

# Our Rights - issue 9, April 2009



## The International Disability and Human Rights Network

This newsletter is a picture version. A text only version is also attached. You can go online to the DAA News Network to leave comments, or **email us at [info@daa.org.uk](mailto:info@daa.org.uk)** with your **news stories**. Go to <http://www.daa.org.uk/>

To follow the links from this email use control plus click, or paste into your browser.

We look forward to hearing from you. Thank you!

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## **Lead Stories – Is the NHS Safe?**

### **Four Psychiatric Patients Die Each Day in NHS Care**

Campaigners are outraged over the high death rates of people with mental health problems, who are being cared for within the NHS.

Figures published in April 2009 by the National Patient Safety Agency (NPSA) shows that four patients in England die every day in what it calls “patient safety incidents in mental health settings” – these include medication errors and accidents. Another 913 patients - more than two a day – died as a result of these incidents.

Patients also died as a result of self-harming behaviour, including suicide, disruptive or aggressive behaviour. It is not specified how many deaths fell into each category.

A similar report in 2006 includes data from 75% of specialist mental health service providers in England and 80% of combined trusts in Wales. It also used analysis of clinical negligence claims, data from death registrations, hospital activity and national surveys.

Campaigners claimed that the high death rates showed that many of the hundreds of thousands of mentally ill people who seek help each year receive a second-class service.

A patient safety incident is any unintended or unexpected thing that happens which could have or did lead to harm for one or more patients receiving NHS care. If you are concerned about a patient safety incident of any kind, you can go online and report [here](#).

## Fear of 'Culture of Euthanasia'

A panel of five women and three men investigated the deaths of 10 patients at Gosport War Memorial Hospital between 1996 and 1999. Their findings were given on the 20th April 2009. This included the fact that two patients were given the correct medication but in doses which contributed to their deaths.

Families of 92 patients came forward with concerns which led to police handing 10 files to the Crown Prosecution Service (CPS), but in October 2007, the CPS said there was not enough evidence to charge anyone.

A long campaign followed with calls for a public inquiry, the inquests into 10 of the 92 deaths were opened last month.

However, one person's evidence, that the panel did not see was from Professor Gary Ford, a professor of pharmacology at Newcastle University, who prepared a report for Hampshire Constabulary on a total of five deaths which occurred at the Gosport War Memorial Hospital more than 10 years ago.

He was one of many experts consulted when detectives opened an investigation into families' claims that patients had died after sedatives such as diamorphine were over-prescribed by staff.

Professor Ford raised concerns there may have been a "culture of involuntary euthanasia on the wards" and claimed the levels of diamorphine administered through syringe drivers were "reckless" and "poor practice".



The pictures shows Brian Cunningham, who died while being treated at the hospital.

79-year-old Brian Cunningham was one of the 93 people, who died

in medication related incidents. On the first day of his admission, Mr Cunningham was put on a syringe driver and given 20mg of diamorphine - a drug two to three times stronger than morphine.

Four days later the diamorphine was increased from 20mg to 60mg a day. This appears to have caused a rapid deterioration.

Professor Ford said in his report: “The subsequent threefold increase in diamorphine dose later that day to 60mg [over] 24 hours is in my view very poor practice. Such an increase was highly likely to result in respiratory depression and marked depression of conscious level, both of which could lead to premature death.”

### **Families of victims angry at hearing process**

In a statement after the verdicts, the families said:

“This has been a 10-year emotional journey for the families, not just those families directly involved in the inquest but also the relatives of the 92 victims investigated by the police who are also still waiting for answers.

“We did not expect this inquest to be transparent, honest or fair and our expectations have been met in full.”

**Editor’s comment:** Last month we told you about death’s of people with learning impairments in the NHS. It is clear that the NHS does not discriminate on the basis of impairment when treating disabled people – they merely deny us the right to life.

We would very much like to hear your experiences and comments. Email us at [info@daa.org.uk](mailto:info@daa.org.uk) or go online to our News Network to leave a comment. Thank you.

### **In the News:**

**England: Disability LIB Conference, 9 May**  
**“Disabled Peoples Organisations - A Force for Change”**

The first Disability LIB conference puts disability politics firmly on

the agenda. We need to be organised and work together to achieve our goals!

'...disability is not about being brave, it's about being organised...'  
said Ian Dury, a disabled musician and artist.

Disabled People's Organisations DPOs are groups organised and controlled **by** disabled people. This conference will bring our struggles to the fore. We have an opportunity to meet, to discuss and to share on issues ranging from our histories, human rights, personal budgets and campaigns.

In these difficult times of the credit crunch, practical help on financial matters or future risk for DPOs is also available. The conference will look at current challenges and future opportunities facing DPOs as well as providing a range of information and activities.

Funding for this conference is provided by the Big Lottery, and so, regrettably, only disabled people from England are invited to attend for free.

### **How to apply?**

Please contact Svetlana Kotova for further details and apply:

By Email: [contact@disabilitylib.org.uk](mailto:contact@disabilitylib.org.uk)

By Post: Disability LIB, Market Road, London N7 9PW

By Phone: 0844 800 4331

By SMS/Mobile: 07967 185 752

### **Where and when?**

Saturday 9th May 2009 11 - 5pm

at Coin Street Centre, 108 Stamford Street, London SE1.



Pictured: Coin Street neighbourhood centre view from Stamford Street

### **Coroners' and Justice Bill**

Care not Killing (CNK) reports that the [Coroners? and Justice Bill](#) has now cleared the House of Commons. All attempts to amend it to allow assisted suicide, including a high profile bid by former health secretary Patricia Hewitt, have so far failed.

The Bill has its second reading (debate stage) in the House of Lords on Monday 27 April and then passes to committee where we expect further attempts will be made to hijack it by the pro-euthanasia lobby.

CNK Chairman Brian Iddon MP has put down an [EDM \(click for link\)](#) on the Bill which has so far been signed by 84 MPs. This welcomes the Bill's provision to make it illegal to assist or encourage suicide on the internet and calls on the House of Commons to reaffirm its support for a law which protects vulnerable people from abuse.

You can follow the parliamentary stages, read the text and any amendments to the Coroner's and Justice Bill **2008/09** [click here](#).

To read more arguments on Assisted Suicide **go to** [CNK here](#).

DAA has written a briefing paper, to **download** [click here](#)

### **UN Convention for Disabled People:**

## **Joint Committee on Human Rights: Report on UK Reservation and Interpretative Declaration**

The Government should consider changing or scrapping proposed reservations to the UN Disability Rights Convention, says the Joint Select Committee on Human Rights in a report released today, Friday 17 April 2009.

In this report the Committee looks at each of the Government's proposed reservations to the Convention in turn. The report examines them in detail, with evidence and arguments presented in relation to education provision, service in the armed forces, immigration rights and benefits.



Pictured: The UN flag flying high at the UN HQ in New York

The Committee disagree with the UK Government that these reservations are necessary. They question the validity within the international human rights framework of some of the reservations.

Of particular concern is the exemption being sought by the armed forces – which, the Committee feels seeks “to remove a major public authority entirely from a basic provision on non-discrimination in access to employment”.

The report is called “Human Rights Joint Committee - Twelfth Report, UN Convention on the Rights of Persons with Disabilities: Reservations and Interpretative Declaration”

To read the full report, [click here](#).

## **UK Government should make the necessary changes now**

Andrew Dismore, the Chair of the Committee, clearly wants the UK Government to make the changes that would ensure our human rights as disabled people.

“In our experience once a reservation is in place, it tends to stay there even when the UN monitoring bodies, parliamentary committees and civil society organisations are united in the view that it is unnecessary and goes against the object and purpose of the treaty.”

“We recommend that the Government commit itself to making the legislative and other changes necessary to withdraw the reservations to the Disability Rights Convention as soon as is practicable.” he said.

## **Evidence from Disabled People and their Organisations – but will they listen?**

Disabled People’s Organisations have submitted evidence, disabled people and their allies have written letters to their MPs and government departments. But it appears no one is listening.



The picture shows Westminster Palace.

The Joint Committee Report also indicates that little notice appears to have been taken by the UK officials of such evidence.

Chris Goodey, Assistant Director for the Centre for Studies on Inclusive Education, asks:

“Having read the report, and bearing in mind that it refers to a Convention concerning the rights of disabled people, would your committee like to confirm that **none** of the support for the reservations and interpretative declarations which the committee has endorsed came from a disabled people’s organisation or from any disabled individual?”

To read the arguments and written evidence, click [here](#).

## Convention Updates

### Convention sign-ups

APRIL - 2009

139 signatories to the Convention

82 signatories to the Optional Protocol

51 ratifications of the Convention

30 ratifications of the Optional Protocol

STOP PRESS: **Sudan Ratifies Convention**

### Article 12 – Poem by Leah Harris

**“Let the revolution begin”** --Myra Kovary

*For Tina, Celia, Daniel, and all who struggled in service of justice and truth at the UN for users and survivors of psychiatry.*

For too long they have treated us without our permission--  
Listen! We are human like the rest of humanity  
Our so-called “insanity” is no excuse to deprive us of our liberty  
Decision-making ability, or control over our own destinies.

Just because we are in distress doesn’t mean you can treat us  
Under duress.

My body is my temple and you’ve no right to put

Electrodes on my temples and shock me against my wishes  
Vicious how we are drugged against our will  
Our sensitive systems flooded with toxic pills  
And you try to tell us that we're ill?

We may not make sense to you  
Jive with your consensus reality  
But you've not got the right to treat us with brutality  
The lethality of your methods is well known  
Treatments shown to impact our mortality  
Lessen our lives by twenty-five years  
Tears of humiliation I have shed at the indignities  
Inflicted on me because you say I have a mental abnormality  
And no right to my own autonomy.

Check it: Article 12 of the CRPD declares that  
We've got the capacity to chart the course of our own existence  
Our resistance to your psychiatric schemes  
Your medical model regimes  
Doesn't mean you can deem us unfit  
Now that's some paternalistic bullshit!

We don't need a "guardian" to make our choices  
Article 12 says that our voices are valid and true  
Now, I may want your help, but if I do, I'll ask you.  
Your support may be met with appreciation  
But no longer can you "help" me without my cooperation  
Respect my right to self-determination  
And together we can build a new global foundation  
Based on human rights and collective liberation.

(anti) copyright Leah Harris

## **International News:**

### **Disability Developments in Bangladesh:**

**'Disability Movement changed by PSID in the Monga Area of Kurigram'**

PSID stands for 'Persons with Disability - Self-initiative to Development'. This idea was born in 1999 and implemented by two leading disabled activists, Protibandhi Kallyan Somity and Fulbari Upazila in different districts in Bangladesh. This month it has received a boost in funding from both the World Bank and the Bangladeshi government. It is a very good example of successful capacity building from within the disability movement.

The World Bank sees disability as a development issue and is therefore putting considerable monies into funding services. 'Promotion of Services and Opportunities to disabled people Persons of Bangladesh', is a recent programme in Bangladesh. It aims to treat disability as a development issue, raise awareness about it among policymakers and legislators and make existing laws and policies responsive to and inclusive of disabled people.

Mr Ayub Ali, the Director of the Kurigram Disabled People's Organisation to Development (DPOD) said that they are trying to shift the way in which disabled people are viewed by a focus on self-help and development rather than as passive recipients of care.

Mr Ayub Ali also points out that whilst many families suffered food shortages during the Monga, where a family member was disabled, these families were affected all the more. However, the Kurigram DPOD is creating positive changes in the lives of disabled people and their families.

## **Monga Facts**

Monga refers to a near famine situation faced annually by many poor households, particularly in the northern region of Bangladesh, and affects disabled people especially harshly. 13% of people lose their homes, 37% become incapable to work due to malnutrition, 88% fall into serious debt. Every 4 out of 5 women are employed in the agricultural sector, whereas only 4% women are owners of land. 75% of children drop out of school during Monga. Violence against women also increases by 30%.

## **Capacity Building**

The capacity building programme 'Promotion of Services and Opportunities to disabled people Persons of Bangladesh', provides services, education and rehabilitation. It helps to change perspectives and has a real impact upon the quality of life and lived dignity of disabled people.

The Independent Bangladesh (Dhaka, 21 April 2009, internet edition) reports:

“There are 415 members in Kurigram DPOD. They are not a burden to the society. They are living productive lives, contributing to their families and communities. Their contribution is helping to overturn negative attitudes and stereotypes about people with disabilities.”

Here are two examples of its success.

### **Fatima's Story**

Ms. Fatima Akhter is an 18 year old woman who gets around using a wheelchair. When she was 7 years old, her mother died suddenly. She became very anxious when her father married again as her step-mother did not like her because of disability.

After completing primary education, she was unable to attend High School because it was a long way away. Her family was also not supportive, believing that as she was disabled, there was little point in her obtaining an education. As a result, she was very socially isolated, spending most of her time in her home.

This all changed with the assistance of BPKS. She took a course in sewing at a local training centre. With the help of a loan from the Kurigram Disabled Peoples Organisation to Development, she purchased a sewing machine enabling her to do tailoring work from her home. She is now earning 2,000 Taka per month.

### **Safia's Story**

Ms Safia Begum is a 20 year old woman who has polio. She lives in the Fulbari Upazila in the Kurigram district. She is the eldest child of a poor farmer; she has 3 brothers and 3 sisters and is the only member of her family with an impairment.

Sofia's family and her community had very low expectations about what she could achieve. Sofia however wanted more for herself, and with time, and some help from Disabled People Organisations along the way, she was able to prove them wrong. She had dreams and aspirations.

Safia enrolled as a member of the Grassroots Disabled Peoples' Organisation to Development' (GDPOD) and began doing some training courses through the PSID project. Feeling more confident and ready to take on new challenges, she bought a sewing machine and started a small tailoring business from her home. She has since married and earns around 3000 Taka per month.

## Editor's Comment: Capacity Building

Capacity building is about involving people in **collective** effort. Deaf and disabled people are needed to lead, share their expertise and support each other towards the collective goals of a fairer and inclusive society.

The UN Development Programme has defined "capacity" as "the ability of individuals, institutions and societies to perform functions, solve problems, and set and achieve objectives in a sustainable manner".

Traditional mainstream capacity-building initiatives, however, often ignore or indirectly discriminate against disabled people in both developed and developing countries.

An example of indirect discrimination can be found in application details of a leading London University's **Bangladesh Capacity Building Scholarships**. Applicants already need to have an excellent access to higher education and be in work.

Applicants must be Bangladeshi nationals who are currently studying or working at an institution recognised by the University Grants Commission, Bangladesh

Candidates must have a minimum of sixteen years of education in a relevant field. Students with MS level qualifications and research experience will be at an

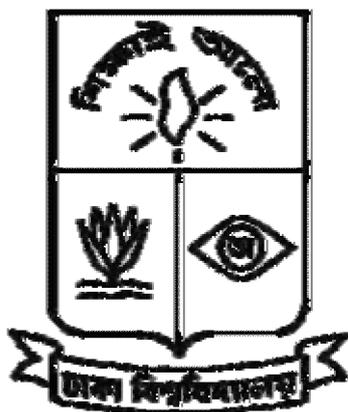
advantage

Candidates must be able to support themselves financially either through personal finance or through support from their institution. Living expenses in London are approximately £8500 per year

Having any kind of education and getting into University is very difficult for disabled people. Only one in 100 disabled people in Bangladesh have a chance of higher education. Living expenses of disabled people are considerably higher for impairment-related reasons. Therefore, such criteria without further assistance disproportionately impact upon disabled people.

Nazia, a blind masters student of Mass Communication and Journalism at Dhaka University (DU), has benefited from disability-led capacity-building programmes, but is not sure whether she will be able to secure a job after she graduates. Nazia already has had to face many hurdles to come this far in life.

“Those of us with disabilities somehow cope through life. But I am still uncertain about my own future. Unlike normal students, I don’t know if I can secure a job even after acquiring a post-graduate degree,” she said.



The picture shows University of Dhaka’s logo which reads meaning “Truth Shall Prevail”.

Capacity building from within the disability movement can make a real difference. But this is not enough.

## Loud, proud and powerful

We know that broader inequalities in society are stubbornly resistant to pressure-group arguments. So, we want to see ongoing capacity building that goes hand-in-hand with loud, proud and powerful campaigns to change disabling structures in society.

Deaf and disabled people need to get organised, but face many barriers. Fickle availability and timing of funds leaves small organizations highly vulnerable.

Disability LIB is the first capacity-building alliance in England led **by** disabled people's organisations and has been set up to tackle the crisis facing DPOs and prevent further closures.

"Many disabled people's organisations (DPOs) – which are run and led by disabled people - are being forced to close down, or are barely surviving because of the substantial barriers they face - including difficulties obtaining funding and attracting suitably experienced disabled people to take on key leadership roles." informed a press release in 2008.

Disability LIB - as other projects - can only be successful with the active participation, engagement and real commitment of Deaf and disabled people themselves, in **collective** efforts.

In solidarity,  
*Marion Reichart, Disability Awareness in Action*

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## International News in Brief

### Australia Again Refuses Disabled Person

In August 2008 'Our Rights' reported that Canada had refused entry to a family with a disabled child, and also that Dr Moeller from Germany was initially refused permission to remain in Australia with his family and disabled son. After protests the Moellers were allowed to stay.

Now Kenyan born Dr Siyat Hillow Abdi, who in 2007 became

one of the first blind people to be registered as a teacher in Southern Australia, is fighting to stay in the country.

“This decision by the Australian Government breaches Articles 5 Equality and Non-discrimination and Article 18 Liberty of Movement of the United Nations Convention and we should hang our heads in shame for such discriminatory actions. It seems we haven’t learnt from the previous Immigration blunders as we still making the same discriminatory mistakes.”

exclaims Frank Hall-Bentick, Australian Disability Rights Activist

Dr Abdi continues to make a strong day to day contribution to the Australian community, through his work supporting newly arrived members of the Ogaden / Somali community. He currently works as a relief teacher for recent migrants and refugees, and acts as a role model for many young people in South Australia.

### **Pakistan Disability Movement Getting Stronger**

Letter from Pakistan:

“In Pakistan Independent Living Movement is strengthening day by day. A team of dedicated People with Disabilities in Lahore established ‘Lahore Independent Living Center’ on self-help basis initiatives.”





Two photos show the opening ceremony of the ILC in Lahore. Mr. Ch. Muhammad Bakir (coordinator to Ex-Chief Minister of Punjab) and Mr. Wahid Ahmed Malik (V- President PML-N Lahore region). The ceremony was formally started by the recitation of the HOLY QURAN and Naat was offered to Muhammad (PBUH).

“Major aims are working in slums of Lahore. We request all please support such self help initiatives taken by people with disabilities. Please find attached report. Some from You may need reduced version of report we will omit photos.

Regards, Ghulam Nabi Nizamani”

### **Indian Elections: Disabled Candidates**

The Disability Forum reports that disabled candidates will contest the forthcoming general elections in India. They hope to gain in 21 seats for Lok Sabha and 30 seats for the state assembly in the state of Andhra Pradesh.

### **Access to Voting Made Difficult**

Lakshmidivi Nagar, booth No 141

At first, the polling officer told blind voters, who use Braille, that the EVMs inside didn't have Braille markings. The disabled voters invoked the Supreme Court order of 2007 that guaranteed their right to vote alone, the officer remained unconvinced and suggested they should be accompanied.

After heated discussions, noisy complaints and a request to check again, the appropriate format was in fact found. To his embarrassment the officer admitted “Unfortunately, we have not been trained to spot this”.

Disabled people, on the other hand, were prepared.

“We have been trained to vote individually and we know that EVMs with Braille markings are available in Bellary and other small towns. We are surprised to learn that it is not installed in one of the urban constituencies (this locality belongs to Bangalore North Lok Sabha seat),” Sarojini, a visually impaired woman told Deccan Herald.

In many other areas there were no ramps – disabled people being expected to climb many steps.

### **Captioning Compromises are Unacceptable**

Deaf and other captioning viewers settle for less than equally accessible services. A new research project by Open & Closed in Canada aims to change this.

In 2005, Human-rights complaints in Canada against three broadcasters – CBC Television and Newsworld; CTV; and Global – resulted in 100%-captioning requirements only for CBC and Newsworld. The other networks had to caption only programming, not commercials and promos. (And all of them could use any kind of captioning they wanted.), reports ‘Captioning Sucks’ campaigners.

“We think people with disabilities deserve full accessibility. We just wish that more people with disabilities agreed with us.” Open & Close states.

The Open & Closed Project is a new **research project** headquartered in Toronto. Their main goal is to improve quality by setting standards for the four fields of accessible media – captioning, audio description, subtitling, and dubbing.

A human-rights complaint against movie theatres in Ontario resulted in a settlement. It doesn’t cover all theatres and it provides for *some* movies to be captioned using a device that

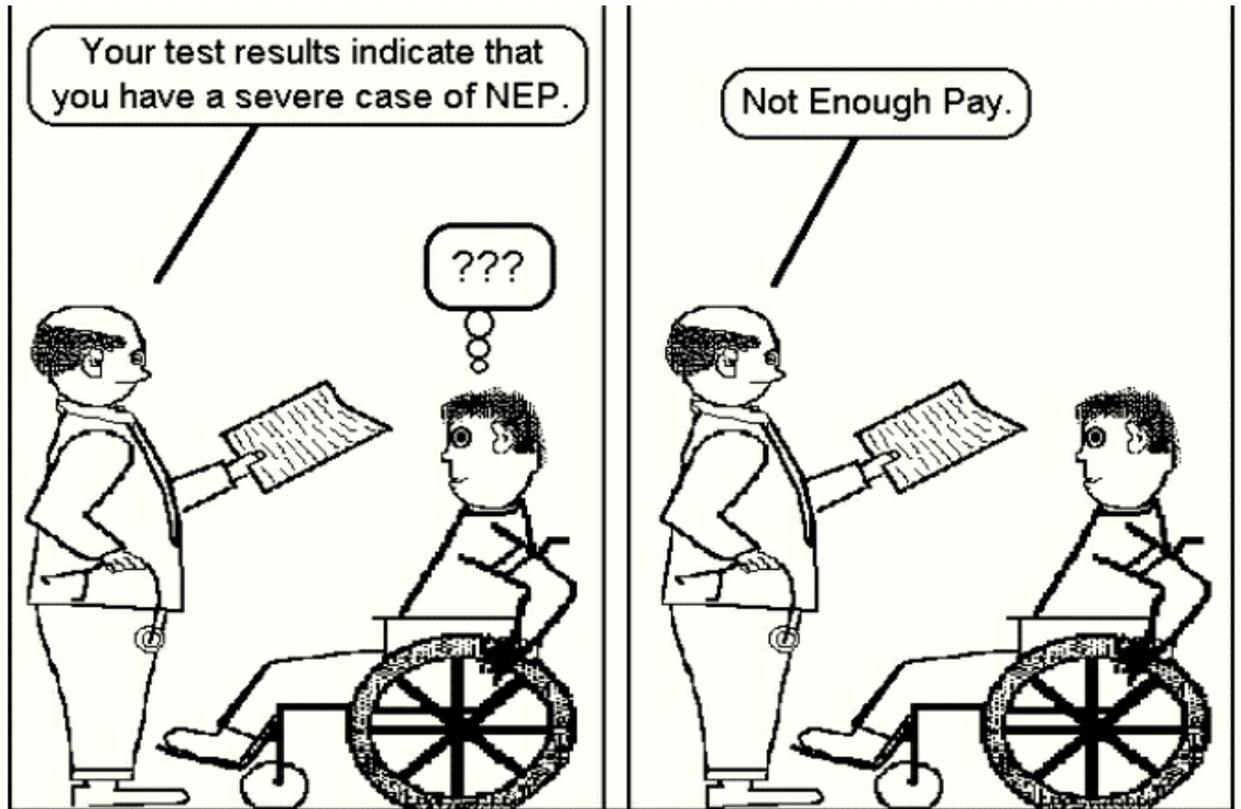
isn't on the market yet.

A class-action lawsuit in the U.S. resulted in an agreement to caption some major-studio DVDs, but it had many exceptions and left out entire categories, like high-definition DVDs.

A human-rights complaint in Australia resulted in forcing a few TV networks to caption all evening and all news programming. Nothing else had to be captioned, and nothing has to be captioned on channels that weren't part of that process (like every channel that came into existence after the agreement was reached).

For further details [go here](#).

**And Finally ...**



The cartoon shows a medical doctor with case notes in his hands talking to a wheelchair user, saying “Your test result show a severe case of NEP.”

The next picture captions the explanation “Not enough pay.”

source: disability [Joke Book](#)

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Issue 7, and past issues of the Our Rights newsletter can be downloaded in different formats if responses expressed concern and our This newsletter is produced by Disability Awareness in Action for the Disability LIB project. This project is funded by the Big Lottery.

