



# Ethnic Community Services Co-operative

*A voice for diversity and inclusion*

(Formerly known as Ethnic Child Care, Family and Community Services Co-operative)

## **Feedback regarding the**

***Discussion Paper: Review of the National Disability Advocacy Framework***

**June/July 2015**

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## Table of Contents

ABOUT US .....	3
GENERAL COMMENTS .....	4
RESPONSE TO THE DISCUSSION PAPER QUESTIONS .....	5
Question 1.....	5
Question 2.....	6
Question 3.....	7
Question 4.....	7
Question 5.....	8
Question 6.....	9

## ABOUT US

**Ethnic Community Services Co-operative (ECSC)** (formerly known as Ethnic Child Care, Family and Community Services Co-operative Ltd) has 35 years of expertise working with culturally and linguistically diverse (**CALD**) communities and mainstream service providers across the disability, aged care and child care sectors.

<b>Children's Sector</b> <ul style="list-style-type: none"><li>• Bicultural Support</li></ul>	<b>Aged Care Sector</b> <ul style="list-style-type: none"><li>• Regional Assessment Service</li><li>• Multicultural Access Program</li></ul>	<b>Disability Sector</b> <ul style="list-style-type: none"><li>• Ethnic People with Disability Program</li><li>• CALD Capacity Building</li><li>• AbilityLinks</li><li>• Multicultural Respite Services</li></ul>	<b>Training</b> <ul style="list-style-type: none"><li>• Registered Training Organisation</li><li>• Professional development</li></ul>
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### *ECSC's current programs and services*

ECSC's vision is that every Australian from a CALD background has the opportunity to participate fully in Australian society and receive services that are relevant and appropriate to their needs. Some of the many ways that ECSC continues to assist children, people with disability, older people and disadvantaged groups from CALD backgrounds include:

- i. working with government agencies and services to **advocate for the needs of CALD communities** and promote access and equity;
- ii. **community development and capacity building** across ethnic communities so that they know their rights, have access to information and understand what they should expect from services;
- iii. **individual advocacy** and **linking** CALD clients and families to relevant services;
- iv. providing specific **programs and services** where needs are not being met by current services;
- v. **collaborating** with our members and other organisations;
- vi. providing **specialist advice, information, training and resources** to services on cultural and linguistic diversity and how to be culturally and linguistically responsive; and
- vii. valuing the knowledge, energy and passion of our workers and volunteers and providing a workplace where people can learn, innovate and grow.

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## GENERAL COMMENTS

- i. ECSC welcomes the opportunity to provide feedback on the Review of the National Disability Advocacy Framework discussion paper.
- ii. From our experience over many years of working directly with people with a disability from CALD backgrounds and their families, we know that many people with a disability are vulnerable to receiving poor quality services, or to abuse and exploitation, due to a lack of awareness of their rights or a lack of opportunity to exercise their rights. For **people from CALD backgrounds, these risks can be further heightened** due to a range of factors including cultural and linguistic barriers to engaging with services; a lack of awareness of the service system; and varying cultural understandings of disability and the role of carers.
- iii. We wish to emphasise that **advocacy, information and capacity-building services have an important role to play in** various domains, including:
  - a. Education about rights and navigating the service system;
  - b. Training for service providers in working effectively with people from culturally and linguistically diverse backgrounds; and
  - c. Supporting individuals and families to make complaints when this is required.
- iv. We urge to the Australian, state and territory governments to **ensure secure funding for grassroots community organisations** to continue their work in advocacy, information and capacity-building to support the goals of the National Disability Advocacy Framework.

## RESPONSE TO THE DISCUSSION PAPER QUESTIONS

### Question 1: Do you believe the current Framework encompasses your vision of advocacy in the NDIS environment? If not, what changes are required?

High quality disability advocacy is vital for ensuring the rights of people with a disability are upheld. ECSC's vision of advocacy encompasses a range of activities which are critical to the success of the NDIS in advancing the inclusion and wellbeing of people with a disability in our multicultural society.

We believe that advocacy in the NDIS environment must:

- i. Have as its foundation the **human rights of people with a disability**, as outlined in the UN Convention on the Rights of Persons with a Disability and reflected in a range of legislation;<sup>1</sup>
- ii. Utilise an **empowerment approach** aimed at building the capacity of both people with a disability to advocate for their own rights, and where appropriate, the capacity of families and carers to promote the rights of people with a disability within their networks;
- iii. Be **integrated across individual, community and systemic levels**, to ensure that the experiences of people with a disability are communicated effectively to policy makers and people with a disability are empowered to participate in political processes;<sup>2</sup>
- iv. Proactively **engage and educate communities about the rights of people with a disability**. While mentioned only briefly in the current Framework, targeted community outreach and education is critical for addressing cultural perceptions of disability and engaging people with a disability from CALD backgrounds in services and supports which promote their rights;<sup>3</sup>
- v. Continue to **address the barriers experienced by people with a disability in accessing mainstream services**. The need for advocacy focused on access and equity is reflected in the requests made to our Ethnic People with Disabilities Program in the past financial year, which included requests for assistance to access housing, education, income support, health care, legal advice and the justice system; and
- vi. Be **responsive to the cultural and linguistic diversity of our community** and the complex ways in which cultural perceptions of disability and the migration experience can affect

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<sup>1</sup> Including the *National Disability Strategy 2010-2020* and in the *Disability Inclusion Act 2014 (NSW)*

<sup>2</sup> For example, in the past year our Individual Advocacy work with people seeking access to appropriate housing has informed our input to state government consultations on reforms of the Housing system.

<sup>3</sup> For example, in our community outreach activities over the past year, we found that many CALD communities were not aware of the NDIS and had little experience thinking in terms of the goals and aspirations of people with a disability.

people with a disability from CALD backgrounds<sup>4</sup>. Many disability service providers lack the expertise or resources to respond to these complex issues<sup>5</sup>. Resources should be made available to build the cultural competence of general disability advocacy services, as well as the continued funding of disability advocacy services with particular expertise in working with CALD communities.

## Question 2: Are the principles of the Framework appropriate for guiding the delivery of advocacy for people with disability in a changing disability environment, including in the context of the NDIS? If not, what changes are required?

The majority of the principles of the Framework – in particular the emphasis on Human Rights, empowerment, and inclusion – are appropriate and necessary for guiding the delivery of advocacy for people with disability in a changing disability environment. However, ECSC recommends the following:

- i. While we strongly believe and agree in the importance of self-advocacy, we also recognise the **significance of the individuals' informal networks such as their family members and carers** to support them in their journey of person-centred thinking; this contributes to empowering the person with a disability to have more voice, choice and control when making decisions that directly affect their right to access services and support.
- ii. **The principle on diversity should be strengthened:** it is important to emphasise that disability advocacy not only “recognises and respects” the diversity of people with a disability. The language could be strengthened to reflect the need for disability advocacy to actively respond to the diverse needs of people with disability.
- iii. Stating the importance of **access and equity** within the Principles of the Framework would be beneficial in guiding the delivery of advocacy to people with disability. Service providers should be made to adhere to a standard which requires them to deliver services that cater to all people; this should include generating services that are fairly distributed and accessible to all people free from discrimination.

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<sup>4</sup> Diversitat Disability Findings Report, 2014, p. 5. Downloaded from: [http://www.diversitat.org.au/documents/Settlement/Diversitat\\_Disability\\_Findings\\_Report.pdf](http://www.diversitat.org.au/documents/Settlement/Diversitat_Disability_Findings_Report.pdf)

<sup>5</sup> Shut Out: The Experience of People with Disabilities and their Families in Australia - The National Disability Strategy Consultation Report, 2009, p. 58. Commonwealth of Australia. Downloaded from <https://www.dss.gov.au/our-responsibilities/disability-and-carers/publications-articles/policy-research/shut-out-the-experience-of-people-with-disabilities-and-their-families-in-australia?HTML>

### Question 3: Are the outcomes of the Framework still relevant or should different ones be included? If so, what should be included?

The outcomes of the Framework are relevant, however they would be strengthened by including the following:

- i. People with disability experiencing multiple disadvantages require more than to just have “their needs met”. **People with disability experiencing multiple disadvantages must be empowered** to exercise greater choice, voice and control. This requires funding for specialised, community engagement and capacity building work.
- ii. In addition to receiving independent advocacy that is free from conflict of interest, people with disability must receive independent advocacy that is of **exceptional quality**.
- iii. In addition to people with disability, where appropriate **families and carers** should be able to actively involved in all aspects of the development, delivery and evaluation of disability and broader government policies, programs and services that impact them.

### Question 4: Are the outputs of the Framework still relevant or should different outputs be included?

The outputs of the Framework have many relevant elements. ECSC strongly agrees that it is critical for disability advocacy to promote **community education and awareness** about disability issues and rights. Some people with disability especially from CALD background tend to have limited knowledge about their human and legal rights, as identified through the consultation process for the National Disability Strategy.<sup>6</sup> Lack of understanding can lead to barriers when accessing and receiving services. Community education empowers people with a disability enabling them to build their confidence to self-advocate for their needs, rights and goals being met. Furthermore it will enhance their problem solving skills which will contribute to their sense of independence.

ECSC recommends the following points be included to increase the relevance of the outputs of the Framework:

- i. Individual advocacy should extend beyond “*meeting the needs*” of people with a disability to encompass the **promotion of their rights, choices and goals**. This is in line with the empowerment approach reflected in the principles of the Framework, will build their capacity to exercise control and power over their lives.

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<sup>6</sup> Shut Out: The Experience of People with Disabilities and their Families in Australia - The National Disability Strategy Consultation Report, 2009, p. 57. Commonwealth of Australia. Downloaded from <https://www.dss.gov.au/our-responsibilities/disability-and-carers/publications-articles/policy-research/shut-out-the-experience-of-people-with-disabilities-and-their-families-in-australia?HTML>

- ii. **Informal support networks** such as family and friends should be acknowledged in the outputs. This network of people can contribute positively to the process of person centred practice by assisting the development of strengths and capabilities of the person with a disability. For example, in our Individual Advocacy work with people with a disability from CALD backgrounds, we work extensively with families and carers to build their understanding of the rights of people with a disability, and their knowledge of the disability service system so that they can locate relevant services and advocate for a quality service.
- iii. The implementation of disability advocacy must be **responsive to the cultural, linguistic and religious diversity** of people with a disability within Australia.

### Question 5: Does the Framework identify what is needed in the current and future disability environment? If not, what changes are required?

ECSC would like to commend the comprehensive and forward-thinking nature of the Framework but would like to see the following areas receive further clarification and emphasis in response to the new disability environment:

- i. ECSC would like to see that advocacy is maintained in the future to assist people with disability to access and navigate NDIS supports but also to access **non-disability specific services such** as housing, health and education and also provide facilitation for the views of people with a disability to be represented at a policy level through systemic advocacy.
- ii. ECSC firmly believes that individual advocacy should be **freely accessible and readily available to all people with disabilities**. It is our hope that advocacy will be adequately funded to ensure that all people with disabilities are aware of their rights to access individual advocacy (through community outreach and education), that it is not tied to individual packages or capped in any way, and that advocacy providers will be adequately staffed to meet the community's needs without long waiting lists as is currently the case.
- iii. ECSC strongly believes that people with a disability should have the **right to choose from a range of funded advocacy services that are responsive to their particular needs** including those experienced services currently supporting people from Indigenous, culturally and linguistically diverse backgrounds, LGBTIQ, disability specific, etc. in addition to large peak organisations.
- iv. ECSC also believes that people with a disability have a right to **quality advocacy**. We believe that advocacy needs to be adequately funded to be able to attract skilled workers and to be able to further train and develop the workforce to be able to provide the best level of support to people with a disability.



## Question 6: Do you have any other comments, thoughts or ideas about the framework

The NDIS presents a significant opportunity for both people with a disability and service providers to benefit from increased choice and control in a marketplace driven by responsiveness to the needs of consumers, rather than the priorities of government. However, people with disability from CALD backgrounds are often particularly vulnerable to abuse or exploitation, or to receiving a poor quality service, due to the lack of culturally and linguistically appropriate information about their rights and the services available. It is imperative to ensure that grassroots community organisations, including ethno-specific and multicultural organisations with expertise in working with CALD communities are adequately funded to continue their work in outreaching CALD communities, providing information and advocacy, and building the capacity of individuals and families to engage effectively with the disability services system.

Furthermore, in our culturally, linguistically and religiously diverse society, it is essential that all aspects of the new disability services system, including the NDIA, service providers, advocacy organisations and any independent bodies, are competent in working effectively with CALD communities and responding to their needs. We wish to emphasise the importance of considering the needs of people from CALD backgrounds in every aspect of the framework, to ensure that all Australians with disability are able to access safe and high quality services under the NDIS.