



Review of the National Disability Advocacy Framework

Submission to the Department of Social Services

8 July 2022

Speak Out is a statewide, independent, non-government organisation that provides individual advocacy, family advocacy, self-advocacy and systemic advocacy.

Initially established in 1982 to promote self-advocacy through the annual conference, Speak Out commenced delivery of advocacy services in 1989.

Speak Out aims to develop a respectful and inclusive community by promoting and defending the rights of people with disability.

We achieve this through our advocacy work; good governance that includes people with intellectual disability; and building the capacity of communities.

Speak Out is also a membership organisation for people with intellectual/cognitive disability. Self-Advocacy groups and Peer Support groups meet each month.

We welcome the opportunity to give feedback about the draft National Disability Advocacy Framework 2022-2025.

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Engagement with the consultation

Speak Out Advocacy engaged with the National Disability Advocacy Framework consultation process through a range of activities and events including:

- The public consultations about the framework in Devonport and Hobart
- Organising and supporting a focus group of people with intellectual disability to meet with the consultants
- Ongoing consultations and workshops with DANA.

We add our support to the submission by Disability Advocacy Network Australia (DANA) on the draft Framework and what is needed to realise its intended Outcomes.

Speak Out urges the Disability Reform Ministers and their respective governments to prioritise this work and make strong commitments on disability advocacy funding and collaboration to help realise the vision of Australia's Disability Strategy 2021-31 and the National Disability Insurance Scheme: an Australia that includes and values people with disability and respects human rights for all.

Overarching comments

Speak Out Advocacy is delighted to note that the language of the Framework, reflects understandings of the social model of disability being underpinned by a "person centered and rights-based approach".

The United Nations Convention on the Rights of Persons with Disabilities (CRPD) is informing the Framework and the supporting disability advocacy work plan. The CRPD and other United Nations human rights related conventions or treaties provide valuable guidance on international human rights law and its application to people with disability and their needs.

We note with pleasure that the Framework highlights the role of independent disability advocacy in defending the rights and refers to the role that disability advocates can play in supporting the decision making of the individuals they support.

The role independent advocacy plays in protecting the rights of individuals on a systemic level is vitally important. Systemic advocacy of the disability service system adds to its accountability.

Access to independent advocacy strengthens safeguards against abuse, violence and exploitation of people with disability.

1. Do you believe the new NDAF encompasses your vision of advocacy? If not, what changes are required?

NDAF bases the framework on the UNCRPD and other related treaties and Speak Out subscribe to this approach. Speak Out believes people with disability often experience additional disadvantage and stigma in having their rights upheld and respected. The role of independent advocacy is primordial in addressing these disadvantages.

Speak Out recommends seeing the importance of independent advocacy better reflected in the framework.

People with disability have an important role in developing a vision of advocacy. The NDAF encompasses self-advocacy as very important however omit to clearly mention self-advocacy groups and their importance as agents for change.

“...the preventive, it's been really strongly evident... we co-facilitate Self-Advocacy meetings monthly around Tasmania with members, and support workers say to us just the fact that they have.. that... clients have or members have an invitation to attend a Self-Advocacy meeting [with our organisation] on a monthly basis is a prevention and protection. They say this person in a four-bedroom group home who attends gets better treatment [than the other three people in the group home], because the staff are aware that they're connected to us.” Disability Advocate

2. Are the principles of the NDAF 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 advent of the NDIS has been life changing for many Australians with disability and many have experienced very positive results. However, the NDAF principles are constantly challenged in this changing environment and many people with disability encounter great difficulties in negotiating these changes.

The complexity of this reform resulted in a significant increase of demands for advocacy without any increase in the resources. Without advocacy, the NDIS has the potential to maintain power imbalances between service providers and people with disability that existed under block funding. The changes and their impact require a commitment from Commonwealth State and Territories to fund advocacy appropriately to fulfill the vision of these principles.

“I have an intellectual disability. I tried to join the NDIS twice without success, I did not know what to do, I did not understand what the NDIS wanted. I was about to lose my job. When advocacy became involved, it became easier, they explained what I had to do, came to see my

GP with me, they helped me with the paperwork and helped me with my planning meeting. I am now on the NDIS, have good support, enjoy my life and kept my job.”

Speak Out Client

3. Are the outcomes of the NDAF clear and achievable? Should different ones be included? If so, what should be included?

Speak Out supports the outcomes of the NDAF.

People with disability need to be involved in all aspects of the development, delivery and evaluation of disability and broader government policies, programs and services that impact them.

We wish to highlight that people with disability especially those with intellectual disability, cognitive impairment or acquired brain injury need appropriate skilled support to participate these areas.

Independent Advocacy organisation are well placed to provide this independent and skilled in supporting decision making without influence.

The strength and expertise that Disability Advocacy Organisations contribute needs to be valued and adequately funded by governments.

There is a need for security and length of funding for organisations, (five years and ongoing rather than short term funding or short term extensions) to ensure planning, accessing quality staff, CPI, staff continuous training, and inter advocacy organisation networking.

4. Are the responsibilities, reform and policy directions of the NDAF relevant or should different ones be included?

Agreeing to the framework

The commitment of the Commonwealth, State and Territory governments to share responsibilities in their jurisdictions is not specific enough. Commonwealth, State and Territory governments need to commit to fully fund advocacy organisation to meet the demand and need. This would ensure the sustainability and stability of the disability advocacy sector.

Building awareness

Speak Out firmly supports intergovernmental commitments to “Building awareness across the disability sector and the community of the rights of people with disability and the importance of disability advocacy.”

Tasmanian advocates and around the jurisdictions have stressed the lack of awareness of human rights, including the right to complain or to access independent advocacy support:

This includes the National Disability Insurance Agency, Services Australia, at the State and Territory level (e.g. Public Guardians/Advocates, Child protection, Justice, community visitor schemes,) disability services, including support coordinators, health, mental health and allied health, community legal sector, domestic and family violence services, financial counsellors.

People with disability living in congregated or closed settings are often isolated and not aware of their human rights and this also includes organisation and staff running these settings. A strong focus in supporting advocacy outreach and education in these settings needs to be supported.

Advocacy organisations and self advocacy groups are ideally situated to deliver this training and it needs to be provided by local advocacy organisations in the regions they cover, so that people with disability and support workers develop a connection with local advocates and are more comfortable to contact them when an advocate is required.

Improved coordination and communication

The new funding supporting the establishment and development of a National Centre for Advocacy to commence some national coordination of sector development activities is a welcome development. However, adequate support is needed for Advocacy organisations to meaningfully engage in the sector co-design, networking and training development activities DANA has proposed.

5. Does the NDAF identify what is needed in the current and future disability environment? If not, what changes are required?

The proposed NDAF is a positive and welcome development in recognizing the need and the value of independent advocacy in Australia.

The high-level draft recommendations DANA formulated for the Disability Royal Commission under the following themes provide strong guiding tools to focus on to achieve the aims of this framework.

- Awareness and Access
- Representation and Participation
- Service Capacity Enhancement
- Sector Development
- Targeted Advocacy
- Commonwealth/State and Territory Co-ordination
- Data and Information Improvement
- Safeguarding Mechanisms
- Sector Coordination

Do you have any other comments, thoughts or ideas about the NDAF?

We look forward to working collaboratively with DSS and other stakeholders on developing a robust disability advocacy work plan that will truly strengthen and develop the disability advocacy sector.

Speak Out acknowledges the contributions of advocates, advocacy clients and members with intellectual disability in this submission and the consultation process.

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