

RCEM Position Statement on Deprivation of Liberty Safeguards (DoLS)

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The use of a Deprivation of Liberty Safeguards (DoLS) authorisation within an Emergency Department is inappropriate. An Emergency Department is designed for acute assessment, rapid intervention, and short-term stabilisation, not for the ongoing care and supervision required under a deprivation of liberty framework.

The environment within an Emergency Department is often busy, overstimulating, noisy, and lacking in privacy, which can significantly increase distress, confusion, agitation, and disorientation for vulnerable patients, particularly those with cognitive impairment, dementia, delirium, or mental health needs. It is therefore not considered a suitable therapeutic or least restrictive environment for an individual to be kept for any prolonged period of time.

DoLS authorisations are intended to ensure that any deprivation of liberty occurs in an appropriate care setting where the person's needs, dignity, safety, and rights can be properly assessed and supported. Emergency Departments are not commissioned, staffed, or structured to provide this level of ongoing care or safeguards.

Where a patient lacks capacity and requires restrictions to prevent immediate harm whilst awaiting admission, treatment, or transfer, this should be managed under the principles of the Mental Capacity Act 2005 using the least restrictive options necessary and for the shortest possible duration. Consideration should be given to urgent transfer to a more appropriate ward or care environment as soon as reasonably practicable.

The Royal College of Emergency Medicine is strongly opposed to the implementation of a DoLS in the Emergency Department as this is an indication of an upstream blockage. It is inappropriate for patients to be kept in an emergency department for any length of time and the implementation of a DoLS is admission from the system that such a setting, which is detrimental to the persons physical and mental health, is acceptable

This statement covers DoLS and Liberty Protection Safeguards (LPS)