

Summary of Case Report AJB-518/2020

OPCAT Visit to the Platán Integrated Social Care Centre of Bács-Kiskun County

On October 21-22, 2020, the OPCAT National Preventive Mechanism (hereinafter referred to as: the "NPM") made an unannounced visit to the Platán Integrated Social Care Centre of Bács-Kiskun County (hereinafter referred to as: the "institution").

The second follow-up visit aimed to investigate the fulfilment of the recommendations of the previous Reports No. AJB-1686/2015 and AJB-3772/2017. The second follow-up also became necessary because the previous follow-up visit had revealed serious new irregularities, such as the overmedication of the inmates. The Report on Case No. AJB-3772/2017 made arrangements for the immediate termination of the simultaneous application of different antipsychotics, including bromide.

At the time of the visit, there were 97 residents with intellectual disability living in the institution, out of which only 6 inmates were not placed under guardianship and had full legal capacity.

The number of the personnel, nurses and carers, special education teachers, social and mental health workers complied with the prescriptions of the relevant Decree. Despite this, the Report repeated its recommendation already formulated in the previous Report No. AJB-3772/2017, i.e. that it would be advisable to employ a physiotherapist, with special regard to the fact that most of the inmates are not only intellectually or mentally disabled, but also physically weak due to the small amount of exercise in their everyday life. The Report also recommended that supervision should be provided for employees working in these physically and mentally demanding jobs of high responsibility in order to prevent burnout and to support the mental health of the employees. Moreover, it would be useful to create recreational opportunities, and allow for team building in various forms (e.g. excursions) in order to improve workplace atmosphere.

The institute has fulfilled the recommendation of Report No. AJB-3772/2017 on the creation of a conjugal room.

The visit did not establish any irregularities with regard to the layout and furnishing of the rooms and other premises, but pointed out that the condition of the court posed safety hazards.

It was concluded from the follow-up investigation that the medicalization of the inmates had been revised and there was no one who would have still received the bromide preparation. So far, the Report did not establish any irregularities, however, it drew attention to the fact that the residents should be informed of their respective diseases and the medicaments prescribed for them. The Report welcomed the fact that due to the new method of medicalization, the application of physical restrictive measures had been stopped.

As free-time activities, the institute organized several programs and excursions. Participation actually depended on the payment of the costs, which some of the residents could not afford. Also, the accessibility of the trips was not ensured in all cases. In this regard, the Report recommended to the operator of the Institute to provide the financial and material conditions for the participation of all inmates in the organized programs.

The visit revealed that the women placed in the home submitted themselves to the use of contraception pills upon the consent of their respective guardians. In this regard, the Report pointed to the relevant sections of the CRPD and the CEDAW, and also established an impropriety related to human dignity. The Report maintained the recommendation made to the Minister of Human Capacities in Report No. 372/2015 to have the relevant legal regulation amended in a way that would regulate cases when there is a disagreement between a woman under guardianship and her guardian as far as intrauterine contraceptive devices, sterilization and abortion are concerned.