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# National Disability Advocacy Framework 2022-25

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## Background

Blind Citizens Australia (BCA) is the national representative organisation of people who are blind or vision impaired.

Our mission is to inform, connect, and empower Australians who are blind or vision impaired and the broader community.

We provide peer support and individual advocacy to people who are blind, or vision impaired across Australia. Through our campaign work, we address systemic barriers limiting the full and equal participation of people who are blind or vision impaired. Through our policy work, we provide advice to government and the community on issues of importance to people who are blind or vision impaired. As a consumer-based organisation, our work is directly informed by lived experience of blindness and vision impairment.

Thank you for the opportunity to contribute to the review of the National Disability Advocacy Framework 2022-25.

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

Independence is a key strength of advocacy, supporting individuals to make complaints and resolve issues with government and other services. It is important that the disability advocacy sector is acknowledged as a separate and important part of Australia's disability landscape. While service providers have a role in advocating for their clients, conflicts of interests can arise when making decisions on service access and in the area of choice and control. The independence of advocacy organisations is a significant point of difference in the provision of advocacy services for people with disability. This independence and unique role in the disability sector should be captured in the Framework.

The current Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability has demonstrated the need for an advocacy framework that is trauma-informed. A trauma-informed response in advocacy will ensure that the physical and emotional safety of an individual is addressed.

It is important that all people with disability have access to advocacy services in an environment that is inclusive, welcoming, destigmatising, and non-retraumatising.

Advocate training on trauma-informed practices will ensure that a safe, welcoming and accessible environment is in place for all who access advocacy services.

## 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?

### Presumption of Rights and Capacity.

Under the “presumption of rights and capacity” heading, it specifies that “All people have the right to pursue any grievance or complaint.” However, the complaints and review processes through current instruments such as the Disability Discrimination Act and National Disability Insurance Agency can be complex and daunting. If not resolved via conciliation or review, the next escalation is Federal Court or Administrative Appeals Tribunal (AAT). While technically it is the right of the individual to pursue this action, there are currently many barriers to individuals who want to access the process. It is not an easily accessible process, and it is very time consuming, and potentially costly for the complainant.

BCA has seen an increase in the number of complaints and reviews of NDIS decisions going to the AAT in the past 12 months.

### Self-Advocacy

While self advocacy is included in an individual and training context, self advocacy through peer support groups is not recognised in this framework. For BCA, self-advocacy through peer support groups is integral to the feeling of connection, and an authentic opportunity for information, skill sharing and resource development. It is also an opportunity for people who are blind or vision impaired to come together in a safe environment to empathise and share experiences. The acknowledgement of the unique outcomes of peer connections, understanding and skills development should be promoted in the National Disability Advocacy Framework.

### Family and Citizen Advocacy

Family Advocacy and Citizen Advocacy is not specifically mentioned in this framework. Families are an important part of advocacy, especially for those people who need support to make decisions about their lives. Many outcomes in the sector, including much of the early campaigning to develop and form the NDIS, were due to family and citizen advocacy. With a government focus on co-design and consultation, family and citizen advocates have an important role to play in providing feedback to submissions and the design, development and review of programs and services.

Family Advocacy is a big part of decision making for people who need support to make their own decisions. Family advocacy in these cases need cooperation and input from everyone who supports that person, to ensure the individual’s best interests and needs are front of mind. The importance of these networks and support systems should be identified in the framework.

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

Disability advocacy stems from disability and family-led ground roots action in the emergence of the disability rights movement of the 1970s and 80s.

In the current disability space, the roles and responsibilities of advocates has changed, having a more professional and consultative role.

Advocacy is now seen as an integral part of the disability space, with government systems and programs including Government Departments, Quality and Safeguarding Commissions, the NDIS, My Aged Care and the Disability Royal Commission relying on Australia’s advocacy sector to support participants who access these government services. Government departments such as Department of Social Services, Services Australia, and Department of Health, also engage regularly with the advocacy sector, through the Disability Representative Organisations (DROs). DROs are multiple organisations being funded under the Disability Representative Organisations program to provide systemic advocacy and representation for Australians with disability.

### Advocacy Support and Referrals

There also needs to be a clear integration from individual advocacy support to professional legal support, for cases that need it. Access to this support pathway is significantly more difficult for people in regional areas of Australia.

While referral and access to advocacy is clear in some cases, BCA is aware that some NDIS support coordinators have been taking on an advocacy role for their clients, in making a complaint to the NDIS. This is a conflict of interest, and a clear advocacy referral pathway must be integrated into the NDIS.

Disability Advocacy must be recognised as a formal and integral part of Australia’s disability space, and be funded as such.

### Sector Development:

BCA supports the development of the disability advocacy sector to enhance professionalism and consistency of advocacy support for all people with disability.

To do this, BCA recommends providing funding to the National Centre for Advocacy to work in collaboration with relevant organisations and agencies to:

* + Develop nationally consistent professional competencies for disability advocates drawing on existing work in development
  + Develop nationally consistent tools and resources to support high quality disability advocacy practice across the spectrum of need and settings
  + Explore opportunities for articulating disability advocacy specialisation e.g. complex communication support needs, supported decision making skills, people who are communicating unmet needs through “challenging behaviour” etc.
  + Establish a national peer workforce network that draws on collective skills, knowledge and expertise and disseminates knowledge and evidence nationally
  + Support establishment of disability advocacy communities of practice
  + Explore and develop models of peer and lived experience advocacy training/qualifications and support mechanisms

### Co-design and Consultation

Co-design is a current focus in the Australian disability policy environment. In order for co-design to be authentic and meaningful, people with disability need to be at the forefront of consultation. In many representative consultations, organisations speak on behalf of people with disability, rather than people with disability being in the room. It is integral that the voices of people with disability are invited to participate in and be heard in all levels of consultation and co-design.

Alongside individual advocacy, government and businesses facilitate forums, consultations and representative committees where advocacy organisations are called to contribute to policy. While lived experience and on the job training is important, a trained and developed advocacy workforce is required to ensure consistency in processes and outcomes.

Advocates need to ensure that the views of people who are represented by the advocacy sector are sought and brought to the table in these representative spaces. Resourcing of the advocacy sector needs to include provision for consultation, feedback and input from people with disability to ensure the voice of advocates is representative of their constituents. Ideally, people with disability will be engaged by disability representative organisations to ensure an authentic voice is at the table.

### Reporting and data collection

Current reporting has a focus on numbers of people supported, and other data-collection. The dataset that is currently collected is not nuanced enough to capture accurate information. Data collected in large geographic areas, especially in regional Australia needs to be analysed in a way that identifies unique support needs and access barriers of people in regional, and remote locations. Collecting information and case studies on the impact of advocacy on people’s lives will demonstrate the broader economic, social and sector strengths and outcomes.

While many advocacy organisations come together to work on submissions, position statements or campaigns, this sector work is ad-hoc and reliant on available time and resources. A national disability advocacy framework with a greater focus on partnerships would facilitate collaboration and a united sector voice, resulting in stronger outcomes in co-design and consultation.

There is also the need to acknowledge that there are specific issues and areas of concern for constituents of peak disability advocacy bodies, which will not fit in a joint submission. Partnerships and collaborative work must not replace resourcing for individual consultation and input.

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

BCA promotes the development a promotional strategy to raise the profile and roles of disability advocates to disseminate across related professionals, services, communities etc.

The role of Disability Advocacy is an important one for government, and for individuals who require support to navigate complaints and review processes. For those who are isolated and disadvantaged, there remains a gap in recognising that a person needs an advocate, and in the referral process to advocacy services.

While Government services are reliant on advocacy, BCA feels that this disability strategy does not talk enough about reforms which make it easier for a person with a specific disability or circumstance to inclusively access advocacy supports or an advocate.

For many people who are blind or vision impaired, there are often limited options in availability of specialised services such as Orientation and Mobility, Dog Guide Mobility Instruction, and Assistive Technology training and support. When a person lives in a regional or rural location, there may only be one service provider available that services that region. If a client of a blindness service provider is unhappy with the service or person supporting them, there is significant concern that there will be retribution or reprisals for making a complaint, as there are limited or no other options to access another service that meets their needs.

In regional and remote locations, there may also be a lack of knowledge that advocacy services exist and how to access them.

### Funding and support

Advocacy organisations need security and certainty of funding for organisational planning and sustainability. Many disability advocacy organisations, including BCA, receive short term grants of one or two years length, or transitional funding with no clear end date or review process. These funding arrangements do not support capability building in the sector, and can result in challenges attracting and retaining qualified staff to funded programs. The review of advocacy grants does not effectively take into account the previous work and outcomes of the advocacy organisation.

### Equal Access for all People with Disability

The strategy needs to take into account people who do not have access to technologies such a computer, smart phone, or email address, or who have limited digital literacy. They also may not be able to sign an advocacy agreement or other documents or be present while receiving advocacy support from their chosen advocate. This issue is broader than having physical independent access to technology, it also relies on access to digital literacy, accessible training, and ongoing support.

An example of this is Centrelink, who will not allow an external organisation to offer advocacy support unless the person receiving the advocacy service is in the same room with the advocate.

While ideally, the individual receiving advocacy support is actively involved in resolving their case, it is not always possible or preferred by the individual, to be present in every conversation. Other situations allow a verbal or email confirmation for an advocate to resolve an issue directly with the service provider.

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

### Funding enhancement to increase reach, efficiency and quality of advocacy services

BCA promotes the provision of additional funding to advocacy services funded by Federal and State and Territory government programs to support increased workforce capacity to meet unmet demand, address complex needs, reach people who find advocacy hard to access, reduce waiting times and waiting lists:

* apply a robust funding formula that accounts for client complexity so that people with disability who are greatest risk receive prioritised support
* include support for staff training and ongoing professional development, supervision, counselling and staff wellbeing support etc.
* include allocations for assertive outreach (and in-reach) and culturally appropriate support to people and communities who may find advocacy hard to access e.g. First Nations people, CALD community members, people with complex communication support needs, socially isolated, closed settings etc, rural and remote areas. (Funding level needs to enable organisations to engage in the collaboration, expertise-sharing, and training)

### Climate Change and Emergency Response

This framework needs to consider the response to climate change in an environment where the impact on people with disability is significant.

As we have seen in recent years, in the response to the pandemic, disability has been an afterthought to the government in emergency planning and response. The advocacy sector provided advice, developed resources, and supported constituents when the government didn’t have these in place.

BCA has also heard from its members of their experiences of needing to evacuate in the recent Queensland and NSW flood emergencies. Information provision and support in the processes of emergency warning, evacuation and moving back into the property was inconsistent and resulted in significant safety risks for the individuals concerned. The emergency response needs to be accessible and recognise the individual needs of people with disability, especially those who live independently.

The next health or climate emergency needs to have an immediate disability-specific response. This must be planned for in current policy. This should be developed in consultation with people with disability and the advocacy sector.

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

While inclusion and diversity is part of the framework, further detail and examples would strengthen this important inclusion.

Advocacy must be tailored in accordance with the disability type or person. To put this into practice, we must ensure that the process to gain advocacy support does not in itself become a barrier to obtain it. For example, this may mean that adaptations are applied to the expectation that documents must always be in writing and / or signed.

The framework does set out appropriate principles, however the execution of strategy underneath these principles is what will make this Framework a success or not. Further, it will be successful if there is clear alignment to outcomes of Australia’s Disability Strategy. The Framework will only remain aspirational unless there is clear strategy with aims and outcomes, and measurement of these over time, built into it, to underpin the Framework.

BCA supports the development of tailored advocacy approaches for specific groups such as:

* First Nations people with disability
* Culturally and Linguistically Diverse people with disability
* LGBTIQA+ people with disability
* Children and young people with disability
* Older people with disability
* Women, girls and non-binary people with disability

## Conclusion

The Australian, State and Territory Governments have outlined their commitment to create an inclusive community through Australia's Disability Strategy 2021-2031.

In order to ensure people with disability can participate as equal members of society, Australia needs a strong advocacy sector.

For each of the seven priority areas of Australia's Disability Strategy to be achieved in the ten-year plan, advocacy needs to be funded and supported by all levels of government to ensure its sustainability, efficiency and effectiveness.

The current inadequate funding levels, opaque and inconsistent data collection and lack of sector support and investment means that a meaningful right to access to independent advocacy is not currently the reality for all Australians with disability. All federal and state and territory governments need to undertake to invest in Australia’s disability advocacy sector, taking a collaborative and coordinated approach to funding and administration that provides real certainty for organisations in planning activities and retaining staff. In some areas the sector will need to be expanded and better connected to meet the needs of specific groups experiencing intersectional disadvantage and discrimination.

The strengthening of the disability advocacy sector needs to be in consultation and co-designed with people with disability and advocacy organisations. Blind Citizens Australia looks forward to working with the Department of Social Services and other partners to ensure a strong, robust and effective advocacy sector in Australia.