

Queensland Advocacy Inc. (QAI) supplementary submission in response to “(ii) the appropriateness or otherwise of current Commonwealth/State/Territory joint funding arrangements, including an analysis of levels of unmet needs and in particular the unmet need for accommodation services and support”.

Introduction

This supplementary submission by QAI raises concerns in two CSTDA areas which affect the National Disability Advocacy Program (NDAP):

1. The increased relevance of the NDAP due to apparent conflict between its goals and principles and the service provision solutions increasingly accepted into policy and practice by the Commonwealth and States.
2. The current Review of the NDAP.

This submission focuses on the delivery of systemic advocacy in Queensland. The **definition of Systemic Advocacy** according to the NDAP is “*Action taken to introduce, influence or produce broad change in the community to ensure the rights of people with disabilities are attained and upheld. Examples may include the pursuit of changes in legislation, policy and practices of agencies providing services to people with disabilities and government policy. Strategies may include advocacy development, law reform, community development, community education and group advocacy*”.

What is Advocacy?

According to the National Disability Advocacy Program,

“advocacy is speaking, acting or writing with minimal conflict of interest on behalf of the interests of a person or group, in order to promote, protect and defend the welfare of and justice for, either the person or group by:

- *Being on their side and no-one else’s;*
- *Being primarily concerned with their fundamental needs; and*
- *Remaining loyal and accountable to them in a way which is emphatic and vigorous.”*

1. **The increased relevance of the NDAP due to apparent conflict between its ideals and the service provision solutions increasingly accepted into policy and practice by the Commonwealth and States.**

QAI is a Systemic Advocacy organisation funded by the Commonwealth Government under the NDAP. QAI recognises that the high level of unmet need in Queensland needs to be appropriately and urgently addressed by both levels of Government. QAI is aware that many people with disability and their family members are hurting and fearful for the future. Historically, Queensland has the country’s highest level of unmet and under-met need, and despite large injections of funding by the State Government, Queensland still retains this distinction. Unmet need is where a person or a family living with disability are unable to

access the services they need to conduct their lives as other members of the community. Unmet need includes people who receive no support, and others who receive some support but not enough to conduct normal lives.

QAI has a long history of advocating for people with disability whose needs continue to be unmet. QAI is currently conducting a "Direct Payment Campaign" as a strategy towards addressing unmet need on a national basis. QAI adheres to the Goals, Objectives and Principles of the NDAP by advocating for systems that promote citizenship for people with disability through participation in community life with the involvement of family wherever possible and appropriate. QAI believes that unmet need is the evidence that successive Governments have never fully embraced community living for people with disability.

Many solutions to address unmet need are offered from people who are personally affected by the high level of unmet need. These people include people with disability, families who have been long term carers and are aging, carers, service providers and government departments and Ministers themselves. Increasingly QAI observes that a lot of the proposed solutions are in direct conflict with the NDAP principles, goals and objectives. Most of these proposals represent models that are a return to institutional care.

Whilst it isn't the purpose of this submission to fully address the shortcomings of institutional service provision, briefly the acknowledged findings are:

- People with disability are not safer in institutional care, in fact the opposite is true. People with disability, as are elderly, are more vulnerable when congregated together. What makes a person safe is their proximity and involvement with other members of the community.
- Institutional care is more costly than providing well structured funding arrangements that promote community living.
- The assumption is that a person's support needs are better met in institutional care; because of the nature and delivery of institutional support needs, supports are provided on the needs of the service delivery rather than the needs of the people. It has also been found that people lose what abilities they have to support themselves more independently.
- It is impossible to meet a person's human rights in an institutional setting.
- Institutional responses represent incarceration for a person with a disability, based on their disability.

Ignorance and fear from the community (including bureaucracy and Government), coupled with self promotion by some service providers is feeding the move towards institutional responses. Systems Advocacy represents the voice of people who are unable to speak or advocate for themselves. A return to institutional responses for care will provide buildings for people to be housed; whilst this may salve both Government and community consciousness that they are doing something for people with disability, it will not provide people with the outcomes or life and well being that are the intent of the CSTDA.

RECOMMENDATION: The Need for a Human Rights Framework

QAI recommends that the Government agree to use the UN Convention on the Rights and Dignity of People with Disability as an accepted framework for policy and decision making by both State and Commonwealth Governments. A commitment by the both the State and Commonwealth Governments to uphold the human rights of people with disability in their decision making process will:

- Give a framework and mandate to both the State and Commonwealth Governments as to what they will and will not fund.
- Commitment by the Government to a human rights framework will also provide a positive framework for service providers, organisations and interested parties when proposing support options for people with disability.
- Provide consistency in the lives of people with disability and their family. People with disability are the only consistent thing in the roundabout of service provision policy and implementation imposed on them by successive changes in Ministers and bureaucrats. Commitment to a human rights framework will give a “bottom line” for people with disability that prevents arbitrary changes that impact on their lives negatively.

2. The Current NADP Review

The NDAP is implemented under the CSTDA. It has been over six years since the last review was undertaken and QAI welcomes the current Government’s initiative to undertake this review. Whilst QAI believes it is important to have reviews as part of the mechanisms of accountability both to Government and to people with disability themselves, QAI does have some concerns with the processes and intent of this review.

1. The Review appears shrouded in mystery, with little input requested from Advocacy organisations throughout Australia and little feedback on the progress of the report.
2. Mention of Systemic Advocacy is absent in the draft review by the consultants. This seems to be a major oversight or downplay of the relevance of Systemic Advocacy in the role of NDAP and in the lives of people with disability.
3. Queensland seems to be specifically targeted by statements that it is inappropriate that 40% of Commonwealth funding goes into Systemic Advocacy in this State and that the two existing systemic organisations are an oversupply for the demand. In response, the greater percentage of funding going to systemic advocacy is a reflection of the overall lower funding level provided by the Commonwealth for individual advocacy compared to other states. If the Commonwealth increased funding to individual advocacy in Queensland, as in other States, the proportion of funding directed to systemic advocacy would correspondingly fall. Further, it is not inconsistent with the position in other States to have two systemic advocacy groups with different focus.
4. QAI is concerned that this Review may be used as a tool to weaken or remove advocacy organisations who have spoken out for people with disability in opposition to Government initiatives which conflict with the NDAP goals and principles.

Who we are

Queensland Advocacy Incorporated (QAI) was established in 1987, and is an independent community based systems advocacy organisation for people with disability in Queensland.

QAI advocates for the fundamental needs, rights and lives and protection of the most vulnerable people with disability in Queensland. QAI does this by engaging in systems advocacy work - through campaigns directed to attitudinal, law and policy change, and by supporting the development of a range of advocacy initiatives in this State.

QAI is funded by the Department of Family & Community Services under the Commonwealth Disability Services Act and is run by a Management Committee, the majority of whom are people with disability.