



NSW Disability Advocacy Alliance (DAA)

Position Statement

**Response to the Fitzgerald Ageing and Disability Commission's
Review of Disability Advocacy Funding Report (December 2019)**

General Comment:

The Alliance welcomes the Fitzgerald report as positive in its very clear statement regarding the need for State funded disability advocacy, its acknowledgment of the good work being done by disability advocacy organisations in NSW, and its recommendation for increased funding.

We note that the Report does not include clear actions regarding some key issues. We look forward to working in good faith with the NSW Government to develop actions to see the recommendations in this report implemented.

Transition arrangements:

- We request that the Government work collaboratively with the disability advocacy sector on actions from this report. There is a range of issues where we can provide practical input to Government in actioning and drawing out Commissioner Fitzgerald's recommendations, including in relation to:
 - Developing eligibility criteria and assessment processes for the allocation of funding
 - Considering how best to ensure that small advocacy organisations are not disadvantaged in determining funding allocations
 - Addressing local/state/federal jurisdictional issues affecting access to/delivery of advocacy services

- Developing multi-pronged strategies to ensure that issues identified via individual advocacy inform systemic advocacy and, in turn, improve the services and systems that impact on the lives of people with disability
- Developing an outcomes framework for reporting to Government.
- Any changes / redistribution / transitioning of services must prioritise a continuity of disability advocacy services for people with disability.
- We support the Commissioner's recommendation to establish an implementation taskforce that includes advocacy sector experts and call for such a taskforce to include representatives of DAA. The implementation taskforce should only be established after further consultation with people with disability and the disability advocacy sector.

Funding arrangements:

- We welcome the Report's commitment to long-term, secure funding for disability advocacy organisations.
- In terms of transitional funding, we note the Report's foreshadowing of a two year period of transitional funding for the sector. We agree that this transitional period is needed to ensure that people with disability are fully supported throughout this process. The demands on government and the advocacy sector in responding to the COVID-19 pandemic mean that a significant transition period is crucial.
- Eligibility criteria for funding must require that organisations are: independent; non-profit; have specialised expertise in disability advocacy and strong track records in disability advocacy. A requirement of eligibility should also be that organisations are, or undertake to become, organisations led by people with disability.

Disability advocacy must focus on advocating specifically for the interests and rights of people with disability. We consider the current recommendations of funding a systemic advocacy organisation to advocate both for people with disability and also families of people with disability to be inappropriate; conflicts of interests between these two groups cannot be effectively managed. Current models successfully work with families to advocate for the interests and needs of their family member with disability which is very different to advocating for the rights and interests of families.

Centre for Disability Advocacy Development and the Network (NDAN):

- The Alliance supports this proposal and the proposed Community Legal Centre (CLC) model for the centre. We support an alliance-based advocacy network.
- The Centre for Disability Advocacy needs to be an independent, incorporated organisation, based on the CLC model, with state-based membership grounded in the disability sector. The Centre should not hang off an existing organisation such as NCOSS.

- It is important that this Centre is fully funded but this should not come at the expense of fully funding disability advocacy organisations.
- The Centre needs to be adequately resourced with a paid secretariat and appropriately qualified staff.
- The Centre must move to be a fully independent organisation funded by State Government as soon as possible and certainly within two to five years.
- Further development of the skills and capacity of staff across the disability advocacy sector is welcomed.

Individual Advocacy and limitation on regional coverage:

- The Alliance notes that there is great value in localised disability advocacy services.
- The Alliance is concerned that there may be gaps in service provision under the proposed regions / boundaries model. We seek assurance that all regions will be covered.
- There needs to be recognition that some services are borderless (e.g. Aboriginal and Torres Strait Islander services, CALD services).

Systemic Advocacy:

- Systemic advocacy involves multiple elements in order to be effective, including policy development, policy research and analysis, campaigning and lobbying for reform.
- We recognise there is a strong connection between individual and systemic advocacy.
- It needs to be acknowledged that systemic advocacy can relate to local, state, regional and national issues, can work across a range of policy portfolio areas, address the interface between mainstream and specialist services with inevitable cross-jurisdictional interface, gaps and tensions that can emerge.
- The Alliance has concerns that there is just one contract proposed for systemic advocacy for both people with disability and families of people with disability. This creates conflict and takes money away from protecting the rights and interests of people with disability.

Representative Activities:

- Further clarification is needed on the definition of “representation” – representation of people with disability through Disabled People’s Organisations (DPOs) has well-recognised meaning in relation to disability and human rights.

- The Report’s definition of representative activity is unclear and does not accord with the established uses of the term “representation” including within the funding framework for disability advocacy at the Commonwealth level.
- The Alliance suggests the preferred term of “peer led activity” or if funding is only provided for activities within the federal definition of advocacy, “peer led advocacy”.

Information and Referral Services:

- There is a need to ensure that independent and locally based information and referral services are supported.
- The Alliance believes that both advocacy, and information and referral services, are integral to the ability of people with disability to exercise their rights.
- People with disability need a robust and comprehensive framework for the delivery of information and referral services.

Outcomes framework and reporting:

- The Alliance welcomes an outcomes framework and wish to work with Government on the co-design of that framework.
- The outcome measures should align and be consistent with Australian Government advocacy outcomes as well as any outcomes framework developed for the National Disability Strategy and the NSW Disability Inclusion Plan.
- The framework should ensure that outcomes are not confused with outputs. It can be important to capture outputs for some activities, but a focus on outcomes and long term impact is more important.
- Outcomes should be reasonable and demonstrate the value and impact of advocacy.
- Different outcome measures are needed for different types of advocacy: for individual advocacy the outcome would be that the problem is resolved; for systemic advocacy the outcome would be policy development or legislative reform, or that people with disability are undertaking leadership roles in advocacy. (It should be noted that in the case of both individual and systemic advocacy there may be times that despite significant advocacy work, successful outcomes are not achieved, and this too must be considered in any reporting framework.)