

Video 4: Knowing your rights (Article 10 – 11 – 12 – 13 – 14 – 15 – 16 – 17 seq)

United Nations Convention on the Rights of Persons with Disabilities – Auslan Version

Knowing your rights: Right to life (Article: 10)

Not all countries in the world have ratified the Convention, but countries that have must make sure people with disability enjoy the right to life, which every human being has.

Knowing your rights: Situations of risk and humanitarian emergencies (Article: 11)

In emergency situations, like fires, floods and other natural disasters, war and other large-scale emergencies, Australia has an obligation to keep people safe. This may mean providing information in Auslan or using interpreters, or ensuring that emergency announcements are subtitled.

Knowing your rights: Equal recognition before the law and access to justice (Article: 12,13)

Australia's legal system must accept that all people are equal, including people with disability. Countries agree that people with disability have the right to be treated as people before the law who can make their own legal decisions. They are people who can own and inherit property, control their money and financial affairs and get bank loans, mortgages and other credit just like everyone else.

Their property should not be taken away from them for no reason or illegally.

Some people with disability need support to make legal and financial decisions. Governments must ensure people with a disability get the support they need to make these decisions.

Australia must also make sure that people who support them respect the rights, choices and preferences of the person with disability.

Sometimes a family member or friend may be asked to interpret, but only if all parties are comfortable with this arrangement. It is best to use a qualified interpreter. A qualified interpreter will provide a smooth, accurate, professional, and impartial service. This also minimises Occupational Health, Safety and Welfare issues and other risks. Using a professional interpreter shows respect for the Deaf person's ability to independently manage their own affairs.

Family members, friends or other support persons must not pressure the person with disability into making a certain decision. The support given is checked by a court or other authority that is not biased and any safeguards reflect the level of interference with the person's rights.

Countries are to make sure that people with disability have the same access to the justice system as other people. If needed, they are to change the way some things are done in order to let people with disability take part in all stages of legal proceedings, such as by using an interpreter.

They must also promote training for people working in the justice system, such as judges, magistrates, police and prison staff.

Knowing your rights: Liberty and security (Article: 14)

People with disability have the same right to liberty and security as other people. They have the right to feel safe and be free from risk.

Australia must ensure that no-one is imprisoned or held somewhere only because they have a disability, unless the law says this should be done and there is a proper reason.

Knowing your rights: Freedom from torture (Article: 15)

Australia must ensure that no one is tortured or treated in a cruel, inhuman or degrading way.

In particular, countries are to take steps, such as making laws or other rules, to make sure people with disability are not forced to take part in medical or scientific experiments.

Knowing your rights: Freedom from exploitation, violence and abuse (Article: 16)

Australia should protect people with disability (inside and outside their homes) from all forms of violence and abuse and from people who try to take advantage of them, provide help and support for people with disability and their families and carers, including through teaching them how to avoid, recognise and report violence, abuse, and people who take advantage of them, make sure that protection services take into account the person's age, gender and disability, make sure that facilities and programs for people with disability are trained in disability awareness and are monitored by authorities that are not biased, help the people with disability who have been taken advantage of or abused recover and get back to living their lives in society like they used to; and put in place laws and policies to make sure that violence and abuse against people with disability are detected, investigated and, where appropriate, prosecuted.

Knowing your rights: Protecting the integrity of the person (Article: 17)

People with disability have the same rights as other people with respect to their physical and mental integrity. This means that their bodies and minds are their own and should not be interfered with by another person. People have the right to be respected by others just as they are. No one should be subjected to unwanted physical contact or mental manipulation. Sterilising a disabled person against their will or without their knowledge violates their rights. Overmedicating a resident in a care home or forcing someone to marry against their will goes against this article in the Convention.

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