

UnitingCare Community response to the review of The National Disability Advocacy Framework

July 2015

About UnitingCare Community

UnitingCare Community is part of the UnitingCare Queensland group of community service organisations.

UnitingCare Community (UCC) employs over 2000 staff and has approximately 6000 volunteers who help support our community service programs and Lifeline Shops across metropolitan, rural and regional Queensland. Being a state-based organisation, we have the ability to be flexible and agile in our response to community need.

We provide many important services to Queenslanders within key service areas of crisis support, child and family wellbeing and disability support.

UnitingCare Community's values

UCC operates within the values of UnitingCare Queensland which are:

Compassion

Through our understanding and empathy for others we bring holistic care, hope and inspiration.

Respect

We accept and honour diversity, uniqueness and the contribution of others.

Justice

We commit to focus on the needs of the people we serve and to work for a fair, just and sustainable society.

Working together

We value and appreciate the richness of individual contributions, partnerships and teamwork.

Leading through learning

Our culture encourages innovation and supports learning.

UnitingCare Community is a provider of disability services

UCC offers a wide range of disability support services to adults, children and young people and their families through its Disability Services Directorate.

We support people with a wide range of individual needs and abilities, including people with very high and complex support needs. UCC's disability services operate in regional centres throughout South East Queensland and in Townsville. Our services continue to expand as the demand for quality support services grows.

The service goal of UCC is to deliver the best possible life outcomes for the people who use our disability services. Long term outcomes for the individuals we support will vary depending on their preferences and capabilities but we will work with each person to develop a full, meaningful, inclusive life with decreasing dependency on paid supports.

UnitingCare Community's response to the review of the National Disability Advocacy Framework

A vital component of delivering on UCC's service vision, values and goals for people with disability is supporting advocacy at the individual, organisational and systemic levels. We therefore welcome the current review into the National Disability Advocacy Framework (the Framework) as the current reform environment requires consistent, quality and multi-level advocacy. Australia's delivery of its commitments under The United Nations (UN) Convention on the Rights of Persons with Disabilities requires advocacy:

To promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, and to promote respect for their inherent dignity

The UN identified that no entity on their own could achieve the goal of equality for people under the convention and that an interconnected network of actors is required to achieve this goal. The mechanism to achieve that is advocacy.

Indeed the broader goals of the National Disability Insurance Scheme (NDIS) will not be met that are about:

"...building a sustainable, flexible and responsive NDIS, which makes a real difference to the lives of people with disability, their families and carers and their integration and inclusion in community." (CEO's foreword, National Disability Insurance Agency Strategic Plan 2013-2016)

It is for these reasons that UCC believes that advocacy is a critical lynch pin in successfully reaching the aspirational but achievable goals for the lives of people with disability in Australia.

A preferred outcome of the review of the Framework would:

- 1. Clarify that it is a Framework for broader disability advocacy in Australia, not simply funded disability advocacy services.**

There appears to be some confusion in the current Framework about whether it covers all advocacy services or only funded advocacy services. The current Framework describes a narrow and inconsistent understanding of advocacy and reads more like a charter of service rights. If the Framework is to align with the UN Convention and the relevant disability legislations across jurisdictions, then it is necessary to identify the formal linkages between individual advocacy and that of systematic advocacy if it is to be useful in addressing discrimination and exclusion. UCC believes the Framework should cover all advocacy services as it establishes the broader foundation for advocacy in Australia not only those that are funded by government.

- 2. Better define advocacy in terms of systems, citizenship and rights.**

The UN Convention is cited although the Framework does not include a focus on rights of citizenship and this could be remedied in the next iteration. This addition will assist in the goal of safeguarding people. In this context a definition of need is required and be explicit

about its scope to cover support need, fundamental human need and specific disability related need.

The NDIS itself is about much more than support. Any advocacy framework associated with it therefore needs to include people's capacity to have their rights addressed across a range of government and civic circumstance in line with all of the legislation and conventions cited in the discussion paper.ⁱ

The **outcomes** speak of "rights and freedom" and other higher order achievements, such as economic participation and social inclusion, which UCC believes to be the appropriate level of response. However these clauses aren't encompassed by the **objectives** which appear to have a narrower focus on service delivery for people with a disability.

In addition, the **output 13(a)** is about "Individual advocacy that is tailored to meet the individual needs of people with disability" and in keeping with the comments above individual need would be better re-phrased as rights and freedoms.

3. Define and promote quality advocacy (essential under the NDIS).

UCC believes that advocacy is a critical tool in achieving the goals of the NDIS. To do this the Framework should provide leadership about how quality advocacy works in ensuring the views of people with a disability are heard. This requires clarity about what quality advocacy is and how it ensures that the views of people with a disability are heard across a range of domains including as citizens. Quality advocacy is critical to "optimizing the social and economic independence and full participation for people with a disability" as envisioned by the NDIS. It is also vital to achieving the first of its goals that "people with disability are in control and have choices, based on the UN Convention on the Rights of Persons with Disabilities."ⁱⁱ

ⁱ All relevant Australian disability services legislation; The United Nations Convention on the Rights of Persons with Disabilities; the National Disability Agreement; and the National Disability Legislation.

ⁱⁱ National Disability Insurance Agency, Building the National Disability Insurance Scheme Progress Report: Year two July 2015, p6.