

Children and adults with learning disabilities will face more challenges in learning how to do things, adapting to new situations and coping independently. There can be a great variation in the degree of learning disability: it may be so mild that it is barely noticeable, or it may be so profound that some people will always require help and support in every aspect of their lives.

Causes

Learning disability is a life-long condition that usually starts before adulthood. Anyone can have a baby with a learning disability, and there are many causes of this happening, some of which are not yet fully understood. Events before birth that could cause learning difficulties include maternal infection such as Rubella (German measles), diet deficiency and interrupted oxygen supply. Some childhood infections can affect the brain causing learning disability; the most common examples being encephalitis and meningitis. Social and environmental factors, such as poor housing conditions, poor diet and health care, lack of stimulation and abuse may also play a part, as can the incidence of severe head injury. As can be seen from the above, “Learning disabilities” is an umbrella term that covers a wide range of different syndromes and conditions and people will vary hugely in their abilities. Some severe learning disabilities may be accompanied by physical disabilities such as hearing impairment, visual impairment, language difficulties and behavioural difficulties.

Mental Illness

Learning disabilities are not the same as mental illness. Mental illness can take many forms, from depression and anxiety to schizophrenia. Many of these conditions can be cured or controlled and many are short term. Anyone can develop a mental illness including people with learning disabilities, but learning disabilities cannot be “cured”. For further information on mental illness see Sacro Briefing Paper no. 9 Mental Health.

Needs of people with Learning Disabilities

The needs of people with learning disabilities are principally social and educational. The Scottish Learning Disabilities Observatory estimate that there are about 126,000 people in Scotland with learning disabilities. Only a minority of these people are in regular contact with local authorities and health services. Most affected people live in the community. Most people with learning disabilities are unable to find work and rely on welfare benefits. The majority of people with learning disabilities live at home with their families, particularly their parents. Many will outlive their parents. There is no reason why adults with learning disabilities cannot live in the community. There are different types of housing and support options for people with learning disabilities:

- > People can either live alone or with a few other people.
- > People can live in a residential home, or have a tenancy, or own their own home.
- > People can have staff support for up to 24 hours a day, if required, or for just a few hours to help with certain tasks or no support if they can manage on their own.

Learning Disabilities in Scotland: <https://tinyurl.com/36bxhucf>

Support: <https://www.enable.org.uk/>

Mediation and Learning Disabilities

A mediator should be more concerned with the person as an individual rather than the cause of their disability. People with learning difficulties may want to speak for themselves. This may not be obvious because they may have practical difficulties in speaking and generally communicating with others; more often it may be because their opinions have been dismissed or disregarded by others who think they know best. Even people with severe learning difficulties are capable of expressing themselves in some way and indicating what they want. The mediator must have a flexible approach and time may need to be taken to ensure understanding, particularly of difficult language or jargon. Some people with learning disabilities find it hard to say what they want. Reasons for this include physical disability, lack of practice, not being taken seriously previously or fear of the consequences. They may therefore be, and feel vulnerable, and not able to influence decisions and events in their lives.

Preparation on the part of the mediator becomes particularly important, including specifically the practical arrangements for any face-to-face meeting. The way that information is delivered to the person with learning disabilities may also have to be modified to ensure that the person can understand. It may be that the person requires assistance by way of an advocate or supporter. Such representatives should be committed to the principles of empowerment and self advocacy and should assist the person with the learning disability, not dominate them.

There is no reason why a person with a learning disability may not in certain circumstances act as a mediator, given appropriate training.

As in all mediation situations the mediator must be aware of the particular areas that might require extra thought or attention and be empathic to the varying needs of people with learning disabilities.

This is one in a series of briefing papers on Community Mediation for practising and trainee mediators.

Published by the Scottish Community Mediation Centre

Sacro, 17 Gayfield Square, Edinburgh EH1 3NX

tel: 0131 624 7263

email: info@scmc.org.uk

web: www.scmc.sacro.org.uk

sacro