



Women with
Disabilities ACT

STRONG WOMEN
STRONG VOICES

Workshop 8

Areas I may need to advocate in

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Self-Advocacy and Supported Decision Making Series

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Disability Discrimination Act 1992

What do we mean by rights?

- Disability discrimination is when you are treated unfairly because you have a disability. You have the right to equal access and to have your needs met.

Disability Discrimination ACT

- The Disability Discrimination Act is a law that says that people and the government must treat you fairly.
- It is called the DDA for short.
- It makes it illegal for you to be treated badly because of your disability.
- It tries to make sure you have a fair go and that society treats you fairly.

Who is the DDA for?

The DDA is for people with any type of disability.

It protects you if you:

- have a disability now
- have had a disability in the past
- may have a disability in the future because of family history.

The DDA also protects people who are treated badly because they have a family member or friend with a disability.

Areas of life where the DDA protects you

- Employment or jobs
- Education
- Buying things and using services
- Playing sports and joining clubs and associations
- Buying or renting a house or other buildings.

Employment or jobs

It is against the law to discriminate against you because of your disability at work or when you are looking for a job.

If you can do most of the job then you must have the same chance, rights and opportunities as others you work with.

Your workplace must make changes so you can do your job well.

They can:

- change the way they run the interview
- make the office space easier for you to work in
- change the tasks you have to do and give you extra breaks and time
- provide you with training and support
- provide assistive technology related to work.

Education

It is illegal for a school, TAFE or university to discriminate against you because of your disability.

If you are applying for education, you have the same rights as everyone else to study there.

Places of education cannot:

- stop you from studying there because of your disability
- ask you to pay more
- leave you out of activities, classes, lectures or on-site training.

They must make changes so that you can study well. Some examples are:

- making rooms and lecture halls accessible for you to get into and to study and learn in
- giving you the equipment you need to learn
- giving you extra time for exams and assignments
- giving you information you can read and/or understand
- having systems in place so that you can still get all the information you need if you miss or cannot go to a class.

Buying things and using services

It is against the law for you to be discriminated against because of your disability when buying things or using services.

Stores and services cannot:

- stop you from buying something because of your disability
- ask or make you pay extra for things, for example using wheelchair taxi
- serve you last for no good reason
- refuse you entry because of your disability.

Playing sports and joining clubs

It is against the law for you to be left out from playing sports or being a member of a club, group or association because you have a disability.

This includes:

- sports and social clubs
- drama, dance and music groups
- political parties and business groups
- support groups.

They cannot:

- stop you from applying to become a member
- ask you to pay extra
- leave you out of activities.

The DDA says that clubs or groups must meet in a place that is accessible.

Access to public places

The DDA makes it against the law for public places and public transport to not be accessible. Every public space should be open and for you to enter and use when they are open to the public.

For example:

- access and entrance and inside the building
- things you use inside the building should be accessible and in reach
- all parts of a public space that can be used should be available to you to use
- information about the place should be easy to read, understand and access.

You have the right to complain if a public space is not accessible.

Using government services

The DDA makes it illegal for the Commonwealth Government to discriminate against you because of your disability.

You must have access to:

- government offices
- places where government programs are run, like Centrelink
- voting places and information
- courts and legal help.

Making a complaint

If you are discriminated against or bullied because of your disability you can complain to The Australian Human Rights Commission (AHRC).

To make a complaint you can write and email or letter and send it to:

complaints@humanrights.gov.au

For information on making complaints go to the AHRC's website:

www.humanrights.gov.au

To speak with someone over the phone, call **02 9284 9600**

Adapted from: Council for Intellectual Disability – DDA Easy English.

The UN Convention on the Rights of People with Disabilities

What do we mean by rights?

- Countries will not treat people unfairly because of their disability.
- Countries need to make sure that people with disabilities get and have the same rights as others.
- Every country must have an independent organisation to make sure that to make sure people with disabilities get their rights.
- The UN Convention on the Rights of People with Disabilities is also known as the UNCRPD.
- In Australia, this is the Australian Human Rights Commission.

What are your rights under the UNCRPD?

Economic rights

- Equal access to family benefits, loans and credit.

Social Rights

- Equal access to employment and education.
- Equal access to housing and transportation.
- Equal access to healthcare and family planning.
- Equal treatment for rural women* and marginalized people.

Cultural rights

- Tells the government to stop cultural practices that discriminate against women* and minorities.
- Equal participation in recreational activities such as sports.

Civil rights

- Equality in legal matters.
- The right to freedom of movement.
- The right to choose where they live.

Political Rights

- The right to vote.
- The right to hold office in politics and to participate in politics.
- The right to represent their government at an international level.

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Photo courtesy of WWDACT

WWDACT acknowledges that we work on the lands of the Ngunnawal and Ngambri people. We pay our respects to their elders past, present and emerging.

Women with Disabilities ACT Inc. is registered as a charity with the Australian Charities and Not-for-profits Commission ABN 74 908 530 982

Areas you may need to advocate in

This course is designed to give us an idea of the many areas we can practice self-advocacy in our lives: our personal lives, within the health care system, legal matters such as rental agreements and more, education and advocacy, as well as advocating within the workplace.

We will be talking about each of these areas to find different ways we advocate depending on the people and the situation. We will discuss how to advocate in personal and systematic settings with confidence, as well as addressing why and when you might need to advocate for yourself.

Everyone advocates for themselves in their own way. There are many factors in play if you are advocating for yourself and, often, this can be exhausting. Knowing when to advocate — even if it means waiting — can help us so that we can advocate when we are at our best and have had time to process and think. It also gives us time to talk to others, and to find support to help with self-advocating in certain situations.

Some areas are trickier than others to navigate, and this will vary from person to person. That is why we are learning about strategies that we can build on with experience and tailor to ourselves!

Areas I may need to advocate in:

In what situations can I advocate for myself?

There are many areas we need to advocate in — how much or the way you do this is unique to you. Within each of these areas there are sub-topics! These areas can be personal situations, health settings, legal settings, educational settings, and within the workplace.

Personal — Within your home, with friends, family, carers etc., making sure you are being heard, respected and part of the discussion.

Health — Medical practitioners such as your GP and specialists in hospital settings, nurses, physiotherapists, medical receptionists, government support and more.

Legal — Rental agreements, banks and loans, and disputes such as taking legal action or making a complaint to the Disability Commission.

Education — University, TAFE, secondary education and training. Most educational institutions have Student Disability Services. You have the right to access them, and to inform your professors, tutors, or anyone else involved about your situation so you can be best supported.

Workplace — Advocating in the workplace can be in the form of accessing reasonable adjustments, so that the workplace is meeting your accessibility requirements. This could be anything from access to assistive software, hardware, furniture, or an accessible bathroom to requesting for the workplace counselling services. In each one of these situation, your rights are the same as every other person and should be met, to the best of your workplace's capacity.

Self advocacy in health care

Why and when you may need to advocate

Advocacy in a healthcare setting can be anything from making your needs known and met with your general practitioner to refusing a procedure that has not been properly explained to you at a hospital. You may find yourself needing to advocate for your needs and wants to all forms of medical professionals and providers such as doctors, nurses, specialists and even pharmacists.

There are many ways of having your needs met in a health care setting. This could be in the form of voicing your concerns, being fully informed, listened to, respected and included. These are key in a systematic situation such as in a medical setting. For a lot of us, health is one of the areas we find ourselves having to advocate in the most. So it is important to remember that as a patient, we have the right to be fully informed, to advocate for ourselves and to ask for a patient advocate too.

So, how do we approach these situations? One way to find out is by reflecting on how we have managed self-advocacy and being heard in a healthcare setting in the past. Assessing the ways we have advocated in the past and what the outcome has been each time can also help us plan for the next time we find ourselves in a similar position.

How can I advocate for myself in health care?

Have I advocated for myself in a health care setting in the past?

How did I advocate for myself in this situation?

Was I listened to and received positively?

Have I advocated for myself in a health care setting in a situation where I was dismissed?

Areas I may need to advocate in

How did I advocate for myself in this situation?

Is there a difference between how I communicated my needs in each situation?

Did the circumstances give me the opportunity to advocate for myself?

My strengths in advocating for myself in a health care setting are:

Self advocacy in a legal setting

Why and when you may need to advocate

There are certain things we do in life that involve the law. A few examples of areas we may need to advocate in legal settings are rental and housing, institutions (such as a bank), taking legal action, domestic situations (such as paid support workers), etc. It is important to make sure we are getting a fair deal without being disadvantaged. This is why knowing our rights is significant, as we can demand that the people working with us are listening to us and are abiding by the law. This could help us make sure that we are not charged extra or asked of more than others because of our circumstances.

These situations can be hard to navigate but there are free organisations as well as legal firms that are designed to help people with disabilities.

Where may I need to advocate for myself?

Housing Rights, tenancy, banks, police reports, immigration, divorce, protective orders, custody and child support are just some examples of where self-advocacy may help when it comes to legal issues.

It is important to remember that you can always get support from an advocacy organisation to guide you in these matters. Even if seeking support from an outside organisation, our rights are the same as everyone else's; you have the right to be heard, respected and listened to, as well as actively involved in the process.

Some questions we can ask ourselves to get started are:

- Is there anyone in my support network who can support me while I advocate in a legal setting?
- Do I know any organisation in the ACT region that I can get support from while advocating in a legal setting?

How can I advocate for myself in a legal setting?

Have I advocated for myself in a legal setting in the past?

How did I advocate for myself in this situation?

Was I listened to and received positively?

Did I have access to legal or advocacy support in this situation and was it helpful?

When may I need to advocate for myself in a legal setting in the future?

The organisations in the ACT region that can support me when advocating in a legal setting are: (Tip: See Resources Booklet.)

Self advocacy in education

Advocacy in education includes Universities, TAFE's, training courses and apprenticeships, tutoring, and learning life skills. Most educational institutions have a Disability Support Office that can help you with your needs. With a referral from your doctor, you can access these supports within the institution.

Even with a Student Disability Support Officer (SDSO), it is still important to let your educators know what your needs are so there is no confusion. The best way to do this is just by telling them your access requirements - that way you do not have to disclose your disability! This could be in the form of making sure that the SDSO involves you in all communications with the educators or you can meet the educator to discuss arrangements separately.

Making sure they are aware of your needs is important so that if extra time or specific accessibility requirements are needed, everyone is kept in the loop and there are no misunderstandings. It is always best to get a confirmation in writing such as an email from your educator so that if anything happens, you have written documentation.

Most importantly, you do not have to disclose your disability to anyone in an educational setting besides your SDSO - that even if it is required. If an educator is denying you of your needs, or ignoring requests made by your SDSO on your behalf, you have the right to file a complaint and seek support with the help of your SDSO, you also have the right to bring someone with you from your support network.

The key to self-advocacy is knowing your rights, especially in an educational setting, and remembering your right to have an education.

Things to remember when advocating in an educational setting

- You do not have to disclose your disability to anyone in an educational setting unless you want and feel the need to.
- You have the right to access student and disability supports.
- You have the right to have your needs and accommodations met so that you can get the most out of your learning experience.
- You have the right to ask for further support from the institution.
- You have the right to have a support worker, carer, and interpreter with you.
- You have the right to be respected, listened to, and included fully.

How can I advocate for myself in an educational setting?

Have I advocated for myself in an educational setting in the past?

How did I advocate for myself in this situation?

Areas I may need to advocate in

Was I listened to and received positively?

Did I have access to student or advocacy supports in this situation and was it helpful?

What are examples of times I may need to advocate for myself in an education setting in the future?

Self advocacy in the workplace

Advocating at work is important not just for ourselves but for those who employ us. It lets them know what our needs are and how we can be more productive when those needs are met.

It's completely up to you if you want to disclose more than the minimum amount as to why you need accessibility requirements. If you have documentation from a medical professional, this is all the information they are required and allowed to ask for, and further questioning by them is crossing into your personal life — this is a boundary only you can decide to cross. It's up to you as to who you wish to share any further information with, and this should be respected.

Examples of when you may need to advocate in the workplace could be for things such as seating and desks, software and the correct assistive technologies, access to accessible bathrooms, accessible parking and more.

It is important to remember that this is all dependant on where you are working and for who. Bigger companies and businesses have the capacity to provide the support you need — and have no excuse not to. Small businesses and organisations may not have the means or funding for certain accessibility requirements, but can turn to the government to help them assist you, as there is a system for this. There will always be things outside a workplace's control that they can not fix or change, but it is important that they do what they can to assist you.

What do you do if your needs aren't being met or have been done inadequately? Can you contact the Human Resources (HR) department? Who do you go to if there isn't one?

The requirements for businesses, companies and organisations to meet your needs to work, and pay you equally, is covered by the DDA and the

Areas I may need to advocate in

UN Convention on the Rights of People with Disabilities. This is something you have the right to address; it can be found at the front of your workbook.

If you are employed by a small business, organisation, or charity, they might not have the financial means to meet your needs and wants. You may need to ask yourself if there is another place that you could work for that does have the capacity to meet your needs and wants.

How can I advocate for myself in workplace settings?

What types of situations did I find myself advocating for in a workplace setting in the past?

How did I advocate for myself in this situation?

Did I have anyone backing me in my support network?

What do I like about advocating for myself in a workplace setting?

What do I find difficult about advocating for myself in a workplace setting?

What are examples of times I may need to advocate for myself in a workplace setting in the future?

Self advocacy in a personal or social setting

Self-advocacy in a personal situation is when you stand up or represent yourself in everyday situations to assert your human rights of inclusion and equal access, so that you can fully participate within the community.

Being a self-advocate means that you can make your own decisions, and make sure that those decisions are respected by others. This also includes advocating for yourself towards those closest to you.

Advocating in a personal setting could be having to advocate for yourself to a family member or relative, a friend, a partner, a spouse, a carer, a personal advocate and more.

It can be hard speaking out to a loved one or someone you care for and advocating for yourself when things aren't going well. This could be asking for help, or telling someone that you don't like it when they do something.

Communication with those closest to us helps not only bring us closer together, but means that we are less likely to have misunderstandings with those around us.

It is important to remember your rights. You have the right to feel safe, the right to be respected, the right to be listened to, the right to have your needs and wants met, to be accommodated for and to feel loved.

You have the right to remove yourself from a situation or person who is not respecting you or your rights. You have the right to advocate for yourself within personal settings and to be included in situations and discussions that involve you. You have the right to leave, you have the right to cut a person out of your life, and you have the right to not want to have contact with your family. Remember! Your safety should come first.

How I advocate in a personal setting:

The things I find myself advocating for myself most in personal situations are:

Areas I find difficult when advocating in a personal situation are:

NOTES

[illegible]

[illegible]