



Australian Federation of
Disability Organisations

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Opening Statement to Senate Select Committee on COVID-19

Trevor Carroll

1. I appear before the Senate Select Committee on COVID-19 because I have become increasingly alarmed at the Australian Government's response to the COVID-19 pandemic and the impact on the human rights of people with disability.
2. In particular the issue of balancing rights that are conflict between the duty of care to people with disability who have a right to access services to protect and enhance their human rights and the right of employees and volunteers who deliver these services to a safe workplace.
3. As CEO of Disability Australia our advocates are unable to meet face to face with any of our 80+ clients with disability because disability advocates are not deemed to be essential workers. As such as an employer, I risk breaching OHS legislation should one of my advocates contract COVID-19 from a face to face visit with a client. We are not health workers and have no training in PPE nor are we expected to, yet many of our clients depend almost entirely on us for face to face advocacy.
4. Likewise, approximately 25 % of our clients at any one time are unable to communicate via telephone, email, online video or Australia post because they have a disabilities or a combination of them which makes this impossible without assistive technology and individual support. Many cannot read, write or speak and live in Aged Care facilities and Supported Disability Accommodation (Group Homes) and so cannot get an advocacy service from us.
5. This is because under the Care Facilities Directions (No 5) by the Deputy Chief Health Officer Victoria, we are not permitted entry as either a worker or visitor (**See copy attached**). Likewise, their privacy and confidentiality around the issues they require our services for are compromised if we try to communicate electronically with them via their SDA support staff. In many instances their need for our services involves complaint about the services being delivered to them by SDA support staff.

6. In addition, we are restricted workers and visitors to our clients in Aged Care facilities: See <https://www.dhhs.vic.gov.au/visiting-care-facilities-covid-19#who-can-visit>
7. Likewise, the Australian Government, Department of Health, Management and Operational Plan for People with Disability entitled the “*Australian Health Sector Emergency Response Plan for Novel Coronavirus (COVID-19)*” April 2020 (**See copy attached**) does not even mention the role of Disability Advocates in the delivery of this plan.
8. It highlights a number of human rights under the UNCRPD but also omits many others including;
 - a. Articles 9 Accessibility, 16 Freedom from exploitation, violence and abuse, 18 Liberty of movement and nationality, 19 Living independently and being included in the community; and 21 Freedom of expression and opinion, and access to information (**See copy of UNCRPD attached**)
9. The Australian Government’s Coronavirus (COVID-19) advice for people with disability at <https://www.health.gov.au/news/health-alerts/novel-coronavirus-2019-ncov-health-alert/advice-for-people-at-risk-of-coronavirus-covid-19/coronavirus-covid-19-advice-for-people-with-disability#government-response> provides no advice for the disability advocacy sector.
10. The Australian Government’s disability helpline is not accessible for many people with disability. <https://www.health.gov.au/contacts/disability-information-helpline>
11. The Department of Social Services has not updated the NDAP Operational Plan to include advice or information about COVID-19 See <https://www.dss.gov.au/disability-and-carers/programs-services/for-people-with-disability/national-disability-advocacy-program-ndap-operational-guidelines>

Biography

I have been the Disability Justice Australia Inc (DJA) representative on the Board of the Australia Federation of Disability Organisations (AFDO) since November 2012.

In that capacity I have served as a member of the AFDO Executive as Treasurer, President and now Vice-President.

In addition, as the AFDO International Coordinator I am:

- An AFDO delegate to the UN Conference of State Parties in June (2015-present)
- The elected Information Officer on the Board of Disabled Peoples International (DPI) (2016 – present) www.disabledpeoplesinternational.org
- The elected Chair of the DPI Asia-Pacific Region (2016 – present)
- Voting Member of the Pacific Disability Forum (2017-Present)
- Member of the Executive of the Australia Disability Development Consortium (ADDC)
- AFDO delegate and voting member of the Pacific Disability Forum (2019-present)
- Coordinator of AFDO's Consultative Status with the UN Economic and Social Council (ECOSOC) (2019- present)
- Coordinator of the G3ict ICT Annual Accessibility Survey for the Digital Accessibility Rights Evaluation Index (DARE Index) (1998-present) <https://g3ict.org/digital-accessibility-rights-evaluation-index/>

In addition, I represent AFDO as a member of the Australian Electoral Commission Disability Advisory Committee (2015-present).



About Disability Justice Australia (DJA) <https://dja.org.au/>

DJA has 250 + members with disability across 4 states of Australia. We deliver services to people with all types of disability in Metropolitan Melbourne to approximately 3.6 million people at the last census.

We provide individual, legal and systemic for people who have ongoing support needs as a result of disability. Our advocacy promotes, protects and ensures full and equal participation in community life. We focus on justice and inclusion and the protection of human rights of people with disability consistent with UN Convention on the Rights of Persons with Disabilities. All our services are accessible and inclusive for all people with disability

We are a Disabled People's Organisation (DPO) with all 7 Board members having disability and being elected from amongst our members with disability.

We specialise in legal advocacy; but particularly for those with communication, learning and/or sensory disabilities who are the most vulnerable to abuse, neglect, violence and exploitation. We are the only advocacy agency in Victoria that offers the range and combination of legal advocacy services for people with disability shown on our website at <https://dja.org.au/legal-advocacy>

As CEO at Disability Justice Australia (DJA) (2009 - present) I lead a team of 10 employees and 25 volunteers funded by the Commonwealth Department of Social Services (DSS) to:

- Provide individual, legal and systemic advocacy to people with disabilities under the National Disability Advocacy Program (NDAP);
- Appear before or lodge submissions to the Disability Royal Commission; and
- Support Participants to appeal NDIS decisions both internally and at the Administrative Appeals Tribunal (AAT)