

**Question 1:**

**During the first stage of consultations we heard that the vision and the six outcome areas under the current Strategy are still the right ones. Do you have any comments on the vision and outcome areas being proposed for the new Strategy?**

Fine

**Question 2:**

**What do you think about the guiding principles proposed here?**

As a general point I believe since the strategy's implementation (2009/10) there has been a reported increase in violence against People with Disabilities (PwD), so I am not sure if Article 3 of the UNCPRD captures this. That is, should there be something in there re: "...right to exist" or be free not from discrimination but not being subjected to ableist attitudes? That is, Ableism is a huge phenomenon but not at all defined/captured in the strategy. See my further comments about this under Question 3.

I think the topics listed; if I assume they are in priority order, are like a risk management approach to addressing a problem. The first two principles of involvement and design universally address the issue from a lived experience idea and should resolve the majority of issues.

However, as a point that needs addressing under the first principle is whether 'involvement' is too soft a word? Involvement can be tokenistic, and several national Disability Standards are much stronger, using the term 'consultation' as an actual requirement (not negotiable). Where PwD are involved, that is where a potential risk occurs re: being exploited by our membership on advisory committees being unpaid. I have further explored this aspect in response to Question 8, where it is acknowledged PwD must play a central role in shaping policy, but it doesn't indicate this role should be fairly remunerated.

The third principle deals with attitudinal change within the broader community. Universal design and engaging in the broader community are essential; it is more important to engage the community as a priority as these first two principles are done. Universal design will be considered the normal and accepted approach to the way things are done, even if it is legislated. As indicated before it is essential that we engage the broader community as a priority; for example of where it is not working is the privatising of building surveying which means the regulation of the expected outcomes from Universal design is not happening as it should because the Developer owns the process and as we have seen in a couple of Royal Commissions privatisation of any service puts profit before people!

I consider principle 4 as part of the first one and principle 5 as part of the second one.

**Question 3:**

**What is your view on the proposal for the new Strategy to have a stronger emphasis on improving community attitudes across all outcome areas?**

I think it is essential; one way of harnessing the abilities and employment potential of people with disabilities is to use the experience gained in the COVID lockdown and employ people with disabilities to work from home. While employers have appeared to struggle in the past with the development of workplace adjustment policies and templates, the COVID-19 pandemic demonstrated the agility and flexibility of many employers (including government public services) in moving rapidly to a 'working from home' mode. This demonstrates the need to embed flexible working arrangements to support the recruitment and advancement of people with disability in all sectors of the community.

Furthermore the concept of ableism needs to be addressed; a brief description of the concept and issues is contained in the following quotation from;

<http://www.austlii.edu.au/au/journals/AltLawJl/2009/49.pdf>

“Over extended periods, women and various racial and ethnic groups have advocated for the acknowledgment of their right to fully participate in society. In recognition of this, the terms sexist and/or racist have been used to convey negative legal and cultural connotations for behaviours which are contrary to a range of legal, moral and ethical principles that have been enshrined over time. These labels have provided a source of power for those advocacy groups as a means of identifying a set of negative behaviours. In contrast to these labels, disability advocates have not been able to coin a similar label to describe disability discrimination. This article will argue that it is now appropriate to adopt the term 'ableism' as a label, analogous with the concepts of racism and sexism. Embracing the term ableism, it is argued, would facilitate a move away from the limitations of the currently adopted medical model of disability towards a social justice model. The social justice model of disability policy recognises that the burden of reducing barriers to inclusion is the responsibility of everyone within the community rather than being confined to medical care providers. The social justice model also advocates that, wherever possible, society should adopt universal design to reduce the instances of unnecessary barriers for people with disabilities.”

Another way of strengthening and shaping attitudes so that PwD can fully participate in the community is for the new NDS to establish a commitment from all levels of government that any public money spent on events or approvals for events such as festivals require the organisers to develop and implement an accessibility statement.

#### **Question 4**

**How do you think that clearly outlining what each government is responsible for could make it easier for people with disability to access the supports and services they need?**

There needs to be more than just defining roles and responsibilities; there also needs to be a very firm definition of who is accountable as well as who is responsible; the two are different and without this extra definition politicians and senior bureaucrats will drive a truck through the gap as we have seen recently with all the dodging of accountability and blame shifting occurring between various levels of government and within government as the Victorian quarantine inquiry so vividly exposed. For example Local government is a creature of the State government; what is to stop delegation or legislation transferring responsibilities as election vicinity/popularity wanes/budget pressure grows? Another more generic example of how the problem could be addressed is in relation to Disability Standards AS EN 301 549: Accessible ICT Procurement. Why does staff Codes of Conduct not include staff complying with Standards requirements?, when they have to comply with other non-disability standards

(e.g. Safety Standards)? As such the new NDS should establish a commitment from all levels of government that all procurement contracts include accessibility requirements.

The measuring and reporting of outcomes and collection of relevant data as well as the co-ordination of evaluation is supported as part of a broader Plan Do Check strategic approach to ensure the NDS delivers its promise over the next 10 years.

In addition to this collection and reporting the new NDS should commit to funding independent disability advocacy organisations to provide alternative reports and call those responsible to account when they fail to act on their commitments.

The final way to improve the services for PwD is for the new NDS to establish a timetable to develop and adopt a mandatory 'disability lens' to be applied to all levels of government policies, procedures, programs and legislative change much in the same way as a Regulatory Impact Statement. A disability lens could include a checklist of actions to be taken to ensure the actions of any government assess the impact of any policies, procedures, programs and legislative change on people with disability.

## **Question 5**

**How do you think the Strategy should represent the role that the non-government sector plays in improving outcomes for people with disability? (*Examples of the non-government sector include big, medium and small businesses, community organisations, employees of these businesses, private research, investment organisations and individuals.*)**

Perhaps a mix of a few things; firstly the Strategy/government could produce a template for corporate social responsibility reporting and secondly the government through a change of accounting standards or legislation make it mandatory to include such a report in the Annual Report much as is done for audit statements. Another option is to increase funding to assist NGOs that are NFP, etc. to help them comply as many want to be more accessible but don't necessarily receive decent core funding, and can't set aside project funding for core access needs.

## **Question 6**

**What kind of information on the Strategy's progress should governments make available to the public and how often should this information be made available?**

I have been a member of a community based disability advisory council that makes recommendations on state government agencies plans and associated actions to a state Premier. The problem we have always had in relation to any Strategic Planning document is the Plan Do Check cycle; government and their agencies are all too comfortable with Planning and Doing but are reluctant to check or monitor their progress as it may either show nothing is happening or what has happened hasn't delivered the outcomes promised or envisaged.

The government should make reports such as ours available to the public (which it does in our case by publishing on the website). Our reports contain information on each agency plans for addressing disability issues and the actions undertaken.

The proposed NDS should ensure that the information that is recorded and made available should also be universal in nature and include nation-wide indicators so we are comparing apples with apples. A way of making this happen is for the NDS to propose the establishment of an expert body like Standards Australia which provides the mechanism to work across all governments and sectors to develop such universal nation-wide indicators. Further such an expert body could monitor and report annually on measurable Targeted Action Plans.

Secondly having said all that, the results of Targeted Action Plans should be made available annually.

### **Question 7**

**What do you think of the proposal to have Targeted Action Plans that focus on making improvements in specific areas within a defined period of time (for example within one, two or three years)?**

From my experience on the advisory council it is a great idea, as it will remove a lot of the surplus words for the sake of words reporting that now happens. Also it will hopefully remove the use of reporting on the “never-never” where no action is planned for a few years and the agency report quotes the planning to implement this action as “on-going”. Furthermore it will also be an “action” plan not a plan to undertake a plan for an action.

### **Question 8**

**How could the proposed Engagement Plan ensure people with disability, and the disability community, are involved in the delivery and monitoring of the next Strategy?**

Love the concept of Engagement Plans but I don't know how you make it work.

Involvement in the delivery and monitoring of such a complex strategy as the NDS takes time. Government and NGOs expect people with lived experience of disability to donate their ideas and intellectual property, time and cost to travel to meetings and time to attend meetings for free. We already know that PwD have amongst the lowest employment and remuneration history of the community and this type of free advice/consultation flies in the face of the stated outcomes for the NDS.

This is a perpetual issue for PwD and other marginalised groups seeking to be heard on issues. It is particularly important to note that often every other person in the room is there in a paid capacity, either as an employee of government or as an employee of an industry group or organisation. This creates a seriously unfair situation, particularly as those often with the greatest expertise are the community members of these marginalised groups.

It is an ongoing form of exploitation that relies on the importance to PwD of change being achieved. It is a horrible catch 22 for community members. Refuse and have the issues ignored. Participate and perpetuate the exploitation.

Having said all that, it would be great to develop a set of actions to work on this with a range of other groups outside of disability to get a common position. In the first instance there needs to be recognition that this is an issue that needs to be addressed. Secondly, the proposed “Involve and engage principle” associated with policy process or program design recognises

that PwD are engaged with and listened to at all stages of planning and implementation [do and check, hence time consuming].

Perhaps a way to do this is through peak disability voice groups composed of PwD who can co-ordinate this role for a standard fee and at the same time build capacity within the disabled community and ensure that PwD can actively participate in shaping future disability policies, programs and services.