Just Being Me:

My Right to be in the World (Community Living) and my Right to make my own Decisions in the World (Legal Capacity).

A Global Context for the Reform Process in Israel.

Venue: The Albert Beresin Occupational Training Center – Israel Elwyn Nahum Arman 1, Haifa.

Date: Monday 4th May, 2015.

Commission for Equal Rights of Persons with Disabilities
Burton Blatt Institute Syracuse University
University of Haifa
Centre for Disability, Law, & Policy, NUI Galway
Ministry of Social Affairs and Social Services
Intellectual Disability Division
AKIM, National Association for Habilitation of Children and Adults with Intellectual Disabilities
Commission for Equal Rights of Persons with Disabilities
Burton Blatt Institute Syracuse University
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AKIM, National Association for Habilitation of Children and Adults with Intellectual Disabilities
Bizchut, The Israel Human Rights Center for People with Disabilities

Spaces are limited, please pre-register at: ayelet.gur100@gmail.com
Introduction to the Programme

Purpose of the Conference: Most countries in the world are making progress in closing down institutions and enabling people with disabilities to live and flourish in the community. This entails choice for the person, the emergence of new models of service provision, as well as self-directed and supported devolved budgets and decision-making. At the same time, many countries are taking the next logical step of finding ways to enable people make their own way in the world and to make their own decisions – big or small – in order to take control over their own lives.

This seminar brings together some leading players and thinkers from around the world on these trends and reflects on them in general but also in the more specific context of the reform process in Israel. The aim is to take stock and to situate the reform process in Israel in a broader international context. The time is right given the 2011 Report of the International Committee of Experts on Deinstitutionalization, the follow-up research trip to the EU by senior officials in 2014 and the emerging deinstitutionalization and transition to community living plan in Israel.

The seminar will be of interest to self-advocates, parents, service providers, Government, legislators, civil society and researchers. Each session will be led by a keynote address and followed by an expert representative panel to reflect on the international trends in the specific context of Israel.

The morning will be spent on community living and deinstitutionalization and the afternoon will be spent looking at supported decision-making. These two strands will be linked together throughout the day as community living cannot work in isolation but requires the devolution of decision-making power to the individual to enable him/her to flourish in the community.

The outcome will be a more in-depth and ongoing conversation between all those involved in the process of change in Israel about its direction and its modalities.
Programme

8:00-9:00  Registration & Coffee

Chair:  Professor Gerard Quinn, Director, Centre for Disability Law & Policy, National University of Ireland (Galway), Member of the 2011 Expert Group

9:10  Welcome:

Mr. Yossi Silman, Director-General of the Ministry of Social Affairs and Social Services.

9:30  Welcome:

H.E. Dr Eamonn McKee, ambassador of Ireland to Israel

9:35  Opening:

Professor Peter Blanck, Director, Burton Blatt Institute, Syracuse University, USA


Session 1: The move toward Community Living & Deinstitutionalisation—Capturing the Global Innovation (Article 19).

9:45  Keynote:

Mr. Luk Zelderloo, Director, European Association of Service Providers EASPD, (Brussels)

‘Community Living and the European Social model – how we have embraced it at European level and as Service Providers.’

10:10  The Issues in Focus:

Ms. Georgette Mulheir, CEO, LUMOS (London)

‘Ending Institutionalisation for the World’s 8 million children still living in them.’

10:55  Mr. Robert Bechina, Ministry of Justice (Austria) & adviser to the Council of Europe

'Council of Europe standards on Independent Living.'

11:10  Coffee.

Session 2: Round-Table on the future of Community Living in Israel
Moderated by Mrs. Sigal Peretz Yahalomi, AKIM Israel.

11:30  Mr. Gideon Shalom, Director of the Intellectual Disability Division, Ministry of Social Affairs and Social Services

Mrs. Naama Lerner, Director of Community Outreach Department, Bizchut

Mrs. Susie Zeevi, parent

Mr. Dudu Heftzedi, self advocate

Mrs. Nava Irge, AKIM Israel parents’ committee

Mr. Achiya Kamara, the Israeli Commissioner for Equal Rights of Persons with Disabilities
13:00  Lunch

Session 3: Making Community Living through Supported Decision-Making.

14:00  Chair: Mr. Ami Ayalon, Chairman of AKIM Israel and Chairman of the Executive Committee of the University of Haifa

Dr. Michael Bach, IRIS Institute (Canada)
‘Global Trends - From Object to Subject – The Global Move Away from Guardianship toward supported decision-making.’

Professor Amita Dhanda, Professor of Law, National Academy of Legal Studies and Research (NALSAR), Hyderabad, India
‘How to go about crafting new policy and legislation to advance the support model: lessons and dilemmas.’

Mr. Robert Bechina, Ministry of Justice (Austria) & adviser to the Council of Europe
‘Council of Europe standards on legal capacity.’

15:20  Coffee.

Session 4: round table on the future of assisted decision-making model in Israel

15:30  Mr. Mark Shamis, Intellectual Disability Division, Ministry of Social Affairs and Social Services
Adv. Edward Weiss, deputy legal counsel, Ministry of Social Affairs and Social Services
Mrs. Naama Lerner, Director of Community Outreach Department, Bizchut
Mr. Matanel Biton, self advocate
Mrs. Aliza Biton, parent
Mr. Amikam Raz, Vice chairman of AKIM Israel
Social worker Yonit Efrati, Commission for Equal Rights of Persons with Disabilities

Session 5: Next steps.

16:30  Short Address
Professor Jerome Bickenbach, Swiss Paraplegic Institute & University of Lucerne
‘Why today Matters - The Links between Community Living and Assisted Decision-Making.’

17:00  Professor Arie Rimmerman, University of Haifa
‘Lessons from Today for Israel.’

17:30  Close: Mr. Gideon Shalom, Director of the Intellectual Disability Division, Ministry of Social Affairs and Social Services
Gerard Quinn

Gerard Quinn is a professor of law at the National University of Ireland (Galway campus). He holds degrees in political science and law from the National University, is a qualified barrister-at-law (Kings’ Inns) and a graduate of Harvard Law School (LL.M., S.J.D.). He has had a varied career in public service. He was a former Director of Research at the Irish Government’s Law Reform Commission and has served two terms on the Irish Human Rights Commission. He has served on other Government bodies such as the Ministry of Foreign Affairs Joint Committee on human rights and the Government’s Commission on the Status of Persons with Disabilities. He is currently a Presidential appointee to the Council of State which provides constitutional law advice to the President of Ireland. He currently sits on the scientific committee (advisory board) of the European Union Fundamental Rights Agency (Vienna). He has worked as a temporary civil servant in the European Commission (EU) on equality policy and also rose to be First Vice President of the Council of Europe’s Social Rights Committee (a treaty monitoring body on economic and social rights in Europe). He has directed large studies for the UN Office of the High Commissioner for Human Rights and led the delegation of Rehabilitation International during the drafting of the new UN treaty on the rights of persons with disabilities. Because he has led several large scale EU-funded research projects and PhD networks he has been declared a ‘Champion of EU Research’ by the Irish Government. He has been honoured by bodies such as the United States International Council on Disability and Rehabilitation International. He directs a Centre on International Disability Law & Policy at the university and is on sabbatical in 2015 (at Nalsar Law school, Hyderabad India, the University of Haifa, Israel, and UNSW in Australia).

Peter Blanck

Dr. Blanck is University Professor at Syracuse University, which is the highest faculty rank granted to eight prior individuals in the history of the University. He is Chairman of the Burton Blatt Institute (BBI) at Syracuse University.

Prior to his appointment at Syracuse, Blanck was Kierscht Professor of Law and director of the Law, Health Policy, and Disability Center at the University of Iowa.
Blanck is Honorary Professor, Centre for Disability Law & Policy, at the National University of Ireland, Galway. Blanck received a Juris Doctorate from Stanford University, where he was President of the Stanford Law Review, and a Ph.D. in Social Psychology from Harvard University.

Blanck has written over 200 articles and books on the Americans with Disabilities Act (ADA) and related laws, and received millions of dollars in grants to study disability law and policy. Among recent grants is: Quality Trust for Individuals with Disabilities, BBI, and the Kansas University Center on Developmental Disabilities, together with a coalition of community partners and stakeholders, launched the National Resource Center for Supported Decision-Making. Funded through a multi-year cooperative agreement with the U.S. Administration on Community Living, the National Resource Center is to lead and coordinate efforts to make supported decision-making—where people use trusted friends, family members, and professionals to help them understand the situations and choices they face, so they can make their own decisions—a recognized and, as appropriate, preferred alternative to guardianship. For more information see, http://bbi.syr.edu and www.supporteddecisionmaking.org [National Resource Center for Supported Decision-Making].

**Luk Zelderloo**

Mr. Zelderloo has been active as a professional in the disability sector for more than 27 years, first as a manager of a social service for persons with disabilities in Flanders (for 17 years), and then on the European level as well. He is one of the founders of EASPD and has extensive knowledge and expertise in the European disability and social service provision sectors. Furthermore, he has considerable experience in coordinating and developing European projects.

**Georgette Mulheir**

For more than two decades, Georgette has worked in 23 countries around the world, leading large-scale programmes to transform (and at times save) the lives of thousands of disadvantaged children. She pioneered a model of ‘deinstitutionalisation’ (DI) now followed by many governments, preventing the separation of children from families, returning children from so-called ‘orphanages’ to families, and shifting finances from harmful institutions to community services that support children in families. She advises officials at the
European Commission on using EU funds for reforming children's services, and has published four books on children's rights. Georgette sits on the Leaders’ Council of the Global Alliance for Children – an international grouping of governmental and international aid organisations, and private foundations. She is also a Commissioner for the UK-based Commission on Civil Society and Democratic Engagement. In 2014, she was named as 'one of the world's 30 most influential social workers' by socialworkdegreeguide.com. She is Chief Executive of Lumos, an international children's organisation, founded by J.K. Rowling to end the institutionalisation of children globally by 2050.

Sigal Peretz Yahalomi

Sigal has a Masters Degree in political science from Bar Ilan University and a diploma in journalism and communication. She has also a B.A. in criminology and education. She graduated the leadership institute on developmental disabilities at the University of Delaware, USA, and the Directors and Executives Course in the IDC.

From June 2009 Sigal Peretz Yahalomi is serving as AKIM ISRAEL’s General Director. AKIM ISRAEL is a parents’ organization representing about 34,500 intellectually disabled acting to promote their rights in Israel. It also operates services for the intellectually disabled, including housing, employment in the free market, leisure activities etc.

Sigal is also a Director in "The National Community Centers Association" which is a governmental organization that leads the promotion of communities, creating the image of the Israeli society as a civil, just, egalitarian and empowered society with public responsibility and involvement. Sigal is a member of NGO "Yecholot" of Rashi foundation that promote education in the peripheries.

Previously, Sigal has served for 5 years as a V.P. for Education and welfare in the Bat Yam municipality where she participated in the implementation of a large number of programs for the reduction of social gaps.

Michael Bach

Michael Bach, PhD, Executive Vice-President, Canadian Association for Community Living (CACL); and Managing Director, IRIS – Institute for Research and Development on Inclusion and Society
For the past twenty-five years Michael has undertaken research and development in Canada and internationally on ways to advance the full inclusion and human rights of persons with intellectual disabilities. His publications cover disability theory, policy and practice in a range of areas including legal capacity, education, employment, and funding and delivery of community-based services. He holds a Ph. D. in Sociology and Equity Studies from the Ontario Institute for Studies in Education of the University of Toronto. His dissertation focuses on developing a more inclusive theory of personhood on which to challenge the usual equation between intellectual disability and legal incapacity. Michael is a recipient of an Open Society Foundations Fellowship for 2014-15, to continue his international comparative research on the right to legal capacity for people with significant intellectual and cognitive disabilities.

Amita Dhanda

Prof. Amita Dhanda is Professor of Law at National Academy of Legal Studies and Research, Hyderabad. She also heads the Centre for Disability Studies at the University. She has a substantive interest in the field of public law and human rights with special reference to disability rights. Prof. Dhanda's doctoral thesis critically appraising the laws relating to the mentally ill was a pioneering effort at evaluating the human rights conformity of mental health laws in the country. The thesis was later brought out as a book entitled "Legal Order and Mental Disorder".

This special research knowledge became the basis of the Supreme Court of India asking her to investigate and report on the condition of persons living with mental illness in the jails of West Bengal. The investigation resulted in the Supreme Court holding that the housing of persons with mental illness in jail was unconstitutional.

Her doctoral work had got Prof. Dhanda to conclude that the social stigma of mental illness was reinforced by the law. Legal exclusion needs to be challenged and the legislative regimes providing for the incapacity and disqualification of persons with psychosocial and intellectual disability dismantled. This insight informed the work she did on legal capacity in the United Nations Ad Hoc Committee negotiating the Convention on the Rights of Persons with Disabilities. Dr Dhanda has been closely involved in the law reform work in her own country to formulate disability rights laws especially legal capacity and support regimes which are in conformity with the Convention on the Rights of Persons with Disabilities. Her expertise has been drawn upon by civil society organizations of other countries to inform their law reform efforts. She is presently engaged in writing a treatise on universal legal capacity and co-editing a collection of essays exploring the relation between disability studies and disability rights.
Mr. Yotam Tolub

Attorney Yotam Tolub is a disability rights lawyer from Bizchut – the Israel Human Rights Center for People with Disabilities specializing in legal capacity and the right to autonomy.

Jerome Bickenbach

Dr Jerome Bickenbach is a professor at the University of Lucerne and Swiss Paraplegic Research, Nottwil, and Emeritus Professor at Queen’s University, Canada. He is the author of Physical Disability and Social Policy (1993) and the co-editor of Introduction to Disability (1998), Disability and Culture: Universalism and Diversity (2000), A Seat at the Table: Persons with Disabilities and Policy Making (2001), Quality of Life and Human Difference (2003) and numerous articles and chapters in disability studies, focusing on the nature of disability and disability law and policy. He is a content editor of Sage Publications’ proposed 5 volume Encyclopaedia of Disability, and Ethics, Law and Policy, a volume in Sage Reference Series on Disability. He was the editor of the joint WHO-ISCoS report called International Perspectives on Spinal Cord Injury and more recently a World Bank/WHO manual ICF and Disability Assessment. Since 1995 he has been a consultant with WHO working on the preparation and implementation of the ICF. His research is in disability studies, using qualitative and quantitative research techniques within the paradigm of participatory action research. Most recently his research includes disability quality of life and the disability critique, disability epidemiology, ageing and wellbeing, universal design and inclusion, modelling disability statistics for population health surveys, the relationship between disability and health, and the ethics and the application of ICF to the development of human right indicators for monitoring the implementation of the UN Convention on the Rights of Persons with Disabilities. As a lawyer, Prof. Bickenbach was a human rights litigator, specializing in anti-discrimination for persons with intellectual impairments and mental illness.
Arie Rimmerman

Arie Rimmerman, PhD/DSW is Richard Crossman Professor of Social Welfare and Social Planning and founder Dean of Social Welfare and Health Sciences and head of School of Social Work at University of Haifa, Israel. His research focuses on comparative disability policies, particularly in areas of employment, civic society and family support. Rimmerman is the author of two recent books *Social Inclusion of People with Disabilities* (2013) and *Family Policy and Disability*, published by Cambridge University Press discusses. Aside from his scientific contributions, he has served as an advisor to Ministers of Labor and Welfare in Israel and public committees on disabilities in Israel (NII, Commission on Disability Right, Committee of International Experts, Central Bureau of Statistics) Europe and the US. He is the recipient of the Lehman Award (1987), the William Trump Award (1998), the 1999 International Award of the American Association on Mental Retardation (AAMR) and the 2006. Burton Blatt Leadership Award.

Gideon Shalom

Senior deputy director- General director the division of intellectual and developmental disabilities at the ministry of social affairs and services of Israel.
Ami Ayalon

Admiral (ret.) Ami Ayalon serves as the Chairman of the Executive Committee of the University of Haifa and as the Chairman of AKIM Israel (the National Association for the Habilitation of Children and Adults with Intellectual Disabilities).

Ayalon is one of the founders of Blue White Future (“BWF”), a non-partisan political movement, committed to securing the future of Israel as a Jewish and democratic state through facilitating an inclusive discourse to promote a two state solution.

Admiral (ret.) Ayalon is a former Head of Israel Security Agency (the Shin Bet) and a former commander of Israel’s Navy. He has served as a cabinet minister and a member of the Knesset. Along with Sari Nusseibeh, he has headed the People's Voice peace initiative in 2002.

Ayalon holds a BA in economics and political science from Bar-Ilan University (1980); is a graduate of the U.S. Naval War College in Newport, Rhode Island (1982); holds an MA in public administration from Harvard University (1992); and an MA in Law from Bar-Ilan University (2010).

He is a senior research fellow at the Israel Democracy Institute (IDI), and heads the "Liberal Democracies facing Asymmetric Conflicts" (LD/AC) research program which is a joint project between the IDI and the Herzl Institute at the University of Haifa.