



Ethnic Child Care,
Family and Community
Services Co-operative^{Ltd}

**Submission regarding the
*NSW Disability Inclusion Plan: Discussion paper and draft outline***

December 2014

Building 3, 142 Addison Road MARRICKVILLE 2204

Telephone: (02) 9569 1288

Fax: (02) 9564 2772

www.eccfcsc.org



Contents

Introduction	3
Key recommendations	3
General comments.....	4
Human rights.....	4
Inclusive communities	4
Diversity and identity.....	4
Responses to discussion questions and sections of the draft outline	6
Section 3: Leading the way	6
Section 4: Focus for action.....	7
A: Liveable communities	7
B: Employment.....	7
C: Attitudes and behaviour	7
D: Systems and processes	7
Section 5: Priority populations.....	8
Activity to date	8
5.1 Children with disability	8
5.2 Aboriginal and Torres Strait Islander people with disability.....	8
5.3 People with disability from diverse cultural backgrounds.....	8
5.4 Women with disability	9
Comments on the appendices	10

Introduction

The Ethnic Child Care, Family and Community Services Co-operative welcomes the opportunity to submit our feedback on the draft outline of the *NSW Disability Inclusion Plan*.

The Ethnic Child Care, Family and Community Services Co-operative Limited (ECCFCSC) is a community-based, not for profit organisation and receives funding from various departments of Commonwealth and State governments. The ECCFCSC provides a range of services to achieve its overall goal in making all services accessible and equitable to all Australians including, people with disabilities/their carers, children, families and frail aged people from CALD backgrounds. The philosophy underpinning the ECCFCSC is social justice, with a particular emphasis on Multiculturalism and Access and Equity in children's, aged and disability services.

In line with our mission and expertise, this submission will focus on the implications of the NSW Disability Inclusion Plan for people with a disability from culturally and linguistically diverse backgrounds.

Key recommendations

- We welcome the focus of the *NSW Disability Inclusion Plan* on human rights and inclusion of people with a disability, and on the removal of barriers which prevent participation.
- We urge the NSW Government to adopt the goal of **fully inclusive** communities, in line with human rights principles.
- We urge the NSW Government to integrate consideration of the needs and potential contributions of diverse groups across all areas of the Plan and across the whole of government, and to view our cultural and linguistic diversity as a valuable asset.
- We wish to emphasise the need to collect meaningful data on the inclusion of people with a disability from CALD backgrounds in accessing government services and the community, and to report against measurable outcomes in order to monitor progress towards equitable access.
- We urge the NSW Government to consult more comprehensively with people with a disability from diverse backgrounds as well as advocacy organisations and peak bodies in the future development and implementation of the Plan.

General comments

Human rights

- We welcome the Plan's recognition of the **human rights of people with a disability**, including the right to equality, respect, dignity, and control of their own lives. In particular, we welcome the reference to the United Nations Convention on the Rights of Persons with Disabilities and the **integration of a rights-based framework** across the range of legislation, policies, plans and initiatives currently being implemented in NSW.

Inclusive communities

- We welcome the emphasis placed upon building inclusive communities, the recognition of the barriers which prevent people with a disability from participating in the community on an equal basis with others, and the promotion of a whole of government and whole of community approach to removing these barriers. However, we note that the ultimate goal of the Plan (as stated on page four) is "to build a **more inclusive** NSW for all people with disability". We call on the NSW Government to adopt the more ambitious goal of a **fully inclusive** NSW, in line with its recognition of the human rights of people with a disability and the UN Convention on the Rights of Persons with Disabilities, which calls on parties to:
 - "enable persons with disabilities to... **participate fully** in all aspects of life" (Article 9)
 - "facilitate full enjoyment by persons with disabilities of... their **full inclusion** and participation in the community" (Article 19)
 - Ensure persons with a disability enjoy "**full inclusion**" on an "**equal basis with others**" in the areas of education, health care, work and employment, place of residence and participation in political and cultural life (Articles 19, 24, 25, 27, 29, 30).
- We urge the NSW Government to recognise that the right to participate fully in society on an equal basis with others is as much a human right as the rights to equality, respect, dignity and control over one's own life.

Diversity and identity

- We welcome the Plan's recognition of **particular groups in society** who may face additional barriers to the recognition of their rights, including the right to participate fully and equitably in society. We particularly welcome the recognition of people from Culturally and Linguistically Diverse backgrounds as one of these groups.
- However, we note that the draft outline of the Plan and other associated documents use a variety of language to talk about these groups, including "vulnerable groups", "priority populations" and "groups for specific attention". We also note that these documents at times refer to four distinct groups, and at other times group "women and children" together. Furthermore, we note that the Plan makes reference to these groups only in Section 5 as a separate consideration.
- Drawing on the NSW Family and Community Services' *Diversity Matters: Cultural Diversity Framework 2014-2017* as an example of a recent policy document which sets out an overarching response to the diversity of its client group, we urge the NSW Government to instead adopt an approach which:

- **Integrates consideration of the needs of diverse groups across all areas of the Plan**, rather than in an isolated section alone. While naming particular groups can be a useful way to highlight the additional barriers to inclusion experienced by some persons with disability, and to ensure that progress in meeting the needs of these groups is measured and evaluated, the needs of these groups must be considered across all areas of the Plan in order to ensure we build truly inclusive communities. This approach is exemplified in the NSW Family and Community Services' *Diversity Matters: Cultural Diversity Framework 2014-2017* which aims to "integrate" and "embed" consideration of cultural, linguistic and religious diversity across all areas of planning, monitoring, reporting and evaluation and which states: "Cultural diversity is core business to everyone".
- Recognises the **complexities of identity** such that individuals are often part of multiple "groups", such as women from CALD backgrounds with a disability. We recommend that the NSW government develops a more sophisticated and nuanced framework for **responding to the ways in which multiple identities can result in the experience of additional barriers to inclusion**. This is in line with a person-centred approach and is again exemplified in the NSW Family and Community Services' *Diversity Matters: Cultural Diversity Framework 2014-2017* which states that "Every person, family and carer has a unique experience that influences their aspirations, resilience, their needs and what supports they most want or require. Those from culturally and linguistically diverse backgrounds bring that additional dimension to their life situation."
- Uses **consistent language** to discuss these groups, which is empowering and respectful, and recognises the additional barriers to access and inclusion which they may experience rather than the positioning these groups as "needy" or "vulnerable". This is again exemplified in the NSW Family and Community Services' *Diversity Matters: Cultural Diversity Framework 2014-2017* which states "We embrace cultural diversity as a positive platform for reform", recognises the "resourcefulness of culturally and linguistically diverse communities" and promotes the principles of "mutual learning, celebration and valuing individuals from culturally and linguistically diverse communities". Part of the use of consistent language includes ensuring that women with disability are not grouped together with children with disability, but are instead recognised as adults who have been made subject to particular forms of oppression and discrimination related to their gendered identities.

Responses to discussion questions and sections of the draft outline

Section 3: Leading the way

- We welcome the commitment of the NSW Government to leading the way on inclusion of people with a disability. We request that the Plan **include more specific details** about how the NSW Government plans to use its “available levers and influence” **to effect meaningful change across the community**. For example, possible actions could include the NSW Government modelling inclusiveness in the format of information provided on its website and in the employment of people with a disability, or establish an award program to showcase examples of inclusive practice.
- We particularly welcome the commitment to work with local government and across all Government departments to develop Disability Inclusion Action Plans and to integrate inclusion across all community planning and development. We encourage the NSW Government to also work closely with the Commonwealth Government on these issues, especially in the context of the **implementation of the National Disability Insurance Scheme** and questions around how the Scheme will interface with services provided by the State, such as health care, education and housing.
- We welcome the planned action to conduct research and analysis of the benefits of inclusion of people with disability in NSW, and reiterate **the importance of collecting meaningful data on inclusion of people with disability from CALD backgrounds**. The lack of research regarding issues specific to people with disability from CALD backgrounds was one of the key findings of the recent National Disability Research Audit presented by Prof Gwynnyth Llewellyn at the Centre for Applied Disability Research’s *Research to Action* conference in May 2014.

Section 4: Focus for action

A: Liveable communities

- We welcome the acknowledgement that liveable communities are about community life, more broadly than physical accessibility. We wish to emphasise the **fundamental importance of access to safe, secure and appropriate housing** (as illustrated by a case study provided at the end of our submission) as well as the importance of best practice community development initiatives which work across the community and with specific cultural, linguistic and religious groups to build capacity and promote inclusion. We urge the NSW Government to provide adequate and reliable funding to support the development of grass roots community projects as specified in the list of potential actions.
- We also note the **expanded role of the NSW Disability Council** in exploring opportunities to promote liveable communities as well as monitor the implementation of the Disability Inclusion Action Plans. We urge the NSW Government to provide adequate resources to the Council to enable it to fulfil these important functions effectively.

B: Employment

- We welcome the recognition of the importance of employment and economic security towards social inclusion, choice and control, and mental health. We also welcome the potential actions directed towards removing barriers of employment of people with disability in the mainstream workforce, and emphasise that non-segregated employment is fundamental to building inclusive communities.
- We urge the NSW Government to also consider the **barriers which may exist for carers of people with disability in accessing employment** and economic security and to consult with peak organisations representing carers in order to develop strategies to address these.

C: Attitudes and behaviour

- We welcome the acknowledgement that community attitudes and behaviours are often a significant barrier to full access and inclusion for people with disability. We wish to emphasise that this effect is often heightened when it interacts with **discrimination due to cultural, linguistic or religious identity** and language barriers. We urge the NSW Government to consider these issues when developing strategies to promote positive attitudes and behaviours in the community.

D: Systems and processes

- We welcome the recognition of the barrier which systems and processes can pose for people with disability in accessing services and the community. In our experience working with people with disability from CALD backgrounds over many years, this is often the most significant barrier to receiving services; yet it is also something which can be changed through seeking and acting on feedback from service users (as illustrated by a case study at the end of this submission).
- We urge the NSW Government to work with the Commonwealth and local governments, as well as service providers, to **build cultural competence and improve accessibility of their services**. Advocacy organisations and peak bodies could be consulted to help identify the systemic barriers, and make recommendations about how systems can be adapted to better meet the needs of individuals.

Section 5: Priority populations

Activity to date

- We note that the NSW Government has commenced consultation with peak groups representing people from diverse backgrounds. We welcome the acknowledgement that more extensive consultation needs to be undertaken and **urge the Government to consult with advocacy and peak groups** representing children with a disability and women with a disability as well as Disabled Persons Organisations.

5.1 Children with disability

- We welcome the proposal of a cross-government and community annual forum focussing on children with a disability. We urge the Government to **include representatives from the Early Childhood Education and Care sector and early intervention services** in this initiative.

5.2 Aboriginal and Torres Strait Islander people with disability

- We welcome the acknowledgement of the significant levels of disadvantage experienced by people with a disability from Aboriginal and Torres Strait Islander backgrounds, and the proposed actions to respond to this disadvantage. We urge the NSW Government to commit to adequately funding **community development and education initiatives** and to **embed inclusive practice across education, housing and health services**.

5.3 People with disability from diverse cultural backgrounds

- We welcome the recognition that people with a disability from culturally and linguistically diverse backgrounds can face multiple barriers to access and participation. We particularly welcome the recognition that prejudice and discrimination can have a significant impact on the inclusion of people with a disability from CALD backgrounds, and note that this extends to prejudice regarding linguistic and religious diversity as well as cultural difference. We urge the NSW Government to **develop actions which respond to this prejudice** to promote greater community understanding, respect and social cohesion.
- We urge the NSW government to consider not only the needs of people with a disability from CALD backgrounds, but also the resourcefulness, skills and capacity of these groups, which can be drawn upon to achieve the goals of inclusion and which are an asset to our state. In particular, we urge the NSW government to **consider skills in language and culture as valuable assets**, in line with the *Community Relations Commission and Principles of Multiculturalism Act 2000* which states: “all institutions of New South Wales should recognise the linguistic and cultural assets in the population of New South Wales as a valuable resource and promote this resource to maximise the development of the State”. We argue that the value of skills in culture and language should be highlighted alongside consideration of the barriers to communication (rather than “communication limitations”) experienced by some people with a disability from CALD backgrounds, their families and carers due to a range of reasons which may include exclusion from education, social isolation, trauma and diverse cultural understandings of disability.
- We urge the NSW Government to consider the diversity which exists within CALD communities and the **right of people with a disability to be included within the mainstream Australian community as well as communities defined by cultural, linguistic or religious**

identity. The phrase “to support inclusion of people with disability within their community” (p. 19) may be interpreted as suggesting that people with a disability from CALD backgrounds belong to only one community and may only access the “broader community” for “services and supports”. A more inclusive approach would be to recognise the range of communities and social connections an individual may have, which are part of a meaningful life.

- We welcome the recognition that an adaptable approach is required to meet local needs, and note that due to the diversity which exists within CALD communities, the barriers to inclusion experienced by persons with a disability may vary widely between communities, families and individuals. We urge the NSW Government to ensure the actions specified in the plan respond to this diversity, for example by **working with ethno-specific organisations and advocacy groups** to identify issues and effective strategies unique to particular communities. However, we also urge the NSW Government to recognise that some responses require a level of consistency in their application across government and community, such as **building the cultural competence of disability and non-disability service providers and the general community**, and to develop ways of implementing these actions across whole of government and whole of community.

5.4 Women with disability

- We welcome the acknowledgement of the issues of underemployment and experiences of gender-based violence experienced by many women with a disability in NSW, issues which deserve greater recognition and focus. We encourage the NSW Government to **expand its discussion of the barriers to inclusion experienced by many women with disability** and to also consider how this may intersect with other identities such as cultural, linguistic or religious identities.
- We welcome the focus for action of identifying transferrable strategies and urge the NSW Government to **commit adequate resources to the implementation of these strategies**.

Comments on the appendices

- We welcome the proposal in **Appendix A** to develop a clearing house of learning and development resources, and request that these be made accessible and affordable to government-funded service providers, non-government organisations and community groups.
- We wish to emphasise the importance of meaningful engagement with people with a disability to ensure their voices are heard, and urge the Government to embed consideration of cultural and linguistic factors in this planning. We also wish to highlight the need for strategies beyond social media to reach those who are not computer users.
- We welcome the definition of disability provided in **Appendix B** which is in line with definition in the UN Convention on the Rights of Persons with Disabilities, in that it considers the interaction between impairments and the environment which create disability.
- We welcome the statement of the principles of disability inclusion in **Appendix B**. We wish to emphasise the importance of ensuring that the Plan addresses the concerns specific to people living in rural and remote areas of NSW and urge the Government to integrate this across the Plan. We also wish to emphasise the crucial role of carers and families and urge the NSW Government to focus not only on “preserving relationships”, but also on including and enhancing the rights of carers; and ensuring that carers are sustained in their caring role through adequate resources and support, as these factors impact directly upon the inclusion of people with disability.
- We thank the NSW Government for the information provided in **Appendix C** regarding the transition to the NDIS and the changing role of the NSW Government. We ask the NSW Government to provide clearer information about its role post-NDIS implementation, including how it will continue its role of oversight, policy direction, and promotion of disability inclusion across whole of Government. We also urge the NSW Government to clarify its role in relation to the Commonwealth regarding the continued funding of advocacy, information and referral services.
- We welcome the recognition of the importance of disability data related to priority populations in **Appendix D** and wish to reiterate the importance of collecting meaningful data to measure the rates of inclusion of people with a disability from CALD backgrounds in participating in the community, and in receiving quality services which are responsive to their needs.
- We welcome the proposal that each action in the Plan will have a reporting requirement and outcome indicator, as specified in **Appendix E**. We urge the NSW Government to consult with people with a disability in accessible ways as part of their reporting and evaluation of the success of the Plan.
- We welcome the invitation for feedback in **Appendix F** and suggest that a variety of methods including accessible video clips and Easy English fact sheets and feedback forms be utilised in order to encourage feedback from people with a disability from diverse backgrounds.