



Submission to the NSW Department of Communities and Justice
Statutory Review of the Disability Inclusion Act 2014

30 March 2020

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Who is the Physical Disability Council of NSW?

The Physical Disability Council of NSW (PDCN) is the peak body representing people with physical disabilities across New South Wales. This includes people with a range of physical disability issues, from young children and their representatives to aged people, who are from a wide range of socio-economic circumstances and live in metropolitan, rural and regional areas of NSW.

Our core function is to influence and advocate for the achievement of systemic change to ensure the rights of all people with a physical disability are improved and upheld.

The objectives of PDCN are:

- To educate, inform and assist people with physical disabilities in NSW about the range of services, structure and programs available that enable their full participation, equality of opportunity and equality of citizenship.
- To develop the capacity of people with physical disability in NSW to identify their own goals, and the confidence to develop a pathway to achieving their goals (i.e. self-advocate).
- To educate and inform stakeholders (i.e.: about the needs of people with a physical disability) so that they are able to achieve and maintain full participation, equality of opportunity and equality of citizenship.

Recommendations

Recommendation 1:

That s. 1 (e) of the Act be made the first object, and amended to read:

"To uphold the purposes and principles of the United Nations Convention on the Rights of Persons with Disabilities."

Recommendation 2:

That s. 1 (b) of the Act be amended to read:

"To promote the independence and social, political and economic inclusion of all people with disability,"

Recommendation 3:

That s. 1 (f) be amended to read:

"To provide for responsibilities of the State for all people with disability, including people with disability that are not eligible for the National Disability Insurance Scheme."

Recommendation 4:

That the following be added as the first principle:

"People with disability have the same fundamental human rights and responsibilities as other members of the community"

Recommendation 5:

That the s. 4 (3) be amended to read:

"People with disability have the right to participate in, and contribute to, social, political and economic life and should be supported to develop and enhance their skills and experiences."

Recommendation 6:

That s. 4 (5) s.be removed and replaced with:

"People with disability have the right to independent and autonomous decision making in regard to decisions that affect their lives (including decisions involving risk)"

and

"in cases where a person with disability wants, or requires, assistance in making a decision, they should be provided with all necessary supports to do so."

Recommendation 7:

That s. 4 (7) be amended to read: *"People with disability have the same rights to privacy and confidentiality as other members of the community, and this is to be respected."*

Recommendation 8:

That s. 4 (10) be amended to read:

"People with disability have the right to pursue complaints and access justice."

Recommendation 9:

That s. 4 (12) and (13) be amended to read:

"The needs of children with disability as they mature, and their rights as equal members of the community, are to be respected."

“The changing abilities, strengths, goals and needs of people with disability as they age are to be respected.”

Recommendation 10:

That LGBTIQ+ persons with disability be recognised as a group with particular needs for the purposes of s. 5.

Recommendation 11:

Remove section 10 (4) from the Act, and replace with:

“The State Disability Inclusion Plan, in order to meet the requirements of subsection (1), must be an individual document and may not be part of another document prepared for another purpose”.

Recommendation 12:

Amend section 4 (2) to read –

“In preparing, monitoring and evaluating the State Disability Inclusion Plan, the Department must consult with people with disability, disability advocacy organisations and the Disability Council NSW.

Recommendation 13:

Add to section 11 an additional subsection after subsection 2, stating:

(3) “Any review of the Plan should be conducted with the consultation of persons with disability, disability advocacy organisations and the Disability Council NSW.”

Recommendation 15:

The current section 11(3) be amended to read:

(4) The results of the review should be recorded in a report to be tabled in both Houses of Parliament, provided to the Disability Council NSW and made publicly available in accessible formats.

Recommendation 16:

That the Act or the regulations provide for a framework on how, when and by whom reporting on the progress of the State DIP will be undertaken.

Recommendation 17:

That TAFE NSW, NSW Institute of Sport, Information and Privacy Commission, NSW Police, and Fire and Rescue NSW, NSW Ambulance and the NSW Rural Fire Service and any other Public Authorities which are not currently obligated to prepare a DIAP be required to do so.

Recommendation 18:

That the Government develop a standard form DIAP to be included in the schedule of the State Disability Action Plan

Recommendation 19:

That the government provide resourcing for an independent organisation to support organisations to develop DIAPs and approve completed DIAPs.

Recommendation 20:

That the Act include a provision requiring all organisations operating within NSW, to develop DIAPs, or that a provision be included in the Act requiring organisations over a specified size that are operating within NSW develop and implement a DIAP.

Recommendation 21:

That the DIPIC be repurposed as a committee to facilitate collaboration and partnerships across public authorities with the strategic objective of working towards seamless inclusion across state services.

Recommendation 22:

The State Government increase local government funding and ensure that departments are sufficiently resourced to prepare and implement DIAPs.

Recommendation 23:

That the State Government develop a new independent authority within the Office of the Aging and Discrimination Commissioner, to provide resourcing to Government agencies to prepare and implement their DIAPs and to review and approve completed DIAPs.

Recommendation 24:

That a standard form DIAP (or standard form DIAPs for particular groups of agencies) be developed framed around the priority categories and setting out core fundamental activities for each and prescription on the expected KPIs to be collected for each fundamental activity.

Recommendation 25:

That all entities with a DIAP be required to report on the progress of their DIAP separately to the annual report, and to an independent third party, for example the Ageing and Disability Commissioner.

Recommendation 26:

That entities with a DIAP be legislatively required to set up specific committees to internally review and monitor the implementation of the plan on a regular basis and receive additional funding to carry out this responsibility, if necessary.

Recommendation 27:

That s 16 (2)(a) be amended to read:

“Persons employed by organisations concerned especially with the interests of people with disability”; and (2)(b) be removed from the Act.

Recommendation 28:

That a provision be added within s.16 for persons identified in s.5 (ATSI, CALD and women (and LGBTIQ)) be reflected in the Council membership

Recommendation 29:

That a provision be added within s.16 for a proportion of membership to consist of persons from regional areas across NSW

Recommendation 30:

That the majority of the Disability Council be appointed, via a vigorous community election process, subject to ministerial approval and a smaller portion (e.g. three positions) be elected by disability peak organisations (again, subject to ministerial signoff)

Recommendation 31

That Parts 4 and 5 be retained subject to an audit to ensure that their removal will not result in a withdrawal of services to persons with disability

OR

Recommendation 32

That section 37 be retained and expanded to read as follows:

(3) The Secretary may provide financial assistance to a government department, local council, an individual or any other entity for the purpose of promoting the interests, objects and principles of the Act

Recommendation 33

That disability service providers and disability advocacy organisations are specifically referenced under s. 7 of the Act as eligible entities

Recommendation 34

That provisions be added to the Act to expand on section 37, namely, that a provision be included that sets out that the provision for financial assistance under s 37 is to be embodied within a duly executed funding agreement; and that entities in receipt of financial assistance are able to access a right to review in instances where the Secretary seeks to withdraw financial assistance for alleged breach of conditions.

Introduction

As the peak representative body for people with physical disability within NSW, The Physical Disability Council of NSW (PDCN) appreciates the opportunity to provide feedback to the Department of Communities and Justice (DCJ) on its review of the *Disability Inclusion Act 2014* (the Act). Our recommendations within this submission are based on consultation with our members, their families, disabled persons' organisations, Local Government Agencies, the Disability Council NSW and representatives of State Government Departments.

The Disability Inclusion Act represents a state-based commitment to the standards prescribed under the United Nations Convention on the Rights of People with Disability (the UNCRPD). The Act redefines the interaction between the Government and persons with disability, moving from a service model to a system premised on the idea that people with disability have the right to access mainstream services and to be included in all aspects of community life.

Since the Act's introduction in 2014, the disability sector has undergone significant change and restructure. Despite this, six years on, PDCN is mostly satisfied with the DIA as a mechanism for promoting the rights of people with disability. We consider that the primary focus of the review should be on strengthening the workings of the mechanisms that the act sets up; in particular, the State Disability Inclusion Plan (the DIP), Disability Inclusion Action Plans (DIAP) and the Disability Council NSW.

Question 1:

What changes, if any, should be made to the objects outlined in section 3 of the Disability Inclusion Act 2014? Is there anything missing that you would want added to the objects?

We consider that Australia, as a signatory to the United Nations Convention on the Rights of People with Disability, must uphold the Convention's principles in totality and this responsibility extends across to all States and Territories. The Disability Inclusion Act is the primary legislation guiding NSW in terms of providing services and supports to people with disability, so logically the objects of the Act should incorporate the purposes and principles provided in the Convention. Currently, we do not believe that the objects set out in s.3 fully achieve this. We would make the following recommendations to bring the objects into better alignment with the UNCRPD:

Recommendation 1:

That s. 1 (e) of the Act be made the first object, and amended to read:

"To uphold the purposes and principles of the United Nations Convention on the Rights of Persons with Disabilities."

Recommendation 2:

That s. 1 (b) of the Act be amended to read:

"To promote the independence and social, political and economic inclusion of all people with disability."

Recommendation 3:

That s. 1 (f) be amended to read:

"To provide for responsibilities of the State for all people with disability, including people with disability that are not eligible for the National Disability Insurance Scheme."

The Objects must align with the UNCRPD in upholding the rights of all people with disability.

Our rationale for these recommended changes is firstly, that the phrasing of s.1, object (e) is vague and weak. If NSW is truly committed to a human rights based framework, then object (e) should be the first principle to reinforce that the Act is a vehicle to apply the rights accorded to people with disability under the UNCRPD and its phrasing should be strengthened to acknowledge the non-negotiable commitment of Australia to the UNCRPD.

It is also necessary to emphasise that the Act is applicable to all persons with disability by amending Object (f) to state *“To provide for responsibilities of the State for **all** people with disability, including people with disability that are not eligible for the National Disability Inclusion Scheme.”* This would both accord with Article 9 of the UNCRPD, which states that parties should ensure equal access to facilities and services.¹ and recognise that, of the 1,346,200 people in NSW with disability, only 113,590² of those have an NDIS plan, leaving 1,232 610 people to rely on alternative supports, such as Aged Care Services or the general health system.

We have observed that there is an overemphasis on the NDIS as the primary disability support scheme for people across NSW. Providing this clarification in the objects would recognise that NSW has a responsibility, not just to NDIS recipients, but to approximately 90% of people with disability living in NSW who are not eligible for the NDIS.

Question 2:

Do the general principles in section 4 and section 5 of the Act sufficiently cover the principles guiding modern practice and policy for people with disability?

Are there additional principles that you think should be added here or some that should be removed?

PDCN believes that principles driving modern practice and policy in the disability space should be based on human rights and should accord, at all times, with the principles of the UNCRPD. While the current Act’s principles appear to be guided by the eight key principles of the UNCRPD, PDCN suggests the principles as they are currently worded in the Act are too vague, non-committal and do not go far enough to address what the UNCRPD is trying to achieve.

Concerns relating to Australia’s demonstrated commitment to the UNCRPD have already been highlighted in the United Nation’s Committee on the Rights of Persons with Disability’s Concluding Observations from its second and third review of Australia, where it was determined that there was *“insufficient harmonisation of the domestic legal framework with the Convention”*. The Committee recommended that Australia *“fully harmonise with the Convention”*.³

To achieve a greater harmonisation, PDCN proposes the following amendments to the principles.

¹ United Nations Convention on the Rights of Persons with Disability, <https://www.un.org/disabilities/documents/convention/convoptprot-e.pdf> accessed 7 Feb 2020

²Federal Government, *NDIS Quarterly Report, NSW Dashboard*, 31 December 2019, <https://www.ndis.gov.au/about-us/publications/quarterly-reports>, accessed 30 March 2020.

³Committee on the Rights of Persons with Disability, *Concluding observations on the combined second and third reports of Australia*, 15 October 2019, https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolNo=CRPD/C/AUS/CO/2-3&Lang=En, accessed 6 Feb 2020.

Educating stakeholders about the principles and how to embed them within practice is critical

Consultation with our membership indicates that these principles are not being applied sufficiently in a practical sense. The general consensus of members was that the principles were important in achieving equality for people with disability, but members were unaware of the principles (or the Act!) themselves and had little confidence that the principles were driving how public authorities engaged with them in day to day life.

We would encourage the State Government to conduct further community education regarding the Act and provide resources and support for public authorities to assist them to embed these principles within both internal and external practice.

Persons with disability who identify as LGBTIQ+ require additional protections as a 'group with particular needs'

We also consider that there is a group of persons with disability that requires specific mention as a group that is at risk of discrimination and marginalisation - the LGBTIQ+ community. Persons with disability who are LGBTIQ+ may experience additional barriers around inclusion, for example, in access to health treatment. We would like to see recognition of these additional barriers through specific reference to this group in s.5.

Recommendation 4:

That the following be added as the first principle:

"People with disability have the same fundamental human rights and responsibilities as other members of the community".

Recommendation 5:

That the s. 4 (3) be amended to read:

"People with disability have the right to participate in, and contribute to, social, political and economic life and should be supported to develop and enhance their skills and experiences."

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That s. 4 (5) s.be removed and replaced with:

"People with disability have the right to independent and autonomous decision making in regard to decisions that affect their lives (including decisions involving risk)"

and

"in cases where a person with disability wants, or requires, assistance in making a decision, they should be provided with all necessary supports to do so."

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That s. 4 (12) and (13) be amended to read:

"The needs of children with disability as they mature, and their rights as equal members of the community, are to be respected."

"The changing abilities, strengths, goals and needs of people with disability as they age are to be respected."

Recommendation 10:

That LGBTIQ+ persons with disability be recognised as a group with particular needs for the purposes of s. 5.

Question 3:

Are the provisions relating to the State Disability Inclusion Plan still correct and relevant?

PDCN considers that a State Disability Inclusion Plan (DIP) is still essential and that the Disability Inclusion Act (and its associated regulations) is the appropriate legislative instrument for the DIP. The current provisions relating to the DIP are insufficiently comprehensive, and we would like to see additional provisions around the DIP's structure and monitoring.

Insufficient structure around accountability and monitoring

There is currently very little accountability, and no provision for who is responsible for reporting on the DIP, nor how or when reporting must occur. This means it is difficult to know whether the targets are being met. PDCN believes there needs to more accountability and monitoring to ensure the DIP does not become a stagnant, perfunctory piece of writing.

A DIP should outline not only the State's vision for disability inclusion, but also the impact and outcomes sought, the steps necessary to achieve these, where responsibility for implementation should be vested, specific actions and targets on when these actions are to be achieved and the consequences if targets are not met.

Any framework developed should also articulate the mechanism by which outcomes will be measured – again, we consider that the outcomes should be based on *positive impacts on persons with disability*, not the completion of projects, and this must be measured through consultation with a range of stakeholders, in particular, persons with disability and disability advocacy services.

Consultation required during both draft and review

Currently s.10(2) states that the Government must consult with persons with disability when planning the DIP. We consider that it is equally important that there is continued engagement with persons with disability throughout the life of the DIP, and in particular, when the DIP is being evaluated in terms of its effectiveness.

Likewise, we would like to see greater specificity on what '*consultation with persons with disability*' means. Currently, under this section, it would be possible to argue that a brief discussion with a small group of persons with disability fulfilled this obligation. We consider broad consultation with people with disability across the community is essential in order to develop a well-informed, effective DIP.

PDCN would seek public consultation at all critical points in the 'life' of the DIP, including its development, any amendments and evaluation at the point that the DIP is required to be renewed.

We seek for s. 11 to be amended to include public consultation both when drafting and reviewing the effectiveness of any Plan and also submit that a report based on the review of a DIP's effectiveness, over its four-year term should be produced, be tabled in each House of Parliament and also given to the Disability Council NSW for consideration. The report should also be publicly available in accessible formats.

NSW has a rare opportunity here in reviewing the Act, to really show that it is committed to inclusion and the UNCRPD, by ensuring that the State plan is a living, breathing document, with clear accountability, measures, targets – and consequences. For true accountability to the state population of people with disabilities, the Government should be required to report on the DIP.

Currently, there is no provision for how or when reporting should be carried out, and PDCN suggest including this information either within the DIA or its associated regulations. We note that Western Australia is currently developing a 10-year strategy on disability inclusion, which will include two-year action plans outlining how it will implement the strategy. NSW could explore options for reporting in a similar way.

The Disability Inclusion Plan should stand alone

In addition, we also believe that the inclusion of s.10(4) *"The State Disability Inclusion Plan may be a document or part of a document prepared for another purpose if the document or part fulfils the requirements of subsection (1)"* leaves the door open for the plan to be included in another plan if deemed necessary, and PDCN believes this would undermine the efforts of people with disability to ensure full inclusion in society. The State Disability Plan should be given due recognition by being a standalone document.

Recommendation 11:

Remove section 10 (4) from the Act, and replace with:

"The State Disability Inclusion Plan, in order to meet the requirements of subsection (1), must be an individual document and may not be part of another document prepared for another purpose".

Recommendation 12:

Amend section 4 (2) to read –

"In preparing, monitoring and evaluating the State Disability Inclusion Plan, the Department must consult with people with disability, disability advocacy organisations and the Disability Council NSW.

Recommendation 13:

Add to section 11 an additional subsection after subsection 2 stating:

(3) "Any review of the Plan should be conducted with the consultation of persons with disability, disability advocacy organisations and the Disability Council NSW."

Recommendation 15:

The current section 11(3) be amended to read:

(4) The results of the review should be recorded in a report to be tabled in both Houses of Parliament, provided to the Disability Council NSW and made publicly available in accessible formats.

Recommendation 16:

That the Act or the regulations provide for a framework on how, when and by whom reporting on the progress of the State DIP will be undertaken.

b) Do you think a State plan is necessary, and if so, what do you think is most important to be included in the plan?

PDCN strongly believes that a State plan is essential to ensure the inclusion of all people with disability in NSW, because there is ongoing disadvantage and inequity for persons with disability within NSW.

Many aspects of Government policy that affect the lives of persons with disability are controlled at a state level, for example, planning laws around residential builds under Local Planning Instruments, or the provision of accessible Council managed public infrastructure, such as lift and change facilities. Management and coordination of state-controlled services logically sits at a state level.

The State Plan is essential to drive change for all persons with disability

A 2019 study by the Centre for Research Excellence in Disability and Health at the University of Melbourne examined the experiences of people with disability compared to their peers in twelve areas of life⁴. The results showed some improvement in areas such as health and safety, however the results also indicated that there was no change in a number of areas, including 'employment', 'homelessness', 'community involvement', and in fact the gap was widening in other areas, including 'close relationships', 'learning and knowledge' and 'opportunity'.⁵

Much has been made of the transformative nature of the NDIS as a Federal mechanism for improving the lives of people with disability, and while PDCN recognises that it is one of the most significant pieces of social reform of the past decade and has gone some way towards breaking down barriers, we note that only 14% of people with disability in NSW are eligible for a NDIS plan.

This indicates that the NDIS is not a 'be all and end all' – and governments should not overemphasise the NDIS as a means of addressing inclusion and accessibility. A State Plan specifically embeds the principles of the CRPD within State infrastructure and is specifically directed at addressing inclusion within State mechanisms. It can be much more prescriptive than a National Plan.

Any state plan must have a framework by which it can be assessed for effectiveness

The current requirements for the State Plan are still relevant, and valuable, however PDCN stresses, that a state plan with no accountability as to targets and outcomes is of limited value. Without indicators for success, based on best outcomes for persons with disability, there is no way of knowing if what the Plan, or indeed the DIA itself, sets out to achieve is actually being achieved. We consider that a State based plan was, and continues to be, essential, but it must have a robust process by which outcomes and impact can be assessed.

⁴ E. Emerson, G. Disney & N. Fortune, *Is life getting better for people with disabilities*, Pursuit E-Journal, University of Melbourne, <https://pursuit.unimelb.edu.au/articles/is-life-getting-better-for-people-with-disabilities>, accessed 30 March 2020

⁵Ibid.

Question 4:

The Sax Institute review reported on NSW Government agencies and local government DIAPs. Should the Act cover more than just NSW Government agencies and local government DIAPs? If so, what other groups do you think should be required to have a DIAP?

The Act currently stipulates that public authorities must have a Disability Inclusion Action Plan (DIAP).⁶ According to the Act, a public authority includes a government department, local government authority, or any other entity described in the regulations.⁷

Government should commit in entirety to disability inclusion through DIAPs

PDCN believes that disability inclusion is the responsibility of ALL Government agencies and bodies. Accordingly, we would like to see a broader application of s 12 and the amendment of the definition 'public authority' to include additional government entities, such as TAFE NSW, NSW Institute of Sport and all emergency services (police, fire and ambulance). We appreciate that some of these entities do already participate in disability inclusion planning, however PDCN believes it is paramount, as a matter of principle and as a demonstrated commitment to the UNCRPD, that all areas of Government are legislatively required to develop DIAPs.

Universal adoption of DIAPs across society should be a goal

PDCN considers that all organisations should be required to have a DIAP outlining what they will do to increase accessibility and inclusion in their organisations, as part of a whole of society response to the requirements of the UNCRPD. We note that there is precedent for where there is recognised inequity for groups in society, for example, Gender Equity Strategies within organisations and for Reconciliation Action Plans (RAPs).

Anecdotal information from people with physical disabilities highlights the deficiencies of the current situation – they are often faced with situations where accessibility is provided in so far as there is State responsibility, but then they are then faced with barriers to access. The following are real life examples of how people with disability are impeded through the limited reach of the DIAPs:

Sally uses a power wheelchair. She is able to reach the front door of a privately owned club via public footpaths but cannot enter the front door of the club as there is a step, and cannot use the club's lift from the ground floor to other levels as there are three steps to the lift. Sally needs to access the pub next door and go through their fire escape as the only way to access the venue.

Sophie is a member of a singing group in an inner-city suburb of Sydney. Sophie has cerebral palsy and uses an electric wheelchair to get around her community. The group meets every Thursday night, and usually goes out for dinner afterwards. Sophie would love to join the group for dinner every week, however she is usually unable to because there are very few accessible and affordable dining options in the area. It is often only one step that is preventing Sophie from entering a restaurant, and this barrier could be overcome by the restaurant purchasing an appropriate ramp. This would allow Sophie to participate in her community and decrease social isolation - and increase the restaurant's earnings!

We would suggest a number of activities towards achieving universal adoption:

⁶ Disability Inclusion Act 2014 (NSW) s.12.

⁷ Including the Australian Museum Trust, Destination NSW, the Library Council of NSW, and the Office of Finance and Services (note: Office of Finance and Services are now part of the Department of Customer Service and therefore presumably no longer require a DIAP)

1. Develop standard form DIAPs which can be easily adapted to suit specific organisations (this could sit within the State Disability Action Plan as a schedule).
2. Provide a mandated time period for organisations to comply with the requirement to prepare and implement a DIAP.
3. Provide resourcing for a centralised independent organisation to support organisations to develop and implement their DIAPs, facilitate partnerships between organisations (and Government agencies where applicable) where there are mutual obligations, and to conduct independent review/approval of DIAPs
4. Make the development and implementation of a DIAP a mandatory condition for any State Government contract with a private contractor.

Whilst PDCN would advocate for the model of universal application of DIAPs across all organisations, irrespective of size, we concede that an alternative (and less expensive) option at this point would be to legislatively mandate the drafting of DIAPs for organisations, where the term 'organisation' applies to private business entities of a certain size.

In determining the cut-off, consideration may be made as to whether an organisation might be reasonably expected to be able to meet its own costs associated with developing and implementing a DIAP. If this is the adopted approach, we stress that universal application of DIAPs should be the long-term objective.

Recommendation 17:

That TAFE NSW, NSW Institute of Sport, Information and Privacy Commission, NSW Police, and Fire and Rescue NSW, NSW Ambulance and the NSW Rural Fire Service and any other Public Authorities which are not currently obligated to prepare a DIAP be required to do so.

Recommendation 18:

That the Government develop a standard form DIAP to be included in the schedule of the State Disability Action Plan

Recommendation 19:

That the government provide resourcing for an independent organisation to support organisations to develop DIAPs and approve completed DIAPs.

Recommendation 20:

That the Act include a provision requiring all organisations operating within NSW, to develop DIAPs, or that a provision be included in the Act requiring organisations over a specified size that are operating within NSW develop and implement a DIAP.

Question 5:

Are DIAPs effective in achieving greater community participation and inclusion for people with disability? If not, how do you think they could be made to better to ensure participation and inclusion of people with disability?

Section 13 of the Act states:

(1) A public authority that is a government department or local council must, as soon as practicable after preparing its annual report, give the Minister a copy of the part of the annual report relating to the department's or council's report on the implementation of its disability inclusion action plan.

(2) A public authority that is not a government department or local council must, as soon as practicable after the end of each financial year, give the Minister a report relating to the authority's implementation of its disability inclusion action plan during the financial year.

(3) The Minister is to table a report about the implementation of disability inclusion action plans in each House of Parliament as soon as practicable after the end of each financial year.

Evaluation cannot be made without a consistent mechanism to report outcomes

It is very difficult to assess whether DIAPs have assisted in achieving greater community participation and inclusion for people with disability. There is insufficient prescription on how public authorities should report on the outcomes - an issue that has been highlighted in the 2018 Review of the Disability Inclusion Plan, commissioned by DCJ⁸.

The lack of prescription in terms of recording outcomes has led vast differences in the style of reporting across public institutions. For example, in a random sample of eight LGAs, three LGAs embedded their DIAP outcomes within 'other general projects and activities' in their Annual Reports, while most of those that specifically reported on their DIAP provided anecdotal information ranging from two paragraphs to multiple pages.

Only one of the LGA reviewed - the City of Sydney - provided a report with specific progress updates and measures.⁹ Without the capacity to consider activities alongside specified goals and progress markers it is impossible to determine where these public institutions are tracking in terms of implementing their DIAPs.

It has also been noted by the Disability Council that Annual Reports may lack '*honest reflection of the challenges and limitations*',¹⁰ and we consider this to be a valid concern, as by their nature, annual reports are about showcasing successes, not reflecting on how to improve.

It is essential that any reporting mechanism employed allows for honest reflection of both successes and failures.

Evaluation should be based on positive impacts on persons with disability, not completed projects

At the same time, although we note that there was enthusiasm for DIAP planning across the public sector and that persons with disability were widely consulted during this phase,¹¹ there are indications that this consultation has not been sustained during the implementation and review stages:

⁸ Dawson G, Tait H, Redman A, Drinkwater A, Dickinson S, Smith-Merry J. *Review of the NSW Disability Inclusion Plan, 2018*, A report by the Sax Institute and the Centre for Disability Policy and Research for NSW Family and Community Services Sydney, 2019.

⁹ For the purpose of this study we reviewed the 2018-2019 Annual Reports of the following LGAs – Waverley Council, Campbelltown City Council, Blue Mountains City Council, Dubbo Regional Council, Orange City Council, Mid Coast Council, City of Sydney, and Shoalhaven City Council.

¹⁰ Disability Council NSW, quoted in Dawson G, Tait, H., et al, p.29.

¹¹ Ibid, p.23

*"I would say that the consultation of people with disability has been there from the beginning for all of the DIAPs, because that's a requirement. But the second part, as to the implementation, no, I don't think so"*¹²

There appears to be a misguided belief that involvement by people with disabilities and their advocates, at the concept stage of a DIAP (or indeed in any process) mitigates the need for further consultation. We would submit that it is insufficient to seek input from persons with disability at a concept stage, and then develop projects without ensuring that these projects match the vision of the community they are supposed to benefit. People with disability should retain input throughout the entire 'life' of a DIAP both to ensure that all projects and goals are relevant to people with disability and to provide feedback as to whether the projects achieved these goals.

On the latter point, we note that the anecdotal evidence of success for the DIAPs is currently measured by the completion of projects. This bears no correlation to *actual positive change for people with disability*. It is important to appreciate that whilst projects may be aimed at achieving inclusion, the only way to determine this is by assessing their impact on the individuals they are intended to support.

An example, which demonstrates the error of relying exclusively on project-based outcomes, can be seen in relation to Priority 3, as specified under the Disability Inclusion Action Planning Guidelines - '*Inclusive Employment*'. Whilst the 2018 Review highlights that there were various activities that agencies identified as goals to remove barriers to employment for persons with disability, and indeed implemented¹³, decreasing numbers of persons with disability employed in the Public Service would indicate that these activities are not effective, especially when considering that number of persons with disability employed within the public service has decreased by 1.2% across the Public Service since 2010.¹⁴

In order to assess the effectiveness of DIAPs as a mechanism for increasing inclusion of people with disability, we propose the following:

1. DIAPs must include KPIs determined on *improved outcomes for persons with disability* within the community.
2. Persons with disability must be consulted at all stages of the DIAP process – most particularly, at evaluation.
3. A consistent method of reporting should be developed and applied across all public authorities.
4. Data relating to KPIs to be collected and managed by an external body (for example, the Ageing and Disability Commissioner).
5. Additional funding should be provided both to Public Authorities to manage reporting responsibilities, and whichever external body is tasked to manage the collection and review of data.

There needs to be greater opportunity for collaboration between public authorities around inclusion as a whole

We are concerned that currently, DIAPs run the risk of being very siloed, and this is problematic, given that public authorities can be at very different stages in their inclusion planning and implementation.

¹² Ibid. p.34

¹³ Ibid, pp 34-35

¹⁴ NSW Government, Public Services Commission, *Workforce Profile Report 2019, Chapter 5 – Diversity*, <https://www.psc.nsw.gov.au/reports---data/workforce-profile/workforce-profile-reports/workforce-profile-report-2019/chapter-five>, accessed 2 March 2020

'In some cases, DIAP work represents further progress towards gold standard inclusion and for [other public authorities], the development and implementation of a DIAP required a significant shift in thinking' ¹⁵

PDCN members indicated that, for people with disability, there is no interplay between the different levels of government, in achieving access and inclusion. The state plan needs to drive the DIAPs and facilitate greater opportunity for public authorities to work together to ensure seamless inclusion across all aspects of the community where there is state responsibility. The following case study illustrates the practical impact of a siloed approach:

Ben is a wheelchair user who lives in Sydney near one of the new Metro stations. He believes the Metro is great, however he is not able to access it because the road to the station is a gradient of 1:3, making it impossible for him to traverse in his power wheelchair and there are no suitable footpaths. Ben would very much like to be able to use the Metro, as it would increase his independence and ability to access his community, however the inaccessibility of the station means he cannot utilise an accessible service.*

This case study highlights a lack of communication between the responsible parties, in this case Transport for NSW and the local council.

PDCN notes that the Disability Inclusion Plan Implementation Committee (DIPIC) was set up as a coordination and reporting group during the transition to the DIAP system and was seen by stakeholders as a useful vehicle for partnership building, expertise sharing and collaboration.¹⁶ We consider that an entity like this, where public authorities can collaborate in instances where there are dual responsibilities, is critical to achieving state-wide inclusion for people with disability.

Recommendation 21:

That the DIPIC be repurposed as a committee to facilitate collaboration and partnerships across public authorities with the strategic objective of working towards seamless inclusion across state services.

Question 6:

a) What improvements, if any, could be made to help agencies prepare their DIAPs?

Lack of funding reduces capacity and public confidence

'if something is valued...it's resourced' - statement from consultation participant, 11 March 2020.

The Saxe Institute found that resourcing was a major issue for agencies when it came to development and implementation of DIAPs¹⁷ It noted that some agencies and councils were better resourced than others. A look at random samples of DIAPs supports this, as there were large discrepancies in the quality of both the plan, and the level of reporting. We are aware of at least one council where a single member of staff is tasked with implementing its DIAP without input from a disability inclusion working group - an essential aspect of a person-centred approach to inclusion. It is patently clear that additional resourcing is required to help agencies prepare and implement their DIAPs.

Creation of an independent resource body to review DIAPs and provide ongoing support

¹⁵ Dawson, G., Tait, H., op cit. at 21

¹⁶ Ibid, p. 28

¹⁷ Ibid., p. 53

We have concerns about the effectiveness of the Disability Council NSW as the review body for DIAPs. We would submit that the Council has limited resourcing and is not sufficiently equipped to undertake this task in terms of technical expertise. That the Council struggles with responsibility of reviewing DIAPs is patently clear in comments by Council members quoted in the Sax Report.

Currently, the Council relies heavily on DCJ to provide an assessment of the substance of individual DIAPs prior to review as a way of reducing workload – PDCN considers this to compromise the integrity of an independent review process. We also note that the comprehensive review process originally developed by the Council has had to be wound back as the original plans were not practically feasible on account of resourcing:

‘They had two people working on [reviewing the DIAPs] and they put in 40 hours each and I asked them how far they had gotten, and they’d done three out of... I mean, it’s how many Councils and all that? So, we sort of went back to what the legislation said, and it doesn’t say that they need to read everything single one and critique it and provide feedback’¹⁸

Feedback in the Saxs report from agencies and organisations is that there is a need for a more centralised and guided process around the development and implementation of the DIAPs and ongoing resourcing and support.

Given that the Disability Council NSW is ill-equipped to manage its current responsibilities, we would suggest that a different, well-resourced, independent body needs to be created and tasked with the responsibility of assisting agencies to prepare and implement their DIAPs. A current body that is well positioned to take on this responsibility, providing that additional resources are secured to do so, is the Office of the Ageing and Disability Commissioner.

This independent body could also act as a central information point for resources on preparing a DIAP, operating similarly to Reconciliation Australia, which resources organisations to develop Reconciliation Action Plans (RAPs), and approves completed Plans. Reconciliation Australia also runs a comprehensive website with various resources.

Recommendation 22:

That the State Government increase local government funding and ensure that departments are sufficiently resourced to prepare and implement DIAPs.

Recommendation 23:

That the State Government develop a new independent authority within the Office of the Aging and Discrimination Commissioner, to provide resourcing to Government agencies to prepare and implement their DIAPs and to review and approve completed DIAPs.

b) What are the steps you think they should be required to complete before drafting their plans?

Consultation with people with disability and their advocates is critical

¹⁸ Ibid., p. 29

As stated, PDCN believes that consultation with people with disability and Disability Advocacy Organisations, is vital in all stages of the DIAP process and this may have to be legislated to ensure that public authorities commit to ongoing consultation throughout the 'life' of a DIAP.

We note that there are excellent models of ongoing community participation embedded within normal operations of public authorities, - for example Campbelltown City Council Seniors and Disability Advisory Group, which regularly provide input into Council processes and planning where relevant. We would see Disability Inclusion Advisory Groups, as mandated under the Act, as an effective way of ensuring that DIAPs are reflective of the community.

Question 7:

Are the elements included in Disability Inclusion Action Plans still appropriate, or are there parts you think should be removed or added to make them more effective?

Prescription with flexibility to be creative

We note that some agencies have found the four priorities to be limiting and that some organisations removed core action items from their DAPs which did not fit within the proposed DIAP framework.

"When I started in this role, there was a draft Disability Action Plan that was twice the size of this, and then because the new framework came out, we had to scale it back quite a lot".¹⁹

At the same time, other agencies have called for more structure within the plans and '*guidance on certain actions that should be 'documented or some foundational fundamentals required in every plan'*

²⁰

It is important to allow enough flexibility of approach to facilitate creativity and innovation within DIAPs, whilst at the same time acknowledging the different levels of experience and resourcing across agencies. We note that both Treasury and Transport are examples of Departments that have adapted the categories to better align with their modes of service delivery.

This could be achieved through the development of a standard form DIAP (or standard form DIAPs for certain types of entities, for example, Government departments, LGAs) which require drafters to focus on the four priority categories – *Community Attitudes and Behaviours, Liveable Communities, Inclusive Employment and Community Attitudes and Behaviours*, as core foundations to build on, but to also to explicitly permit agencies to include other priorities so long as they align with the Principles of the Act.

For each of the priority categories, a non-exclusive list of foundational fundamentals could be included, such as, "*removing barriers to recruitment processes*" and "*provision of accessible workplace facilities*" to prompt agencies as to the types of activities that are considered to be core to achieving the priorities.

A robust mechanism to record key performance indicators

¹⁹ Ibid., p. 41

²⁰ Ibid., p. 25

A further issue is transparency and accountability. What the DIAPs are designed to address is relevant, however, there are no consistent targets or measures –it is hard to know if they are being effective if there is nothing to measure them against.

DIAPs need to include clear, reportable targets and key performance indicators (KPIs) based on tangible positive impacts for people with disability and there needs to be prescription on this might look like in terms of particular fundamentals, e.g. for removing barriers to recruitment processes, a KPI could be “% increase in persons identifying as having a disability being recruited”.

What we are effectively hoping to achieve through consistent measures is the ability to cross reference data across government agencies to see how agencies are tracking. This is not currently possible given the current method of reporting, which in practice relies on agencies to self-review.

Recommendation 24:

That a standard form DIAP (or standard form DIAPs for particular groups of agencies) be developed framed around the priority categories and setting out core fundamental activities for each and prescription on the expected KPIs to be collected for each fundamental activity.

Question 8:

Are the reporting requirements for Disability Inclusion Action Plans enough? If not, how do you think they should report and who should they be reporting to?

Current reporting mechanisms are grossly insufficient

PDCN believes the current reporting requirements for DIAPs are ineffective and not enough to ensure targets are being measured. Currently, entities are required to report on a DIAP in the Annual Report, and provide this to the Minister to be tabled in Parliament, but Annual Reports are high level public documents that include very little detail – so it is easy for reporting on the DIAP to be glossed over - as demonstrated in our review across several Annual Reports for 2018-2019 which showed DIAP reports as small as two paragraphs up to multiple pages.

There is no consistency between entities in terms of how they report – and some do it better than others. City of Sydney, Inner West Council and Northern Beaches Council (for example) do a separate annual report, while others, for example City of Canterbury Bankstown, incorporate actions into their Delivery Plan. While this is a good way to embed the actions across the organisation, it makes it more difficult to find the outcomes – a separate report is a more accessible way to report on progress, and also ensures that entities are publicly accountable to the community in a much more transparent way.

Without a consistent reporting structure or benchmarks, there is no mechanism by which the Minister could evaluate the effectiveness of a DIAP. Entities may have their own methods of measuring whether they meet their commitments, but the process appears to be very insular.

Review should be an ongoing process incorporated into day to day operation of a DIAP

We believe that there is value in self-monitoring in conjunction with external reporting obligations. PDCN suggests that reporting on progress should be ongoing and carried out periodically, another reason that reporting in the annual report is insufficient. A committee specifically set up to review

and monitor the implementation e.g. Campbelltown City Council's Disability Access and Inclusion Advisory Committee and the City of Parramatta's Internal Advisory Group, is a good way to ensure there is ongoing monitoring of the plan. It is vital, however, that these committees are made up of people with disability, disabled people's representative organisation and local disability advocacy services. As each DIAP is specific to the community it should be reviewed by that community.

Recommendation 25:

That all entities with a DIAP be required to report on the progress of their DIAP separately to the annual report, and to an independent third party, for example the Ageing and Disability Commissioner.

Recommendation 26:

That entities with a DIAP be legislatively required to set up specific committees to internally review and monitor the implementation of the plan on a regular basis and receive additional funding to carry out this responsibility, if necessary.

Question 9:

Do the functions of the Disability Council remain appropriate? Are there any additional functions that should apply to the Council to make it more effective or accessible?

Expectations as to duties are currently unrealistic

We consider that the Disability Council of NSW has relevance within the State Disability Inclusion Plan as a representative voice for people with disability. We are keen to see the Council retained, however consider that the membership of the Council and its duties need to be redefined in order for the Council to be effective.

The current functions of the Disability Council are as follows:

- *monitor the implementation of Government policy*
- *advise the Minister on emerging issues relating to people with disability, and about the content and implementation of the State Disability Inclusion Plan and disability inclusion action plans*
- *advise public authorities about the content and implementation of disability inclusion action plans (public authorities include Government Departments and local councils and some other bodies listed in Claus 5 of the Disability Inclusion Regulation 2014 such as the State Library)*
- *promote the inclusion of people with disability in the community and promote community awareness of matters concerning the interests of people with disability and their families*
- *consult with similar councils and bodies, and people with disability*
- *conduct research about matters relating to people with disability.*²¹

The Council membership can be between eight and twelve members. The Council is funded through DCJ and is legislatively required to meet at least bi-monthly (although we appreciate that members are in communication and conduct work outside of meetings). Presently, the Council is supported by a single secretariat from DCJ with responsibilities shared across three Councils. The Minister for Disabilities has flagged that there are no forecast funding increases for the Council in the State Budget, despite the fact that the Council appears to have lost funding at some point - having previously had a dedicated full-time staffer, which we would expect of a Ministerial Office.

²¹ Disability Council NSW, <https://www.facs.nsw.gov.au/inclusion/advisory-councils/disability/overview>, accessed 10 March 2020.

We appreciate that the Disability Council NSW is keen to be involved in the development of DIAPs however, we are concerned that the current structure and resourcing of the Council does not allow for more than cursory oversight over the DIAPs and we hold grave concerns that the range of duties the Council is expected to carry out risks the Council becoming a 'jack of all trades' at the expense of what we consider to be its most important role – acting as a voice for persons with disability across NSW. To that end, we have already seen the channels of communication between the Council and the disability community (including disability advocacy services) erode as it juggles to focus on the NDS, the NDIS and DIAPs.

We would recommend the Council's functions be reduced as follows:

- promote the inclusion of people with disability in the community and promote community awareness of matters concerning the interests of people with disability and their families.
- consult with similar councils and bodies, and people with disability.
- conduct research about matters relating to people with disability; &
- advise the Minister on emerging issues relating to people with disability

The Council is an important representative voice; but should not be expected to undertake technical assessment of the DIAPs. The value of the Council is as a conduit to the lived community experience of persons with disability. It would be expected that the Council would be able to provide valuable information through consultation with the community, to whichever body was set up as an alternative to review the DIAPs.

Question 10:

What impact, if any, has the roll out of the NDIS in NSW had on the work of the Disability Council? Should their role be refocussed, and if so how?

The Disability Council's work in relation to the NDIS should be proportional and focused towards feedback to Government

We understand that the Council has been committing their limited resources towards work relating to both the NDS and the NDIS. We do not know the nature of the work being undertaken by the Council at this time, or the hours that have been allocated to this work especially as regular engagement between the Council and the disability sector has fallen off as of late.

Given the limited information that we have, we can only comment that the Council has a broad range of functions and given its limited resourcing and the small proportion of persons with disability that are eligible for NDIS, we would be concerned if the NDIS were a main focus. It is appropriate that the Council provide feedback to Government in relation to the NDIS proportionate to the limited number of persons with disability who are covered under the NDIS.

Question 11:

Do the provisions relating to membership of the Disability Council NSW remain appropriate? If not, what should the membership consist of?

Care should be taken to ensure broad representation of persons with disability

PDCN suggests that the member provisions do not ensure true representation of people with disability – or even NSW generally. Whilst we do not doubt the commitment of those appointed towards improving the lives of those with disability, we feel that there needs to be additional criteria around appointment of Council members to ensure that the diverse nature of the disabled community across NSW is represented.

Membership must align with s5 of the Act and address regional variations in lived experiences of persons with disability

PDCN recognises that the Council currently includes representatives from the CALD communities and regional areas, however we would like to see those groups of persons identified as having particular needs in s.5 of the Act legislatively prescribed.

The provisions around membership set out in s.16 also need to be adjusted to address the urban/regional variations in the lived experience of persons with disability – we would suggest a ratio of urban to regional members be prescribed.

Members must have knowledge and expertise within the disability space

At the same time, we note that the current requirements around membership are that members are required to be:

- *members of, or persons employed by, organisations concerned especially with the interests of people with disability,*
- *and other persons with appropriate skills and experience in matters relevant to the interests of people with disability.*²²

We would submit that the provisions on membership should be reviewed to ensure that the Council is able to honestly represent the interests of those with disability. We consider that currently s16, specifically s.16(2)(a) which allow *members of organisations concerned especially with the interests of persons with disability* and 16(2)(b) which allows other persons with *appropriate skills* to be appointed makes the bar for membership too low.

PDCN submits that only persons who have a lived experience of disability themselves or those working within the disability sector have the necessary skills and knowledge to be appointed as representatives.

Appointment to the Council should be transparent and by election by persons with disability or disability advocacy organisations

At the same time, we expect the Disability Council NSW to act as champions for persons with disability. We would like to see the best calibre of applicant appointed through a robust, competitive process. To this end, we are concerned that the appointment process is not transparent. The majority of persons with disability which we spoke with for the purposes of this submission did not know about the Council or how they might seek to become a Member.

Likewise, PDCN would argue that the Council is not truly representative of people with disability, since people with disability are not actively involved in the appointment of Council members. The

²² *Disability Inclusion Act 2014* (NSW) op. cit. s.16(2).

election of the Disability Council needs to be a more rigorous and robust process. We consider that candidates should be subject to a ballot process, or at least have their applications endorsed by people with disability or disability advocacy services.

Recommendation 27:

That s 16 (2)(a) be amended to read:

“Persons employed by organisations concerned especially with the interests of people with disability”; and (2)(b) be removed from the Act.

Recommendation 28:

That a provision be added within s.16 for persons identified in s.5 (ATSI, CALD and women (and LGBTIQ)) be reflected in the Council membership

Recommendation 29:

That a provision be added within s.16 for a proportion of membership to consist of persons from regional areas

Recommendation 30:

That the majority of the Disability Council be appointed, via a vigorous community election process, subject to ministerial approval and a smaller portion (e.g. three positions) be elected by disability peak organisations (again, subject to ministerial signoff)

Question 12

What, if any, role do Parts 4 and 5 of the Disability Inclusion Act 2014 play since the rollout of the NDIS in NSW? Are there any elements that should be retained, and if so, why?

Whilst PDCN recognises that Parts 4 and 5 of the Act were drafted as interim provisions during the rollout of the NDIS we have grave concerns regarding their removal from the Act without an audit of what supports and services have been covered under these parts of the Act, whether these supports and services still exist in any sense, and whether removal of Parts 4 and 5 would leave people with disability in adverse situations. Noting that the NDIS rollout has not been without difficulties there, we would argue that retaining these provisions at this stage is to no detrimental consequence and that a cautious and measured approach is require in this circumstance.

Notwithstanding this, if the Government intends to remove Parts 4 and 5, we propose the following:

Section 37 to be retained and expanded

We consider that it is imperative that s. 37 is retained. This section allows for the provision of financial assistance, and is distinguished from the remainder of Part 5 in s.23(3):

(3) Financial assistance under this Part, other than section 37, is only to be provided during the transition to the National Disability Insurance Scheme.

Section 37 is a necessary catch all, granting the Secretary broad general powers to provide financial assistance at his or her discretion, subject to whatsoever condition as the Secretary considers appropriate.

To remain as generalist as possible, PDCN would seek the refinement of s. 37 to read:

*(3) The Secretary may provide financial assistance to a government department, local council, an **individual** or any other entity for the purpose of promoting the interests, **objects and principles** of the Act*

Together with this, we seek to have disability service providers and disability advocacy services specifically referenced in the Act's definitions under s.7 as 'eligible entities.'

Section 37 should also be expanded to provide that conditions around the provision of financial assistance are to be provided in a duly executed funding agreement and a right to review should be provided in instances where the Secretary seeks to withdraw financial assistance due to alleged breach of terms.

Recommendation 31

That Parts 4 and 5 be retained subject to an audit to ensure that their removal will not result in a withdrawal of services to persons with disability

OR

Recommendation 32

That section 37 be retained and expanded to read as follows:

(3) The Secretary may provide financial assistance to a government department, local council, an individual or any other entity for the purpose of promoting the interests, objects and principles of the Act

Recommendation 33

That disability service providers and disability advocacy organisations are specifically referenced under s. 7 of the Act as eligible entities

Recommendation 34

That provisions be added to the Act to expand on section 37, namely, that a provision be included that sets out that the provision for financial assistance under s 37 is to be embodied within a duly executed funding agreement; and

That entities in receipt of financial assistance are able to access a right to review in instances where the Secretary seeks to withdraw financial assistance for alleged breach of conditions.

Concluding comments

The Disability Inclusion Act represents a significant step forward in recognising that people with disability have a right to participate in society and to exercise choice and control in how they live their lives and represents a much needed shift in how society perceives people with disabilities. Its value as a vehicle for driving the NSW Government towards improving access for persons with disability across all aspects of society cannot be discounted, in spite of the fact that people with disability still struggle to access mainstream services and facilities on a daily basis

We note that the Act is still in its infancy as a piece of legislation, and good laws take time to develop. PDCN considers that the Disability Inclusion Act represents a good scaffold on which a robust, person-centred disability sector can be developed, subject to some refinement, of both the Act; and the mechanisms it creates. We consider that these refinements must be made if we are sincere as a

State to contributing towards meeting Australia's commitments under the United Nations Convention on the Rights of Persons with Disability.

Inclusion of persons with disability is the responsibility of society as a whole.

We have seen a readiness across government to work towards creating a society that values equality for, and inclusion of people with disability consistent with the UNCRPD. We would submit that it is time to expand this responsibility further and remove the arbitrary boundaries that still exist for persons with disability in recognition of the fact that people with disability deserve the right to access all spaces and all services within the community.

At the same time, true commitment to the inclusion of people with disability must involve persons with disability at all stages of planning and evaluation. People with disability deserve a right to participate in decisions that impact their lives and both people with disability and their advocates deserve a 'seat at the table'.

Lastly, but equally important, we would expect all mechanisms created under the Act, including the DIP and the DIAPs, to be accountable to the disabled community through accessible reporting frameworks, reportable targets and key performance indicators *based on tangible improvements to the lives of persons with disability*.

Basing success on the completion of projects is meaningless if the projects don't increase inclusion, and this can only be determined through community feedback.