



Changing attitudes and realising rights

VCOSS submission to Royal Commission into
Violence, Abuse, Neglect and Exploitation of
People with Disability – Rights and Attitudes
Issues Paper

August 2020

The Victorian Council of Social Service is the peak body of the social and community sector in Victoria.

VCOSS members reflect the diversity of the sector and include large charities, peak organisations, small community services, advocacy groups and individuals interested in social policy.

In addition to supporting the sector, VCOSS represents the interests of Victorians experiencing poverty and disadvantage, and advocates for the development of a sustainable, fair and equitable society.

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This submission was prepared by Rhiannon Wapling and authorised by VCOSS CEO Emma King.

For enquiries please contact Deborah Fewster at deborah.fewster@vcoss.org.au

A fully accessible version is available online at vcoss.org.au/policy/



VCOSS acknowledges the traditional owners of country and pays respect to past, present and emerging Elders.

This document was prepared on the lands of the Kulin Nation.



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Overview

The Victorian Council of Social Service (VCOSS) welcomes the opportunity to provide input to the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability (Royal Commission) and its focus on rights and attitudes.

VCOSS is the peak body for social and community services in Victoria. VCOSS advocates for systemic change to improve the lives of people with disability. We are deeply engaged in this issue through our wide range of members including disability advocacy and self advocacy organisations, people with disability, carer organisations and organisations which provide disability, mental health and health services.

As an advocate and an ally for a better, fairer and more just Victoria for people with disability, VCOSS supports a network of Victorian disability advocacy organisations to undertake collaborative systemic advocacy under the banner of the 'Empowered Lives' campaign¹. Empowered Lives members work together with a shared vision for an inclusive, equitable community for all Victorians. This submission is informed by the insights and experiences of Empowered Lives members.

The Royal Commission's Rights and Attitudes Issues Paper draws an important link between an awareness and understanding of the rights of people with disability, and how attitudes and knowledge can impact the realisation of these rights. While people with disability and their support network feel attitudes, inclusion and representation are improving, 65 per cent believe experiences of neglect, exploitation, violence and abuse have not changed or have become worse over the past five years².

Increasing awareness, accountability and action on disability rights is not the responsibility of people with disability – it is a shared responsibility across individuals, communities, organisations and governments. International and domestic conventions and laws oblige Australia to promote, protect and uphold the rights of people with disability. As a signatory to the UN Convention on the Rights of Persons with Disabilities (CRPD), Australia must respect the rights, freedoms and safety of people with disability in all aspects of life.

¹ Empowered Lives, <http://empoweredlives.vcooss.org.au/>

² Australian Department of Social Services, *Consultation report - to help shape the next national disability strategy (beyond 2020)*, December 2019, p.17.

As noted by the Rights and Attitudes Issues Paper, while rights within the CRPD are not automatically part of Australian law, Australia must respect the rights of people with disability in domestic laws, policies and practices³.

VCOSS and Empowered Lives members believe the rights of people with disability are not well known or understood. Low rights awareness among people with and without disability, combined with the impact of poor attitudes, affects people with disability every day in a variety of ways. From getting a coffee, going shopping and socialising, through to studying, finding and maintaining a job, rights awareness and attitudes can affect every interaction and experience. A lack of rights awareness contributes to violence, abuse, neglect and exploitation of people with disability. When the rights of people with disability and relevant laws are not well known, understood or enacted, people with disability are at greater risk of experiencing discrimination, exclusion, isolation and violence. Where people with disability and their support network do not know about their rights or how to seek help, abuses of their rights are less likely to be challenged, reported and prosecuted.

Access to rights education and independent disability advocacy services can support people to learn about and exercise their rights. However, disability advocacy and self advocacy organisations across Australia are under resourced and under pressure. Outdated and inadequate funding arrangements limit the power and potential of disability advocacy organisations to provide proactive, timely and comprehensive support for people with disability, families and carers.

Achieving meaningful and lasting change to increase awareness of disability rights and change community attitudes must include complementary policy measures across personal, organisational and structural levels⁴. VCOSS and Empowered Lives members make recommendations that aim to address key areas for action across each of these levels. The concurrent work of the Royal Commission, the development of the next National Disability Strategy, the overdue need to review the National Disability Agreement, and other state-based work present a unique opportunity for governments to come together with people with disability, families and carers to listen and learn from their lived experiences to collaborate and co-design coordinated, strategic action that meaningfully elevates fundamental human rights.

³ Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability, *Rights and Attitudes Issues Paper*, April 2020, p.2.

⁴ D Thompson, KR Fisher, C Purcal, C Deeming and P Sawrikar, *Community attitudes to people with disability: scoping project*, 2011.

Summary of recommendations

Build awareness of the rights of people with disability

Equip people with information, support and resources to enact their rights

- Ensure people with disability, their families and carers can easily access and understand information about their rights.
- Boost the capacity and reach of rights awareness and education programs by investing in and promoting disability advocacy and self advocacy organisations.
- Ensure people with disability, their families and carers are proactively informed of their rights by governments and services in all settings and contexts.

Increase community-wide awareness, action and accountability

- Invest in personal and organisational initiatives, such as education programs, targeted training and resources, to increase community-wide understanding and promotion of the rights of people with disability.
- Co-design the next National Disability Strategy with people with disability, their families and carers, and include meaningful, measurable commitments to realise the human and legal rights of people with disability.
- Resource the implementation of the National Disability Strategy and regular measurement and reporting.

Recognise and address the impact of attitudes on the rights, safety and wellbeing of people with disability

Review and strengthen disability discrimination laws

- Increase the coverage and powers of disability discrimination laws and guidelines to meet Australia's obligations under the UN CRPD.
- Ensure disability discrimination laws, guidelines and strategies provide meaningful, accessible and practical protection for people with disability.
- Support people with disability and their support network to understand and exercise their human rights, including through increased awareness of and access to complaints reporting bodies.
- Establish an oversight mechanism to monitor and report on human rights and discrimination trends, and use these insights to identify areas for attention and action.

Ensure fair and equal access to justice

- Fairly, appropriately and adequately examine and prosecute crimes committed against people with disability.
- Improve awareness and understanding of disability rights across the justice system.
- Increase support for people with disability to understand and access legal information and processes.
- Strengthen vilification and hate crime laws to better protect and support people with disability.

Support connected, informed and inclusive communities

- Develop community strengthening initiatives to break down barriers and improve connections between people with and without disability.
- Ensure social and community supports are designed to increase participation and inclusion in the community, not to reinforce and perpetuate segregation.
- Increase community awareness of important hotlines and avenues for seeking help.

Strengthen independent disability advocacy

Raise awareness of and engagement with disability advocacy services

- Recognise and resource independent disability advocacy as a valued and vital part of Australia's safeguarding eco-system.
- Increase awareness of the role of independent disability advocacy among people with disability, disability service providers, universal services and the broader community.
- Encourage and fund localised approaches and partnerships between disability advocacy and self advocacy organisations and other community-based supports to improve awareness, reach and access to support.

Increase the reach, coverage and breadth of disability advocacy services

- Improve the coverage, reach and access to disability advocacy services by:
 - engaging organisations on long-term agreements
 - increasing core funding to meet existing demand and emerging need
 - providing additional resources for innovation and partnerships.

- Maintain the diversity of the disability advocacy sector through additional and sustained support for specialist, self advocacy and legal services.
- Ensure all disability advocacy and self advocacy organisations are supported to undertake or participate in systemic advocacy.
- Support tailored, flexible and community-led approaches to increase access to disability advocacy for people living in regional and remote communities and for people who experience intersectional disadvantage.

Support meaningful outcomes measurement and reporting

- Strengthen and streamline reporting tools and processes for disability advocacy to enable better, smarter data collection and coordination.

Find a better, fairer way forward

- Work collaboratively with the disability advocacy sector to explore current challenges and strengths, and to co-design new ways forward to increase access, coverage and reach of disability advocacy services.
- Review and clarify roles, responsibilities and resourcing for disability advocacy through a revised National Disability Agreement and enhanced coordination between the all levels of government.

Increase inclusion, participation and self-representation in society

Co-design community awareness campaigns

- Engage people with disability and their support network to co-design and implement a multifaceted and measurable community awareness strategy.

Increase media participation and representation

- Boost participation and self-representation of people with disability across the media, arts and entertainment sector through government-supported initiatives that increase employment opportunities for people with disability, including provision of coaching and mentoring, and funding for disability-led productions.
- Review and improve Australian TV content quotas to enhance and expand obligations to represent diversity and disability.

- Partner with media organisations and universities to increase knowledge and use of disability reporting guidelines, and to recognise respectful reporting.

Improve and support leadership opportunities

- Fund and expand leadership programs and entrepreneurship initiatives to support emerging leaders with disability.
- Ensure leadership roles, professional development opportunities and entrepreneurship programs are equitably available to people with disability.

Build awareness of the rights of people with disability

Under international conventions, Commonwealth and State-based laws, Australia and Australians are obliged to respect, protect and promote the human rights, agency and freedoms of people with disability. Despite these commitments, and a range of strategies and plans, the rights of people with disability are often not known, understood or recognised.

Building greater disability rights awareness is essential for the entire community, not just people with disability, their families and carers. Promoting broad understanding of the human rights of people with disability is more than the 'right thing to do' – improved and increased rights knowledge strengthens the prevention, identification and response to violence, abuse, neglect and exploitation.

Equip people with information, support and resources to enact their rights

RECOMMENDATIONS

- Ensure people with disability, their families and carers can easily access and understand information about their rights.
- Boost the capacity and reach of rights awareness and education programs by investing in and promoting disability advocacy and self advocacy organisations.
- Ensure people with disability, their families and carers are proactively informed of their rights by governments and services in all settings and contexts.

Learning about human and legal rights, and building confidence to take action or speak up, is a process shaped by insights, incidents and experiences. VCOSS and Empowered Lives members report people with disability, their families and carers usually learn about their rights when something goes wrong. Everyone's learning journey is different; it can be an iterative process, where people with disability encounter barriers and start to question why they face certain issues, or it can be the result of a serious incident.

Rights knowledge tends to be gained through family, school and life experiences, rather than intentional rights education. While some people with disability learn about their rights in a structured setting, such as advocacy training or a self advocacy group, these opportunities are not available to everyone.

It can be hard to find clear, accessible information about the rights of people with disability. A recent national survey of people with disability and their support network found 60 per cent of respondents faced difficulties in finding information about the rights of people with disability⁵. These difficulties were even greater for people from culturally or linguistically diverse backgrounds⁶. People who do not know about their rights are at greater risk of falling through the cracks and not accessing support. They also may not know about advocacy organisations, or even that they can be supported by an advocate.

Rights education and support

Building rights knowledge and confidence takes multiple conversations, time and practice. The shift from gaining an awareness of rights to taking action, by claiming or exercising rights, can be a difficult bridge to cross. Independent disability advocacy organisations play a key role in supporting people to understand their rights, and how their rights and entitlements have been breached.

VCOSS and Empowered Lives members report that often people do not approach an advocacy service because their rights have been violated; they make contact because they feel angry or disempowered. Advocates support people with disability to explore and validate these feelings, identify the rights that have been breached, and empower people to challenge these violations. Disability advocacy and self advocacy organisations support people to learn about and understand:

- their rights and what it means to feel safe
- what types of behaviours are acceptable and unacceptable
- what to do if they receive poor quality services or feel unsafe
- what constitutes violence, abuse and neglect
- how to raise a concern, assert their rights or make a complaint.

⁵ Australian Department of Social Services, *Consultation report - to help shape the next national disability strategy (beyond 2020)*, December 2019, p.23.

⁶ Ibid.

When people know about and understand their rights, they are better placed to exercise choice and control, to make decisions in their best interests and to speak up when something isn't right or fair. Rights awareness also contributes to early identification, reporting and action on issues or concerns before they escalate or worsen.

Rights training programs to build the capacity and confidence of people with disability, carers and families to advocate for their interests and rights should be funded and expanded. Disability advocacy and self advocacy organisations should be adequately resourced to develop and deliver rights education programs.

Sharing rights information at key moments

People with disability, their families and carers connect with a range of community and government services across key moments and life stages. However, in these settings, the chance to inform people about their rights is often neglected or missed.

For example, during school enrolment, families and carers are usually not informed about the rights of their child to access education on the same basis as their peers⁷. General 'rights and responsibilities' charters outlining the rules for engaging with a service or program are increasingly common, however, these resources do not usually specifically address the rights of people with disability.

People with disability, their families and carers should be proactively provided with early, clear information about their rights in all settings. This not only enables people to advocate for and exercise their rights, it demonstrates that services and governments are aware of their obligations and committed to delivering accessible and inclusive support.

⁷ E Jenkin, C Spivakovsky, S Joseph and M Smith, *Improving Educational Outcomes for Children with Disability in Victoria: Final Report*, June 2018.

Increase community-wide awareness, action and accountability

RECOMMENDATIONS

- Invest in personal and organisational initiatives, such as education programs, targeted training and resources, to increase community-wide understanding and promotion of the rights of people with disability.
- Co-design the next National Disability Strategy with people with disability, their families and carers, and include meaningful, measurable commitments to realise the human and legal rights of people with disability.
- Resource the implementation of the National Disability Strategy and regular measurement and reporting.

Low disability rights awareness is not just a problem for, and to be fixed by, people with disability – a lack of understanding by individuals, services, businesses and the wider community perpetuates and exacerbates the discrimination, exclusion and marginalisation experienced by people with disability. As noted in Australia's National Disability Strategy, "the responsibility for changing attitudes and responses to disability belongs to everyone"⁸.

Personal-level and organisational-level interventions should be designed and implemented to influence community awareness and attitudes⁹. Awareness-raising initiatives (see page 34), in tandem with targeted education programs, work to challenge perceptions, stereotypes and unconscious bias, and in turn, foster an inclusive, respectful society.

Human rights and diversity programs are increasingly common in schools, governments and businesses, yet the rights of people with disability, and the structural and social barriers they face, is often not on the agenda.

⁸ Council of Australian Governments, *National Disability Strategy 2010-2020*, February 2011, p.18.

⁹ D Thompson, KR Fisher, C Purcal, C Deeming and P Sawrikar, *Community attitudes to people with disability: scoping project*, 2011.

To achieve broad and lasting change, VCOSS and Empowered Lives members believe there needs to be a concerted effort to increase visibility and understanding of disability rights.

Measures and investment should be targeted to sectors and communities whose awareness and attitudes have the greatest impact on the inclusion and participation of people with disability. Suggestions from our members include:

- More support and age-appropriate resources for children and young people to learn about disability inclusion and rights at home and at school
- Mandatory comprehensive units on disability inclusion and rights embedded in tertiary education across health, human resources, building and design courses
- Tailored professional development programs targeted to industries or roles where discriminatory attitudes impact the realisation of rights, for example, real estate, police and justice, and customer service
- Ongoing programs and resources to upskill people working in community-facing and universal services to promote and uphold the rights of people with disability
- Initiatives to improve the 'disability confidence' of employers and HR professionals in employing people with disability, including increasing knowledge of the resources and funding available for reasonable adjustments in the workplace.

Policy levers to drive change

Australia's National Disability Strategy is the high-level policy framework to guide government activity, policy actions, reform priorities and meet human rights obligations. The current Strategy includes a focus on six key areas, including rights protection and a commitment to supporting independent disability advocacy. Our members, while supportive of the Strategy, have been disappointed in the limited progress and reporting on key outcomes over the past decade. A review of the Strategy and a Senate inquiry also found its implementation to be uneven and inconsistent, and its progress to be slow and limited¹⁰.

¹⁰ L Davy, KR Fisher, A Wehbe, C Purcal, S Robinson, R Kavess and D Santos, *Review of implementation of the National Disability Strategy 2010-2020: Final report prepared for Department of Social Services*, August 2018; Australian Senate Community Affairs References Committee, *Delivery of outcomes under the National Disability Strategy 2010-2020 to build inclusive and accessible communities*, November 2017.

Right now, Australia's next National Disability Strategy is in development¹¹, presenting a timely opportunity to review and strengthen Australia's commitments to promote and protect disability rights. The Strategy underpins and guides the development of State, Territory and Local Government strategies and action plans, as well as those of businesses and organisations – its potential to influence positive change should not be underestimated.

VCOSS and Empowered Lives members urge governments to engage people with disability, their families and carers to co-design a new National Disability Strategy that includes meaningful and measurable commitments to increase awareness, understanding and action on disability rights. The next Strategy needs to be appropriately resourced, responsive and agile in an ever-changing environment. Further attention and resources should also be dedicated towards measuring the progress of the Strategy regularly and monitoring long-term change.

¹¹ Australian Department of Social Services, [A new Disability Strategy](#), accessed on 17 June 2020.

Recognise and address the impact of attitudes on the rights, safety and wellbeing of people with disability

Attitudes towards people with disability are shaped by people's awareness, understanding and personal experiences. Attitudes have a direct and pervasive effect on the rights, freedom and safety of people with disability.

When people have poor disability rights awareness or negative perceptions and beliefs about disability, their actions, decisions and choices build or create structural and social barriers which contribute to discrimination, exclusion, violence, abuse, exploitation and neglect of people with disability.

Governments, organisations and the wider community all have a role to play in supporting and promoting the rights, safety and wellbeing of people with disability. All levels of intervention and engagement are required to drive proactive and preventative social, cultural and policy change.

Review and strengthen disability discrimination laws

RECOMMENDATIONS

- Increase the coverage and powers of disability discrimination laws and guidelines to meet Australia's obligations under the UN CRPD.
- Ensure disability discrimination laws, guidelines and strategies provide meaningful, accessible and practical protection for people with disability.
- Support people with disability and their support network to understand and exercise their human rights, including through increased awareness of and access to complaints reporting bodies.
- Establish an oversight mechanism to monitor and report on human rights and discrimination trends, and use these insights to identify areas for attention and action.

People with disability experience greater levels of discrimination than people without disability, and an estimated one-in-11 faced discrimination related to their disability in the past year¹². Discrimination occurs most often when people with disability access goods and services, and in education and employment contexts¹³. Low awareness and understanding by employers and discriminatory attitudes and behaviours create a range of barriers for people with disability seeking work¹⁴. Almost half of employees with disability experienced discrimination or harassment at work over the past year¹⁵.

Australia's Commonwealth, State and Territory human rights and discrimination laws are intended to promote and protect fair treatment and inclusion. Disability discrimination accounted for 44 per cent of all complaints received by the Australian Human Rights Council (AHRC) in 2018-2019, and this number has been steadily increasing over the past five years¹⁶. Most enquiries and complaints received by the Victorian Equal Opportunity and Human Rights Commission (VEOHRC) over the same period were also about disability discrimination¹⁷. Reporting discrimination can be a long and difficult process, so these figures do not necessarily reflect the prevalence and frequency of disability discrimination.

VCOSS and Empowered Lives members believe existing discrimination laws do not have enough power, and that coverage and protections from these laws do not reflect Australia's obligations under the UN CRPD. Our members also continue to be frustrated and disappointed by guidelines and plans that are that are unfunded, poorly promoted and not enforceable. For example, despite the existence of standards and guidelines, progress on improving access to the built environment, including public buildings, housing, and public transport, is patchy and incredibly slow. Even with new projects and public spaces, expensive and exclusionary mistakes continue to be made

As outlined earlier in this submission, many people with disability may not know about their rights, or where to go to raise an issue or make a complaint. People with disability may also face barriers in accessing communication devices, internet and mobile phone connections easily, safely and independently. A lack of accessible technology, affordable internet and phone plans, training and privacy all impact people's capacity and opportunities to freely find

¹² AIHW, [People with disability in Australia: Disability discrimination](#), September 2019.

¹³ Ibid.

¹⁴ AHRC, *Willing to Work: National Inquiry into Employment Discrimination Against Older Australians and Australians with Disability*, 2016, p.6.

¹⁵ Diversity Council of Australia and Suncorp, [Inclusion at Work Index: Mapping the state of inclusion in the Australian workforce](#), accessed on 18 June 2020.

¹⁶ AHRC, [Disability discrimination tops Commission complaints](#), 25 October 2019, accessed on 18 June 2020.

¹⁷ VEOHRC, *Annual Report 2018-2019*, October 2019.

information, make a complaint or seek help. Disability discrimination laws and avenues to raise issues must be widely promoted to ensure people with disability and their support networks can understand and exercise their rights.

Opportunities to collate and review discrimination reports through an oversight mechanism should also be explored. While a range of complaints bodies exist, including national and state human rights commissions, the NDIS Quality and Safeguards Commission and the Victorian Disability Worker Commissioner, their respective work and reporting does not feed into a collective view of disability discrimination in Australia. Reports of discrimination across jurisdictions are often only viewed on a case-by-case basis, with little oversight of trends to inform systemic change and action to prevent discrimination in the first place.

An oversight mechanism could collect, monitor and evaluate reports of discrimination, establish a shared evidence base and inform the development of targeted awareness and behaviour change initiatives.

Ensure fair and equal access to justice

RECOMMENDATIONS

- Fairly, appropriately and adequately examine and prosecute crimes committed against people with disability.
- Improve awareness and understanding of disability rights across the justice system.
- Increase support for people with disability to understand and access legal information and processes.
- Strengthen vilification and hate crime laws to better protect and support people with disability.

Discriminatory attitudes can impact the reporting, treatment and prosecution of crimes committed against people with disability. VCROSS and Empowered Lives members believe reporting and complaints mechanisms give people a “slap on the wrist”, and that too often, crimes against people with disability are not appropriately or adequately prosecuted.

Effective and equal access to justice is a human right for people with disability¹⁸. People with disability are more likely to be victims or witnesses of crime¹⁹, more likely to experience violence²⁰ and are overrepresented in the prison population²¹. Women with disability are particularly at risk of experiencing violence or abuse²².

Poor rights awareness affects people with disability across the justice system and creates a range of challenges and barriers, from the attitudes and beliefs of authorities to the lack of accessible information, advocacy and legal supports²³. Fears about a lack of credibility – by people with disability reporting crime, and by police assuming a prosecution will not succeed – create a “self-fulfilling prophecy” where reports and crimes involving people with disability are not fully investigated or prosecuted²⁴. People with complex communication needs experience mixed responses to and acceptance of their use of alternative augmentative communication, which is often related to the assumptions and knowledge of police and judicial officers²⁵. It is essential people with disability are supported to understand and access legal information and processes, provided safe and easy ways to raise concerns and report crimes, and connected to advocacy and legal services.

Across national and state jurisdictions, governments should also work to strengthen vilification and hate crime laws. People with disability experience hate, often accompanied by discrimination, through verbal abuse, offensive language and ridicule; however, hate and vilification laws do not protect people with disability consistently across all jurisdictions²⁶. In Victoria, an inquiry is underway into anti-vilification protections, which VCOSS has previously recommended be expanded to support more people and communities, including people with disability²⁷.

¹⁸ UN Convention on the Rights of Persons with Disabilities, *Article 13 – Access to justice*.

¹⁹ VEOHRC, *Beyond doubt: The experiences of people with disabilities reporting crime – Research findings*, 2014, p.6; M Nixon, [People with disability are more likely to be victims of crime – here's why](#), *The Conversation*, 22 February 2020, accessed on 20 June 2020.

²⁰ AIHW, [People with disability in Australia: Violence against people with disability](#), September 2019.

²¹ Civil Society CRPD Shadow Report Working Group, *Disability Rights Now 2019: Australian Civil Society Shadow Report to the United Nations Committee on the Rights of Persons with Disabilities: UN CRPD Review 2019*, July 2019, p.24.

²² Disabled People's Organisations Australia and National Women's Alliances, *The Status of Women and Girls with Disability in Australia*, November 2019.

²³ Australian Human Rights Commission, *Equal Before the Law: Towards Disability Justice Strategies*, February 2014.

²⁴ VEOHRC, *Beyond doubt...*, 2014, p.9.

²⁵ M Camilleri and C Pederson, *Hear us: The experiences of people with complex communication needs in accessing justice*, 2019.

²⁶ VEOHRC, *Submission to the Parliamentary Inquiry into Anti-Vilification Protections*, January 2020.

²⁷ VCOSS, *Response to the Inquiry into Anti-Vilification Protections*, December 2019.

Support connected, informed and inclusive communities

RECOMMENDATIONS

- Develop community strengthening initiatives to break down barriers and improve connections between people with and without disability.
- Ensure social and community supports are designed to increase participation and inclusion in the community, not to reinforce and perpetuate segregation.
- Increase community awareness of important hotlines and avenues for seeking help.

Connections with family, friends, neighbours and colleagues are important for everyone – having people to turn to for help and advice, a friendly chat and regular interaction keeps us safe and well. These relationships and interactions provide an informal safeguarding mechanism for many people experiencing isolation and disadvantage.

Research shows people with disability experience higher levels of psychological distress and social isolation²⁸ and have less social capital and support networks²⁹. People with disability are less likely to have a close relationship with someone they can confide in, and less likely to be involved in social and community groups³⁰. A recent nationwide survey found three-quarters of Australians occasionally, rarely or never socialise with someone with disability³¹.

Community attitudes and actions contribute to the exclusion and social isolation experienced by people with disability, who may try to avoid everyday activities and limit their exposure to interactions in the community for fear of discrimination. Segregated settings and some disability services also create environments where people with disability mainly socialise with other people with disability, regardless of their interests, likes and dislikes, further reducing interactions between people with and without disability.

²⁸ AIHW, [People with disability in Australia](#), September 2019.

²⁹ J Mithen, Z Aitken, A Ziersch and A Kavanagh, *Inequalities in social capital and health between people with and without disabilities*, *Social Science & Medicine* 126 (2015) 26e35, 2014.

³⁰ Centre of Research Excellence in Disability and Health, *A fair go? Measuring Australia's progress in reducing disadvantage for adults with disabilities (2001-2016)*, 2018.

³¹ N Hermant, [Only a quarter of Australians regularly hang out with people with a disability, but these 'qiq buddies' are different](#), ABC News, 23 November 2019, accessed on 13 July 2020.

Social isolation is not just a feeling of loneliness - it impacts the health, safety and wellbeing of people with disability in a variety of ways. People who are socially isolated may have poorer physical and mental health, face higher risk of abuse, violence, neglect and exploitation, and be less able to seek help. Close and casual relationships, with family, friends, neighbours, shop keepers, baristas and others, each provide an additional layer of support and social connection. As noted by the NDIS Quality and Safeguarding Framework, people with disability who have a support network and are included in the community “will be better protected by these natural safeguards than they could by any safety net built by governments”³².

VCOSS and Empowered Lives members believe community strengthening initiatives should be developed and resourced as part of a comprehensive strategy to increase rights awareness and change attitudes. Connected, informed and inclusive communities are a powerful force for good, and friendships between people with and without disability should be encouraged and supported. Initiatives that aim to break down barriers and form connections around common interests, such as Gig Buddies³³, should be developed and expanded. Service providers for social and community supports delivered through NDIS funding should also focus on supporting engagement and community participation.

Further attention must also be directed towards increasing community-wide awareness of complaints bodies and hotlines. VCOSS and Empowered Lives members fear many community members who witness or suspect violence, abuse or neglect of a person with disability may not know what to do or who to call. While some reporting mechanisms already exist, they are not well known or utilised by the broader community. For example, the National Disability Abuse and Neglect hotline received just 359 calls in 2019³⁴ and the NDIS Quality and Safeguards Commission handled 1422 complaints³⁵ over 2018-2019.

³² Australian Department of Social Services, *NDIS Quality and Safeguarding Framework*, 2016, p.27.

³³ Gig Buddies, [Gig Buddies Sydney](#), accessed 31 August 2020.

³⁴ Australian Department of Social Services, *National Disability Abuse and Neglect Hotline data January – June 2019; July – December 2019*.

³⁵ NDIS Quality and Safeguards Commission, *Annual Report 2018-2019*, p.16.

Strengthen independent disability advocacy

Independent disability advocacy protects and advances the rights and interests of people with disability. Disability advocacy and self advocacy organisations work alongside people with disability to understand their human and legal rights, communicate their needs and have their needs met³⁶.

In addition to individual support, advocates also play a crucial role in identifying and reporting systemic issues to improve sector practice and help prevent future cases of violence, abuse or neglect.

Advocacy helps all parties to solve problems and encourages self-advocacy by supporting people to understand and exercise their rights. Disability advocacy has been consistently recognised by previous inquiries as an important safeguard to help prevent and report abuse³⁷, particularly for people who are afraid or face difficulties in raising issues or making complaints³⁸.

Despite the importance of disability advocacy in protecting and promoting the rights and safety of people with disability, its role is not well understood and services are chronically under-funded.

Disability advocacy must be valued, prioritised and fully funded to protect and promote the rights of all Australians with disability through tailored, timely individual advocacy support and systemic advocacy.

³⁶ Disability Advocacy Resource Unit, [What is disability advocacy?](#), accessed 15 June 2020.

³⁷ Victorian Ombudsman, *Reporting and investigation of allegations of abuse in the disability sector: Phase 1 – the effectiveness of statutory oversight*, June 2015; Australian Senate Community Affairs Reference Committee, *Violence, abuse and neglect against people with disability in institutional and residential settings...*, Final report, November 2015; Victorian Ombudsman, *Reporting and investigation of allegations of abuse in the disability sector: Phase 2 – incident reporting*, December 2015; Parliament of Victoria Family and Community Development Committee, *Inquiry into abuse in disability services*, Final report, May 2016.

³⁸ Ibid. Victorian Ombudsman, *Reporting and investigation of allegations of abuse in the disability sector: Phase 1*, June 2015, p. 86; *Reporting and investigation of allegations of abuse in the disability sector: Phase 2*, December 2015, p.18.

Raise awareness of and engagement with disability advocacy services

RECOMMENDATIONS

- Recognise and resource independent disability advocacy as a valued and vital part of Australia's safeguarding ecosystem.
- Increase awareness of the role of independent disability advocacy among people with disability, disability service providers, universal services and the broader community.
- Encourage and fund localised approaches and partnerships between disability advocacy and self advocacy organisations and other community-based supports to improve awareness, reach and access to support.

Early engagement of a disability advocate can resolve issues quickly, before they reach crisis point, and reduce the risk of harm. However, low awareness of disability advocacy can reduce the realisation of its preventative and protective powers.

Many people with disability do not know they have a right to a disability advocate, particularly people who are isolated or not engaged with services. People who do not know about their rights are less likely to know about disability advocacy and avenues for support. This lack of understanding makes some services and government departments reluctant to promote advocacy or engage with an advocate, sometimes out of fear of additional scrutiny.

Better awareness of disability advocacy among people with disability, organisations, government and the broader community, including the use of partnership approaches, could increase access to and engagement with disability advocacy services.

Partnerships can take varying forms and work best when they build upon local community strengths and relationships. For example, co-locating advocacy services alongside other trusted, local organisations can increase engagement and create a soft entry point. Stronger referral pathways between disability advocacy and other service sectors, such as health services, legal services and the broader disability sector, may assist people to have their rights and needs met.

Strong local partnerships can be particularly powerful and positive for connecting with isolated, disadvantaged or hard to reach communities. Disability advocacy organisations and broader service sectors should be encouraged and resourced to explore, develop and nurture partnerships and community connections that enhance access to tailored, responsive support.

Increase the reach, coverage and breadth of disability advocacy services

RECOMMENDATIONS

- Improve the coverage, reach and access to disability advocacy services by: engaging organisations on long-term agreements, increasing core funding to meet existing demand and emerging need, providing additional resources for innovation and partnerships.
- Maintain the diversity of the disability advocacy sector through additional and sustained support for specialist, self advocacy and legal services.
- Ensure all disability advocacy and self advocacy organisations are supported to undertake or participate in systemic advocacy.
- Support tailored, flexible and community-led approaches to increase access to disability advocacy for people living in regional and remote communities and for people who experience intersectional disadvantage.

While increasing awareness of disability advocacy could expand the reach and impact of these services, these benefits cannot be realised without substantial support to increase the capacity of disability advocacy organisations.

Funding for disability advocacy, delivered through a combination of State, Territory and Commonwealth sources, is best described as a drop in the ocean. In Victoria, there are more than one million people with disability³⁹, yet the Victorian Disability Advocacy Program

³⁹ ABS, 4430.0 - Disability, Ageing and Carers, Australia: Summary of Findings, 2018.

(VDAP) is only funded to support 2000 individual disability advocacy clients per year⁴⁰. National funding from the National Disability Advocacy Program (NDAP) aims to provide individual support to around 12,000 people with disability per year⁴¹, representing just 0.3 per cent of 4.4 million Australians with disability⁴².

On funding figures alone, it is clear to see why disability advocacy organisations are stretched to meet demand. In September 2019, many Victorian disability advocacy organisations reported being overwhelmed by requests for assistance, forcing many to maintain long waiting lists or close their books⁴³.

The transition to the National Disability Insurance Scheme (NDIS) has placed new and additional pressures on people with disability, and in turn, disability advocacy services⁴⁴. While governments share responsibilities for advocacy supports not covered by the NDIS⁴⁵, the additional advocacy workload generated by the NDIS has not been adequately or fairly recognised by funding increases. VCOSS and Empowered Lives members report issues with the design of the scheme, including rules and processes around eligibility, access, complaints and appeals, are a source of great stress and generate many requests for individual advocacy. Our members continue to raise concerns that the NDIS will perpetuate and deepen disadvantage if people do not receive adequate support to navigate and access the scheme.

Support roles built into the NDIS, including NDIS Planners, Local Area Coordinators and Support Coordinators, can often only offer limited support. The nature of their roles also means they are not truly independent, as they can be impacted by conflicts of interest. The loss of previously available advocacy-type assistance from case managers also contributes to increased demand for disability advocacy.

People with disability also experience barriers in accessing universal services, including health care and education, which can be exacerbated by confusion around which system is responsible for delivering support. This also contributes to high demand for advocacy support.

⁴⁰ Victorian Government, *Victorian Budget 19/20 Service Delivery: Budget Paper 3*, p.227.

⁴¹ Australian Department of Social Services, *Review of the National Disability Advocacy Program: Consultation Report*, July 2017, p.3.

⁴² ABS, *4430.0 - Disability, Ageing and Carers, Australia: Summary of Findings*, 2018.

⁴³ Strengthening Disability Advocacy Conference 2019, [Advocacy under pressure, 2 September 2019](#), accessed 15 June 2020.

⁴⁴ VCOSS, *Delivering on the promise: a better and fairer NDIS: VCOSS Submission to the Review of the NDIS Act and the new NDIS Participant Service Guarantee*, October 2019.

⁴⁵ Productivity Commission, *Study report: Review of the National Disability Agreement*, February 2019, p.91.

The short-term, data-driven and competitive nature of funding for disability advocacy forces organisations to survive, rather than thrive. It takes time, experience and expertise to build long-term client and community relationships required to advocate for positive outcomes. Year-to-year funding makes it difficult to retain staff, plan ahead and deliver continuous support. Complex cases of individual advocacy do not neatly end in line with a financial year, nor fit within strict funding guidelines. Competitive grants processes, such as those available through the NDIS Information Linkages and Capacity Building Program, can be more challenging for organisations who do not have the time, resources or experience to complete applications. Self advocacy groups are among the most impacted by these types of funding processes. Our members fear competition for a finite funding pool detracts from service capacity and deters collaboration across the sector, despite the known benefits and past positive experiences of working together to achieve better outcomes and pursue systemic change.

Despite these considerable pressures, funding for disability advocacy across Australia has not responded to community need. Most States and Territories have adopted a ‘wait and see approach’ during a period of confusion regarding funding disability advocacy responsibilities, which has seen funding reduced, or removed then reinstated, across jurisdictions⁴⁶.

VCOSS and Empowered Lives members commend the Victorian Government for maintaining and increasing its commitment to supporting the rights of people with disability. The Victorian Office for Disability boosted support for state-funded disability advocacy organisations in 2018/19 and 2019/20 and invested in a range of strategies and projects to strengthen the sector⁴⁷. In response to the COVID-19 pandemic, the Victorian Government committed an additional \$2.2m to strengthen advocacy support⁴⁸. Beyond 2020, however, the future of disability advocacy funding is frighteningly unclear.

Disability advocacy models

Funding arrangements for disability advocacy are often tied to geographic locations, cohorts and specific models of support, for example, individual advocacy including self advocacy, citizen advocacy, family advocacy and/or legal advocacy, and systemic advocacy⁴⁹.

⁴⁶ Productivity Commission, *Study report: Review of the National Disability Agreement*, February 2019, p.91.

⁴⁷ Hon Martin Foley, *Media release: Expanding Disability Advocacy Across Victoria*, 5 September 2018; Hon Luke Donnellan, *Media release: Speaking Up For Victorians With Disability*, 16 January 2019; *Media release: New Funding To Strengthen Disability Rights*, 19 July 2019; *Media release: New Funding To Strengthen Disability Rights*, 19 July 2019.

⁴⁸ Hon Luke Donnellan, *Media release: Supporting Victorians With Disability During Coronavirus*, 6 May 2020.

⁴⁹ Australian Department of Social Services, *Operational Guidelines for the National Disability Advocacy Program*, 2018.

Funding can also be targeted to provide specialist support for particular groups or communities. Our members report that current funding arrangements are outdated and do not align to community need. Resources are unevenly distributed, with some organisations or cohorts receiving much greater support than others.

Each type of advocacy has a specific purpose and is suitable for different circumstances. For example, legal advocacy is delivered by qualified legal practitioners, whereas self advocacy focuses on building people's skills and capacity in understanding and enacting their rights. People may need to access multiple types of advocacy to address a particular issue, or for different forms of support over their lifetime.

While some models of advocacy can be delivered by the same organisation, it is not always appropriate for all models to be delivered together, as each type requires different expertise and processes to operate effectively. For example:

- Specialist disability advocacy organisations provide targeted support for people and communities who experience multiple layers of disadvantage and discrimination. First Nations people with disability, people from culturally and linguistically diverse backgrounds with disability, women with disability, and children and young people with disability, all have different individual needs that require tailored, culturally safe, gender-sensitive and age-appropriate support. People with different disabilities, such as acquired brain injury, intellectual disability, autism or complex communication needs, also benefit from access to specialised disability advocacy support.
- Self advocacy training and support programs, which aim to build people's skills and confidence to advocate for themselves, are especially under-funded. Learning about human rights, tools and strategies for speaking up, and preparing to use these skills, takes time, practice and confidence. Short-term programs or single sessions are often not enough for people to develop their self advocacy skills in a meaningful, lasting way. Self advocates are also well placed to undertake systemic advocacy, based on their personal experiences of how systems need to change and improve⁵⁰.

⁵⁰ Self Advocacy Resource Unit (SARU), *Submission to the Department of Social Services Review of the National Disability Advocacy Program*, June 2016.

- Legal disability advocacy services provide specialist advice and support for people with disability to understand and exercise their legal rights. Effective and equal access to justice is a human right for people with disability⁵¹ who are more likely than people without disability to experience legal problems and to be the victims of crime.
- Systemic advocacy focuses on elevating individual or local issues to drive broad, lasting change. All disability advocacy organisations and self advocacy groups have direct experiences and insights that could be shared to improve services, systems and inclusion; however, funding for systemic advocacy is ad hoc and inconsistent. Not all advocacy organisations are funded to engage in systemic advocacy activities, including participating in collaborative work.

The diversity of the disability advocacy sector is a strength that must be retained and resourced to ensure people can access the right support for their needs. Systemic advocacy needs to be adequately resourced to be effective and reflective of the lived experiences of people with disability, their families and carers.

⁵¹ UN CRPD, *Article 13 – Access to justice*.

Support meaningful outcomes measurement and reporting

RECOMMENDATION

- Strengthen and streamline reporting tools and processes for disability advocacy to enable better, smarter data collection and coordination.

Current reporting requirements for disability advocacy organisations tend to focus on outputs, rather than outcomes, and place a high administrative burden on small organisations. The focus is largely on meeting contractual obligations instead of achieving outcomes, and data across funding sources is not well integrated or shared. This misses a significant opportunity to assess meaningful outcomes and drive long-term, systemic change. Better and smarter data collection and coordination could:

- ensure funding for disability advocacy is responsive to demand and community need
- identify trends in the prevalence and types of barriers people with disability experience, so they can be addressed
- be used to assess the return on investment of disability advocacy, including the social, health and economic benefits of removing barriers and increasing inclusion and participation.

Reporting mechanisms for disability advocacy need to be improved and coordinated to ensure clear, comprehensive information about the true costs, benefits and impacts of disability advocacy are available.

VCOSS and Empowered Lives members encourage governments to work in partnership with people with disability, families, carers and disability advocacy and self advocacy organisations to strengthen and streamline reporting tools and processes.

Find a better, fairer way forward

RECOMMENDATIONS

- Work collaboratively with the disability advocacy sector to explore current challenges and strengths, and to co-design new ways forward to increase access, coverage and reach of disability advocacy services.
- Review and clarify roles, responsibilities and resourcing for disability advocacy through a revised National Disability Agreement and enhanced coordination between the all levels of government.

VCOSS and Empowered Lives members share a vision and a passion for strong, diverse and sustainable disability advocacy sector that protects and promotes the rights of all Australians with disability. Where people live should not determine if, when and how they can access advocacy support, and nor should it prevent their experiences from influencing systemic change.

Short-term funding practices that undermine continuity and certainty for disability advocacy services must be addressed to ensure people with disability can access timely, quality support. Ongoing, responsive and flexible funding to support all models of disability advocacy is essential to increase the reach, breadth and impact of advocacy as a protective and safeguarding mechanism. Innovation, partnerships and community-led approaches should be fostered and encouraged through the provision of funding in addition to – not at the expense of – adequate core funding.

Increasing service coverage and access for people living in regional and remote communities, and people who face multiple barriers and forms of disadvantage, should be prioritised and resourced. Tailored support and outreach services for people who experience intersectional disadvantage must be fully funded and grounded in strong local, peer and cultural engagement.

Supporting and resourcing disability advocacy isn't just the fair and right thing to do – it's a smart investment. Funding for disability advocacy delivers a significant return on investment to government, with a benefit cost ratio of 3.5:1 (or a \$3.50 return for every dollar spent)⁵².

Funding commitments and responsibilities should be shared across Commonwealth, State and Territory Governments to protect the independence and wide remit of advocacy services. Beyond demonstrating dedication to promoting and upholding the rights of people with disability, funding from diverse sources ensures organisations can advocate and speak out freely, without contractual constraints or de-funding fears.

It is time for all parties to come together to develop a strategic, coordinated and future-focused approach for disability advocacy services. The Victorian Disability Advocacy Futures Plan 2018-2020 committed to consulting people with disability, carers and advocates about a longer-term plan and funding from July 2020⁵³. The Council of Australian Governments (COAG) Disability Reform Council recently acknowledged the importance of independent disability advocacy and agreed to explore the drivers of demand⁵⁴. The National Disability Agreement (NDA) and the National Disability Strategy are also ripe for renewal and have high potential as platforms for positive change.

The NDA, which outlines Federal, State and Territory responsibilities for disability supports, is significantly outdated and does not reflect the current disability policy environment⁵⁵. While the Productivity Commission's review of the NDA recommended the development of a new agreement by the start of 2020, there has been no response from the Federal Government⁵⁶.

An updated NDA with clear roles, responsibilities, objectives, outcomes and performance indicators would guide the delivery of support services including disability advocacy. The commitments of a revised NDA should reflect Australia's obligations under human rights treaties to recognise the agency of people with disability, promote self-determination and maximise choice and control.

As highlighted earlier in this submission (see page 13), the development of the next National Disability Strategy this year also presents a timely chance to outline a shared framework for

⁵² A Daly, G Barrett and R Williams, *A Cost Benefit Analysis of Australian independent disability advocacy agencies*, Disability Advocacy Network Australia, September 2017.

⁵³ Victorian Department of Health and Human Services, *Victorian Disability Advocacy Futures Plan 2018-2020*, October 2018, p.38-39.

⁵⁴ Council of Australian Governments, *Meeting of the COAG Disability Reform Council Communiqué*, 13 December 2019.

⁵⁵ Productivity Commission, *Study report: Review of the National Disability Agreement*, February 2019

⁵⁶ Productivity Commission, [Review of the National Disability Agreement webpage](#), accessed on 13 July 2020.

promoting and safeguarding the rights, interests and needs of people with disability. The current Strategy identified disability advocacy as a fundamental principle⁵⁷, yet investment in and support for disability advocacy has not improved over the past 10 years⁵⁸. Recent consultation for the next Strategy identified funding for disability advocacy as a high priority⁵⁹. The development of the next Strategy will also feed into Disability Plans for States, Territories and Local Governments, which each have responsibilities and opportunities to drive change.

We encourage all levels of government to work collaboratively with the disability advocacy sector to explore current challenges and strengths, and co-design new ways forward to increase access, coverage and reach of disability advocacy services.

⁵⁷ Council of Australian Governments, *National Disability Strategy 2010-2020*, February 2011, p.17.

⁵⁸ Australian Department of Social Services, *Consultation report - to help shape the next national disability strategy (beyond 2020)*, December 2019, p.26.

⁵⁹ *Ibid.*

Increase inclusion, participation and self-representation in society

Creating lasting social and cultural change requires commitment and interventions across a personal, organisational and structural levels. Personal-level attitude change initiatives focus on individuals and involve a combination of information sharing, learning opportunities, connections and positive representation⁶⁰.

Shifting community attitudes through these approaches can increase understanding of the rights of people with disability, build social and community connections, and support the realisation of rights. As a signatory to the UN CRPD, Australia is obliged to “raise awareness ... foster respect for the rights and dignity of persons with disabilities... combat stereotypes, prejudices and harmful practices ... [and] promote awareness of the capabilities and contributions of persons with disabilities”⁶¹.

Poor community understanding and low ‘disability literacy’ can create barriers and prevent people with disability from accessing information and services, participating in the community, and in employment and career opportunities⁶². Recent Australian and Victorian surveys show people without disability ignore people with disability and are unsure how to act⁶³. In addition, the intentions and beliefs of the broader community often don’t match the real-life experiences of people with disability. For example, while 60 per cent of Victorians surveyed believe schools are accepting of people with disability⁶⁴, almost half of students with disability experienced bullying in the past year, and the attitudes of teaching staff and the school communities continue to limit the inclusion and participation of students with disability⁶⁵.

VCOSS and Empowered Lives members believe a combination of targeted, measurable and meaningful strategies and tactics – designed and informed by the lived experiences of people with disability – could boost awareness of the rights of people with disability, and ultimately change attitudes and improve inclusion.

⁶⁰ D Thompson, KR Fisher, C Purcal, C Deeming and P Sawrikar, *Community attitudes to people with disability: scoping project*, 2011, p.ix.

⁶¹ United Nations, *Convention on the Rights of People with Disability: Article 8 Awareness-raising*, 2006.

⁶² Australian Department of Social Services, *Consultation report - to help shape the next national disability strategy (beyond 2020)*, December 2019, p.29.

⁶³ *Ibid.*; Victorian Department of Health and Human Services, *Survey of Community Attitudes toward People with Disability*, August 2018.

⁶⁴ Victorian Government, *Consultation paper on for state disability plan 2021-2024*, December 2019, p.7.

⁶⁵ CYDA, *Time for change: The state of play for inclusion of students with disability*, October 2019.

Co-design community awareness campaigns

RECOMMENDATION

- Engage people with disability and their support network to co-design and implement a multifaceted and measurable community awareness strategy.

Public awareness and social marketing campaigns have been a consistent feature of strategies to build community knowledge and change attitudes for many years. In recent times, awareness days, weeks and months have been abundant and used to advocate and agitate for change. However, when community awareness activities fall short of their aims, or are poorly designed and executed, they can do more harm than good.

As part of the first National Disability Strategy, Australia committed to promoting awareness of the rights of people with disability; however, there is still no national, targeted awareness-raising strategy and several initiatives have been defunded⁶⁶. A 2019 review of Australia's obligations under the CRPD by the UN recommends the development of a national awareness strategy, in partnership with people with disability, to promote human rights⁶⁷.

VCOSS and Empowered Lives members are supportive of the development of a co-designed, evidence-based community awareness strategy. The strategy and any awareness-raising initiatives and activities must be informed by the expertise and experiences of people with disability. The strategy must be data-informed and measurable, using available insights from community surveys, such as the one conducted by the Victorian Department of Health and Human services⁶⁸, to both identify key areas for change and to set benchmarks to measure progress over time.

Awareness campaigns won't necessarily be effective in isolation in increasing understanding of the rights of people with disability. Broad public engagement programs should be supported by other individual-focused activities, such as education and training opportunities (see page 14) and initiatives to build social and community connections (see page 20).

⁶⁶ Australian Civil Society CRPD Shadow Report Working Group, *Disability Rights Now 2019: Australian Civil Society Shadow Report to the United Nations Committee on the Rights of Persons with Disabilities: UN CRPD Review 2019*, July 2019, p.19.

⁶⁷ UN Committee on the Rights Of Persons with Disability, *Concluding Observations: UN Report on Australia's Review of the Convention on the Rights of Persons with Disability (CRPD)*, September 2019, p.5.

⁶⁸ Victorian Department of Health and Human Services, *Survey of Community Attitudes toward People with Disability*, August 2018.

Increase media participation and representation

RECOMMENDATIONS

- Boost participation and self-representation of people with disability across the media, arts and entertainment sector through government-supported initiatives that increase employment opportunities for people with disability, including provision of coaching and mentoring, and funding for disability-led productions.
- Review and improve Australian TV content quotas to enhance and expand obligations to represent diversity and disability.
- Partner with media organisations and universities to increase knowledge and use of disability reporting guidelines and to recognise respectful reporting.

Representations of disability can deeply influence public opinion and societal norms⁶⁹. Media, entertainment and the arts have a powerful influence on how people view and understand the world, cultures and communities. While one in five Australians have a disability, across film, television and the arts, people with disability are significantly under-represented both on-screen and behind the scenes. Public awareness of and understanding of disability is changing and improving, however, the use of disrespectful language and stereotypes continues in mainstream media.

“People with disability are often described in ways that are disempowering, discriminatory, degrading and offensive. Negative words such as ‘victim’ or ‘sufferer’ reinforce stereotypes that people with disability are unhappy about our lives, wish we were ‘normal’, and should be viewed as objects of pity. These harmful stereotypes are simply not true. People with disability are people first – people who have families, who work, and who participate in our communities. People with disability want our lives to be respected and affirmed. In addition, many people with disability are proud of being disabled, and want that identity respected”⁷⁰

⁶⁹ United Nations Department of Economic and Social Affairs Disability, [Disability and the Media](#), accessed on 19 June 2020.

⁷⁰ People with Disability Australia, *What do I day? A guide to language about disability*, 2019.

In film and television, there are few characters with disability and portrayals of disability are often inaccurate, unrealistic and offensive. Only 4 per cent of Australian-produced dramas⁷¹ and 2.1 per cent of US-based television⁷² include characters with disability. A review of 900 popular films found just 2.7 per cent depicted characters with disability⁷³. Rather than reflecting real-world experiences, disability is portrayed and built into storylines for dramatic effect⁷⁴. When characters with disability are portrayed on our screens, too often these roles are performed by people without disability⁷⁵. A UK report also shows people with disability comprise just 5 per cent of the total screen workforce⁷⁶. Artists with disability are paid less and experience unemployment more often and for longer than artists without disability⁷⁷.

Through a range of measures and strategies, Australia can change the conversation and improve the participation, representation and visibility of people with disability in the media, arts and entertainment industry. Government-supported initiatives to increase employment opportunities for journalists, writers and producers with disability should be considered. Increasing opportunities for people with disability to access and participate in the public sphere and media organisations is an important aspect of changing community attitudes⁷⁸.

Tailored programs to coach, mentor and employ artists and writers with disability, as well as funding for disability-led productions, could also be funded and supported by government and industry. Australia's local television content quotas, which are currently on-hold, could be reviewed and strengthened to ensure productions reflect Australia's diversity.

Disability language and reporting guidelines, such as those already developed by advocates, governments and media outlets⁷⁹, should be widely promoted and embedded within editorial policies. Enhancing understanding of disability and diversity in Australia's journalism courses and industry-wide engagement in professional development opportunities could support the adoption of inclusive language and the use of these resources.

⁷¹ Screen Australia, *Seeing ourselves: Reflections on diversity in Australian TV drama*, 2016, p.15.

⁷² GLAAD Media Institute, *Where We Are On TV 2018-2019*, 2019.

⁷³ SL Smith, M Choueiti and K Pieper, *Inequality in 900 Popular Films: Gender, Race/Ethnicity, LGBT, and Disability from 2007-2016*, July 2017.

⁷⁴ Screen Australia, *Seeing ourselves: Reflections on diversity in Australian TV drama*, 2016, p.15.

⁷⁵ D Woodburn and K Kopic, *Ruderman White Paper on Employment of Actors with Disabilities in Television*, July 2016.

⁷⁶ H Carey, L Crowley, C Dudley, H Sheldon and L Giles, *A Skills Audit of the UK Film and Screen Industries: Report for the British Film Institute*, June 2017.

⁷⁷ Australia Council for the Arts, *Making it work: An Economic Study of Professional Artists in Australia*, September 2017.

⁷⁸ K Stewart, C Spurgeon and N Edwards, *Media participation by people with disability and the relevance of Australian community broadcasting in the digital era*, 3CMedia, Issue 9 (October) 2019, p.44-63.

⁷⁹ People with Disability Australia, *What do I day? A guide to language about disability*, 2019; Victorian Department of Health and Human Services, *Reporting it Right guidelines for portraying people with a disability*, 2012; ABC, *Editorial Guidance Note: Reporting and Portraying Disability In Content*, July 2019.

Media monitoring mechanisms and awards programs also play a role in drawing attention to language in reporting. For example, SANE's StigmaWatch⁸⁰ encourages people to report media coverage that breaches media guidelines for safe and accurate content about mental health and suicide. Our Watch also provides guidelines and university curriculum materials on accurate, safe and respectful reporting about family violence⁸¹. Awards programs, such as the Victorian Homelessness Media Awards⁸², aim to recognise respectful reporting.

Improve and support leadership opportunities

RECOMMENDATIONS

- Fund and expand leadership programs and entrepreneurship initiatives to support emerging leaders with disability.
- Ensure leadership roles, professional development opportunities and entrepreneurship programs are equitably available to people with disability

People with disability are under-represented in leadership positions across all facets of public, professional and community life. From boardrooms to sports clubrooms, community organisations, businesses and government, people with disability face a range of physical, social and cultural barriers to becoming and being supported as leaders.

It is estimated that in Victoria, less than 1 per cent of board members of Victorian public sector boards have a disability⁸³. A survey by the Disability Leadership Institute found most leaders with disability received little management training and professional development, and often experienced issues with access to documentation, reasonable adjustments, time requirements and additional personal costs⁸⁴.

⁸⁰ Mindframe, [SANE StigmaWatch](#), accessed on 22 June 2020.

⁸¹ Our Watch, [Our Watch – Media Making Change](#), accessed 31 August 2020.

⁸² Council to Homeless Persons, [Victorian Homelessness Media Awards](#), accessed 31 August 2020.

⁸³ Victorian Government Get On Board, [Becoming a Board director](#), accessed on 24 June 2020.

⁸⁴ Disability Leadership Institute, [Survey of Australian Disability Leaders - July 2016](#), February 2017.

Culture and attitudes, which contribute to discrimination and assumptions about knowledge, skills and experience, impact leaders with disability. Entrepreneurs with disability also encounter difficulties accessing education, networking and funding opportunities⁸⁵.

There need to be greater opportunities and resources to support leaders with disability to emerge, grow and thrive. Programs that build the leadership skills and experiences of people with disability should be funded and expanded.

Leadership roles and professional development opportunities should be equitably available to people with disability. Entrepreneurs with disability should be supported to access accelerator and incubator programs, mentors and financial assistance.

⁸⁵ S Darcy, J Collins and M Stronach, *Australia's Disability Entrepreneurial Ecosystem: Experiences of People with Disability with microenterprises, self-employment and entrepreneurship*, March 2020.



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