Disability, Human Rights and Social Equity
Program and Book of Abstracts

#socialequity16
February 3-5 2016
University of Melbourne, Victoria, Australia
Cover photo attribution

Leslie Holding – Checkered Flowers, 2010 – acrylic on paper, 42 x 59 cm
The Cunningham Dax Collection

The Cunningham Dax Collection, which is part of The Dax Centre, consists of over 15,000 artworks created by people who have an experience of mental illness and/or psychological trauma.

Venue

Level 1, Melbourne Law School
185 Pelham St Carlton 3053

Contact

Anna Boyes, conference organiser
Phone: +61 3 6231 2999
Email: mail@conference-design.com.au
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Welcome

On behalf of the Organising Committee, it is my pleasure to welcome you to the Melbourne Social Equity Institute’s second biennial conference on the theme ‘Disability, Human Rights and Social Equity’. The Melbourne Social Equity Institute supports interdisciplinary research on social equity issues across the full spectrum of social life including health, law, education, housing, work and transport. The Institute brings together researchers from across the University of Melbourne to identify unjust or unfair practices that lead to social inequity and work towards finding ways to ameliorate disadvantage.

The National Disability Insurance Scheme, which is set to be rolled out in 2016, has highlighted the need for supports to be put in place for those with ‘permanent and significant disability’. At the same time, at the international level, the United Nations Convention on the Rights of Persons with Disabilities provides a framework for changing the barriers to full participation put in place by society.

This conference aims to encourage researchers from a range of disciplines to engage with persons with disabilities and Disabled Persons Organisations in order to develop, in the words of the National Disability Research and Development Agenda, ‘research which focuses on human rights, participation in community life, access to mainstream activities and services, and broader systems change’. Following an opening night cultural and arts event, a range of keynote, plenary, concurrent and poster sessions will provide opportunities for reflecting on and discussing how best to develop and support research that focuses on changing the social, economic and physical environments that currently prevent social equity for persons with disabilities.

Professor Bernadette McSherry, Conference Convener.
Conference Organiser

Conference Design is a conference management company specialising in the management of conferences, scientific meetings and international symposia. Conference Design works in partnership with associations, societies, corporate organisations and governments across all sectors, from health to education to agriculture.

Anna Boyes  Senior Conference Manager  anna@conferencedesign.com.au

Tayla Jeffery  Conference Assistant  tayla@conferencedesign.com.au
Organising Committee

Professor Bernadette McSherry – Conference Convener, Foundation Director, Melbourne Social Equity Institute

Dr Anna Arstein-Kerslake – Lecturer and Academic Co-ordinator, Disability Research Initiative, Melbourne Law School

Associate Professor Helen Dickinson – Melbourne School of Government and School of Social and Political Sciences

Charlene Edwards – Executive Officer, Melbourne Social Equity Institute

Austin Groningen – Development Officer, Advancement, Melbourne Law School

Associate Professor Louise Harms – Deputy Head, Social Work

Andrew Normand – Web Accessibility Lead, External Relations

Kathleen Patterson – Project Co-ordinator, Melbourne Social Equity Institute

Christopher Pidgely – Administrator, Global Economic Law Network, Melbourne Law School

Vesna Stefanovski – Research Centres Co-ordinator and Institute Administrator, Institute for International Law and the Humanities

Alice Thorpe – Marketing Manager (Research), External Relations

Professor John Tobin – Melbourne Law School

Erin Willis, Graduate Project Officer, Administration and Finance
Program Committee

Dr Anna Arstein-Kerslake – Lecturer and Academic Co-ordinator, Disability Research Initiative, Melbourne Law School
Janice Florence – Access Development Officer, Arts Access Victoria
Dr Piers Gooding – Postdoctoral Research Fellow, The Melbourne Law School
Keran Howe – Executive Director, Women with Disabilities Victoria
Stella Koritsas – Head of Strategic Research / HREC Chair, Scope
Professor Dinah Reddihough - Director of Child Development and Rehabilitation, Royal Children’s Hospital, Melbourne
Professor Fazal Rizvi – Melbourne Graduate School of Education
Professor Carolyn Whitzman – Professor in Urban Planning, Melbourne School of Design
Venue

Level 1, Melbourne Law School
University of Melbourne
185 Pelham Street, Carlton 3053

Closest accessible tram stops
Accessing the Venue

For those taking public transport to the venue, Flinders Street Station is fully accessible and there are low floor trams available intermittently along the 109 and 96 lines on Swanston Street to the Melbourne University stop.

On Swanston St tram stop 3 (Lincoln Square) is the closest accessible stop to the venue. On Elizabeth St the tram stop at Haymarket Roundabout (9) is the closest accessible stop.

Further information on accessible trams is available on the Public Transport Victoria website at www.ptv.vic.gov.au

There is limited metred on-street parking around the venue. There is also a paid parking garage below University Square, opposite the venue.

Lifts are available within the venue.
Sponsors

The organising committee thanks the sponsors, without which this conference would not be possible.
Program

Cultural Event
5.45pm to 8pm  
Wednesday 3 February

The Lightwell, Australian Centre for the Moving Image
Federation Square, Flinders Street, Melbourne

Organised in conjunction with Arts Access Victoria and supported by the City of Melbourne, the opening cultural event will be hosted by Emma J Hawkins and will feature Weave Movement Theatre, as well as singer songwriter Eddie Ink, deaf poet Walter Kadiki and performance drawer Zhen Chew.

Conference delegates will be welcomed by Susan Riley, Deputy Lord Mayor of Melbourne and Professor Glyn Davis AO, the Vice-Chancellor of the University of Melbourne.

Graeme Innes AM, Chair of Attitude Foundation and the former Australian Disability Discrimination Commissioner will officially launch the conference.
### Day 1: Thursday 4 February 8.30am - 6.00pm
Melbourne Law School, 185 Pelham St, Carlton 3053

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<tr>
<td>8.30</td>
<td>Registration</td>
<td>GM15</td>
<td>David P Derham Theatre</td>
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<td>9.00</td>
<td>Opening Plenary Session</td>
<td>GM15</td>
<td>Jan Owen AM, Welcome to Country</td>
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<tr>
<td>9.30</td>
<td>Keynote Address: Charlotte McClain-Nhlapo, Disability Advisor in the Social, Urban, Rural and Resilience Global Practice of the World Bank Group</td>
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<td>10.30</td>
<td>Morning Tea</td>
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<td>11.00</td>
<td>1A: Access and Employment Issues</td>
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<td>Roz Hansen, Anna Arstein-Kerslake, Stella Koritsas, Louise Harms</td>
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<td>1B: Discrimination and Justice Issues</td>
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<td>1D: Symposium: Social and Economic Participation</td>
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<td>11.00</td>
<td>Accessibility modelling for people with mobility impairments</td>
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<td>Marcus White</td>
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<td>Prejudice and the promise of discrimination law</td>
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<td>Robin Banks</td>
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<td>An opportunity not an obligation: The limits of social equity rights in the Australian housing market</td>
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<td>Andrew Martel</td>
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<td>11.10</td>
<td>Do we really respect the intellectual property rights of persons with disabilities? Sri Lanka as a reference point</td>
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<td>Padmaja Wijesooriya</td>
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<td>11.20</td>
<td>Energy spending and disabilities: why are households with disabilities overrepresented amongst the fuel poor?</td>
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<td>Jax Jacki Brown</td>
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<td>Disability and sexual expression: from the personal to the political</td>
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<td>Dominique Allen</td>
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<td>Inequalities in job quality between people with and without disability</td>
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<td>Safeguarding the National Disability Insurance Scheme: Human rights as a fundamental framework</td>
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<td>Employment, psychosocial job quality and the mental health of people with and without disabilities</td>
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<td>A balancing act: disability support pension and employment</td>
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<td>Dina Bowman</td>
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<td>Enforceable human rights – let’s talk about prisoners with disabilities</td>
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<td>Annegret Kämpf</td>
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<td>Access and equity in the context of National Disability Insurance Scheme</td>
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<td>Dini Liyanarachchi</td>
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<td>Employment, psychosocial job quality and the mental health of people with and without disabilities</td>
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<td>Improving accessibility of the National Disability Insurance Scheme appeals process for persons with intellectual disabilities</td>
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<td>Access to justice for victims of crime with disabilities – are we there yet?</td>
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<td>12.00</td>
<td>URGENT RECTIFICATION! Disability equality can make a business strong as well as having a socially just workplace</td>
<td>Nadia Ahmed</td>
<td>GM15 (David P Derham Theatre)</td>
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<td>The evidence for creating enabling environments for people with the communication disability aphasia.</td>
<td>Robyn O’Halloran</td>
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<td>12.10</td>
<td>An impact evaluation of a rights based approach to disability</td>
<td>Michael Palmer</td>
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<td>The role of therapeutic support in promoting citizenship and human rights in disability practice</td>
<td>Marie Sheahan and Vidette Turner</td>
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<td>12.20</td>
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<td><strong>Plenary Session</strong></td>
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<td>1.30</td>
<td>Chair: Professor Bernadette McSherry</td>
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<td>Rosemary Kayess, Senior Research Fellow, Social Policy Research Centre, University of New South Wales</td>
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<td>‘Deconstructing’ the Convention on the Rights of Persons with Disabilities</td>
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<td>2.00</td>
<td>Professor Keith McVilly, Professor of Disability and Social Inclusion at The University of Melbourne’s School of Social and Political Sciences and Professorial Fellow at SCOPE</td>
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<td>Human Rights and Human Relationships: Partners in the Pursuit of Social Inclusion and Social Equity</td>
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<td>3.00</td>
<td>How can we uphold rights to safety and justice for women with disabilities? Good practice examples addressing the inequities shown in research.</td>
<td>Jen Hargrave</td>
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<td>Engaging people with younger onset dementia in service development: the banksia support group</td>
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<td>Seuwandi Wickramasinghe</td>
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<td>3.20</td>
<td>W-DARE peer facilitated participatory action groups: increasing demand for sexual and reproductive health rights for women with disability in the Philippines</td>
<td>Alex Devine</td>
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<td>Building inclusive communities: a local government perspective</td>
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<td>Traversing the untraversed - the role of the arts in social change</td>
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<td>3.20</td>
<td>Perspectives on supported decision-making from people diagnosed with severe mental health problems and carers supporting them</td>
<td>Lisa Brophy, Audrey Statham and Renata Kokanovic</td>
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<td>3.40</td>
<td>From paternalism to protection: examining prospects for a disability-cognizant IHL narrative</td>
<td>Guide dogs for allsorts: measuring the impact of intervention</td>
<td>Comedy and performing the rights of psychiatric disability</td>
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<td>Janet Lord</td>
<td>Lil Deverell</td>
<td>Mary Luckhurst</td>
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<td>4.00</td>
<td>Are women and men with disabilities at greater risk of experiencing interpersonal violence?</td>
<td>Promotion of human rights and social justice for persons with disabilities by religious means: the role and contribution of Zakat in Malaysia</td>
<td>Supported decision-making in mental health and beyond: can a single law provide for all citizens, including mental health consumers, older persons and people with intellectual disability?</td>
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<td>Anne Kavanagh</td>
<td>Ikmal Hisham Md. Tah</td>
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<td>Promoting disability inclusion in religious organisations and places of worship: case studies from Australia and India</td>
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<td>Nathan Grills and Natalie Tan</td>
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<td>Welcome Reception and Poster Display</td>
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# Day 2: Friday 5 February 8.30am - 5.00pm
Melbourne Law School, 185 Pelham St, Carlton 3053

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<td>Chair: Robin Banks</td>
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<td><strong>Keynote Address:</strong> Emeritus Professor Ron McCallum AO, University of Sydney, former Chair, United Nations Convention on the Rights of Persons with Disabilities</td>
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<td>The Convention on the Rights of Persons with Disabilities and its Monitoring Committee: A Domestic and International Analysis</td>
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<td>10.10</td>
<td>3A: Mental Health</td>
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<td>Penny Weller</td>
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<td>3B: Education, Training and Research</td>
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<td>Julie McLeod</td>
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<td>3C Symposium: Language, Literacy and Behaviour</td>
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<td>Fazal Rizvi</td>
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<td>3D: Symposium: Music</td>
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<td>Australia's evolving revolution in mental health law</td>
<td>Sascha Callaghan</td>
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<td>Protecting rights with (less than perfect) mental health legislation</td>
<td>Christopher Ryan</td>
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<td>Finding light in the tunnel: Healing through complementary medicine use and tertiary education, among Victorian people with mental illness.</td>
<td>Tass Holmes</td>
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<td>Supporting the language skills of young offenders in custodial education: Engaging vulnerable populations</td>
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<td>Enabling Women with Disabilities</td>
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<td>Impacts and experiences of involvement in participatory research for women with disability: a case study from the Philippines</td>
<td>Liz Gill-Atkinson</td>
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<td>Equitable provisions for students with disabilities: determining what's reasonable</td>
<td>Shiralee Poed</td>
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<td>Language, literacy, behaviour, and opportunities to learn: The communication profiles of at-risk Victorian primary school students</td>
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<td>Music matters for inclusion in schools</td>
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<td>Piers Gooding</td>
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11.40

Apparentley we have human rights to health? Health and human rights frameworks of people with disabilities in Victoria
Raelene West

Supporting to participate: how persons with intellectual disabilities are supported to develop self-advocacy
Yuyu Wang

An interactive workshop about financial and legal issues for people with disabilities
John Berrill

Theoretical and methodological framework of the project on ABI and criminal justice
Penelope Weller

12.00

Dementia and the social model of disability: what are the conceptual, policy and research implications?
Ashley Carr

Developing a new service model for children with a disability: What do parents want?
Elise Davis

The lived experience of people with ABI in the criminal justice system in Victoria
Jessica Richter

12.20

Building capacity for a disability inclusive response to violence against women and girls: Findings from the W-DARE project in the Philippines
Cathy Vaughan

A double-edged sword: representations of disability in Australian income support policy for carers
Yvette Maker

Discussion of a case study drawn from the project interviews and group discussions
Brigid Henley

12.40

Lunch
Room GM15 (David P Derham Theatre)

1.30

Plenary Session
Chair: Durkhanai Ayubi
Professor Mary Crock, Professor of Public Law, University of Sydney
Making Every Life Count: International Law and the Protection of Persons with Disabilities in Displacement

2.00

Panel Discussion
Chair: Professor Anne Kavanagh, Melbourne School of Population and Global Health, University of Melbourne
Panel: Katharine Annear, John Berrill, Leonard Clarke and Cath Roper
Where to for Disability Research?

3.30

Afternoon tea
Room GM15 (David P Derham Theatre)

4.00

Closing Plenary Session
Chair: Dr Anna Arstein-Kerslake, Co-ordinator of the University of Melbourne’s Disability Research Initiative
Dr Anna Arstein-Kerslake will lead a discussion of the conference themes with keynote speakers, Charlotte McClain-Nhlapo and Emeritus Professor Ron McCallum.

Special Closing Performance by the High Street Bells Choir
Poster Display

‘What happens when clients have non-functional literacy? How to empower clients and create a more equitable society’
Cathy Basterfield

‘Practising gratitude: it’s different when it shapes your life’
Susan Banks

‘Which rights are right? Leveraging consumer rights to support citizenship and human rights under the NDIS’
Aviva Beecher Kelk

‘What factors contribute to situations of genuine inclusion for people with disabilities?’
Katie Butler

‘The rights of children with disabilities to education: improving access and quality’
Sheela Choudhary and Ashish Bhagat

‘Real and meaningful work: private employers’ concerns and the enforcement of the quota-levy scheme for persons with disabilities’
Ru-Shian Hsieh

‘Disability laws in developing countries: special emphasis on India’
Tushar Khanna

‘Career access through diversity – empowering people with disability’
Dilani Rasanayagam and David Eckstein

‘A silent revolution: the formation, development and challenges of the national self-advocacy alliance’
Yu-Yu Wang, Hui-Fang Lin, Hsin-Chun Lin and Ya-Yu Kao
Abstracts and Biographies

(Abstracts may have been edited for style consistency)

9.30 - 10.30

Topic to be confirmed
Charlotte McClain-Nhlapo†*

1 Disability Advisor in the Social, Urban, Rural and Resilience Global Practice of the World Bank Group

Abstract not available.

Presenter Biography

Charlotte V. McClain-Nhlapo was recently appointed as Global Disability Advisor in the Social, Urban, Rural and Resilience (GPSURR) Global Practice of the World Bank Group. Her appointment comes at a time when the World Bank Group is working to mainstream disability in development under its twin goals to end poverty and promote shared prosperity.

As Disability Advisor, Ms. McClain-Nhlapo will focus on working with and supporting operational teams across the institution to ensure that Bank policies, programs and projects take people with disabilities into consideration. Her responsibilities include: leading the production of analytical products; analyzing and articulating Bank policy on disability and development, and the role that the Bank should play; establishing criteria and an operational results framework for monitoring the outcomes of the Bank’s disability work.

As a well-respected human rights lawyer in disability and child rights, Ms. McClain-Nhlapo comes from USAID after serving four years as the coordinator for disability and inclusive development. Appointed by U.S. President Barack Obama in 2011 she led USAID’s work on disability inclusive development, from developing policies and country strategies to technical assistance for program implementation.

Prior to this, she worked as a senior operations officer at the Bank to integrate disability inclusive development into operations in the East Asia Pacific and Africa regions.
Earlier in her career, she was appointed by President Nelson Mandela as a Commissioner to the South African Human Rights Commission focusing on social and economic rights, disability rights and child rights.

From 1996 to 1998, she also served as a project officer on child protection for UNICEF.

Charlotte holds law degrees in international law and administration from the University of Warsaw, Poland and Cornell Law School. She lives in Washington DC and is a dual American/South African citizen.
11:00 – 11:20

**Accessibility modelling for people with mobility impairments**

*Marcus White,*\(^1\) *Geoff Kimm,*\(^1\) *Nano Langenheim*\(^1\)

1 Faculty of Architecture, Building and Planning, University of Melbourne, Melbourne Australia

People with mobility impairments face inequities navigating the urban environment. Accessibility modelling tools currently openly available to the community do not account for physical barriers such as stairs or topography.

This paper describes initial findings of a accessibility modelling study involving the development and testing of novel digital analysis and design tools that combine animated pedestrian accessibility, topographical mapping and flexible three dimensional modelling exploiting spatial datasets from Australia’s first open source geospatial laboratory (AURIN).

The paper outlines how the new tools will allow people with mobility impairments, disability groups, and urban planners to model and understand accessibility in their community, providing tools to design and advocate for more inclusive urban environments. The research has potential immediate relevancy to the disability community, and will be increasingly relevant to the wider community as the population ages.

**Presenter Biography**

Dr White is an award winning architect and urban designer. He is a director of Harrison and White, lecturer in architecture and urban design, and head of the Masters of Urban Design program at University of Melbourne. His research focuses on developing and testing innovative modelling approaches for urban design and urban liveability.
Energy spending and disabilities: why are households with disabilities overrepresented amongst the fuel poor?

Francisco Azpitarte,* Victoria Johnson, Damian Sullivan

As household energy prices continue to rise, so too does concern over the impact on households’ economic and social wellbeing. Compared to other countries like the U.S.A. and the U.K. where abundant research has been done, the problem of fuel poverty has received minimal policy attention in Australia where research on this issue is scarce.

Our recent research estimated trends and characterised fuel poverty for the period 2005-2011 using Household Income and Labour Dynamics in Australia (HILDA) data. We considered fuel poverty measures including cost-to-income ratio definitions, which identify as fuel poor those families for whom fuel costs represent a high share of their budget, as well as consensual concepts of fuel poverty based on families’ reported capacity to afford energy expenditures and the impact of these on their finances. Our analysis revealed that households with a member with a long term health condition, disability or impairment are clearly overrepresented. These households accounted for more than 50 per cent of the fuel-poor regardless of the definition.

This finding suggests significant inequity in the affordability of, or access to, the energy services needed for a decent standard living. It also suggests existing policy measures may not adequately address fuel poverty in households with a member with a disability.

The research presented in this paper extends our prior investigation of vulnerability to fuel poverty by focussing on households with a member receiving a Disability Support Pension. We use ABS Household Energy Consumption Survey data to study the relationship between income and wealth resources, energy consumption and expenditure in these households. This analysis builds the knowledge on factors contributing to fuel poverty within this group and some opportunities to address them.

Presenter Biography

Francisco Azpitarte joined the Melbourne Institute as Research Fellow in March 2011. He joined the Melbourne Institute after finishing his Post-doctoral studies at the London School of Economics and Political Science.
He holds a PhD in Economics from the University of Vigo and received his MSc in Economic Analysis from the Universitat Autonoma de Barcelona in 2005.

His main research interests are the measurement of poverty and inequality. He is member of the International Association of the Review of Income and Wealth and the Association for the Research on Economic Inequality.
A balancing act: Disability Support Pension and employment

Dina Bowman, * Sonia Fernandes

1 Research and Policy Centre, Brotherhood of St Laurence and School of Social and Political Sciences, University of Melbourne
2 Research and Policy Centre, Brotherhood of St Laurence

An estimated 820,000 people are in receipt of Disability Support Pension (DSP), of these, approximately 8 per cent report earnings from employment (DSS, March 2015). The purpose of DSP is to provide a safety net for people with a disability who are unable to fully support themselves through paid work. While the DSP is intended to be a working-age, income support payment, recipients are not subject to activity requirements in the way recipients of the unemployment benefit, Newstart Allowance are. This recognises the constraints that DSP recipients have in participating in the workforce.

The Productivity Commission (2011) in its inquiry into Disability Care and Support, argued that the design of DSP discourages the social and economic engagement of people with disability. It is also recognised that Australia has relatively poor performance in employment of people with disability.

In this context, we examine the policy landscape of disability support since the Welfare to Work Reforms in 2006. By examining secondary data of recipient numbers and government expenditure on DSP, as well as the policy narrative in successive Budgets, we find that continuous changes to DSP design aimed at increasing the incentive to work has increased complexity and a sense of precariousness for recipients.

This presentation draws on Brotherhood of St Laurence research on disability and employment, which provides insight into the lived experience of people with disability trying to balance the often competing demands of the income support system, their health and well-being and employment.

Presenter Biography

Dr Dina Bowman is Senior Manager at the Research and Policy Centre at the Brotherhood of St Laurence and an Honorary Senior Fellow in the School of Social and Political Sciences at University of Melbourne. Her research focuses on the intersections of age, gender and disability with work and economic security.
URGENT RECTIFICATION! Disability equality can make a business strong as well as having a socially just workplace.

Nadia Ahmed¹*

1 School of Business and Management, Queen Mary University of London

‘It has become fashionable to argue that equal opportunities makes good business sense and that organizations failing to employ a diverse range of people are missing out on valuable human resources and losing opportunities to appeal to a broader range of customers’ (Noon, 2007).

Whereas, diversity management is identified as ‘able-body is privileged and preferred while the disabled body is deemed too different and too problematic to be included’ (Thanem, 2008). This is due to the judgement that disabled employees lack certain abilities and capacities, thus creating a barrier of incorporating our reality into the workplace.

“A workplace does not allow the experiences of anyone other than those considered ‘able-bodied’ to be acknowledged and appreciated” (Rioux, 1997). My own experiences have the same story, but should this be so or is it time for a change?

This issue is explored through this paper presentation, by drawing on personal experiences of disabled employees in an anonymous case-study.

Presenter Biography

Nadia Ahmed is a PhD student at Queen Mary University of London. She is researching on practicable working environments for disabled academics at universities in the United Kingdom. Her inspiration is her own disability and struggle towards getting employment as a disabled academic. “I hope to achieve the true meaning of disability equality and diversity at the workplace and the importance and benefits of having a true disability equal and diverse workforce”.

¹*
12:10 – 12:20

An impact evaluation of a rights-based approach to disability

*Michael Palmer,* †*Jenny Williams*

1 Nossal Institute for Global Health, University of Melbourne, Australia
2 Department of Economics, University of Melbourne, Australia

Globally, people with disabilities are over-represented in the poorest nations. Accordingly, the United Nations has flagged disability as a key development issue in meeting the United Nations Millennium Development Goals, which aim to eradicate world poverty by improving health, education and other outcomes. In an effort to meet the Millennium Development Goals, governments of several developing countries have introduced legislation designed to equalise the rights and opportunities of people with disabilities. To date, there has been little robust analysis of the economic profile of persons with disabilities in development countries. This represents a considerable knowledge gap that has practical implications for the development of efficacious strategies to improve the lives of people with disabilities. This research proposes to take the first steps in filling this gap by analysing a range of life outcomes for persons with disabilities as articulated in Cambodia’s 2009 Law on the Protection and the Promotion of the Rights of Persons with Disabilities. Pooling six independent cross-sections of the Cambodian Socio-Economic Survey, the study will evaluate the impact of disability on employment and poverty outcomes. The study draws the first representative profile on the lives of persons with disabilities in the country.

**Presenter Biography**

Dr Michael Palmer is a development economist specialising in the field of health. His research has focused on the economics of disability and policies for risk mitigation in low- and middle-income countries. His work aims to redress inequalities experienced by persons with disabilities and enhance social protection supports in low- and middle-income country settings. His main research work has been in Vietnam where he has lived and worked for four years, including positions at the University of Economics (Ho Chi Minh City) and the Hanoi School of Public Health. Michael obtained his PhD from the Australian National University in 2011.
11:00 – 11:10

**Prejudice and the promise of discrimination law**

Robin Banks

1 Anti-Discrimination Commissioner, Tasmania

Australia has adopted a fairly uniform model for laws to achieve the important social equity objective of challenging and eradicating discrimination. These laws have largely been framed around an individual human rights law analysis of equality, while recognising protection is needed for specific groups that face ongoing and systematic discrimination.

That model has contributed to some progress. It has not, however, had more than a trickle-down effect on improving the situation for those who most experience discrimination. There is evidence in the research literature that prejudice continues to strongly shape the behaviour and experience of many people. While overt discrimination has been challenged to some extent, inadvertent discrimination and the impacts of unconscious bias remain strongholds of exclusion and disadvantage. What, then, are the limits of that model of discrimination law and how effective has it been in achieving improvements in equal opportunity and social equity for equality seeking groups?

In exploring these questions, this paper will have a particular focus on the limits as they affect people with disability. It will consider research findings around the nature of prejudice and bias in the area of psychology and social sciences and how these interact with the dominant contemporary approach to discrimination law and its interpretation. The paper argues that the absence of reference to prejudice and bias in discrimination laws acts as a potential barrier to effectiveness. It then begins to explore how an enhanced understanding of the very human behaviours of prejudice and bias could be incorporated into a reframing of discrimination law.

The paper concludes by identifying three areas for further research and potential reform.

**Presenter Biography**

Robin Banks has been the Anti-Discrimination Commissioner in Tasmania since 2010. She has worked in the areas of discrimination law and human rights, with a focus on disability, social justice and public interest law for
30 years. Her experience as an advocate and lawyer supporting people in discrimination cases and as Commissioner have given her useful perspectives on challenges to the effectiveness of discrimination law in its current form.
Do we really respect the intellectual property rights of persons with disabilities? Sri Lanka as a reference point

Padmaja Wijesooriya¹*

¹ Faculty of Law, General Sir John Kotelawala Defence University, Sri Lanka

Most of the people in the world do not often think about the disability. However, disability in the sense of a physical inability limits a person’s activities, sense or movements and it is a global phenomenon. To address this issue the United Nations has adopted the convention on the rights of persons with disabilities (CRPD) and its optional protocol and its fundamental objective was to protect the rights and the dignity of the persons with disabilities. Even though, CRPD was able to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, and to promote respect for their inherent dignity, it fails to protect and identify the right to secure their intellectual properties. Though when describing the Sri Lankan context on rights of disable persons, Sri Lanka legislature have established a national council for persons with disabilities with the purpose of rehabilitation, welfare and relief of persons with disabilities by enacting the Protection of the Rights of Persons with Disabilities Act No28 of 1996. However both international and domestic legal frameworks have failed to identified there are some intellectual property rights of disable persons to be protected and it is a major lacuna in both systems. However there are person with disabilities who have been able to achieve some educational qualifications and are enjoys the right to engage with any lawful occupation and rarely as a part of the university academia as well. Therefore it is a major duty of the state to take necessary steps to secure each and every right including intellectual property rights of disable persons by adopting statutory enactments indoors. Therefore in this research the researcher examine the intellectual property rights of the disable persons and what are the possible steps can be taken to protect it.

Presenter Biography

Padmaja Wijesooriya is a lecturer in Law (Probationary), Faculty of Law, General Sir John Kotelawala Defence University, Ratmalana, Sri Lanka. Her research interests include Private International Law, Environmental Law and Intellectual Property Law. She obtained her LL.B and LL.M from Faculty of
Law, University of Colombo. Currently she is reading for her MPhil/PhD Programme at Faculty of Graduate Studies, University of Colombo.
Disability and Sexual Expression: From the personal to the political

Jax Jacki Brown

1 Disability and queer rights activist, Melbourne, Australia

This presentation will explore the intersection between lesbian/queer identity and disability. As a lesbian woman who is also a wheelchair user, I will draw on the academic literature as well as my experience of sexuality as a human rights and social justice issue. The presentation will cover:

- New ways of thinking about disability
- How does disability intersect with queer identity? How does this intersection impact on health and compound social inequity?
- What is the current status of women with disability in Australia? (Rates of violence, abuse, poverty, employment, education, mental health responses to minority stress)
- Barriers to accessing services for queer women with disabilities
- Sexual expression as a human right and a site of profound disadvantage for many people with disability
- How a human rights framework is transformative and compels social justice work

Presenter Biography

Jax Jacki Brown is a disability and queer rights activist, writer, spoken-word performer and independent producer of Quippings: Disability Unleashed, a disability performance troupe.

Jax is a graduate of Southern Cross University with a BA in Cultural Studies and Communication (honours) which examined the intersections between disability and queer identities. She has returned to Southern Cross University to provide guest lectures on the social determinants of disability and intersectionality. Jax presents workshops on disability and sexuality for university departments, disability organisations and women’s health organisations.
11:40 – 11:50

**Enabling Disability Discrimination Law**

*Dominique Allen*†*

1 Deakin Law School, Deakin University, Melbourne, Australia

Disability discrimination has been prohibited in Victoria since 1982 and federally since 1995. The legislative model is focused on the individual who has experienced discrimination in that they are required to make a claim and receive a remedy before anything will be done about discrimination. Courts have been reluctant to order systemic remedies, choosing instead to remedy only the individual incidence of discrimination usually with a compensation payment. Employers and service providers are subject to few obligations that require them to proactively tackle disability discrimination; instead discrimination is addressed once it has already occurred.

In this paper I will present an overview of disability discrimination law and identify the weaknesses with the current system before proposing ways in which the law could be improved including by placing the onus for addressing disability discrimination on those best placed to tackle the problem.

**Presenter Biography**

Dr Dominique Allen is a Senior Lecturer at Deakin Law School, Deakin University. She has published widely in Australia and internationally on anti-discrimination law, comparative law, equality and human rights. With Neil Rees and Simon Rice, she is the author of Australian Anti-Discrimination Law (Second edition, Federation Press, 2014).
Prisoners with disabilities have the right of everyone to the enjoyment of the highest attainable standard of physical and mental health. However, there are particular concerns about the mental health of prisoners and the enforceability of their human rights. A disproportionately large number of prisoners have mental health issues and imprisonment may exacerbate mental illness. In Australia, Canada, New Zealand and the United States of America indigenous peoples are overrepresented in prisons, disproportionately likely to experience disability in comparison to many other racial or ethnic groups and particularly adversely affected by imprisonment.

This paper will focus on three human rights issues in this context: (1) entry into the criminal justice system, including concerns arising from the imprisonment of people, in particular indigenous people, who have not committed an offence but are incarcerated due to a lack of alternative, suitable facilities; (2) mental health in prisons, including concerns arising from imprisonment being harmful to mental health and disproportionately harsh on people with intellectual disabilities and indigenous peoples and (3) release, rehabilitation and reintegration, including the need to provide culturally appropriate services for indigenous peoples inside and outside of prisons.

This paper will also briefly illustrate the interrelation of United Nations human rights documents. It will address shortcomings in the implementation of the United Nations Standard Minimum Rules for the Treatment of Prisoners and the United Nations Declaration on the Rights of Indigenous Peoples. It will argue that shortcomings may be addressed by advancing the full enjoyment of the rights of (Indigenous) prisoners with mental disabilities in reference to the United Nations Convention on the Rights of Persons with Disabilities, a legally binding document.

**Presenter Biography**

Dr Annegret Kämpf received her PhD in Law from Monash University in 2012 and her Master of Bioethics and Health Law from Otago University,
New Zealand, in 2005. She graduated from Mannheim University, Germany, where she also worked at the Faculty of Law and at the German, European and International Institute for Medical Law, Public Health and Bioethics. Her PhD examined the effect of the UN Convention on the Rights of Persons with Disabilities on Australian mental health law. Her research interests focus on legal issues arising from the interplay between psychiatry, psychology and the (criminal or civil) law.
Access to justice for victims of crime with disabilities – are we there yet?

Marg Camilleri*

This paper considers a selection of legislative, policy and practice responses to victims of crime with disabilities against Article 13 of the CRPD, to see how far we have come in achieving access to justice for this group. In providing this critique, the paper also considers the use of Intermediaries in the United Kingdom and the Disability Justice Plan in South Australia to consider whether such initiatives would enhance access to justice for victims of crime with disabilities in Victoria.

Presenter Biography

Dr Marg Camilleri is a lecturer and researcher at Federation University Australia. She has worked as a researcher and advocate in the area of victims of crime with disabilities and access to justice more broadly for approximately 20 years. Her PhD considered the factors which inform police decision making when considering reports of sexual assault made by adult victims with cognitive impairment. Marg has been involved in a number of state and national projects about victims of crime with disabilities, including as a member of the Victorian Equal Opportunity and Human Rights Commission’s ‘Beyond Doubt’ reference group, and is currently leading the Health Justice Partnership for Youth Project funded by the Legal Services Board.
The evidence for creating enabling environments for people with the communication disability aphasia

Robyn O’Halloran,1,2* E. Thomas,3,4 A. Foster,1,3 M. Carragher3

1 Discipline of Speech Pathology, College of Science, Health and Engineering, La Trobe University, Melbourne Australia
2 Speech Pathology Department, St Vincent’s Hospital, Melbourne, Australia
3 Department of Speech Pathology, University of Queensland, Brisbane, Australia
4 School of Public Health, University of Melbourne, Melbourne, Australia

Chapter Six of The World Health Organization’s World Report on Disability (2011) describes the importance of creating enabling environments so that people with disabilities can fully participate in society. An enabling environment includes a person’s immediate physical, social and attitudinal environment as well as the broader environment of systems and services. An enabling environment is critical for people who have communication disabilities to communicate and participate fully in society. Approximately one third of people who have a stroke acquire the communication disability aphasia. Aphasia is a language disorder which can make it difficult to understand what people say, talk, read and write.

We recently conducted a scoping review of the literature to identify research on any interventions directed solely at the environment that aimed to improve the communication ability of people with aphasia. This scoping review was completed in 2014 and is currently being updated to incorporate research published in 2015.

In this presentation we will briefly discuss a) which aspects of the environment have been demonstrated to improve the ability of people with aphasia to communicate b) which aspects of the environment have been investigated but require further research evidence and c) which aspects of the environment have not been investigated to date. We will also describe the types of research designs that have been used to investigate the effects of the environment on the ability of people with aphasia to communicate and participate and which research designs hold most promise for continuing to build an evidence base for enabling environments for people with aphasia in the future.
**Presenter Biography**

Robyn O’Halloran, PhD is a lecturer in Speech Pathology in the School of Allied Health at La Trobe University and a Senior Speech Pathologist at St Vincent’s Hospital in Melbourne. Her research focus is on creating environments that support the participation of people with communication disabilities in society. She has a particular interest in creating environments that support people with communication disabilities when they are in hospital.
11:00 – 11:20

**An Opportunity not an Obligation: The limits of social equity rights in the Australian housing market**

*Andrew Martel,*1 *Georgia Warren-Myers*2

1 Lecturer in Construction Management and Housing, Faculty of Architecture, Building and Planning, University of Melbourne, Australia
2 Lecturer in Property, Faculty of Architecture, Building and Planning, University of Melbourne, Australia

The Australian State is a signatory to the Convention on the Rights of Persons with Disabilities (CRPD), and as such is obliged to abide by the Articles contained within it. As a State, where the Articles reference the built environment (such as Article 9: Accessibility, Article 19: Living Independently and Being Included in the Community, and Article 28: Adequate Standard of Living and Social Protection), the explicit references are to public space and public buildings or facilities. The upcoming National Disability Insurance Scheme (NDIS) has stated that one of its aims is to facilitate people living with a disability being housed within the private residential market, a move away from State-based publicly funded residential care, and that the private housing stock needs to be accessible for residents with a disability. However, in Australia’s neo-liberal housing market government intervention is limited by international standards, and tends to shy away from policies that overtly impose restrictions on private firms. Therefore, in the absence of a subsidy from the State, the NDIS envisioned housing must be cost neutral with respect to current market housing. It would also be required to be ‘brand’ neutral (or brand positive) as well. The upshot is that the CRPD would appear to be of limited use in encouraging private developers to improve the accessibility of its new built stock. A more persuasive approach is to highlight the size, diversity, and economic power of the disability-friendly housing consumer market. This paper examines the feasibility of sustaining innovation in the volume builder housing market by aligning accessibility promoting changes to the existing innovation channels within Australian firms, which centre on introducing new components or procedures based on cost savings, ease of construction, and improved safety, and linking them directly to market based research on consumers concepts of value and willingness-to-pay for the changes.
Presenter Biography

Andrew is an Early Career Researcher whose research is focussed on understanding the composition of value in housing. This has included developing methodologies to assess the qualitative and quantitative characteristics of dwellings in order to trace the impact of decisions made outside of the design sphere, such as financing, taxation, and regulation, on housing outcomes. His experience has included researching high-density student housing, remote Indigenous housing, and inner-city, affordable, family friendly housing. For the past few years Andrew has been investigating the potential of the NDIS to drive innovation in the production of accessible and adaptable domestic houses.
11:20 – 11:40

Safeguarding the National Disability Insurance Scheme: Human rights as a fundamental framework

*Tess McCarthy, Dr John Chesterman

1 Office of the Public Advocate

In Australia, people with disability experience significantly higher levels of violence, exploitation, abuse and neglect than people without disability. The specific elements and protections in the yet to be finalised NDIS quality and safeguarding framework provide an opportunity to improve the lives of people with disability.

The rights embodied in article 16 of the Convention on the Rights of Persons with Disabilities – freedom from exploitation, violence and abuse – must inform the development of the framework. While principles establish an important human rights discourse, reduced protections and deregulation in this sector will place people with disability at greater risk of violence, abuse, neglect and exploitation.

The aspiration for national consistency is valuable, and necessary. However, national consistency is not easily achieved when significantly different protections exist throughout the country. The Productivity Commission noted that the vulnerability of some people with disability requires government to play a role in promoting safe high-quality disability support services.

This presentation will examine the current quality and safeguarding arrangements, with particular reference to Victoria, and will draw from recommendations contained in the Australian Guardianship and Administration Council’s submission to the Proposal for a NDIS quality and safeguarding framework consultation paper. This presentation will focus on four areas: protection from violence, abuse, neglect and exploitation; choice and control; complaints resolution; and reduction and elimination of the use of restrictive practices. Within each of these areas, specific recommendations will be discussed. This presentation suggests that these reforms will improve rights protections for people with disability.

The Office of the Public Advocate (OPA) undertakes research and policy that aims to improve the lives of people with disability. In delivering this presentation, OPA hopes to contribute to broader systems change that will be required upon full roll-out of the NDIS.
Presenter Biography

Tess McCarthy is a Policy and Research Officer at the Office of the Public Advocate. Tess completed her Master of Public Policy and Management in 2013, and before that she was at the Victorian Law Reform Commission where she worked on the review of the Guardianship and Administration Act 1986 (Vic). Tess has been involved in the disability sector for the past 7 years in both personal and professional roles. Tess is keenly interested in social inclusion, law reform and decision-making arrangements for people with cognitive impairment and mental ill health, particularly in relation to NDIS matters.
11:40 – 11:50

**Access and Equity in the context of National Disability Insurance Scheme**

*Dini Liyanatichchi* *

1 Federation of Ethnic Communities’ Councils of Australia, Canberra, Australia

Federation of Ethnic Communities Councils of Australia (FECCA) is the national peak body representing culturally and linguistically diverse (CALD) Australians. In view of its significant importance to welfare of people with disability, National Disability Insurance Scheme (NDIS/the Scheme) is one of FECCA’s core areas of work. The positive implications of the Scheme not only affect the NDIS participants but also the family members, carers as well as the community as a whole. Contrary to the Scheme envisaged by those designed the NDIS, numerous gaps in the existing structure negatively impacts the service delivery to vulnerable communities. Due to these gaps in the implementation and engagement strategies in the current NDIS trial sites, CALD participation in the NDIS remains minimal. Despite the National Disability Insurance Agency identifying the need to increase the participation of CALD people with disability in the NDIS, there is only a 1% increase since 30th September 2014 and the participation rate within the NDIS remains 4% as at 30th June 2015. This lack of meaningful engagement and participation of people with disability from CALD backgrounds can be attributed to language barriers, use of concepts and terminology that are not culturally sensitive, lack of specific and targeted engagement strategies, lack of choice and control with regards to service providers and minimal utilisation of existing community networks and communication mechanisms. The paper will focus on the current gaps of the NDIS, with a view of identifying key strategies to increase access and equity within the Scheme, ensure that the NDIS caters for the specific cultural, linguistic and religious needs of CALD participants including, building capacity of this cohort to negotiate the best possible outcomes through their NDIS plan.

**Presenter Biography**

Dini Liyanarachchi is a Policy and Project Officer at Federation of Ethnic Communities’ Councils of Australia (FECCA). FECCA is the national peak body representing culturally and linguistically diverse (CALD) Australians.
The National Disability Insurance Scheme (NDIS) is a novel individualised funding scheme for people with permanent and significant disability to access the support they need to participate in activities of daily living. The Commonwealth introduced the NDIS to meet its obligations under the United Nations Convention on the Rights of Persons with Disabilities (CRPD). The CRPD represents a paradigm shift from regarding persons with disabilities as ‘objects’ of charity to viewing them as ‘subjects’ with rights, who are capable of claiming those rights. To meet its obligations under the CRPD, Australia must acknowledge the rights of persons with disabilities in relation to their equal recognition before the law. These principles must also be applied to the NDIS review system. The NDIS review system includes an internal review followed by an external merits review in the Administrative Appeals Tribunal (AAT). Peak disability advocacy organisations have argued that the AAT procedures are overly formal and legalistic. This is especially true for persons with intellectual disability who have difficulty learning and processing new information.

My paper explores the benefits and limitations of the AAT as a review forum and I propose three principles to make the NDIS review system more accessible for persons with intellectual disability. First, a dispute resolution phase should be introduced before the internal review stage. Second, a two tier external merits review system should replace the current structure, with the first tier reviews going to a lower multi-member panel tribunal consisting of a legal, medical and a social member. The second tier appeal (if needed) can then go to the AAT. Finally, there should be appropriate supports at all levels for persons with intellectual disability, depending on their needs.

**Presenter Biography**

Ndinawe Mtonga’s background includes disability, law and human rights.
She obtained her law degree and Diploma of Legal Practice from the University of Newcastle in 2010, then commenced work as an advocate at Advocacy Law Alliance Inc. in 2011. Ndinawé currently works as Advocacy Coordinator, i.e. operations leader, and External Merits Review Support Officer (EMRSO). As an EMRSO, she provides advocacy to people with disabilities who wish to challenge NDIS decisions. Ndinawé is also undertaking a Master of Laws at the University of Newcastle and her thesis topics concern improvements to the NDIS review system for persons with intellectual disabilities.
The National Disability Insurance Scheme (‘NDIS’) was enacted in 2013 via the National Disability Insurance Scheme Act 2013 (Cth) (‘NDIS Act’). The NDIS reflects a fundamental paradigm shift in the perception and treatment of persons with disabilities in Australia. Broadly, it reflects the United Nations’ Convention on the Rights of Persons with Disabilities (‘CRPD’) by moving towards a ‘social model of disability’.

The NDIS is administered by the National Disability Insurance Agency (‘NDIA’). The Administrative Appeals Tribunal (‘AAT’) has jurisdiction to hear appeals of certain NDIA decisions made under the NDIS Act. Since 2013, the AAT has reviewed decisions concerning the access criteria for becoming a participant of the NDIS and the definition of ‘reasonable and necessary supports’, amongst others.

This Presentation seeks to assist the decision-making process of AAT Members undertaking such merits review by providing guidance on how to best interpret and apply the NDIS legislative scheme consistently with the CRPD. The authors contend that a purposive interpretation of the NDIS legislative scheme is critical to achieve its underlying purpose to fundamentally change the treatment and perception of disability in Australia.

The Presentation proceeds in three parts.

Part 1 focuses on the link between domestic legislation and international instruments. It explores the incorporation of the CRPD into Australian domestic law via the NDIS Act, as well as the social model of disability underlying both the CRPD and the NDIS.

Parts 2 and 3 identify two areas – early intervention and social inclusion, respectively – in which a purposive interpretation of the NDIS Legislative Scheme would be most appropriately applied. By drawing on analyses of
recent AAT decisions in the NDIS jurisdiction, these Parts highlight the importance of applying a purposive interpretation of the NDIS legislative scheme, and provide tangible recommendations on how best to do so.

**Presenter Biography**

Meagan Gaffney has recently completed the Juris Doctorate program at the Melbourne Law School. This presentation originally formed part of a group project undertaken during the inaugural Disability Human Rights Clinic at the Melbourne Law School.
The role of therapeutic support in promoting citizenship and human rights in disability practice

Marie Sheahan,¹* Vidette Turner²

1 Lecturer, School of Humanities and Social Sciences, Thurgoona Campus, Charles Sturt University
2 Vidette Turner, Senior Speech Pathologist, Interact Health, Albury

This presentation outlines a model of integrated support which brings together therapeutic staff with support staff to provide a model of disability support aimed at extending human rights. It is based on Lister’s (2007) principles of inclusive citizenship and is founded on the values of justice, recognition, self-determination and solidarity.

The presentation includes a case study which illuminates how these values inform a horizontal rather than vertical approach to achieving human rights in disability care and support. The model, which draws on relationality, appreciative inquiry and inclusive citizenship theory offers a counter to paternalist forms of thinking and practice which have traditionally dominated disability services and which often still tend to emerge as default positions in disability support.

The case study illuminates how these values were integrated into therapeutic practice with an individual with an intellectual disability, a complex social history and very limited verbal communication and how this approach informs the wider care and support system. It highlights how this model of practice allows others to have a greater understanding of the individual, the ways that he expresses himself, asserts choice and makes decisions. It uses case material that highlights challenging situations that have been addressed through positive and optimistic interventions rather than restrictive ones.

Presenter Biography

Dr Marie Sheahan is the parent of an adult daughter with an intellectual disability, an academic teaching in sociology, and leisure and health at Charles Sturt University. She has also worked as a practitioner in disability support for many years and continues to be engaged in community projects in disability including disability advocacy.
11:00 – 11:20

**Social and economic participation and the mental health of people with disabilities: An overview**

*Anne Kavanagh, 1* *Zoe Aitken*, 1 *Lauren Krnjacki, 1 Joanna Mithen, 1 Rebecca Bentley, 1 Andrew Beer, 2 Emma Baker, 3 Tony LaMontagne 4

1 Melbourne School of Population and Global Health, University of Melbourne  
2 Centre for Housing Research and Regional Planning, University of Adelaide  
3 School of Architecture and the Environment, University of Adelaide  
4 Population Health Strategic Research Centre, Deakin University

This paper will set the scene for the symposium providing an overview of the mental health of people with disabilities and their socio-economic circumstances. First, we outline results from cross-sectional and longitudinal analyses of the Household, Income and Labour Dynamics in Australia (HILDA) survey (2001-2013) where we estimated associations between disability and mental health measured using the mental health component summary score (MCS) of the Short Form health questionnaire (SF-36). Cross-sectional analyses showed that people with disability have lower mental health (-4.3 MCS points) than people without disability. MCS was lowest for people with psychosocial impairments (-16.4 points) and intellectual impairments (-10 points). Causally-focused, longitudinal analyses of 2200 people who did not have a disability when they entered HILDA but acquired one later demonstrated that acquiring a disability was associated with deterioration in mental health.

The second part of the paper will describe trends in socio-economic circumstances over time comparing people with and without disability using data from the ABS Survey of Disability, Ageing and Carers. People with disability had much lower levels of education, income and employment and were more likely to live in unaffordable housing and multiple disadvantage than people without disability with disparities increasing between 1999 and 2009. People with intellectual and psychosocial impairments fared worst. Analyses of the ABS General Social Survey showed people with disability had lower levels of social support and weaker social networks that people without disability.

Finally, longitudinal analysis of HILDA found employment is more beneficial
for the mental health of people with disability than for people without disability. These findings provide evidence that the mental health of people with disability would be improved through improvements in social and economic participation.

**Presenter Biography**

Professor Anne Kavanagh is an epidemiologist in the Centre for Health Equity, Melbourne School of Population and Global Health, University of Melbourne. She is well known for her research on health inequalities and has particularly interests in disability, gender, housing, employment, built environment and health. She leads two ARC Linkage proposals on “Gender, socio-economic disadvantage and the mental health of people with disabilities” and “Improving employment outcomes for people with disabilities”.


11:20– 11:40

**Inequalities in job quality between people with and without disability**

*Tony LaMontagne,1* Lauren Krnjacki,2 Allison Milner,1 Peter Butterworth,3 Anne Kavanagh2

1 Population Health Strategic Research Centre, Deakin University
2 Melbourne School of Population and Global Health, University of Melbourne
3 The Australian National University

There is growing policy interest in increasing the employment of people with disability, yet there has been little investigation of job quality as a potential influence on labour force participation and employment sustainability. This study compares psychosocial job quality of people working with versus without disability. We used 10 annual waves of data from the Household, Income and Labour Dynamics in Australia survey—a large representative longitudinal survey of working-age Australians. We estimated the proportion of the population who are working experiencing poorer psychosocial job quality (overall and by individual ‘adversities’ of low job control, high demands, high insecurity, and low fairness of pay) by disability status and impairment type. We used longitudinal logistic regression models to examine the association between disability and job quality taking into account factors that may differ between people with and without disability including for age, sex, education and job type. We found that people with disability were more likely have poorer psychosocial quality with 25% higher odds of reporting one or more adversity at work; this finding was consistent across impairment types with the exception of intellectual/developmental disability. Estimates were largely unchanged after adjustments. Similar results were found for reporting two or more adversities.

The systematically poorer job quality of people with disability is likely to contribute to their poorer mental health. Poor job quality may also be a disincentive for labour market participation by people with disability. Comparable working conditions for working people with versus without disability should also be pursued based on human rights and equity principles.
Presenter Biography

Professor Tony LaMontagne leads the Work, Health and Wellbeing Unit in the Population Health Strategic Research Centre at Deakin University in Melbourne. His broad research interest is in developing the scientific and public understanding of work as a social determinant of health, and translating this research into policy and practice to improve workplace and worker health. Currently, the Unit’s primary focus is on work and mental health—combining a range of etiologic and intervention research projects. His work on disability focusses on the links between employment, disability and health.
11:40 – 12:00

Employment, psychosocial job quality and the mental health of people with and without disabilities

Allison Milner,1* Lauren Knjjacki,2 Peter Butterworth,3 Zoe Aitken,2 Rebecca Bentley,2 Tony Blakely,4 Anne Kavanagh,2 Tony LaMontagne1

1 Population Health Strategic Research Centre, Deakin University
2 Melbourne School of Population and Global Health, University of Melbourne
3 The Australian National University
4 University of Otago

This presentation examines one aspect of job quality – fairness of pay in detail as well as assessing the associations between psychosocial job quality and mental health of people with and without disability. Both analyses used the Household, Income and Labour Dynamics in Australia survey – a large representative longitudinal survey of working-age Australians. First, we use causally robust (propensity score) analyses to isolate the effect of having a disability on fairness of pay taking into account other potential factors that differ between people with and without disability such as age, sex, and socio-economic position. Fairness of pay was lower for people with disability – by slightly less than half a standard deviation.

Second, we assessed associations between psychosocial job quality (based on adversities: low job control, high demands, high insecurity, and low fairness of pay), employment status and mental health by disability status. Mental health was measured using the mental health component scale (MCS) of the SF-36. Comparisons were made within people comparing across waves when they were in different job situations (e.g. employed with three or more adversities vs employed with no adversity; unemployed vs employed with no adversity etc.). Among people with a disability, MCS was between two and three points lower if they were employed and experienced three or more adversities or were unemployed or economically inactive compared to employed people with disability who did not report a job adversity. For people without disability, we observed a two point lower MCS when they were employed and had three or more adversities relative to no job adversity but the effects of unemployment and economic inactivity were much smaller than for people with disability.
Presenter Biography

Dr Allison Milner is a Senior Research Fellow at the School of Health and Social Development, Deakin University. Her current areas of research interest include the influence of employment characteristics, quality of work, job stress, and unemployment as determinants of mental health and suicidality. Her work on disability focusses on the links between employment, disability and health. Allison’s work ranges across a number of externally-funded etiologic and intervention projects. She works with key policy stakeholders to promote research on the link between work and mental health.
12:00 – 12:20

Importance of housing and wealth for the mental health of people with disabilities

Anne Kavanagh,1* Zoe Aitken,1 Lauren Krnjacki,1 Allison Milner,2 Rebecca Bentley,1 Emma Baker,3 Tony LaMontagne2

1 Melbourne School of Population and Global Health, University of Melbourne
2 Population Health Strategic Research Centre, Deakin University
3 School of Architecture and the Environment, The University of Adelaide

Previous research has demonstrated that acquiring a disability in adulthood is associated with a decline in mental health even for people who do not report psychosocial impairments. Acquisition of a disability may lead to concerns about future earnings due to difficulty maintaining employment or the need to reduce hours or move into lower-skilled jobs. The mental health effects of acquiring a disability may be alleviated by having access to economic resources including access to secure and affordable housing. We used 12 waves of data from the Household, Income and Labour Dynamics in Australia survey – a large representative longitudinal study of working-age Australians. We analysed data from approximately 2000 people who did not report disability when they were first recruited into HILDA but acquired a disability at a later stage. We compared differences in mental health component score (MCS) of the SF-36 within individuals when they reported a disability and when they did not according to housing security and affordability prior to acquisition of disability. Similar analyses were conducted with wealth (assets – debts). Owning or purchasing a home was associated with smaller declines in mental health after disability acquisition than being in private or public rental. Living in unaffordable housing at time of acquiring a disability was also associated with greater declines in mental health than living in affordable housing. Having high wealth was associated with smaller declines in mental health following acquisition of a disability than low wealth. These analyses suggest that investments in economic security among people who acquire a disability may be protective for mental health reducing longer term health costs to society.

The presentation will conclude with a discussion of the relevance of the findings of this work program on disability policy and practice with reference to the National Disability Strategy and National Disability Insurance Scheme.
Presenter Biography

Professor Anne Kavanagh is an epidemiologist in the Centre for Health Equity, Melbourne School of Population and Global Health, University of Melbourne. She is well known for her research on health inequalities and has particularly interests in disability, gender, housing, employment, built environment and health. She leads two ARC Linkage proposals on “Gender, socio-economic disadvantage and the mental health of people with disabilities” and “Improving employment outcomes for people with disabilities”. 
3:00 – 3:20

**How can we uphold rights to safety and justice for women with disabilities? Good practice examples addressing the inequities shown in research.**

*Jen Hargrave*†

1 Women with Disabilities Victoria

Historically, women’s disclosures of gender based violence and disability based violence have been largely ignored. A growing body of Australian research highlights the prevalence of this intersectional violence and the barriers women face to reporting it and receiving services. Simultaneously, in Victoria a number of innovative pilot programs for preventing and responding to violence against women with disabilities have been recently completed.

This presentation will give an overview the barriers found through the Voices Against Violence research (Women with Disabilities Victoria, Office of the Public Advocate and Domestic Violence Resource Centre, 2014). These barriers were identified through interviews with women, interviews with Guardian Advocates and volunteers, a file audit, a legislative review and a desktop review.

The Voices Against Violence research identified good practice examples in primary prevention, sexual assault response and family violence response. These programs have all successfully passed their pilot stage and have achieved further funding. This presentation will share these examples to demonstrate how can we break down these barriers to uphold women’s rights to safety and justice.

**Presenter Biography**

Jen Hargrave is Policy Officer on violence against women with disabilities at Women with Disabilities Victoria (WDV). She has represented WDV at the International AIDS Conference (2014), at Victoria’s Royal Commission into Family Violence (2015), at Parliamentary Inquiries and at key State advisory committees (such as the Victorian Equal Opportunity and Human Rights Commission Disability Advisory Group and the Family Violence Statewide Advisory Committee). Jen is keen to see sectors working together to reduce violence against women with disabilities, and so has delivered many cross sectoral professional development sessions. In addition, Jen is currently
managing WDV’s Communications as she has a growing interest in how technologies can facilitate greater social and economic participation of women with disabilities.

Previously Jen worked in Disability Liaison Units supporting accessible tertiary education for students with disabilities. Jen was born with a vision impairment and so is pleased to have had opportunities to promote disability and gender rights through her career. She is excited to now be part of the national systemic advocacy organisation of women with disabilities through WWDA’s Committee of Management.
3:20 – 3:40

**W-DARE peer facilitated Participatory Action Groups: increasing demand for sexual and reproductive health rights for women with disability in the Philippines**

*Manjula Marella,*¹ *Abhishek Easwaran,*² *Beth Sprunt,*¹ *Sally Baker,*¹ *Alex Devine*¹*

¹ Nossal Institute for Global Health, University of Melbourne, Australia
² School of Medicine, Deakin University, Australia

**Background:** Participation is the key element of the social model of disability and the common goal of disability services is to increase participation of people with disability in the community. We present findings from the Rapid Assessment of Disability (RAD) survey conducted in the Bogra district of Bangladesh on (1) the impact of disability on participation in the community and (2) the factors that determine the choice of participation in the community.

**Methods:** The sample includes 195 participants with disability and 195 age and gender matched controls without disability aged 18 years or older from a larger population-based RAD survey. The RAD survey captures information on socio-demographics, self-assessment of functioning, well-being and access to the community. We present the findings on access in the domains of health, education, work, social activities and community meetings.

**Results:** People with disability had significantly poorer access to all domains compared to people without disability. Disability was the only socio-demographic variable associated with access to services; except people aged ≥35 years were significantly more likely to participate in community meetings compared to 18-24y age group. Women were significantly more likely to report not wanting to participate in social and community meetings and work outside home compared to men. Men were 2.5 times more likely to report not needing health services than women. Disability and older age groups were associated with needing health services; and older age groups were associated with wanting to participate in community meetings.

**Conclusion:** Our study shows that disability significantly impacts participation in the community. However, choice by women not to participate in the community is a stronger variable than disability as a
barrier. This suggests the importance of capturing contextual factors rather than assuming disability is the main barrier to participation.

**Presenter Biography**

None provided.
3:40 – 4:00

**From paternalism to protection: Examining prospects for a disability-cognizant IHL narrative**

*Janet E. Lord*

1 Harvard Law School Project on Disability, Cambridge, Massachusetts

The disability rights paradigm reflected extant in the Convention on the Rights of Persons with Disabilities (CRPD) breaks free of paternalistic models of protection evident in earlier international human rights law and humanitarian law instruments. It requires law and policy to be animated by a social model understanding of disability and informed by principles of autonomy, non-discrimination, independence, inclusion and equality of opportunity. As such, it contrasts with approaches to disability that are centered on individual deficit and insensate to social and institutional structures that oppress, isolate and reinforce vulnerability. International humanitarian law, in particular, reflects a limited, biomedical conceptualization of disability and indeed the bulk of IHL instruments according protection to vulnerable populations were written well before the emergence of a disability rights narrative in domestic or international law. The CRPD, in expressly incorporated by reference IHL protections into the CRPD offers an opportunity for a new disability rights-cognizant narrative in IHL. As yet, however, no CRPD commentary examines whether and how IHL will be so informed by disability rights principles.

The presentation will draw on disability studies scholarship – and feminist disability studies in particular – to examine the conceptualization of disability within the general and specific protection framework of IHL. Part II will address the tension inherent in protective models of IHL and international disability rights and considers whether and how the CRPD offers a palliative response. It concludes by considering whether and how the further development and understanding of an IHL disability perspective will contribute to the resilience and overall effectiveness of IHL and strengthen the protection of persons with disabilities through addressing their specific needs in – and in the aftermath of – armed conflict.

**Presenter Biography**

Janet E. Lord is an international human rights lawyer who specializes in international disability law and policy and inclusive development. A legal
advisor to Disabled Peoples’ International and lead governments during the
drafting of the UN Disability Convention, she is currently senior research
fellow at the Harvard Law School Project on Disability. She is on the adjunct
teaching faculty at the American University Washington College of Law and
the University of Maryland Francis King Carey School of Law. Lord holds
an LL.B. and LL.M. in law from the University of Edinburgh (Scotland),
an LL.M. in international and comparative law from George Washington
University Law School, and a B.A. in History from Kenyon College.
Are women and men with disabilities at greater risk of experiencing inter-personal violence?

Lauren Krnjacki,¹ Eric Emerson,² Gwynnyth Llewellyn,² Anne Kavanagh¹*

1 Melbourne School of Population and Global Health, University of Melbourne
2 Centre for Disability Research and Policy, University of Sydney

There is international evidence that people with disabilities experience higher levels of violence than people without disabilities however there are no Australian population-based studies comparing the prevalence of violence between people with and without disabilities. We used data from the ABS Personal Safety Survey of over 17,000 adults to compare the prevalence of different forms of inter-personal violence (physical, sexual, intimate partner violence and stalking/harassment) between people with and without disabilities by gender. Compared to women without disabilities, women with disabilities were more likely to report sexual violence (1.7% vs 0.9%) and partner emotional abuse (6% vs 4%) in the last 12 months. When reporting violence since 15 years of age, women with disabilities were more likely to experience all forms of violence than women without disabilities with the largest differences found for sexual violence (28% vs 15%), partner violence (25% vs 13%) and partner emotional abuse (35% vs 19%). In the last 12 months, men with disabilities were more likely to report sexual violence and partner emotional abuse then men without disabilities. When violence was reported since 15 years, men with disabilities were more likely to experience all types of violence. Men with disabilities were at particularly high risk of experiencing physical violence (53% vs 46%). Compared to men with disabilities, women with disabilities were less likely to report physical violence but had between two and six times the odds of reporting sexual violence, partner violence, partner emotional abuse and stalking and harassment. These results highlight the need to focus prevention efforts towards reducing violence against people with disabilities.

Presenter Biography

Professor Anne Kavanagh is an epidemiologist in the Centre for Health Equity, Melbourne School of Population and Global Health, University of Melbourne. She is well known for her research on health inequalities and has particularly interests in disability, gender, housing, employment, built environment and health. She leads two ARC Linkage proposals on
“Gender, socio-economic disadvantage and the mental health of people with disabilities” and “Improving employment outcomes for people with disabilities”.
3:00 – 3:20

Engaging people with younger onset dementia in service development: the Banksia Support Group

Seuwandi Wickramasinghe

1 Brotherhood of St Laurence, Research and Policy Centre, Fitzroy, Australia

Very rarely do people with younger onset dementia have the opportunity to take an active role in service development. This presentation describes a group that provides people with younger onset dementia (YOD) with the opportunity to drive their own service.

Initiated in 2013 by the Brotherhood of St Laurence in Melbourne, the Group was developed in response to the lack of services specific to people with YOD. Based on the findings of a small-scale study of the Group, this presentation draws attention to two conceptual models that are the hallmarks of this Group: Amartya Sen’s Capability Approach; and the practice of co-production. The Group uses the Capability Approach to enhance the personal and social well-being of people with younger onset dementia by identifying their capabilities, personal interests and what gives their lives meaning and value. Using the concept of co-production, the service model moves away from traditional models of service delivery instead enabling members to initiate and organise their activities and projects.

Complementing the Group’s approach, the study used Participatory Action Research method through which members actively contributed to setting the outcomes for the study. The study is based on data gathered from four Group members, two carers, program staff and the Alzheimer’s Australia YOD Key Worker though interviews conducted in two stages. Drawing on the findings of the study, the presentation will examine the benefits that the Group has had for members and the challenges to implementing such a Group. This study highlights the need for YOD services to explore the positive impact that well-designed and innovative service delivery approaches can have on people with YOD and their carers. It also illuminates the value of incorporating the voice of people with YOD in service development and delivery.

Presenter Biography

Seuwandi Wickramasinghe works in the Research and Policy Centre of the Brotherhood of St Laurence in the Retirement and Ageing transition
where she conducts social policy research and program evaluations. Her background is in International Studies and her research interests include social care for people with dementia, application of the concept of social capital and social network analysis.
3:20 – 3:40

**Building Inclusive Communities: A Local Government Perspective**

*Maureen D’Arcy*

1 MetroAccess Development Officer Whitehorse City Council, Victoria Coordinating Group of the Victorian Local Government Disability Planners Network

Building Inclusive Communities is at the heart of social inclusion. Emanating from the first Victorian State Disability Plan the Building Inclusive Communities program has been an important partnership between the State Government Department of Health and Human Services (DHHS) and Local Government. Since 2002, the employment of Rural, Metro and Deaf Access Offices within local government settings has enabled a strategic place based approach to building the capacity of local communities, services and organisations to be responsive and address the barriers experienced by people with a disability and their families.

Local government has an important role in designing and developing the type of environments; social; built; economic and natural that support the health and wellbeing for all people in the community. The Building Inclusive Communities program has the ability to work within the organisation and in partnership with individuals, community organisations and businesses to lead and influence systemic change. Local governments are particularly well placed to identify and reach disadvantaged groups in the community, provide leadership for a place based approach to social inclusion not only at municipal level or across a region but also with the finer focus on townships or suburbs.

The role of local government in the development and implementation of social inclusion initiatives has not been subject to broad research however the Building Inclusive Communities program demonstrates what can be achieved in local settings. Each Council operates is a unique entity with differing demographics, community priorities, financial and geographic variables. It is within this context that Local Government through the Building Inclusive Communities Program identifies and addresses barriers to inclusion. This presentation will highlight the structure of the Building Inclusive Communities program and the range of outcomes achieved through this uniquely Victorian initiative, its social impacts and benefits to people with a disability in local communities.
Presenter Biography

Maureen D’Arcy has held the position of MetroAccess Development Officer at Whitehorse City Council for seven years. Maureen has been a member of the coordinating group of the Victorian Local Government Disability Planners Network for approximately 6 years. She holds a Masters of Social Science (Policy and Human Services Management), Graduate Certificate in Human Rights, Bachelor of Applied Science (Disability Studies) and an Associate Diploma of Arts (Welfare Studies). Maureen also holds certificated qualifications in Access Auditing, Frontline Management and Workplace Training.

Maureen’s career in the disability sector started with wanting to understand the impacts and presentation of different disabilities. Through her career Maureen has held several roles, worked in a number of settings including community health, disability services, TAFE and local government.
3:40 – 4:00

**Guide dogs for allsorts: Measuring the impact of intervention**

*Lil Deverell, 1, 2* *Paula Foote* 2

1 Independent OandM Research Consultant, Melbourne, Australia
2 Guide Dogs Victoria, Melbourne, Australia

Anecdotally, the benefits of guide dog mobility are well known, but the advent of NDIS has introduced a new imperative to measure the impact of intervention. There are several reasons why measuring functional outcomes is challenging: rigid eligibility criteria for services are dissolving so that guide dog clientele are now more diverse; and in any discipline, real-world functional competence is a slippery construct to measure, being redefined with every client.

An increasing emphasis on client-centred practice has opened up the possibility of guide dog mobility to a much broader clientele. There are now guide dog clients with acquired brain injury or a significant amount of vision. Some undertake no independent travel before training and some have health issues that impose significant travel limitations. And a few are school-kids.

Guide Dogs Victoria has begun research to investigate the benefits of guide dog mobility from the clients’ perspective. Interviews are revealing what clients value about having a guide dog, both when the dog is working and when the dog is out of harness. These findings challenge prevalent assumptions about disability and competence, low vision and blindness, safety and risk, and the nature of independence. There also seem to be important relationships between spatial cognition, anxiety and confidence that warrant further investigation.

This qualitative inquiry is providing a solid theoretical foundation to increase the validity of new outcome measures. At the same time, Guide Dogs Victoria is piloting new methods of measuring functional performance that have potential application in any context where service providers must measure the functional impact of their interventions. We will use the case study of a teenage guide dog client to illustrate how this measurement approach can capture both context-specific gains and broader lifestyle impact, pre-post intervention.
Presenter Biography

Lil Deverell is an experience orientation and mobility specialist who works with people of all ages who have problems with their functional vision. She is nearing the end of a doctorate investigating functional vision in the context of bionic eye research. In seeking ways to bridge the clinical-functional divide, she has identified defining characteristics of robust functional research and has developed unique measures of functional vision and functional mobility. Lil is also conducting research at the Guide Dogs Victoria which is investigating benefits of guide dog mobility from the clients’ perspective.
4:00 – 4:20

Promotion of human rights and social justice for persons with disabilities by religious means: the role and contribution of Zakat in Malaysia

*Khairil Azmin Mokhtar,*1  *Ikmal Hisham Md. Tah* 2

1 Associate Professor, Faculty of Law, International Islamic University Malaysia
2 Lecturer/Researcher, Faculty of Law, Universiti Teknologi MARA Malaysia

State Parties have duty to ensure promoting full realization of human rights for PWD through appropriate legislative, administrative and other measures including maximum available resources with regard to socio-economic development. Malaysia has become the party to the CRPD and domestic legislation have been passed by the government to promote and protect the PWD. One of the Quran’s major themes is social justice. Islam builds its community out of human obligation toward each other, making each Muslim accountable for the well-being of every other Muslim. Zakat promotes care and love between each other in the community by guaranteeing justice unto the least of them, while shielding the weak from injury. It enshrines the right of help for the community’s needy, and in doing so it builds a relationship of consideration and appreciation between society’s members. Zakat awakens the individual’s social spirit with the truest practical expression of brotherhood. It links one to others by a sense of personal responsibility and it binds everyone to the individual through an obligation of sufficiency. In Malaysia, the role of zakat (tithe) institution in assisting those who are poor and needy within the beneficiaries (asnaf) that allows under the Shariah is crucial to achieve social justice. The institution has become integral part within Malaysian Muslim society where government has set up proper mechanism of paying zakat through institution recognized under the law. Zakat institution would help to improve the living condition of PWD not just in terms of eradicating poverty among them but also improving their life and getting support system. This article will address the importance of zakat institution in Malaysia to assist PWD who is in dire need for financial and support system that allows them to participate meaningfully within community in line with the spirit of CRPD and local laws.
Presenter Biography

Ikmal Hisham Md. Tah is a law lecturer at Faculty of Law, Universiti Teknologi MARA (UiTM) Pahang Malaysia. He is currently pursuing his Doctor of Philosophy (Ph. D) in Law at the Ahmad Ibrahim Kulliyyah of Laws (AIKOL), International Islamic University Malaysia (IIUM) focusing on disability laws and policy in Malaysia. His research interests include constitutional law, public international law, human rights, jurisprudence and legal system.
4:20 – 4:30

Promoting disability inclusion in religious organisations and places of worship: case studies from Australia and India

Nathan Grills, * Natalie Tan

1 Nossal Institute for Global Health, University of Melbourne

Churches and religious communities are responsible for providing many disability services in Australia and internationally. This service delivery approach to disability has promoted a style that might be best characterized as a charitable model and has not always promoted inclusion in their own religious community (social model). The WHO Community Based Rehabilitation Matrix recognizes that spiritual wellbeing is important in the life of all people including those with disability. However, places of worship have often remained inaccessible: both socially and physically. Physical barriers are sometimes obvious with many religious buildings been old, elevated with multiple steps, and acoustically challenging for those with sensory disabilities. Additionally, some religious teachings have promoted people with disability as an object of charity and so perpetuated social and attitudinal exclusion. This paper outlines various barriers which exclude people from involvement in faith communities and potentially from social welfare programs run by these organisations. The authors explore the social model and the rights-based models of disability and how these can applied to promote inclusion in faith communities. Two case studies will be utilized to outline the problems, solutions and the potential of promoting inclusion in faith-based organisations. One case study is taken from Australia where CBM Australia has utilized a social empowerment model to produce materials and actively promote inclusion in churches across Australia. The other case study is taken from India where a national program, called Engage Disability, drawing on materials from CBM, brought together lead faith-based agencies and communities to begin a dialogue around faith and disability. Engage Disability illustrates a process of networking between key people, communities and organisations to change attitudes and practices towards disability. These case studies demonstrate that promoting inclusion in faith-based communities is possible and can contribute to the wellbeing of those with disability.

Presenter Biography

Dr Nathan Grills is a Public Health Physician with the Nossal Institute for
Global health (University of Melbourne). He works largely on disability in the Indian context and facilitates the CHGN Uttarakhand Cluster of 50 community health programs whose main focus is disability inclusion. Academically he researches disability measurement with the Public Health foundation of India and the CHGN Uttarakhand Cluster. In the past Nathan has extensively researched faith based health programs in India whilst completing his MPH and DPhil at Oxford University. He has worked with FBOs in Africa, Fiji, East Timor, PNG, Bangladesh and Nepal.
3:00 – 3:20

**Arts and Disability – Whose Work Is It?**

*Veronica Pardo*¹

1 Executive Director – Arts Access Victoria, Melbourne, Australia

These days, everyone agrees that access and inclusion is important, so why aren’t we making enough progress when it comes to cultural participation by people with a disability, as artists, audiences and arts workers? Is there a disconnect between our professed values around democratisation of the arts and our practices? We see many messages about cultural participation being a “right” of citizenship, something that elevates and elucidates our lives. But the reality is a good portion of our community is locked out of cultural participation by significant structural barriers. Could it be we too often locate responsibility for access and inclusion with someone else, whether it is an art and disability organisation, an access and inclusion officer, even perhaps the person with a disability themselves? Whose work is it really?

Despite this neglect, or perhaps in spite of it, artists with a disability are increasingly making work that is distinctive, challenging and transformative. They are collaborating with a discerning group of organisations and individuals who are interested in breaking down barriers to mine the rich terrain that disability arts offers, exploring in the words of UK artist Yinka Shonibare “the last avant garde”. This work is ground-breaking, offering artists and art makers the potential to tell amazing, untold stories in original ways, and offering organisations innovative ways to meet business challenges. What does the future hold for arts and disability?

This presentation will examine current arts practice in Australia in the context of the power of art to connect and transform art making, discourse, industry and community. It will reveal where art by artists with disability is located in an industry that measures virtuosity in terms of its social and economic contribution, and it will examine the culture of excellence promulgated by contemporary government policy and rewarded by public investment.

**Presenter Biography**

Veronica is Executive Director of Arts Access Victoria, Victoria’s leading arts and disability organisation. Veronica leads an ambitious agenda of social and artistic transformation for people with a disability, the communities...
in which they live, and the arts sector in which they aspire to participate without barriers. With a passion for equity Veronica has spearheaded many campaigns relating to the inclusion of people with a disability in arts and culture. Holding executive roles in the creative industries and not for profit sector, Veronica leads programs aimed at addressing barriers to participation. Academically Veronica’s focus is Australian sign language linguistics.
3:20 – 3:30

**Traversing the un-traversed - the role of the arts in social change**

*Katharine Annear*

Abstract not available.

**Presenter Biography**

Katharine is a passionate disability and community development worker. Through her work, she attempts deep engagement with communities and works with populations from the ground up. She has invested time in formal study in disability, critical disability studies, organisational change, gender and policy analysis. She has a Master of Disability Studies. Within the Gender Consortium at Flinders University Katharine is currently developing a Disability Analysis Tool for policy, planning, projects and activities in international development.

Katharine has history of delivering arts and writing workshops to a variety of groups including same sex attracted women, CANTEEN, youth workers, people with disability and has recorded the stories of refugees through an oral history/theatre project.

Katharine has a personal involvement in the Autistic Rights Movement and in building cross disability alliances. She has a 20 year history of systemic advocacy in the areas of disability and disadvantage and is currently the Chair of the Autistic Self Advocacy Network of Australia and New Zealand.
3:40 – 4:00

**Comedy and Performing the Rights of Psychiatric Disability**

*Mary Luckhurst*

1 VCA, University of Melbourne.

In the last five years comic shows staging the experiences and rights issues of sufferers of psychiatric disability have proliferated. In 2015 Susan Provan, Director of the Melbourne International Comedy Festival, noted that festival stand up has become a particularly effective vehicle for protest and advocacy. Celebrated comics have spoken on stage both about the deaths or struggles of other high profile comics and about their own battles with psychiatric disability. This paper examines comedy staged in the last two years in Australia and the UK and investigates the particular psychiatric conditions that come to the stage, the agendas that accompany them and the strategies used to promote them. It also hypothesizes about why comedy is perceived to have more impact than perhaps other performing arts forms.

Crippling depression is a topic which is not uncommonly interrogated by stand up comics in revelations about their own struggles and also their critique of social attitudes, treatment structures, government policy, and media representation. Spike Milligan, Stephen Fry, Robin Williams, John Cleese and many other comics have spoken of disabling depression. The paper draws on research interviews conducted by Mary Luckhurst and her team with comic writers and performers and investigates shows by performers such as Danny Stinson, Ruby Wax, Hannah Gadsby, and Bryony Kimmings.

**Presenter Biography**

Mary Luckhurst is Ramap Professor of Artistic Research and Creative Practice at University of Melbourne. She is a theatre scholar and theatre director with an expertise in theatre and human rights. Her latest book Theatre and Human Rights since 1945: Things Unspeakable (Palgrave 2015) examines human rights agendas that do and don’t come to the stage, trauma and taboo. She has published on women’s rights, elder abuse, freedom of speech, and torture.
Support to exercise legal capacity: Findings from focus groups
Bernadette McSherry†*

1 Adjunct Professor of Law and Foundation Director, Melbourne Social Equity Institute, University of Melbourne, Melbourne, Australia

This paper will outline how the Convention on the Rights of Persons with Disabilities, which Australia has ratified, is driving reforms to mental health laws by recognising that governments must provide supports to persons with disabilities, including those with “mental Impairments” (Article 1), to exercise their “legal capacity” which is defined by the Council of Europe’s Commissioner for Human Rights as “a person’s power or possibility to act within the framework of the legal system”. A person’s decision-making skills have traditionally been closely linked to legal capacity in the sense that if a person is considered able to make decisions, he or she is generally taken to be able to act within the framework of the legal system by being able to make contracts, buy and sell property, make a will and so on as well as consent to or refuse medical treatment. Interpretations of the Convention are however, challenging this traditional link between decision-making skills and legal capacity, while emphasizing that parties to the Convention (including Australia) “shall take appropriate measures to provide access by persons with disabilities to the support they may require in exercising their legal capacity” (Article 12(3)). Professor McSherry will explore current debates on legal capacity as well as summarising the findings from focus groups carried out at a major conference on psychiatry, psychology and law held in Canberra on the 27th November 2015. She will focus on how participants viewed “legal capacity” and what they thought supported decision-making meant in this regard.

Presenter Biography

Professor Bernadette McSherry has a research background in law, political science and psychology. She is the Foundation Director of the Melbourne Social Equity Institute at University of Melbourne and a Fellow of the Australian Academy of Social Sciences and the Australian Academy of Law. She is an Adjunct Professor of Law in the Melbourne Law School and the Faculty of Law, Monash University. Professor McSherry is a sessional legal member of the Victorian Mental Health Tribunal and has published widely on a range of issues dealing with mental health law and criminal law.
3:20 – 3:40

**Perspectives on Supported Decision-Making from People Diagnosed with Severe Mental Health Problems and Carers Supporting Them**

*Lisa Brophy, 1 Audrey Statham, Renata Kokanovic*

1 Senior Research Fellow, School of Population and Global Health, University of Melbourne and Director of Research at Mind Australia

This paper will focus on the preliminary analysis of audio and video recorded narrative interviews that were conducted with 30 people diagnosed with severe mental health problems (SMHPs) and 31 carers of people diagnosed with SMHP between April 2014 and June 2015 in Victoria. It will provide an overview of what people diagnosed with severe mental health problems and their carers believe is necessary for them to be better supported to make their own decisions about treatment and care in mental health service delivery, and what carers believe is necessary for them to be better supported to assist people diagnosed with severe mental health problems to make their own decisions.

**Presenter Biography**

Dr Lisa Brophy is Senior Research Fellow at the Centre for Mental Health, School of Population and Global Health, University of Melbourne, and Director of Research at Mind Australia. She is a community member of the Victorian Mental Health Tribunal. Dr Brophy was a member of the expert advisory group responsible for reviewing Victoria’s mental health legislation, and a member of the Multiple and Complex Needs initiative State-wide panel in Victoria. Lisa’s research interests include Community Treatment Orders and the shift to individualised funding packages in the context of the National Disability Insurance Scheme. Through her work with Mind, she is implementing a Research and Evaluation Framework focused on recovery and social inclusion.
3:40 – 4:00

**Perspectives on Supported Decision: Making from Mental Health Service Providers**

*Lisa Brophy*

1 Senior Research Fellow, School of Population and Global Health, University of Melbourne and Director of Research at Mind Australia.

This paper will provide an overview of emerging themes from more than 30 interviews with mental health practitioners, including psychiatrists. Participants identified the opportunities and benefits in moving towards greater emphasis on supported decisions making, including the links SDM has with recovery oriented practice. However, they also identified challenges, barriers and concerns such as the expectations the current service system places on them as well as the potential vulnerability of the people they are supporting. Themes that have emerged regarding how to facilitate supported decision making include management and leadership, legal or human rights based mechanisms such as advance statements, empowerment of service users and advanced interpersonal strategies. These themes are informing the development of a range of tools and resources that will assist mental health service providers engage in best practice in implementing SDM.

**Presenter Biography**

Dr Lisa Brophy is Senior Research Fellow at the Centre for Mental Health, School of Population and Global Health, University of Melbourne, and Director of Research at Mind Australia. She is a community member of the Victorian Mental Health Tribunal. Dr Brophy was a member of the expert advisory group responsible for reviewing Victoria’s mental health legislation, and a member of the Multiple and Complex Needs initiative State-wide panel in Victoria. Lisa’s research interests include Community Treatment Orders and the shift to individualised funding packages in the context of the National Disability Insurance Scheme. Through her work with Mind, she is implementing a Research and Evaluation Framework focused on recovery and social inclusion.
4:00 – 4:20

**Supported Decision-Making In Mental Health And Beyond: Can A Single Law Provide For All Citizens, Including Mental Health Consumers, Older Persons And People With Intellectual Disability?**

*Piers Gooding*

1 Postdoctoral Research Fellow, Melbourne Law School, University of Melbourne

This presentation will consider how supported decision-making in the mental health context might be provided under a single assisted decision-making law for all people, rather than within specific mental health legislation. This broader legal framework encompasses support for older persons, people with cognitive disabilities and others. The paper will look specifically to the Assisted Decision-Making (Capacity) Bill 2013 in the Republic of Ireland, which looks set to become one of the most innovative laws of its kind. Drafters of the Bill sought to achieve the aim set out in Article 12(3) of the UN Convention on the Rights of Persons with Disabilities (CRPD) to secure ‘access by persons with disabilities to the support they may require in exercising their legal capacity’. Further, the Bill was developed with a view to applying the ‘universal design’ principle of the CRPD, in which systems are ‘usable by all people, to the greatest extent possible, without the need for adaptation or specialized design’ (Article 2). To help achieve this aim, the Bill was developed with the high-level participation of civil society organisations, including those representing mental health service users, people with disabilities generally, elder people, professionals and families. This presentation will identify the benefits (and potential drawbacks) of collaborative law reform efforts in this area that go beyond mental health legislation, but which nevertheless incorporate supported decision-making in mental health policy and practice.

**Presenter Biography**

Dr Piers Gooding is a Postdoctoral Research Fellow at the Melbourne Social Equity Institute, Melbourne School of Law, University of Melbourne. His research focuses generally on mental health law, supported decision-making and access to justice for people with intellectual disabilities, with a special focus on the UN Convention on the Rights of Persons with Disabilities. In his previous post as researcher at the Centre for Disability Law and Policy, National University of Ireland, Dr Gooding worked on two
European Commission-funded projects related to legal capacity, disability and equality. His current research centres on support for people with intellectual disabilities in the criminal justice system, particularly in the context of unfitness to plead rules in three Australian jurisdictions.
The United Nations Convention on the Rights of Persons with Disabilities (CRPD) will have been in force for eight years on 3 May 2016. When the CRPD was being negotiated, several governments including the Australian Government, argued in the early stages that a new convention for persons with disabilities was unnecessary. This was because our rights were accommodated in earlier covenants and conventions. In particular, it was suggested that the two foundation covenants - the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights - bestowed upon persons with disabilities all appropriate rights.

In this domestic and international analysis, I shall argue that the CRPD has enabled extraordinary advances in the lives of persons with disabilities to take place both in Australia and internationally. In my view, these advances could never have occurred simply by relying on earlier conventions and covenants.

In relation to the domestic application of the CRPD in Australia, the following argument will be made. The CRPD has acted as a game changer and as a catalyst in the following areas of Australian laws, policies and practices.

- The Development for All foreign aid strategy 2008,
- The National Disability Strategy 2010-2020,
- The National Disability Insurance Scheme 2013, AND
- The current Australian Human Rights Commission inquiry into employment discrimination.

In relation to the international operation of the CRPD, it will be argued that in various ways this Convention is improving the lives of persons with disabilities throughout the world. The following matters will be highlighted.
• The rapid ratification of the CRPD, 157 countries and the European Union,
• The unique features of the CRPD monitoring Committee,
• The human rights monitoring approach of the Committee,
• The Committee’s general comments,
• The Optional Protocol and individual complaints,
• Disabled persons organisations and capacity building,
• The United Nations High Commission for Refugees statement on refugees with disabilities 2010, and
• The disability inclusion in the post-2015 Development Framework.

**Presenter Biography**

Emeritus Professor Ron McCallum AO studied law at Monash University, graduating in 1972. In 1974 he completed a Master of Laws Degree under the Commonwealth Scholarship and Fellowship Plan at Queen’s University, Canada. It was at this point that Ron developed his interest and expertise in labour and employment law. After teaching at Monash for eighteen years, he moved to Sydney in 1993 where he was appointed to a full professorship at the University of Sydney. Blind since his birth, this appointment made Ron the first totally blind person to be appointed to a full professorship at any Australian or New Zealand university. He served as Dean of the University of Sydney Law School between 2002 and 2007. In January 2011, on his retirement, the Senate of the University of Sydney awarded Ron the title of Emeritus Professor. His expertise in labour law and occupational health and safety saw him appointed as chair or member of various federal and state inquiries. The most recent was the 2012 inquiry into the Fair Work Act 2009 (Cth).

Professor McCallum is a director of the Board of Vision Australia which assists blind and visually impaired persons.

Professor McCallum was made an Officer in the Order of Australia (AO) in 2006 for his services to tertiary education, for industrial relations advice to governments, for assistance to visually impaired persons and for social justice. In January 2011, Prime Minister Ms Julia Gillard designated Ron as Senior Australian of the Year for 2011.
Professor McCallum was nominated by the Australian government to stand as an independent expert for the United Nations Committee on the Rights of Persons with Disabilities when that Committee was first established in 2008. The primary function of the Committee is to monitor the implementation of the United Nations Convention on the Rights of Persons with Disabilities. Ron served as inaugural member, then Chair of this Committee and then as a Vice-Chair until the conclusion of his mandate on 31 December 2014. He also served as the Chair of the UN Committee of the Chairs of all of the UN Treaty Bodies in 2011-2012.

On 21 August 2013, Professor McCallum was sworn in as a part time member of the Australian Administrative Appeals Tribunal, in both its General Division and in its NDIS Division.
10:10 – 10:30

**Australia’s Evolving Revolution in Mental Health Law**

*Sascha Callaghan*†

1 Faculty of Law, University of Sydney

Meeting the requirements of the United Nations Convention on the Rights of Persons with Disabilities (‘CRPD’) has presented a considerable challenge for the development of mental health laws around the world. Governments in all but one of Australia’s eight jurisdictions have recently reviewed their mental health laws with varying results in terms of achieving rights-based reform. This article reviews these most recent law reform efforts and evaluates the degree to which new legislative provisions improve compliance with international obligations, focusing on provisions relating to involuntary admission, the right to equal enjoyment of legal capacity and the facilitation of supported decision making, with reference to the Australian Law Reform Commission’s recent recommendations for achieving compliance the CRPD.

The task of implementing reform and assessing compliance has been complicated by protracted debate about the continuing role of ‘substituted decision making’ within the supported decision making model required by the CRPD, combined with lack of developed theory about how supported-decision-making will work in emergency situations in mental health.

While considerable gains have been made in some jurisdictions, many Australian states will still fall largely short of the CRPD’s requirements.

**Presenter Biography**

Sascha Callaghan is a lawyer and lecturer in health law and ethics at the University of Sydney. She has published widely in the area of health care decision-making, mental health and cognitive impairment. She also has a research interest in law and reproduction and medical treatment in pregnancy. Sascha is the lawyer member of the Ethics of Clinical Practice Committee for Sydney Local Health District, and a member of a number of research collaboration networks including the Sydney Health Policy Network and the Network for Bodies Organs and Tissues. She is currently a lead researcher in the Sydney Neuroscience Network on intersections between neuroscience, law and ethics.
10:30 – 10:50

Protecting rights with (less than perfect) mental health legislation

Christopher Ryan

1 Discipline of Psychiatry and Centre for Values, Ethics and the Law in Medicine, University of Sydney, Sydney, Australia

Since Australia’s ratification of the Convention on the Rights of Persons with Disabilities, all but two of it jurisdictions have taken steps to reform their mental health legislation particularly with regard to the importance of decision-making capacity. While some states, like Tasmania and Western Australia, have reformed treatment criteria so that adults cannot be subjected to psychiatric treatment if it is competently refused, other jurisdictions have reacted to this element of the Convention by reforms which are clearly not CRPD-compliant. They have, for example, retained discriminatory treatment criteria but have revised the Act’s objects and principles. This paper reviews the legal impact of these reforms and examines how clinicians should operate within the new legislative environment.

Presenter Biography

Chris Ryan is a Clinical Associate Professor in psychiatry at Sydney’s Westmead Hospital and the Centre for Values, Ethics and the Law in Medicine at the University of Sydney. Though most of his work is caring for patients, he maintains an active research programme, lectures in medicine, law and philosophy, and frequently provides expert opinion on civil legal matters. He is regularly invited to speak both in Australia and internationally, and in over a hundred publications he has investigated areas such as delirium, body integrity identity disorder, deliberate self-harm, risk categorisation, mental health legislation, advance directives, physician-assisted dying and euthanasia.
10:50 – 11:00

**Finding light in the tunnel: Healing through complementary medicine use and tertiary education, among Victorian people with mental illness.**

*Tass Holmes*

1 School of Social and Political Science – Anthropology, University of Melbourne, Victoria, Australia.

This presentation firstly summarises part of a recent anthropological research project in rural Victoria, critiquing these research findings in light of prevailing social policy enactments directed towards mentally ill persons. It then briefly discusses the researcher’s own experience of overcoming a diagnosed mental health condition, labelled as schizophrenia, and circumstances of hardship in the long-term role of sole parent, together comprising substantial social disability and life obstacles, to undertake extensive tertiary studies, including the recently completed PhD.

The paper opens by describing experiences of research participants with diagnosed mental health problems, who choose in a self-motivated way to consume complementary and alternative medicine (CAM) for general wellbeing. The sense of optimism in narratives of this group (drawn from a greater pool of those formally interviewed) contrasted dramatically with more difficult experiences of another group, who predominantly relied only on conventional medicine (interviews were not conducted with the latter group; information was provided by a knowledgeable informant). Categorised as ‘Known early deaths of familiar local people’, the second group evidenced a high rate of early adult deaths, including several suicides, among those on anti-psychotic medication regimes, with or without substance-abuse issues. This finding raised questions and need for dialogue around: (a) patient rights, particularly whether current poly-pharmaceutical prescribing of medications may be overly heavy-handed, contributing to early deaths among mental health consumers; (b) whether CAM use could be actively promoted and encouraged by medical practitioners, and ways it may benefit patient wellbeing; (c) whether educational efforts geared to preventing substance abuse are sufficient, particularly for ‘dual diagnosis’, that is, in conjunction with mental illness.

On a lighter note, the researcher will conclude by sharing a brief story of her tertiary education learning trajectory, encouraging others with significant
mental health problems to undertake further education, despite this goal seeming at times impossible.

**Presenter Biography**

Tass Holmes recently graduated after completing her PhD in anthropology at University of Melbourne, on the topic of rural health, poverty, and the use of complementary medicine by low-income Victorian consumers. Tass has resided for many years in the beautiful Upper Yarra Valley, close to the upper reaches of the Yarra River, where she enjoys rural community involvements and contact with native birds and wildlife. Her main research interests are women’s health, complementary medicine of various kinds, and contemporary anthropology.
10:10 – 10:30

**Equitable provisions for students with disabilities: determining what’s reasonable**

*Shiralee Poed*

1 Melbourne Graduate School of Education, University of Melbourne, Australia

Access to curriculum on the same basis as their peers is a key to ensuring the full participation of students with disabilities within the education system. However, despite the enactment of Australian discrimination legislation, the number of disputes between schools and parents in relation to adjustments for students with disabilities continue to escalate. This presentation offers findings from an examination of 92 judicial decisions involving 54 students where the explanation of reasonableness, outlined in section 3.4 of the Disability Standards for Education 2005 (DSE), provided the framework for analysing adjustments to curriculum for Australian students with disabilities. Specific discussion will focus on what counts as a disability when determining adjustments to curriculum; whose voice is typically heard when determining adjustments to curriculum; whose interests are considered and how these are balanced when determining whether adjustments to curriculum are reasonable; and how issues of academic integrity are maintained when providing curriculum adjustments. This presentation sheds light on how various groups (i.e., educators, parents, students, expert witnesses, lawyers, judges and commissioners) interpret reasonable. Further, it offers educators and parents a better understanding of how to negotiate curriculum adjustments to minimise the likelihood of future litigation, and achieve equity in education provisions for students with disabilities.

**Presenter Biography**

Shiralee Poed is a lecturer within the Learning Intervention team, a part of the Melbourne Graduate School of Education at University of Melbourne. Her teaching and research interests include disability discrimination law, educational provisions for students with disabilities, and positive behavioural interventions and supports. Shiralee’s PhD, currently under examination, was titled “Adjustments to curriculum for Australian school-aged students with disabilities - what’s reasonable?”
Impacts and experiences of involvement in participatory research for women with disability: A case study from the Philippines.

Liz Gill-Atkinson

1 Gender and Women’s Health Unit, Centre for Health Equity, University of Melbourne

It is well documented that women with disability, in particular those in resource-poor settings, experience marginalisation and discrimination as a result of their gender and disability. Donors and policy-makers recognise the need to address the inequalities faced by women and men with disability, though understanding of women’s priorities that could inform these efforts is limited. In recent decades, participatory research practices have gained prominence across academic and development disciplines as a way of actively engaging people with disability and disabled persons organisations (DPOs). These practices recognise the right of people with disability to participate in research, and seek to empower people with disability and their communities. However there is scarce evidence to confirm that this is the experience of women with disability in contexts where processes of empowerment can be undermined by economic and structural oppression. This presentation will outline early findings from PhD research exploring how women with disability in the Philippines understand and experience participatory research practice. Drawing on qualitative data generated by interviews with participant-researchers (women with disability, health service providers and academics) involved in a cross-sectoral participatory action research (PAR) program in the Philippines, I will discuss what women with disability think about, and want from, research that affects their lives; their perspectives on the participatory research processes involved in the case study project (effectiveness, strengths, limitations); impacts of their participation (on themselves, their networks, other researchers, utility of research findings); and their experiences of participation in the case study project. Through critical analysis of a PAR program, this research aims to contribute knowledge towards understanding ‘what works’ with participatory and inclusive research and to strengthen research practices as they relate to people, and in particular women, with disability.
Presenter Biography

Liz Gill-Atkinson is a public health and development specialist with over ten years’ experience implementing and evaluating programs within the not-for-profit and academic sectors. Liz’s areas of expertise include women’s health, health promotion and sexual and reproductive health, where she has extensive experience implementing, managing and evaluating programs across Aboriginal Australia and South and South-East Asia. Since 2013, Liz has worked in the Gender and Women’s Health Unit supporting participatory research aimed at advancing the health of women from marginalised communities. Liz’s PhD explores how women with disability in the Philippines understand and experience participatory research in order to strengthen research practices in the sector.
Leadership is part of the fabric of our organisation. One of our 2 strategic goals is to empower women with disabilities to influence their communities. This presentation will discuss how we are meeting this goal. Like other women in the general population, women with disabilities are diverse in their roles, attitudes, values and motivations but are often excluded from educational opportunities, access to health and other mainstream services because of their disability. They are less likely to be employed, and earn less than men with disabilities if they are working. Women with disabilities also experience higher rates of family violence than men with disabilities and women without disabilities. All this impacts on inclusion in economic, social and civil choices.

Women with disabilities need to be empowered and have the same opportunities for social inclusion as other women. Since 2012 WDV has been creating leadership opportunities for women with disabilities. To equip women with disabilities with the necessary skills the Enabling Women Leadership Course was developed. The purpose of this semi-structured advocacy training course is to allow women to come together, gain knowledge and confidence and become leaders of change within their communities. Operating within a feminist framework the course allows participants to explore their leadership potential. The course has now been delivered in 7 locations around Victoria. With over 70 graduates and many positive outcomes we will be presenting a number of case studies.

Making the transition from secondary education can be difficult for any student. Research shows that young people with disabilities often experience more difficulty making friends and lack the life experiences and maturity of their non-disabled peers. We saw the need to address this imbalance. We have adapted our existing Leadership program to meet the needs of female students with disabilities existing secondary school. The recently piloted Enabling Younger Women course begins the process of building a bridge between the individual, the school and the wider community. The paper will discuss the opportunities and the challenges these programs have presented us with.
Presenter Biographies

Jane Oldfield has an M S.Sc Counselling and is currently employed as a Partnership and Leadership officer for WDV. She has worked for more than 20 years in community development in city and rural areas and in paid and volunteer roles. Key focuses includes violence against women and children, disability, aged and leadership.

Sharon Granek is the WDV Program Manager. She has worked for many years in community development in various capacities including case management, residential care, policy development, housing, education, employment, public health and advocacy. She has a Masters in Human Services and Public Policy. Sharon established and was the first coordinator of the Disability Advocacy Resource Unit.
10:10 – 10:30

**Language, literacy, behaviour, and opportunities to learn: The communication profiles of at-risk Victorian primary school students**

*Hannah Stark,1,2* Patricia Eadie,1 Pamela Snow,3 Nancy Sidoti,2

1 Melbourne Graduate School of Education, University of Melbourne
2 The Baltara School, Department of Education and Training, Melbourne
3 La Trobe Rural Health School, La Trobe University, Bendigo

Research evidence supports the notion that oral language skills mediate behavior and social and emotional wellbeing in children. However, it is suggested that this association is not consistently well understood in the school setting. This paper will explore the language and literacy skills of primary school age children who are attending a specialist behavior intervention unit, following a referral by their mainstream educational setting.

In this sample of 30 students, many have a history of, or are continuing to experience maltreatment and neglect, and there is a high prevalence of neurodevelopmental and mental health disorders, many of which were previously unrecognised and/or unmanaged. Comprehensive language and literacy testing identified difficulties comprehending and using narrative and conversational language in many students. Relative to younger students, older primary school age students are more likely to present with a language impairment (LI). Consistent with earlier research, female students have been found to be under-represented in this population, however those female students who are identified as having social, emotional and behavioural difficulties have been found to have relatively weaker communication skills than their male peers. All students were found to have literacy skills below the level expected for their age.

Emerging findings support the notion of the so-called “Mathew Principle”, by which it said that “The rich get richer and the poor get poorer”, with respect to language and literacy skill acquisition. Indeed, the incidence of disengagement from classroom activities, school refusal, academic failure, and school exclusion is often subsequent to language and literacy difficulties. A series of vignettes will be used to highlight the complex interaction between social disadvantage, oral language, the acquisition of literacy skills, behavior, and social and emotional wellbeing. Recommendations
for policy and practice to identify and support at-risk primary school age children will be presented.

**Presenter Biography**

Hannah is a speech-language pathologist and a PhD candidate at the Melbourne Graduate School of Education. Her doctoral research is investigating the knowledge and practice of primary school teachers who are participating in a universal oral language intervention. She is interested in the link between wellbeing and communication skills, improving and optimising oral language and literacy practices in classrooms, and partnerships between teachers and speech language pathologists. She completed a Bachelor of Speech Pathology at the University of Queensland in 2009, and a Postgraduate Diploma in Health Research Methodology at La Trobe University in 2015.
10:30 – 10:50

Language skills in incarcerated young offenders: An exploration of the verbal profiles of young people from Aboriginal and Torres Strait Islander backgrounds

Pamela Snow,¹* Martine Powell,² Monique Mathers,³ Mary Woodward⁴

¹ La Trobe Rural Health School, La Trobe University, Bendigo
² Deakin University, Melbourne
³ New South Wales Juvenile Justice
⁴ Private Practice

A growing body of international research identifies young people in the justice system as high-risk for significant, yet undiagnosed receptive and expressive oral language difficulties. Oral language skills span a range of verbal abilities that include vocabulary, syntax, morphology, phonology and pragmatics. Young people from vulnerable family and social circumstances are more likely to have contact with youth justice and related welfare services, and also face a range of environmental risks that can compromise the development of oral language skills. Oral language skills are required for the everyday transaction of tasks associated with daily living, and also underpin the transition to literacy in the first three years of school.

Previously, we have identified that around 50% of young male offenders on both community and custodial orders in Australia have clinically significant, yet unrecognised language impairments, in both the receptive and expressive modalities. These difficulties have significant implications for forensic interviewing, participation in restorative justice conferencing and participating in verbally-mediated interventions such as cognitive behavioural therapy. However a significant gap in our research to date has been data on young people from Aboriginal and Torres Strait Islander (ATSI) backgrounds. Unfortunately, although young ATSI people represent only about 3% of the population, they represent nearly 40% of youth offender samples across Australia.

Data will be presented on the oral language skills of a subgroup of 30 young people from ATSI backgrounds who were part of a larger study (n=100) of incarcerated young offenders in New South Wales. The ATSI subgroup had all grown up in urban settings, in order to control for their exposure to Standard Australian English. Standardised measures of oral language skill were administered, along with detailed biographical interviewing and
administration of a mental health measure and a measure of alexithymia (difficulty finding words to describe and talk about emotions). In addition to discussing implications for forensic interviewing, restorative justice conferencing and therapeutic interventions, consideration will be given to the ideological tensions concerning the use of standardised language measures with this important subgroup of offenders.

**Presenter Biography**

Professor Pamela Snow is Head of the Rural Health School at La Trobe University. Pamela has taught a wide range of undergraduate and postgraduate health professionals and also has experience in teacher education. She is a registered psychologist, having qualified originally in speech pathology. Pamela's research (funded by nationally competitive schemes, e.g. ARC Discovery and Linkage Programs, and the Criminology Research Council) spans various aspects of risk in childhood and adolescence, in particular the oral language skills of high-risk young people (youth offenders) and the protective role of oral language competence for academic achievement and mental health in early life.
Supporting the language skills of young offenders in custodial education: Engaging vulnerable populations

Nathaniel Swain, Patricia Eadie, Pamela Snow

1 Melbourne Graduate School of Education, University of Melbourne
2 La Trobe Rural Health School, La Trobe University, Bendigo

Young offenders are a highly vulnerable and marginalised group. Compared to the general population, they are much more likely to experience socio-economic disadvantage, maltreatment, mental health disorders, intellectual disability, other neurodevelopmental disorders, reading disability, and academic failure and exclusion. International and Australian researchers have also identified elevated prevalence rates of language impairment (LI) in male young offenders. Language difficulties contribute substantially to a young person’s ability to engage with youth justice services and in turn to transition back into the community. Unfortunately, language difficulties are often unrecognised and may be misinterpreted as disinterest, rudeness, or poor engagement.

There is limited evidence of language intervention to remediate the clinically significant language impairments of young offenders. Studies of broad youth justice interventions have not considered oral language skills, and the available speech pathology intervention studies with this population, whilst producing encouraging results, lack methodological rigour.

Recruiting a sample of young Victorian males engaged in custodial education services, this applied research evaluated the extent to which intensive, one-to-one speech pathology intervention improves the language skills of young offenders with language impairment. Great time and care was taken to develop meaningful therapeutic relationships with the participants, in order to address the ethical and clinical concerns regarding their vulnerability, and the unpredictable research environment.

Our results confirm previous anecdotal evidence of logistical constraints within custodial education settings, making it extremely difficult to conduct group intervention studies. Therefore, the chosen methodology for the intervention study—a series of empirical single case studies utilising multiple baseline design—was suitable for this unique research context. This presentation will highlight some key case studies to illustrate the
substantial needs of young offenders with language impairment, and the effectiveness of speech pathology intervention to improve and support their everyday communication, and educational attainment.

**Presenter Biography**

Nathaniel Swain is a PhD researcher with a background in linguistics, and a Master of Speech Pathology from University of Melbourne. Nathaniel is also a practising speech-language pathologist specialising in adolescent language and communication disorders. In his clinical work, Nathaniel utilises his talents as a performing arts instructor to innovate the delivery of language and literacy intervention. His doctoral research focusses on speech pathology intervention for young offenders with language impairment.
10:10 – 10:30

**Music to support development and family relationships for young children with special needs**

*Grace Thompson*

1 Melbourne Conservatorium of Music

Understanding how to best support social development and inclusion for children with disabilities is vital to society. The preschool years are a time of rapid development, and as such are recognized as a stage where intensive support will have benefits for child development and family outcomes. Young children learn best through play experiences with parents and family members who are nurturing, warm and attuned to their needs. Children with disabilities may have features that create challenges to their ability to relate and engage with their family, often leading to fewer opportunities for social learning. Partnering with parents in early intervention services is recommended, as the foundational elements of social responsiveness are typically fostered within natural, everyday, 2-way purposeful communications with others. Activities that are motivating and engaging for children are essential in providing opportunities for spontaneous social engagement.

This paper will reflect on findings from recent research exploring parent perspectives on aspects of music therapy that were meaningful and valuable for their children on the autism spectrum. Overwhelmingly, parents reported that music therapy is a motivating and engaging activity which provides meaningful opportunities for social engagement between family members. This presentation will present ideas for how to translate these research findings into practice, with a particular focus on supporting families to use music for wellbeing in the home.

**Presenter Biography**

Dr Grace Thompson is lecturer in Music Therapy at the Melbourne Conservatorium of Music. Grace has worked with children and young people with special needs for over 15 years, and has presented at various National and International conferences and workshops. In 2014 she was Keynote speaker at the World Congress of Music Therapy in Vienna, and at the Australian Music Therapy National Conference. Grace is also president of the Australian Music Therapy Association and has published widely about music therapy with families.
10:30 – 10:50

**Music Matters for Inclusion in Schools**

*Katrina Skewes McFerran*¹*

1 National Music Therapy Research Unit at University of Melbourne

Ensuring that all young people are truly included in the activities of schools is increasingly challenging. Whilst some schools are highly resourced, many schools are required to limit the breadth of curriculum offerings to core subjects and the arts are often sacrificed in these conditions. Whilst some families might source artistic and musical opportunities beyond the school, this diminishes opportunities for participation in the kinds of creative, school-wide activities that the arts afford schools. The most diverse students are most fundamentally impacted by these limitations, because they require and deserve equally diverse opportunities to shine in ways that might not be apparent in the traditional classroom context.

Music can provide opportunities for mutually empowering participation when tailored for purpose and carefully designed to highlight creative and social capacities. Music therapists have developed expertise in this kind of program design, with a long history of working in special education that is now being transferred to inclusive school settings. This presentation will include descriptions of programs that have been designed to foster inclusion in schools. This will include programs where music fosters inclusion in mainstream schools, as well as illustrate how flourishing music cultures can be fostered in special school communities and still highlight the many and varied ways that diverse young people can truly participate.

**Presenter Biography**

Professor Katrina Skewes McFerran is Head of Music Therapy and Co-Director of the National Music Therapy Research Unit at University of Melbourne. She has worked with young people for two decades, generating empowering conditions by making music accessible as a force for growth and change. As an academic she has written two books, ‘Adolescents, Music and Music Therapy’ and ‘Creating Music Cultures in the Schools’, as well as over 50 journal articles on the topic of music and young people.
Music to address social connectedness for young people transitioning from school

Melissa Murphy*

The project described in this presentation emerged from the Disability Research @ Melbourne Conference hosted by the Melbourne Social Equity Institute in August 2013. A partnership between the community inclusion team from Scope Victoria and the National Music Therapy Research Unit has formed. The resulting participatory action research project is looking to address the lack of opportunities for connectedness that young people with a disability often experience when leaving school. Young people accessing Scope services have shared the perception of their own social connectedness through qualitative interviews. Most young people interviewed indicated that they were lonely or that they would like to build on their social networks. These results are being used to inform the second cycle of research, along with a critical synthesis of the literature examining music participation and social connectedness for young people with disability.

The second cycle is a collaborative process with the young people involved, in order to form community music workshops. Shared music participation provides a context for addressing this transitioning period and is highly relevant for older adolescents, who spend more time than any other age group engaging with music. Community music therapy theory is used to frame the project, because it is a practice which incorporates elements of traditional music therapy and expands to include projects that are characterized by collaboration and context-sensitive music making. Participatory action research (PAR) shapes the project because it aims to empower the participants so that they are active in each step of the process. Through this action, it is intended that participants will gain new knowledge, skills and confidence in forging a path of well being.

Presenter Biography

Melissa Murphy is a PhD candidate and registered music therapist. She has two decades of experience working with people with disabilities in inner west Melbourne and more recently in the Geelong and Surf Coast region. She plays guitar, has led several community singing groups and is also an oboist with Orchestra Geelong. Her music therapy practice has developed from one informed by principles of psychotherapy and humanistic theory, into an empowerment oriented, collaborative approach that is well suited to the current project.
11:40 – 12:00

Apparently we have human rights to health? Health and human rights frameworks of people with disabilities in Victoria

*Raelene West,¹ Paul Ramcharan,² Lee Ann Basser³

1 Raelene West - Centre for Applied Social Research, RMIT University
2 Paul Ramcharan - Centre for Applied Social Research, RMIT University
3 Lee Ann Basser – La Trobe University Law School

The extent to which the human rights legislative framework impacts and enables the human right to health for people with disability in Victoria Australia is contentious. We utilised a human rights monitoring tool developed by Disability Rights Promotion International (DRPI) to explore the understanding and utilisation of this human rights framework by people with disabilities in Victoria. Ninety one people with disabilities were recruited for the study and interviews were conducted based upon UN CRPD principles and key human rights articles.

In this paper we focus on one aspect of the data related to the right to health and the related legislative human rights frameworks for people with disabilities. Human rights based interventions did not appear to provide substantial mechanisms for the positive change or protections within the health landscape for people with disabilities, with participants rarely engaging with the human rights framework in addressing human rights breaches.

Presenter Biography

Raelene West is passionate about creating positive change in the disability area. She has a PhD (Uni of Melbourne) in the disability, human rights and sociology area and experience in the disability advocacy field. Raelene also has lived experience of disability, becoming a quadriplegic as a result of a car accident 20 years ago. She is currently working as a research assistant at Centre for Applied Social Research (CASR) at RMIT University.
Dementia and the Social Model of Disability: What are the conceptual, policy and research implications?

Ashley Carr, * Simon Briggs

1 School of Social and Political Sciences, Faculty of Arts, University of Melbourne, Melbourne, Australia
2 Brotherhood of St Laurence, Melbourne, Australia

Re-casting dementia along the lines of the social model of disability is a recent and exciting trend that is gaining ground, particularly amongst people living with dementia, advocates and some academics. For many, adopting a social model of disability for dementia has the potential to lessen stigma, improve care and support, and provide greater recognition of the voice of people living with the condition. Yet, such transformative change faces significant challenges, not least is what many consider to be the dominance of a medical approach to dementia care which emphasises decline and progressive loss. Drawing on research as part of the national Cognitive Decline Partnership Centre on the role of regulation in dementia care, this paper outlines the conceptual implications of the shift to a social model of disability, the effects this might have on formal care services and the role policy and regulation might play in facilitating such change. It asks whether the social and medical models of dementia and dementia care might co-exist, and whether the current emphasis on rights and citizenship is sufficient for realising how such a transformation might take place. More importantly, it sets out what the social model of disability means for research in this field, specifically the greater inclusion of people with dementia that is implied. The paper concludes on priorities or recommendations for change, including: (1) the need to critique the common and dominant discourses on disease in later life, (2) greater attention to the enabling qualities of policy and regulation, and (3) practical suggestions for facilitating the inclusion of people living with dementia into research and current policy debates.

Presenter Biography

Ashley Carr is a Research Fellow in the School of Social and Political Sciences at University of Melbourne. He is currently researching the role of regulation on dementia care services as part of the NHMRC Cognitive Decline Partnership Centre (CDPC). Ashley also works as a Research Officer in the Research and Policy Centre (RPC), Brotherhood of St Laurence.
(BSL). His research interests include: the social aspects of dementia, the governance of aged and dementia care, age- and dementia-friendly communities, histories of dementia and social policy. He has published papers in a number of these areas.
Building capacity for a disability inclusive response to violence against women and girls: Findings from the W-DARE project in the Philippines

Cathy Vaughan,¹* Wanet Lacsamana,² Liz Gill-Atkinson,¹ Jerome Zayas,³ Alex Devine,⁴ Ma. Jesusa Marco³

¹ Centre for Health Equity, Melbourne School of Population and Global Health, University of Melbourne
² Center for Women’s Studies Foundation, University of the Philippines
³ Social Development Research Center, De La Salle University
⁴ Nossal Institute for Global Health, Melbourne School of Population and Global Health, University of Melbourne

Women and girls with disability are two to three times more likely to experience violence than their peers without disability. Women and girls with disability also experience a range of barriers that prevent them accessing violence prevention and response services. Violence against women and girls represents a gross violation of their rights, and negatively impacts their health, education, economic participation and participation in community life. Despite this, national laws and policies, and development assistance programs, to prevent and respond to violence against women and girls rarely consider the needs and experiences of people with disability.

The W-DARE project, a three-year program of participatory action research, aims to improve access to sexual and reproductive health services and information, including violence prevention and response services, for women and girls with disability in the Philippines. We have documented high levels of violence against women and girls with disability, in particular against women with intellectual disability, psychosocial disability and communication impairments.

The Government of the Philippines has developed a broad range of responses to violence against women and children. This paper describes initiatives supported by W-DARE to ensure that the needs and experiences of women and girls with disability are considered in the implementation of these national policies and programs. We have worked with Disabled People’s Organisations, with researchers and activists in the women’s movement, and with multiple levels of government to increase the capacity of national policy-makers, programs and local service providers to consider
disability in responses to violence against women and children. Research findings highlight the importance of both a rights-based approach and of addressing the broad structural and social factors that underpin violence against people with disability.

**Presenter Biography**

Cathy Vaughan is a researcher and lecturer in the Centre for Health Equity, Melbourne School of Population and Global Health (University of Melbourne), and coordinates the WHO Collaborating Centre for Women’s Health hosted by the School. Since 1996 she has worked in the areas of gender and women’s health, HIV, sexual and reproductive health, disability, and health program design and evaluation, primarily in Asia and the Pacific. Cathy has extensive experience in the use of participatory and visual research methodologies, and a specific research interest in the process and impacts of participatory approaches on the research participants themselves.
Supporting to participate -- How persons with intellectual disabilities are supported to develop self-advocacy

Yu-Yu Wang¹*

1 Department of Social Policy and Social Work, National Chi Nan University, Nantou, Taiwan

The UN CRPD acknowledged that persons with disabilities (PWDs) ‘have individual autonomy including the freedom to make one’s own choices, and independence of persons’. Besides, to ensure that PWDs ‘enjoy legal capacity on an equal basis with others in all aspects of life’, state parties should take measures to support PWDs. Since the mid-1970s, self-advocacy movements have grown in many parts of the world. The purpose of the self-advocacy movements is to support persons with intellectual disabilities to speak up for themselves, and make their own decisions. Studies found that supporters who firmly believe in the abilities and potentials of persons with intellectual disabilities, play crucial roles in supporting self-advocates in the self-advocacy groups. Nevertheless, Fyffe, McCubbery, Frawley, Laurie and Bigby (2004) found that the group process of self-advocacy groups is an evolving one. Lundström (2008) also found that the self-autonomy of self-advocates evolves from negotiations within the interdependent relation between self-advocates and the supporters.

This study adopts qualitative approach to understand the roles of the supporters in 8 self-advocacy groups: what they have done to support the self-advocacy group and its members, and how their relations evolve. In-depth interviews and focus group interviews were completed with 16 supporters from 8 self-advocacy groups as well as 1 supporter from the National Self-Advocacy Alliance. This study found that as self-advocates gained more experiences and took more responsibilities in decision-making, they had more control of their own groups, and the roles of the supporters changed from being instructors and advisors, to facilitators and consultants. This article also describes what the supporters have done and the functions they have played in supporting the self-advocacy groups, and in supporting persons with intellectual disabilities to become self-advocates.

Presenter Biography

See page 132.
Developing a new service model for children with a disability: What do parents want?

Elise Davis, Dana Young, Kim-Michelle Gilson, Lisa Gibbs, Dinah Reddihough, Elizabeth Waters, Jeffrey Chan, Katrina Williams, Jane Tracy, Rachael McDonald, Rob Carter, John Reynolds, Utsana Tonmukayakul, Jennifer Morgan, Sean Spence

1 Jack Brockhoff Child Health and Wellbeing Program, Centre for Health Equity, School of Population and Global Health, University of Melbourne
2 Quality, Innovation and Safeguards, Yooralla
3 Department of Developmental Medicine, Royal Children’s Hospital, Melbourne
4 Developmental Disability and Rehabilitation Research, Murdoch Children’s Research Institute
5 Department of Paediatrics, University of Melbourne
6 Centre for Developmental Disability Health Victoria, Monash University, Melbourne
7 Deakin Health Economics, Deakin University, Melbourne
8 Faculty of Medicine, Nursing and Health Sciences, Monash University, Melbourne

Objective: Yooralla and University of Melbourne have partnered together to develop and evaluate a cost effective model of care focusing on the health and wellbeing of children with a disability and their families. This model is informed by a qualitative study of parents of children with a disability. The aim of the study was to explore parents’ experiences of accessing services and their recommendations for improving the service model.

Methods: A qualitative study was conducted involving 40 parents of children with a disability. Parents were asked what good health and wellbeing means for their family, how disability services currently support their family’s wellbeing, any difficulties they face in accessing disability services and what they would like from a service provider to support their child’s health, function and wellbeing as well as their own wellbeing in the future. Transcripts were analysed using a grounded theory approach.

Results: Analysis of the qualitative interviews demonstrated that parents feel they need to battle, fight and beg for services and feel grateful and lucky when they receive them. Parents feel isolated, experience much anxiety
about the future and feel conflicted about the best use of funds with limited guidance and information on available services. Parents want services to be more family centered and better meet the needs of their child.

**Implications:** Parents need more support in applying for funding, accessing information and supporting their own and their families’ health and wellbeing. This research will provide insight into the services and supports required to promote health and wellbeing of children with a disability and their families; and will inform organisational redesign within the context of the National Disability Insurance Scheme (NDIS) at a major Victorian disability service.

**Presenter Biography**

Dr Elise Davis is Associate Director of the Jack Brockhoff Child Health and Wellbeing Program. Her research focuses on the quality of life and mental health of children with a disability and their families. She is currently leading a NHMRC Partnership Project with Yooralla to support a new service model that focuses on child and family health and wellbeing. She is developing a new program of research to better support the mental health of parents of children with a disability. She has previously focused on the quality of life of children with cerebral palsy, working with partners at the Royal Children’s Hospital.
A double-edged sword: representations of disability income support policy for carers

Yvette Maker*

1 School of Social and Political Sciences, University of Melbourne; Disability Research Initiative, University of Melbourne

Carers of children with a ‘severe disability’ or ‘severe medical condition’ are entitled to income support on the basis that their caring responsibilities prevent them from supporting themselves through paid work. Carer Payment (child) is paid at the pension rate and claimants are not required to meet the mutual obligations applying to many other forms of income support. The most recent reforms to Carer Payment (child) policy extended the payment to more carers in a wider range of circumstances. These reforms received bipartisan support and were welcomed by carers’ advocacy organisations.

Carer Payment (child) undoubtedly provides valuable financial support for some carers and their children, and is more generous and less conditional than other income support payments like Parenting Payment and Newstart Allowance. However, a discourse analysis of policy documents surrounding the reforms to Carer Payment (child) in 2009 shows that this payment is not unproblematic from a disability studies perspective. In particular, disability is conceptualised within the medical model of disability as an individual impairment and personal tragedy, and carers’ entitlement to income support is premised partly on notions of charity and pity for them and their children.

Disability studies scholars and activists have criticised the medical model for positioning people with disability as deficient and dependent objects of care and charity, and a burden on families and society. However, this discourse analysis suggests that the medical model is key to establishing carers’ entitlement to financial support for themselves and their children at a time when other care-based income support payments like Parenting Payment are being restricted. This presents a quandary for those seeking to challenge and disrupt the medical model. By exploring what social assistance for carers would look like in a human rights framework and proposing policy reforms, I address this quandary.

Presenter Biography

Yvette Maker is a PhD researcher in University of Melbourne’s School of
Social and Political Sciences, and holds a STRAPA scholarship arising from the partnership between the University and the Brotherhood of St Laurence. Her research draws on feminist and disability studies research to critically examine the implications of Australian income support policy for carers and children with disability. Yvette is also a UN Fellow at University of Melbourne’s Disability Research Initiative. She assisted Professor Theresia Degener, the Vice Chairperson of the UN Committee on the Rights of Persons with Disabilities, at the Committee’s 14th session in 2015.
11:40 – 12:40

**Interactive workshop about financial and legal issues for people with disabilities**

*John Berrill*

1 Lawyer, Berrill Legal

Many people living with disabilities experience financial and legal problems which may arise from and exacerbate their disabilities. Those problems can in turn have an impact on people’s participation in society and lead to human rights abuses and social inequity.

This interactive workshop will explore some of the employment, Centrelink, superannuation and insurance issues people living with disabilities may encounter.

The session will examine the existing legal framework and its practical implications and canvass some law reform suggestions.

**Presenter Biography**

John Berrill is a superannuation and insurance lawyer. He was the head of the superannuation department at Maurice Blackburn until May 2015 and now runs his own firm Berrill Legal. John is on the boards of the Consumer Action Law Centre and the Chronic Illness Alliance and is on the Superannuation Complaints Tribunal Advisory Council. He was a member of the Financial Industry Complaints Service Board and Panel, the Superstream Advisory Council and the Stronger Super Implementation Committee. John has worked in the areas of superannuation and insurance for 23 years, providing advocacy and advice to consumers, workers, community groups and disability groups.
Theoretical and methodological framework of the project on ABI and criminal justice

Penelope Weller*  
1 Graduate School of Business and Law, RMIT University

The Convention on the Rights of Persons with Disabilities (CRPD) requires the elimination of discrimination on the basis of disability, including cognitive disability. A recent report by the Australian Human Rights Commission documents the discrimination experienced by people with acquired brain injury or cognitive disability in the criminal justice system. The report notes that:

- The inability to access effective justice compounds the disadvantages experienced by people with cognitive disabilities;
- Many people with cognitive disabilities are left without protection and at risk of ongoing violence;
- People with cognitive disabilities experience a relatively high risk of being jailed and are then likely to have repeated contact with the criminal justice system;
- There is widespread difficulty identifying cognitive disability and responding to it appropriately;
- Necessary supports and adjustments are not provided because the need is not recognized;
- When a person’s cognitive disability is identified, necessary modifications and supports are frequently not provided;
- People with disabilities are not being heard, because of perception that they are unreliable, incapable or not credible witnesses;
- Erroneous assessments are being made about the legal competence of people with disabilities;
- Styles of communication and questioning techniques used by police, lawyers, courts and custodial officers can confuse people with cognitive disabilities;
- Appropriate diversionary measures are underutilized are not made
available to people with cognitive disabilities;

- People with cognitive disabilities are less likely to get bail and more likely to breach bail because they have not understood the bail conditions.

The Enabling Justice project responds to the call for targeted research by documenting the lived experience of people with acquired brain injury in the criminal justice system and involving them in advocacy for change. This paper discusses the theoretical and methodological framework for the project.

**Presenter Biography**

Associate Professor Penelope Weller lectures in law in the Juris Doctor program in the Graduate School Business and Law at RMIT University. A/P Weller’s research is concerned with the impact of Convention the Rights of Persons with Disabilities. Her latest publication appears in a special issue of the Griffith Law Review: ‘Reconsidering legal capacity: radical critiques, governmentality and dividing practice’ (2014).
The lived experience of people with ABI in the criminal justice system in Victoria

Jessica Richter

1 Centre for Innovative Justice, Graduate School of Business and Law, RMIT University

The lived experience of people with ABI in the criminal justice system in Victoria was gathered through in-depth interviews and the justice user group meetings during 2015. The interviews have been thematically analysed using NVivo. They reveal how the system currently responds to people with cognitive impairments, including those with acquired brain injury. This paper will discuss the emerging themes in the project interviews, including the effects of:

- Being treated and spoken to disrespectfully by police officers, correctional staff and judicial officers.
- Memory problems having a cascading effect compounded by correctional practices and procedures that do not recognise additional support needs and interpret behaviour that is contributed to by disability as non-compliance.
- Homelessness upon exiting prison, in part due to preventable loss of housing upon entering prison – in particular, a lack of information and support to sustain public housing tenancies upon entering prison.
- Lack of access to ongoing case management to assist with navigating confusing processes and fragmented social and health services.
- Being extremely frightened when attending court because of the nature of the intimidating nature of the court environment and processes, but also because of the expectation, whether realistic or not, of being incarcerated.
- Using substances to cope with the fear and discomfort of attending court – consequently not knowing what is going on when at court, compounding the impression of court processes as bewildering, belittling and unfair.
Presenter Biography

Jessica Richter is the project coordinator of the ABI project. She is an experienced criminal lawyer who has worked largely with clients who experience mental illness and cognitive impairments. She is currently completing a masters in public and international law.
Discussion of a case study drawn from the project interviews and group discussions

Brigid Henley

3 Manager adult justice special projects, the Brosnan Centre, Jesuit Social Services

A key component of the advocacy model is the establishment of a Justice User Group. The Justice Use Group model is based on the ‘Keyring network’ initiative in the United Kingdom. The purpose of the Justice User Group is to (a) provide a platform for people to talk about their experiences with the criminal justice system, to advocate for change and to comment on proposed reforms. People with ABI are invited to voice their views about the criminal justice system. As the project progresses, they will be invited to comment on materials and proposed reforms developed by the project. The aim is to ensure that any proposals for reform are informed by the experience of individuals with ABI and are acceptable to them. It is hoped that the Justice Users Group will develop into an independent self-sustaining group.

Brigid Henley is the Justice User Group facilitator. The group meetings have developed around different themes and topics, shaped by the interests of the participants. In this presentation Brigid will discuss the evolution the group, the work of the group to date and the challenges involved in the project.

This paper will include a presentation by a project participant/ if this is not possible the session will include a discussion of a case study draw from the project interviews and group discussion.

Presenter Biography

Brigid Henley is currently the manager of adult justice special projects at the Brosnan Centre and is the project worker for the Enabling Justice project. Brigid has worked in policy, research and client support roles in the community and public sector.
What happens when clients have non-functional literacy? How to empower clients and create a more equitable society.

Cathy Basterfield* 

1 Access Easy English, Melbourne Australia

Literacy is an integral part of how we all access our world. Access to written information in a way we can understand and use is a Right. In Australia, 44% or 7.3 million adult Australians have non-functional literacy, (ABS, 2013.). This data does not specifically include people who live in rural or remote communities or Aboriginal and Torres Strait Islander people, nor people from institutionalised settings.” The non-functional literacy data for these populations is even more significant. It is almost 10 years since the United Nations Convention on the Rights of Persons with a Disability (2006) was enacted. Australia was one of the first signatories to this Convention. There are specific Articles in the Convention which identify access to information as being paramount. But, in real terms what does this mean? What has changed for people with non-functional literacy?

Our organisational conventions and practices, such as the way health services provide written information, including service information and choices, consent forms, treatment options and therapy guidelines can and do marginalise individuals. Legal services discount the need for content to be accessible, including bail notices, community service orders, intervention orders to name a few. Financial Literacy in the form of fees we are charged, CentreLink information, bills and our insurance is also inaccessible. Research has shown there is a high correlation between lower literacy skills, inferior health outcomes, poorer legal outcomes, and reduced knowledge of financial obligations along with other core areas that apply to having an equal opportunity for social inclusion and equal participation.

All services need to rethink how written information is provided to clients and community members. Internationally, there is a growing commitment to deliver information in new ways more easily accessible for individuals with low literacy, in particular “Easy English (Australia)” or “Easy to Read (UK).” This poster will challenge you to think about who is your audience?
It will demonstrate some examples of best practice in Australia. It will also provide ways organisations can do things better to meet the needs of their clients. This poster will ask questions to facilitate change so all clients can engage in their communities, have their Rights met, be socially included and have equity of access to written material they can read and understand.

**Poster Author Biography**

Cathy Basterfield is a Speech Pathologist with 28 years experience working with people with Complex Communication Needs and limited literacy. Cathy runs Access Easy English, a specialist organisation writing documents for people with non-functional literacy. In 2011, Cathy was awarded an Ethel Temby Victorian Government scholarship. She investigated accreditation and universal standards internationally, for people with non-functional literacy. Cathy is an acknowledged expert in the area of developing documents for people with non-functional literacy, the language, the techniques, the images and format to use. She is involved in resource development and the development and adherence to in-house standards for Easy English. An integral part of her work, Cathy promotes community awareness for the need to make written information accessible for the many people in our community who may be marginalised with non-functional or limited literacy.
Practising gratitude: it’s different when it shapes your life

Susan Banks¹*

1 School of Social Sciences, University of Tasmania.

A decent society, according to Axel Honneth, would be one in which individuals can see themselves “recognized as a member of the human community”. Such recognition, played out on the three levels of love, rights and solidarity, signals a mutual respect for “both the particularity and the equality of all other persons” (1997, p. 18), and is developed and sustained in interactions. Using this as a guide, it is apparent that an ideal encounter between a support worker and a disabled person would create the possibility of such (mutual) recognition. Honneth also describes, though, examples of misrecognition; forms of interaction that undermine individuals’ presentation of self (Goffman) and damage opportunities to experience recognition at one or all three levels. These moral injuries include violations to physical wellbeing, disregarding and devaluing of one’s moral accountability or judgment, and stigmatization or externally imposed invisibility.

Recognition and mis-recognition were present in the service encounters I observed and was told about in my study of aged care and disability support. The study used ethnographic methods to explore practice and meanings of care for both disabled people and aged care and disability support workers (29 participants in total). Analysis revealed that there were several ways in which recognition and misrecognition were enacted in service encounters, and that external forces played a major role.

This paper focuses on one finding from the study: how the disabled person’s performance of ‘client’ and gratitude intersect with recognition. The study provided evidence that alongside whatever other emotion work they do to prepare for service encounters, disabled people’s performances are shaped by the scripts they are encouraged to perform. Some scripts require that performers become complicit in their own misrecognition.

Poster Author Biography

Susan Banks is completing her PhD, which explored meaning and practice in disability support and aged care. Her main research interest is meaning and interactions between the participants in care and support, viewed through the lens of recognition. She has a background in Fine Arts and editing and has had research roles in rural health, health informatics, social marketing, communication, dementia, and feminist participatory action research projects.
Which rights are right? Leverage consumer rights to support citizenship and human rights under NDIS

Aviva Beecher Kelk

1 University of Melbourne and Clickability

After decades of institutionalisation and inflexible output-focussed block-funded services, the NDIS’s $22 billion redesign of disability services in Australia aims to address human rights and citizenship deficiencies by situating a narrative of choice and control at its centre. However, fear remains that consumers may be left behind in a brand new two-tiered system constructed around a neo-liberal agenda.

Literature on personalisation concerns itself with human rights, citizenship rights and consumer rights. This paper will argue that although the ultimate aim of the NDIS is change on a human and citizenship rights level, consumer rights might be used as a lever for achieving these within the NDIS system and creating “deep personalization”: a transparent, functional industry that supports the rights of people affected by disability.

Poster Author Biography

Aviva is a social worker and PhD student with the Melbourne Social Equity Institute, based in Social Work and the School of Government. She has clinical experience in mental health and community development, and has recently founded Clickability, a service directory for the disability sector which is based on consumer feedback.
What factors contribute to situations of genuine inclusion for people with disabilities?

Katie Butler

1 Student, Disability and Community Inclusion, Flinders University

What is it that leads to situations where, as a person with a disability it is possible to feel completely and truly included as the person you are?

In this current era of disability policy reform in Australia, there is an unprecedented opportunity to bring about real social change to enable people with disabilities to have full inclusion in Australian society. Yet, it seems important to question whether governments, disability service providers and communities have a true understanding of what genuine inclusion for people with disabilities looks and feels like. This project recognises the timeliness to explore what factors contribute to situations where people with disabilities feel genuinely included so that this knowledge can be outlined and used to encourage the best possible outcomes from this social change effort. With more knowledge as to what factors constitute genuine inclusion, an increased capacity can be gained to overcome a great social inequity, that of stigmatisation and exclusion of people with disabilities.

The project is using qualitative interview data from people with disabilities to find out about the specific environments, circumstances, attitudes, behaviours or supports that they perceive lead to times of genuine inclusion. The project is being undertaken as a research dissertation as part of the author’s candidature of the Master of Disability Studies with Flinders University. The outlined project is a work in progress, at the current time the participant data is under analysis. This presentation will therefore report on preliminary reflections, findings from the literature and currently predicted outcomes of the research. This presentation will assist practitioners and other interested stakeholders in better understanding and enabling genuine inclusion of people with disabilities.

Poster Author Biography

Katie is driven by a passion for advancing the genuine social inclusion, human rights and equal opportunity of people with disabilities through research, social planning, community development and education. Katie is a student of the Master of Disability Studies with Flinders University where she is undertaking her research dissertation considering factors that
constitute genuine inclusion for people with disabilities. Katie works for local government on the Central Coast of NSW as a Disability Inclusion Officer. Her role involves community development work and social planning. Accompanying her on all her ventures is her loyal Guide Dog and community engagement specialist Ari.
The rights of children with disabilities to education: improving access and quality

Sheela Choudhary* and Ashish Bhagat

1 Hidayatullah National Law University, Raipur, Chhattisgarh, India

Disability is recognised as one of the least visible yet most potent factors in educational marginalisation. The estimated 1 billion disabled people face a multitude of barriers to participating equally in society. In particular, their right to education is often not realised, which in turn hinders their access to other rights and creates enormous obstacles to reaching their potential and effectively participating in their communities.

The paper provides an analysis of the challenges encountered by children with disabilities in all four components of the right to education, namely limitations on the availability, accessibility, acceptability and adaptability of education services and further, it provides a menu of policies and strategies that need to be put in place and implemented by a range of stakeholders (government, municipalities, non-state actors including parents and civil society) in order to realize the right of each and every child with a disability to quality education. An attempt has been made to include children with disabilities specifically targeting: those children who are enrolled in school but are excluded from learning; those who are not enrolled in school but could participate if schools were more flexible in their responses; relatively small groups of children with severe disabilities who may require some form of additional support. Three approaches have been illustrated to effectively deal with specifically targeted children respectively: inclusion, integration and segregation; Inclusive education: schools where the whole system has been changed to meet all children’s needs; Integrated education: children with disabilities attend special classes or units in mainstream schools; Segregation: children with disabilities are educated at special schools or at home. This paper gives an overview of the global context, provides best practice case studies and clearly signposts practical tools and resources while imparting recommendations in the last section on the subject.

Poster Authors’ Biographies

None provided.
Real and meaningful work: private employers’ concerns and the enforcement of the quota-levy scheme for persons with disabilities

Ru-Shian Hsieh¹*

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The quota-levy program has been adopted by many countries to enhance employment opportunities for persons with disabilities (PWDs). Germany, Austria, France, Britain, Luxembourg, Belgium, and many other European countries developed this scheme due to the WWI and WWII. In the 1960s and onwards, more and more countries such as Japan, Poland, Czech, etc. also followed. Although strong enforcement on the part of the State is important, yet to create real work opportunities and to achieve real equality in the labor market, it is also crucial that the State understand and assist employers in removing obstacles when employing PWDs.

This study investigates how employers interpret the quota-levy scheme, factors they consider and difficulties they encounter, in employing PWDs. Both quantitative and qualitative approaches were taken. The analysis is based on 480 valid questionnaires and 2 focus group interviews with 20 employers from the private sector. The main findings include: 1) Most employers have willingness to support the policy, but encounter real difficulties in recruiting qualified PWDs, despite the government’s efforts in providing services to PWDs and employers. 2) While facing real difficulties in recruiting and maintaining employment stability of workers with disabilities, to refrain from being fined, employers create new positions which are short-term, segregated, and with low rewards. This contradicts the purpose of the quota program in promoting meaningful and equal participation of PWDs in the labor market. 3) The idea of ‘corporation social responsibility’ has become regular policies in big enterprises, which could be the basis for the cooperation between the government and the enterprises. 4) Employers developed ways to help their employees with disabilities, to enhance their stability at work. The author argues that the success of the quota program should be based on responding to employers’ concerns in changing labor market environments and enterprise cultures.

Poster Author Biography

Ru-Shian Hsieh is Associate Professor of the Department of Social Policy and Social Work at Chaoyang University of Technology in Taiwan. He completed
a PhD in long-term care service in 2005. He has researched and published articles in the areas of the employment and community living of persons with the elder. His recent studies focus on self-advocacy movements of PWDs. He has been a member of the National the Elder Rights Committee and a consultant to many non-government organizations which provide services for the elderly.
Disability laws in developing countries: special emphasis on India

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Disability rights, ignored for long time, gained importance with the proactive role of United Nations propelling various such legislative frameworks. Multiple conventions, the Convention on Rights of Disable People being the major one, laid the foundation of disability jurisprudence in developing countries. In India, disables were considered to be a menace of the society and were often ostracized from society.

Before such enactments, legally, the concept of disability in India fell within the bounds of mental health domain. Consequently an array of legal classifications were made, thereby solidifying the notional incapacity of person ‘marked’ as mentally ill or deficient. Such classes had their own shortcomings like non-consultation of an expert (psychiatrists) etc, depicting the amorphous situation of disable people in India. This malign position ran contrary to the international disability framework and also the natural justice principles of equity, just and good consciousness etc. Also the medicalised of disability largely in developing countries has suffered from non-uniform standard in determining the ability or capability of person. Though international conventions coupled with judicial activism have to some extend changed the differently able laws but there exist an eminent need to accommodate such ‘difference’ rather than ignored or assimilated with other issues. It is believed by the researcher that legal literacy on the issue of disability has the potential to remove the social stigmatization and stereotypes associated with it.

This paper does not aim to set forth definitive findings rather encourages a fruitful dialogue with respect to the emerging disability jurisprudence in India and developing countries from a socio-legal perspective.

**Poster Author Biography**

Tushar Khanna is pursuing B.A. LLB (Hons) degrees with political science as majors, from Hidayatuallah National Law University, Raipur. The author has presented a paper entitled “climate change refugees” at the National Humanitarian Conference organized by Nirma University in collaboration with the International Red Cross Committee. Further he has won the ‘best
essay’ award in the National Essay Writing Competition organized by Alliance Law School in collaboration with Surana and Surana International Advocates.
Career access through diversity – empowering people with disability

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Access to work is a basic human right that enables meaningful community participation. Careers educators facilitate this access by helping people with disability better: understand their motivation and skills, research the world of work’s opportunities, and independently manage their careers. A key challenge for university careers practitioners is to provide learning opportunities that help people living with disability experience social inclusion as reality instead of aspiration. This poster-presentation explores how Careers Access Through Diversity – an annual event on the National Association for Graduate Careers Advisory Services’ (NAGCAS) Melbourne calendar – addresses this challenge. Building on work done by NSW colleagues this event brings together Victorian students (from diverse backgrounds including disability), careers practitioners, socially-inclusive employers and diversity practitioners to discuss career development issues and develop strategies for dealing with these issues. The poster uses participant feedback and attendance statistics to show how the event’s activities:

• help people with disability document ability with key employability skills, and
• facilitate engagement between students with and without disability and between students and employers.

This creates an inclusive experience which demonstrates:

• that people with and without disability share common career management issues, and
• how assumptions that perpetuate notions of disability can be navigated.
• Thus the event challenges fundamental barriers to full participation in recruitment and employment for people with disability.

Supporting issues addressed in the poster-presentation include:
• systems theory, the range of disability and event design,
• event branding and segmented strategic marketing,
• stigma and the need to disclose,
• unconscious bias, and
• challenges associated with planning genuinely inclusive events.

Poster Authors’ Biographies

Dilani Rasanayagam taught Psychology and English in schools in Australia and the UK, worked in service delivery and advocacy in a leading children’s charity in Ireland and the Victorian state government before enjoying 15 years in careers education providing tailored career development advice and program delivery to university students. Through extensive travel and cultural exposure and the lived experience of raising a child with disability Dilani is particularly sensitive to the unique needs of students from international and diverse equity backgrounds including disability.

David Eckstein taught English as a second and foreign language in Australia and Italy, worked in international education publishing for Cambridge University Press and developed a career in the performing arts before joining Monash University’s team of Career Education Consultants. His interests include discrimination and harassment, alternative dispute resolution, teaching Career Development Learning in tertiary curricula and the use of narrative counselling to help people develop and implement meaningful workforce participation plans.
A silent revolution: the formation, development and challenges of the national self-advocacy alliance

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Since the mid-1970s, self-advocacy movements of persons with intellectual disabilities (PWIDs) have grown in many parts of the world. The self-advocacy movements aim to support PWIDs to speak up for themselves, and to make their own decisions. The purpose of this article is to describe how the national self-advocacy alliance (the Alliance) in Taiwan, was formed and developed, as well as the challenges it faces. This study adopts qualitative research approach. Data collection methods include documentary analysis, in-depth interviews and focus group interviews. Documents (program proposals and reports, pamphlets, feedback sheets, etc.) of the Alliance were analyzed. Besides, 23 in-depth interviews and 1 focus group interviews were completed. Participants are 3 main workers of the Alliance, and workers from 8 organizations which have long-term participation and commitment in the Alliance and self-advocacy.

The main findings include: 1) Changing perspectives from ‘limitation’ and ‘impairment’, to ‘opportunities’ and ‘independent living’, is the key to the development of the self-advocacy movement. 2) Partnership development among organizations allowed exchanges of experiences and the built-up of consensus on how to support PWIDs. 3) Creating opportunities for PWIDs to speak up, to cooperate and take on responsibilities, PWIDs developed self-advocacy. 4) As the PWIDs gradually gained control over their groups, supporters’ roles shifted from ‘instructors’ to ‘supporters’. PWIDs become active participants and leaders, instead of passive members. 5) The Alliance broadens up PWIDs’ social network, and provides opportunities to participate in conferences, joint advocacy, etc. Besides, by being the representative of their own organizations, PWIDs have opportunities to play new social roles. 6) Learning the idea of ‘rights’ from reflections upon daily living, helps gradually building up collective advocacy. We conclude that self-advocacy of PWIDs demands long-term support and thus funding organizations should recognize the efforts taken during the process of its development.
Poster Author’s Biography

Yu-Yu Wang is an associate professor in the Department of Social Policy and Social Work, National Chi Nan University, Taiwan. She finished her PhD degree in disability at the University of Kent at Canterbury in England in 2001. Yu-Yu Wang has been doing studies on disability policies and service programs, including issues on employment, independent living, welfare system, self-advocacy, carers, etc. She has been working on disability issues with volunteer workers, social workers, researchers, members of governmental committees, consultants and supervisors of NPOs, for nearly 30 years. Her recent work is on self-advocacy of persons with intellectual disabilities.