

Public Forum: Future WA disability legislation

28 July 2023

Welcome

- Acknowledgement of Country
- Acknowledgement of Lived Experience
- Recording
- Housekeeping



Purpose of today's forum

- Ministerial Advisory Council on Disability and Board overview
- Outline the Department of Communities' role in the disability sector
- Office of Disability's role
- Some common themes from the feedback so far
- The opportunity to discuss important issues for future WA disability legislation.



Ministerial Advisory Council on Disability

The Chair and members of the Ministerial Advisory Council on Disability (MACD) are here today to talk about:

- the role of MACD
- how they work
- recent work

MACD will also take questions.



Board of the Disability Services Commission

- The current Disability Services Act 1993 establishes the Disability Services Commission.
- The Board is a governing body and now operates within the Department of Communities.
- The Board works closely with the Ministerial Advisory Council on Disability.



Office of Disability

- In December 2021, the Office of Disability was established in the Department of Communities to:
 - promote the rights and interests of people with disability and the broader disability sector
 - advance access and inclusion for all people with disability
 - be a strong voice advocating for people with disability across Government, the disability sector and the broader community
- In addition, the Department of Communities provides some limited specialist disability services primarily for Western Australian's not eligible for National Disability Insurance Scheme (NDIS).



Office of Disability – Supporting people with disability

- The Office of Disability supports people with disability by providing:
 - disability sector stewardship
 - advice on State and Commonwealth systems
 - the drive, leadership and innovation to advance inclusion and participation of people with disability in Western Australia



Office of Disability - Priorities

- The Office of Disability's current priorities include:
 - reforming WA disability legislation
 - implementing the State Disability Strategy 'A Western Australia for Everyone'
 - interfacing with National Disability Insurance Scheme
 - responding to Disability Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability
 - developing legislation for the Authorisation of Restrictive Practices



Aims of 2023 reforms to WA disability legislation

- To meet the modern needs and expectations of the community
- Support the daily experience of people with disability to be one of inclusion and positive community attitudes
- Support improved outcomes for people with disability
- Recognition of:
 - State Disability Strategy
 - Australia's Disability Strategy
 - Disability Royal Commission, and
 - National Disability Insurance Scheme



Current definition of disability

- An intellectual, psychiatric, cognitive, neurological, sensory, or physical impairment or a combination of those impairments
- Permanent or likely to be permanent and which may or may not be of a chronic or episodic nature
- Substantially reduced capacity for communication, social interaction, learning or mobility and need for continuing support services
- **Having heard the feedback, is this enough to make the definition of disability contemporary?**
- **If not, what else is needed?**



Current Principles

1. Respect for human worth & dignity without discrimination with equality opportunity

2. Same rights as everyone else & enabled to exercise human rights

3. Same opportunities for physical, social, emotional, intellectual, cultural & spiritual development

4. Services support choice and maximise independence & participation

5. Right to participate in, direct & implement own decisions

6. Services protect rights and use least restrictive approach

7. Right to pursue complaints about services

8. Access to services most appropriate to needs

9. Similar services in regions (as you might expect)

10. Free from neglect, abuse, violence, intimidation & exploitation

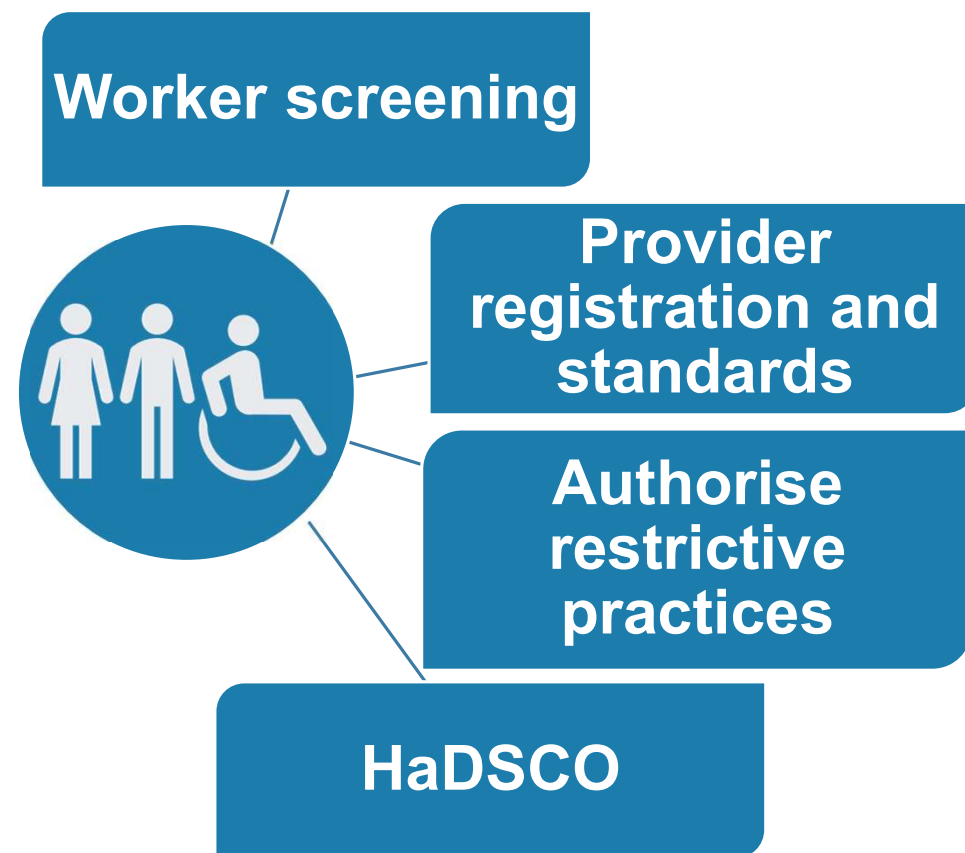


Principles – discussing the feedback

- **Do you think the UNCRPD should be incorporated in the Principles? How?**
- **Would you like to add or subtract anything?**
- **Is there anything else that should be considered?**



Safeguarding



Safeguards – what is needed?

- **When a person with disability wants to make a complaint about State-based disability services they receive, what is needed to:**
 - **support them?**
 - **make them feel safe?**
 - **empower them in the process?**
- **Offence for ill-treatment – contemporary or not?**

Current Objectives for Programmes and Services



1. Positive outcomes e.g. independence, employment, participation	2. Conditions of everyday life same as others	3. Integrated approach with other services	4. Responsive to need & choices	5. Consider all aspects of person	6. Promote awareness; foster respect for rights
7. Promote local community participation & inclusion	8. No single organisation has control	9. Service providers accountable for information	10. Support people reach goals, enjoy lifestyles; valued by community	11. Access to advocacy to enable choice & make decisions	12. Avenue to raise & resolve grievance about services
13. Designed/implemented in accessible way	14. Respect rights to privacy and confidentiality	15. Early services to minimise impact of disability	16. Recognise, respect & involve family & support networks	17. Consulted on major changes	



Objectives – discussing the feedback

- Do we need Objectives? If so, for what purpose?
- Is there anything else the Objectives need to do?



Role of State Government

- Today started with an overview of the Ministerial Advisory Council on Disability, the Board and the Office of Disability.
- **What role would you like the State Government to have in the future?**
- **Should this role promote social inclusion for people with disability? If so, how?**



Queries or Questions?



Next steps

- Feedback will inform recommendations to Government and drafting instructions for the new WA disability legislation.
- There will be further consultation before the Bill is introduced into Parliament.



Further information

- For further information please visit our announcements page.
- If you have any questions, please contact us on 0421 978 786 or disabilitylegislationteam@communities.wa.gov.au .



**Thank you for sharing your
insights and observations!**

