



Queensland Advocacy Incorporated

Our mission is to promote, protect and defend, through advocacy, the fundamental needs and rights and lives of the most vulnerable people with disability in Queensland.

Systems and Legal Advocacy for vulnerable people with Disability

29 August 2017

Acting Committee Secretary
Legal Affairs and Community Safety Committee
Parliament House
George Street
Brisbane Qld 4000

By email: lacsc@parliament.qld.gov.au

Dear Committee,

***Penalties and Sentences (Drug and Alcohol Treatment Orders) and Other Legislation
Amendment Bill 2017***

We refer to the above Bill, which we understand is presently before the Committee for consideration.

Queensland Advocacy Incorporated (QAI) is an independent, community-based systems and individual advocacy organisation and a community legal service for people with disability. Our mission is to promote, protect and defend, through systems and individual advocacy, the fundamental needs and rights and lives of the most vulnerable people with disability in Queensland.

QAI has an exemplary track record of effective systems advocacy, with thirty years' experience advocating for systems change, through campaigns directed to attitudinal, law and policy reform and by supporting the development of a range of advocacy initiatives in this state. We have provided, for almost a decade, highly in-demand individual advocacy through our three individual advocacy services – the Human Rights Legal Service, the Mental Health Legal Service and the Justice Support Program. Our expertise in providing legal and advocacy services and support for individuals within these programs has provided us with a wealth of knowledge and understanding about the challenges, issues, needs and concerns of individuals who are the focus of these legislative amendments.

QAI has not made a submission to the inquiry, but, with the consent of the Committee, we wish to raise the following issues for the Committee's consideration.

QAI supports the key reforms proposed by the Bill, including the measures offering alleged victims of domestic strangulation protection from cross-examination by alleged offenders and reforms encouraging participation in drug diversion and assessment.

QAI also notes the merit of reforms to enable a person to use electronic means to participate in a diversion assessment program under the *Penalties and Sentences Act 1992* (Qld) and to enable a person to use electronic means to participate in a drug assessment and education session and associated appointments under the *Police Powers and Responsibilities Act 2000* (Qld).

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QAI endorses the objectives, and promotes the principles, of the Convention on the Rights of Persons with Disabilities.

Patron: His Excellency The Honorable Paul de Jersey AC

We note that it is vitally important for the Government to ensure it is mindful of the need for adequate learning support to be provided where required, to ensure rehabilitation programs are accessible and meaningful to all people, including the most vulnerable people with disabilities. Similarly, while electronic means such as webinars may be more appropriate than traditional mediums for people with intellectual or cognitive disabilities or learning difficulties, some people may require some support to participate in them. The nature of the support required may include accessing or operating a computer, or with reading or comprehending materials or the facilitation of text conversion.

We note that some issues warranting close consideration in the development of all programs and materials is whether they are properly accessible for people with physical disabilities (such as vision or hearing impairments) and those with sensory or intellectual disabilities, as well as those from CALD backgrounds. We stress that all materials should be written in plain language.

Finally, and importantly, we emphasise the value of consulting with people with disability, as well as with other people with particular vulnerabilities, in the development and introduction of any new programs or materials, to ensure that they properly meet the needs of those they are designed to assist.

Thank you for considering these issues.

We would welcome the opportunity to discuss these matters further upon request.

Yours Faithfully,



Michelle O'Flynn

Director