



The **legal test** for deciding when someone is **deprived of their liberty** has changed.



A **legal test** is a set of rules.

These rules guide the way courts make decisions.



The **legal test** was changed by the **UK Supreme Court**.



The **UK Supreme Court** is the top court in the United Kingdom.



Some people with learning disabilities are stopped from leaving care homes and hospitals or are never left alone.



This can mean they are being **deprived of their liberty.**



The change to this legal test matters to them.



It also matters to other people with learning disabilities who need support to make some decisions.



This includes support to make decisions about where they live.

It includes support to make decisions about the care they receive.



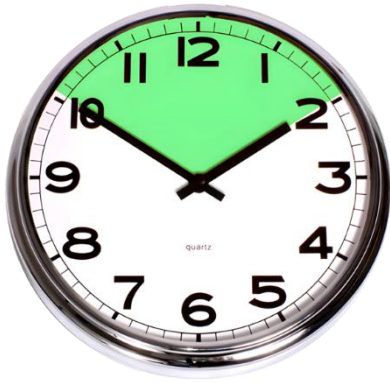
The court said decision makers need to treat everyone as an individual.



Decision makers need to look at what limits have been put on the persons freedom.



They need to think about why those limits have been put in place.



They need to think about how long these limits have been in place



They need to think about how the person feels about the limits to their freedom.



SCLD believes people with learning disabilities who are deprived of their liberty must have strong rights and **safeguards.**

Safeguards are things that are put in place to protect people from harm.



It is not always clear how someone is really feeling.



They may seem calm but be feeling very upset.



SCLD believes people with learning disabilities must have support to express how they feel.



They must have support to understand their choices.



People with learning disabilities must have access to advocacy.



They should have support to challenge decisions they do not agree with.



SCLD believes Scotland needs to change its laws to strengthen rights, dignity, choice and control.



SCLD will work with people with learning disabilities and their families to protect rights.