

Disability Act 2006

Restrictive practice prohibitions under section 27(5B)

1. Purpose

The purpose of this prohibition is to:

- (a) prohibit use of the specified restrictive practices on NDIS participants and persons with a disability under section 27(5B) of the Act;
- (b) prohibit the use of restrictive practices on people with psycho-social disability under section 27(5B) of the Act; and
- (c) revoke the restrictive practice prohibitions dated 11 July 2019.

2. Authorising provision

This prohibition is made under section 27(5B) of the Act.

3. Term

This prohibition commences on the date it is signed and continues in effect until it is revoked or modified by the Senior Practitioner.

4. Definitions

In this prohibition:

- (a) 'Act' means the *Disability Act 2006*;
- (b) 'Disability', 'disability service provider', 'registered NDIS provider', 'Senior Practitioner', 'restrictive practices' and 'NDIS participant' have the same meaning as in the Act;
- (c) 'Physical restraint' has the same meaning as in the National Disability Insurance Scheme (Restrictive Practices and Behaviour Support) Rules 2018 (however titled) of the Commonwealth as in force from time to time; and
- (d) 'Psycho-social disability' means an impairment attributable to a psychiatric condition which meets the disability requirements of section 24 of the *National Disability Insurance Scheme Act 2013* (Cth).

5. Prohibitions

I, Frank Lambrick, Senior Practitioner, under section 27(5B) of the Act:

- (a) revoke the restrictive practices prohibitions made by me dated 11 July 2019;
- (b) prohibit disability service providers and registered NDIS providers from using the following forms of physical restraint on an NDIS participant or any person with a disability:
 - i. the use of prone restraint (subduing a person by forcing them into a face-down position)
 - ii. the use of supine restraint (subduing a person by forcing them into a face-up position)
 - iii. pin downs (subduing a person by holding down their limbs or any part of the body, such as their arms or legs)
 - iv. basket holds (subduing a person by wrapping your arm/s around their upper and/or lower body)
 - v. takedown techniques (subduing a person by forcing them to free-fall to the floor or by forcing them to fall to the floor with support)
 - vi. any physical restraint that has the purpose or effect of restraining or inhibiting a person's respiratory or digestive functioning

- vii. any physical restraint that has the effect of pushing the person's head forward onto their chest
 - viii. any physical restraint that has the purpose or effect of compelling a person's compliance through the infliction of pain, hyperextension of joints, or by applying pressure to the chest or joints; and
- (c) prohibit registered NDIS providers from using restrictive practices on any person with a psycho-social disability unless the person also meets the requirements for another type of disability under section 24 of the *National Disability Insurance Scheme Act 2013 (Cth)*.

Signed this Fifth day of September 2019

A handwritten signature in black ink, appearing to read 'F. Lambrick', written in a cursive style.

Dr Frank Lambrick, Victorian Senior Practitioner