



National Disability Strategy Response

The Disability Trust is an established and respected registered NDIS provider. We provide support to nearly 4000 people with a disability and their families. With a geographic footprint stretching across NSW, Victoria and the ACT, we are pleased to provide the following comments towards the review of the National Disability Strategy.

As an organization that has our roots firmly in the communities that we support and one that seeks to “Create an Inclusive World” we were excited and inspired by the 2010 National Disability Strategy but overall, despite the advent of the NDIS and other positive developments, we are disappointed that the National Disability Strategy did not achieve the vision it set out in the 2010 of “An inclusive Australian society that enables people with disability to fulfil their potential as equal citizens”.

Whilst the National Disability Strategy has been developed by the Commonwealth, it is owned by the whole of community. The issues facing people with disability do not fit solely with one department. Collaboration between every level of government and improved communication channels between departments is imperative to ensuring that solutions are coordinated and resourced appropriately. COVID-19 has shown that working in partnership is the way to affect change and communication channels between departments need to be developed to support cross jurisdictional responses. As such, the need to articulate and clarify the responsibilities that sit within State departments is central to it’s success. As noted in the Australian Institute of Health and Welfare (AIHW) report on “People with Disability in Australia” ¹

*“... people with disability want a high quality of life. To achieve this, they seek access to, and pursue outcomes across, all areas of everyday life, such as education, employment, healthcare, housing and justice but whilst many people with disability routinely and actively participate in these areas, some face challenges doing so. This is influenced by factors such as the **nature of the opportunities, services and assistance available to them; the accessibility of their environment; and their experiences of discrimination**”*

In the opening paragraphs of the 2010 – 2020 National Disability Strategy, there is clear reference to “...the need for greater collaboration and coordination by all...” to guide policy then and into the future. It is timely then that this review occurs in 2020, in the midst of the global Corona Virus Pandemic which occurs at a time when Australians are recovering from some of the worst bushfire crises ever seen. The needs of people with a disability, appeared to be somewhat as an afterthought by both State and Commonwealth Governments. Delays in acknowledging the individual and specific needs of people with a disability caused anxiety and confusion amongst many people and for people with a disability the lack of clear, accessible communication meant that they missed important updates and information.

“But what they really needed at such a difficult time was simple and clear communication about what was happening, more support to manage the challenges they were facing and greater flexibility in using their NDIS funding so they could get what they needed to stay safe and well.”²

¹ Australian Institute of Health and Welfare. Report on People with Disability, Sept 2019. <https://www.aihw.gov.au/reports/disability/people-with-disability-in-australia>

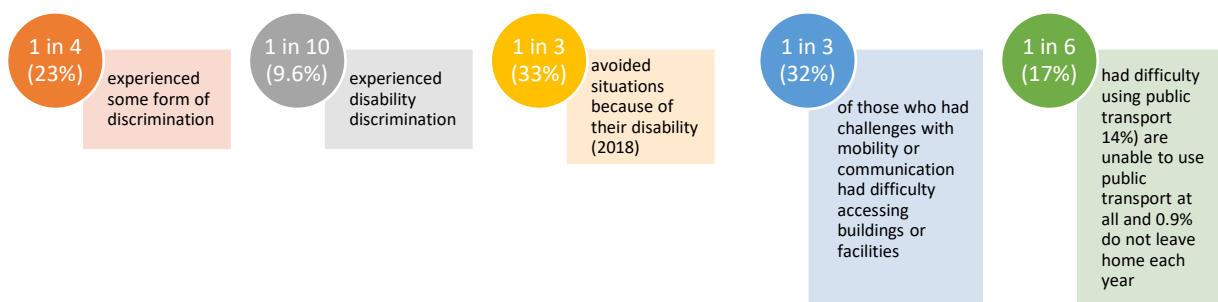
² Kristen Deane, Every Australian Counts Campaign, 2020.

Indeed, at a time when greater collaboration and coordination by all was important, people with disability felt forgotten and alone. Just one, but very significant example of this was the failure to increase the Disability Support Pension through COVID-19 in line with increases to JobSeeker payments and the roll out of JobKeeper payments. **Fundamentally, people with disabilities must be afforded the same human rights to live, work and participate in their communities and must not ever be left behind.**

Since the Australia’s ratification of the UNCRPD in 2006, we as a nation agreed that people with disabilities must “...no longer be ‘objects’ of charity, medical treatment and social protection towards but instead people with rights, who are capable of claiming those rights and making decisions for their lives based on their free and informed consent as well as being active members of society.”³

Sadly, there appears to be a denial of shared responsibility and the disability sector continues to do much of the driving and “heavy lifting” when it comes to working at grass roots level to change social attitudes and create opportunities for people with disability to participate and be active in their communities.

Recent AIHW data indicates that discrimination remains extremely high amongst people with disability. In the last 12 months, among people aged 15 and over with disability living in households, an estimated that in 2018:



The Australian Human Rights Commission (AHRC) receives more complaints about disability discrimination than about any other form of discrimination. People who experience disability discrimination are more likely than those who have not to avoid situations, to have poorer general and mental health, to be unemployed, and to have a lower level of income.

Promotion of the National Disability Strategy has been uneven and generally inadequate to drive changes to legislation and standards, government has done little to raise awareness of the UN Convention on the Rights of People with Disability and the obligations for all levels of government and society that the CRPD represents. Essentially we have failed thus far in “... **promoting awareness and understanding of the rights of people with disability, improving responses to people with disability in the justice system, ensuring their safety and enabling them to participate fully in the economic, civic and social life of our nation.**”⁴

The 2010 – 2020 National Disability Strategy promised that actions would be “...**monitored to ensure that mainstream service systems and regulatory frameworks such as building codes become part**

³ UN Convention on Rights of People with Disabilities, 2006

⁴ National Disability Strategy 2010 – 2020

of the solution to overcoming barriers for people with disability”. As an organization that provides support to over 4000 people, we are acutely aware of the continued disadvantage experienced by people with disability and we note that assertive yet simple adjustments (e.g. requiring the adoption of the 7 “silver” core elements of the Liveable Housing Australia guidelines⁵ as standard for new build homes to promote accessible housing) by government would go a long way to supporting a more accessible and inclusive society for all Australians.

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?

The vision and outcomes all have a clear focus on inclusion as the central theme. The vision could be strengthened with reference to human rights and / or the UNCRPD

Generally, more education and information is required on the UNCRPD and how an inclusive world upholds human rights principles for all. Placing either the UNCRPD and / or framework of human rights in the vision makes this link clearer and stronger.

The 6 outcome areas remain relevant however **further consideration of inclusion of specific areas of policy where discrimination is still experienced such as immigration and social housing is required.**

The focus on engagement needs to be strengthened to **ensure that the strategy is co-designed** to improve and change policy to meet the needs of people with disability.

The review and consultation highlight the need for meaningful engagement with people with a disability however one of the main issues with the engagement plan is that this is limited and people with intellectual disability may be unaware of the significance of the National Disability Strategy and will require support to engage which takes significant resourcing.

Our responses below point to positive, practical action that needs to be taken for the goals of the National Disability Strategy to be realized.

Question 2 What do you think about the guiding principles proposed here?

Rights based thinking is essential to every outcome and the outcomes could be presented clearly within a framework of human rights that again draws the link between the Strategy, the UNCRPD and human rights. Engagement must commence at the design phase and there needs to be more work done to engage people with complex communication to be part of the engagement.

The outcomes will not be met without adequate resourcing and investment. **As such it is imperative that the requirements to ensure effective and efficient engagement be prioritized and included.**

⁵ http://www.liveablehousingaustralia.org.au/library/SLLHA_GuidelinesJuly2017FINAL4.pdf

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?

We are entirely supportive of this proposal. Improving community attitudes requires consistent education on the Human Rights of all people to live, work and participate in their communities.

Whilst it is true that changing community attitudes is the basis of inclusion, what is needed is real strategies on exactly how this will be achieved with accountability for not meeting identified targets. While ever we have exclusionary approaches to people with disability embedded in legislation in immigration⁶ and other areas of Australian law it is hard to overstate the effect discriminatory and legal decisions have on contributing to continued negative community attitudes about people with disability as a burden or additional cost to the community. Welcoming people with disability into your community brings great benefit and this needs to be reflected in a whole of government and societal approach to inclusion. It is hypocritical on the one hand to state a vision of an “inclusive society” and yet on the other have openly discriminatory policies and laws.

The whole of community needs to be involved in the engagement, however the National Disability Strategy is rarely promoted with pride in the media or other forums to help Australians understand the benefits to them of inclusion. For the strategies to be realized, they have to be embedded in community life as “business as usual”. **Without a whole of community approach, generational change will not be realized.**

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?

Any piece of legislation or policy process must have “buy in” from all levels and sectors. Broad consultation is required.

Cannot have definitive “lists” for who is responsible for what. What is needed is flexibility and understanding that people move through different systems, sectors and departments.

Disability is universal and not all people with a disability will access the NDIS and so there needs to be a well communicated recognition that the NDIS is only one part of the National Disability Strategy and is not meant to nor should it meet the needs of all. Of particular importance are those with a psycho social disability and their specific needs must be considered in this area.

Case Study 1. Psychosocial Disability

Psychosocial disabilities now present the largest NDIS cohort, with unknown numbers of people living in the community with a diagnosed mental illness who could be eligible. Whilst the referral was in the end successful in gaining access to NDIS, this would not have been possible without significant support made possible by The Disability Trust providing funding. In April this year Trusted Support Coordination received a referral to assist a participant to apply for the NDIS through a “Pathways Project” which The Disability Trust had funded. (this was a short-term project that ended in May).

The Public Health Mental Health Social Worker referred the participant and advised at the time that the participant was not eligible for community mental health support. The participant had numerous support needs that were not being addressed and she could not

⁶ <https://immi.homeaffairs.gov.au/help-support/meeting-our-requirements/health/protecting-health-care-and-community-services>

have managed the application which involved sourcing and collection of a large amount of complex supporting evidence. The participant would not have been able to manage the process without the assistance. Supports required included:

- *Support worker for community access*
- *Community support programs*
- *Psychology/counselling*
- *Transport*
- *Exercise physiology and dietician and*
- *Lawn/house maintenance.*

The application was lodged in May and the participant became eligible for the NDIS in September.

It is very clear that everyone has responsibilities under both the UNCRPD and the National Disability Strategy to respond to the needs of people with disability with positive and proactive actions. It is imperative that all of society and all levels of government understand and recognize their contribution and not discount it to being an NDIS or disability sector responsibility – we are all part of interconnected systems and disability is a part of every community. **The understanding and recognition of a whole of government approach must be reflected in policies at the jurisdictional level.**

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?

The Disability Trust is encouraged to see that the value of Non Government Organisations (NGO's) is valued in the 2020 National Disability Strategy. Like The Disability Trust, many non-government organisations have a social change agenda and provide a powerful voice for change. As either a service provider, advocacy organization or peak body, NGO's have delivered supports within a framework of human rights. Effective engagement and collaboration with NGOs will maximise opportunities for participation in the design and delivery of strategies that in turn will increase engagement and ultimately ensure that targets are met.

This is particularly true in First Nations People's groups. Similar to the engagement with people with lived experience, **the strategy should consider meaningful and effective engagement strategies with NGOs.**

- Establishing regular forums for discussion and information sharing and providing opportunity for meaningful consultation.
- Encouraging and actively promoting collaboration. One of the outcomes from COVID-19 has been increased partnerships between Disability providers and Health which has ensured that people with disability are considered in strategy development and that their voices are heard as decisions that affect their lives are made.

To effect long lasting change to any social agenda collaboration, consultation and a valuing of shared responsibility is key without one-sided reliance on NGO's to effect change without adequate support and resourcing. The goals of the National Disability Strategy are ambitious, there is need to ensure adequate investment for as long as is required in this work. The continued review of funding and short project cycles devalues the contribution of advocacy organisations and the broader NGO sector and diminishes rather than builds capacity.

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?

“What gets Measured Gets Done”

While there have been successes we are disappointed in the effectiveness of the whole of government approach thus far and The Disability Trust had high expectations, as did people with disability and the general community. Key to success of this strategy is that reporting on progress transparently is prioritized and made available to the public in different accessible formats.

At least annual reporting is essential through Parliament with transparent data. The strategy must clearly articulate accountabilities and performance indicators made known across the following areas.

- Key areas of the strategy
- Data on complaints about discrimination will show how education and social awareness campaigns are working
- Data on employment of people with disability benchmarked.
- Measuring the effectiveness of campaigns on UNCRPD and National Disability Strategy will show whether awareness of these is increasing.

The Strategy needs to set measures, benchmarks and minimum standards for reporting.. Given the significance of the National Disability Strategy and to demonstrate that Australia respects the requirements of the UNCRPD, this report needs to be tabled in Parliament for public record.

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)?

Whilst action-oriented approach is welcomed, there needs to be careful consideration given to the time that it takes to effect long term social change. Whilst specific activities may be given specific timeframes, other longer-term goals and activities need to be adequately resourced and allowed sufficient time to become embedded in community life. We have concern that the “focus on achieving specific deliverables to drive real change within shorter timeframes.” Will cause some projects to cease or be devolved prematurely if they are expected to be implemented in short timeframes.

Changing social attitudes towards people with disability, building inclusive communities and providing support for equality of access cannot be achieved without adequate consideration of the time that is needed as well as positive, practical action that is adequately resourced and has realistic targets

Discrimination continues to occur across a number of policy areas including Immigration, social housing, criminal justice and education. Changing social attitudes towards people with disability requires strong leadership from all levels of government.

In its 2019 Employee Census, it was pleasing to see that the NDIA noted 19.5% of employees have an ongoing disability however this is in contrast to the Department of Social Services in their 2019 Employee Census revealed only 10% of employees have an ongoing disability. In the same year, the Public Service Commission reported that only 2.5% of employees identified as having a disability and stated that their target for 2025 is a disappointing 5.6%.

Targets and performance indicators need to be lifted to ensure that government at all levels, demonstrates the value and net worth of affirmative action across all sectors.

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?

A great deal of expertise and knowledge comes from those with direct lived experience of disability. In order to ensure that policy and practice development meets required outcomes, there must be a deep respect for the value of this lived experience. Effective engagement needs to allow adequate time and resourcing to ensure that people are able to provide input.

Principles of Co-design as defined by the national advocacy group, People with Disabilities in their “Connect with Me” project ⁷ state that the key principles of co-design must include;

“Engagement with people with disability and involving them in the process **from the very beginning and throughout the whole journey**”

and

“Making sure the process includes **mutual exchange and is more than consultation**”

Whilst we recognise that consultation with people with disability is and will continue to occur, it is evident that this is not a co-designed strategy. **Greater collaboration and open discussion with people with disability is required and must be prioritized if the vision of this strategy is going to be achieved.**

The National Disability Strategy must be supported by a Supported Decision Making Framework so that people with disability are able to be at the centre of delivering the plan. The power of using people with a disability to co design and lead the conversation will also have a positive impact on the attitudes in Community and should also lead to enhanced employment opportunities for people with disability.

As well as effective engagement with people with disabilities, there are a number of Disabled People’s organisations that support peer groups and other, on the ground, community work. Many of these organisations are left out of planning processes but have true connections with people and whose input is relevant and valuable.


Advocacy Organizations must also be a part of the process in delivering and monitoring the strategy. At the conclusion of the Disability Royal Commission hearing on health, Commission Chair Ronald Sackville AO QC strongly endorsed the importance of individual and systemic advocacy. This demonstrates the significant contributions that advocacy organisations can make. An example is Inclusion Australia the Peak body for people with Intellectual Disabilities who already have engagement across the country and Council for Intellectual Disability (CID) who Commissioner Sackville made particular reference to.

⁷ People With Disabilities WA, Co-design Guide 2017
https://www.pwdwa.org/documents/connect_with_me/co-design-guide/files/co%20design%20guide.pdf

Established in 1974 The Disability Trust has its roots firmly in the community, is based in NSW, Victoria and the ACT, we ensure that our services are based on the needs of the individuals and families accessing them. Our services include a wide range of residential and centre based supports as well as community access and employment.

Through all services, we focus on skills development and capacity building and assist people to reach their full potential.

We are committed to:



Ensuring that the voices of people we support are heard.

Delivering Exceptional Supports within a framework of Human Rights.

Creating an Inclusive World, where people with disabilities are active members of their community.

As our name implies, trust is central to our operations. People with disabilities and their families trust us to give them the highest possible levels of care and support; our staff trust us to provide the training and support they need in their rewarding but often challenging work. Our funding partners such as the NDIS and other government agencies, trust us to deliver efficient supports that are of the highest quality.

We provide a wide range of supports to adults and children with physical, sensory, intellectual, psychiatric disabilities, people with acquired brain injury and dual diagnosis.