

# NATIONAL DISABILITY STRATEGY

## INTRODUCTION

People With Disabilities ACT Inc. (PWD ACT Inc.) is a not for profit consumer systemic advocacy organisation who work to represent the interests of people with disabilities in the ACT. PWD ACT works within a social model of disability to improve access to all amenities and to all forms of information and activities of the community. PWD ACT also works to inform the community about disability issues.

PWD ACT Inc. would like to commend the Federal Government for its quick action and commitment to ratifying the **UN Convention on the Rights of Persons with Disabilities**. The translation of the principles and vision of the UN Convention into implementation by the Federal Government in its provision of services will take all of the government's commitment. Such a commitment should ensure the government's willingness to further change any discriminating practices that exist. The Federal Government will also need to consider **monitoring and enforcement** of the principles of the UN Convention.

It is hoped that **Australia's Implementation of the UN Convention on the Rights of Persons with a Disability by all levels of government** and non-government organisations, may well see not only a reduction in discrimination, but also improvements in the quality and standard of living for people with a disability, their families and carers.

PWD ACT Inc believes that this Strategy should be called "**the National Disability Services Strategy**" rather than "National Disability Strategy" because an actual national disability strategy would include provisions for a person with a disability to achieve the best education, health services, legal support, housing, transport, taxation that are available to all people in Australia. Even though many of these requirements are delivered by State/ Territory government the Federal Government should be reinforcing the vision and principles, as espoused in this consultation document, across all portfolios of Federal Government as well as State and Territory Governments.

### **1. What do you think should be included in the National Disability Strategy?**

#### **a) What do you think of the proposed structure?**

PWD ACT Inc agrees with the proposal that is envisaged in the consultation paper that "The Strategy will set out a high level vision that will be underpinned by clear outcomes with actions, target dates and performance measures. The Strategy will align relevant policies and initiatives to help improve integration across governments and in related policy areas"

It is important that the **outcomes** that the Strategy will set out, allow for the opportunity **of the individual person with a disability** to achieve the best outcome for him/herself. Far too often PWD ACT Inc hear about service providers setting out the outcomes that they feel are best for the individual rather than the individual having

his/her input. The individual's control of funding is an aspect of disability service provision that needs to be addressed.

PWD ACT Inc's vision for our organisation is "people with disabilities are respected, valued and empowered to reach their full potential both as individuals and as contributing members of society". The emphasis in this vision statement is upon the more value, respect and empowerment that the individual with the disability engenders within the community then the more likely it will be for the person and their family to be supported by their friends and extended families and not have to be reliant on government services.

PWD ACT Inc's **systemic advocacy as well as individual advocacy** groups need to be better supported by government. There are insufficient disability advocates available, especially in the ACT, where the situation is woefully inadequate. Other mainstream consumer groups such as Public Interest Advocacy Centre in NSW are needed to assist people with disabilities to make complaints under the Disability Discrimination Acts at State and Commonwealth levels.

PWD ACT Inc's vision statement hopefully also addresses the individual with a disability who tackles his/her own support needs and contributes to the community but who still seeks to have disability issues made relevant to the general community. **Awareness of disability issues** has to be promoted across all levels of planning within all levels of government and the community.

Without regular monitoring of the "clear outcomes with actions, target dates and performance measures" by outside authorities, it will be difficult to discover the exact process or implementation to achieve these clear outcomes. The Australian Human Rights Commission (AHRC) has discussed this issue **of monitoring the Convention on the Rights of Persons with Disabilities** and this report to the ACHRA meeting is highly relevant to this National Disability Strategy. This issue of monitoring is important here in the ACT, where the government is a service provider as well as a regulator.

PWD ACT Inc. applauds the approach of "align relevant policies and initiatives to help improve integration across governments" because the alignment of services across governments, States and people's lives would assist with a better quality of life for a person with a disability.

PWD ACT Inc hopes that the inherent problems of the Commonwealth State and Territory Disability Agreement (CSTDA) with the separation of the funding and administration of services for people with disabilities between accommodation services with the States/Territories and employment services with the Commonwealth have been eliminated by the new National Disability Agreement. The old agreement left an expensive, unreliable and sometimes no transport service from home to work. This split of service provision caused gaps and poor provision of service as well.

The system of disability supports throughout Australia has developed over time. The constant changes to funding, supports, eligibility criteria and many other aspects of the support system have evolved into complex, fragmented and restrictive support systems. To access, use and be informed of these supports requires people with

disabilities to develop quite significant level of expertise. Such necessary expertise is so demanding and laborious, that people opt out of the system.

PWD ACT Inc believes that the development of a **single national whole of life disability support system with the same simple eligibility criteria, modes of operation, levels of funding and without restrictive barriers** would overcome many of the problems experienced by people with disabilities. It would also need to have eligible users supported anywhere across Australia as people with disabilities would travel more frequently with improved supports.

It is important that policy and funding silos are eradicated to ensure a rights based, accessible community for all is created. On a national level the government needs to ensure that all citizens are living above the poverty line. People should be able to access information about where they can get their individual needs met at one place.

The most important feature of all service provision is the **quality of the service provided by paid employees**. When people with disabilities are valued and perceived to be an integral part of society the people who provide the services will perform the service to the best of their ability. The training, working conditions, career structure and remuneration of the care workers are vital to any disability services strategy.

With the nationalisation of some initiatives a consistent policy throughout Australia would assist with the development of these schemes in the ACT, in particular the companion card. A consistent policy about **Disabled Persons Parking Scheme** could create a higher profile for this essential community provision than it presently holds and bring best practice implementation to the scheme. None of the state and territory systems for Wheelchair Accessible Taxis are working properly. It is not good enough that people who have no other way of accessing their community are left with such a poor service. It is not acceptable that someone in a wheelchair should be expected to wait hours and hours for a taxi as standard practice.

It would be a concern if **the National Arts and Disability Strategy** was seen only as a therapy process and not as a stand alone initiative to assist people with disabilities to achieve their potential in the general community.

Why are the **Disability Employment Services Review** and the support of people with disabilities in employment not included in this structure?

The greatest barrier that people with disability face to participating fully within the community is the **lack of employment opportunities**. Most people define themselves by what they do. The rest of the community also place a value on people by what they contribute economically to the community. The ideal of men as the breadwinner is still also deeply ingrained in our culture. For people with disabilities who want to work and are fully capable of doing so, but who are denied access to employment this makes them feel insignificant, undervalued and without real purpose. This is why the Commonwealth Government must improve access to employment for people with disabilities; whether this is by **employing more people with disabilities in the public service** and by helping those people meet the full cost of their disabilities.

While we acknowledge that in the past there has been an effort to make the Australian Public Service more accessible for people with disabilities we believe there is still a lot more work to do in this area. We believe that **Senior Managers, middle and line managers and front-line staff need ongoing disability awareness training** to induce a change in behaviour and a shift in attitudes towards people with disabilities.

PWD ACT Inc believe that long lasting behavioural changes are not entrenched in staff within Commonwealth organisations, as the percentage of staff employed that have a disability is still shamefully low in the Commonwealth public service. We believe that those statistics and **Disability Workforce Action Plans to make the Commonwealth public service more disability friendly need to be reported on regularly to monitor progress.**

Many States and Territory's Aids and Equipment Schemes are funded from the various from State, Territory and Commonwealth funding arrangements that have evolved over time. All seem to have various different eligibility criteria, different equipment that will be funded and restrictions on ownership of the equipment (not to mention repairs). Cross border limitations and restrictions seriously limit options of travel and residential choices for those that use these schemes.

PWD ACT Inc suggests the inclusion of a **single national aids and equipment scheme** funded on the basis of disability or illness, and the equipment that best supports the individual to deal with their disability. The scheme will need allowances for different equipment as the person with a disability ages. This national scheme should also have a simplified eligibility criteria based on need that only excludes those who receive compensation. The funding of such a scheme would need to take into account the issues of second hand equipment, repair facilities, local employment and business opportunities.

We feel that respite services need to be overhauled so that waiting lists are slashed and people who desperately need a break can get one. Remember that by being cared for at home, people with disabilities and their carers are saving the government a fortune.

Probably the greatest impediment to service delivery for people with disabilities is the enormous amount of the **funding for services being used for the administration** of the many services. Some streamlining of service delivery would allow more money to be available for the people with disability who receive the service.

**b)What are the greatest barriers that people with disabilities face within your local communities and what specific local or national actions could be taken to overcome these barriers.**

With evolution of the support systems of the past, PWD ACT Inc has witnessed significant and varying barriers develop. These barriers are the ability to pay, age related, eligibility criteria, fees and charges, guidelines and varying levels of support. Not only has a fragmented disability support system developed, but also a system that is quite complex and difficult to access. This fragmentation and complex support system is further complicated by the lack of **a single national information system**, where any user, potential user or even service provider could find or search to obtain information about what is available or what each support service does.

The **“COST OF DISABILITY”** has not traditionally been recognised by governments in its budgets, policies, funding, programs, support administrators and service providers. The “Cost of Disability” is those additional out-of-pocket costs to purchase aids, appliances, medications, individual contribution fees, services etcetera, that are not covered by the support service, but need to be funded from one’s own resources but are so necessary to manage your daily living with a disability.

Despite Australian State and Federal Government initiatives to assist people with a disability with the additional costs of disability, there is evidence that the costs of disability continue to outweigh any forms of support and therefore remain a major hindrance.

**An allowance for the cost of disability** that was non means tested and based on a sliding scale in relation to the level of disability should be introduced. A proposal has been presented to the Federal Government by Physical Disability Council on a number of occasions. There is a precedent for its introduction in the Blind Persons Pension which recognises the extra expenses that vision impaired people incur by not means testing their pension.

**The cost of disability is a barrier to people with disabilities entering open employment.** For people with disabilities to participate in open employment they have many costs eg. health care and medication, aids and equipment, support services adapted private transport or taxis. The person has to earn a good income to cope with these expenses as well as elevated living expenses i.e. equitably heated houses, home modifications, etc. If people with disabilities lose the benefits of the Disability Support Pension with its reductions for utility services, rates, health care cards etc., it becomes extremely important to have a reasonable income to maintain a standard of living.

The entire Welfare to Work policy needs to be totally revised. We consider it essential that this government overturns the Howard government’s unfair and mean spirited rule that people with disabilities will lose their pension and concession benefits if they work more than 15 hours per week. Previously people with disabilities could work up to 30 hours per week. This was a fairer system, especially for those whose chronic conditions fluctuated week to week, meaning that the amount of time they could work per week fluctuated as well.

Disability normally equals low levels of income and reduces the ability to participate in employment for many, unless support is provided for them to find and keep a job. There is a large gap between the living conditions of those with and without a disability

The **Access to Premises Standards** being developed under the Disability Discrimination Act 1992 would contribute to removing the **physical barriers** that people with disabilities face on a daily basis. As well as the adoption of these Standards it would be beneficial to have accessible features of buildings, transport, swimming pools etc promoted as positive features of the built environment so that the rest of society perceives these features as positive inclusions in the environment and in particular for children and the aged sectors of our communities.

**Eligibility Criteria** for access to services, employment and disability support pension has always been a double edged sword. In most instances, assessment of an individual is made in accordance with the limitations of that individual and services, employment and disability pension are allocated accordingly. However that system is only reinforcing the person's disability and is not creating the opportunity to develop the abilities of that person. A more proactive and positive assessment process should be investigated and a **needs based approach that developed the individual's abilities should be instigated.**

The cost of participation in the workforce means that the **Mobility Allowance** is inadequate for most people with a disability in meeting their cost in going to work, education or training, particularly for people with severe physical disabilities or blindness who would spend thousands per year in travel costs alone.

## **Research**

### **Identification of Needs.**

To address "clear outcomes with actions, target dates and performance measures" it would be necessary to go back one step and have some hard facts on what the needs are that require clear outcomes and maybe these statistics could be found on a State by State and Territory basis. There is always talk of "unmet need" but what exactly is unmet need, who has the unmet need, where is it, and what needs to be done to meet it and by when. Are some states addressing it better than others if so why and how?

### **Implementation of UN Convention.**

Research is need into the best method to implement the UN Convention and have the implementation include a monitoring process. In Victoria, a community visitor to residential establishments works as a good monitoring tool to supervise the quality of work of the trained staff. Also monitoring is done in the aged care area and this method could be investigated for accommodation facilities for people with disabilities.

### **Design of everyday products.**

Research the design of products that people with disabilities use each day eg. electrical items, plumbing equipment , to assist people to better control their environment. Eg article on AHRC website about products.

### **Individual Funding**

Investigate the proposal of Individual Funding for services so that people with disabilities have better control of their lives. There are some local services who develop a life program for people with disabilities without reference to the person's wishes. The "In Control" scheme that has recently come to Australia from Britain needs to be vetted. With more control of their own funds individual people with disabilities can eliminate the huge amount of money spent on administration of services that are meant to be benefiting the person with the disability.

### **Support for individual complaints.**

Better complaints services need to be developed that are independent. With the Disability Discrimination Act 1992, it is difficult for an individual to pursue legislation by oneself. There needs to be a system for group support for an individual or class actions. Eg groups like Public Interest Advocacy Centre (PIAC) in NSW.

## **2. Local Action that has assisted local people with disability, their families and carers to have a positive difference in their lives.**

Allowance Inc. in NSW is a service run by people with disabilities that co-ordinates the services for people with high support needs. It reduces the cost of contacting numerous service providers, the continuous repetition of private details to each organisation and the inability to obtain the appropriate service from each level of administration.

The development of the disability Discrimination Act 1992 has led to the Accessible Public Transport Standards 2002 and the gradual implementation of public transport access for people with disabilities, the aged and parents with strollers.

As well the Education Standard has allowed parents to tackle the State Governments to develop inclusive education practices. There is limited inclusive funding to assist children to join mainstream education in the ACT.

An information services called Ideas in NSW allows many people with disabilities to be aware of the many issues that affect their lives.

## **3. Other comments, thoughts and ideas about the National Disability Strategy.**

PWD ACT Inc knows that disability is an issue that cannot be segregated in one area of life. It is a part of everyone's life whether it is only a temporary condition like a depressive/grieving time in a person's life or a broken ankle or as a more permanent feature of all lives as people age.

PWD ACT Inc believes that people with disabilities will never achieve full inclusion in society unless disability issues become part of mainstream life. Therefore, PWD

ACT Inc believe that the issues that are seen to be only disability related be publicise as mainstream issues. Eg.access to information- either technological or printed.

Listed below are some ideas for promotion as issues that affect everyone.

## **HOUSING**

Adaptable Housing is a concept where a private home or space can be changed in accordance with the needs of the occupants of the space-baby, child, teenager, adult, aged person. In Britain all new homes need an accessible entry.

## **UNIVERSAL DESIGN**

In Western Australia an across government strategy has developed to analyse new plans and features from the aspect of universal design. This universal design concept helps to get doctor's couches that suit all sizes, shapes etc. It allows for diversity in the population.

## **LEGISLATION**

All Federal, State and Territory government's Cabinet documents that are discussed in the light of new legislation to have on the front page a statement about the impacts on people with disabilities.

## **TAXATION**

Adjust the Income Tax Act to remove the first \$1,200 figure for eligible deduction of disability aids and appliances thereby enabling those who pay tax and eligible for such deductions to claim these full costs outright.

## **HEALTH**

Increase in the Medicare Levy to specifically off-set gaps in medical benefit refunds or amend the Private Health Insurance legislation to ensure gaps are fully funded

## **SPORT**

Funding should be based on an equal principle that is more athlete focused, that includes athletes with disabilities equality and with sports organisations, only receiving their support funding based on inclusive programs, that fully incorporate athletes with a disability, demonstrates a measurable improvement in all levels of participation and all athletes supported on the same basis of a single program that supports every athlete the equally irrespective of their choice of involvement.

## **PUBLIC TRANSPORT:**

There needs to be greater funding provided to public transport providers at all levels to ensure that improvements in accessible public transport are realised far quicker than the 20 year time frame contained in the Standard. It may also necessitate greater compliance regulation and possible tax incentives for providers that not only comply, but achieve earlier accessibility compliance targets to public transport in advance of the Standards timelines.

### **PRIVATE TRANSPORT:**

While there is some GST relief via the tax system on suitably modified vehicles, there needs to be a system of low interest loans to these families to obtain and replace these vehicles

### **EMPLOYMENT**

A model Disability Action Plan that could possibly be learnt from as an across the country standard for all governments is the South Australian State Government's strategy, 'Promoting Independence' that ensures their public sector progressively becomes more accessible and inclusive for people with disabilities. All of their chief executives are required to provide an annual progress report on the implementation of their department's Disability Action Plans and these are then collated into an across Government progress report. All portfolios are now required to report on how they ensure:

1. Access to services and facilities;
2. Information and communication is accessible and inclusive;
3. Disability awareness and discrimination training of staff
4. Consultation and complaint processes are in place;
5. Compliance with the Disability Discrimination Act (Cth) 1992 and the Equal Opportunity Act (SA) 1984; and
6. Employment opportunities for people with disabilities.

The South Australian Strategic Plan also includes a new target on disability and employment with the aim of doubling the number of people with disabilities employed in the public sector by 2014. The Promoting Independence strategy adopts a 'continuous improvement' approach, recognizing that making change across Government is a medium to long term project. They believe that the State Government and the public sector should lead by example in addressing inequality by proactively addressing practices which may be viewed as discriminatory against people with disabilities and incrementally improving access and inclusion for people with disabilities. The Promoting Independence: Strategy demonstrates that the State Government is serious about addressing disability discrimination at all levels of the public sector. They have set a target of the continuation of the implementation of disability awareness training at the rate of 20% of staff per year until all staff have completed their training requirements.

