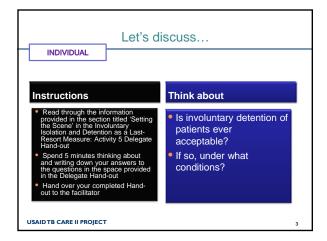
	Ethics of Tuberculosis Prevention, Care and Control			
	MODULE 9: INVOLUNTARY ISOLATION AND DETENTION AS LAST RESORT MEASURES			
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Objectives Upon completion of this module, you will be able to: Describe how a person-centred approach will help patients understand the benefits of TB treatment to themselves, their families and communities Discuss the specific ethical principles and criteria to be utilised in situations where involuntary isolation is being considered





Engaging the patient about treatment decisions

- TB treatment should be provided on a voluntary basis, with the patient's informed consent and cooperation
- Utilising a person-centred approach, incorporating education, counselling and support:

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- Shows respect
- Promotes autonomy
- Improves likelihood of adherence

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Community-based care and treatment - 1

- Treating TB patients at home with appropriate infection measures generally imposes no substantial risk to other household members
 - When diagnosis is made, household contacts have already been exposed
 - Risk of infection is reduced once effective treatment is initiated

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Community-based care and treatment - 2

- Successfully implemented in a number of different settings, including for patients with MDR- and XDR-TB
- Important to institute services and support structures to ensure that community-based care is as widely available as possible

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Ethical acceptability of involuntary isolation and detention

- Detention should NEVER be a routine component of TB programmes
- Interests of community members may justify efforts to isolate or detain patient involuntarily if patients:
- Do not adhere to the prescribed course of treatment
 Are unwilling or unable to comply with infection control measures
- Involuntary isolation and detention must be carefully limited and used only as very last resort, in certain specific conditions only after all voluntary measures to isolate such a patient have failed

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Ethical acceptability of involuntary isolation and detention -2

- Safeguards should be applied to the manner in which involuntary isolation or detention is implemented
- Applicable ethical and human rights principles must be considered and applied in the very rare cases where involuntary isolation and detention is being considered
- Siracusa Principles on the Limitation and Derogation of Provisions in the International Covenant on Civil and Political Rights, 1985
- Should be used to examine whether the necessary protections exist to restrict individual rights (i.e. detention)

United Nations Economic and Social Council. Siracusa principles of limitation and derogation of provisions in the International Covenau Political Rights, U.N. Doc. E/CN.4/1985/4, Annex. 1985

Siracusa Principles

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- Restriction is provided for and carried out in accordance with the law
- Restriction is in the interest of a legitimate objective of general interest
- Restriction is strictly necessary in a democratic society to achieve the objective
- There are no less intrusive and restrictive means available to reach the same objective
- Restriction is based on scientific evidence and not drafted or imposed arbitrarily i.e. in an unreasonable or otherwise discriminatory manner

Each of these criteria must be met and restrictions should be of a limited duration and subject to review and appeal USAIDTB CARE II PROJECT

Summary: Applying ethical principles in involuntary isolation or detention -1

Limited to exceptional circumstances when an individual:

- Is **known** to be **contagious**, **refuses treatment**, and all reasonable measures to ensure adherence have been attempted and proven **unsuccessful**
- Is known to be contagious, has agreed to ambulatory treatment, but lacks capacity to institute infection control in home
- Is highly likely to be contagious (based on symptoms and evidence of epidemiological risk factors) but refuses to undergo assessment of his/her infectious status

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Summary: Applying ethical principles in involuntary isolation or detention - 2

- Follow ethical and human rights principles (Siracusa Principles)
- Limit scope of government authority
- Provide due process protections for individuals whose liberty may be restricted
- Develop clear criteria and procedures for the use of non-voluntary measures, with involvement from TB patients and civil society

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Summary: Applying ethical principles in involuntary isolation or detention - 3

- In rare event that isolation or detention is to be used:
- Ensure adequate settings (other rights, eg health, food, housing must be maintained)
- Apply appropriate infection control measures
- Provide reasonable social supports to isolated patients and their dependents

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