



Human Rights
Commission

Te Kāhui Tika Tangata

Ki te whanau haua, kia ora | To disabled people, be well.

Diversity, the Disability Rights Convention, and the health and wellbeing
of disabled people

Enrolled Nurses Conference, Crowne Plaza, Auckland

17 May 2017.

Paul Gibson

Disability Rights Commissioner

Kaihautu Tika Hauātanga.

Mihi | Introduction



What is disability?

Who are disabled people?

- Impairment – what I have
- Disablement – what happens to me

“Who I am is OK, what happens to me is not”

Welcoming diversity vs curing deficits

Aotearoa NZ context

- 24% of NZ population are disabled
- Over 50% of that population is entering health services
- Increasing with age
- Health and Disability services code of rights
- Health and Disability Commissioner
- Distinct from Disability Rights Commissioner

UN Convention on the Rights of Persons with Disabilities (CRPD)

Long term impairments

- Physical
- Sensory
- Mental
- Intellectual

Barriers to participation



UN Convention on the Rights of Persons with Disabilities (CRPD)

cont'd

This also includes:

- Older disabled people
- Disabled children
- Neuro disability
- Congenital, acquired
- Journey and identity

UN Convention on the Rights of Persons with Disabilities (CRPD) cont'd

Principles

- Respect, inherent dignity
- Autonomy
- Diversity

From objects to subjects

From medical / charity to social / human rights model

Development of CRPD



- International law
- voices of affected "nothing about us without us"
- balancing, prioritising vulnerable
- "leave no one behind"
- Robert Martin, institution survivor

Key Articles

- Right to make decisions with support (Art. 12)
- Living in the Community (Art. 19)
- Family life (Art. 23)
- Health (Art. 25)
- Rehabilitation (Art. 26)

Health Article

- Highest attainable standard of health including mental health
- “know me before you judge me”
- Right to be treated by clinicians trained in ethics, human rights
- General health services and health services related to impairment

Recent issues and complaints

- Mental health, detention, forced treatment
- Right to retain fertility, sterilisation
- Historic abuse in state care
- Screening, Down Syndrome
- Autism and behavioural issues
- Communication, access to information

Health services and disability services

- Key relationships
- Health services - clinician patient
- Disability services - citizen community
- Where does expertise lie?
- Questions of partnership?



What makes and keeps people well

- What is care? What is quality of life? Who decides?
- The role of nurses
- Good people take on caring roles
- Customer service?
- Florence Nightingale



Summary

- Nothing about me without me
- Who I am is ok, what happens to me is not
- KNOW me before you judge me
- Leave no one behind

Ki nga kaitiaki, kia ora

Ki te whanau haua kia ora



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Thank you for your time.

Kia ora.

“No pessimist ever discovered the secret of the stars, or sailed to an uncharted land, or opened a new doorway for the human spirit.”

- Helen Keller