



31 July 2015

Submission to Review of the National Disability Advocacy Framework

Disability Rights Advocacy Service Incorporated (DRAS) was established in 1987 and formed part of the then Australian Government's 'Demonstration Projects'. The aim of those projects was to trial innovative community based services that would facilitate social inclusion and economic participation of people with disabilities.

As one of the oldest National Disability Advocacy Program (NDAP) funded organisations, DRAS continues to safeguard the rights and promote the interest of people with disabilities, their families and carers in South Australia and at a national level. Consequently, we appreciate the opportunity to provide feedback on the current National Disability Advocacy Framework (the Framework).

Since the establishment of DRAS there have been numerous reforms to the disability sector and the wider social services system. It is our view, however, that the establishment National Disability Insurance Scheme (NDIS) represents one of the most important initiatives for the advancement of Australians with disabilities.

DRAS has reviewed the Framework against the United Nations Convention on the Rights of Persons with Disabilities (the Convention), the National Disability Strategy (NDS) and the National Disability Insurance Scheme Act (2013). We believe the current Framework is congruent with the Convention's Principles and Articles, contributes to the outcomes sought through the NDS and is applicable to a changing disability environment, including in the context of the NDIS.

The UN Convention defines discrimination on the basis of disability as **'.....any distinction, exclusion or restriction on the basis of disability which has the purpose or effect of imparting or nullifying the recognition, enjoyment or exercise, on an equal basis with others, of all human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field'**.

The advancement of people with disabilities via the provision of independent advocacy is to promote access and equity of people with disabilities, as compared to other Australians. The Framework's Objective is to enable: **People with disability (to) have access to effective disability advocacy that promotes , protects and ensures their full and equal enjoyment of all human rights enabling full community participation.**

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We are of the opinion that the specified Outcomes and Outputs clearly contribute to the Framework's Objective and that of challenging disability discriminatory practices. Furthermore, the Framework holds currency, irrespective of the environment in which disability advocacy operates within, including in the context of the NDIS.

However, it is widely acknowledged that, mirroring the rolled-out of the NDIS, demand for independent disability advocacy will exponentially increase due to a number factors, including:

- an expanding pool of people endeavouring to access the NDIA and navigate NDIS supports,
- challenges faced by people wishing to access mainstream social and economic opportunities create through the NDIS,
- the capacity of the disability and related sectors to appropriately respond to an individualised funding model and a person-centred approach,
- the potential negative consequences of market-based arrangements,
- An increase in the number of matters brought before complaints resolution and universal safeguard mechanisms,
- the need to provide unbiased support that facilitates informed decision-making and self-determination, and
- heighten need for supports to enable self-advocacy, self-representation and leadership - at the individual, collective and constituency level.

CONCLUSION

Independent disability advocacy has played and must continue to play an extremely important role in enabling and supporting people with disabilities to protect their rights and overcome barriers.

DRAS acknowledges the NDIS' potential to make a significant change in the lives of many NDIA participants. However, with greater opportunities for choice, self-determination, social inclusion and economic participation comes increased risks. DRAS believes that by-n-large the current Framework is relevant to the changing disability environment, but concedes that NDIS will create an unprecedented demand for disability advocacy resources provided through the Framework.

Consequently, DRAS cautions against any temptation to quarantine or prioritise future Framework supports for NDIA participants at the expense of the vast majority of people within the disability community who may experience problems outside the NDIS. Furthermore, particular resolve is need to ensure that, irrespective of NDIS status, people with disabilities who experience multiple disadvantages, are highly vulnerable, or are victims of abuse or neglect remain a priority in any new Framework.

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