

4. Forced treatment and Restrictive Practices

This is a plain English summary of Australia's 2019 CRPD Factsheet 4

Forced treatment

Forced treatment means something done to you without your consent.

It is usually medical treatment and is also called involuntary treatment.

Restrictive practice

A restrictive practice is anything that takes away your rights or freedom.

Types of restrictive practices

- Seclusion
- Chemical restraint like medication to control you
- Mechanical restraint
- Physical restraint or physical force
- Environmental restraint



Behaviour of concern

Behaviour of concern is when you act in a way that could hurt you or someone else.

Facts

Lots of people with disability with behaviours of concern are restrained or secluded.

This happens in schools, disability services, mental health facilities, hospitals and aged care facilities.

What has been done?

There have been some changes to laws on guardianship and mental health but not enough to stop forced treatment.

In 2014 the government bought in a National Framework to reduce restrictive practices in disability services but not in other places.

In 2018 the NDIS Restrictive Practices Rules started but they are only for people with disability who are on the NDIS.

What we recommend

- Laws and a framework that protects all people with disability across Australia.
- The law should get rid of restrictive practices in lots of places.
- Change or get rid of laws that allow forced medical interventions.
- Help people understand their rights under the current systems.