



Implementing the Convention on the Rights of Persons with Disabilities: A resource for service providers

Plain English

*Supporting people to achieve
dignity without restraints*

This book is about the Convention on the Rights of Persons with Disabilities. We will shorten this to CRPD.

We think that it is important for everyone in disability services to understand the CRPD. Everyone has a role in following the CRPD. We think that following the CRPD is the right thing to do.

This book helps you think about the CRPD. Think about these questions:

- What is the CRPD?
- What are you and your service doing about CRPD?
- What things are you doing well already?
- What do you need to do better?

This book was written for staff in disability services. This book is written in Plain English. There are lots of other books about the CRPD if you want to learn more.

What is the Convention on the Rights of Persons with Disabilities?

People from many different countries got together. They were worried about the rights of people with disabilities. The United Nations had said that everyone has human rights, but people with disabilities were still missing out. They decided to write up rights for the people with disabilities all over the world.

So lots of people got together. They got together with people with disabilities too. They wrote the Convention on the Rights of Person with Disabilities (CRPD). The United Nations said it was good and shared it with all countries.

The government of Australia read the CRPD and said that they agreed with what it said. They said that they would try to do everything written in the CRPD. Many other countries said they agreed with it too.

The CRPD is a list of rights written for people with disabilities. They are special ideas for people to think about. Some of the rights are very clear. Some of the rights take a lot more thinking, because different people might think of different things when they read it. This means they may need explaining.

There are 50 important points written in the CRPD. Each of these points is called an article. Some of the articles are about how to think about the rights, some of them are the rights, and some of them are about how to make sure the rights are being followed.

Some of the rights have to be done now. Some of the rights might take time to make happen.

Ways of thinking about rights

There are lots of different ways to think about the rights in the CRPD. The CRPD talks about these four different ways:

- Recognise: this means having laws to follow the right
- Respect: this means not doing something that would take this right away from someone
- Protect: this means making sure that services outside of the government don't go against the right
- Fulfil: this means taking steps to make sure everyone has this right in their life.

Here is an example of this thinking with the right *Right to Life*

Ways of thinking	What to do
Recognise	<p>Have laws to say that people with a disability have a right to life.</p> <p>Show everyone in Australia that people with disabilities are important and valuable.</p>
Respect	<p>Get rid of the death penalty (killing people who have broken the law).</p> <p>Make sure the army and police don't kill people with disabilities.</p>
Protect	<p>Make laws to say you can not kill people with disabilities.</p> <p>Make sure people with disabilities get looked after properly in hospitals – just like people without a disability.</p>
Fulfil	<p>Make sure that important health information is available to people with disabilities. For example, smoking is bad for people's health.</p> <p>Make sure that there are special health programs for people with disabilities when they need them. This helps them to live a healthy life.</p>

The rights in the Convention on the Rights of Persons with Disabilities

In this section we will tell you about the rights in the CRPD.

We will explain what the right means and give you an example of the right happening in Victoria.

We will give you questions to think about how you are going with the right for the people you support. It is important that you think about the question. There might be things that you are doing well. There might be things that you and your service can do better. These are good things to work on.

Right

Equality and non-discrimination (Article 5)

What does it mean?

People with disabilities are equal to everyone else under the law. People with disabilities should not be discriminated against. Sometimes special supports are needed for people with disabilities so that they can be involved.

Example

A team leader changes a meeting time so a worker with a disability can get there on time.

For you to think about

Do you make sure that people with disability aren't discriminated against?

Do you make changes so that people with disabilities can be involved?

Right	What does it mean?	Example	For you to think about
Equality and non-discrimination (Article 5)	People with disabilities are equal to everyone else under the law. People with disabilities should not be discriminated against. Sometimes special supports are needed for people with disabilities so that they can be involved.	A team leader changes a meeting time so a worker with a disability can get there on time.	Do you make sure that people with disability aren't discriminated against? Do you make changes so that people with disabilities can be involved?
Women with disabilities (Article 6)	Women and girls have rights. We have to take special notice of them so they don't miss out.	A disability service asks women with a disability what needs to happen.	Do you help women with disabilities be stronger and involved?
Children with disabilities (Article 7)	Children with disabilities have rights. They have a right to be children and a right to have their say.	Teenagers with disabilities get a say about programs for them.	Do children in your service get to have a say?
Awareness-raising (Article 8)	People with disabilities have abilities and give something to society. Countries must let everybody know this.	A disability service made a kit for journalists. The kit teaches journalists how to write fairly about people with disability.	Do you talk positively about people with a disability?
Accessibility (Article 9)	People with a disability have a right to access buildings, transport, and information.	Money is given to a service to help them make their website accessible to people with a disability.	Is your building accessible? Is your information accessible?

Right	What does it mean?	Example	For you to think about
Right to life (Article 10)	People with a disability have a right to life. This includes being born and continuing to live as best as possible.	Big public health campaigns (e.g., anti-smoking) include people with disabilities.	Does your services help people live a long healthy life?
Situations of risk and humanitarian emergencies (Article 11)	Sometimes there are wars and natural disasters. People with disabilities have the right to life here too.	A disaster response plan has strategies for evacuating people with disabilities.	Does your service have a plan for people's safety in an emergency?
Equal recognition before the law (Article 12)	People with a disability have the same rights under the law as everyone else. They have a right to make choices and get the help they need to make choices.	A person with a disability is involved in choosing the staff at their service.	Does your service help people make choices about their own money?
Access to justice (Article 13)	People with a disability have a right to justice. This means being involved in the law.	A person with a disability has an independent support person when they have an interview with the police.	How does your service assist people to access justice?
Liberty and security of person (Article 14)	People with a disability have a right to be free like everyone else. They can not be locked up just because they have a disability.	A service makes a decision to not use physical restraint.	Does your service support people's freedom?
Freedom from torture or cruel, inhuman or degrading treatment or punishment (Article 15)	Torture is anything that deliberately causes pain or suffering to another person. People with a disability have a right to be free from torture and being treated cruelly.	A service teaches the staff to sign with a deaf blind man to reduce his isolation. Being isolated can be a type of cruelty.	How does your service make sure people are not degraded or treated cruelly?

Right	What does it mean?	Example	For you to think about
Freedom from exploitation, violence and abuse (Article 16)	People with a disability have a right to free from being taken advantage of and being abused.	Police are trained to look at the violence that might happen in group homes.	Can you recognise exploitation, violence, and abuse? Do you know how to help a person?
Protecting the integrity of the person (Article 17)	The integrity of a person with a disability must be protected. This means each person must be seen as someone with feelings, thoughts and the need for safety.	A service says they won't use psychosocial restraint (using harsh emotions and words to block people). They won't say to people "you'll be in trouble with the house supervisor" and "if you do that, you won't get dinner".	How do you make sure that people with disabilities are treated with respect?
Liberty of movement and nationality (Article 18)	People with a disability have the right to live in different states or countries. Children with a disability have a right to live with their family.	A service is planned for a remote Aboriginal community so a person can get help there. They won't have to live in the city to get help.	Can people with a disability choose where they live in your service?
Living independently and being included in the community (Article 19)	People have a right to live as a part of the community. They have a right to be involved in the community.	A big residential hostel for people with disabilities is closed, and people are moved to small places that they choose.	How do you help people be a part of their community?
Personal mobility (Article 20)	People with a disability have a right to get about. This means they have a right to a wheelchair, walking frame or guide dog if they need one.	A bus company makes their signs bigger and clearer so people can read them easily.	Does your service support people to move around?

Right	What does it mean?	Example	For you to think about
Freedom of expression and opinion, and access to information (Article 21)	People with a disability have a right to get meaningful information, and a right to say what they think.	People with disabilities are included in reviews of the service. They are asked what they think.	Does your service adapt information so everyone can understand it?
Respect for privacy (Article 22)	People with disability have a right to have their privacy respected.	Self-closing bathroom doors are set up in a house so people can have privacy in the bathroom.	Do you give people privacy when they are on the phone?
Respect for the home and the family (Article 23)	People with a disability to marry and start a family if they choose. Children with a disability have a right to live with their family.	A mother with a disability is supported to learn the skills she needs to care for her child.	Does your service recognise the right of people with disabilities to have relationships?
Education (Article 24)	People with a disability have a right to education. This includes children and adults.	A service helps a person with a disability get an apprenticeship.	Does your service support people have education?
Health (Article 25)	People with a disability have a right to the same quality healthcare as everyone else. They must not be discriminated because of their disability.	A service decides that the key worker must take people with a disability to their annual health check.	Do you think the people that you support get the best quality healthcare?
Habilitation and rehabilitation (Article 26)	People with a disability have a right to develop new skills, and have help to get back lost skills (e.g., if they had an accident and lost skills).	An occupational therapist makes a special stick so a person with a disability can pull their socks on themselves.	How do you support people to develop their skills?

Right	What does it mean?	Example	For you to think about
Work and employment (Article 27)	People with a disability have a right to choose a job and governments should help create jobs.	A woman with a disability is helped to do a job walking dogs and delivering newspapers.	Does your service help people with disabilities get jobs?
Adequate standard of living and social protection (Article 28)	People with a disability have a right to have a good life. This includes having food, clothes, and a house.	A big housing service plan that 1 in every 10 house will be accessible for people with a disability.	How do you support people to have a good standard of living?
Participation in political and public life (Article 29)	People with disability have political rights just like other people. They can be involved in politics and can vote.	A key worker lets the electoral commission know when a person with a disability moves so she can still vote.	How do you support people to be involved in politics?
Participation in cultural life, recreation, leisure and sport (Article 30)	People with disability have a right to culture and activity. These things should be accessible to people with disabilities.	A person with a disability is supported every week to watch his footy team.	Do you support people to be involved in sports and arts?

There are some more key points in the CRPD. There is an article about collecting information about people with disabilities. There is an article about making sure the country is doing work on the CRPD and making things better.

Learning More about the Convention on the Rights of Persons with Disabilities

There are lots of places to learn more about the Convention on the Rights of Person with Disabilities.

Here are some websites:

- UN Enable
www.un.org/disabilities
- UN High Commission for Human Rights
www.ohchr.org/EN/HRBodies/CRPD
- Australian Human Rights Commission
www.hreoc.gov.au/disability_rights/convention.htm
- Centre for Universal Design
www.design.ncsu.edu/cud
- Office of the Senior Practitioner
www.dhs.vic.gov.au/for-individuals/your-rights/offices-protecting-rights/office-of-the-senior-practitioner

You can also read the full report *Implementing the Convention on the Rights of Persons with Disabilities: Self-audit guide*.

Accessibility

If you would like to receive this publication in an accessible format, such as large print or audio, please telephone (03) 9096 8427, 133 677 (TTY), or email seniorpractitioner@dhs.vic.gov.au