**How should we change WA law about services and supports for people with disability?**

Tell us what you think

**Easy Read Text Only version**

**March 2023**

**About this consultation paper**

The WA Department of Communities wrote this paper.

When you see the word ‘we’ it means the Department of Communities.

We wrote this paper in an easy to read way.

Hard words are in **bold.**

We explain what these words mean.

This is an Easy Read version of our original Consultation Paper.

It includes the most important information about the consultation.

You can find the original Consultation Paper on [our website](https://www.wa.gov.au/organisation/department-of-communities/have-your-say-reforming-western-australias-disability-legislation).

You can ask a family member, friend or support person to help you read this paper.

**What is the consultation about?**

A **consultation** is when someone asks you what you think about important ideas.

This consultation is about a new WA disability Act to replace the WA *Disability Services Act 1993* or the DS Act for short.

This is the WA law about how WA services and supports for people with disability should be run.

Other states and territories in Australia have their own laws.

We are looking at writing a new disability Act. We need to decide

what should stay the same

what needs to be better

You can use this paper to tell us what you think about a new WA disability Act.

Your answers will help us learn what is important to people with disability in WA and what needs to change.

**Why do we need a new disability Act?**

The DS Act has not changed much since it was written almost 30 years ago.

But the way the Government supports people with disability has changed a lot.

For example, now we have the National Disability Insurance Scheme (NDIS). The NDIS helps some people with disability to pay for the support services they need.

There are some documents that tell us people with disability should be treated fairly and equally.

The United Nations Convention on the Rights of Persons with Disability (UNCRPD for short) is an agreement between lots of countries. It says people with disability have the same rights as everyone else. Australia signed the UNCRPD in 2008.

The Australian Government and the WA Government made these **Disability Strategies**

Australian Disability Strategy 2021 - 2031

State Disability Strategy 2020 - 2030

The Disability Strategies are plans for how Australia should support people with disability in all areas of life.

There is also the **Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability.**

We call this the **Disability Royal Commission** for short.

The Disability Royal Commission has been looking into how people with disability have been hurt, treated badly or taken advantage of.

The Disability Royal Commission will tell the Australian Government how to protect people with disability from being hurt.

We want to make a new disability Act that works well with

the NDIS

the Disability Strategies

the Disability Royal Commission

**How to have your say**

We want to hear from

people with disability

their families and carers

disability service providers

disability organisations

In this paper we explain our ideas and ask you some questions.

You don’t have to answer all the questions.

You can just answer the ones you want.

Please contact tell us what you think.

There are lots of ways to tell us what you think

via mail, by sending information to

Department of Communities, Strategy & Partnerships (Office of Disability)

Locked Bag 5000

Fremantle WA 6959

via emailing

disabilitylegislationteam@communities.wa.gov.au

by calling us on

0421 978 786

Monday to Friday 9am to 4pm

by filling in the form on our website at [Reforming Western Australia's disability legislation: Have Your Say (digital.wa.gov.au)](https://forms.digital.wa.gov.au/230660988131054)

We ask you to tell us

your name

your age

what area you live in

if you are a person with disability, a family member or carer, a service provider or someone else

You don’t have to tell us these things if you don’t want to.

We might put your answers on our website.

Please tell us if you don’t want us to use your name or your story.

Please tell us what you think by **10 June 2023.**

**Our questions**

It is important for the new disability Act to be clear about who can get disability supports and services.

The DS Act says a disability is when you have one or more of these types of disability

intellectual – how you think, learn, communicate, and solve problems

psychiatric – how you feel, think and behave

cognitive – how you think, learn, make decisions and pay attention

neurological – when your brain affects how your body works

sensory – how you see or hear

physical – how you move and use parts of your body

The DS Act says disability is permanent or likely to be permanent.

This means you will, or probably will, always have your disability and your disability means you need a lot of support for things like

communication (telling people what you want or need)

social interaction (getting along and doing things with other people)

learning things

mobility (moving your body and getting around)

**These are the questions we are asking everyone:**

**Do you think this explains all types of disability?**

**If not, what would you change?**

The DS Act has a list of important rules and beliefs called **Principles.**

The Principles say people with disability should: be respected, not be discriminated against because of their disability, be able to access supports and services that suit them, be part of the community, be able to make their own decisions and choices, complain about supports and services, not be hurt or treated badly.

**Do you think we need to change these Principles?**

This could mean

adding new principles

changing some of the principles

removing some of the principles

**What would you change?**

There are also rules that protect people with disability from being hurt, treated badly or taken advantage of by providers of disability supports and services.

These rules are called **safeguards**.

Some of the safeguards are

making sure disability service providers are **registered** and provide quality services

This means checking providers to make sure they are a business, provide good services, and follow the rules about keeping people safe

doing **worker screening checks**

These are checks to make sure people working in disability services have never been in trouble for treating a person with disability badly

running the Health and Disability Services Complaints Office (HaDSCO)

This is so people can make complaints about their disability supports and services.

**Can you think of any other ways we should protect people with disability when it comes to State disability supports and services?**

**Have you ever made a complaint to the Health and Disability Services Complaints Office** (**HaDSCO)?**

**If you have, do you think HaDSCO did a good job of dealing with your complaint?**

**If not, why not?**

**How could we make it easier for people to make complaints about disability supports and services?**

We want to make sure WA is **inclusive** and **accessible** for people with disability.

This means people with disability should be able to

do the same things as everyone else, like going shopping or spending time with friends

go to the same places as everyone else, like going to the movies or to the football

get the same opportunities as everyone else, like getting a job

get information they can read and understand

One way we help make WA more inclusive and accessible for people with disability is with **Disability Access and Inclusion Plans.**

We call these DAIPs for short.

DAIPs explain what organisations can do to be more inclusive and accessible for people with disability.

This includes things like

making buildings more accessible with ramps or wider doorways

giving information to customers in Easy Read

giving support to staff with disability

The DS Act says all **public authorities** in WA must have a DAIP.

These are places like

public hospitals

local councils

schools, TAFE’s and universities

and services like

Transperth

the Police

The WA Government checks every year to make sure organisations are following their DAIP.

**Can you think of any other ways to make WA more inclusive and accessible for people with disability?**

We want to make sure people with disability can have a say about things that affect them.

The Ministerial Advisory Council on Disability is a group of people who tell the WA Disability Minister what they think about things that affect people with disability.

This helps the Government do what is best for people with disability in WA.

In the Ministerial Advisory Council on Disability there are

people with disability

family and family carers of people with disability

people who know a lot about disability

**Do you think the Ministerial Advisory Council on Disability is a good way for people with disability to have their say about things that affect them?**

**If not, why not?**

**Can you think of any other ways people with disability could tell the Government about things that affect them?**

**Do you want to tell us anything else about the new disability Act?**

**Please tell us if you want your feedback to be anonymous?**

This means if we make your answers public we won’t use your name or other information that would tell people it is about you.

**What happens next?**

You tell us what you think about the new disability Act by **10 June 2023**.

We look at what everyone told us and then use it to help us write the new disability Act.

This is complicated, so it might take a little while to write it.

Then we will do more consultation to ask people what they think about the new disability Act before it becomes law.