



Advocacy for
Disability
Access and
Inclusion Inc.



ADVOCACY

INCORPORATING ADVOCACY
IN YOUR WORK AS A
DISABILITY PROFESSIONAL

We'd like to begin by acknowledging the Traditional Owners of the land on which we meet today, the Kurna people.

We would also like to pay our respects to Elders past and present.



Learning Outcomes

By the end of the session, participants will be able to:

1. Define the various forms and role of disability advocacy and their goals.
2. Identify how advocacy functions can be incorporated into work as a disability professional.
3. Identify at least three key ethical dilemmas involved in advocacy work.
4. Find ways to separate what an individual says they want from what we think they want and how to cover both bases.
5. Work ethically as an advocate on behalf of individuals and families whilst maximising the voice of the individual themselves
6. Use strategies to forge alliances with professionals who may appear to take an opposing stance.

Overview of Program

Welcome and Acknowledgement

Learning Outcomes, Definitions, Confirm Process

Brief presentations

The Advocacy Framework & Advocacy Models

Specific Ethical Considerations in Advocacy Case Studies

Dilemmas from the floor

Workshop by next group and pass back

Group Discussion & Selection of one key dilemma

Closing and Evaluation

DEAI Website & Advocacy

1. Direct Education and Development of your clients

Undertaking developmental and functional behavioural assessment

Developing and implementing positive behaviour support programs

Teaching functional life skills including social, communication, self-care, daily living, recreation, and employment

Assisting people with a disability to set and attain individual goals

Facilitating self-advocacy and / or advocate on behalf of people with disabilities

Supporting individuals with disabilities to transition to, access and maintain meaningful vocational experiences

DEAI Website & Advocacy

2. Working with
third parties to
get the best
quality of
education &
development

Promoting the physical and emotional well-being of people with disabilities

Developing and implementing positive behaviour support programs

Providing case management, specialist support coordination, and counselling supports to people with disabilities

Working and liaising with families, service providers, allied health professionals, and community members to enhance the choice, social inclusion and quality of life for people with disability

Facilitating self-advocacy and/or advocate on behalf of people with disabilities

Helping families, caregivers and individuals with disability understand the impact of disability on a person's daily functioning

Question?

WHAT DO
YOU
UNDERSTAND
ADVOCACY
TO MEAN ?

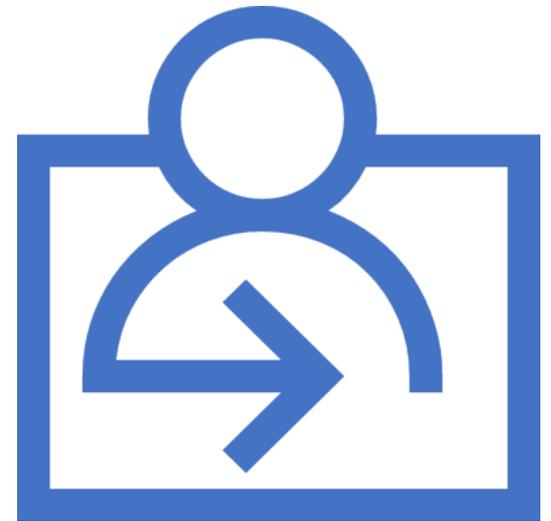
ADVOCACY

In broad terms,
advocacy is
speaking, acting
or writing on
behalf of a
person or group.

ADVOCACY

Representing the concerns and interest of consumers and carers, speaking on their behalf, and providing training and support to enable them to represent themselves.

(National Mental Health Plan)



Types of disability advocacy commonly referred to are:

Self advocacy – undertaken by someone with disability who speaks up and represents themselves. Support and training for self-advocacy is available through community-based groups.



Individual advocacy – a one-on-one approach, undertaken by a professional advocate, relative, friend or volunteer, to prevent or address instances of unfair treatment or abuse.



Group advocacy – involves advocating for a group of people with disability, such as a group of people living in shared accommodation.

Types of disability advocacy commonly referred to are:

Citizen advocacy – where community volunteers advocate for a person with a disability, such as an intellectual disability, over the long-term, supported by a Citizen Advocacy organization.

Systemic advocacy – involves working for long-term social changes to ensure the collective rights and interests of people with disability are served through legislation, policies and practices.

Legal advocacy – where a lawyer provides legal representation in the justice system, pursues positive changes to legislation, or gives legal advice to people with disability about discrimination and human rights.

What is advocacy?

(in a disability context)

Providing	Providing information to people with disability about their human rights and identifying instances of discrimination
Assisting	Assisting people with disability to uphold their rights by speaking with and writing to people and organisations to raise awareness of problems and seek solutions
Helping	Helping people with disability negotiate complaints processes or legal action to enforce their human rights
Writing	Writing submissions and lobbying government to make changes that promote and protect the rights of people with disability
Campaigning	Campaigning for social change by speaking to the media to raise awareness and highlight situations where people with disability are treated unfairly

Why Advocate?

Today, over 4 million Australians with disability still face many barriers and further significant change is needed to ensure they enjoy the same rights and freedoms as other people.

Disability advocacy continues to promote equal opportunity for people with disability to participate in all areas of life including:

Safety – More than 70% of women with disability have been victims of violent sexual encounters at some time in their lives and a staggering 90% of women with an intellectual disability have been subjected to sexual abuse.

Employment – 53% of people with disability of working age are in the labour force, compared with 83% of people without disability. People with disability have nearly twice the unemployment rate of those without disability.

Education – 36% of people with disability of working age have completed high school, compared with 60% of people without disability.

Health – 35% of people with disability report poor or fair health compared with 5% of people without disability.

Income – The relative income of people with disability in Australia is approximately 70% of those without disability. As a result, people with disability are more likely to live in poverty.

Why Advocate?

Developmental Educators are committed to fully inclusive consultative practices, which includes ensuring outcomes and processes are accessible to clients, families, advocates and relevant others.

(Developmental Educators Australia Inc.)

National Disability Advocacy Program (NDAP)

The policy and implementation of the NDAP is guided by the principles and objectives of key legislation, conventions, agreements and frameworks, including but not limited to:

- The United Nations Convention on the Rights of Persons with Disabilities
- The National Disability Strategy
- The National Disability Agreement
- The National Disability Advocacy Framework
- The *Disability Services Act 1986* (DSA)

South
Australia
NDAP
(Agencies)

Advocacy for Disability Access and
Inclusion Inc (ADAI)

Brain Injury Network of South Australia Inc

Citizen Advocacy South Australia Inc

Disability Advocacy and Complaints
Service of South Australia Inc (DACSSA)

Disability Rights Advocacy Service Inc

Independent Advocacy SA Inc

Question?



What do you think are some of the key legal & ethical issues/considerations in advocating?

Key Legal & Ethical Issues

Mandate to Act

Consent & Capacity

Rights & Responsibilities

Duty of Care vs Dignity of Risk

Privacy vs Confidentiality

Conflict of Interest & Boundaries

Planning, Preparation & Documentation

Mandate

Permission to Act

Mandatory Reporting

Recognition of Role

Agreement about how you will advocate

Ideally advocacy involves a conscious choice on the part of a person. It usually happens because a person feels their rights are being violated and decides to act for themselves (self advocacy) or have someone, such as an advocate, act for them.

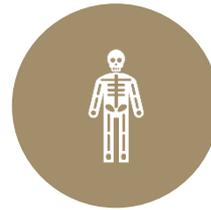
The advocate's authority to act (legitimacy) comes directly from the person with disability asking the advocate to take certain actions on their behalf.

The Role of Advocacy Services in the Tasmanian Disability Sector

Consent & Capacity



Informed and Effective Consent



Ethical = Basic Human Right
–A person has all the freedom to decide what should or should not happen to them



Legal = No-one has the right to ever touch, treat another person or act without permission. To do so is classified as “Assault”



Consent = Mutual Agreement - between two or more parties to treat, touch or act for them.

In certain circumstances someone else can consent on their behalf.

Rights & Responsibilities



Rights & Responsibilities –
Advocacy



Identification of Rights &
Information about Rights



Interpreting legislation, laws,
policies and documents



Supporting Evidence

Duty of Care vs Dignity of Risk

Best Interests vs Expressed Wishes

Do you think DEs have a responsibility/right to advocate for an individual whose best interests or expressed wishes are compromised?

Factors you may want to consider.



ADVANCE
DIRECTIVE



PROFESSIONAL
INFLUENCE



YOUR "DAY IN COURT"
(GETTING IT OFF YOUR CHEST)



Privacy Act 1988 (Cth) –
Sensitive Information



Freedom of Information



Confirmation of Identity



Authority to Disclose

Privacy &
Confidentiality

Policies, Procedures
& Protocols

Codes of Conduct

Professional Ethics

Personal Ethics

Job Role

Service Criteria and
Agreements

Conflict of Interest & Boundaries



ACCURACY
RELEVANCY
CURRENCY



RESEARCH – VALIDITY



ORDERED &
SEQUENCED



APPROPRIATE
FORMATS



CROSS VALIDATION/VERIFICATION



EVIDENCE BASED
PRACTICE

Planning, Preparation & Documentation



Define the Boundaries



Promote client/group independence



Take time to prepare, document and debrief



Seek supervision and support



Review and reframe your work



Maintain integrity, honesty and professionalism



Work within your legal and ethical boundaries

Meeting the Challenges of Advocacy

(Jen Cousins)