




My Rights Training Program

The My Rights Training Program has been funded by the Office of Senior Practitioner to assist in addressing one of the essential requirements of the Disability Act 2006:

*'To provide information with respect to the rights of persons with a disability who may be subject to the use of restrictive interventions or compulsory treatment.'*

Section 27 (1) (c)



The image contains a text box with a light orange background. Above the text box is a header 'My Rights Training Program'. Below the text box is a photograph of a young man with short brown hair, wearing a blue t-shirt, smiling and giving a thumbs up gesture.

My Rights Training Program

The VALID My Rights Training Program has been developed to inform and empower people with cognitive impairments who display behaviours of concern, and who might be subject to restrictive practices.

The program presents key messages about rights through a series of facilitated group training sessions.



My Rights Training Program

***The primary aim of the program is to:***

Support people with a disability who might be subject to restrictive practices or treatments to realise their rights as human beings and citizens with dignity and worth, and to understand the specific rights afforded to them by the Disability Act 2006.



***A secondary aim is to:***

Provide clear and comprehensive information regarding the restrictive practices framework to guide the actions and advocacy of people concerned for safeguarding their rights - including peers, family members, advocates and staff.



***Without rights  
Without dignity***

Many people displaying behaviours of concern often develop self images which are negative and self-limiting.

They often come to view themselves as unworthy of dignity or respect.

They often don't believe they have a right to have rights



My Rights Training Program

*'Some people with disabilities do not understand what rights they have.*

*They did not want to cause hassle  
Some people were scared and frightened of what staff would do if they complained*

*Some people had got into the habit of not questioning staff*

*If people don't know their rights or don't complain nothing will ever change...'  
(Ramcharan, 2009)*

My Rights Training Program

***The My Rights Training Program talks about:***

- UN Convention on the Rights of Persons with a Disability
- Victorian Charter on Human Rights and Responsibilities
- Restrictive Practices - Rights and Rules under the Disability Act 2006

My Rights Training Program

## ***Underlying Premises***

That an understanding of rights and responsibilities will lead to the improved self confidence and self esteem of people who display behaviours of concern

My Rights Training Program

## ***Underlying Premises***

That improved self confidence and self esteem will lead to:

- A *reduction* in the patterns of *negative* and *self destructive* behaviours
- The development of more *appropriate communication strategies*
- A greater number of people with behaviours of concern seeking *review of restrictive treatments*

My Rights Training Program

### ***Underlying Premises***

That people with a disability who are trained to *understand their own rights* will also become willing and able to *speak up* for the rights of other more vulnerable people

My Rights Training Program

### ***Underlying Premises***

That staff, management and family members exposed to rights education will play a greater role in safeguarding the rights and interests of people subject to restrictive treatments

My Rights Training Program

***Feedback from the pilot groups suggested that:***

The use of discussion-based learning, role plays and scenarios were preferable, provided the discussions fully included and engaged with people at their own level of understanding.

The conclusion drawn was that the information should be presented through:

- A combination of key words and sentences,
- Accompanied by simple and realistic images, scenarios and role plays, and;
- Imparted through a process of discussion-based facilitated learning.

My Rights Training Program

***My Rights Training Program:***

• **A Trainer's Handbook which sets out the aims and objectives of the course Session Plans**

• **A series of five PowerPoint presentations on DVD which include trainer prompts and suggested activities including discussions and role plays**

• **A series of five Participant Notebooks which encourage personalised engagement and allow monitoring of progress through regular Checkpoints**

• **A series of 'Important Fact' sheets to communicate higher level information**

• **One Resource Folder per participant to store MRTP materials and to encourage further discovery of additional resources**

**MY RIGHTS**  
Training Program

**Participant Notebook**

Role Play Activities   Participant Notebooks   Handouts


Department of Human Services   **VALID**

**HUMAN RIGHTS**


Participant Notebook

### Human Rights


This session is about a new law that protects the rights of people with disabilities all around the world. It is called the UN Convention on the Rights of Persons with Disabilities.



UN Convention



We live on planet earth




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Theme 1: Human Rights

### Human Feelings and Needs


No matter how different people might seem, they are all human beings. They all share the same human feelings and needs. So what are some of the feelings and needs we all share? How do you show your feelings and needs?

 \_\_\_\_\_  
\_\_\_\_\_

Proud

 \_\_\_\_\_  
\_\_\_\_\_

Tired

 \_\_\_\_\_  
\_\_\_\_\_

Cold

6


Theme 1: Human Rights

 \_\_\_\_\_  
\_\_\_\_\_

Rejected

 \_\_\_\_\_  
\_\_\_\_\_

Excited


 \_\_\_\_\_  
\_\_\_\_\_

Hot


8

Theme 1: Human Rights


**The United Nations says all people have rights.**



United Nations



Freedom



Safety

12

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Theme 1: Human Rights

# Checkpoint

What are human rights? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

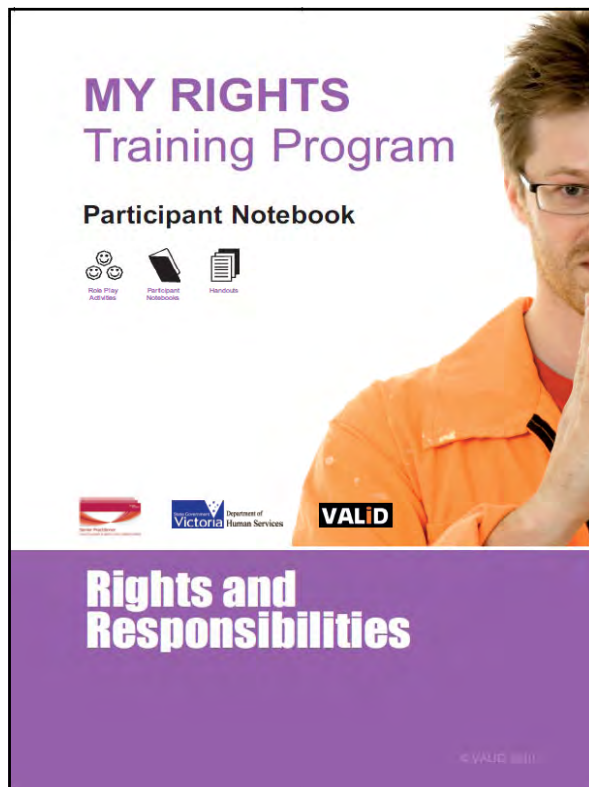
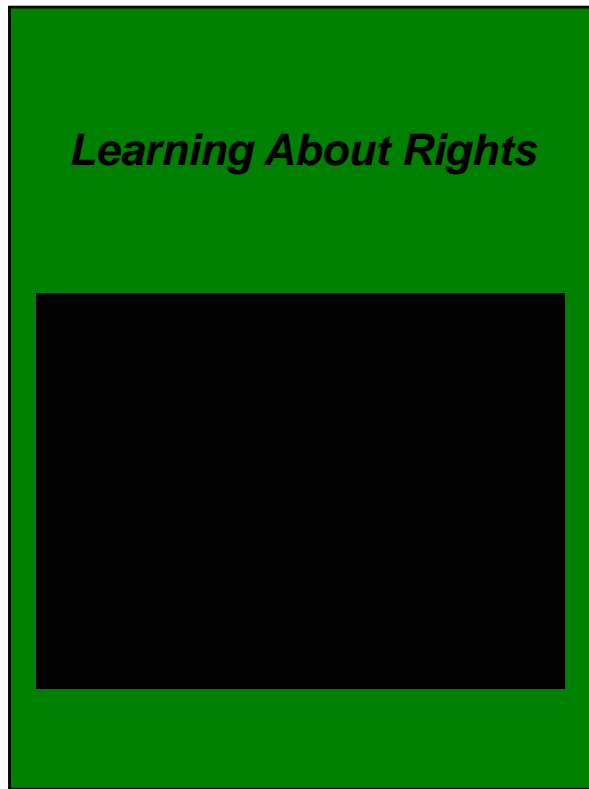
Who has human rights? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



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Theme 2: Rights and Responsibilities

### Rights & Responsibilities

This session is about the Victorian Charter of Human Rights and Responsibilities. A Charter is like a law.



You are an Australian citizen



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Every Australian Has Rights

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Theme 2: Rights and Responsibilities

### The Victorian Charter


The Victorian Government has made some rules about the way people living in Victoria should be treated.



Victorian Parliament

The Victorian Government has made some rules about the way people living in Victoria should be treated.

The Government has put these rules into something called The Charter of Human Rights and Responsibilities Act 2006.



6

Freedom

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**MY RIGHTS**  
Training Program

**Participant Notebook**

Role Play Activities  
 Participant Notebooks  
 Handouts

Victoria Department of Human Services  
 VALID

**The Disability Act**

Theme 3: The Disability Act

### The Disability Act 2006

The Disability Act 2006 (the Act) is a law. Act is another word for law. Laws are made by Governments. Governments make laws to protect the rights of people, and to make sure things are done properly.

**About the Disability Act 2006**

From 1 Jan 2006, the Disability Act 2006 (the Act) is the new legislation for people with a disability in Victoria. It replaces the Disability Services Act 1999 and Disability Services Act 1999.

The Act provides for:

- a change in the way government, schools and community respond to the rights and needs of people with a disability, and

**The Disability Act 2006**

**The Act replaced other laws**

**Disability Services Commission Information Sheet**

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**Services need to give you information**


Participant Notebook

### Key Message

You receive support from Disability Services.

Disability Act 2006  
Making a suggestion or complaint about your disability service provider

The Act talks about fixing complaints



Services need to meet standards

What kind of support do you receive?


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Theme 3: The Disability Act

### What the Act talks about

In order to live the way we want to, we all need different kinds of support and assistance. People with disabilities often need support to help them achieve their goals and meet their needs.



Services need to help you plan



You have the right to direct your own plan


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Theme 3: The Disability Act

## Senior Practitioner


People with a disability who have behaviours of concern might sometimes need some of their FRED rights restricted or reduced in order to protect them.



The Senior Practitioner protects rights



The Senior Practitioner sets guidelines and rules




The Senior Practitioner monitors restrictive treatment

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Theme 3: The Disability Act

## Planning


The Act says planning is all about the individual and should be directed by the person with a disability.



Planning should show respect for family and others



Look at all options and needs of the person



You can have one plan or different plans

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Theme 3: The Disability Act


# Checkpoint

Do you have the right to lead your own life? \_\_\_\_\_  
\_\_\_\_\_

Do you have the right to direct your own plan? \_\_\_\_\_  
\_\_\_\_\_

Do you have the right to get the support you need? \_\_\_\_\_  
\_\_\_\_\_

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## ***Making Complaints***



# MY RIGHTS Training Program

Participant Notebook



## Safeguarding Rights

Decision Resource Handbook

**VALID**  
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Theme 4: Safeguarding Rights

### Safeguarding Rights

This session is about safeguarding the rights of people who might need to have some of their rights reduced or restricted, or maybe damage things.



Safeguarding means 'protecting' or 'defending'



Sometimes people with a disability might harm themselves, hurt other people, or break things on purpose.


These ways of behaving are called 'behaviours of concern'.

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Theme 4: Safeguarding Rights

## Types of Restraints


Restricting or stopping people from doing harmful things is called 'restraint'. There are different types of restraint:



Chemical Restraint



Mechanical Restraint




Physical Restraint

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Participant Notebook

## Key Message

You have the right to ask why and how things are done to you



Seclusion



Sometimes stopping people from doing what they want might be best for them.


It might stop them from hurting themselves or other people.

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Theme 4: Safeguarding Rights

## Human Rights



Gina has rights too




rights can only be restricted if it's fair and reasonable, or if it's the least restrictive thing that can be done.

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Participant Notebook

## Key Message

Ask for help if you don't like things



The Disability Act 2006 says a person's rights can only be restricted (or taken away) if it's talked about and agreed to in the person's Behaviour Support Plan



What could we do to keep Gina safe?


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Theme 3: The Disability Act

### Getting the Balance Right

Sometimes it's hard to get the balance right - between the right to be safe and the right to be free.



Getting the balance right




That's why things always have to be talked about in the person's Behaviour Support Plan - to make sure independent people look at what's going on.

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Participant Notebook

### Key Message

Get help to make sure your service follows the rules



Independent person



People with a disability who are being restrained or secluded have the right to only be restrained or secluded when they are causing physical harm to themselves or someone else, or destroying property where doing so could cause harm.

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Theme 4: Safeguarding Rights

## Rules

If people are being restrained or secluded, there are rules that staff have to follow:

- Staff must explain to them why they are using these things and how it can help them
- Staff must fill in forms if they do these things
- There must be people who will check what staff do and help if people with a disability want these things to change or stop



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Theme 4: Safeguarding Rights

## Important Facts

\*Specific rights afforded under the Disability Act 2006 can be reduced to three core components:

- 1 **Why they are used** - (Restrictive interventions can only be used in limited circumstances to reduce harm and be of benefit)
- 2 **How they are used** - (They must meet specific conditions when used)
- 3 **There is an entitlement to review** - (Individuals subject to restrictive intervention have a right to have a say about, and question, their use)

Simplified even further the message might be:

- I can ask about why and how things are done to me
- I can ask for help if I don't like these things'

1. Examples of restrictive intervention permitted under the Act:
  - A **Chemical restraints** - e.g. mood-changing medications to reduce behaviours of concern such as hurting yourself or others.
  - B **Mechanical restraint** - e.g. splints to stop someone hurting themselves.
  - C **Seclusion** such as locking bedroom door to reduce harm to themselves or others.
2. Two areas of Compulsory Treatment are permitted under the Act:
  - A **Court order for criminal offense** e.g. if a magistrate says a person must do an anger management course.
  - B **Civil order through VCAT** where a person is detained for treatment for harming others - e.g. VCAT says they must live somewhere that runs special programs for people who have behaviours of concern.

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Theme 4: Safeguarding Rights

## Checkpoint

What is a behaviour of concern? \_\_\_\_\_  
\_\_\_\_\_

What is restraint? \_\_\_\_\_  
\_\_\_\_\_


What are some of the ways people might be restrained? \_\_\_\_\_  
\_\_\_\_\_

What is chemical restraint? \_\_\_\_\_  
\_\_\_\_\_

What might chemical restraint be used for? \_\_\_\_\_  
\_\_\_\_\_

What is mechanical restraint? \_\_\_\_\_  
\_\_\_\_\_

18 What might mechanical restraint be used for? \_\_\_\_\_  
\_\_\_\_\_



## *Learning about restrictive practices*

