## The rights of young children with disabilities: moving beyond the UNCRC

Gerison Lansdown ISSOP, Bonn, 27/29<sup>th</sup> Sept 2018

#### A snapshot

- Up to 100 million children are born with a disability or become disabled before age 19
- Only around 10% of children with disabilities in the developing world receive an education.



- More than 80% live in developing countries and have no access to services
- Many are excluded and invisible within their communities
- Many are in institutions with no contact with their families
- In many countries, their birth is never registered

## in other words...

Children with disabilities commonly experience:

- Widespread discrimination
- Social exclusion, social isolation and fewer opportunities for friendship and play
- Disproportionate levels of physical and sexual violence
- Extreme poverty
- Denial of access to education
- o In some circumstances, denial of the right to life

## Approaches to disability

## **Charity** model

- Recipients of charity
- Dependent on goodwill

## Medical model

- Problem rooted within individual
- Individual must change and adapt

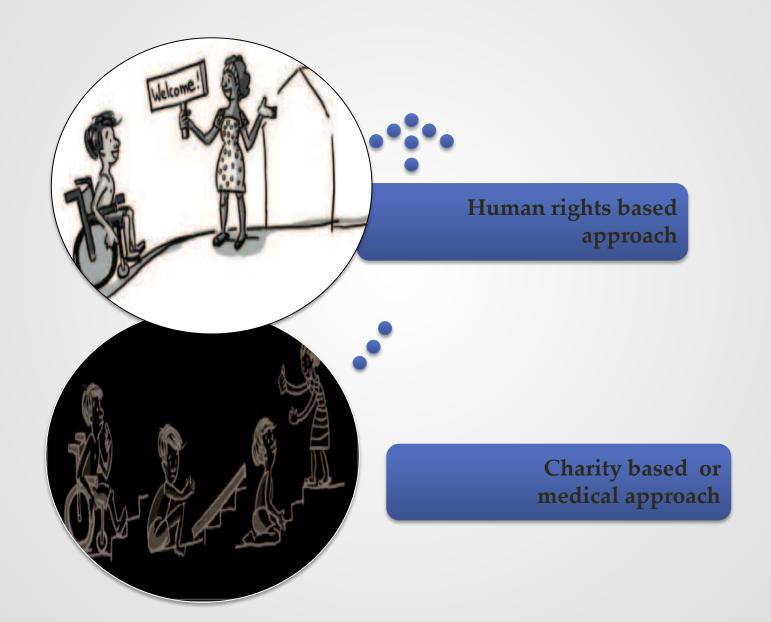
## Human rights model

- Subjects of human rights
- Disability a product of interaction between level of functioning and barriers in the environment

## Implications of the models

Medical Model	Human Rights Model
Disability is an abnormality or deformity	Disability is a difference
Being disabled is negative	Having an impairment is, in itself, neutral
Disability resides in the individual	Disability derives from interaction between the individual and society
The remedy for disability-related problems is to cure or 'normalise' the individual	The remedy for disability-related problems is a change in the interaction between the individual and society
The agent of remedy is the professional	The agent of remedy is the individual or their advocate

#### In other words.....

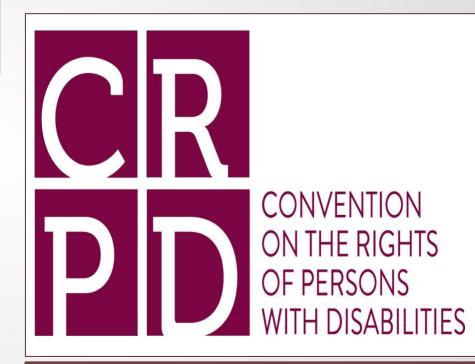


#### Changing recognition of rights of children

#### with disabilities

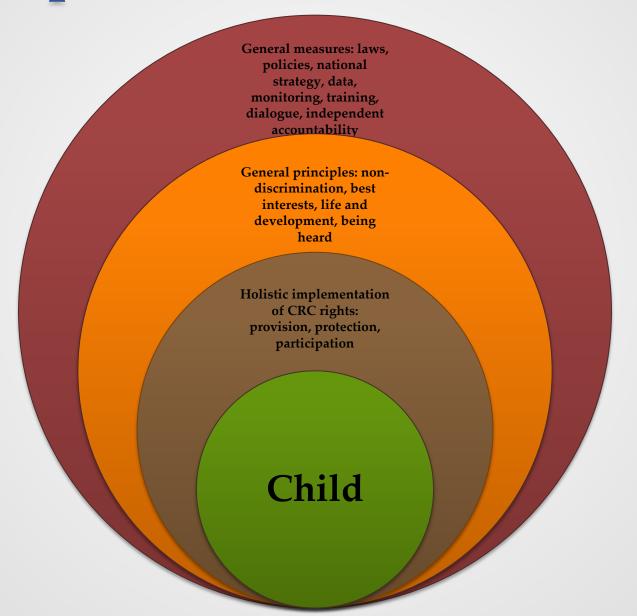
UN Convention on the Rights of the Child, adopted by the UN General Assembly in 1989

# Rights of the Child 18 0



Adopted by the UN General Assembly in 2006

## Implications of the CRC



### Implications of the CRPD for children

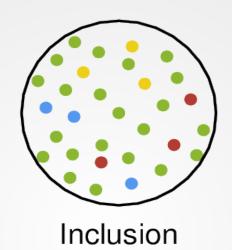
Identifies and highlights those rights that are commonly disregarded for children with disabilities eg birth registration, protection from violence, health, play and recreation

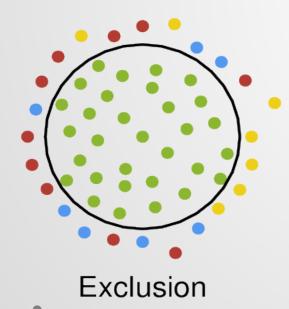
Provides further interpretation and elaboration on the implementation of key rights eg inclusive education, right to family life and ending institutionalisation, freedom from inhuman treatment, reasonable accommodation

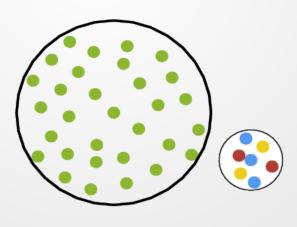
Elaborates additional measures required by governments eg ending discrimination, removing all barriers (legal, pyhsical, communication, transport, cultural and attitudinal), habilitation and rehabilitation

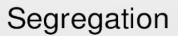
## ...and establishes the right to inclusive

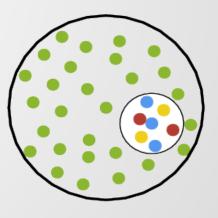
#### education





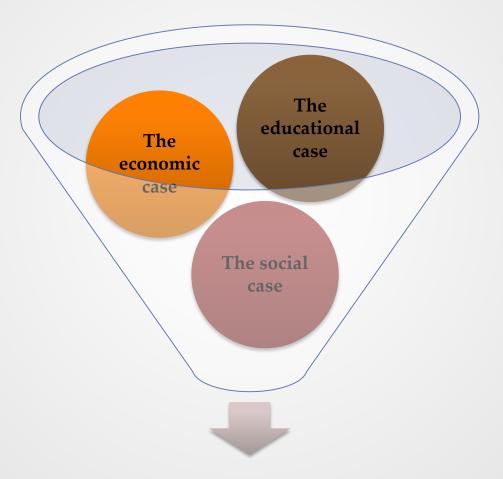






Integration

## Why does inclusive early education matter?



The human rights of the child

## Implications for work of health professionals: Applying both CRC and CRPD

#### National level

Advocacy for laws and policies

Prohibition of discrimination, positive commitment to equality

End institutionalisation and invest in community based services

Formal commitment to inclusive education at all levels

Prohibition of all forms of violence

Training in children's rights for all professionals working with children

**Community level** 

Services and support

Support provision of integrated early years assessment, services and support

Encourage transfer of resources to community based services

Support rights-based inclusive schools including early years education

Establish effective, safe and accessible complaints mechanisms for children and families

Institute feedback mechanisms and dialogue to learn from children's experiences

Clinical level

Attitudes and practice

Apply principle of best interests of children with reference to all their rights

Engage in awareness raising to inform and educate

Identify and remove all the barriers impeding inclusion

Involve expertise of DPOs

Listen to and promote partnerships with parents and children

#### A rights based approach for the child

A right to non discrimination, best interests, optimum development and being heard



## Summary

- Children with disabilities are subjects of rights not merely recipients of charity, support or protection
- Both CRC and CRPD contribute to a rights-based approach and need to inform policy and practice
- Ending discrimination requires both removal of barriers and commitment to inclusion
- Important to focus on a holistic approach to the rights of the child
- Optimum health and well being requires measures beyond health services
- Collaboration across professions, parents and people with disabilities essential

## Equality or equity?

