

FOCUS AREA OF THE 1X SESSION OF THE OPEN-ENDED WORKING GROUP ON AGEING

LESOTHO'S SUBMISSION.

LONG TERM CARE AND PALLIATIVE CARE

- 1. In your country/region, how is long-term care for older persons defined and provided for in legal and policy frameworks? What types of support and services are covered?**

ANSWER: There is no policy or Law that clearly defines long term care in Lesotho. However looking at the situation of older persons in as far as long term care, it should provide for a system of care by both formal and informal care givers. It should allow an elderly to participate in the decision making processes for a long term care but in cognisance of the elderly people who due to their health conditions may not be capable of making a decision for themselves and would require the professional assistance to do that. It should be culture sensitive and provide for physical health needs, daily living assistance as well as spiritual needs.

- The Lesotho Policy for Older Persons 2014 adopted a right based approach to services including health care and is committed to establishing comprehensive outreach programmes at community level.
- It also provides for government support to institutions caring for older persons
- Advocates for formation of support groups for care of older persons in the community.

- 2. What are the specific challenges faced by older persons in accessing long-term care?**

ANSWER: Costly health services at hospital level. Lesotho has free health services for all but this is limited to lower level which is the clinic level, while the hospital level and other special health needs are to be paid for. There is also Geriatric ward within the Mental hospital at Central level which is not well resourced hence underutilisation and therefore not very functional

- Neglect by family members
- Lack of expertise by family members on how to care for an older person with chronic illnesses.
- Abuse by family members
- Negative attitudes by Health professionals
- limited access to services

- 3. What measures have been taken/ What are necessary to ensure high-quality and sustainable long-term care systems for older persons, including for example:**

ANSWER: Although Lesotho does not have a long term care program yet, the constitution advocates for equal opportunities for all citizens and that no one should be discriminated against when providing services.

- Autonomy and free, prior and informed consent of older persons in relation to their long-term care and support?

ANSWER: Older persons are informed for any decision that is to be taken towards their health problems and family members have to give consent for high level treatment such as operations.

Progressive elimination of all restrictive practices (such as detention, seclusion, chemical and physical restraint) in long term care?

ANSWER: Lesotho is yet to establish a Long Term Care for cancer patients including the elderly with cancer, so there hasn't been any practice yet that can be used as a reference to this question.

Sustainable financing of long-term care and support services?

ANSWER: No Budget yet but when the process to establishment the long term care program government shall allocate budget for this service.

Redress and remedy in case of abuse and violations

ANSWER: The government is starting the process of drafting the Law that protects the rights and wellbeing of older persons that will include regulations and guidelines to operate the long term care and address issues of abuse and violations.

4. What other rights are essential for the enjoyment of the right to long-term care by older persons, or affected by the non-enjoyment of this right?

ANSWER: The following rights would be included as essential in the establishment of a long term care:

- right to religious and cultural preferences
- right to freedom of choice
- right to geriatric care
- right to psychosocial care and support services especially for patients of cancer and dementia.
- the rights to enjoy leisure indoors, to go out with close family members and friends.

5. In your country/region, how is palliative care defined in legal and policy framework?

ANSWER: The elderly groups in Lesotho would like to see the WHO definition of palliative care incorporated in the national policy, because it articulates a holistic approach and recognises physical, social and spiritual care as well as treatment of pain and other symptoms. However the Lesotho Policy for Older persons 2014 states that government shall build the capacity of families and communities to provide care for older persons.

6. What are the specific needs and challenges facing older persons regarding end-of-life care? Are there studies, data and evidence available?

ANSWER: Although there are no studies, the general observation is that, older people are faced with the challenges of poverty and neglect by family members as a result they face end of life without proper care or are completely on their own with minimal support from community members and neighbours.

7. To what extent is palliative care available to all older persons on a non-discriminatory basis?

ANSWER: There is no palliative care program for older persons yet.

8. How is palliative care provided, in relation to long-term care as described above and other support services for older persons?

ANSWER: None. However other support services include the awareness raising program on cancer and training communities on care and support

9. Are there good practices available in terms of long-term care and palliative care? What are lessons learned from human rights perspective?

ANSWER: Currently the good practices are: the continuous training of community support groups on how to care for patients and refer patients with different communicable diseases regardless of age.

There is a respect for patients' cultural and religious preferences while being treated at the hospital level.

From the Human rights perspective the Lesotho constitution prohibits discrimination in the provision of services regardless of age. However older persons are not aware of their rights and are therefore not able to claim them. This is the area that needs a lot of advocacy and education by the government and non-state actors.

2. The right to palliative care

2.1 Definition

How should palliative care be defined?

2.2 Material scope

Types of support and services

What types of palliative care services fall within the scope of this right?

How should palliative care services be adapted and sensitive to the individual needs of older persons?

Location

In what locations should the right to, and provision of palliative care services apply?

What steps must be take to ensure older persons are able to live in the community when receiving palliative care?

2.3 Autonomy

What steps must be in place to ensure the autonomy and free, prior and informed consent of older person in relation to their palliative care?

2.4 Quality of care and support

What steps must States take to ensure the quality and standards of palliative care services?

2.5 Remedies, sanctions and enforcement

What mechanism should older persons in receipt of palliative care have access to seek redress for violations of their rights or crimes against them?

2.6 Interdependence with other rights

What other rights must be protected in the context of palliative care?