



# **Sorry: Celebrating New Zealand's global success and acknowledging our past**

Paul Gibson

Disability Rights Commissioner

# Where do human rights come from?

- Tangata Whenua
- He aha te mea nui o te ao?
- He tangata, he tangata, he tangata



# Where do human rights come from?

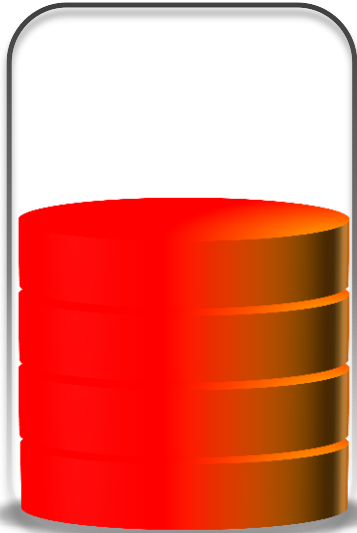
- Tauwiwi, eastern and western traditions
- The recognition of the inherent dignity and human rights of every person are the foundation of freedom, justice and peace in the world – Universal Declaration of Human Rights, UN 1948
- A response to the atrocities of World War 2, including those committed by health and disability professionals

# Rights

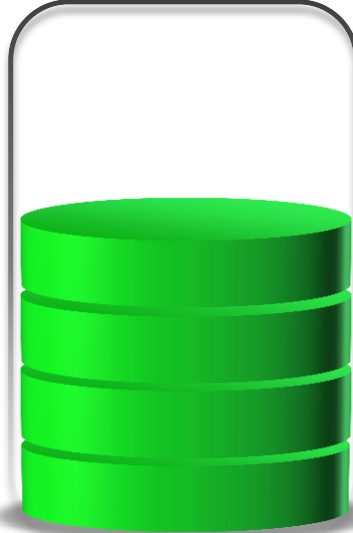
- A claim backed by reasonable justification
- Human, property, environmental
- Aspirational, legal, realised
- Moral weight of collective aspiration
- Intrinsic vs instrumental



# A Human Rights Approach



International  
conventions



Voices of affected



Balance, prioritise  
rights of  
vulnerable

# The Treaty of Waitangi

- Aotearoa New Zealand's founding document
- The promise of two peoples to take the best possible care of each other
- Its about all of us



# New Zealand's human rights history

- Foundations of peaceful protest in Parihaka
- First nation where women gained vote
- First town to elect transgender Mayor, then MP



# New Zealand's human rights history - continued

- Championed no nukes across Pacific
- Health and Disability Act and Code of Rights
- Took most vulnerable of refugees
- Led development of disability convention



# Development of disability convention

- Global disability rights movement
- Standard rules, Mary O'Hagan
- Robert Martin
- Family coercion, institutions
- Kiwi with learning disability as global leader



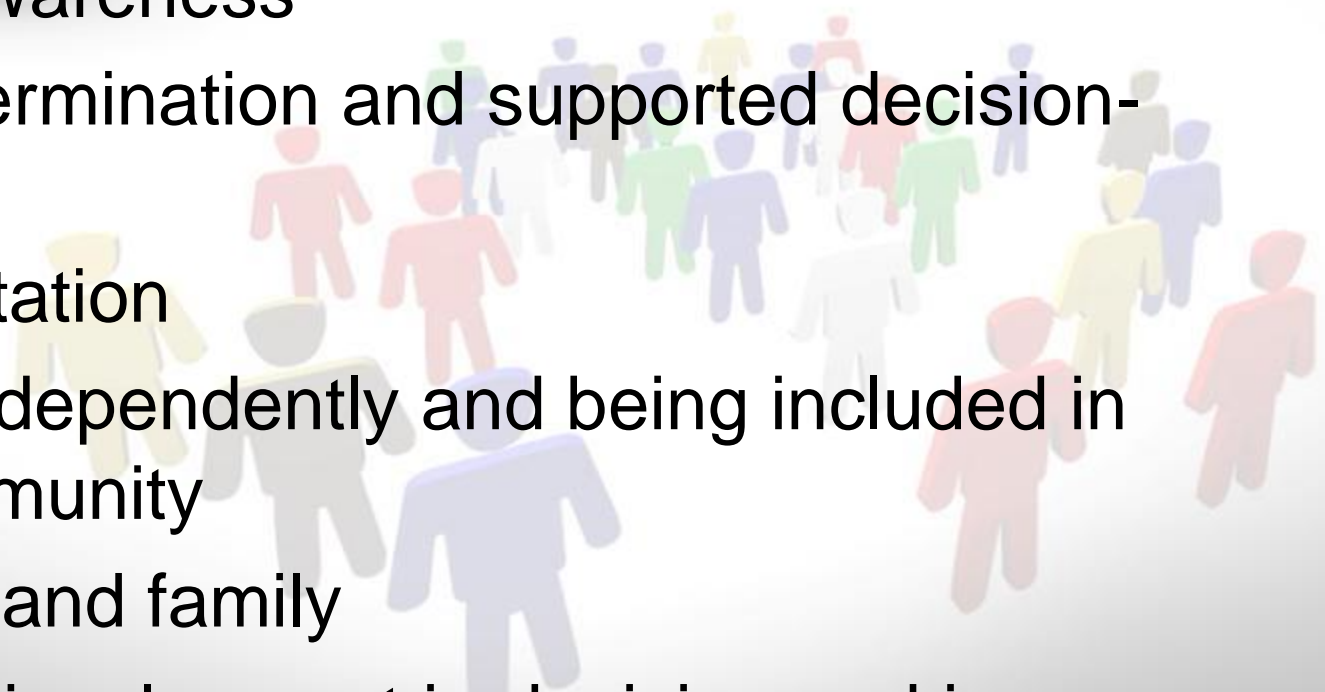
# Truth and reconciliation

- Kimberley South Africa and Apartheid
- Kimberley Australia and stolen generations
- Kimberley New Zealand and institutionalisation
- National conversations
- Saying sorry



# In the disability convention

- Professionals trained in disability rights and ethics awareness
- Self determination and supported decision-making
- Rehabilitation
- Living independently and being included in the community
  - Home and family
  - Active involvement in decision-making

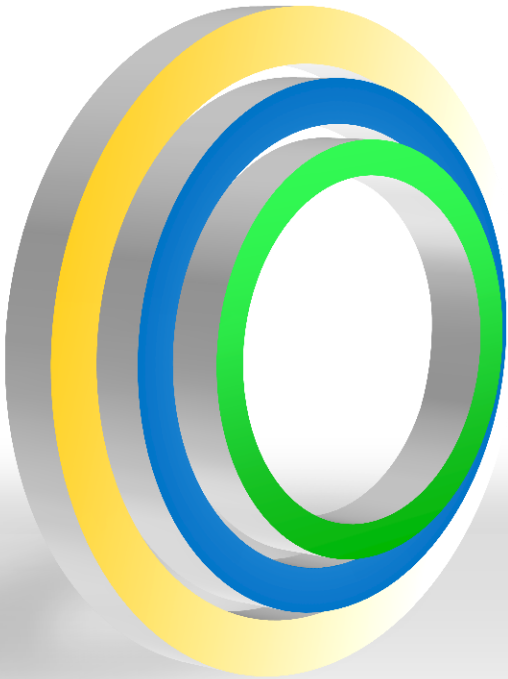


# Who's covered?

- Physical, intellectual, mental, sensory
- 'Long term' includes older disabled people?
- Debate about older people's convention
- Discourse and identity
- New Zealand Human Rights Act



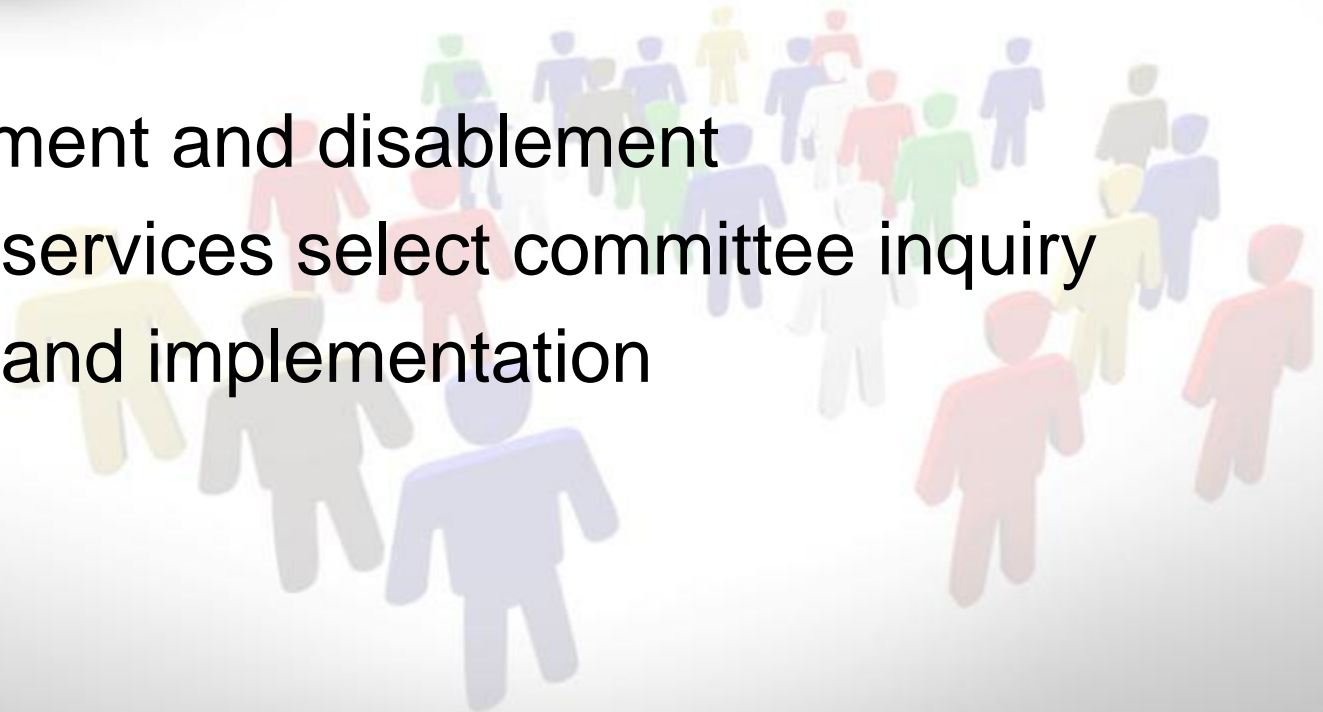
# Social/Rights



- 1 Impairment and disablement
- 2 Integrating impairment into positive identity
- 3 How communities self organise

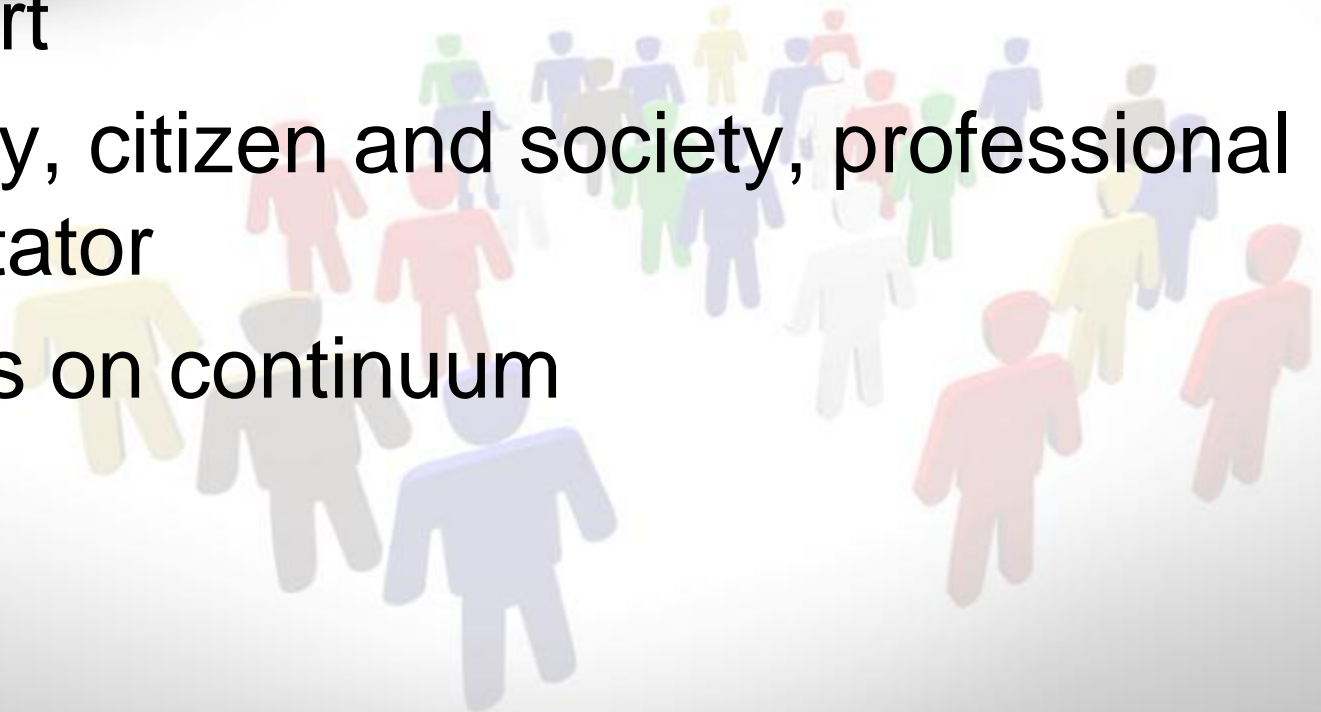
# Public Health and Disability Act

- Support, independence, inclusion, participation
- NZDS
- Impairment and disablement
- Social services select committee inquiry
- Vision and implementation



# Health Services and Disability Services

- Health, clinician and patient, professional as expert
- Disability, citizen and society, professional as facilitator
- Services on continuum



# Disability Convention: How is New Zealand doing?

- Capacity building and involvement in decision-making
- Data and statistics
- Accessibility
- Co-governance of support



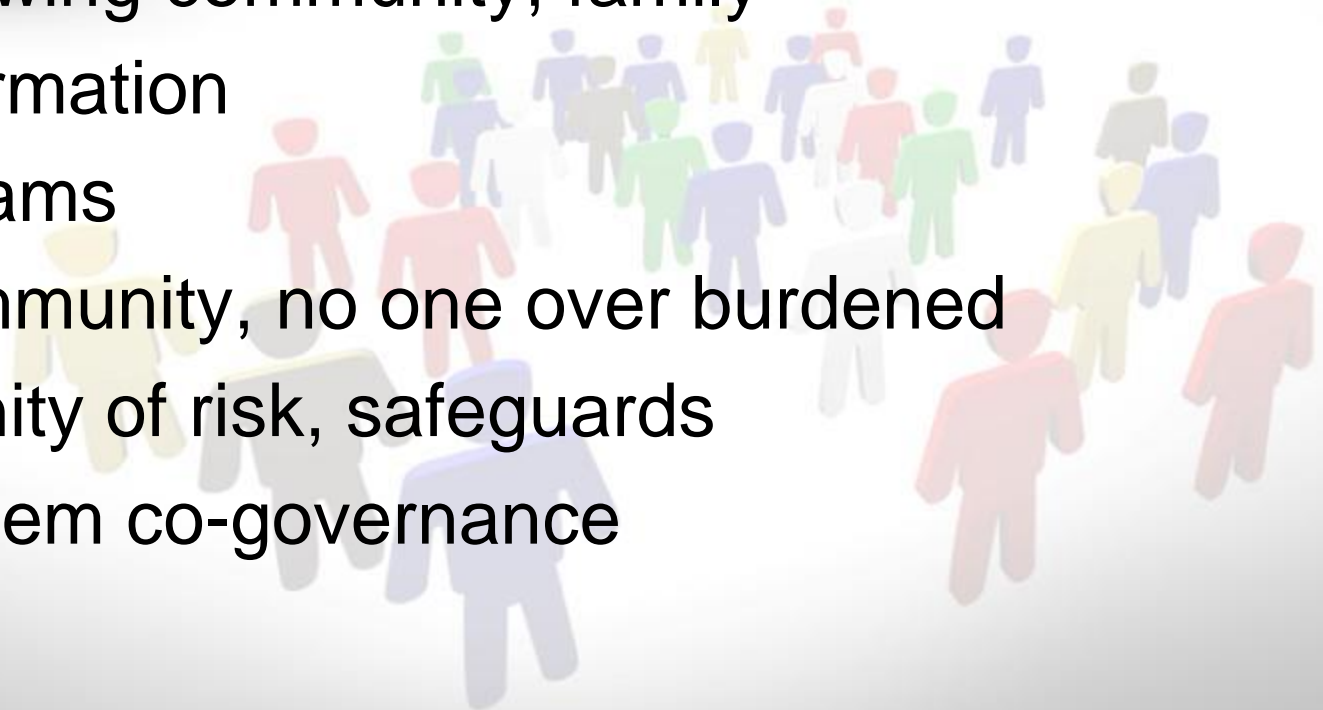
# Experiences of current NASC system

- Aspirations of early 90's
- Unrealised potential and fundamentally unchanged
- Examples
- Canterbury mental health



# A modern rights based support system

- From assessment to facilitation
- Knowing community, family
- Information
- Dreams
- Community, no one over burdened
- Dignity of risk, safeguards
- System co-governance

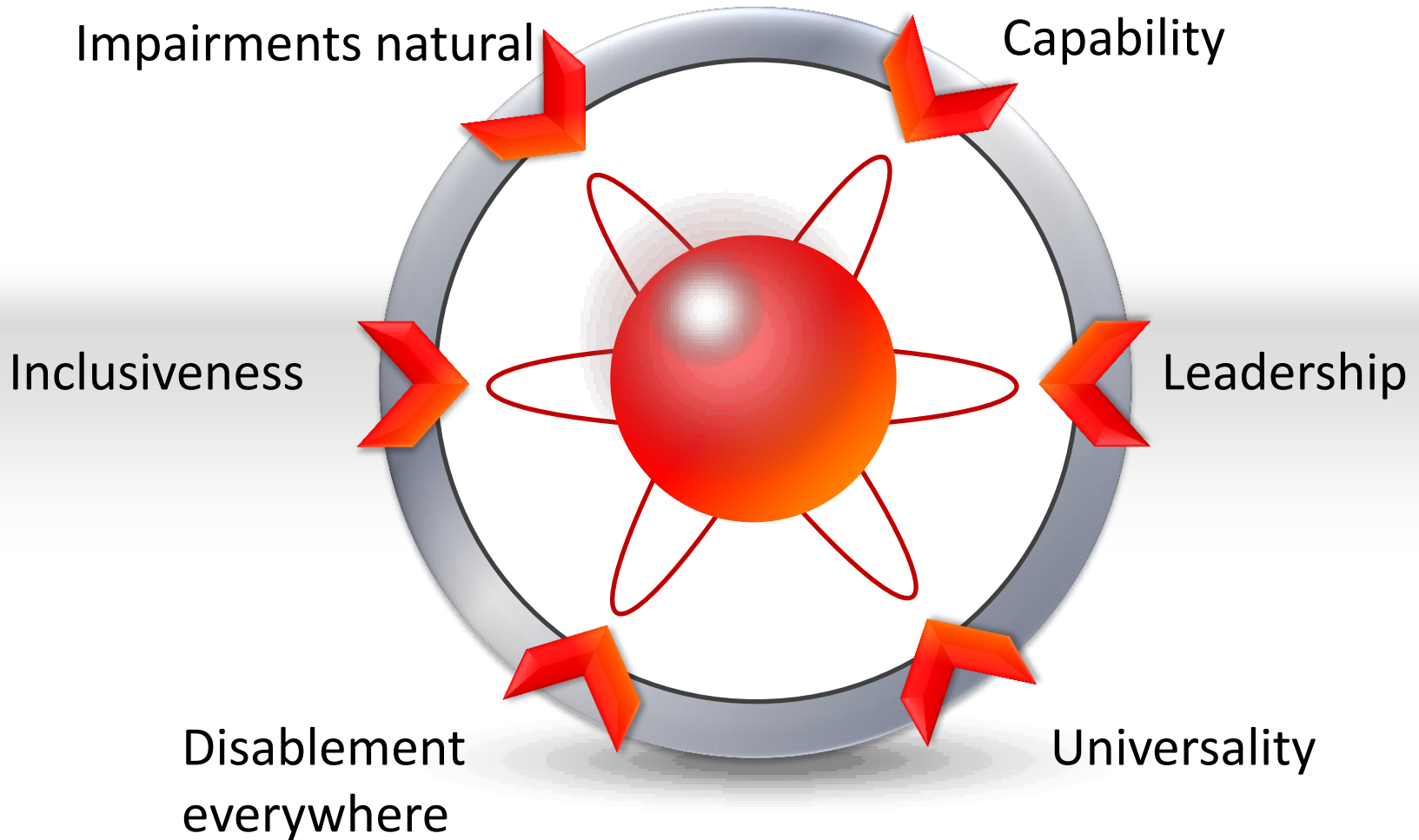


# The aging population

- Support, income, health, family, housing
- Role of primary health
- Inter RAI
- Right to self determine to 'age in place'?
- Is institutionalisation decreasing or increasing?



# Plain English Guide to Disability



# Are we ready for the future?

- As you age and become disabled
- For your disabled children and grandchildren
- Time to say 'Sorry'?

**The best time to say "sorry"**  
**is at THAT very moment**

**The second best time is**

**NOW**

Valdez  
Café

by Robin Slater