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# Budget Measures to Progress the Disability Agenda in NSW

Pre-budget submission to the NSW Government to progress the disability agenda in NSW

# Copyright information

Budget Measures to Progress the Disability Agenda in NSW – Pre-budget submission to the NSW Government to progress the disability agenda in NSW

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#### **About PWDA**

<u>People with Disability Australia</u> (PWDA) is a national disability rights and advocacy organisation made up of, and led by, people with disability.

We have a vision of a socially just, accessible and inclusive community in which the contribution, potential and diversity of people with disability are not only recognised and respected but also celebrated.

PWDA was established in 1981, during the <u>International Year of Disabled Persons</u>. We are a peak, non-profit, non-government organisation that represents the interests of people with all kinds of disability.

We also represent people with disability at the <u>United Nations</u>, particularly in relation to the Convention on the Rights of Persons with Disabilities (CRPD).

Our work is grounded in a human rights framework that recognises the CRPD and related mechanisms as fundamental tools for advancing the rights of people with disability.

PWDA is a member of <u>Disabled People's Organisations Australia</u> (DPO Australia), along with the <u>First People's Disability Network</u>, <u>National Ethnic Disability Alliance</u> and <u>Women with Disabilities Australia</u>.

DPOs collectively form a disability rights movement that places people with disability at the centre of decision-making in all aspects of their lives. <u>Nothing About Us, Without Us</u> is the motto of members of the international disability community, and it is our ethos too.



#### Introduction

This pre-budget submission builds on investments made in the 2023-24 budget, reflects the investment needed to address current service gaps, and proposes budget allocations to begin the process of addressing issues raised in the findings of the Disability Royal Commission<sup>1</sup>.

People with disability need safe, secure, accessible and affordable housing and services that meet their needs. Housing needs to be developed to accessible standards, in locations, and at a scale that reduces homelessness and supports inclusion, choice and control.

All the places where people with disability live need to be safe. Investing in expanding inclusive domestic and family violence services and resourcing the Official Community Visitors Scheme according to need supports the right of people with disability to be safe.

Communities need to become more inclusive. Investing in improving the inclusiveness of decision making, and in projects to promote supported decision-making as a viable option is important to support choice, control and the autonomy of people with disability. We also want inclusive health services that enable people with disability to benefit from health care services that support longevity, disease reduction and quality of life.

PWDA wants people with disability in NSW to have access to inclusive education and employment that provides improved learning outcomes and employment opportunities for people with disability and a richer experience for the wider community for generations to come.

<sup>&</sup>lt;sup>1</sup>Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability, Research Report – Economic Cost of violence, abuse, neglect and exploitation of people with disability, last accessed 3 October, 2023, <a href="https://disability.royalcommission.gov.au/publications/economic-cost-violence-abuse-neglect-and-exploitation-people-disability">https://disability.royalcommission.gov.au/publications/economic-cost-violence-abuse-neglect-and-exploitation-people-disability</a>



# **Summary of Recommendations**

This submission makes the following recommendations for consideration and inclusion in the 2024-25 NSW Budget:

#### **Housing and Inclusive Homes**

**Recommendation 1 –** Invest \$1 billion per year for 10 years to accelerate provision of additional social housing stock. This should include new housing construction, purchase of housing and maintenance to bring existing stock online.

**Recommendation 2 –** Ensure social housing is suitable for women and children with disability leaving domestic and family violence.

**Recommendation 3 –** Invest \$500 million per year to secure additional Temporary Accommodation and ensure its accessibility.

**Recommendation 4 –** Invest in building all social and affordable housing to at least the gold Livable Housing Design Standard to maximise accessibility.

**Recommendation 5 –** Invest a further \$50 million over two years in the *Together Home* program, to ensure this important work is properly resourced at a time of significant need.

**Recommendation 6 –** Duplicate the 2023-24 budget investment of \$35 million, to support critical maintenance on NSW social housing stock.

# Safety at Home

**Recommendation 7 –** Increase Official Community Visitors Scheme funding by \$700,000 per year for the next four years, and index this annually to align with the increase to visitable services in NSW, to enable visits to all current visitable facilities.

#### **Inclusive Communities**

**Recommendation 8 –** Invest \$5 million over the next two years, to create a supported decision-making research fund. This fund will provide grants to independent Disability Representative Organisations (DROs), independent research centres, and relevant



statutory bodies such as the NSW Civil and Administrative Tribunal (NCAT) to explore best practice in the operationalisation of Article 12 of the *Convention on the Rights of Persons with Disabilities* (CRPD) and supported decision making to:

- understand the drivers behind guardianship in NSW
- significantly reduce reliance on the use of formal guardianship in NSW
- develop awareness of the importance of supported decision-making throughout the NSW community.

**Recommendation 9 –** Invest \$1,802,817 over five years to continue delivery of the PWDA Building Access Project to all NSW domestic and family violence (DVF) services.

#### **Health and Wellbeing**

**Recommendation 10 –** All NSW Health practitioners be required to upskill in cognitive disability health in 2024-25 using a curriculum co-designed by people with disability and their representative organisations.

**Recommendation 11 –** That professional Colleges, especially the Royal Australian College of General Practitioners (RACGP), the Royal Australasian College of Physicians (RACP) and the Royal Australian and New Zealand College of Psychiatrists (RANZCP) be tasked with developing their capacity to train specialists and upskill all their members to minimum baseline in treating people with disability inclusively and for nursing colleges to develop specialised certificates for training and professional development. This work should commence by 2025.

**Recommendation 12 –** Fund protective measures to prevent people with disability contracting COVID-19 while accessing health care, residential support and public transport.

**Recommendation 13 –** Fund protective measures to prevent COVID-19 infection for people with disability and additional support, similar to the COVID Positive Pathways program.

**Recommendation 14 –** Improve health data collection to understand how best to reduce fatalities and poor health outcomes for people with disability.



## **Education and Employment**

**Recommendation 15 –** Desegregate education in NSW within ten years in line with the Australian Coalition for Inclusive Education's <u>Driving Change</u> roadmap.

**Recommendation 16 –** Develop a roadmap to inclusive education that steps through the reallocation of funding to Schools for Specific Purposes funding to inclusive education.

**Recommendation 17 –** Invest \$250,000 to fund a one-year pilot of Family Advocacy's work transition program and use the lessons learned to improve employment for people with disability.

**Recommendation 18 –** Invest \$450,000 to fund three pilot projects to study applying supports to improve learning outcomes.

**Recommendation 19 –** Ensure that people with disability hold at least seven per cent of public service positions by 2025 and nine per cent by 2030.

**Recommendation 20 –** Appropriately resource the NSW Public Service Commissioner to audit the performance of each agency against the disability recruitment targets and require them to report back within one year to the Minister for Disability Inclusion on this and provide recommendations on how to boost representation of people with disabilities in the State Public Service.

**Recommendation 21 –** Extend the NSW Public Sector employment targets for people with disability to local government.



# **Housing and Inclusive Homes**

Housing is the number one issue driving people with disability to seek PWDA advocacy support in NSW, and almost 1,300 people using NSW Specialist Homelessness Services in 2021-22 reported a disability<sup>2</sup>.

However, the broader need for housing support is likely to be much higher. We know that there were 57,558 applicants waiting for social housing in NSW as of June 2022. Of these, 6,519 were classified as 'priority' based on their inability to rent privately<sup>4</sup>.

Further, according to a 2022 study by the UNSW City Futures Research Centre, the unmet need for social and affordable housing<sup>5</sup> was estimated at 221,500 households<sup>6</sup>, and a 'household' will often include multiple people. Therefore, the case for significant ongoing investment in social and affordable housing is strong.

PWDA is focused on increasing social housing because people with disability need safe, secure affordable and accessible housing. Without support the private rental market is not affordable for many people with disability and there are often issues with accessibility that are challenging to resolve.

Based on Government data, rents in NSW have increased by 23.2 per cent between January 2020 and May 2023, and vacancy rates in Greater Sydney and Regional NSW remain below 2 per cent<sup>7</sup>. This makes renting on the open market increasingly difficult, especially for people with disability who are more likely to receive a government pension or allowance as their main source of income and less likely to be employed or have a high

www.cityfutures.ada.unsw.edu.au/documents/522/Modelling\_costs\_of\_housing\_provision\_FINAL.pdf

7 NSW Government, NSW Budget Papers 2023-24, Overview document published 2023, last accessed 28 September 2023 <a href="https://www.budget.nsw.gov.au/2023-24/budget-papers/overview#housing">https://www.budget.nsw.gov.au/2023-24/budget-papers/overview#housing</a>



<sup>&</sup>lt;sup>2</sup> Australian Government Australian Institute of Health and Welfare A, 'Specialist homelessness services annual report 2021–22', *Australian Government Australian Institute of Health and Welfare*, Australian Institute of Health and Welfare, last updated 8 December 2022, last accessed 13 November 2023. https://www.aihw.gov.au/reports/ homelessness-services/shs-annual-report/contents/clients-with-disability

<sup>&</sup>lt;sup>3</sup> NSW Government, Communities and Justice, *Expected waiting times*, last updated 30 June 2023, last accessed 28 September 2023, <a href="https://www.facs.nsw.gov.au/housing/help/applying-assistance/expected-waiting-times">https://www.facs.nsw.gov.au/housing/help/applying-assistance/expected-waiting-times</a>

<sup>&</sup>lt;sup>4</sup>NSW Government, Communities and Justice, Social Housing Eligibility and Allocations Policy Supplement, last updated 3 May 2022, last accessed 16 November 2023, <a href="https://www.facs.nsw.gov.au/housing/policies/social-housing-eligibility-allocations-policy-supplement/chapters/private-rental-market">https://www.facs.nsw.gov.au/housing/policies/social-housing-eligibility-allocations-policy-supplement/chapters/private-rental-market</a>

<sup>&</sup>lt;sup>5</sup> Defined as 'people who were homeless or living in overcrowded homes, and low-income households paying more than 30% of their income in rent.

<sup>&</sup>lt;sup>6</sup> UNSW City Futures Research Centre, Social and affordable housing: needs, costs and subsidy gaps by region, December 2022, accessed 28 September 2023, <a href="https://www.cityfutures.ada.unsw.edu.au/social-and-affordable-housing-needs-costs-and-subsidy-gaps-by-region">www.cityfutures.ada.unsw.edu.au/social-and-affordable-housing-needs-costs-and-subsidy-gaps-by-region</a> and <a href="https://cityfutures.ada.unsw.edu.au/documents/702/CHIA-housing-need-regional-snapshots-v1.3.pdf">https://cityfutures.ada.unsw.edu.au/documents/702/CHIA-housing-need-regional-snapshots-v1.3.pdf</a> See also L Troy et al, Estimating need and costs of social and affordable housing delivery, City Futures Research Centre UNSW Built Environment, UNSW Sydney, 2019, accessed 28 September 2023

income, than people without disability<sup>8</sup>. Our advocates report that clients have difficulty obtaining rental properties in NSW due to current shortages.

Anglicare found in its most recent regional *Rental Affordability Snapshot*<sup>9</sup>, that of 45,895 national rental listings only 66 rentals, or 0.1 per cent, were affordable for a person on the Disability Support Pension<sup>10</sup>. For a single person on the Disability Support Pension over the age of 21 the 2023 rental affordability snapshot found one affordable property advertised in Southeastern NSW, eight in Western NSW and ten in the NSW Riverina.<sup>11</sup>

#### Case study - Bob\*

Bob lives with a physical disability. He asked his real estate agent to install handrails in the bathroom around the shower and toilet and at other points in the unit. They refused, and shortly after increased the rent by \$50 per week, claiming that it was the market rate. The agent said he could move if he wasn't happy.

Bob felt unsafe in the house and worried about becoming homeless, as the original fixed term of the lease had expired, and he didn't feel he could find a new place that was suitable. The extra \$100 per fortnight would place him in financial stress.

PWDA advocates worked with the real estate agents highlighting Bob's positive tenancy history and challenges around disability. They were able to get agreements to install the required handrails, and a slight reduction in the rent increase to \$40.

## **Housing access**

PWDA supports calls by Homelessness NSW and NCOSS for significant investment in the building of social housing stock. We know homelessness is on the rise in NSW across a range of cohorts, including young people and First Nations Peoples.

Together with our sector partners, including the <u>NSW Council of Social Service</u> and the <u>NSW Women's Alliance</u>, we note the importance of increasing social housing for women

https://www.anglicare.asn.au/publications/2023-rental-affordability-snapshot/

11 Anglicare Australia, Rental affordability snapshot: Regional Reports, fourteenth edition, P 7, last accessed 20 November 2023, https://www.anglicare.asn.au/wp-content/uploads/2023/04/Rental-Affordability-Snapshot-Regional-Reports.pdf



<sup>&</sup>lt;sup>8</sup> Australian Institute of Health and Welfare (2022) People with disability in Australia, AIHW, Australian Government, accessed 13 November 2023, <a href="https://www.aihw.gov.au/reports/disability/people-with-disability-in-australia/contents/income-and-finance/income">https://www.aihw.gov.au/reports/disability/people-with-disability-in-australia/contents/income-and-finance/income</a>

<sup>&</sup>lt;sup>9</sup> Anglicare Australia, 2023: Rental Affordability Snapshot, last accessed 12 October 2023, https://www.anglicare.asn.au/publications/2023-rental-affordability-snapshot/

<sup>&</sup>lt;sup>10</sup> Anglicare Australia, 2023: Rental Affordability Snapshot, last accessed 12 October 2023, https://www.anglicare.asp.au/publications/2023-rental-affordability-snapshot/

and children – including women and children with disability – who are victim survivors of domestic and family violence (DFV). There must also be an increase in Temporary Accommodation that is accessible so people leaving unsafe situations have somewhere accessible to go.

With the current housing shortage of housing across the State, whether private rentals or social housing, proactive solutions from the Government are required to ensure everyone who needs one has a home.

## **Build for accessibility**

While the allocation in the 2023-24 budget of 30 per cent of Landcom dwellings to build social and affordable housing is welcome<sup>12</sup>, these need to be built to the Livable Housing Design Standard<sup>13</sup>, in line with the Building Better Homes campaign<sup>14</sup>, so that they are all accessible for people with disability<sup>15</sup>.

Investing in building all new homes to these standards was estimated in 2020 to incur between \$4,123 for the bronze standard, and \$16,912 for the gold standard per home<sup>16</sup>. PWDA recommends applying the gold Livable Housing Design Standard<sup>17</sup> to housing funded in the 2024-25 budget.

In adopting this standard, the NSW Government will maximise the flexibility of housing for people with disability, people with ongoing or temporary health conditions that impact mobility, and people as they age, reducing the need for modifications or relocation as the life circumstances of housing tenants change.

Case study – Jenny

<sup>17</sup> Centre for Universal Design, Livable Housing Design Standard, (2023), last accessed 28 September 2023, https://universaldesignaustralia.net.au/livable-housing-handbook-released/ \$16,912 per dwelling



<sup>&</sup>lt;sup>12</sup> NSW Budget, Overview: Our plan for NSW, Housing ,undated, last accessed September 2023, <a href="https://www.budget.nsw.gov.au/2023-24/budget-papers/overview#housing">https://www.budget.nsw.gov.au/2023-24/budget-papers/overview#housing</a>

<sup>24/</sup>budget-papers/overview#housing

13 Centre for Universal Design, Livable Housing Design Standard, (2023), last accessed 28 September 2023, https://universaldesignaustralia.net.au/livable-housing-handbook-released/

<sup>&</sup>lt;sup>14</sup> Building Better Homes, A National Building Code for All Australians, undated, last accessed 10 October 2023, https://www.buildingbetterhomes.org.au/

<sup>&</sup>lt;sup>15</sup> Not just the current 5% of homes built. Building better homes, a national building code for all Australians, Australians with disabilities, undated, <a href="https://www.buildingbetterhomes.org.au/aus-pwd.html">https://www.buildingbetterhomes.org.au/aus-pwd.html</a> last accessed 16 November 2023.

<sup>16</sup> Donald Cant Watts Corke, Accessible Housing: Estimated Cost Impact of Proposed Changes to NCC AUSTRALIAN BUILDING CODES BOARD Report Revision V2.2 – 23 December 2020, last accessed 28 September 2023,

 $<sup>\</sup>frac{\text{https://abcb.gov.au/sites/default/files/resources/2022/Accessible-housing-estimated-cost-impact-of-proposed-changes-to-NCC.pdf}{\text{NCC.pdf}}$ 

Jenny lives on the third floor of her social housing building. She has cerebral palsy and uses a wheelchair to assist mobility. There is a lift that she can use, however, it constantly breaks down, leaving her house bound. On occasion her partner has carried her downstairs, though this is unsafe.

Jenny values her independence and accepted the unit originally because it was the only one available, it was close to her family and social supports, the waiting list was extensive, and she thought the elevator was sufficient.

PWDA had contacted the social housing provider regularly about the lift and other accessibility issues in the unit, without receiving firm commitments. PWDA advocated strongly for a new unit for Jenny that is more accessible, such as being on the ground floor and having wider doors. While being told Jenny is on a priority list, they have regularly been told that there is nothing available in her area.

PWDA recommends duplicating the NSW Government's commitment in the 2023-24 budget<sup>18</sup> to invest \$35 million to support critical maintenance being delivered in a timely manner for social housing<sup>19</sup>. This will help restore and protect the government's assets and ensure full usage of all available public housing stock.

PWDA welcomes the \$11.3 million that was committed to extend the *Together Home* program <sup>20</sup> <sup>21</sup> in the 2023-24 budget<sup>22</sup>, and calls for an additional \$50 million injection of funds into the program over two years from 2024-25, to ensure this important work is properly resourced at a time of significant need.

**Recommendation 1 –** Invest \$1 billion per year for ten years to accelerate provision of additional social housing stock. This should include new housing construction, purchase of housing and maintenance to bring existing stock online.

<sup>&</sup>lt;sup>22</sup>NSW Budget, Overview: Our plan for NSW, Housing ,undated, last accessed September 2023, https://www.budget.nsw.gov.au/2023-24/budget-papers/overview#housing



<sup>&</sup>lt;sup>18</sup>NSW Budget, Overview: Our plan for NSW, Housing ,undated, last accessed September 2023, https://www.budget.nsw.gov.au/2023-24/budget-papers/overview#housing

<sup>&</sup>lt;sup>19</sup>Homelessness NSW, 'Tip the Scales. in the 2022-3 NSW Budget, undated, last accessed 10 October 2023, https://homelessnessnsw.org.au/campaign/help-tip-the-scales-in-the-2022-23-nsw-budget/

<sup>&</sup>lt;sup>20</sup> NSW Government Department of Communities and Justice C, *Together Home*, NSW Government Communities & Justice, last updated 21 December 2022, last accessed 12 October 2023. <a href="https://www.facs.nsw.gov.au/housing/help/ways/are-you-homeless/together-home">https://www.facs.nsw.gov.au/housing/help/ways/are-you-homeless/together-home</a>

<sup>&</sup>lt;sup>21</sup> This adds to the \$177.5 million in 2022, and the program was designed to halve street homelessness by 2025

https://www.facs.nsw.gov.au/housing/help/ways/are-you-homeless/together-home

**Recommendation 2 –** Ensure social housing is suitable for women and children with disability leaving domestic and family violence.

**Recommendation 3 –** Invest \$500 million per year to secure *additional* Temporary Accommodation and ensure its accessibility.

**Recommendation 4 –** Invest in building all social and affordable housing to at least the gold Livable Housing Design Standard to maximise accessibility.

**Recommendation 5 –** Invest a further \$50 million over two years in the *Together Home* program, to ensure this important work is properly resourced at a time of significant need.

**Recommendation 6 –** Duplicate the 2023-24 budget investment of \$35 million, to support critical maintenance on NSW social housing stock.

# Safety at home

People with disability are at increased risk of violence, with 47 percent of adults having experienced violence after the age of fifteen<sup>23</sup>. Violence against people with disability is most often perpetrated by someone they know<sup>24</sup>. For people with a disability, this might be a service provider, a support worker or a family member.

The Disability Royal Commission (DRC) estimates the economic cost of violence, abuse, exploitation and neglect of people with disability at \$46 billion per annum or \$9,600 per person, per annum<sup>25</sup>. The Official Community Visitors (OCV) scheme<sup>26</sup> in NSW is responsible for monitoring supported accommodation services where people with disability live, to help resolve issues and promote resident rights<sup>27</sup>.

<sup>&</sup>lt;sup>27</sup> That means residential out-of-home care settings where children and young people live, supported accommodation and assisted boarding houses where people with disability live. NSW Government, Ageing & Disability Commission, Official Community Visitors, last accessed 9 October 2023, <a href="https://www.ageingdisabilitycommission.nsw.gov.au/about-us/official-community-visitors.html">https://www.ageingdisabilitycommission.nsw.gov.au/about-us/official-community-visitors.html</a>



Australian Institute of Health and Welfare (2022) People with disability in Australia, (list item one in the 'Violence against people with disability' section on document, p. 145), AIHW, Australian Government, last accessed 27 September 2023.
 <a href="https://www.aihw.gov.au/reports/disability/people-with-disability-in-australia">https://www.aihw.gov.au/reports/disability/people-with-disability-in-australia</a>
 See Australian Institute of Health and Welfare (2022), People with disability in Australia (sentence one in the 'Perpetrators of

<sup>&</sup>lt;sup>24</sup> See Australian Institute of Health and Welfare (2022), *People with disability in Australia* (sentence one in the 'Perpetrators of violence' subsection on document, p. 152) AIHW, Australian Government, last accessed 27 September 2023. <a href="https://www.aihw.gov.au/reports/disability/people-with-disability-in-australia">https://www.aihw.gov.au/reports/disability/people-with-disability-in-australia</a>

<sup>&</sup>lt;sup>25</sup> Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability, Research Report – Economic Cost of violence, abuse, neglect and exploitation of people with disability, last accessed 3 October, 2023, <a href="https://disability.royalcommission.gov.au/publications/economic-cost-violence-abuse-neglect-and-exploitation-people-disability">https://disability.royalcommission.gov.au/publications/economic-cost-violence-abuse-neglect-and-exploitation-people-disability</a> Based on 4.8 million Australians (19%) having disability & includes economic cost from failing to provide equal opportunity to employment, services and housing, as well as costs from hospital treatment and reduced quality of life.

<sup>&</sup>lt;sup>26</sup> NSW Government, Ageing & Disability Commission, Official Community Visitors, last accessed 9 October 2023, <a href="https://www.ageingdisabilitycommission.nsw.gov.au/about-us/official-community-visitors.html">https://www.ageingdisabilitycommission.nsw.gov.au/about-us/official-community-visitors.html</a>

We estimate there would be around 2,769 such facilities in NSW in the 2024-25 year, growing at the rate of five per cent per year<sup>2829</sup>. The OCV Annual Report 2021-22 noted that 49 per cent of the visitable services allocated were able to be visited<sup>30</sup>. With no core funding increase 31, a declining proportion of facilities is being visited, leaving people with disability without an important safeguard<sup>32</sup>. PWDA is aware that \$700,000 was added to the 2023-24 budget<sup>33</sup>, and calls for this funding to be made recurrent – and increased annually in line with increased numbers of visitable services.

Recommendation 7 - Increase Official Community Visitors Scheme funding by \$700,000 per year and index this annually to align with the increase to visitable services in NSW, to enable visits to all current visitable facilities.

#### Inclusive communities

Communities in NSW need to become more inclusive to meet the requirements of Article 5 of the United Nations Convention on the Rights of Persons with Disabilities (CRPD) that relates to equality and non-discrimination<sup>34</sup>, and enable more people with disability to use the same facilities, services and enjoy the same opportunities on an equal basis as people without disability.

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34 United Nations, Convention on the Rights of Persons with Disabilities, United Nations, last updated December 2006, last accessed 9 October 2023, https://social.desa.un.org/issues/disability/crpd/convention-on-the-rights-of-persons-with-disabilities-



<sup>&</sup>lt;sup>28</sup> to reflect 3 further years' increase in visitable services at an average of 5% per year

<sup>&</sup>lt;sup>29</sup> Official Community Visitors Annual Report 2021-2022, p 20, last accessed 9 October 2023,

https://ageingdisabilitycommission.nsw.gov.au/content/dam/dcj/ageing-disability-commission/documents/reports-andsubmissions/Official Community Visitor 2021-2022 Annual Report.pdf

30 Official Community Visitors Annual Report 2021-2022, p 21, last accessed 9 October 2023,

https://ageingdisabilitycommission.nsw.gov.au/content/dam/dcj/ageing-disability-commission/documents/reports-andsubmissions/Official Community Visitor 2021-2022 Annual Report.pdf

<sup>&</sup>lt;sup>31</sup> Official Community Visitors Annual Report 2021-2022, p 21 & p4, last accessed 9 October 2023,

https://ageingdisabilitycommission.nsw.gov.au/content/dam/dcj/ageing-disability-commission/documents/reports-andsubmissions/Official\_Community\_Visitor\_2021-2022\_Annual\_Report.pdf

<sup>&</sup>lt;sup>32</sup> Official Community Visitors Annual Report 2021-2022, p 21, last accessed 9 October 2023, https://ageingdisabilitycommission.nsw.gov.au/content/dam/dcj/ageing-disability-commission/documents/reports-and-

submissions/Official Community Visitor 2021-2022 Annual Report.pdf (49%)

33 NSW Government, NSW Budget 2023-24, undated, last accessed 12 October 2023 https://www.budget.nsw.gov.au/2023-24/budget-

# Supported decision making and guardianship

Supported decision making is the process of providing support to people to make decisions, while protecting their autonomy and control over their own lives. It involves building the skills and knowledge of people with disability, their friends, families, carers, peers and professionals. How much, and what kind of, support a person needs to make decisions can change from time to time<sup>35</sup>.

This is contrasted with substitute decision-making regimes such as traditional guardianship, which removes a person's autonomy in favour of an interpretation of that person's 'best interests' by another.

PWDA calls the NSW Government to fund a move away from substitute decision-making within our state's guardianship and administration regime to a supported decision-making model<sup>36</sup>. to enable people with disability to exercise their legal capacity as required under Article 12(3) of the CRPD<sup>37</sup>. and as recommended by the DRC<sup>38</sup>.

This could see NSW better aligned with Victoria where VCAT now has the power under Part 4 of the *Guardianship and Administration Act 2019* (Vic) to formally recognise the supporter relationship as being legally valid and appropriate for a range of decisions.

Supported decision-making in the Tribunal can ensure the person who is the focus of proceedings is properly informed on what is occurring, and can express their legal capacity through an opinion, including giving consent to guardianship or financial management or not. After application evaluation, the supporter relationship may be formally recognised by the Tribunal and orders are made detailing the decision-making scope of the relationship, as an alternative to guardianship.

 <sup>&</sup>lt;u>crpd</u>
 <sup>38</sup>Recommendations 6.5-6.10 Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability, Research
 Report – Economic Cost of violence, abuse, neglect and exploitation of people with disability, last accessed 3 October, 2023,
 <u>https://disability.royalcommission.gov.au/publications/economic-cost-violence-abuse-neglect-and-exploitation-people-disability</u>



<sup>&</sup>lt;sup>35</sup> NDIS, Supported Decision Making, 4 May 2023, last accessed 21 November 2023 <a href="https://www.ndis.gov.au/about-us/policies/supported-decision-making-policy">https://www.ndis.gov.au/about-us/policies/supported-decision-making-policy</a>

<sup>&</sup>lt;sup>36</sup> PWDA Submission Guardianship and Supported Decision Making, 18 November 2022, Last accessed 10 October 2023 https://pwd.org.au/wp-content/uploads/2022/11/PWDA\_SUB\_DRC-Gaurdianship\_17112022\_FINAL.docx
<sup>37</sup> United Nations, Convention on the Rights of Persons with Disabilities, United Nations, last updated December 2006, p 3, last accessed 9 October 2023, <a href="https://social.desa.un.org/issues/disability/crpd/convention-on-the-rights-of-persons-with-disabilities-crpd">https://social.desa.un.org/issues/disability/crpd/convention-on-the-rights-of-persons-with-disabilities-crpd</a>

As a matter of urgency, PWDA seeks \$5 million to be allocated over the next two years to establish a 'supported decision-making grants program' to deliver and evaluate supported decision-making projects that would lay the foundation for formally adopting supported decisions. These, and future funds, should be separate to existing funding for advocacy programs, and disability related funds or programs.

This funding should be made available to independent Disability Representative Organisations, independent research centres, and relevant statutory bodies such as NCAT to:

- boost capacity to deliver supported decision-making initiatives in various settings (where relevant) including direct support service and training for supporters and people requiring supporters
- research the reasons why there has been an increase in guardianship orders over the past five years in NSW and propose practical solutions for supported decisionmaking practice to be part of countering this trend
- deliver action research to test operational models of supported decision-making by learning from and building on the experiences of other jurisdictions where they have moved away from strict guardianship
- engage in research to develop a whole of government understanding of what supported decision-making is and to identify settings that may benefit from supported decision-making
- promote the importance of supported decision-making and human rights in the community.

Subject to available funds, PWDA supports the evaluation of these projects to inform subsequent program design and budget allocation.

**Recommendation 8 –** Invest \$5 million over the next two years, to create a supported decision-making research fund. This fund will provide grants to independent Disability Representative Organisations (DROs), independent research centres, and relevant statutory bodies such as the NSW Civil and Administrative Tribunal (NCAT) to explore best practice in the operationalisation of Article 12 of the *Convention on the Rights of Persons with Disabilities* (CRPD) and supported decision making to:



- understand the drivers behind guardianship in NSW
- significantly reduce reliance on the use of formal guardianship in NSW
- develop awareness of the importance of supported decision-making throughout the NSW community.

## **Domestic and Family Violence**

Women with disability are approximately 40 per cent more likely than women without disability to experience DFV<sup>39</sup> and need accessible services. We call on the NSW Government to ensure that access to DFV services is informed and driven by women with disability, including those with lived experience of DFV<sup>40</sup>, by investing \$1,802,817 in expanding the delivery of the PWDA Building Access Project<sup>41</sup> to all NSW DFV services<sup>42</sup> over five years.

This will provide DFV services with access to training and expert advice on how to increase the accessibility of their services, and the information about them, to people with disability.

**Recommendation 9 –** Invest \$1,802,817 over five years to continue delivery of the PWDA Building Access Project to all NSW domestic and family violence (DVF) services.

# Health and wellbeing

# **Healthcare training**

The DRC found that, in comparison with people without disability, people with disability have worse healthcare outcomes and lower life expectancy<sup>43</sup>. In part this relates to a

<sup>%20</sup>Volume%203%2C%20Nature%20and%20Extent%20of%20Violence%2C%20abuse%2C%20neglect%20and%20exploitation.pdf



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<sup>&</sup>lt;sup>39</sup> PWDA, *Building Access Project*, undated, last accessed 27 September 2023, <a href="https://pwd.org.au/projects/building-access-project/">https://pwd.org.au/projects/building-access-project/</a>
<sup>40</sup> PWDA, NSW Election Platform, 28 February 2023, last accessed 21 November 2023, <a href="https://pwd.org.au/wp-content/uploads/2023/02/PWDA-NSW-Election-Platform.pdf">https://pwd.org.au/wp-content/uploads/2023/02/PWDA-NSW-Election-Platform.pdf</a>
<sup>41</sup> PWDA, Puilding Access Project undated last several 67 2 cm

<sup>&</sup>lt;sup>41</sup> PWDA, *Building Access Project*, undated, last accessed 27 September 2023, https://pwd.org.au/projects/building-access-project/
<sup>42</sup> Homelessness NSW, Core and Cluster, undated last accessed 20 October 2023, https://homelessnessnsw.org.au/sectorhub/core-and-cluster/

<sup>&</sup>lt;sup>43</sup>Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability: Final Report, Nature and Extent of Violence, Abuse and Exploitation, Volume 3 p 218 last accessed 21 November 2023, <a href="https://disability.royalcommission.gov.au/system/files/2023-09/Final%20Report%20-">https://disability.royalcommission.gov.au/system/files/2023-09/Final%20Report%20-</a>

higher burden of preventable disease and risk factors for poor health such as overweight, inactivity and smoking, and rates of diabetes and asthma are higher than in the non-disabled population<sup>44</sup>. This finding also reflects the barriers people with disability face when trying to access healthcare<sup>45</sup>.

When accessing health services, our advocates report people with disability not being engaged directly in decision making about their treatment. This may mean their knowledge of their own needs, their experience and preferences are ignored, and inappropriate treatment is given. This could be addressed by all NSW Health workers receiving high quality training in cognitive disability health.

#### Case study – Peter\*

Peter has an Acquired Brain Injury and other disability resulting in mild to moderate cognitive impairment. His regular doctor at the Hospital retired. Peter received a letter from the hospital, and he read it with his carer, Scott\*. It noted his next appointment would be with a new doctor.

At the appointment, the doctor asked Scott\* to wait outside the office, but this was not what Peter wanted. This caused a lot of confusion and distress for Peter, so he called a PWDA advocate. Peter recalled the doctor provided him with new medications and dosages, but he did not really understand what was being said at that time, as he was distressed about not having his support person present as was usual.

Peter said he felt ignored and had not taken any of his prescribed medications since the visit because he was unsure, and his support person was unable to provide any support.

<sup>%20</sup>Volume%203%2C%20Nature%20and%20Extent%20of%20Violence%2C%20abuse%2C%20neglect%20and%20exploitation.pdf Vincent, J., et.al., The economic cost of violence, abuse, neglect and exploitation for people with disability, Report prepared for the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability, Taylor Fry, February 2023, p 106. Last accessed 21 November 2023 <a href="https://disability.royalcommission.gov.au/system/files/2023-09/Research%20Report%20-%20Economic%20cost%20of%20violence%2C%20abuse%2C%20neglect%20and%20exploitation%20of%20people%20with%20disability\_0.docx</a>



<sup>&</sup>lt;sup>44</sup>Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability: Final Report, Nature and Extent of Violence, Abuse and Exploitation, Volume 3 p 219 last accessed 21 November 2023, <a href="https://disability.royalcommission.gov.au/system/files/2023-09/Final%20Report%20-">https://disability.royalcommission.gov.au/system/files/2023-09/Final%20Report%20-</a>

<sup>%20</sup>Volume%203%2C%20Nature%20and%20Extent%20of%20Violence%2C%20abuse%2C%20neglect%20and%20exploitation.pdf Australian Bureau of Statistics. (2017-18). *National Health Survey: First results*. ABS. <a href="https://www.abs.gov.au/statistics/health/health-conditions-and-risks/national-health-survey-first-results/latest-release">https://www.abs.gov.au/statistics/health/health-conditions-and-risks/national-health-survey-first-results/latest-release</a>

conditions-and-risks/national-health-survey-first-results/latest-release

45Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability: Final Report, Nature and Extent of Violence, Abuse and Exploitation, Volume 3 p 220 last accessed 21 November 2023, https://disability.royalcommission.gov.au/system/files/2023-09/Final%20Report%20-

PWDA contacted the doctor about this and explained the situation and some history. The doctor had been concerned about respecting Peter's privacy but should have asked Peter about his support requirements. A new appointment was made urgently for Peter, and it was made clear that he could have a support person present if he chose. Peter attended the appointment with Scott and was able to understand what his new medication requirements and feel more in control of his future.

PWDA calls for the development of a core unit of competence for all NSW Health professionals, co-designed by people with disability and their representative organisations in cognitive disability health. This work could be done through the new <a href="National Centre of Excellence in Intellectual Disability Health">National Centre of Excellence in Intellectual Disability Health</a>.

Completion of the unit should then be required for anyone seeking to work in the NSW health system<sup>46</sup>. Investing resources in this training is likely to contribute health savings by reducing the cost of these inequalities<sup>47</sup>.

**Recommendation 10 –** All NSW Health practitioners be required to upskill in cognitive disability health in 2024-25 using a curriculum co-designed by people with disability and their representative organisations.

**Recommendation 11 –** That professional Colleges, especially the Royal Australian College of General Practitioners (RACGP), the Royal Australasian College of Physicians (RACP) and the Royal Australian and New Zealand College of Psychiatrists (RANZCP) be tasked with developing their capacity to train specialists and upskill all their members to minimum baseline in treating people with disability inclusively and for nursing colleges to develop specialised certificates for training and professional development. This work should commence by 2025.



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<sup>&</sup>lt;sup>46</sup> Latrobe University, Living with Disability Research Centre, Quality Hospital care for People With Intellectual Disabilities, last accessed 20 October 2023, <a href="https://www.hospitalinclusion.au/">https://www.hospitalinclusion.au/</a>

<sup>&</sup>lt;sup>47</sup> Estimated annual national cost of **\$10.8** billion due to other gaps in health-related outcomes between people with and without disability related to health system expenditure associated with higher rates of being overweight, inactivity, and high blood pressure. Vincent, J., et.al., The economic cost of violence, abuse, neglect and exploitation for people with disability, Report prepared for the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability, Taylor Fry, February 2023, p 106. Last accessed 21 November 2023 <a href="https://disability.royalcommission.gov.au/system/files/2023-09/Research%20Report%20-%20Economic%20cost%20of%20violence%2C%20abuse%2C%20neglect%20and%20exploitation%20of%20people%20with%20disability\_0.docx</a>

#### COVID-19

The DRC has reported concerns that governments have eased restrictions without adequate measures in place to protect people with disability from contracting COVID-19<sup>11</sup>. As a result, people with disability are presently in a shadow pandemic of ongoing isolation, due to the high risk of health complications, or death, from contracting COVID-19.

According to the Australian Bureau of Statistics (ABS) 16,810 people died with, or from, COVID-19 up until 31 March 2023, and 4,745 or 30 per cent of these deaths occurred in NSW<sup>48</sup>.

Of the 13,456 people who died from COVID-19, 80 per cent or 10,850 people, had a pre-existing condition that increased their risk of developing severe illness from COVID-19. The most common co-morbidities associated with these deaths were: chronic cardiac conditions (39.6% of the 10,850 deaths), dementia including Alzheimer's (30.0%), chronic respiratory conditions (17.9%), cancer (16.9%), diabetes (15.7%), kidney disease (13.2%), hypertension (12.7%)<sup>49</sup>.

The ABS data does not capture whether the people who have died with or of COVID-19 had a disability, or the intersectionality between the listed co-morbidities and disability. PWDA calls on the NSW Government to:

- fund protective measures to ensure people with disability can access services, health care, residential support and public transport in ways that help prevent infection, reinfection and death from COVID-19
- fund additional support for people with disability impacted by COVID-19, like the COVID Positive Pathways program in Victoria that used six steps to protect people at risk: facemasks, testing, checklist, ventilation, antivirals and vaccination<sup>50</sup>

<sup>&</sup>lt;sup>50</sup> Victorian Government, Coronavirus, Reviewed 28 July 2023, Last Accessed 10 October 2023, <a href="https://www.coronavirus.vic.gov.au/covid-positive-pathways">https://www.coronavirus.vic.gov.au/covid-positive-pathways</a>



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<sup>&</sup>lt;sup>48</sup> The Australian Bureau of Statistics, COVID-19 Mortality in Australia: Deaths registered until 31 March 2023 Updated 28 April 2023, last accessed 10 October 2023, <a href="https://www.abs.gov.au/articles/covid-19-mortality-australia-deaths-registered-until-31-march-2023">https://www.abs.gov.au/articles/covid-19-mortality-australia-deaths-registered-until-31-march-2023</a>

<sup>&</sup>lt;sup>49</sup> The Australian Bureau of Statistics, COVID-19 Mortality in Australia: Deaths registered until 31 March 2023 Updated 28 April 2023, last accessed 10 October 2023, <a href="https://www.abs.gov.au/articles/covid-19-mortality-australia-deaths-registered-until-31-march-2023">https://www.abs.gov.au/articles/covid-19-mortality-australia-deaths-registered-until-31-march-2023</a>

invest in improving data collection by NSW Health to understand how best to reduce fatalities and poor health outcomes for people with disability, whether from infections like COVID-19 or in natural disasters

**Recommendation 12 –** Fund protective measures to prevent COVID-19 infection for people with disability accessing health care, residential support and public transport.

**Recommendation 13 –** Fund additional support for people with disability impacted by COVID-19, like the COVID Positive Pathways program<sup>51</sup>.

Recommendation 14 – Improve health data collection to understand how best to reduce fatalities and poor health outcomes for people with disability.

# **Education and Employment**

PWDA calls on the NSW Government to fund planning and measures to end the desegregation of education and employment.

Segregation of people with disability, in special schools and segregated employment situations (e.g., Australian Disability Enterprises), breaches Article 19 of the CRPD<sup>52</sup>, which confers the right to full inclusion and participation in the community. In the joint End Segregation Position Statement<sup>53</sup>, Disabled People's Organisations Australia identified the principles to end segregation.

#### **Education**

Article 24 of the CRPD upholds the right of persons with disabilities to education based on equal opportunity, and this is to be 'an inclusive education system at all levels and lifelong learning.' The DRC identified in Recommendation 7.13 that State and Territory Ministers should release a National Roadmap to Inclusive Education for students with disability in its 2024 report to National Cabinet<sup>54</sup>. PWDA supports DRC Recommendation 7.14 that

<sup>&</sup>lt;sup>54</sup> Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability: Final Report, Volume 7, Inclusive education, employment and housing; summary and recommendations (2023), last accessed 11 October 2023,



<sup>&</sup>lt;sup>51</sup> Victorian Government, Coronavirus, Reviewed 28 July 2023, Last Accessed 10 October 2023,

https://www.coronavirus.vic.gov.au/covid-positive-pathways
<sup>52</sup> United Nations, Convention on the Rights of Persons with Disabilities, United Nations, last updated December 2006, last accessed 9 October 2023. https://social.desa.un.org/issues/disability/crpd/convention-on-the-rights-of-persons-with-disabilities-crpd 53 Disabled People's Organisations, End Segregation Position Statement, Australia https://dpoa.org.au/endsegregation/, last updated 8 December 2020, last accessed 11 October 2023.

segregated education must be phased out and called for this in our submission *We Belong Here*<sup>55</sup>.

The NSW Department of Education's Disability Strategy flows from their Disability Inclusion Action Plan (2021-2025)<sup>56</sup> that includes the goal of ensuring students with disability can equitably access and participate in the highest quality education. In 2022, 183,000 or around 20 per cent of public school students had a disability and over 144,000 received adjustments to support their learning<sup>57</sup>. Eighty six per cent of public school students with disability are educated in mainstream schools, 11 per cent learn in separate support classes in mainstream schools and 3 per cent in schools for specific purposes (SSPs)<sup>58</sup>.

In 2022, \$334.5 million was spent on specialist learning support teachers and flexible funding in mainstream schools, and \$300 million was spent on Integration Funding Support (IFS) for over 15,400 students enrolled in mainstream classes who have a confirmed disability and moderate to high support needs.

However, instead of moving away from segregated education, the NSW Department of Education (DOE) has committed \$37 million annually in additional funding for SSPs until 2024<sup>59</sup>. Instead of the 28-year timeline in the DRC, PWDA is calling for the NSW Government to fund desegregation within ten years, in line with the Australian Coalition for Inclusive Education's Driving change: a roadmap for inclusive education in Australia<sup>60</sup>.

Australian Coalition for Inclusive Education, Driving change: A roadmap for achieving inclusive education in Australia, October 2020, last accessed 11 October 2023 <a href="https://acie105204494.files.wordpress.com/2021/03/acie-roadmap-march-2021-1.docx">https://acie105204494.files.wordpress.com/2021/03/acie-roadmap-march-2021-1.docx</a>



https://disability.royalcommission.gov.au/system/files/2023-09/Final%20Report%20-

 $<sup>\</sup>underline{\%20} Volume \%207\% 2C\% 20 Inclusive \%20 education \%2C\% 20 employment \%20 and \%20 housing \%20-\%20 Part \%20A.pdf$ 

October 2023, <a href="https://pwd.org.au/wp-content/uploads/2021/07/27072021-SUB-PWDA">https://pwd.org.au/wp-content/uploads/2021/07/27072021-SUB-PWDA</a> DRC-Inclusion.docx

<sup>&</sup>lt;sup>56</sup>NSW Government, Education, last accessed 12 October 2023, <a href="https://education.nsw.gov.au/about-us/strategies-and-reports/our-disability-inclusion-action-plan-2021-2025/our-plan">https://education.nsw.gov.au/about-us/strategies-and-reports/our-disability-inclusion-action-plan-2021-2025/our-plan</a>

<sup>&</sup>lt;sup>57</sup> NSW Department of Education, Progress Report: Improving Outcomes for students with disability 2022, p 4-5, last accessed 12 October 2023 <a href="https://education.nsw.gov.au/content/dam/main-education/teaching-and-learning/disability-learning-and-support/our-disability-strategy/Progress Report Improving outcomes for students with disability 2022.PDF</a>

<sup>&</sup>lt;sup>58</sup> NSW Department of Education, Progress Report: Improving Outcomes for students with disability 2022, last accessed 12 October 2023 <a href="https://education.nsw.gov.au/content/dam/main-education/teaching-and-learning/disability-learning-and-support/our-disability-strategy/Progress Report Improving outcomes for students with disability 2022 PDF.

strategy/Progress Report Improving outcomes for students with disability 2022.PDF

59 NSW Department of Education, Progress Report: Improving Outcomes for students with disability 2022, p 31, last accessed 12

October 2023 <a href="https://education.nsw.gov.au/content/dam/main-education/teaching-and-learning/disability-learning-and-support/our-disability-strategy/Progress Report Improving outcomes for students with disability 2022.PDF</a>

This can be supported by reallocating the \$37 million in additional funding that DOE has committed to SSPs<sup>61</sup> to inclusive education and transparently reporting on how the IFS funding support is applied for each child.

#### Case Study 3 - Priscilla\*

Priscilla is a 13-year-old student in a mainstream high school. She has ADHD and anxiety which have caused her to miss a lot of school, and she is falling far behind. Despite requests from her parents, the school was unable or unwilling to provide any teacher's aide support and were suggesting Priscilla discontinue at the school if her attendance did not improve. Priscilla's parents did not want to send her to a specialist school or place her in a supported classroom. Priscilla also said that she preferred the school, but that her learning challenges were increasing her anxiety and depression. There are no other mainstream schooling options for Priscilla in their local area.

Priscilla and her parents spoke with PWDA who contacted the school and the Department about the need to secure critical funding to support Priscilla in school. PWDA was able to secure four hours of funding per week for a specialist teacher's aide for Priscilla through an Integration Funding Support program. While this provides some welcome support, more funding is desperately needed, and advocacy continues.

PWDA calls for the NSW Government to invest \$450,000 in three projects<sup>62</sup> to study the application of funding supports in places where great learning outcomes have been achieved by children with disability. This will help NSW better understand the learning support and inclusive education practices that need to be fostered and replicated as we move to desegregated NSW schools.

PWDA also recommends investing \$250,000 in delivering Family Advocacy's work transition pilot project using the discovery process <sup>63</sup>, recommended in their *Same Classroom, Same Opportunity* – Securing Better Futures Through Inclusive Education

<sup>62</sup> One school in metropolitan, one in one rural/regional NSW and one in a majority indigenous school. \$250,000 for the cost of 1 person evaluating the three schools over a 12 month period. SCHADS Level 7 \$115537.24 salary plus travel and on-costs 63 Also in 3 locations 1 metropolitan, one rural and regional and one in a majority indigenous location. Family Advocacy, Proposal to the NSW Department of Education: Work transition pilot project using the discovery process, last accessed 19 October 2023, https://www.family-advocacy.com/assets/Same-Classroom-Same-Opportunities/167285d15f/Work-Transition-Pilot-using-Discovery-Process.pdf



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<sup>&</sup>lt;sup>61</sup> NSW Department of Education, Progress Report: Improving Outcomes for students with disability 2022, p 31, last accessed 12 October 2023 <a href="https://education.nsw.gov.au/content/dam/main-education/teaching-and-learning/disability-learning-and-support/our-disability-strategy/Progress\_Report\_Improving\_outcomes\_for\_students\_with\_disability\_2022.PDF</a>

campaign<sup>64</sup>. This program aims to improve the transition of young people with disability from education to employment, reducing the increased likelihood of unemployment that people with disability face compared to those without disability<sup>65</sup>. We recommend evaluating the pilot and using the lessons learned to improve the transition to work for people with disability in NSW.

Learning from these projects can then be used to inform the development of disability inclusion modules for teacher education. PWDA recommends the development of core modules of education for trainee teachers in university and continuing professional training for all teachers employed in NSW schools.

**Recommendation 15 –** Desegregate education in NSW within 10 years in line with the Australian Coalition for Inclusive Education's **Driving Change** roadmap.

Recommendation 16 - Develop a roadmap to inclusive education that steps through the reallocation of funding to Schools for Specific Purposes funding to inclusive education.

**Recommendation 17 –** Invest \$250,000 to fund a one-year pilot of Family Advocacy's work transition program and use the lessons learned to improve employment for people with disability.

**Recommendation 18 –** Invest \$450,000 to fund three pilots to study applying supports to improve learning outcomes.

# Reduce the unemployment rates of people with disability

PWDA supports the DRC's recommendations 7.18, 7.19. 7.20, 7.21 and 7.22 to set employment targets for people with disability in the public service at seven per cent by

disability#:~:text=2.1%20million%20Australians%20of%20working,%25%20and%204.6%25%20respectively).



<sup>64</sup> Family Advocacy, Same Classroom, Same Opportunity - Securing Better Futures Through Inclusive Education, last accessed 11 October 2023, https://www.family-advocacy.com/what-we-do/systemic-advocacy/sameclassroom/#:~:text=About%20the%20Campaign,school%2C%20all%20day%2C%20everyday. https://www.family-

advocacy.com/assets/Same-Classroom-Same-Opportunities/167285d15f/Work-Transition-Pilot-using-Discovery-Process.pdf 10% unemployment NSW Government- NSW Public Service Commission, What is Disability: Understanding disability in relation to the NSW public sector and broader community, last accessed 12 October 2023, https://www.psc.nsw.gov.au/cultureand-inclusion/disability-employment/understanding-disability/what-is-

2025 and nine per cent by 2030<sup>66</sup>. We appreciate that they extend to all levels of government, include targets for people with cognitive disability, and require public reporting.

The previous Premier set a target that people with disability hold 5.6 per cent of all NSW Government roles by 2025, but in 2022 the recorded rate was 2.5 per cent<sup>67</sup>. PWDA has called for this target to be increased to ensure that the proportion of people employed in the public sector reflects the fact that people with disability make up 17 per cent of the NSW population<sup>68</sup>.

In our NSW Election Platform PWDA also called for an increase in the participation rate of people with intellectual disability in the public service<sup>69</sup>, in line with the Council for Intellectual Disability's Everyday for Everyone campaign's disability target of at least one per cent of public sector roles held by people with intellectual disability by 2025<sup>70</sup>.

PWDA calls on the NSW Government to commit to the DRC targets for public sector employment, and to extend similar requirements to local government. This would increase the spread of employment opportunities across the State and increase opportunities in regional areas. By 2025 this would see 28,000 opportunities in the State Public Service<sup>71</sup> and a further 3,500 jobs in local government<sup>72</sup>.

Recommendation 19 - Ensure that people with disability hold at least seven per cent of public service positions by 2025 and nine per cent by 2030.



<sup>&</sup>lt;sup>66</sup> Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability: Final Report, Volume 7, Inclusive education, employment and housing; summary and recommendations (2023), last accessed 11 October 2023, https://disability.royalcommission.gov.au/system/files/2023-09/Final%20Report%20-%20Volume%207%2C%20Inclusive%20education%2C%20employment%20and%20housing%20-%20Summary%20and%20recommendations.pdf

<sup>67</sup>NSW Government, Public Service Commission, Diversity, last accessed 16 November 2023, https://www.psc.nsw.gov.au/reports-anddata/workforce-profile/workforce-profile-reports/workforce-profile-report-2022/diversity#people-with-disability\_Strategy set - NSW Government, Department of Planning, Industry and Environment, Diversity and Inclusion Workforce Strategy 2021-5, last accessed 12 October 2023, https://www.dpie.nsw.gov.au/ data/assets/pdf\_file/0006/370572/Diversity-and-Inclusion-Workforce-Strategy-2021-

<sup>25.</sup>pdf

68 Australian Bureau of Statistics, Disability, Ageing and Carers, Australia: Summary of findings (2018 data table 'People with disability by state or territory of usual residence') section, last accessed 17 November 2023, https://www.abs.gov.au/statistics/health/disability/disability-ageing-and-carers-australia-summary-findings/latest-release PWDA NSW Election Platform last accessed 17 November 2023 <a href="https://pwd.org.au/wp-content/uploads/2023/02/PWDA-NSW-Election-Platform.pdf">https://pwd.org.au/wp-content/uploads/2023/02/PWDA-NSW-Election-Platform.pdf</a> 69 PWDA NSW Election Platform last accessed 17 November 2023 https://pwd.org.au/wp-content/uploads/2023/02/PWDA-NSW-Election-Platform.pdf

<sup>&</sup>lt;sup>70</sup> Council for Intellectual Disability, Everyday for Everyone: Make inclusion happen! Last accessed 17 November, https://cid.org.au/ourcampaigns/everyday-for-everyone/

<sup>71400,000</sup> people work in NSW public service - NSW Government, NSW Public Service Commission, Updated 2021, last accessed 12 October 2023, https://www.psc.nsw.gov.au/reports-and-data/state-of-the-nsw-public-sector/state-of-the-nsw-public-sector-report-2021/our-structure#:~:text=Over%20400%2C000%20people%20work%20in,to%20the%20people%20of%20NSW.

7250,000 people are employed in local government in NSW - United Services Union, About the Local Government Sector, undated, last

accessed 12 October 2023 https://usu.org.au/about-localgovernment/#:~:text=There%20are%20over%2050%2C000%20people,economies%20of%20our%20local%20communities.

**Recommendation 20 –** Appropriately resource the NSW Public Service Commissioner to audit the performance of each agency against the disability recruitment targets and require them to report back within one year to the Minister for Disability Inclusion on this and provide recommendations on how to boost representation of people with disabilities in the State Public Service.

**Recommendation 21 –** Extend the NSW Public Sector employment targets for people with disability to local government.

#### **Conclusion**

People with Disability Australia appreciates the opportunity to make this submission and stands ready to partner with the NSW Government to deliver on all the recommendations outlined within it.

Most of all we want to see a NSW that is fully inclusive where people with disability face no barriers and are not segregated in education, housing, employment or anywhere else.

We need to see real investment in housing as this is a fundamental need that no-one can be without. Investing in addressing issues raised in the findings of the Disability Royal Commission<sup>73</sup>, and in protecting the human rights of people with disability in NSW offers benefits to the whole community in terms of more inclusive housing, communities, health and wellness, education and employment. This in turn offers to make NSW a more diverse, resilient and inclusive place.

<sup>&</sup>lt;sup>73</sup>Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability, Research Report – Economic Cost of violence, abuse, neglect and exploitation of people with disability, last accessed 3 October, 2023, <a href="https://disability.royalcommission.gov.au/publications/economic-cost-violence-abuse-neglect-and-exploitation-people-disability">https://disability.royalcommission.gov.au/publications/economic-cost-violence-abuse-neglect-and-exploitation-people-disability</a>





\*All names in case studies have been changed to maintain privacy.

People with Disability Australia (PWDA) is a national disability rights and advocacy organisation made up of, and led by, people with disability.

For individual advocacy support contact PWDA between 9 am and 5 pm (AEST/AEDT) Monday to Friday via phone (toll free) on 1800 843 929 or via email at <a href="mailto:pwd@pwd.org.au">pwd@pwd.org.au</a>

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