

What types of advocacy?

Disability advocacy plays a vital role in the inclusion of people with disability, enabling everyone to seek the support they need and ensuring their voices are heard.

The NSW government cannot absolve itself of responsibility for advocacy on behalf of its disabled citizens because funding and support for numerous individuals has moved to the NDIS.

The need for advocacy funding in NSW will need to increase and be maintained it into the future, as:

- Only 10% (140,000) of those identified as disabled in NSW (1.4 million) are supported by the NDIS
- The remaining 1,260,000 with some level of disability are likely to require some levels of advocacy support during their lives
- Many who have transitioned to the NDIS are still not getting the support they previously received or the support they need. The review process to get this support often requires the support of one or more advocates, in one or more disciplines.

Intersectional advocacy

The needs of people with disability can change depending on the various aspects of their identity and lived experience. People who are culturally and linguistically diverse (CALD) will require an advocacy approach which is distinct from people who are LGBTQI+, or those who are Aboriginal or Torres Strait Islander. Drug use, mental illness and homelessness can also create a need for advocacy with a unique approach.

A disability advocacy sector of the future should ensure everyone with disability can access advocacy which is tailored to be appropriate to their cultural background, language, gender, sexuality, age, health or socioeconomic status. Providing scope for intersectional advocacy is essential to ensuring everyone gets access to advocacy which is most appropriate to their needs.

Specialised advocacy

A disability advocacy sector of the future should hold the necessarily agility and specialisation to deliver advocacy wherever it's needed in the life of someone with disability. Given there are now many NDIS package negotiations that have moved to the Administrative Appeals Tribunal (AAT) for decisions on packages, advocacy funding for negotiating this difficult process of review is essential. Clearly navigating the NDIS planning process has also emerged as a key area where advocacy plays a key role, however the NDIS is not the only place it is needed.

A disability advocacy sector of the future should ensure accessible advocacy in all of the following areas and more:

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| ▪ NDIS – planning, reviews and appeals | ▪ Primary, secondary and tertiary education | ▪ Healthcare |
| ▪ Discrimination | ▪ Transport access, use and design | ▪ Social housing |
| ▪ Planning, urban and rural design | ▪ Navigating the legal system | ▪ Accessing government services |
| ▪ Social inclusion in the community | ▪ Domestic and family violence | ▪ Child protection |

What resources are needed?

Disability advocacy should be funded at both Commonwealth and State levels.

It is critical that NSW ensures that advocacy on behalf of its citizens is at the standard necessary to empower them in building self-determination to live the lives they choose to live. This support of advocacy for people with disability in NSW should not be abrogated by relinquishing funding for the processes to a Commonwealth body, the NDIS and the NDAP, which is dependent funding commitments by the Federal Government.

While Labor recognises that peak and representative body guidance can and should inform the process and approaches to supporting advocacy, inclusion in the delivery channel for funds is likely to increase costs and bureaucracy. The NSW government would need to develop both guidelines for distribution and objective measurement of outcomes by third parties.

To support individual advocacy or supported advocacy for individuals, there needs to be an infrastructure to minimise the cost of direct access to advocacy support. The infrastructure does include organisations with a qualified workforce with the right training and skills noted by the commissioner in his issues paper for this review.

There are strong links between disability and socioeconomic disadvantage. People with disability often have lower average incomes than people without disability, and their disability can impose extra costs on individuals and their families.¹

Minimum levels of support need to be geographically available across NSW. This includes funding for transport access to advocates where distance is an issue, or the development of better digital support tools.

How do we measure the outcomes?

NSW should consider emulating program delivery that has proven measurably successful in other jurisdictions. An outcomes-based approach is important when analysing advocacy. Questions to consider include:

- Is the advocacy achieving the determined needs of the individual?
- Could more have been achieved?
- Are there ways the advocacy can be improved for better/stronger outcomes?

There is a benefit to understanding the outcomes of non-funded disability advocacy, especially for the purposes of determining the best forms of advocacy and the best use of funds for funded advocacy. However, reporting of outcomes for “non-funded disability advocacy”, would potentially add a cost to organisations or individuals getting no funding, and for which they gain no benefit. This would need to be fairly funded; often many advocacy or Not for Profit (NFP) organisations do not have resources for self-analysis.

¹ Australian Institute of Health and Welfare, <https://www.aihw.gov.au/news-media/media-releases/2009/apr/strong-links-between-disability-and-socioeconomic>

Advocacy organisations are likely to have difficulty measuring their outcomes because of:

- Lack of funding and resources
- Lack of skillsets or appropriate guidelines for adequate reporting

The Victorian Disability Advocacy Review is clear in its findings about where advocacy funding should be targeted, how information can be shared and gathered, how gaps can be identified, and how outcomes are measured. It is an excellent start to developing a guide to forming an NSW Disability Advocacy Framework.

In summary

Designing an advocacy service system to meet the future needs of people with a disability must:

- Account for the views of people with disability, both through peak and representative bodies, but directly from individuals with disability
- Consider the accessibility and inclusion requirements of the disabled across the spectrum of disability
- Require a gap analysis of systemic advocacy organisations so that the advocacy needs of all people with disability are supported
- Consider the needs of individuals for support
- Consider organisational behaviour and the development of models of strong and independent advocacy, whether as part of a service provider, or independent of service providers

A review of all current advocacy models should be undertaken with a view to ensuring all necessary advocacy gaps are covered, methods are transparent, and advocacy support is readily accessible to all disabled persons and groups.

Independence of advocacy from the disability support system is critical, but to ensure people with disability are able to access a consistent quality of advocacy support, regulation and minimum standards of advocacy provision are critical:

- Staff/support providers may be likely to have more direct understanding of service provision and needs, but
- Financial interest in outcomes can create bias and distorted advocacy focussed toward profit-growth rather than individual client needs would undermine the provision of advocacy

When seeking to provide advocacy services to meet the needs of special communities like regional and remote communities, CALD, LGBTI, Aboriginal and Torres Strait Islander people with disability, or those with socioeconomic or mental health challenges, providers must be inclusive and directly sympathetic to the mores of individual communities, including:

- Cultural knowledge
- Cultural Sensitivity
- Unique characteristics of individual communities, including their unique needs and values
- Detailed understanding of available resources and analysis to identify additional resources required