



Human Rights –

Services & people with disability

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About People with Disability Australia



- Organisation of and for people with disability (since 1981)
- Only people with disability elected to the Board
- Cross-disability human rights organisation
- Special Consultative Status to the UN Economic and Social Commission (ECOSOC)
- Participated in the development of the Convention on the Rights of Persons with Disabilities (CRPD)

United Nations Convention on the Rights of Persons with Disabilities (CRPD)



- Adopted by the United Nations (UN) in December 2006
- Ratified by the Australian Government July 2008
- International law that applies existing human rights to people with disability
- Shift from ‘charity’ and ‘medical model’ of disability:
 - ‘disability’ (problem) located in the individual
 - Individual becomes an **object** of ‘care’, ‘cure’, ‘medical interventions’, ‘welfare’ (passive recipients of care)

United Nations Convention on the Rights of Persons with Disabilities (CRPD)



- Social model of disability:
 - Impairment of individual is part of human diversity (not the problem)
 - ‘disability’ (problem) located in the environment (discrimination)

- People with disability are **subjects** of rights:
 - they must enjoy all human rights and fundamental freedoms on an equal basis with others
 - active holders of rights

Key CRPD Articles



Article 4: General Obligations

- Obligation to consult with, and actively involve people with disability, including children with disability, through their representative organisations (paragraph 3):
 - Development & implementation of legislation and policy;
 - Decision-making processes relating to people with disability

Nothing about us, without us

Key CRPD Articles



Article 20: Personal mobility

- People with disability have a right to:
 - choose the type of mobility aid or conveyance;
 - choose the time to mobilise (not have imposed schedules);
 - mobilise at an affordable cost;
 - quality mobility aids, devices, assistive technologies and intermediaries (guide dogs, sign language interpreters);
 - Be effectively trained in mobility skills;
 - Trained specialist staff.

Key CRPD Articles



Article 26: Habilitation and rehabilitation

- People with disability have a right to services that:
 - Enable peer support;
 - Are voluntary and enable their participation and inclusion;
 - Achieve maximum independence and full inclusion and participation in all aspects of life;
 - Focus on multidisciplinary assessment of their individual needs and strengths;
 - Are available in local communities, including rural areas;
 - Have trained specialist staff.

Declaration on the Rights of Indigenous Persons



- adopted by the UN in Sept 2007;
- Australia gave formal support in April 2009;
- comprehensive standard on human rights for Indigenous Peoples;
- not legally binding but an aspirational set of principles;
- strong relevance for countries that have a record of colonisation and dispossession of Indigenous peoples;
- sweeping requirements in relation to recognising self-determination rights for Indigenous peoples.

Key Declaration Articles



Article 21 and 22 requires:

- effective measures to ensure continuing improvement of their economic and social situation;
- particular attention to be given to the rights and needs of indigenous elders, women, youth, children and people with disability.

Article 23 states that Indigenous peoples have the right to:

- determine and develop priorities and strategies for exercising their right to development;
- be actively involved in developing and determining health, housing and other economic and social programs affecting them; and
- as far as possible, administer such programs through their own institutions.

What can services do?



- Use CRPD and the Declaration as frameworks for service design, implementation and evaluation;
- Align Strategic Plans and policies with CRPD and the Declaration;
- Facilitate active and genuine participation of Aboriginal and Torres Strait Islander people with disability and their representative organisations:
 - Develop community partnerships with formal “MOUs” that give ownership and control to Aboriginal and Torres Strait Islander people with disability;
 - Representatives on advisory / steering committees; the board; service design and practice working groups; monitoring and evaluation mechanisms;

What can services do?



- Develop new service models and methods:
 - community development practice and community based rehabilitation;
 - genuine partnerships and recognition of expertise;
 - community control, ownership and decision-making;
 - building community knowledge, expertise and control.