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Southwest Advocacy News

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CO-ORDINATOR'S REPORT

Welcome to the first edition of *SWAA News* for 2010.

SWAA has found the commencement of the new year to be an extremely busy one with requests for advocacy assistance coming thick and fast. Financial issues, particularly problems with telephone companies and credit cards, seem to be particularly prevalent at the moment. One cannot help but wonder whether this is linked to the pressures brought to bear on people by the Christmas period, although it seems all too easy at any time of year for people to enter into a new mobile telephone contract, phone included, or to take up an offer of a credit card. The temptation of "buy now pay later" is particularly high for people on low incomes who are struggling to make ends meet and not many service and credit providers seem to worry too much about their customers have the capacity to pay or not. People who do find themselves getting into financial difficulties should act early, rather than delaying until the problem becomes too big. Talk to the company or credit provider, explain any difficulties and see what can be done to make things more manageable. If you need help, speak to a support worker, make an appointment to see a financial counselor (Community Connections offer a funded service), or contact SWAA for assistance.

In addition to its' advocacy casework with individuals,

(Continued on page 2)

Inside this issue:

Co-Ordinator's Report	1
Victoria's first online community for people with a disability	2
171 Younger Adults in Nursing Homes in Victoria	3
People who have Autism/ Autistic Spectrum Disorder (ADS)	4
What is the role of the Legal Services Commissioner?	5
Change to Continence Aids Assistance Scheme	6
Proposed Exemption Meets Strong Opposition	6

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If you have an e-mail address you can help us save paper & postage costs by receiving our newsletter via e-mail. Please contact Margaret on 5561 4584 or just send us an e-mail message notifying us of your email details to receive future editions of SWAA News electronically.

**HAVE YOU VISITED SWAA'S WEBSITE:-
www.southwestadvocacy.org.au**

(Continued from page 1)

SWAA has also been bringing systemic issues that disadvantage people with disabilities to the attention of service providers such as V/Line, Australia Post, local councils and supported employment services. If you would like to know more about any of our systemic advocacy campaigns, please feel free to contact us.

At the organisational level, SWAA is in the process of developing risk management and a strategic plans that should give the organisation a solid foundation to build its' future on. Although, having said this, SWAA remains heavily reliant on Government funding and, if funding is not increased to a more realistic level in the new financial year, SWAA will be forced to review its current level of service provision. Reducing the level of advocacy assistance that we provide is the last thing that SWAA wishes to do, but if Government continues to offer funding that does not keep pace with operational costs, SWAA may have no alternative. SWAA will be writing to the Department of Families and Community Services about the situation that we face and, if you are concerned about the prospect of having to go onto a waiting list when you need advocacy assistance, you could raise your concerns with your Federal Member of Parliament, David Hawker, or with the Minister for Families and Community Services, Jenny Macklin.

Best regards,
Robert Dick.
Co-ordinator



**Victoria's first online community for
people with a disability**

The DiVine Website aims to provide a place where people with a disability can share their stories, be informed as well as entertained. Stories covered on the site include artists spotlight, accessible venues, rights and travel—all presented from a 'disability angle'.

Prior to developing the site, research was conducted which revealed people with a disability often felt ignored and isolated on the web. DiVine encourages participation and a sense of belonging—placing people with a disability at the centre of attention.

DiVine Website: www.divine.vic.gov.au



(Taken from DAIS—Advance— Summer 2009 Edition)

**Southwest Advocacy News is also now available at
www.southwestadvocacy.org.au**

171 Younger Adults in Nursing Homes in Victoria

The Victorian Department of Human Services says that there are now 171 younger adults (under 50 years of age) who have a disability and who live in residential aged care (nursing homes) in the state of Victoria.

It is planned that current funding through the *my future my choice* initiative will be used to set up supported housed in the community for 100 of these people. The aim is that building projects will be finished by June 2011. However, each year additional young people who have a disability are being admitted to residential aged care (nursing homes).

At this stage no additional Commonwealth or State funding has been given to meet the individual needs for the 71 people who will still be living in aged care facilities (and the additional numbers who will be added yearly). The National Disability Agreement, between the states, territories and Commonwealth governments, now includes support for young people who have a disability who are or could be, living in aged care residences. However, the Commonwealth Treasury has not said that there is going to be any recurrent funding for this work after June 2011.

The *my future my choice* initiative is only meant to be a first step. A lot more evaluation, changes and improvements are needed to fix the difficult problems which include the interaction between disability and health services, people who have a disability who are over 50 years of age, and people who live in remote rural areas. For more information contact:

Young People in Nursing Homes National Alliance—Phone: (03) 9428 5677

(Taken from Villamanta News, Summer Edition 2009)

CONTRIBUTIONS To SWAA NEWS

We welcome any contributions to the newsletter in the form of letters, stories, articles and news items relevant to disability issues.

Items printed in SWAA News do not necessarily reflect the views of SWAA, staff or Committee of Management

MEMBERSHIP

Membership is a great way to support our work, and we are very keen for people who have used the service to become members. Members receive our quarterly newsletter and other mail outs about disability issues and can have a say in the running of Southwest Advocacy by voting at our Annual General Meetings.

Membership of Southwest Advocacy is free.

If you would like to become a member please contact Southwest Advocacy for a membership form.

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People who have Autism/Autistic Spectrum Disorder (ASD)

Some people who have autism also have an intellectual disability.

Helping Children with Autism: A Federal Government Project

The Australian Government is providing some new help for children who have autism. Here is some information about it.

The Australian Government has committed \$190 million for the four years up to June 2012 to deliver the Helping Children with Autism package. The package will help with the need for support and services for children with Autism Spectrum Disorders (ASDs).

There will be support for parents, families, carers and children from diverse cultural, linguistic and Indigenous backgrounds and those living in rural and remote areas.

The package includes:

Autism Advisors

Funding for early intervention services

PlayConnect Playgroups*

Early Days family workshops

An ASD website

* Access to PlayConnect Playgroups is also available to children with ASD like symptoms

Following diagnosis of ASD, families contact an Autism Advisor in their state or territory who will provide information about eligibility, available funding and early intervention and other support services. The Department of Health and Ageing (DoHA) has made new Medicare items available for children aged under 13 years of age (for diagnosis and treatment planning).

If you live in an outer regional or remote area you may be eligible to receive an additional one off payment of \$2,000 (paid directly to families) to assist with travel, accommodation, training, respite or resource costs associated with early intervention.

People living in Victoria who want to access an Autism Advisor may do so by calling Autism Victoria on Phone: (03) 9657 1600 or 1300 424 499 (country callers only)

For more information about the *Helping Children with Autism* package go to the following:

www.fahcsia.gov.au

www.health.gov.au/autism and

www.dest.gov.au/schools/autism or

phone Autism Victoria: (03) 9657 1605 or 1300 308 699

or go to their website: www.autismvictoria.org.au

(Taken from Villamanta News, Summer Edition 2009)

**Are you receiving Active Participation Register
Mail outs?
Don't miss out—complete a registration form today.**

What is the role of the Legal Services Commissioner?

The Legal Services Commissioner was established in 2005 to act as the single body for handling complaints against lawyers. This was done to streamline the process so that it was fair, independent and efficient in dealing with complaints. Victoria Marles was appointed as the first Legal Services Commissioner for Victoria.

It is important for Victorians to have confidence in the standards of the legal profession and understand their rights if things go wrong. The Commissioner is neither an advocate for consumers or lawyer.

In it's first year of operation the Commission received around 200 complaints with the most common cause for complaint being a dispute about legal costs.

What type of complaint can be made?

A civil complaint

- A dispute over legal costs not exceeding \$25,000
- A claim for financial loss as a result of an act or omission by your lawyer

A disciplinary complaint

- Unsatisfactory professional conduct; or
- Professional misconduct



What happens if a complaint is made?

With a civil complaint, the Commissioner attempts to resolve the dispute. The Commissioner may refer the parties to mediation, or arrange for an assessment of costs.

With a disciplinary complaint, the Commissioner may investigate the conduct and may refer the investigation to the Law Institute of Victoria or the Victorian Bar.

Complaints may be dismissed for being vexatious (having no grounds and only meant to annoy the defendant), misconceived (not being thought out correctly), frivolous (over an insignificant matter or lacking seriousness), or lacking in substance.

What happens to complaints?

If the Commissioner cannot resolve a civil complaint the parties may apply to the Victorian Civil and Administrative Tribunal (VCAT) for an order.

Following investigation of a disciplinary complaint, the Commissioner may reprimand or caution the practitioner, or require compensation to be paid to the client. Serious cases are referred to VCAT, which can result in a fine of up to \$50,000 or suspension or cancellation of a practicing certificate, which means the lawyer cannot continue in practice.

For further information:

Contact the Legal Services Commissioner on 1300 796 344, or visit the website: www.lsc.vic.gov.au

Change to Continence Aids Assistance Scheme

On July 1, 2010 the Continence Aids Assistance Scheme (CAAS) will change to become the **Continence Aids Payment Scheme**.

As with the Continence Aids Assistance Scheme, the Continence Aids Payment Scheme (CAPS) is an Australian Government payment to assist people who have sever and permanent incontinence to cover some of the cost of continence aids. The new payment system will be a direct payment to clients. This change will assist by allowing people to choose who they purchase their continence products from and when they will do so. Not being restricted to a sole supplier will allow the client to shop around for the best product and price available for them individually.

The scheme will be delivered through Medicare and paid into the person's nominated bank account for their use.

Further information about CAPS will be made available in the coming months on the Bladder and Bowel website: www.bladderbowel.gov.au

(Taken from DAIS – Advance – Summer 2009 Edition)

PROPOSED EXEMPTION MEETS STRONG OPPOSITION

Recently an application was made by Village Roadshow, Greater Union, Hoyts and Reading Cinemas to the Australian Human Rights Commission requesting an exemption from the Disability Discrimination Act for a period of two and a half years.

This means that Australians who are Deaf, hard of hearing, legally blind and vision impaired, stand to lose their rights to complain to the Australian Human Rights commission about the lack of provision of captioning and audio description services at any of the 125 cinemas (1,182 screens) owned by the four exhibitors.

If the exemption is granted, cinemas will provide captioning and audio description for a minimum of three screenings in 35 cinemas around Australia. Let's put that into perspective:

- Jointly, these exhibitors have 1,182 screens across Australia
- They show approximately 30 movies per screen, every week

That's a total of 41,370 screenings per week (1,182 screens x 5 sessions per day x 7 days)

Of these, only 105 will be captioned and audio described. This is equal to less than 0.3% of all movies screened per week. At this pace, it will take 1,000 years to achieve access to all screenings in all cinemas across Australia.

In July 2008, the Australia Federal Government signed the UN Convention on the Rights of People with Disabilities, part of which states:

"People who are have a vision or hearing loss are entitled to enjoy and participate in the arts: in particular they have a right to reasonable accommodation to eliminate discrimination (UNCRPD article 5.3), and a right to enjoy access to films in accessible formats (UNCRPD article 30.1)."

It makes sense for the Australian Human Rights Commission to reject the proposed exemption and protect the rights of all Australians regardless of their abilities.

Vicdeaf along with many other organisations and individuals is opposed to the proposed exemption. Such an exemption would be contrary to Vicdeaf's vision of "social justice and equity for Deaf and hard of hearing people".

Source: Arts Access Victoria

(Taken from Vicdeaf—Communicate Issue 20)

You can help Southwest Advocacy by passing this newsletter on to someone else who might be interested in reading it after you.