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*Systems Advocacy  
for people with disability*

18 November 2009

The Secretary,  
The Joint Standing Committee  
On Migration Review  
[jscm@aph.gov.au](mailto:jscm@aph.gov.au)

Submission No. 90

Suite G2, Ground Floor  
Brisbane Transit Centre  
151 Roma Street, Q 4000

Dear Sir / Madam,

ABN 97 527 905 201

RE: Inquiry into the migration treatment of disability: Submission

Queensland Advocacy Incorporated (QAI) is an independent, community based systems and legal advocacy organisation for people with disability. QAI's mission is to promote, protect and defend the fundamental needs and rights of the most vulnerable people with disability in Queensland by engaging systems advocacy directed to attitudinal, law and policy change.

QAI is part of the Australian Network of Disability Advocacy Services funded by the Australian Commonwealth Government. Notwithstanding that QAI is located in Queensland, many of the issues pursued by us involve matters of national interest. The migration treatment of disability is one such matter.

Queensland Advocacy Incorporated endorses the Sector Wide Position Statement dated 28<sup>th</sup> September 2009, produced by the Australian Coalition for the Ratification of the UN Convention on the Rights of Persons with Disabilities; a coalition of Australia's peak human rights and disability advisory and advocacy groups formed in 2007 to promote a swift ratification by the Australian Government of the New United Nations Convention on the Rights of Persons with Disabilities. Further, QAI fully supports the call by the Coalition on the Joint Standing Committee on Migration to recommend to the Australian Commonwealth Government:

1. Full application of the Disability Discrimination Act 1992 to the Migration Act 1958 health assessment to remove the potential for any direct or indirect discrimination against refugees and migrants with disability;
2. Improved consistency, transparency and administrative fairness for migrants and refugees with disability applying for Australian visa;
3. Withdrawal of the Australian interpretive declaration made upon ratification of the United Nations Convention on the Rights of Persons with Disabilities pertaining to the health requirements for non-nationals.

Thank you

  
Robert McRae  
President

Queensland Advocacy Incorporated

Phone: (07) 3236 1122 Fax: (07) 3236 1590 Email: [qai@qai.org.au](mailto:qai@qai.org.au) Web: [www.qai.org.au](http://www.qai.org.au)

Queensland Advocacy Incorporated