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Submitted by email: **NDS@nationalmailing.com.au**

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National Disability Strategy
PO Box 7442
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RE: Developing a National Disability Strategy for Australia

Thank you for the opportunity to contribute to this consultation.

About the Disability Council of NSW

The Disability Council of NSW was established under the terms of Section 16 of the Community Welfare Act 1987 to advise Government in NSW on issues affecting people with disability and their families. We also give advice to the Australian Government on the effect of policy on people with disability living in NSW.

Council members are appointed by the NSW Governor on the recommendation of the Minister for Disability Services. Members are selected on the basis of their experience of disability and their understanding of issues, their knowledge of service delivery and their ability to reflect and advise on government policy. The majority of Council members are people with disability.

General Observations

The Disability Council of NSW appreciates the opportunity to contribute to the development of a National Disability Strategy. We believe strongly in the need to develop and implement such a strategy, one that can unite all tiers of Government and non-government stakeholders in a concerted drive over the period ahead to reduce then eradicate barriers to full participation. We further believe that the national strategy should be based upon the framework provided by the United Nations Convention on the Rights of Persons With Disabilities. For that reason we wholeheartedly endorse the submission made by the UN CRPD Ratification Taskforce (supported by ACOSS).

Regretfully, we believe it is correct to record our organisation's sense of disappointment on reading the NDS consultation paper. We understand that a decision was probably taken to leave the discussion paper as 'open ended' as possible, presumably to stimulate wide-ranging debate. We feel that was an error of judgement. The discussion paper and its questions were, we feel, pitched at too rudimentary a level.

Given that the Australian Parliament had in the recently preceding past ratified the UN Convention and has commenced consideration of the Convention's Optional Protocol, we feel that the debate around the national disability strategy needed to be more focussed, less open-ended. The Government of Australia and its national disability advisory body should have, in our opinion, provided clearer leadership on what the strategic objectives and direction of Australian policy would look like. An opportunity was missed, we believe, for the Government to lead and focus more clearly the attention of stakeholders on key issues and themes.

We, like many other stakeholders, have been involved in a number of discussions / papers directly with the Commonwealth Government, including disability related consultations with the Hon Bill Shorten MP and the Hon Brendan O'Connor MP. In our own State we have had detailed discussions with our previous Minister the Hon Kristina Keneally MP and more recently the Hon Paul Lynch MP.

Whether it be with regard to the draft DDA Access To Premises Standards or CSTDA negotiations or the five year review of the DDA Transport Standards or the national debate on employment of people with disability or the Parliamentary inquiry into better support for carers there is already a very substantial body of work in existence that identifies barriers to participation AND proposes remedies. The consultation processes around the national disability strategy would have served stakeholders better if they had acknowledged, built upon and given greater strategic coherence to debates already underway in Australia.

Nevertheless, in response to the consultation paper, our Council would like to bring to your attention the various disability related issues that we have been working towards addressing in the past 12 months.

The Disability Council of NSW has provided or is currently determining its position in relation to the following policy areas:

Enhancing the Employability of People with Disability

Having a job is an important part of participating and contributing fully to society. Yet, people with disability often face obstacles that keep them from participating in the labour force. In fact, for many people with disability, getting a job is one of their greatest challenges.

Our Council welcomed the Federal Government's recent initiative on the setting up of the Mental Health and Disability Employment Strategy and a number of initiatives in place to help people with disability prepare for, find and keep jobs.

Nonetheless, we recognise that further action may be required to improve the labour force participation of people with disability. We recently provided to the Parliamentary Secretary for Disabilities and Children our Council's report on Employment Strategy prepared for the NSW Minister for Disability Services. We commend that text to the authors of the national disability strategy. The report includes a comprehensive assessment of the employment situation of people with disability — including a review of the range of current labour market programs, services and supports. The intent of

the report is to present evidence-based best practices and to recommend new strategies and whether existing mechanisms could be better coordinated.

CALD Communities

Given the unique circumstances and the additional barriers faced by these communities, the Government should plan to:

- Ensure that the needs of these communities are addressed across all components of policy and program development;
- Further assess the impact of the additional barriers faced by these populations; and
- Develop a longer-term action plan to identify gaps in federal programs and services.

Education and Training/vocational

In 2003, one in four people (24%) aged 15-64 years with a profound or severe core-activity limitation, who were living in households, had completed Year 12. This compares to half (49%) of those without a disability. People with a profound or severe core-activity limitation were less likely to have completed a diploma or higher qualification (14%) than those without a disability (28%).

Australia ranks 9th out of 30 OECD countries on educational levels achieved by the adult population, but we come in the bottom half of spending on education as a percentage of GDP. Education dramatically improves the life chances of all Australians. Children with disability, are from a poor background, or are Indigenous have lower levels of access to preschool education and lower levels of educational attainment at all levels from preschool to post-school education.

Australia spends near the least on education of all English speaking OECD nations. Underspend and funding cuts are particularly noted in early childhood education and post secondary school education. Some nations such as Canada, Denmark and Ireland have successfully used their education systems as mechanisms to raise the living standards of children from lower socio-economic backgrounds and so achieving a fairer start to their adult lives.

1. [ABS, 4430.0 - Disability, Ageing and Carers, Australia: Summary of Findings, 2003](#)
2. *OECD Education at a Glance 2006*, p 28. <http://dx.doi.org/10.1787/207238520880>; 3 *ACOSS, A Fair go for all Australians 2007* p. 21
3. *OECD, Education at a Glance 2006*, p. 194 & 207
4. *OECD, Education at a Glance 2006*, p. 77.

Pensioner/Economic Crisis

Council welcomes the Rudd Government's promise to deliver a \$4.8 billion down payment on long term pension reform to Australia's four million pensioners, carers, seniors and veterans and for the first time more than 700,000 Disability Support Pensioners will also be included. The lump sum payment will fill the gap until the long-term reforms are introduced from the beginning of the next financial year.

Many of these people are under financial pressure from rising living costs and more recently the impact of the global financial crisis.

Council proposes that there should be a national study aimed at testing innovative methods to ensure disability supports are available through life transition stages and building on previous work to increase return to work opportunities.

UN Convention

Our Council has been involved from the very beginning in the various state /federal consultations on the Convention on the Rights of Persons with Disability. Our The Convention is aimed at removing barriers faced by people with disability and enhancing opportunities to participate in social and political decision making processes, recognises rights to education, health, work, adequate living conditions, freedom of movement and equal recognition before the law.

The big challenge for us all, particularly the Commonwealth government, is how do we ensure that the Convention creates a renewal of the ideas and assertion of legal rights towards fundamental change to the politics of disability. The need to change the community's attitude and in particular the 75 per cent of the community who do not have the lived experience of disability to focus on disability is critical.

Access to Premises/way Finding

We are pleased to note that the Government announced forward movement on introducing the draft DDA Access to Premises Standards. Our staff team participated in the Attorney General's reference group on the unresolved issues relating to the Standards. We strongly support their adoption by Parliament.

Universal Housing Design

We have been heartened by the comments by the Parliamentary Secretary in support of the principles of universal housing design. We strongly support the submission made by the Australian Network for Universal Housing Design (ANUHD) the national disability strategy. As you may be aware, ANUHD is Chaired by a member of our staff team. Supporting the Network is a key priority of our Council, which strongly supports the introduction of universal housing design principles into all new housing.

Transport

Equal and full access to all facets of transport is imperative for people with disability. Post September 11, 2001 national security has increased and inadvertently additional barriers for people with disability introduced. For example, it is no longer permissible for drivers to leave their vehicle unattended for longer than 2 minutes to assist a person with disability into a check in counter in the airport.

In addition, Council wrote a strong response to the Accessible Public Transport Standards on April 3rd 2008. Our response brought to the attention of Allen Consultancy

Group, the existing barriers pertaining to inaccessible modes of transport for people with disability, while acknowledging the improvements and what currently works. .

Council is of the view that accessible public transport is yet another area of concern that the National Disability Strategy needs to adopt and address. Please find Council's response on our website: www.disabilitycouncil.nsw.gov.au

Mental Health

Council is concerned that there are many social issues surrounding mental health. There is a general lack of understanding & community perception of mental health in the community resulting in the inability of persons with mental health to secure and sustain employment, housing and educational courses for example.

A divide continues to occur between government agencies responsible for the delivery of disability services and the management of mental health. If mental health exists with other health issues it is even more difficult to access support.

The Federal Government is currently developing a National Mental Health and Disability Employment Strategy. Council notes the reference to this strategy in the discussion paper and supports the reference to this Strategy in the establishment of the National Disability Strategy.

Vulnerable Persons

There are many vulnerable persons in our community who require the services of a variety of government and non-government agencies and who have varying degrees of disability. The additional stress placed upon vulnerable persons not receiving appropriate support places them in a situation where their health, social and economic situation may deteriorate, for example, if not identified.

It is critical that a strategy is developed around vulnerable persons which details, in consultation with both the government and non-government sector, creative action which promptly identifies and supports vulnerable persons.

Aboriginal & Torres Strait Islander

The Disability Council of NSW is working collaboratively with the Aboriginal Disability Network NSW on barriers and concerns pertaining to people with disability who are Aboriginal & Torres Strait Islander accessing disability specialist services.

Our Council is of the strong belief that for too long people with disability who are Aboriginal or Torres Strait Islander are going without essential disability services such as, specialist equipment and aids, health care services and particularly advocacy services. Many of these barriers and more are stipulated in the '*Telling it Like it is*' report published by the Aboriginal Disability Network NSW. This can be found on the following hyperlink: http://www.pwd.org.au/adnsw/news/telling_it_like_it_is.doc

Council believes that in order for the lack of services and inequities to be addressed and subsequently rectified, it needs to be acknowledged in the National Disability Strategy with a clear and well consulted action plan.

Media Access

Council strongly proposes amendments to the Disability Discrimination Act 1992 (DDA) to allow for a DDA Disability Standard similar to the Transport Standard, which stipulates compliance timetables for the various transport service providers to adhere and be accountable.

Furthermore, we note that Sydney's Film Festival 2008 only screened five audio description films for the entire length of the festival and two captioned films. This is unsatisfactory and the barrier of inaccessible media for people with a sensory disability needs to be addressed.

We therefore, strongly recommend that the National Disability Strategy address the level, quality and timeframe of implementation of captions and audio description be measured in a way similar to the Disability Discrimination Act – Transport Standard.

Conclusion

In summary, our Council believes that the above mentioned concerns are areas in which the National Disability Strategy should adopt and work towards addressing / rectifying.

We are of the view that combined with the discussions had with the disability sector and the diversity of knowledge pertaining to disability rights and issues represented on the National Disability Advisory Council, the Commonwealth government should be well versed and equipped to take on the task of addressing and rectifying the above mentioned concerns.

Yours sincerely



Andrew Buchanan
Chair
Disability Council of NSW