

Submission by Women with Disabilities Victoria

to the National Disability Advocacy Framework Review

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**Women with Disabilities Victoria**

Level 9, 255 Bourke Street

Melbourne 3001

Phone 9286 7800

[www.wdv.org.au](http://www.wdv.org.au)

**Contacts**

Keran Howe

Executive Director

[Keran.howe@wdv.org.au](mailto:Keran.howe@wdv.org.au)

# About Women with Disabilities Victoria

Women with Disabilities Victoria is an organisation run by women with disabilities for women with disabilities. Our members, board and staff live across the state and have a range of disabilities, lifestyles and ages. We are united in working towards our vision of a world where all women are respected and can fully experience life.

We undertake research, consultation and systemic advocacy. We provide professional education, representation, information, and leadership programs for women with disabilities. Our gender perspective allows us to focus on areas of particular inequity to women with disabilities; access to women’s health services, gendered NDIS services, and safety from gender-based violence.

Response to the National Disability Advocacy Framework Review

**Do you believe the current Framework encompasses your vision of advocacy in the NDIS environment? If not, what changes are required?**

Our vision is for population based systemic and individual advocacy services. Systemic advocacy and representation is able to achieve things which service providers, individuals and individual’s advocates cannot. Systemic advocacy creates change so that there is integration of / access for people with disabilities in mainstream services (such as housing, family violence, police, education, legal and health).

Australia’s history of disability rights has shown funded advocacy and self- advocacy supports to be an essential to building capacity amongst people with disabilities and service providers. WDV strongly support funded advocacy and self- advocacy programs.

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| “Individual and systemic advocacy and representation are so important. Without the community sector, we would not be represented at all.” Glenda in WDV’s online 2014 Social Inclusion survey consultation.  “They should definitely continue funding disability advocacy organizations. Without them, we'd be so much more lost.” Carol in WDV’s 2014 Social Inclusion consultation.  “If you look back at what the community sector has achieved through representation, it is obvious that it needs to continue.” Rani in WDV’s online 2014 Social Inclusion survey consultation. |

***Recommendation:***

1. That government recognise and resource systemic and self-advocacy at Commonwealth, State and Local Government level.

**We hold a vision of the potential that can be realised with advocacy for specific population groups**

On all measures of social and economic participation (housing security, income, employment and education), women with disabilities are disadvantaged compared not only to people without disabilities but also to men with disabilities. Women with disabilities are more likely to be unemployed, have primary caring responsibilities, and be affected by poverty. Compared to other women, women with disabilities have reduced access to sexual and reproductive health care particularly when health centres fail to provide a welcoming, inclusive environment. Women with disabilities are targeted more in relation to violence and less likely to know about or have access to services responding to violence against women.[[1]](#footnote-1)

Some women with disabilities experience multiple layers of discrimination based on their race, age, gender, and sexual orientation, as well as their disability.

Australia’s disability planning, policy and data collection must raise the bar in recognising gender differences. We are often ignored in government legislation, policies and programs and within community organisations and services.

Gender equity means fairness of treatment for women and men, according to their respective needs. This may include equal treatment or treatment that is different but which is considered equivalent in terms of rights, benefits, obligations and opportunities.[[2]](#footnote-2)

At a Commonwealth level Women with Disabilities Australia is recognised as a world leader of advocacy for the rights of women with disabilities. The strong advocacy has had a powerful impact at both national and international levels.

At a state level, Women with Disabilities Victoria has been able to give voice to the requirements of women with disabilities to instigate and support a range of programs and policies. Without a focus on gender and disability in Victoria , the following selection of examples would not have been possible:

* *Healthy Services, Healthy Women* is a WDV workforce development program run with the Royal Victorian Women’s Hospital to improve services for women with disabilities.
* Disability represented in the Personal Safety Act, the Family Violence Protection Act and the Police Code of Practice for Responding to Family Violence (with examples of violence against women with disabilities)
* Consultation of women with disabilities in the development of key government policies (including the Disability State Plan and the Violence Against Women and Children Action Plan.
* The establishment of the Victorian Government Disability Family Violence Crisis Response Initiative for responding to violence, and
* The Workforce Development on Gender and Disability Program providing a mechanism to education disability services in on preventing violence.

**Our vision is for advocacy taking account of particular disability impacts**

Women with certain types of impairments face even greater discriminatory attitudes and require supportive advocacy to address the huge barriers they face even in accessing human services:

“With the deaf blind community you have to remember the communication access and that it's different for each person and there's a power situation when you lodge a complaint. Red tape and it ends up that the person who has the disability experiences victimization and misses out on a good service.” Rina

“There is a perception when you have an ABI - that the ABI accounts for everything - it's the ABI's fault that you have made these things up” Lyn

Women with disabilities particular situations, such as in residential care, require strong advocacy to support them in addressing their concerns:

“When you are dealing with the bigger institutions it can be even harder to report neglect. My friend has tried to complain and been told that she is just a trouble maker and complaints are not taken seriously.”[[3]](#footnote-3) Avida

**We hold a vision of advocacy that empowers people with disabilities**

There is a critical link between advocacy, peer support and community participation. As a systemic advocacy organisation Women with Disabilities Victoria recognises the need to build women’s capacity to be advocates and leaders in asserting their rights. Our members at a recent Women with Disabilities Victoria member’s lunch (19/7/2015) argued strongly for peer connections and support as important for reducing social isolation and building confidence in participating in the community.

It is this confidence that assists women in asserting their rights when accessing services. Peer support is an important mechanism for sharing information on services, rights and corrective measures.

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| “Belonging is about building your local networks. If you have people around you feel safer.” Val, WDV member speaking during WDV’s 2014 Social Inclusion consultation.  “I am linked in with the self-advocacy group for people with ABIs. ..It's very important to have peer support. It happens by phone and group meetings are important too. 20 years ago I was a wreck. I had to write notes to shop keepers and I was afraid to speak publicly. Now I can't shut up (because of peer support).” Chris  “The deaf blind community are a very tight group and they do talk together and find out who the best interpreter is…. We talk about the services we like and don't like.” Libby  “Opportunities to talk together are important. We get information and support this way.” Suni[[4]](#footnote-4) |

***Recommendation:***

1. Governments provide adequate independent funding to support systemic advocacy for disadvantaged population groups including women with disabilities, aboriginal people, young people and people from different ethnic groups at national and state levels.

**Are the** [**principles**](#_Principles) **of the Framework 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?**

1. Disability advocacy operates under relevant Commonwealth, State and Territory legislation and the principles of the United Nations Convention on the Rights of Persons with Disabilities and other relevant United Nations Rights Treaties, to protect and promote the legal and human rights of people with disability;

**This principle is supported in full**

1. Disability advocacy promotes the interests and wellbeing of people with disability and promotes their full and valued inclusion as contributing and participating members of the community;

**This is an important principle and Women with Disabilities Victoria supports the inclusion of people with disabilities as contributing and participating members of the community. However, this principle should go further and should seek to emphasise people with disabilities having maximum control over their own lives.**

1. Disability advocacy seeks to influence positive systemic changes in legislation, policy and service practice and works towards promoting inclusive communities and awareness of disability issues;

**Supported in full**

1. Disability advocacy promotes leadership and capacity building by people with disability;

**This principle should go further in emphasising the importance of disability advocacy being run by people with disabilities for people with disabilities and reflect the employment of advocacy programs**

1. Disability advocacy ensures that views represented meet the individual preferences, goals and needs of people with disability;

**Systemic advocacy cannot represent individual preferences. We consult with our members and aim to represent a broad range of views. We would recommend deleting “individual preferences” from this principle**

1. Disability advocacy strengthens the capacity of people with disability to speak for themselves by actively supporting and encouraging self-advocacy;   
     
   **This principle is supported in full**
2. Disability advocacy recognises and respects the diversity of people with disability;  
     
   **Certain population groups experience great marginalisation and disadvantage. This principle should stress the importance of recognising the intersectional nature of disadvantage related to disability, gender, race, geography and sexuality and the need for advocacy address the particular disadvantage experienced by people with disabilities in these population groups.**
3. Disability advocacy ensures that the rights of people with disability to privacy, dignity and confidentiality are recognised and upheld;

**This principle is supported in full**

1. Disability advocacy will foster effective strategic alliances to develop capacity to identify and respond to the needs of people with disability.

**This principle is supported in full**

***Recommendation:***

1. We recommend the amendment of the principles above as outlined and three further principles that encompass:

* people with disability have the right to effective disability advocacy
* Simplicity of use of the advocacy system must underpin access to advocacy service for people with disabilities.
* Advocacy systems must be accountable to people with disabilities. Demographic data collection should demonstrate the extent to which advocacy support reaches marginalised groups.

**Are the** [**outcomes**](#_Outcomes) **of the Framework still relevant or should different ones be included? If so, what should be included?**

**For advocacy services to be effective they require realistic goals**.

The outcomes as they stand are broad and unachievable. Specific outcomes that are backed by resources to make them achievable are critical to a staged reform of government policy and service delivery with regard to people with disabilities.

Government must take some leadership in supporting the achievement of these outcomes. For example, for people with disability achieve economic participation and social inclusion:

* Legislation is required to back advocacy efforts with enforceable standards and employment targets.
* For services to be responsive to advocacy their needs to be real consequences of failing to recognise a client’s rights.
* Violations of the Disability Discrimination Act must carry penalties enforceable by law.

Without an adequate legislative framework the efforts of advocacy services to achieve real outcomes for people with disabilities will be effectively hamstrung.

**A key Outcome for advocacy should be empowerment of people with disabilities**

WDV’s **Enabling Women** is a leadership program for women with disabilities. This program is funded through a philanthropic trust, the Portland House Foundation. The program aims to provide training and skills to women with disabilities to become leaders of change within their communities. It is primarily based in local areas so women can establish links with local groups and other women. The 8 two hour facilitated modules cover topics including the social model of disability, self-identity, human rights and advocacy. Enabling Women is run in Easy English to ensure it is accessible to as many women with disabilities as possible.

Since 2013 the program has run in 6 regions. Following the Melbourne leadership program, 5 graduates are now advocating with the Australian Commission for a federal/state electoral voting system that offers greater accessibility to people with disabilities. Other graduates have successfully advocated local access improvements in their community. Some graduates in Barwon and Melbourne are working to establish local leadership networks to continue advocating for their rights together.

After completing the Gippsland program, a woman with an intellectual disability has secured a job at her local gym. She has also addressed a large audience as a panel member on her experience of self-advocacy. Another graduate has put herself forward to speak about her experience of community housing at the Having a Say Conference in Geelong.

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| “My voice will be louder, it has given me more confidence to speak out, I’ll be more vocal around non-disabled people, I have growing leadership skills.”[[5]](#footnote-5) |

Our leadership program is funded through a philanthropic trust, government funding should include opportunities to bring people with disabilities together to develop their advocacy and leadership skills.

**Advocacy funding needs to build the capacity of the community, as well as the capacity of individuals, for effective advocacy.**

Community participation and preventing social exclusion are critical means of ensuring people with disabilities are informed and empowered. Current initiatives to involve people with disabilities in local community life should be continue to be resourced under the NDIS and will be a means of maintaining quality and safety.

An important part of the Enabling Women program’s success is the community development approach it takes. Steering committees are comprised of women with disabilities and representatives from committed local organisations. Rural and Metro access workers have played a major role on these committees - promoting, recruiting participants, offering participants mentoring and support during and on completion of the program.

The training program was developed with the assistance of community representatives and women with disabilities.

Metro / Rural and Deaf Access Officerswork locally across Victoria to support and create social inclusion. They are funded by the Victorian Government Disability Program which puts them at risk of being defunded under the transfer of funds to the NDIS. These local government based positions are a lynch pin for engaging people with disabilities in many aspects of community life. They also play an important role in building locally based programs (such as the Enabling Women Leadership Program (described directly above).

***Recommendations:***

4. The Australian Government and the State Governments set targets for the employment of a diversity of people with disabilities, with an equal representation of men and women.

1. That government identify a set of outcomes for social inclusion and develop legislation to ensure these outcomes are achievable.
2. Outcomes for disability advocacy are realistic to the resources they receive.
3. Government fund advocacy to provide opportunities for people with disabilities to develop their advocacy and leadership skills.
4. Government fund advocacy to provide opportunities for community capacity building with regard to people with disabilities.

**Are the** [**outputs**](#_Outputs) **of the Framework still relevant or should different outputs be included?**

The outputs that are identified in the framework are sound however a mechanism that supports transparent, accountable individual advocacy services requires resources. Structures for professional development, mentoring and accreditation are critical. An effective body to achieve this must be adequately resourced.

***Recommendation:***

1. That a body that resources advocacy services to provide high quality, accountable advocacy is resourced by government.

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

**The implications of the NDIS for independent advocacy**

Disability advocacy is a necessary service which must be funded outside of the NDIS. There is a need for independent advocacy for participants in the NDIS and there is a need for ongoing advocacy for people with disabilities who are not eligible for the NDIS.

The NDIS will impact on the range of issues for which people will seek and require disability advocacy. People with disability will not only require advocacy support to navigate the NDIS, but once they are in receipt of a package of support, they will need advocacy to assist in preparing for the NDIS planning process, knowing what they are entitled to, and understanding their rights under the NDIS. There will also be a need for independent advocacy to support participants with NDIS complaints.

Once their NDIS supports are in place, people with disability will meet the next set of barriers in life. They will encounter barriers such as access to mainstream systems and support, access to the built environment, public transport, education and employment, and most significantly, access to information and communications systems.

**Implications of the NDIS for state funded advocacy**

Victoria supports a number of population based advocacy groups that are vital to influencing state policy and to providing individual support to people with disabilities. For example, Victoria’s Self Advocacy Resource Unit (SARU) has demonstrated the power of supporting self- advocacy run by, for example, people with Acquired Brain Injury, people with intellectual disabilities. Members of these groups work together, setting goals, running forums, sharing information, meeting with government representatives, and making change.

Women with Disabilities Victoria is concerned that with States and Territories transferring all funding provided for disability services to the Commonwealth, state based advocacy is at risk of being defunded. As a state based systemic advocacy organisation with a gender focus, Women with Disabilities Victoria has influenced government policy across many portfolios in a way that a national body cannot, due to the focus required on state issues and relationships.

WDV receives core funding through state the disability advocacy stream, and with support from philanthropic funding and other Government departments, WDV has developed effective, innovative group capacity building for women with disabilities and workforce development programs for disability and health sectors. These programs mutually inform our systemic representation work.

There are critical aspects to the lives of people with disabilities collectively which cannot be addressed through individual support plans, that require a systemic response. Systemic advocacy plays a key role in community capacity building, research, high level representation and policy input.

Victoria has a wealth of advocacy groups representing marginalised groups (including women, youth, ATSI and CALD) which should not be lost. Additionally, Victoria resources self- advocates and disability advocates systemically, this is also an invaluable collective asset.

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| “A lot of people are worried that advocacy is going to be defunded.” Jody“ |

In the transition to a Commonwealth Disability Service system it is critical that state based funding for both self-advocacy and systemic advocacy at the state level is retained to continue to provide support.

***Recommendation:***

1. That the Commonwealth Government in negotiations with State and Territory governments recognises the critical importance of State based advocacy and States capacity to fund these services continuously into the future.

1. Women with Disabilities Victoria, ‘Fact Sheet 2: Women with Disabilities.’ 2014. WDV. [↑](#footnote-ref-1)
2. UNESCO, ‘Gender Equality and Equity.’ UNESCO, 2009. [↑](#footnote-ref-2)
3. The quotes on this page are excerpts from consultations held with members of Women with Disabilities Victoria [↑](#footnote-ref-3)
4. D. Woodlock. Op cit, ‘Paper 6.’ 2014. [↑](#footnote-ref-4)
5. Woman with a disability who have feedback on the WDV Enabling Women Program, 2014. [↑](#footnote-ref-5)