

**A.C.E. National Disability Conference  
Gold Coast  
30<sup>th</sup> September 2009.**

**Recognising human potential and empowering  
through service and advocacy (O'head 1)**

**I come to speak to you this morning as a person who has been an advocate for those who have been disadvantaged or discriminated against by Australian society.**

**Your work, as part of Australia's national disability employment network, is a critical part of our country's commitment to act justly and to ensure equity in accessing employment opportunities.**

**It is an important part of the challenge we face today in the recognition and protection of human rights in this country.**

**The questions that you wish to address in this national gathering are clear: (Overhead 2)**

- How can you best strengthen the capacity of your sector to act as advocates?**
- How can you bring about change for jobseekers with disability and the services that support them?**
- How do you go about strengthening the voice of your sector in a time of change and great challenges?**

**These will be the questions that you grapple with throughout the three days of your gathering here.**

**What I seek to present to you this morning as you begin these deliberations is this: (Overhead 3)**

- **The importance of recognising the potential of those with whom you work, and**
- **The ongoing need to empower those with whom you work.**

**How do you go about doing this?**

**It is my belief that you can best do this through strengthening the relationship between your direct services as an employment network and the role of the sector to act as advocates of change.**

**I was led to learn this lesson many years ago, after working, as many of your agencies do, in the day to day challenges of meeting the needs at the individual or local level.**

**I remember visiting Pentridge Prison for the first time, as a recent graduate of social work from the University of Melbourne.**

**It was 1976 and I was there as a volunteer with the St Vincent de Paul Society, and I was assigned to visit the young offenders section, J-Division. There were over 100 young men locked up in that division from the age of 17 – 21 and they slept in four large dormitories. They were locked in at 4 pm in the afternoon, having completed their evening meal, and were released from the dormitory at 8 in the morning, after 16 hours. Only one officer was on duty overnight, in a central observation post.**

**Then as now many of those in prison have a disability, whether it be an intellectual disability, a physical disability, or more commonly a mental health disability. There was a definite pecking order among the group, and it became most marked afterhours, when the vulnerable were preyed upon, with little supervision or external control.**

**My role was a practical one, in communicating with family members (tell Mum I got here ok and I'm alright) or arranging somewhere to go (I'm getting out next week and don't have a place to live).**

**One frightened young man, with much reticence, at the end of the line finally confided in me that he had been raped by several others the night before.**

**I arranged for a transfer to another section where he got a private cell. He was seventeen, convicted of car theft and spent much of the next twenty years in and out of prison, with a serious addiction and a string of armed robbery convictions. You could say the result of trauma from that experience as a teenager in Her Majesty's prison.**

**What was a seventeen year old boy doing in an adult prison? I asked that question many times over the next 25 years, until finally after much agitation and lobbying and discussion with government ministers and facilitation of media stories, we managed to change the legislation that made it possible for 17 year olds in Victoria to be placed in adult prisons.**

**Victoria came into conformity with rest of Australia and with the United Nations Covenant on the Rights of the Child (Section 37c) that children in detention should be separated from adults, unless it was in the best interests of the child not to do so.**

**How do you go about responding to the systemic issues that your direct service delivery identifies so as to bring about organisational change or public policy change that respects the interests of the people you are working with?**

**How do you empower those who participate in your employment programs to act as the voice for so many others whose needs are not recognised or catered for by existing government programs or services?**

**Over the years, so many times we have hosted visits by senior government officials or political representatives, or visited their offices in Melbourne or Canberra and the talk is professional jargon and the public servant or politician just moves on to the next appointment, unmoved, unmotivated to make any change.**

**But when they come face to face with the concrete reality expressed directly by the person or group experiencing the disability or social need, you can just sit back and watch the change process come into action!**

**I recall getting the Federal Minister for Immigration outside of his office several years ago to meet on the Richmond Public Housing Estate one family of the hundreds of East Timorese families who were being threatened with deportation back to East Timor, at the time of independence.**

**The Government at the time suggested that, well, of course, they should go back home, now that there was no threat of further violence from the Indonesian military. Regardless of the fact that they had been in Australia for more than ten years, regardless of the fact that most of their children had been born in Australia, and regardless of the fact that there was no housing, no education and no employment in East Timor at that time.**

**The Minister was determined to hold to this position when he arrived, but he only pretended to hold that line as he left the meeting with this local East Timorese family, after he had spent time looking into the faces of just one of these families and realising the human impact of such a hard hearted and thoughtless policy.**

**Our strategic fall back position was to place two hundred mattresses on the floor of St Ignatius Church on Richmond Hill, where many of the East Timorese had first settled, providing sanctuary for families who had been permanent residents of Australia for more than ten years, but had not been allowed to take out Australian citizenship.**

**But we never mentioned this fall back position to the Minister...**

**It is always best to avoid such conflict, only fight a battle of this kind when you really have to. The Minister's meeting with this one family was an easier and less confronting strategy and it worked!**

## **Methods of Empowerment:**

**(overhead 4)**

**Employment, of course, like access to education, is one of the most empowering experiences that we can provide as a community. Through education, and through employment, we enable individuals to truly discover their human potential.**

**But let me say something about the qualities of our service and the characteristics of our organisations and how we relate to government, and how we relate to one another.**

**You do not need me to outline for you the tensions that exist around the implementation of national labour market programs.**

**Nor do you need me to itemise the danger of the community sector becoming simply an arm of government in the provision of services. Government will always seek to control that relationship but the relationship must remain a partnership, a true partnership.**

**In the community services sector, it is my observation that many of the service delivery agencies have lost the fire in the belly, because of a loss of their own identity, moving too close to government, losing their independent critical and creative edge.**

**God knows that programs can only be effective if there is room for creativity and innovation and good collaboration between the community partners themselves.**

**If you see yourselves as simply competitors, rather than collaborators with one another, then there is a risk that the interests of your organisation may be being placed before the interests of those you seek to serve.**

**Is there an alternative model of operation than the corporate, business model? One that has real consumer engagement and participation, not one that just uses their images in promotional material, annual reports and webpage material?**

**Are you prepared to risk a cutback of your services or a decrease in funding or the loss of a contract, in favour of telling the truth?**

**Over the years, as an administrator of a medium sized community service organisation, I always found that taking a step backwards was the most dangerous thing you could do.**

**But when you could combine your direct service delivery experience with your engagement at the policy level, you hit the mark, and you earned the respect of government and public officials.**

**Not every agency can be directly involved in such public policy work, but it is critical to understand that the information and knowledge that each of you possess from your direct service work is a priceless component of effective public policy work, whoever in the sector is given the mandate to perform this function.**

**There is power in your direct experience, and this experience can be used to advocate for better outcomes for the people you serve.**

**This is where it is important to understand the role of peak bodies and professional associations. But you need to acknowledge and to commit to the concept that it is imperative that they advocate on behalf of your services.**

**There is nothing worse than being given the role of policy representative or advocate for services and in the midst of exercising that function, whether it be in your State capital or in Canberra, hearing that one or more of your partners are getting cold feet! One in, all in! It is the only way it can work.**

## **Employment and Training:**

**When we come to consider employment and training, the situation that as providers you face today is so different from a generation ago.**

**My father worked as a tipstaff to the Chief Judge of the Commonwealth Conciliation and Arbitration Commission, Sir Richard Kirby in the late 1960's and early 1970's.**

**At that time, work was standardised, with most people working similar hours. Today few people share the same working hours and conditions.**

**The biggest single change has been the shift from most jobs being full-time, permanent jobs at award rates of pay to around a third of all jobs now being either part-time or fixed term.**

**Fixed term work, or part time work, carries with it a sense of risk and vulnerability. It is much harder in that context for an individual or a family to plan for the future.**

**So then how do we enhance the situation of the most vulnerable people in the labour market, especially those with physical or psychological disabilities, to provide as much protection as is possible in this changed work environment?**

**Around the world, in western countries at least, the labour market situation of people with disabilities is worsening and the size of the vulnerable group is increasing, as a result of intensified working time schedules and tougher competition between employers within and between countries.**

**An evaluation of the successful New Deal in Britain recently found that the number of people receiving disability benefits was still increasing instead of declining.**

**As former deputy Prime Minister, Brian Howe, said in his recent book *Weighing Up Australian Values*: (overhead 5)**

***Governments tend to focus on limiting spending rather than on finding ways of investing in people. The emphasis (should be, he suggested) on the value of investing in people: they are our society's human capital and their unrealised potential can contribute to the community. The objective of new social policies***

***should be to encourage people to realise their potential by supporting and managing risk. This has often been seen as the responsibility of individuals, but the widespread acceptance in modern societies that change is ongoing places a responsibility on society, on governments, to accept some role in helping people manage risk.***

***It is important to emphasis the underlying purpose of welfare payments for people of workforce age: they are about facilitating change, enabling people to move on from a failed relationship or from bad jobs to better jobs, and ensuring that people who suffer a disability no longer lack a sense of purpose.***

***We need to place greater emphasis on investing in capabilities that improve the way people function in society.***

**There is an overlap between the unemployment of older people and the increasing percentages of people with a disability in older age groups.**

**Two-thirds of people on the Disability Support Pension are over 45, and qualifications are on average much lower for people with disabilities, so education is vital for the older age groups.**

**An ABS survey in 1999 of education and training found that 44 per cent of people with a disability, as opposed to 29 per cent of those without a disability, had left school at Year 10 or below. (O'head 6)**

**More recently the 2003 ABS report on disability found that labour force participation for people with disabilities was 54 per cent, compared to 81 per cent for people without disabilities.**

**Bringing back disengaged, redundant, partially disabled or under skilled workers and increasing their labour participation rates, hours worked, earnings, superannuation savings and well-being trajectories, requires an integrated approach.**

**Equity considerations demand a focus on removing barriers to participation or re-entry especially when related to disability or**

age, and a willingness to invest in retraining and to adapt workplace practices to the changing capacities of workers.

There may be a need for a transition from full-time to part-time work, for example, rather than full retrenchment for such workers.

Brian Howe called for:

(Overhead 7)

***A shift in Australian social policy from welfare to risk management that would involve investing in ways to facilitate the employment of people with a disability.***

***Many OECD countries have altered the emphasis on disability policy, moving from a compensation approach towards economic integration.***

***A compensation approach is based on income security, with emphasis on benefit payments, adequacy and security.***

***An integration approach encourages employment and may involve tighter eligibility rules for benefits, and programs to offset the additional costs of hiring people with disabilities.***

***Unemployment rates for people with a disability are much higher than those for other Australians – 8.6 per cent unemployment compared with 5.0 per cent (ABS 2004).***

***Rates of employment for people with a disability in Australia, particularly those with a moderate level of disability, are low relative to other countries.***

***In the Australian Public Service, for example, the proportion of employees with a disability declined from 5.3 per cent in 1992 to 3.6 per cent in 2003 (Productivity Commission, 2004).***

***Australia has no quotas or even voluntary targets for employment of people with disabilities, whereas over one third of OECD countries have some form of quota: 6 per cent in France and 7 per cent in Italy, for instance.***

## **Current Financial Crisis:**

**(Overhead 8)**

**The current financial crisis may not appear to be impacting on Australia as much as other countries, but your national network, I believe, needs to be very vigilant.**

**Clearly we can expect to see the normal time lag between movements in economic slowdown or recession and changes in employment and unemployment rates.**

**Just as increases in unemployment did not appear until the global crisis was well underway, we can expect a time lag of between six and twelve months between changes in economic fortunes and the employment figures, particularly during the recovery phase.**

**You will recall that in the 1989-91 recession, unemployment continued to rise long after the economic recovery had begun.**

**And those who remained unemployed during those years were the young and the more vulnerable, including those with disability barriers to full employment.**

**So it is my belief that your policy representatives, your advocates with government, should be arguing strongly right now for a Federal government investment in expanding labour market policies that can directly lessen the lasting impact of this recession.**

## **Education and Training:**

**One of the important areas where the Federal Government needs to be acting right now is in the area of training, one of the best ways of making people more employable.**

**Levels of education and skills are strongly associated with rates of employment, and many people with a disability have a low level of**

**education. Vocational rehabilitation and training can be critical to securing employment, but Australia has low rates of involvement in rehabilitation and retraining. (Overhead 9)**

**The recent report of the National People with Disabilities and Carer Council, SHUT OUT, found that it was clear that people with disabilities want to work. What most lacked was not ability but opportunity. 33 per cent of the submissions received in their consultation identified difficulties with employment, often to do with employer misconceptions and misunderstandings about the needs of people with disabilities.**

**As the report said: “the concept of ‘giving someone a break’ fails to recognise the important economic benefits of ensuring skilled individuals are able to participate fully in the economy”.**

**The number of people undertaking rehabilitation each year in Australia is less than 30 per cent of the number granted a disability benefit.**

**In Norway and Denmark, in comparison, the number who undertake rehabilitation each year exceeds the number granted a disability benefit, while in Germany, Sweden, the Netherlands and the United States the number in rehabilitation programs is around 50 per cent of the disability benefit inflow (OECD, 2003)**

**A more proactive policy for Australia today would address issues of employment, rehabilitation and training by investing in people and support systems.**

**The SHUT OUT report suggested government should lead from the front, as should organisations serving and supporting people with disabilities, by increasing disability employment participation rates in their own departments and organisations.**

**Apart from education and training, wage subsidies for the disability sector may be considered as another option, but it is less likely to be effective when employers are still cutting back or freezing their staff numbers. But they should be argued for during**

**the projected recovery stage, to ensure that the long-term unemployed are directly targeted.**

**Personal Reflections:**

**(Overhead 10)**

**It is a demanding and challenging area that you work within, in the national disability employment network.**

**It is even more challenging at the present time, given your commitment to stand alongside of those seeking to participate in the job market who have to manage a disability of one form or another.**

**How can you sustain that commitment in such difficult times?**

**What I have found sustaining over the years has been to retain the images of those individuals and families I have worked closely with.... The young seventeen year old boy I mentioned, in the care of Her Majesty's Prison. The Timorese family permanently settled in Australia, facing deportation by a government directive.**

**We have a responsibility to provide a service to these individuals, but we also have a responsibility to advocate on their behalf, to work towards a more just and more equitable Australian society.**

**In conclusion, let me say this:**

**(Overhead 11)**

**It is so important that you continue to recognise the human potential of those with whom you work, those who wish to compete in this difficult labour market area, especially during the coming recovery stage of the global financial crisis.**

**While you may do this through your direct service delivery, it is also critically important that as a sector you make the commitment to the complementary role of advocating for and the empowering of those who participate in those programs.**

**Father Peter Norden, A.O.**

**Vice Chancellor's Fellow, Melbourne Law School, Uni. of Melb.**