



mdac  
mental disability  
advocacy centre

Our case  
for support



# Our case for support

## How do we achieve results?



People in Uganda use these shackles to bring relatives to a psychiatric hospital.

Some children are born with an intellectual disability. Mental health issues can hit anyone. The number of people with dementia later in life are increasing everywhere. These conditions affect every family in the UK and abroad.

Instead of being treated with care and respect, many people with these conditions are stripped of the things that

make us human:

- Safety, shelter and community
- Education and advancement
- Identity and expression

When these are taken away, MDAC steps in to try and bring them back. In this case for support, we explain how you can join us to do this.

We're the only international charity which uses the law to secure inclusion, equality and justice for people with mental disabilities worldwide.

We work with local lawyers to select test cases where the impact is much greater than for the individual litigant. We have won many important cases, and have around sixty more pending across Europe and Africa.

We have commitments of serious pro bono support from leading global law firms and human rights barristers. But, we need hard cash to deliver our side of these projects. We need to pay our staff salaries, we need to travel and meet our clients, and we need to train human rights defenders, and we need to pay for boring things like light bulbs and an annual audit: these things all cost money!

Strategic litigation can be transformative, but only when accompanied by other activities. So we play a watchdog role, monitoring governments' compliance with what they've signed up to under international human rights law. And we advocate feasible policy solutions to governments.

Always working with local charities, families and lawyers, we can then effect change at national levels which have regional and international significance.

We then use the press and social media to build solidarity with the public and invite them to take advocacy action. This strategy can improve the lives of many invisible people.

**We're the only charity doing this.**



## Our three campaigns

“Back in 2002 when MDAC was established, I was a junior barrister and went with MDAC to Latvia to train lawyers and activists on how to use human rights law to advance social justice. It was an eye-opener.

Since then we’ve made much progress, but way too many people in Europe and around the world are locked up in institutions for all of their lives, stripped of their autonomy, abused and neglected. And so many children with disabilities are denied the education they’re entitled to.

I’ve followed MDAC’s development since then and I’m thrilled to have recently taken over as Chair of MDAC’s Board. I believe passionately in MDAC’s mission of using the law to secure equality, inclusion and justice for people with mental disabilities worldwide.

Please join our unique charity. There really is no-one else doing this work internationally.”



*Phillippa Kaufmann QC*

*As well as being Chair of MDAC’s Board, Phillippa is a barrister practising from Matrix Chambers in London. In 2014 she was honoured with the Public Law Silk of the Year award.*

We can’t deal with every problem, so we focus on three of the most widespread.

**I’m a Person** – calling for an end to brutal systems of guardianship

**Schools for All** – making sure no child is denied inclusive education

**My Home, My Choice** – reducing abuse in institutions and increasing community living

Each tackles distinct problems and has specific objectives. Each has a global law firm partner which provides significant pro bono assistance.



*Pavel Shtukurov*

*Pavel was placed under guardianship without being informed. His guardian sent him to a psychiatric hospital against his will. MDAC helped him to get out, and the European Court of Human Rights awarded him compensation. This spurred the Russian Constitutional Court quashed abusive parts of the law.*



# Campaign 1: I'm a Person

## The problem we are addressing

People with mental disabilities are often labelled by the law as incompetent, and put under guardianship. Courts strip the person of their authority to marry, have sex, vote, own a house, take out a loan, or decide their own medical treatment. People are institutionalised, their assets are seized, they are subjected to physical and sexual abuse, and they have no means of accessing justice. It is a terrifying scenario.

Our experience is that governments are searching for answers and solutions, and there are many barriers preventing them from making changes to create a system which provides support instead of taking away rights.

## The impact we will achieve

We use the law to catalyse change. Our work will bring about changes to the way in which courts and governments treat people with mental disabilities:

By bringing test cases, we will encourage courts to recognise people's right to decide. We want to lift guardianship and put in place supports for people to author their own lives.

By campaigning with grassroots NGOs, we will challenge governments to think in a different way, to be aware of the violations and take steps to bring about change in people's lives.

**"I'm not an object. I'm a person.  
I need my freedom."**

*Rusi Stanev, as he entered the European Court of Human Rights in 2010.  
We won his case against Bulgaria.*



Rusi Stanev

## What will we do?

We will select test cases to challenge the most egregious deprivations of people's autonomy. These include sterilisations against a woman's will, denying the right to vote solely because of a disability, and depriving someone of their own money.

We will produce short country reports and garner media and public attention, and we will advocate for governments to fulfil their international human rights obligations, providing them with expertise and feasible policy options. We will support the development and sharing of best practice. And we will produce video outputs, and use Facebook and social media to get public support.

## Focus countries

Europe: Bulgaria, Czech Republic, Hungary, Poland, Romania, Serbia, Slovakia

Africa: Kenya

## Law firm partners

Herbert Smith Freehills  
Kinstellar  
Linklaters



# Campaign 2: Schools for All

## The problem we are addressing

There is strong evidence that inclusive education of all children with varying abilities in a common learning environment achieves better short and long-term outcomes than segregation. Encountering difference has a positive impact on all children's formal education and social development.

Only 10% of children with disabilities are in school. Often there is no way for their parents to challenge exclusion. Courts do not order local governments to provide inclusive education. Many governmental officials are unaware of their human rights obligations to roll out a system of inclusion.

## The impact we will achieve

Courts will recognise the right of children to be educated in inclusive schools. They will order remedies in test cases, paving the way for many more parents to demand justice for their children.

Governments will be made aware of the violations and the steps they need to take to create a more just education system where each child is included and supported.



*14 schools in the Czech Republic denied 13-year-old Jeník access to education because he has autism. His family turned to MDAC. We are representing him at the European Court of Human Rights.*

## What will we do?

In 2015 we will launch a three-year collaboration with the world's largest law firm, DLA Piper. We will work with DLA Piper offices in eleven European countries where children with disabilities are segregated from education. We will work with parents whose children have been excluded to launch three test cases in each country. These parents often can turn to no other NGO, and no legal aid is available.

We will work with coalitions of NGOs in each country and issue an annual country report to garner media attention. We will campaign with parents and children to ensure governments roll out inclusion for all children. We will utilise pressure points within European and UN human rights

mechanisms to encourage governments to bring their laws and policies in line with their international human rights commitments.

DLA Piper will provide several million pounds worth of pro bono legal and non-legal support. We require funds directly to find clients, work with local NGOs and manage the relationships.

## Focus countries

Belgium, Bulgaria, Czech Republic, Georgia, Hungary, Ireland, The Netherlands, Poland, Romania, Slovakia, UK

## Law firm partner

DLA Piper



# Campaign 3: My Home, My Choice

## The problem we are addressing

For centuries people with mental disabilities have been dumped in institutions, supposedly in their own best interests. Segregation has left people isolated, exploited, and abused. In Europe alone, we estimate two million people are segregated just because they have a disability. When we visit, people consistently plead: "Get me out!"

Courts have been slow to realise that segregation is wrong. It is enormously difficult for a client in an institution to get a claim to court: how do they even telephone a lawyer? Since the fall of the Berlin wall, governments have taken only meagre steps to close institutions, and MDAC has uncovered that the EU is funding abusive institutions to stay open!

## The impact we will achieve

Courts will document neglect and abuse, order compensation and ensure rehabilitation.

Governments will be aware of torture and ill-treatment and legislate to ensure that institutions are evacuated, and everyone lives in safe and inclusive communities.

The European Union will stop funding residential institutions, and provide compensation to the thousands of people it has allowed to be segregated.

## What will we do?

Following from our track record of documenting abuses, we will work in eight countries and in each, focus on one abusive institution. From there, we will meet residents and through case selection criteria, select two test cases. We will ensure client safety and support as we litigate their cases and seek justice for them.



*Our client Georgi Cenov with lawyer Aneta Genova in Bulgaria. Georgi spent the first 26 years of his life in institutions and was finally released in 2007. He now lives in supported housing in the community.*

We will produce a short annual report in each of the countries, calling on governments to ensure that people with mental disabilities can live in safe and inclusive communities. Again, we will – with clients' permission – put their face to the case and produce video outputs. We will garner public support by using social media and traditional media.

## Focus countries:

Europe: Bulgaria, Czech Republic, Hungary, Lithuania, Moldova, Romania

Africa: Uganda, Zambia

## Law firm partners

Hogan Lovells  
Clifford Chance  
Arnold and Porter



“MDAC is the pre-eminent international charity directly targeting the worst abuses of people with mental disabilities.

We need you to join us to create the change required by international law.”



Thomas Hammarberg

*Thomas is Honorary President of MDAC. He was Commissioner for Human Rights of the Council of Europe from 2006 to 2012. An expert in children's rights, Thomas is a former Secretary General of Amnesty International and was recently the EU's Special Adviser to Georgia.*

“When I faced a long period of intense mental distress, I was fortunate enough to be able to access good psychiatrists, and rely on the support of family and friends.

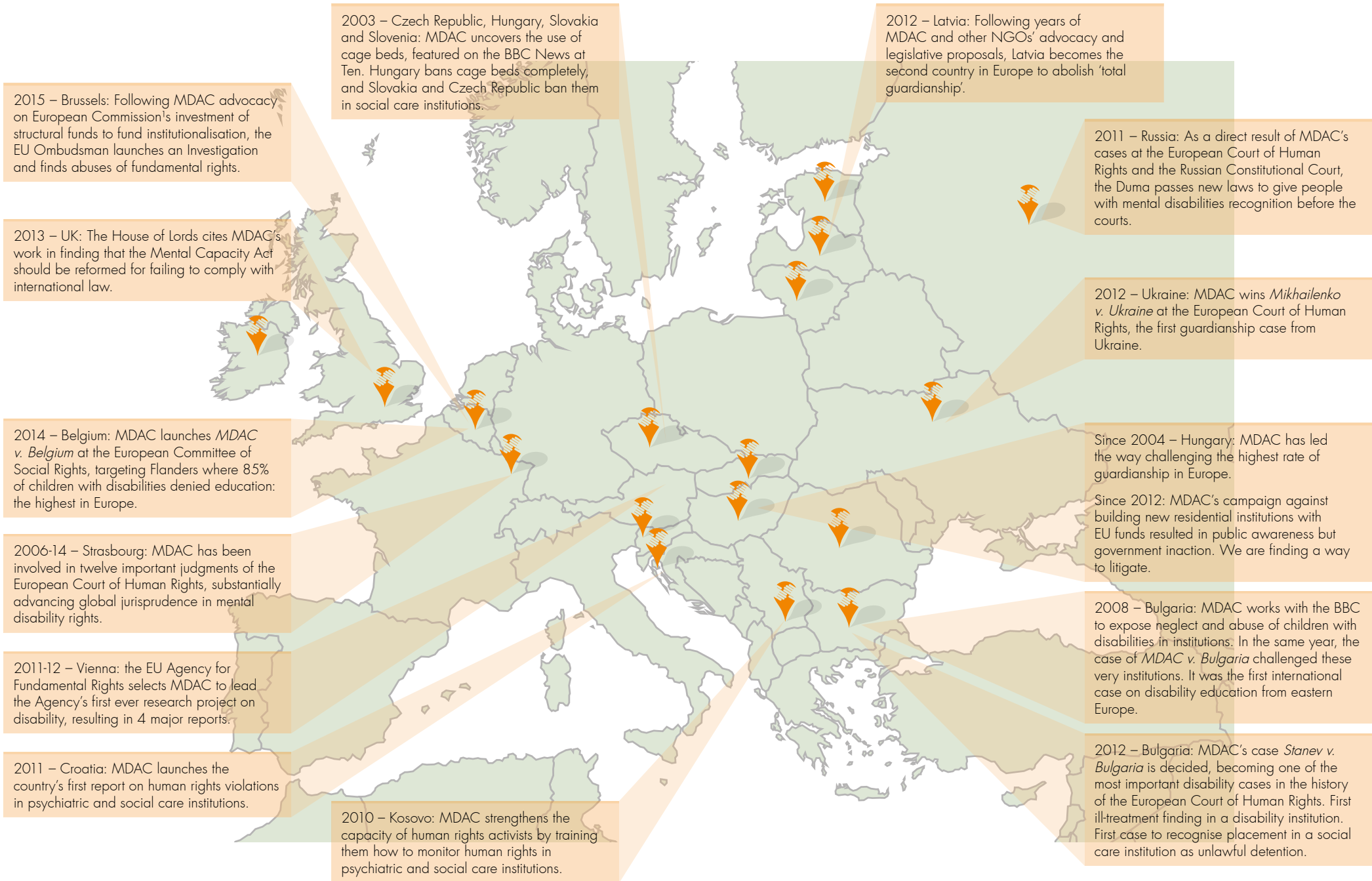
Hundreds of thousands of people with mental disabilities aren't so lucky. MDAC is here to help them.”

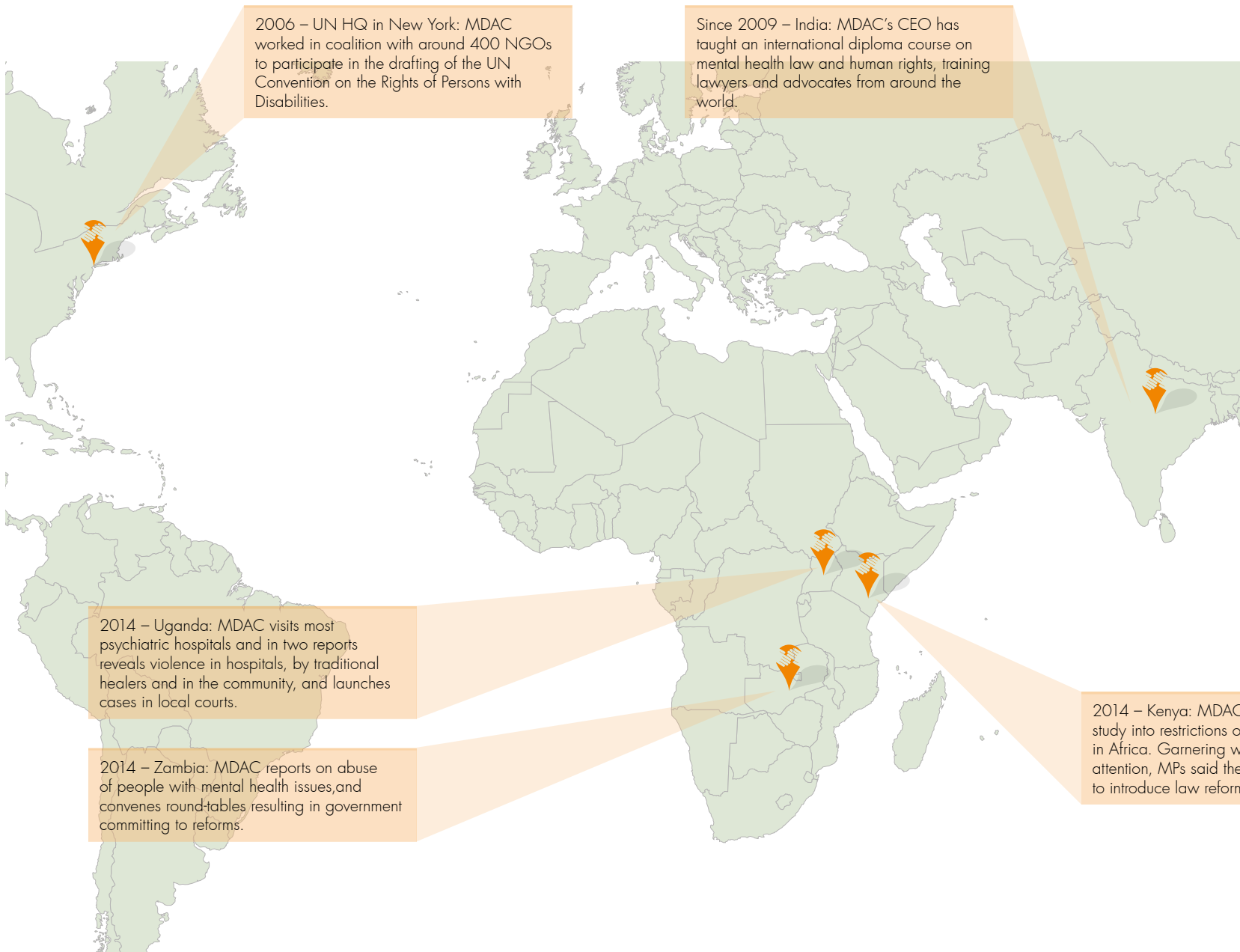


Felicity Callard PhD

*Felicity is a social science academic who is the direct of 'Hubbub', a two-year inter-disciplinary research project at the Wellcome Trust in London. The project is investigating 'rest', a concept which Felicity rarely puts into practice herself! She has been an MDAC Trustee since 2008.*







## Media coverage

Part of our strategy of creating change is working with the media to influence public opinion. We've had some successes but we need the resources to improve our potential impact.



## Now is the time

“When I was a child my mother took me to the institution in Bristol in which she worked as a psychiatrist. She and others managed to close it down and the ‘patients’ are now ‘people’ living in the community. Yes, the UK has a long way to go to perfection, but the gravity of abuse and neglect in other countries is startling. From Chisinau to Kampala, the scale and gravity of violations are hard to take in.

MDAC is now embarking on the most exciting period of its history. We have tried and tested methodologies, as well as partnerships with grassroots NGOs and global law firms. My team and I are ready to spring into action but for this we need your support.”



Oliver Lewis

*Oliver is the CEO of MDAC and has been with the charity since its inception in 2002. He qualified as a barrister and is and is an associate at Doughty Street Chambers in London. Oliver holds visiting appointments at the Central European University in Budapest, the University of Leeds and the Indian Law Society. He blogs at [www.mdac.org/OliverTalks](http://www.mdac.org/OliverTalks) and tweets as @olewis75.*



# Patrons and Friends

We have two options for people to support MDAC. All gifts are tax deductible, as MDAC is a Charity (No. 1124016)



"I support MDAC because although comparatively small, the charity advocates powerfully, and with an impressive degree of professionalism, for those who are unlikely to be heard in any other way."

**Dr. Jill Peay**  
Professor of Law, LSE

## Patrons

Levels of gift per year	
Bronze	£1,000
Silver	£2,500
Gold	£5,000
Diamond	£10,000

### We pledge to:

- **Acknowledge your gift**  
On our website and in all relevant publications
- **Keep you engaged in the life of MDAC**  
Through regular updates from the CEO and the Chair of the Board and through postal copies of key MDAC reports
- **Build a personal relationship**  
Via a programme of involvement tailored to you
- **Encourage your participation**  
In those areas of MDAC's work where you have expertise, and in lectures, receptions and other events in London

## Friends

Levels of gift per year	
Associate	£50
Counsel	£100
Advocate	£250
Partner	£500

### We pledge to:

- **Acknowledge your gift**  
On our website and in all relevant publications
- **Keep you engaged in the life of MDAC**  
Through monthly updates from the CEO and through postal copies of key MDAC reports
- **Encourage you to interact**  
Through access to the Friends' area on our website
- **Provide opportunities to meet MDAC staff**  
At special events in London and Budapest



# MDAC People

Thomas Hammarberg

Honorary President

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Lawyer

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Lawyer

Adam Szklenár

Communications Assistant

Agnes Vári

Office Assistant

Anna Zeller

Project Manager

## Fundraising volunteers

Felicity Auer

Nancy Rudel



*Eyong Louis Mbuén, Steven Allen, Oliver Lewis and Geneva Richardson CBE*

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# What is 'mental disability'?

Words carry meaning, so here's what we mean by 'people with mental disabilities'. We use this inadequate phrase to include people with 'intellectual,' 'developmental,' 'cognitive,' and/or 'psychosocial' disabilities.

An intellectual disability generally means having greater difficulty than most people with intellectual and adaptive functioning due to a long-term condition that is present at birth or before the age of eighteen. Developmental disability includes intellectual disability, and also people identified as having developmental challenges including cerebral palsy, autism spectrum disorder and fetal alcohol spectrum disorder. Cognitive disability refers to difficulties with learning and processing information and can be associated with acquired brain injury, stroke, dementias including Alzheimer's disease.

People with psychosocial disabilities are those who experience mental health issues or mental illness, and/or who identify as 'mental health consumers,' 'psychiatric survivors,' or 'mad.' These are not mutually exclusive groups. Many people with intellectual, developmental or cognitive disabilities also identify or are identified as having psychosocial disabilities.

Yes, these definitions are complex. But ultimately what we're interested in is a person's rights, rather than their labels.

# Financial transparency

We are grateful for the vision and courage of those who have championed the cause of mental disability rights, and who continue to support our vital work. The advances we have made would not have happened without their support.

MDAC has an annual independent audit and publishes this on its website.

Will we spend your money on raising more money?

No. The Open Society Foundations (George Soros's organisation) has given MDAC £220,000 in 2015 which covers fundraising and office expenses. So 100 pennies in every pound you give will go into human rights impact.



## The next step

To discuss your involvement, please call Oliver Lewis, our CEO, on 07769 344 102 or send an email to [oliver@mdac.org](mailto:oliver@mdac.org)

Web: [www.mdac.org](http://www.mdac.org)

Twitter: [@MDACintl](https://twitter.com/MDACintl)

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MDAC is a charity registered with the Charity Commission of England and Wales (number 1124016 ).



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[www.mdac.org](http://www.mdac.org)