



THE LAW SOCIETY  
OF NEW SOUTH WALES

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17 September 2020

Mr Michael Tidball  
Chief Executive Officer  
Law Council of Australia  
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By email: [sarah.swan@lawcouncil.asn.au](mailto:sarah.swan@lawcouncil.asn.au)

Dear Mr Tidball,

### **National Disability Strategy – Stage 2 Consultations**

Thank you for the opportunity to contribute to a Law Council submission to the Department of Social Services in relation to Stage 2 Consultations for a new National Disability Strategy.

The Law Society supports an update and extension of the National Disability Strategy 2010-2020 (the current Disability Strategy) to reflect the challenges of 2020 and continue to guide government policy toward greater inclusion of people with a disability.

The Law Society has prepared the following comments with input from our Diversity and Inclusion Committee.

- 1. During the first stage of consultations we heard that the vision and the six outcome areas under the current Strategy are still the right ones. Do you have any comments on the vision and outcome areas being proposed for the new Strategy?**

#### Vision

The vision under the new Strategy is currently proposed as:

*An inclusive Australian society that enables people with disability to fulfil their potential as equal members of the community.*

We suggest rewording along the following lines, to recognise that potential is informed and inspired by aspiration:

*An inclusive Australian society that enables people with disability to fulfil their **aspirations and** potential as equal members of the community.*

#### Outcomes

In our view, workforce participation is key to economic security and results in greater social inclusion. Emphasising workplace participation serves to highlight to government,

businesses and the community that employment is a realistic and achievable goal for people with a disability. We suggest changes to Outcome 1 along the following lines:

*Economic security and workforce participation.*

## 2. What do you think about the guiding principles proposed here?

In relation to the principle of 'Address barriers faced by priority populations', we note that 'priority populations' are not defined in the current Disability Strategy, nor in the new Disability Strategy. We suggest the following groups be included in the formation of priority populations:

- Aboriginal and Torres Strait Islander People;
- National Disability Insurance Scheme Participants (being the 10-15 per cent of disabled people living with a permanent and significant disability); and
- Women and girls, particularly within the aforementioned groups.

### Additional principles

We suggest the inclusion of a principle along the following lines to integrate national strategies such as 'Change the Story: a shared framework for the primary prevention of violence against women and their children in Australia'<sup>1</sup> and Respect@Work: Sexual Harassment National Inquiry Report (2020)<sup>2</sup>:

***Protect from harm:** is the approach to the policy, process or program trauma-informed and in line with principles that promote gender equality and prevent violence against women and their children?*

We further suggest the inclusion of a principle that promotes accountability and compliance, such as:

***Accessible, accountable and productive:** is monitoring of the progress of the policy, process or program taking place to ensure compliance with objectives?*

## 3. What is your view on the proposal for the new Strategy to have a stronger emphasis on improving community attitudes across all outcome areas?

The Law Society supports a stronger emphasis on improving community attitudes, as attitudes inform behavioral change. We suggest the adoption of clear language and positive duties to motivate a shift in community ideas toward people with a disability.

## 4. How do you think that clearly outlining what each government is responsible for could make it easier for people with disability to access the supports and services they need?

The Law Society supports clarity of government responsibility for access to services for people with disabilities. We further suggest governments show a commitment to diversity through their recruitment practices and hiring people with disabilities (particularly from priority populations), as this may positively contribute to a change in attitudes in relation to employing people with a disability in non-government organisations and business.

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<sup>1</sup> Australia's National Research Organisation for Women's Safety (ANROWS), Our Watch, VicHealth, *Change the Story: A shared framework for the primary prevention of violence against women and their children in Australia* (2015).

<sup>2</sup> The Australian Human Rights Commission, *Respect@Work: Sexual Harassment National Inquiry* (2020).

**5. How do you think the Strategy should represent the role that the non-government sector plays in improving outcomes for people with disability?**

The Law Society encourages the inclusion of disability diversity goals in social responsibility objectives of non-government organisations. We additionally suggest incentivisation strategies be developed by governments to encourage inclusivity in the non-government sector. For example, a diversity criterion could be a requirement to be eligible to engage in government contracts, a public star rating system for diversity could be developed, and/or tax breaks.

**6. What kind of information on the Strategy's progress should governments make available to the public and how often should this information be made available?**

The Law Society suggests information be made available annually, as government reporting is fundamental to transparency and accountability.

We suggest providing the following detailed employment information, classified by gender and age:

- percentage of people with disability in priority populations applying for government roles;
- percentage of people with disability who require recruitment process adjustments;
- percentage of people with disability who were satisfied with the provision of recruitment adjustments;
- percentage of people with disability who are employed in a government role and have workplace adjustments; and
- information about the experiences of people with disability with government recruitment processes and staff.

**7. What do you think of the proposal to have Targeted Action Plans that focus on making improvements in specific areas within a defined period of time (for example within one, two or three years)?**

The Law Society supports the action-oriented approach to implementing Targeted Actions Plans, with a time frame of one to two years. A shorter time frame is preferable as many of the improvements, such as economic security and shifting community attitudes, are immediate priorities.

Should you have any questions or require further information about this submission, please contact Stephanie Lee, Policy Lawyer, on (02) 9926 0272 or email [stephanie.lee@lawsociety.com.au](mailto:stephanie.lee@lawsociety.com.au).

Yours sincerely,



Richard Harvey  
**President**