

PRESSER:

A STEP TOWARDS REALISATION OF RIGHTS FOR PERSONS WITH AUTISM.

Government of Uganda has been ordered to provide community-based care to persons and families having children suffering from autism. The judgement was made on the 15th day of March 2022 by Justice Dr. Winifred N Nabisinde of the High Court of Uganda at Jinja. A minor, Perez Mwase who has an autism spectrum disorder filed a case with his mother -Namwebya Lovisa and civil society organisations. Court has found that, the government violates the rights to equality, health and human dignity of persons suffering autism spectrum disorder and their families if they fail to provide early detection, rehabilitation and habilitation services in communities.

According to the Uganda Bureau of Statistics figures of 2014, Autism Spectrum Disorder prevalence was put at 70 out of 10,000 persons at a population of approximately 35 million people. However, the Government of Uganda has not taken any steps to provide community based facilities or services to cater for their needs. This is coupled with lack of knowledge and sensitization of the community about autism which leads persons with autism to often be classified by people as victims of mental sickness, witchcraft or bad omen to the family. They are often subjected to psychiatric services and confinement which further results into brain damage. This has made persons living with Autism for a long time to suffer various human rights violations among which include the right to health, right to equality and freedom from discrimination and right to human dignity.

With support from Validity Foundation, the family of Perez Mwase has been working with several civil society organisations including the Center for Food and Adequate Living Rights (CEFR OHT) who represented the family court.

The mother states that at the age of 4 years (2004), she noticed that her son was not developing normally. She visited several health facilities to establish the son's condition but she was unsuccessful in finding out what the son was suffering from. Overwhelmed by her son's condition, she resorted to tying him with a rope on a tree since he would run in the village and community members would beat him since they also didn't understand autism. It was not until November 2016 that Perez Mwase was introduced to Dr. Catherine Abbo a child and Adolescent Psychiatrist who diagnosed him with a severe form of a neurodevelopment disorder called Autism Spectrum Disorder. In 2020, Perez Mwase was taken under the care of Embrace Kulture an organisation focusing at addressing the plight of young adults with intellectual conditions such as autism and his condition has currently greatly improved.

In her ruling, Justice Dr. Winifred N Nabisinde directed the Government to develop clinical practice guidelines for the management of patients with Autism Spectrum Disorders in primary health care. She further ordered Government to take necessary steps to provide supportive social services to persons with Autism within their primary health care level through medical through medical specialty and assistance, personal services, speech and language therapy, social skills instructions, occupational therapy and sensory integration therapy.

“...I am happy that my son finally attains justice. It is my prayer that no parent or child goes through this situation that I and my son did...” said Namwebya Lovisa- the mother to Perez Mwase.

“...As CEFROHT, we are grateful that court recognized that the Government’s obligation to protect, respect and promote fundamental rights and freedoms of peoples with Autism and held it liable for omitting to provide early detection, rehabilitation and habilitation services of persons with autism at the primary health center of Perez Mwase...” said Kabanda David- the Executive Director, Center for Food and Adequate Living Rights (CEFROHT)

CEFROHT therefore calls upon Government to implement this judgment and take progressive steps towards managing persons with Autism not only in Buyende district but all primary health care centers in the country.

FOR MORE INFORMATION please call 0800111433 (toll free) or write to info@cefroht.org