



**Disability
Justice
Advocacy inc.**

Submission to the Review of the National Disability Advocacy Program

09 June 2016

Background

Disability Justice Advocacy Inc. (DJA) specialises in providing advocacy support to people who have high support needs as a result of disabilities. It was founded in 1990 and we celebrated our 25 Anniversary last year.

DJA is governed by a Board of Management comprised of elected persons from its general membership, all of whom have high support needs as a result of disability.

DJA's focus is about working with the person with a disability and supporting them with their needs, rights and interests to address and resolve issues they identify as important to them. We are independent of all other services and free of conflicts of interest.

We provide services in accordance with the federal Disability Services Act 1986 and clients have rights enshrined in international, federal and state legislation and conventions as well as in the National Standards for Disability Services.

We are funded to provide advocacy as follows:

Legal Advocacy	10%
Individual Advocacy	60%
Systemic Advocacy	30%

DJA provides Individual, Legal and Systemic advocacy services to people with high support needs associated with disability that live in any of the following 28 metropolitan municipalities and as shown on the map below.

- Banyule,
- Bayside,
- Boroondara,
- Brimbank,
- Cardinia,

- Casey,
- Darebin,
- Frankston,
- Glen Eira,
- Greater Dandenong,
- Hobsons Bay,
- Hume,
- Kingston,
- Knox,
- Manningham,
- Maribyrnong,
- Maroondah,
- Melbourne,
- Monash,
- Moonee Valley,
- Moreland,
- Nillumbik,
- Port Phillip,
- Stonnington,
- Whitehorse,
- Whittlesea,
- Wyndham: and
- Yarra



Over 3.1 million people live within this catchment and according to the 2011 Census.

Almost 160,000 people with disabilities with high support needs are potential clients within this catchment. We are funded by the federal government through the Department of Social Services (DSS)

Disability Justice Advocacy Inc (DJA) makes the following submission.

1.1 How do people with disability, their families and carers benefit when agencies are funded to provide only one or two models of support?

1. We note in the preamble to this question the comment that *"...in some parts of Australia, people with disability needing advocacy supports cannot find the supports they need even when there are a number of advocacy agencies in their area. The model or type of advocacy supports that would suit them best is just not available."*
2. This is based on a false premise. It assumes that sufficient funding already exists under the National Disability Advocacy Program (NDAP) to enable a person with a disability to obtain advocacy support.
3. The fact is that NDAP funding for the 2014-15 financial year was only sufficient to provide advocacy for just 11,256 people with disabilities across the whole country. Disability Justice Advocacy on the other hand is funded for an annual target of just 80 clients per year, yet over 160,000 people with disabilities are potential clients in our catchment area.
4. For 2015-16 the NDAP funding across the whole country is \$16.4 million. Unless there is a significant increase in the funding then it will not address the lack of advocacy services for people with disabilities in any case regardless of where they live.
5. In our experience, people with disabilities gain great benefit from the expertise that Disability Justice Advocacy staff and board members as well as volunteers have developed over many years in the areas of legal and individual advocacy in particular, but also in relation to the wonderful systemic outcomes that we have been able to achieve for the wider disability community because of our particular specialisations.
6. Our staff over many years has been provided with extensive professional development support and training in how to provide specialist individual, legal and systemic advocacy within a human rights framework.
7. We note in the preamble to this question that *"the focus should be on the human rights of the person with disability and their individual needs and not on what model of advocacy is available in their local area."*
8. In an ideal world where NDAP funding was unlimited enough to cover the entire country regardless of where anyone with a disability lived then this might be feasible. However it poses a number of problems in relation to:
 - the training of staff,
 - the development of new policies and procedures to deal with a wide range of disability advocacy models,

- the creation of outreach offices to work with people in geographically isolated areas,
 - the availability of volunteers to assist with family and Citizen advocacy; and the management structure needed to make all this happen.
9. Under the current funding model where Disability Justice Advocacy is funded to specialise in legal, individual and systemic advocacy the following case studies will demonstrate the benefit to people with disabilities and their families and carers when agencies like ours are funded to provide only one or two models of support as a specialty:

Legal Advocacy

Disability Justice Advocacy has a Memorandum of Understanding with Maurice Blackburn lawyers, which has been in place for over two years and came as a result of a presentation made to partners and social workers in the business about the work of Disability Justice Advocacy in relation to legal matters.

This MOU is a wonderful example of what can be done when agencies like us have expertise in specialist areas such as legal advocacy.

DJA has provided the following Legal advocacy to clients in recent times under the NDAP.

- Residential tenancy disputes in the Victorian Civil and Administrative Tribunal (VCAT)
- Disability Discrimination complaints under the Victorian Equal Opportunity Act 2010 and the Disability Discrimination Act 1992
- VCAT applications for Guardianship and Financial Administration
- Reasonable adjustments for access to health and education services
- People with disabilities as victims of crime
- People with disabilities as witnesses to crime
- People with disabilities convicted and incarcerated for crime
- Assistance with the development of Powers of Attorney
- Lodging applications with the Transport Accident Commission
- Lodging applications with the Victorian WorkCover Authority

Here are some case studies that involve the specialist legal advocacy expertise that we have built up over many years:

Advocacy Case Study 01

Client AB is illiterate and has a physical disability. He first approached Maurice Blackburn Lawyers in 2013, and they reviewed records at that time relative to his amputation. He said he consented to a below-knee amputation. The records showed that he consented to an above-knee amputation.

From the summary of those records, it shows he has been a paraplegic for over 20 years, and is also diabetic. He has had numerous decubitus ulcers (bed sores) as a result over the years, dating back at least to the early 2000s.

Two lawyers from Maurice Blackburn have looked through his file and unfortunately his claim case does not have reasonable prospects of success given his extensive pre-existing conditions.

The disbursements associated with investigating this matter would range between \$5000 - \$20,000, and the likelihood that he would be successful is well under 50%.

The client is now being assisted by an advocate from DJA to complain to the Health Services Commissioner which can investigate the matter for him at no cost and, if appropriate, can arrange for conciliation and award compensation.

Advocacy Case Study 02

Client AB has intellectual and psychiatric disabilities and lives in a Group Home. Her finances are managed by State Trustees under a VCAT order. She was on our Waiting List previously, but the group home management took her off our list. She now receives advocacy from DJA to gain access her finances because she is unhappy with the way they are being managed on her behalf. An advocate has applied To the Victorian Civil and Administrative Tribunal to overturn the current Financial Administration order in favour of her preferred administrator.

Advocacy Case Study 03

Client AB has a neurological disability and is employed as a lecturer at a University which has a split campus and no disability access between the campuses.

Able bodied staff and students can cross the creek separating the campuses by going down steps, then across a bridge, then up the steps on the other side. Client AB struggles to walk even a short distance and has to use her own modified car to drive right around the University to get to and from each campus, often finding no where to park.

The University refused to provide reasonable adjustments so a DJA advocate lodged an indirect disability discrimination complaint under the Victorian Equal Opportunity Act with the VEOHRC.

The matter was settled during conciliation and the client was given a cash allowance for the use of her own car. The University has now released a design for a new accessible bridge which crosses the creek from one bank to the other allowing disability access to both sides of the campus.

This is a wonderful systemic outcome as well.

Advocacy Case Study 04

Client AB with a Brain Injury has been on the Office of Housing transfer list for modified accessible public housing since 2008. DJA began working with AB in 2009 and after 5 years of persistent advocacy including a complaint of disability discrimination to the VEOHRC and meetings with relevant state Ministers we have successfully negotiated a transfer from a tiny bedsit in a former aged care facility to a 2 bedroom house in Melbourne's inner north.

AB Moved into the property with financial assistance arranged by DJA and we are now in the final stages of having additional safety and security measures installed at the property.

Advocacy Case Study 05

Client AB (17 years old) with Autism and challenging behaviours was relinquished by her family into state care because funding and regular facility based respite wasn't available.

She was placed in 5 different respite centres across the north and west metropolitan areas where she was assaulted by other residents on numerous occasions. The family remained in regular contact but wanted her placed in an age appropriate Group Home not far from the family home.

Whilst in respite, client AB turned 18 and DHHS decided to place her into a Group Home with elderly residents over 180kms away from the family home in a rural location without consultation.

DJA advocated on behalf of this client who was able to return home with the funding package that was attached to her whilst in respite.

Advocacy Case Study 06

Client AB aged 22 has Autism, and an intellectual disability as well as complex and high support needs including challenging behaviours. She has been living in a respite facility for 2 years after being removed from her family home.

The Office of the Public Advocate (OPA) has been granted Guardianship by VCAT. OPA has engaged DJA to advocate for this young lady to be placed in suitable accommodation as soon as possible.

This case has raised a number of issues in relation to the role of OPA as Guardian and VCAT orders granting the right of OPA to advocate on behalf of clients. She has recently been offered accommodation after her DJA Advocate wrote directly to the Minister.

Advocacy Case Study 07

Client AB who is non-verbal with an intellectual and physical disability and Autism was injured when she fell off a bed in a Group Home whilst a worker was putting her socks on. No Incident Report was lodged.

When the family came to pick her up for a weekend at home, they noticed swelling in her leg.

Upon further medical investigation, the client had suffered a spiral fracture of the fibula and because of the delay in medical treatment will never walk again. A complaint is being lodged by an advocate on the client's behalf with the Disability Services Commissioner and a referral offered to Maurice Blackburn Lawyers.

Advocacy Case Study 08

Client AB has an intellectual disability and autism and has lived in a Group Home for 15 years.

The parents of a fellow resident have applied to the Magistrates Court for an Intervention Order against him. Maurice Blackburn Lawyers have agreed to represent him pro-bono in this matter. This is not part of our MOU but it is part of the social responsibility program by Maurice Blackburn.

Since our client does not have capacity to give instructions to his solicitor, DJA applied to VCAT for a Guardianship order in favour of his elderly parents and was successful. The parents are now able to give instructions to the solicitor who was then able to represent our client in the Magistrates Court and successfully had the application thrown out.

Advocacy Case Study 09

Client AB has an acquired brain injury and dyslexia. She suffered an injury several years ago in the workplace and a further injury in a vehicle accident. She chose a referral to Maurice Blackburn Lawyers under our MOU rather than through the Find a Lawyer service from the Law Institute of Victoria.

We are not funded to provide this type of legal advocacy. Maurice Blackburn Lawyers have taken on her case with her consent.

In the meantime, as a victim of child abuse, she received advocacy support from DJA to help prepare, write and lodge a written submission to the Royal Commission into Family Violence.

Advocacy Case Study 10

Client AB has a physical disability and is from a CALD background. She has lived with her family in an Office of Housing property which has stairs that

create mobility access and pain problems for her. She has been on the priority short list for a transfer to a new property for 10 years but wants to stay close to her family support networks. This decision has made finding more suitable public housing quite difficult.

Her advocate is discussing the option of a disability discrimination complaint under the Equal Opportunity Act 2010 with her and her family to try to expedite a transfer to more accessible public housing.

Advocacy Case Study 11

A legally blind client with Cerebral Palsy who was a tenant of the Office of Housing was repeatedly asked to sign work orders by maintenance staff to verify that repairs had been carried out on her residence.

When she refused because she could not see what she was signing or whether the work had actually been done, maintenance stopped.

DJA lodged a complaint with the VEOHRC under the Equal Opportunity Act and successfully conciliated an outcome that resulted in a change of Office of Housing policy and the offer of relocation to a more suitable and well maintained modern home.

Advocacy Case Study 12

A day service provider referred a young person residing in a nursing home for hygiene and health concerns. This person had a physical disability and was unable to communicate or make informed decisions and upon consultation with the nursing home it became clear there was no care plan in place.

The client also had no family or other personal supports.

DJA invoked its duty of care under Disability Services Act and immediately lodged an urgent application in the Victorian Civil and Administrative Tribunal under the Guardianship List.

In the meantime, a Care Plan was developed and implemented at the nursing home. At the VCAT hearing, the Office of the Public Advocate was appointed the client's guardian. This was a highly successful outcome involving legal advocacy, duty of care and the best interests of the client.

Advocacy Case Study 13

A female client was the victim of sexual harassment at work and DJA successfully advocated in the Victorian Civil and Administration Tribunal (VCAT) for a confidential settlement.

Prior to our involvement the respondent had refused to accept any responsibility in relation to the matter.

Advocacy Case Study 14

A client was threatened with eviction by the Office of Housing and the matter was resolved through action in the Victorian Civil and Administrative Tribunal by her DJA advocate where satisfactory orders were obtained to prevent eviction.

Advocacy Case Study 15

Client RO, female aged 18 with severe Autism, non-verbal and with an intellectual disability was reluctantly relinquished into state care at age 16 years and 7 months by her parents because although eligible, they could not obtain funding under the state Disability Act. Long term suitable accommodation was not available at the time of relinquishment and the client spent 18 months living in respite facilities.

The family contacted DJA for assistance for support to have their daughter housed in more suitable accommodation. The state government took responsibility for this decision away from the parents because the client had since turned 18 and was unable to give informed consent.

The advocate from DJA supported the client and her parents with an application to VCAT for a Guardianship and Financial Administration order which was granted for 3 years and gave them the right to be involved in the decisions about where the client, their daughter should live.

Our client was relocated to suitable accommodation as a direct result of DJA advocacy. The family and the client are now happy with the outcome as they can continue to have regular contact as a family.

Advocacy Case Study 16

Client GH is 16 years old, non-verbal, has Autism and complex challenging behaviours. She was relinquished into state care by her single mother who had two other younger children with disabilities and could not get the funding support from DHHS to keep the family together.

Client GH was placed in 5 different respite facilities across the west and north metropolitan areas of Melbourne over a two year period and was physically assaulted quite seriously on two occasions by other residents.

These assaults were recorded as Incidents and no notifications were made to police by the staff at the various respite facilities. In the end, the mother was so concerned that her daughter was due to be placed back into a respite facility where she had previously been assaulted, that she contacted our agency and we facilitated the return of her daughter to the family home with appropriate supports in place.

We provided legal advocacy in relation to lodging and following through on complaints with Victoria Police on behalf of the client.

The case studies above highlight just how important it is to maintain the specialization that we currently have in relation to Legal Advocacy. There is no other NDAP agency that does the type of work in this area that we do in our geographic intake area. We do not promote our services directly to consumer groups because we could not possibly meet the demand, but word of mouth has enhanced our reputation so much so that service providers recommend us as the first point of contact.

Individual advocacy

Individual advocacy remains a key focus but the involvement of DJA in systemic advocacy campaigns as a direct result of individual advocacy has increased considerably over recent years.

For example, we currently provide Individual advocacy on behalf of people with disabilities for issues many of which are not directly related to or funded by the NDIS. Our clients are required to sign an Advocacy Agreement that permits us to resolve their issue but also achieve a systemic outcome where possible.

Individual advocacy must continue to be block funded regardless of whether a person with a disability is an NDIS participant or not. There is a real fear that many people with disabilities will fall through the Individual advocacy cracks because they are not eligible for funding under the NDIS.

Were this to happen, it would be a breach of Australia's commitment to the CRPD and the objectives of the NDAP.

It has been noted that the "Australian Government funded National Disability Advocacy Program (NDAP), will continue to ensure people have access to advocacy support"

However, it is certainly unclear whether this will apply to Individual advocacy outside the NDIS by existing NDAP providers.

Some of the issues we provide Individual advocacy support for include:

- Homelessness
- Lodging applications for public, social and private housing
- Lodging complaints about lack of home based personal care and nursing services
- Supporting clients to access palliative care
- Applications for the Companion card
- Applications for the Myki Concession card
- Complaints against pharmaceutical service providers
- Obtaining Auslan interpreters for medical and other appointments
- Support to access allied Health Services such as physiotherapy, occupational therapy, speech therapy etc.
- Access to premises and goods and services
- Access to k-12 education services for children with disabilities

- Complaints against workers to service providers
- Complaints to the Financial Industry Ombudsman
- Complaints to the Telecommunications Ombudsman
- Complaints to the Health Services Commissioner
- Applications under Freedom of Information
- Complaints to the Disability Services Commissioner
- Complaints to the Mental Health Complaints Commissioner
- Complaints to the Public Transport Ombudsman
- Complaints to local government about disabled parking permits
- Complaints to the Taxi Services Commission
- Applications for and complaints against HACC services
- Relinquishment of people with disabilities into state care
- Applications for Centrelink payments, allowances and pensions
- Repairs and subsidies for Aids and Equipment
- Young people with disabilities in Aged Care facilities
- Care plans for aged Care facility residents
- Support plans for people with ABI after being discharged for rehabilitation
- Home disability modifications
- Appeals against Centrelink income support decisions
- Urgent safety issues
- Development and implementation of Behaviour Support Plans
- Access to recreation and social activities
- Development of recreation plans
- Complaints against Day Services
- Complaints against Victoria Police
- Dispute resolution between residents in Group homes
- Applications for half price M40 taxi cards
- Dispute resolution with the Transport Accident Commission
- Dispute resolution with the Victorian WorkCover Authority
- Dispute resolution with State Trustees
- Assistance with financial management and budgeting
- Household repairs and maintenance
- Development of Communication Aids for clients who are non-verbal

The National Disability Advocacy Framework and Individual Advocacy

The principles of the Framework are appropriate for guiding the delivery of Legal and Systemic advocacy but not necessarily Individual advocacy. This is because there will be many people with disabilities who will not qualify as participants under the NDIS who will still require Individual Advocacy on a range of issues. Below is a case study to illustrate this point.

CASE STUDY

Client AB was injured in a transport accident and was in receipt of services from the Victorian Transport Accident Commission (TAC). As a result of the accident she acquired a brain injury.

She was unable to understand the documents provided to her by the TAC and required advocacy support to make sense of them and to liaise with her Case Manager.

She also required assistance to lodge an appeal against a decision by TAC to not fund a service she needed. We were able to help her with both under our NDAP funding agreement.

However, under the eligibility requirements for the NDIS, client AB would not receive funding as a participant yet she still requires ongoing Individual advocacy.

The decision in April 2015 by the Council of Australian Governments' Disability Reform Council to fund within the NDIS

- decision supports
- safeguard supports, and
- capacity-building for participants, including support to approach and interact with disability supports and access mainstream services

may mean that this client will not be eligible for Individual advocacy unless the NDAP provides block funding to our agency for this type of work.

The objective of the NDAP is that people with disability must have access to effective disability advocacy that promotes, protects and ensures their full and equal enjoyment of all human rights enabling community participation.

This should apply to individuals requiring advocacy regardless of whether they are participants in the NDIS or not.

The outcomes identified in the National Disability Advocacy Framework are generally relevant. However, there needs to be further consideration of these outcomes in relation to the target group for services under the NDAP as distinct from the NDIS.

The target group for advocacy support provided by NDAP agencies, as required under section 8 of the Disability Services Act 1986 (DSA), consists of people with disability that:

- is attributable to an intellectual, psychiatric, sensory or physical impairment or a combination of such impairments;
- is permanent or likely to be permanent; and
- results in:
 - a substantially reduced capacity of the person for communication, learning or mobility; and
 - the need for ongoing support services.

The definition of "ongoing support services" is problematic because it can mean different things to different individuals with disability just as it can to different advocacy service providers.

On its own it does not automatically guarantee that a person with a disability who has a need for ongoing support services will receive funding under the NDIS as a participant.

There is no clear definition of this phrase “ongoing support” within the Disability Services Act as it relates to Individual Advocacy and this may have an impact on the outcomes of the Framework.

CASE STUDY

Client EF has an arthritic condition, is dyslexic and is receipt of a Disability Support Pension. She required advocacy support to lodge an application to the Taxi Services Commission for a half price M40 Multi Purpose Taxi Card.

We were able to help her with this application but it is arguable whether a half priced taxi service is an “ongoing support service” or whether she would even qualify as a participant under the NDIS.

Individual Advocacy Case Studies

The case studies below highlight the importance of specialisation by agencies such as ours which is underpinned by many years of extensive professional development and training and well developed network contacts within the disability sector.

Advocacy Case Study 01

Client AB has an intellectual disability and has issues with writing, typing and learning and lives on her own. She has sought advocacy support to obtain ongoing free counselling services to help her be more assertive and to build her self esteem.

An advocacy Plan has been developed and AB will be linked into a number of services from which she can choose.

Advocacy Case Study 02

Client XY required hospital admission protocols to be put down in writing to help his support staff in his group home and the medical team in the hospital, to provide the correct support during hospital admission. He is non-verbal, is unable to write and uses a wheelchair.

An advocate from Disability Justice Advocacy put together this protocol in consultation with all the relevant parties and it is now used to make the clients hospital admissions more satisfactory

Advocacy Case Study 03

Client XY lived in a group home and had major problems with constant changes of staff and the ongoing issue of casual workers being employed to cover vacancies. This meant there was no consistent approach to managing his personal hygiene in terms of showering and toileting and despite his own advocacy to the house supervisor he was unable to resolve this situation.

The advocate appointed to support him with this problem was able to work with the house supervisor to develop a care plan which was so clearly written with full explanations including photographs and other images that it did not matter which worker was supporting him, the instructions were very clear.

The client was extremely satisfied with this and so was the house supervisor because it resolved the complaint and achieved an outcome for the client.

Advocacy Case Study 04

Client XY lived in a small one-bedroom unit owned by the local council. However the unit complex was managed by a local real estate agent who often came into the client's home unannounced and in breach of the Residential Tenancies Act. Despite repeated requests by the client to the council to take some action nothing was done.

The client approach to Disability Justice Advocacy and the advocate was able to negotiate an arrangement between the council and the real estate agent that there would always be a council officer present during inspections which would only be carried out in accordance with notices given under the Residential Tenancies Act.

Advocacy Case Study 05

Client XY was living in public housing which had become unsuitable for him after acquiring a disability. Despite lodging a transfer request with the Office of Housing nothing was done for over two years and this caused the client considerable mental and physical health complications.

An advocate from Disability Justice Advocacy was able to negotiate directly with the Office of Housing through its extensive network of contacts to enable a transfer to more suitable accommodation to take place within two weeks.

This sort of intimate knowledge and accumulated network of contacts is only possible because of the specialised nature of the work that is done by advocates at Disability Justice Advocacy.

Advocacy Case Study 06

Client XY was in eligible for funding from the Department of Health and Human Services to provide modifications to a wheelchair accessible van that

was purchased by her parents to help transport her as part of her daily life to a range of different activities including medical appointments et cetera.

The advocate appointed to this client was able to apply for a grant from a philanthropic organisation which provided the funding needed to modify the van.

Systemic advocacy

Through our systemic advocacy funding DJA made several submissions during the last financial year, the most notable being to:

- Senate Inquiry into the Adequacy of existing residential care arrangements available for young people, with severe physical, mental or intellectual disabilities in Australia.
- Senate Inquiry into violence, abuse and neglect against people with disability in institutional and residential settings, including the gender and age related dimensions, and the particular situation of Aboriginal and Torres Strait Islander people with disability, and culturally and linguistically diverse people with disability
- Victorian Ombudsman investigation into how allegations of abuse in the disability sector are reported and investigated

Below are some statistics that we have been able to gather and use systemically with our work with the Department of Justice and Victoria Police to protect and enhance the rights of people with disabilities when they are victims of crime

Case File Statistics on People with Disability as victims of abuse, neglect or violence 01 October 2010 to 31 March 2015

- 86 clients contacted or were referred to Disability Justice Advocacy (DJA) for assistance
- 1 whistle-blower employee was sacked for making a referral to DJA on behalf of their client
- 61 victims had profound communication impairments involving inability to speak or read or write or a combination of these
- 47 of these used alternative or augmentative communication aids
- 59 were referred to Victoria Police by either DJA or family members on advice from DJA
- 11 victims were too scared to involve the police because the alleged perpetrator worked as their carer but was also employed by their landlord in a Group Home situation
- 17 of the alleged perpetrators were family members or acquaintances known to the victim
- 69 of the alleged perpetrators were employed as carers
- 16 victims were discouraged by family members not to involve the police

- Only 3 victims were interviewed by Police, 1 without the presence of an Independent 3rd person from OPA
- 58 clients were not interviewed by police after first speaking to the alleged perpetrator and/or their employer
- Two of the incidents went to trial and the perpetrator was convicted

It has been noted that the *“Disability Reform Council agreed that systemic advocacy and legal review and representation will be funded outside the NDIS. This is in line with the 2011 Productivity Commission Inquiry Report into Disability Care and Support, which recommended advocacy be funded and provided outside the NDIS.”*

Here are some systemic advocacy case studies from our files:

Aids & Equipment for people with Disabilities

Systemic advocacy by the Aids and Equipment Action Alliance in which DJA Executive Officer Trevor Carroll held the position of Treasurer of the Committee of Management produced a major piece of research entitled “Wait Times Project” which has informed the development of the State Wide Equipment Program (SWEP)

See <https://swep.bhs.org.au/>

Protect and enhance the rights of people with disabilities

The Victorian Equal Opportunity and Human Rights Commission (VEOHRC) has taken action to address the issue of people with disabilities as victims of crime as a result direct result of systemic advocacy by Disability Justice Advocacy which is represented on the Disability Reference Group. The Executive Officer of DJA, Trevor Carroll was the Co-chairperson of the group with the Commissioner.

See <http://www.humanrightscommission.vic.gov.au/index.php/our-resources-and-publications/reports/item/894-beyond-doubt-the-experiences-of-people-with-disabilities-reporting-crime>

Access to justice by people with disabilities

Disability Justice Advocacy works in partnership with the Victorian Police Academy under the Community Encounters Program to recruit volunteers with disabilities to help train police cadets and protective services officers in disability awareness.

Improved access to services and premises

DJA is a member of Whittlesea Disability Network which has over 300 individual and organisational members. It is the largest such network in Victoria. The Executive Officer, Trevor Carroll pursued a discrimination claim in the VEOHRC against the Department of Transport in relation to disabled

access at the new South Morang rail station on behalf of the network. A successful VCAT Directions hearing was held which resulted in compulsory mediation and an outcome which was of benefit to the whole disability community.



Trevor Carroll says the new stations at South Morang and Epping need access ramps like this one at the current Epping station.

Picture: STEVEN CRABTREE N18WP108

Advocate fired up over missing ramps at stations

SOUTH Morang disability advocate Trevor Carroll is taking the Department of Transport to VCAT over a lack of ramp access at the new South Morang and Epping railway stations.

Entry to the stations is below ground level, accessed by a lift or

stairs. In the event of a mechanical lift breakdown or a fire, Mr Carroll said he would be stranded.

"What if there's a fire and you can't use the lift?" Mr Carroll said. "I will be stuck if the lift breaks down but able-bodied commuters can just walk up the stairs."

Transport Department spokesman David Stockman said that lifts at all three stations would be fitted with an uninterrupted power supply and back-up power, as well as being monitored with a CCTV camera.

The Epping station is due to open

this month, and South Morang's next year. A date has not been set for the VCAT hearing.

► More trains needed, p9.

Are people with disabilities being put at risk? Tell us at whittlesealeader.com.au

Child relinquishment and disability

The Victorian Equal Opportunity and Human Rights Commission set up a reference group to research and report on the issue of children with disabilities being relinquished by their parents into state care.

A report entitled "Desperate Measures" has been released. The Victorian Equal Opportunity and Human Rights Commission set up a reference group to research and report on the issue of children with disabilities being relinquished by their parents into state care.

This was established as direct result of advocacy by DJA and is being facilitated by representation on this Reference Group by DJA.

A report entitled "Desperate Measures" has been released. See <http://www.abc.net.au/unleashed/4039780.html>

