**Submitted by:**

**The Committee of Management of the North East Citizen Advocacy Program in Melbourne, Victoria.**

**North East Citizen Advocacy (NECA) Program**

The NECA program delivers independent INDIVIDUAL ADVOCACY using the Citizen Advocacy model. The program is contracted to deliver advocacy for people with an intellectual disability. Our focus is on actively finding vulnerable people who do not have adequate independent support and/or capacity to speak for themselves.

Our coordinators recruit a suitable person from the community to be the advocate and supporter. This community advocate has no conflict of interest because of their complete independence and can enhance the involvement a person with intellectual disability has in managing daily challenges, over the long term.

NECA is not a service provider, a disability service, or a friendship program. It is a community program providing individualized cost free advocacy, run by the community for the community. Most people in the program receive ongoing advocacy by the same advocate year after year after year.

Advocates are carefully matched with the person with disability and then receive ongoing support and training from NECA program staff. This includes tailored training about the NDIS and its impact on the individual for each advocate in a match.

The type of relationship/match that is thus created does not lend itself to a fee for service “market economy” funding model. There is no clear means by which NDIS funding could flow into the NECA program. We also argue that advocacy should be funded independently of the NDIS.

**NECA’s position on the National Disability Advocacy Framework**

**Analysis of the National Disability Advocacy Framework**

We have reviewed the current National Disability Advocacy Framework, and analyzed how it would encompass our vision of advocacy in the changed environment experienced by people with disability using the NDIS.

We make the following observations:

a. We consider the **PRINCIPLES** of the current framework to be appropriate and still applicable in the changed “NDIS environment” however propose one additional principle to address the importance of access to advocacy when people engage with the new system.

b. We consider the **OUTCOMES** of the current framework to be appropriate and still applicable in the changed “NDIS environment”.

c. We would like to suggest changes to **OUTPUTS** of the current framework in order to address the anticipated need for advocacy by people with intellectual disability as they engage with the “market economy” demands of the NDIS.

We strongly support the position that the Citizen Advocacy model should be recognized within the NDAF as a focused, independent and effective model for giving a voice to vulnerable people through community advocates.

**NDAF Principles**

NECA supports the current PRINCIPLES of the Framework as being appropriate for the continued delivery of disability advocacy.

The mission statements of the NDIS appear to be in alignment with the NDAF principles, with the NDIS seeking to achieve the same outcomes through a targeted and planned delivery of services to an individual.

However we propose an additional Principle as follows:

*( ) Disability advocacy recognizes the right of people with a disability who need support to be able to access independent advocates*

**NDAF Outcomes**

The stated OUTCOMES of the current NDAF are still relevant and also appear to be aligned with the aims of the NDIS, as we understand them.

We would however seek to underline the importance of Outcomes (d) and (e).

The current framework does not address the capacity requirements for the NDIS (i.e. 60% intellectually disabled). People with disability who engage with the NDIS will in all likelihood require an advocate in order to be more empowered to make choices under the NDIS.

The NDAP also needs to ensure that people with disability are properly supported to report abuse and make complaints.

**NDAF Outputs**

The current OUTPUTS are still relevant and would be applicable in the NDIS environment.

The current National Disability Advocacy Program endeavors to provide advocacy only as needed, in a timely and independent manner. The current environment of Disability Service Provision does not require that **every** individual design and manage the delivery of their own services.

Since there will be major changes to the ways every individual with disability receives services under the NDIS, additional targeted OUTPUTS need to be included in the Framework to reflect the new demands on people with disability as they interact with the NDIS*.*

We accordingly propose additional OUTPUT statements as follows:

*( ) Individual advocacy that is targeted to people with intellectual disability who lack independent support, including those living on society’s fringe.*

*( ) Disability advocacy that is proactive in recruiting and advocating for all people with disability who participate in the NDIS.*

**Other considerations**

**Advocacy and the NDIS**

The “market economy” basis for the NDIS, we believe, provides the best foundation to ensure sustainable and cost effective delivery of services for people with disability. Having said that, we believe that this scheme assumes people with disability are able to articulate themselves and identify their needs with minimal assistance.

We support the views expressed in the Victorian Ombudsman report into abuse in the disability sector:

* 1. “The NDIS is a market model designed to provide choices for people with disabilities. However, what has been almost forgotten is that a number of people with cognitive impairments may not have the resources and support they need to make complex decisions about the services they receive, particularly those without families. They need advocates to help them and they need oversight systems that protect them from abuse.”
  2. “The NDIS is a market driven model, rooted in the belief that people with disability are best placed to decide how their money should be spent on services to support them. For many people with disability, this is a long awaited improvement, however for people with severe cognitive impairment and/or limited communication, it can present new barriers. For the most vulnerable, capacity will never improve; it is not a developmental challenge that will be rectified as people ‘become more confident and skilled consumers in the market. This fact must be acknowledged and provided for within the NDIS.”

We believe that people with intellectual disability (who have an impaired capacity to articulate themselves and may not able to identify their needs) will be left vulnerable with the proposed changes to the delivery of services.

Advocate support will be needed multiple times to support people with an intellectual disability to develop new thinking at each stage of their interaction with the NDIS, such as:

* Expressing their needs and life goals
* Negotiating a package with a stranger (NDIS Planner)
* Having packages delivered and maintained in accordance with their individual support plans.

It should be noted that advocacy is needed for many issues and situations unrelated to the ”NDIS environment”, and such reasons for providing disability advocacy should not be lost in the redevelopment of the framework.

**Avoidance of conflicts of interest**

Advocacy must remain independent of disability services provision in order to avoid conflicts of interest. A person paid by a service provider cannot therefore become an advocate. Since people with disability first encounter the NDIS at the planning meeting, it would not be appropriate for their key worker or a support person from a service provider to advocate for them due to a perceived or actual conflict of interest.

Individual (citizen) Advocacy should be funded and delivered independently of the services funder, namely the NDIS.

We consider that the citizen advocate provides the necessary independence to fulfill the Framework’s outcomes. An advocate who is matched to a person with disability is someone with an in-depth understanding of the needs of the person and is therefore in an excellent position to be able to ensure their interests and needs are well served in any advocacy situation, within or outside the NDIS environment.

**Funding Considerations**

We support the Disability Reform Council’s position that systemic advocacy, legal review and representation will be funded outside the NDIS. We also support the 2011 Productivity Commission Inquiry Report into Disability Care and Support, which recommended advocacy be funded and provided outside the NDIS.

Advocacy agencies need to be block funded independently of the NDIS, so that an individual can access support even before they have a package. Accordingly we strongly recommend that Individual Advocacy, in particular citizen advocacy, continues to be block funded for this valuable and effective program to continue to be available to people with disability.

The suggested changes by the framework require enablers, such as the NECA program, who can help people with intellectual disability adopt and benefit from the NDIS. Advocacy should be available to all who need it by making it available free of charge to the individual. We believe therefore that advocacy funds should not be provided through the person’s NDIS package.

**Examples of effective Citizen Advocacy**

The NECA Video showing five current Matches can be found on the NECA Website home page, [www.citizenadvocacy.com.au](http://www.citizenadvocacy.com.au)

These relationships of trust have been achieved through very active advocacy by the voluntary advocate in areas such as health, the courts, employment agencies, service providers, community access, and many more real life situations.