

## Human Rights

People with disabilities and the people in their lives will not always agree about certain choices or decisions – To the extent they have capacity people with disabilities have the right to make their own decisions, even if their families or others disagree with these

### Reference Guides

- Guiding Principles on Business and Human Rights
- Business Reference Guide Declaration on the Rights of Indigenous Peoples
- Children's Rights and Business Principles
- National Standards for Disability Services

### Guiding Principles

The following are guiding principles that inform the right of people with disabilities to make their own decisions:

- People have the right to make decisions about things that affect their lives.
- People are presumed to have the capacity to make their own decisions and give consent when it is required, unless there is evidence otherwise.
- People are supported to make informed decisions when their consent is required.
- Consent is obtained from the person, or a legally appointed guardian, for life decisions such as accommodation, medical and dental treatment, forensic procedures, and behaviour support.
- Consent for financial matters is obtained from the person, or a legally appointed financial manager or person appointed under a Power of Attorney.
- People are supported to identify opportunities to make decisions about their own lives and to build their decision-making confidence and skills.
- When support to make decisions is wanted or needed by the person, it is provided in ways preferred by the person and by a supporter of their choice.
- Support with decision making respects the person's cultural, religious and other beliefs.
- The person is supported around their right to intimacy, and their right to sexual expression (see also Diversity and Inclusion Policy)
- If the person wants to be supported by natural supporters, such as family and friends, this is encouraged and facilitated.
- Support is provided in ways that uphold the person's right to self-determination, privacy, and freedom from abuse and neglect.
- Decision making and self-determination are not limited by the interests, beliefs or values of those providing the decision-making support.
- The amount or type of support required by people to make decisions will depend on the specific decision or the situation.
- People are supported to make decisions that affect their own lives even if other people don't agree with them, or regard the decisions as risky.
- People are supported to access opportunities for meaningful participation and active inclusion in their community where they want this.
- Information is provided in formats that everyone can understand, and enables the person, their supporters and other relevant people, such as legally appointed guardians, to communicate effectively with each other

The guiding principles are clear that people with disabilities get to make their own decisions unless there is evidence they lack the capacity to do so.

This does not prevent the families and other significant people from contributing to decision making processes – According to the wishes and capacities of clients.