee is part of Parliament. We find out about people's human rights.



We wanted to know how adults with learning disabilities are being treated. We wanted to know if they get their human rights.



This is an Easy Read booklet on what we found out.



We also wrote a longer report. To get a copy of this please see the end of the booklet.

2. What are human rights?



The Human Rights Act says everyone has the same human rights. That is the law.



Government, councils, health services and the police are all public organisations. It is usually against the law for a public organisation to ignore your human rights.



These are some of the human rights we talk about in this booklet:

- you have the right to life



- you have the right not to be treated badly or punished in a cruel way



- you have the right to freedom



- you have the right to a fair trial in court if the police think you have broken the law



- you have the right to respect for your own private life



- people should respect your family life.



At the end of this booklet we tell you how you can find out more about human rights.

3. What we did



We asked people to tell us about their lives.
We asked people about using services.

What we asked



- was it hard to have relationships?



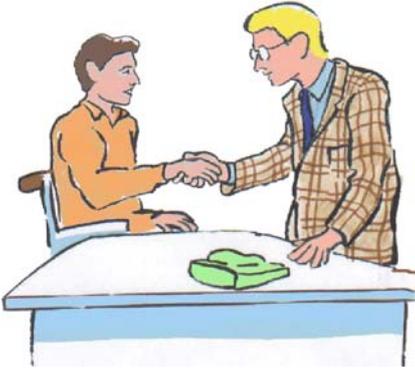
- was it easy to do things in the community?



- did people have a say in their lives?



- did people make complaints if things went wrong?



- what would help people to be treated more fairly?



Nearly 200 people told us. We call this evidence.

We also visited some people at home.



We met some people at their day activities.



We visited some people at college.



We talked to people in a self advocacy group.



In this booklet we tell you what people said to us.



We also say what we think might make things better for people.

4. Important points



Things have got better for many people with learning disabilities in recent years. Not many people live in hospitals now.



But some people are still badly treated.

- people are still being treated badly by health services



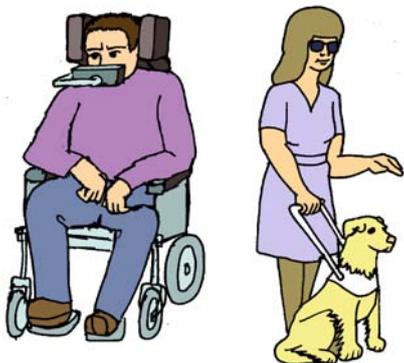
- some people with learning disabilities have been attacked and abused and died



- people with learning disabilities may be treated worse than other people



- often people do not know about their human rights



- things may be even harder for people with high support needs.



We wanted to know:

- is the Government doing all it can to support the human rights of people with learning disabilities?



- are services doing all they can?



Treating people fairly

The Human Rights Act and the Disability Discrimination Act (DDA) say people should be treated fairly.



The Disability Equality Duty is part of the DDA. It says disabled people should be treated like other people.

Sometimes this might mean public organisations have to do things differently to meet the needs of people with learning disabilities.



Many people with learning disabilities don't know about human rights or what the law says. Many staff don't know either.



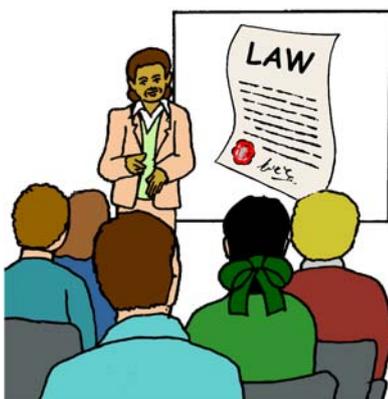
People with learning disabilities need to know about their human rights. They need to know what the Human Rights Act means for them.



They need to know about the Disability Equality Duty too.



The Government should see how they can make this happen for people with learning disabilities.



Staff and services need to know about people's human rights too. They need to know about the Disability Equality Duty. They need to know about treating people fairly.



The Government should work out how to make this happen.



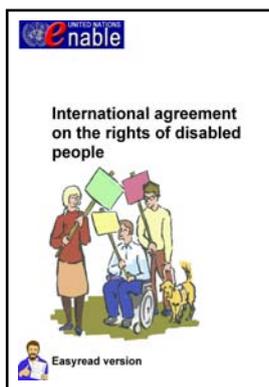
Valuing People says people with learning disabilities should be treated the same as other people. People should respect their rights. The Governments in Scotland, Wales and Northern Ireland say this too.



The Government in England has published Valuing People Now. It says what should happen for people with learning disabilities.



We think it should talk about people's human rights. It should explain why the Disability Discrimination Act and the Human Rights Act matter. It should say what must happen to make sure people get their human rights.



There is also a world agreement about the human rights of disabled people. This is called the UN Disability Rights Convention. Our Government says it will agree to this by the end of 2008. We are pleased about this.

The Government has made an Easy Read version of the UN Disability Rights Convention.

Information



At the end of this booklet we tell you how you can find out more about the Convention and the Disability Equality Duty.



Independent living

Some people told us independent living was important. Other people thought not everyone could be independent.



We think independent living means helping people make choices about their own lives. It does not mean leaving people without the support they need or on their own.



The Minister for Disabled People and the Minister for Care Services told us they support the idea of independent living. Independent living can give people more choice and control over their lives. We are glad they said this.

5. Living with a learning disability



We heard from people with learning disabilities and people who live or work with them.



People told us adults with learning disabilities are often not treated well. People do not respect their human rights.



Problems

We heard about the difficulties people had with some services, like healthcare and getting to college.



People told us about problems with housing. People cannot usually choose where to live. They cannot usually choose who they live with.



People told us how hard it is to get a job.

Friends and relationships



People wanted to have more friends. They wanted to see their friends and family more often.



People wanted to have boyfriends and girlfriends. They told us this wasn't easy.



People have a right to respect for their private life.



Staff do not always help people with their relationships. Valuing People said they should. We think Valuing People Now should say something about this too.

Having a say



Some people felt they had a say in decisions about their lives but others did not.



Most people said it was hard to make a complaint about anything.

Carers



Family carers told us their relatives were not treated well by services.



Some people with learning disabilities are carers too.

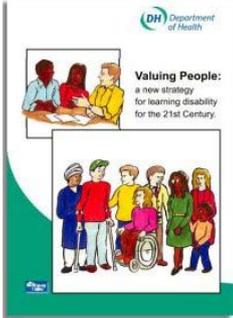


Family carers are worried it is getting harder to get support for their relatives. This means they have to do more and more themselves. They worry what will happen in the future.

Valuing People



Most people thought Valuing People was a good policy.



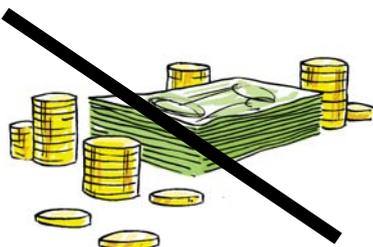
There is a gap between what Valuing People said should happen and what actually happens in people's lives.



We are pleased the Government still wants Valuing People to happen. We think Government departments and local councils need to work harder on this.



A lot of people told us it is hard for people to get the services and support they need.

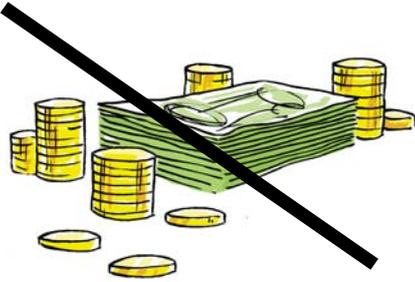


A lot of people felt there is not enough money to make Valuing People happen.

We think that the Government should help councils understand what they should do under the Human Rights Act and the Disability Discrimination Act.



They should tell them how human rights might make them spend money differently.



Getting human rights is not just about money.



Respecting people's rights

People often have bad ideas about people with learning disabilities. Some people call them nasty names or bully them.



Sometimes staff do not treat people with learning disabilities like they should. Sometimes staff do not understand what they are doing is wrong.



People with learning disabilities are sometimes treated in a bad way which ignores their human rights. We are worried about this.



We think the Government needs to do something to stop people thinking badly about people with learning disabilities.

The Government needs to show people that adults with learning disabilities have the same rights as everyone else.

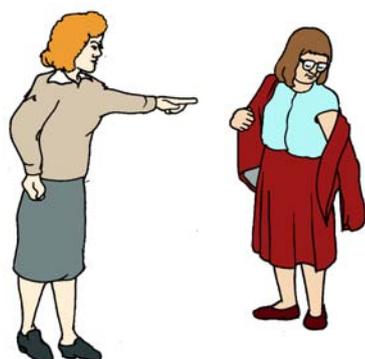
6. How are people treated in health and residential care?



It is hard for people with learning disabilities to get good health care. They are often treated poorly in hospitals and care homes. They are not getting their human rights.

Bad things

People told us about adults with learning disabilities being treated badly. For example, some people:



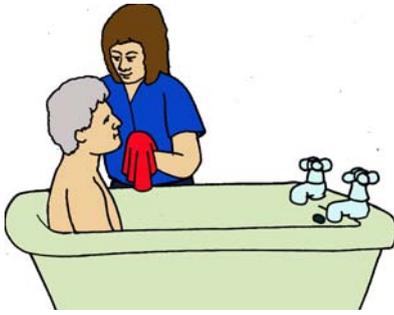
- do not have privacy



- do not have staff who can communicate with them, if they do not use speech



- do not get the health care they need, because they have a learning disability



- are not treated with dignity in their personal care, like having a bath



- are not shown respect



- have problems making complaints.



Good things

We were pleased to hear some good things about health care.

Mersey Care NHS Trust are part of a big Government project on Human Rights in Health Care.

They are trying to see that people's human rights are respected when they are in hospital. They are talking to people with learning disabilities about their rights.





We think the Government should tell other people the good ideas from this project.

Disability Rights Commission

Making things better



The Disability Rights Commission wrote a report about the bad things that happen to many people with learning disabilities when they need health care. They asked the Government to make a lot of changes so things get better.



The Government wants people with learning disabilities to be treated equally by health services. They say more needs to be done. We are glad they said this. But we think the changes should be quicker.



The Government says health services should check their Disability Equality schemes.

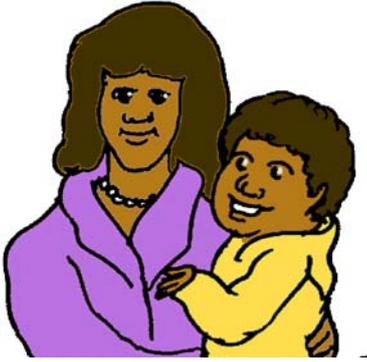
All public authorities must have these plans which are called Disability Equality Schemes. This means they should see how their plans meet the needs of people with learning disabilities.



We think this is important. We are sorry they needed to be reminded to do this.

We are glad an independent inquiry is looking into the health care of people with learning disabilities. We think they should put respect for people's human rights at the heart of its work.

7. Being a parent and having a family life



We heard that parents with learning disabilities have their children taken into care more often than other people do.

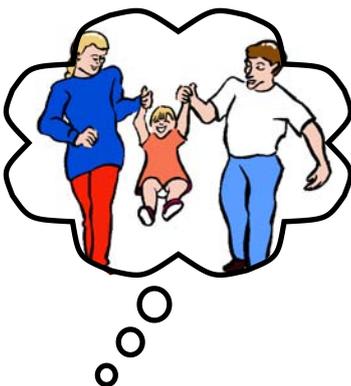


Sometimes a child might need to be taken from their family if they are at risk of not being looked after properly or being hurt.

Taking a child from their parents goes against their human rights. It does not respect their family life. It goes against the human rights of both the parents and the child, unless the child is at risk of harm



Local councils and others are supposed to respect parents and children's right to their family life when they decide what is best for a child.



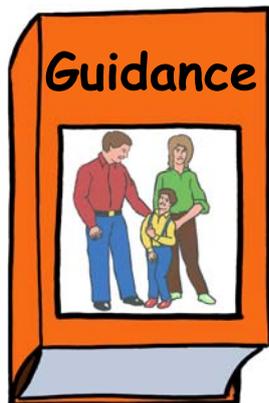
If services are thinking of taking a child away from their parents they should first think what extra support would help them stay together as a family.



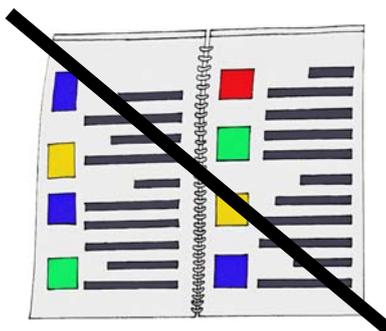
We heard that this often does not happen. Parents are not given enough support or information to show they can bring up their children.



People told us that children's services and adult services often don't work together to support parents and their children.



The Government has Guidance about working with parents with a learning disability. It says the best way to help children is usually by helping their parents to look after them. We are pleased about this.



We heard that new parents with learning disabilities are not given easy to understand information about being a parent. We think this should happen. We think social and health services have to do this.



Valuing People Now says the Government wants to give more support to parents with learning disabilities. We are glad about this.



We think the Government should make sure local councils and other services know what the Guidance says. We think that professionals need to be trained in what the Guidance says they should do. The Government should make sure this happens.



Valuing People Now says advocacy is important for parents with learning disabilities. We think the Government should make sure advocacy is there for them.

8. Crime and people with learning disabilities



People told us even serious crimes against people with learning disabilities are sometimes not called crimes. People call them abuse instead. This makes them sound less serious.



People said that it can be hard for people with learning disabilities to report crimes. Sometimes they are not taken seriously when they do report them.



Sometimes services deal with crimes themselves instead of going to the police. This can make it look as though crimes against people with learning disabilities are not taken as seriously as crimes against other people.



The Government made some Guidance on how to protect people with learning disabilities and other people at risk. It is called No Secrets. People told us that it was out of date.

The Government should make clearer Guidance about how to protect people from crime and abuse.



People with learning disabilities should be involved in making this Guidance.



We heard a lot about hate crime against people with learning disabilities. This is when people are bullied or attacked because they have a disability.



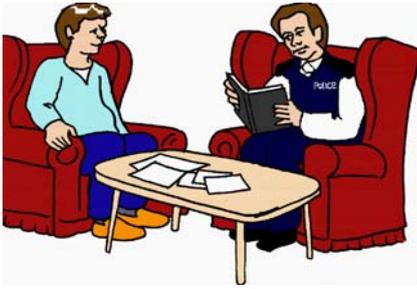
We are pleased the Government is planning to do something about this.



Some organisations, like the police, are trying to work better with people with learning disabilities. We are glad.



Sometimes people with learning disabilities might break the law. People told us what that can be like. It is hard to understand what is going on, if you are arrested by the police. It is hard to understand what goes on in court.



Everyone has the right to be treated fairly if they might have done a crime. They have the right to understand what is going on.

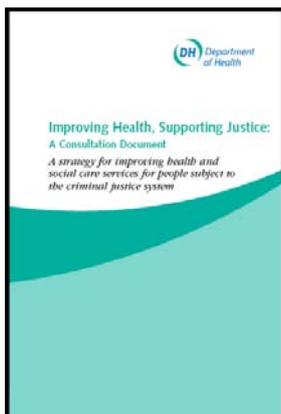


They have the right to tell their side of the story. People with learning disabilities should get support so this happens for them too.



Sometimes people with learning disabilities go to prison. They said it can be hard to understand things there. We are worried that they may not be treated fairly.

For example, if they cannot do the education or training that might help them leave prison early.



The Government has written a new report. It is called Improving health, supporting justice. We think people with learning disabilities should be involved in talking about these ideas. The Government should make sure this happens.



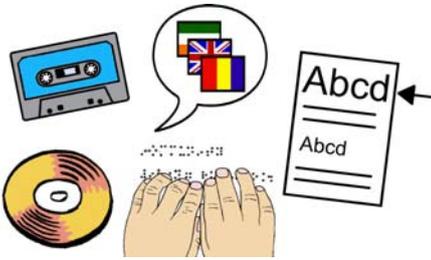
We think the police and prisons should look at how they treat people with learning disabilities. They could help the Government plan how to make things better.

9. What stops people having an ordinary life?



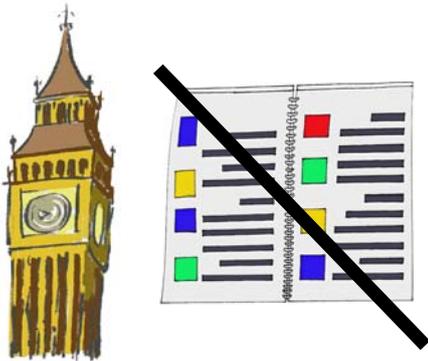
People told us some of the things that stop them having an ordinary life. They told us what would make life easier.

Easy information



People said that easy information would make life a lot easier. People need all their information in an easy to understand way.

The Government says information should be made easy to understand. This doesn't always happen.



Sometimes the Government doesn't make its own information easy to understand.



We think the different parts of Government should work together to make a plan for easy information. This should cover all parts of Government and other places too. This should happen soon.

Advocacy



People often need help to speak up. They may need help to get their rights. They may need advocates.



We had a lot of evidence on how advocacy can help protect people's rights.



The Government says advocacy is important. We think that advocates can help some people with learning disabilities get their human rights.



Many people with learning disabilities can not get an advocate. The Government should check if more advocacy is needed for people with learning disabilities who can't get an advocate.



We think it would help if advocates were offered help to understand what human rights mean for people with learning disabilities.

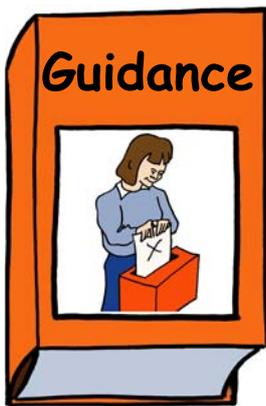
Voting



People with learning disabilities have the same right to vote in elections as other people.



You can only vote if your name is on the voting list. This is called the electoral register. Some people told us it can be hard for people with learning disabilities to get their names on this list.



Sometimes people think that people with learning disabilities are not able to vote. We think there should be Guidance about this for the people who run the voting stations at elections.

Being part of the community



Often people need support to do things in their community.



Sometimes people can't go out to do things because staff aren't free. People who run services should try to make sure there are staff available so people can go out when they want to.



Some people need help to say what they want because they can't talk. Then they can take part in the local community and make friends more easily.



Some people are sent to live a long way away from their family and friends. This makes it hard for them to be part of their community.



The Government may sometimes need to give support so people can play a part in the community.



The UN Disability Rights Convention gives people rights to participate in the community.



This might mean the Government has to do more to help people with this. You can find out more about the UN Convention at the end of this booklet.

10. Fair treatment for people with learning disabilities



People told us adults with learning disabilities are still treated badly. They do not get respect for their human rights. We are worried about this.

It is not right that people with learning disabilities are treated badly.



The Human Rights Act says the Government, councils and health services must respect people's human rights.



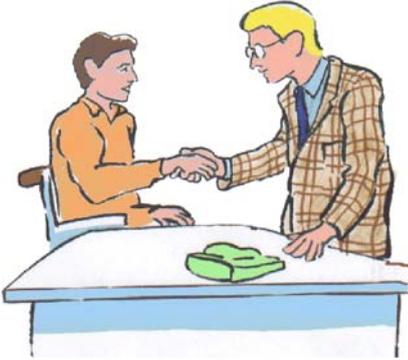
If they did more about human rights, we think people with learning disabilities would be treated more fairly. We don't think they have done enough so far.



We are glad some Government Ministers are saying things should change. But more action is needed to change things for people in their daily lives.

Equality and Human Rights Commission

A new group has been set up to take over from the Disability Rights Commission. It is called the Equality and Human Rights Commission.



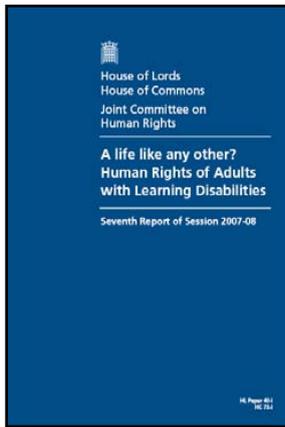
It tries to make sure people are treated equally and fairly. It tries to make sure people's rights are respected.



The Commission has a Disability Committee. We think people with learning disabilities should be involved in its work.



We think the Commission should check what the Government is doing to make sure people with learning disabilities are treated more fairly.



How can you find out more about human rights?

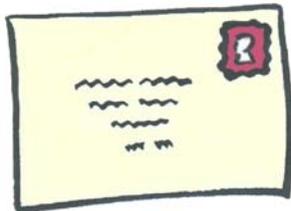
A life like any other?

You can get a copy of our long report from:

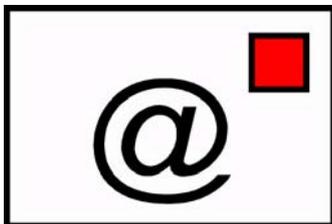


www.parliament.uk/jchr

If you would like more information about the Committee:



**Joint Committee on Human Rights
Committee Office
House of Commons
7 Millbank
London SW1P 3JA**



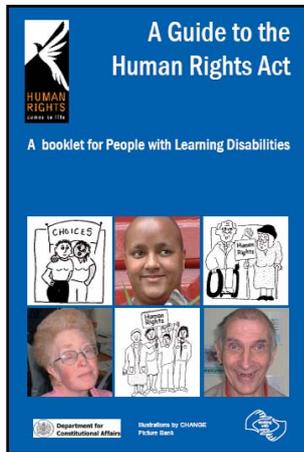
Email:

jchr@parliament.uk



Phone:

020 7219 2797



A Guide to the Human Rights Act

You can find out more about human rights in A Guide to the Human Rights Act. It is an Easy Read booklet. You can get it from the Ministry of Justice, a part of the Government.

A copy is on the internet, here:

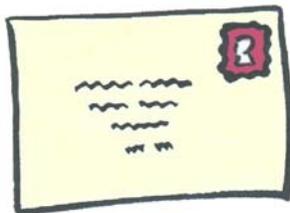
<http://tinyurl.com/yskdki>



Or call the Ministry of Justice on

0845 601 0540 or **020 710 8500**

Or write to:



**Ministry of Justice
Selborne House
54 Victoria Street
London
SW1E 6QW**



UN Convention on Disability Rights

There is also a world agreement about the human rights of disabled people. This is called the UN Disability Rights Convention.



There is an Easy Read booklet about this too. You can find it on the internet, here:



<http://tinyurl.com/2brles>

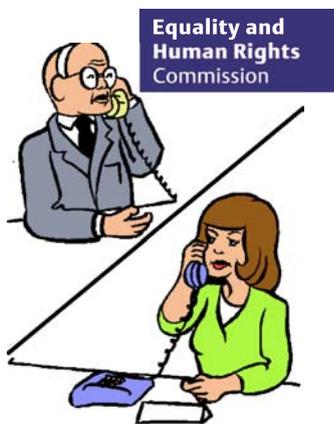


The Disability Discrimination Act

The Disability Discrimination Act (sometimes called the DDA) means that people, including service providers, might have to change the way they do things to meet the needs of people with learning disabilities.



The Disability Equality Duty means councils and other public organisations must treat disabled people fairly.



Equality and Human Rights Commission

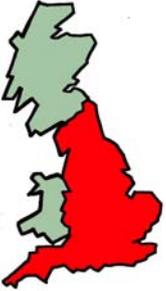
If you want to know more about the Disability Discrimination Act or the Disability Equality Duty, talk to the Equality and Human Rights Commission.



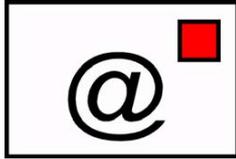
You can find them on the internet, here.

www.equalityhumanrights.com

or call or email their disability helpline on:



08457 622 633 (England)

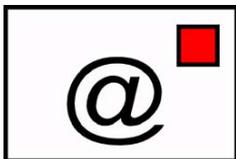


info@equalityhumanrights.com

or



0845 604 5510 (Scotland)

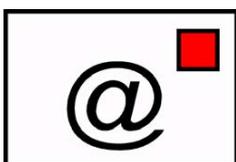


scotland@equalityhumanrights.com

or



0845 604 8810 (Wales)

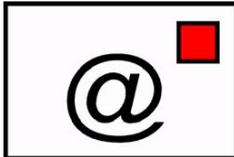


wales@equalityhumanrights.com

If you live in Northern Ireland, please call the Equality Commission for Northern Ireland on



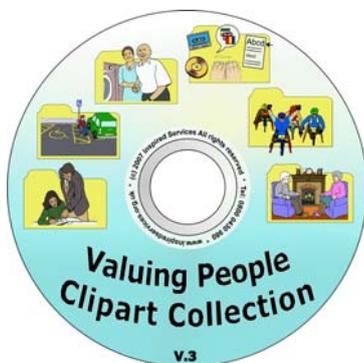
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