

SUBMISSION RE: DISABILITY SERVICES (YOUR LIFE YOUR CHOICE) AMENDMENT BILL 2012

Thank you for the opportunity to provide feedback on the Amendment Bill. We congratulate government on taking this step to align with other jurisdictions in Australia. The Bill can be made even better if safeguards for people with disabilities are included.

On behalf of Community Safeguards Coalition (CSC) (information about CSC attached), I wish to submit the following comments on the above Amendment Bill:

Clause 5 (Section 7)

CSC's comment on this is that the Department of Communities, Child Safety and Disability Services should play a role in overseeing the standard of services being offered to people with a disability to ensure these services enact a partnership relationship with people with a disability that respects and strengthens the genuine authority of the person. Disability services would need to show that the natural authority of individuals has been restored and that they have taken direction from the person with a disability.

Also, it would be desirable for the Department to provide guidelines for people with disabilities and their families/advocate in regard to a scale of fees that providers can charge individuals for providing the range of planning, budgeting, recruitment and acquittal etc of funds.

Clause 7 (new Sections 43A and 43B)

"Relevant person"

CSC suggests that *both formal and informal advocate that a person with a disability may choose* be added to the definition.

"Relevant disability services":

CSC suggests that this definition should be expanded to include generic services or community based services. The use of word 'disability' in this context is ambiguous in that it implies that only those services offered by 'disability' agencies are allowed. This would be antithetical to the spirit of the Amendment which is to give people with disability greater participation in society. There may be services available in the community that a person would wish to access that meet their needs, rather than 'disability' specific services. This is what the intent of the Amendment is – to give more freedom of choice to individuals, to not always be tied to disability services.

43D Individual funding agreement (1), (2){a}, {b}

While we agree that public funds be strictly accounted for, these clauses appear to give all power to the Chief Executive to set the conditions of the contract. This power differential could be addressed by establishing "key indicators" of accountability, i.e. what does a person with a disability need to submit to government. Having this in place would also ensure consistency of accountability throughout the State.

There needs to more flexibility in the negotiations around the agreement to give the person with a disability/family member or other a say in the conditions. To do otherwise negates the intent of the Amendment.

CSC would also like to see added to the Amendment Bill some safeguards for people with disabilities. The following needs to be incorporated into the Amendment:

- avenues for appeal and
- a review process to enable people with disabilities to address changes experienced in their lives.

Should further information be required, please contact me (details below),

Sincerely

Carol Holt
Chairperson
Community Safeguards Coalition
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CHARTER OF THE COMMUNITY SAFEGUARDS COALITION

Who we are:

The Community Safeguards Coalition is a network of people with disabilities, families, friends, advocates and allies of people with disabilities in Queensland.

Our mission:

To promote people with disabilities having the opportunity to pursue the same range of lifestyles as other members of the community and to safeguard against policies, practices and legislation that limit or deny these opportunities.

What we believe in:

	This means:
A good life with relationships with others	People with disabilities being part of families, having friends, neighbours, and work mates. Sharing interests, passions, life events, and everyday moments through these relationships.
Being part of the community in real and meaningful ways	Living in the community, being educated in regular schools, having a job or meaningful things to do during the day, having friends, being members of church or clubs, getting involved in local events, using the neighbourhood shops etc. Doing ordinary things along with everyone else.
Relevant and helpful supports	Recognising that people with disabilities are individuals and one supports size does not fit all. Having the right supports to help people to be authors of their own lives and to grow and develop
Focusing on people first	Making sure that the needs of services and systems are not more important than people. That people get to choose where they live, who they live with and how they will be supported.

Our Aims:

- To provide a vehicle for a collective of likeminded people, for collective and values based action
- To influence the ways that people with disabilities are supported in Queensland through influencing Government policy and wider practice
- To raise awareness of the impacts of changes to Government policy and legislation

Our Activities:

The Community Safeguards Coalition will:

- Encourage wide membership of the Coalition
- Draw on the combined knowledge, wisdom and experience of the network
- Make sense of "what is going on"
- Tell it like it is, to those who need to know
- Gather information from as broad a base as possible
- Widely disseminate information
- Offer an analysis of reforms and direction of disability services

Principles for Community Living

PEOPLE WITH DISABILITIES, REGARDLESS OF ABILITY, SHOULD HAVE THE RIGHT AND OPPORTUNITY TO LIVE IN A HOME OF THEIR OWN IN THE COMMUNITY.

- People with disabilities should have the right and opportunity to live in typical, decent, safe, accessible housing in the community.
- People with disabilities should have choices about the neighbourhood they live in, the style of community housing, and the people with whom they will live.
- The preferences of each individual should guide all aspects of the selection of housing, including whether the individual will live alone, with their family, roommates, extended family, spouse or friends.
- People with disabilities should have the same tenant and ownership rights and opportunities as other citizens, including the option to own or lease their own homes or apartments.
- Housing and support services should be provided by separate organisations so the individual's home is not jeopardized by a change in their relationship to the service provider.
- People with disabilities should have the opportunity to create a home of their own, reflective of their personal routines, values and lifestyles.

ALL INDIVIDUALS SHOULD BE ENTITLED TO THE SUPPORTS NEEDED TO LIVE IN THEIR OWN HOME AND PARTICIPATE FULLY IN COMMUNITY LIFE.

- People with disabilities should receive whatever supports they need to live fully in their own home and community with dignity, autonomy and respect.
- People with disabilities should have the option to live in their own homes in the community without risking the loss of support.
- People with disabilities should not be required to live in an agency facility or to become impoverished to obtain support services.
- People with disabilities should have maximum control over their support arrangements, with advocacy and support, independent of services, in making these decisions.
- People with disability have a right to determine who will provide supports including hiring, firing, evaluation and training of support workers.

ALL ADULTS SHOULD HAVE OPPORTUNITIES TO PARTICIPATE IN COMMUNITY LIFE.

- People with disabilities should have opportunities to be involved with ordinary people on a partnership basis and to develop relationships with neighbours, co-workers and community members.
- People with disabilities are entitled to decent, safe, and affordable housing; education; financial security to meet basic needs; health and medical care; and community transportation, employment and recreation.
- People with disabilities should have opportunities to contribute to the diversity and strength of communities.