



9 Chippendall Street, Milton Q 4064
phone 07 3369 2500 fax 07 3369 2511
email info@amparo.org.au
ABN: 56 876 279 925

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The Hon Jenny Macklin MP
Minister for Families, Community Services and Indigenous Affairs
Minister for Disability Reform
Parliament House
CANBERRA ACT 2600

Dear Minister

RE: Additional barriers experienced by people with disability from non-English speaking backgrounds (NESB) and measures that will need to be implemented to ensure equitable access and participation in DisabilityCare Australia.

AMPARO Advocacy welcomes the opportunity to provide our views on how best to support people from a NESB with disability to equitably access and participate in DisabilityCare Australia.

AMPARO Advocacy is a non-profit community organisation which provides independent, individual and systemic advocacy, on behalf of vulnerable people from a non-English speaking background (NESB) with disability. AMPARO is governed by a voluntary management committee, the majority of whom are people from a NESB with disability and we are funded by the state government Department of Communities, Disability Services.

We advocate for vulnerable people, for whom language and/or cultural differences make it difficult to understand and negotiate systems and services and whose fundamental needs are not being met. AMPARO Advocacy believes that language and culture are important, however current disability service systems, do not always respond well to the needs of people from non-English speaking backgrounds with disability. In the course of providing individual advocacy we become aware of significant systemic barriers that impact negatively on the lives of people from a NESB with disability and prevent them from having equitable access to services, supports and information.

According to the Census of 2011, 9.8% of Queenslanders speak a language other than English at home. However preliminary figures from Disability Services Queensland NMDS Data for 2011-2012 show that only 2.75% of those receiving assistance from a disability service, come from a home where a language other than English is spoken a home. **In 2007 this figure was 2.5%, which shows little improvement over the past four years and confirms the continued disparity between the proportion of people from an NESB accessing disability services, compared to those from English speaking background.**

The DisabilityCare Australia Agency will need to undertake additional measures to ensure equitable access to DisabilityCare Australia by people with disability who are disadvantaged by the current disability service systems, including Aboriginal and Torres Strait Islanders and people from culturally and linguistically diverse backgrounds.

Additional barriers that restrict access to services and supports for people from a non-English speaking background with disability and recommendations to address these.

1. Lack information about rights, entitlements and the availability of services.

AMPARO Advocacy's work with migrants and refugees with disability and their families has shown that they often have limited understanding or awareness of their rights or entitlements in Australian society. In addition they are often unaware of the services and supports that may be available, and language and or cultural differences can make it extremely difficult for them to understand and negotiate service systems.

Few community or government services actively promote their services to culturally and linguistically diverse communities; having translated information on a website is inadequate.

Recommendations:

- (i) Promote DisabilityCare Australia and all key aspects of this new system of support to culturally and linguistically diverse Communities through culturally appropriate targeted strategies to ensure awareness of the scheme and its benefits.
- (ii) Undertake educational campaigns in community languages to demystify and de-stigmatise issues of disability and inform people of their rights, including the right to access DisabilityCare Australia.
- (iii) Work with bi-lingual educators to provide face to face information about how to access and participate in DisabilityCare Australia.
 - This can be an effective means to ensure people with disability and their families understand and know how to negotiate what will be a new and quite complex system.
- (iv) Provide individual case management support for individuals with disability from CALD backgrounds who require additional support to negotiate this new national system.
- (v) *“Support the role of advocacy in representing the interests of people with disability”*¹ by a commitment to increase funding to independent individual and systemic advocacy to represent the rights and interests of vulnerable individuals from a NESB with disability.

¹ The Parliament of the Commonwealth of Australia, House of Representatives, National Disability Insurance Scheme Bill 2012(P.7)

2. Failure to provide access to professional interpreters

High Quality Language Services that are supported by culturally responsive service systems are essential to fulfill the principles of equitable access, social justice and social inclusion for people from a non-English speaking background.

Access to professional interpreters is critical to ensuring that people who are not proficient in English are able to understand information, make informed decisions, communicate their needs, and can take advantage of opportunities to fully participate in DisabilityCare Australia.

Queenslanders with disability from a NESB do not have equitable access to services and supports due to a lack of cultural competency of the services system, and the limitations of a separate and inferior interpreting service.

In Queensland a separate interpreting service has been established to meet the needs of people with disability accessing state funded disability services. Unfortunately this service is limited in hours of operation, difficult to access and inefficient in its response due to funding restrictions. AMPARO Advocacy continues to question the existence of a separate interpreting service for Queenslanders with disability, given that this service is less accessible, and less effective than that provided to all other Queenslanders accessing state funded services.

In 2011 a survey of 131 community services in Queensland, also showed that over one third of respondents were unaware that they were entitled to access fee-free interpreting services to communicate with their clients². Therefore while the **potential** to access professional interpreters has increased for Queenslanders evidence suggests many government and non-government services are still not providing this service to clients who require it.

The reasons for this are twofold:

- (i) There is a lack of cultural competence within service systems, where staff lack the knowledge and skills to respond effectively to the language and cultural needs of their clients. This includes knowing when and how to access and work effectively with professional interpreters.
- (ii) The Queensland Government failed to provide an increase in budget for State Departments to effectively implement the Language Service Policy and to meet the costs of providing access to professional interpreting services.

Access to free professional interpreting services will be necessary for people with disability and their family members who are not proficient in English, to participate at all levels of DisabilityCare Australia.

AMPARO Advocacy is concerned that the costs of accessing interpreters is not shifted to individuals under the new system, and strongly supports that this obligation remains the responsibility of Federal, State and Territory governments.

² Queensland Accessing Interpreters Working Group October 2012, *Still a Matter of Interpretation*, Qld Council of Social Services.

Recommendations:

- (i) Governments across Australia must work together to address structural systemic barriers, such as, the failure to provide access to professional interpreters, that will seriously impact on the effective participation of people with disability from culturally and linguistically diverse backgrounds in DisabilityCare Australia.
- (ii) The Queensland Government to develop a state-wide appropriately funded interpreter service to provide fee-free interpreting services to state government and community organisations in Queensland. This type of service has wide community support.

3. Lack of culturally competent service provision

For people with disability from CALD backgrounds who choose to access specialist disability services, it is crucial that these services develop cultural competence at the level of the individual worker and throughout the organisation.

Cultural competence service provision requires at a minimum that services:

- Develop knowledge and understanding about a person's specific culture, values, beliefs and life experiences
- Know how to work effectively with professional interpreters and have policy and procedures in place to guide best practice
- Recognise the need to allocate additional time to work with people who may need access to interpreters
- Promote their services by undertaking outreach programs to ensure the cultural diversity of service users is reflective of the community in which they operate.
- Include a cultural competency audit as part of an annual organisational self-assessment

AMPARO Advocacy has long expressed our concern for the lack of direction provided to Queensland disability service providers by the Quality Management System in identifying best practice strategies for improving access to services and supports for people from diverse cultural and linguistic communities.

One means of supporting the development of cultural competence in service provision is by improving the **National Disability Quality Management System** so that it identifies best practice strategies for increasing access to specialist disability services for people from diverse cultural and linguistic communities and by developing additional indicators under relevant Standards to support best practice.

In late 2008 in a consultation by the Queensland Department of Communities with African community groups, the Department was informed by members of those communities present that the provision of information in face to face sessions was the preferred method of communication when providing information about programs and services to these communities. This advice was not heeded and AMPARO Advocacy is unaware of any information being provided by Department of Communities or Disability Services in this manner to African community groups.

AMPARO Advocacy strongly supports culturally appropriate initiatives that will strengthen and increase the capacity of people from a NESB with disability to access and participate in DisabilityCare Australia.

Recommendations:

- (i)** Promote the DisabilityCare Australia to culturally and linguistically diverse communities through culturally appropriate targeted strategies to ensure awareness of the scheme and its benefits.
 - Advice should be sought from culturally and linguistically diverse community members to identify which approach is likely to be most appropriate.
- (ii)** Require registered providers of specialist disability services to:
 - Develop and implement an engagement plan with the multicultural sector and community groups from CALD backgrounds
 - Engage with individuals with disability and families from culturally and linguistically diverse communities in the development of policies and services.
- (iii)** Improve the National Quality Assurance Standards for Specialist Disability Services.
 - Develop new performance indicators for each Service Standard to address access and equity issues and enhance the cultural competence of organisations and ensure these indicators become part of the external certification process.
 - Evaluate the cultural competence of community organisations as part of the external certification process.
- (iv)** Ensure registered providers of specialist disability services comply with prescribed quality assurance standards and procedures.

Some people with disability from a NESB may also choose to manage and direct their own supports.

Under DisabilityCare Australia people with disability from a NESB (with the assistance of a family member where they have impaired capacity), will be able to manage their funding and choose and direct their own supports so that these are culturally appropriate and responsive to their needs. One small example of this would be where a person with a disability may choose to employ bicultural workers to provide direct supports, someone who can speak their language and who are from the same cultural background.

4. Inadequate Data Collection

To monitor participation rates of people with disability from a NESB and evaluate strategies aimed at achieving increased access to the DisabilityCare Australia it is fundamentally important to develop appropriate data collection and analysis mechanisms.

Recommendations:

- (i) Develop effective general data collection and analysis tools to influence policy change and to plan for appropriate services, for example, Interpreter services, in line with the call from the Human Rights and Equal Opportunity Commission³.
- (ii) Improve data collection by including additional data items to the National Minimum Data Set (NMDS) to include:
 - the main language spoken at home,
 - proficiency of spoken English for individual and key family members,
 - preferred spoken language,
 - country of origin and
 - country of birth⁴

5. Issues of Disparity

AMPARO Advocacy strongly supports inclusive initiatives that will strengthen and increase participation rates of people from a NESB accessing culturally responsive services. To address issues of disparity the DisabilityCare Australia Agency should implement the following strategies.

Recommendations:

- (i) Establish targets for participation rates of people with disability from a CALD background in DisabilityCare Australia.
- (ii) Undertake research and evaluation of the scheme and monitor the participation rates of people with disability from CALD backgrounds.
- (iii) Investigate, consult and develop specific targeted strategies in regional and remote areas to overcome barriers associated with remoteness for people from a non-English speaking background with disability.

³ Human Rights and Equal Opportunity Commission, *On the Sidelines, Disability and People from Non-English speaking background Communities*, (2000).

⁴ AMPARO Advocacy, *LANGUAGE AND CULTURE MATTER: REMOVE THE BARRIERS NOW. Addressing the needs of people from a non-English speaking background with a disability*, (2007).

6. Lack of educational campaigns to address myths, misconceptions and negative stereotypes about disability generally.

“Prejudicial attitudes and misconceptions regarding disability that are present in the broader society are just as evident in non-English speaking background communities.”⁵ Cultural explanations concerning why a disability occur can determine how well or poorly individuals with disability are treated in any society and explanations for why a disability occurs differ from culture to culture.

The comment by the Human Rights and Equal Opportunity Commission in the year 2000, that educational campaigns to promote the rights and availability of services were generally in English and that there was a lack of educational opportunities to demystify and de-stigmatize issues of disability and to raise expectations or a vision of a good life, is still very relevant in 2013.⁶

Recommendations:

- (i) Undertake culturally appropriate educational campaigns in community languages aimed at de-stigmatising negative stereotypes of people with disability generally and to inform people of their rights.

AMPARO Advocacy would like to thank the Hon. Jenny Macklin MP for providing this opportunity to highlight the many challenges people with disability from NESB experience when trying to access services and supports for people with disability. The future implementation of the DisabilityCare Australia across the Nation has enormous potential to improve the lives of people with disability from a NESB whom we represent. Given that AMPARO Advocacy was unable to attend the consultation held on the 12th March in Canberra at Parliament House that was organised by NEDA in conjunction with the National Disability Carer Alliance, the opportunity to provide this information is very much appreciated.

Yours sincerely



Maureen Fordyce

Manager

⁵ Human Rights and Equal Opportunity Commission, *On the Sidelines, Disability and People from non-English speaking background communities*, (2000).

⁶ Human Rights and Equal Opportunity Commission, *On the Sidelines, Disability and People from non-English speaking background communities*, (2000).