

Villamanta



Villamanta Disability
Rights Legal Service Inc.

Summer Edition 2009

news

Villamanta Disability Rights Legal Service Inc. advances the rights of people who have a disability.

Villamanta is a Community Legal Centre that works on disability related legal and justice issues for people who have a disability who live in Victoria. Villamanta has a particular focus on the rights of people who have an intellectual disability.

The Committee and Staff of Villamanta wish you a very Merry Christmas and a Happy New Year.



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 houses 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

Residential Rights Disability Act 2006 (Vic)

Here is some information about the rights of people who live in accommodation provided by disability service providers. This information is in the *Disability Act 2006 (Vic)*:

Section 89 of the Act says that *disability service providers* must provide written information which is relevant to the services they will be providing to the person.

Relevant information includes:

- information about the disability services being provided to the person and any associated costs;
- information about conditions that may apply to the disability services being provided to the person;
- information explaining the procedures for making a complaint to the [disability service provider](#) and to the [Disability Services Commissioner](#)
- information setting out legal rights, entitlements and obligations under the *Disability Act 2006*

NOTE: The information required by this section may instead be included in the **residential statement** required under section 57 of the Act. See page 5 of this newsletter for a summary of information about residential statements.

Section 109 of the Act says that *disability service providers* are required by law to hear your complaints.

Section 109 says a [disability service provider](#) must have and use a **complaints system** to receive and resolve complaints made to it about their services.

Section 109 says a [disability service provider](#) must take all reasonable steps to make sure that a person with a disability is not adversely affected because a complaint has been made by them or on their behalf.

Section 109 of the Act also says a complaint may be made to the independent [Disability Services Commissioner](#)

The Disability Services Commissioner works with people who have a disability to solve complaints about disability service providers. The Commissioner also works with disability service providers to improve outcomes for people with a disability.

The Commissioner encourages and assists people to solve complaints in a variety of ways including informal discussions, conciliation meetings or, sometimes, by investigating the problem.

Anybody may make a complaint to the [Disability Services Commissioner](#). They can do this by talking, writing, or in any other way that is appropriate in the circumstances.

It is the duty of the [Disability Services Commissioner](#) to provide appropriate help to a person who wishes to make a complaint and needs help to make the complaint.



You can contact the Disability Services Commissioner on these phone numbers:

Phone: 1800 677 342 (free call)

Phone: 1300 728 187 (local call)

Fax: 03 8608 5765

Email: complaints@odsc.vic.gov.au

Website: www.odsc.vic.gov.au

TTY: 1300 726 563





**Amanda Hiscoe,
Deputy Chairperson of Villamanta
Disability Rights Legal Service Inc.**

**Villamanta and the
Disability Services
Commissioner want you to
know:**



If you have a problem with
disability services call
**Villamanta Disability Rights
Legal Service Inc.**

Phone: 1800 014 111 (free
call)

or

the **Disability Services
Commissioner**

Phone: 1800 677 342
(free call)

Phone: 1300 728187
(local call)

TTY: 1300 726 563

**Villamanta and the Disability
Services Commissioner will
try to give you some help
with your problem.**

What is Disability Advocacy?

Advocacy is speaking out about what you think or what you want or need, or helping someone else to speak out. Disability Advocacy is speaking out about the problems of people who have a disability. Disability Advocacy is what Villamanta Disability Rights Legal Service Inc. does.

Some Villamanta staff and Committee of Management members went to a Disability Advocacy Conference in Melbourne in November to learn how to do better advocacy. The Conference was organised by VDAN (the Victorian Disability Advocacy Network) and DARU (the Disability Advocacy Resource Unit). SARU (the Self Advocacy Resource Unit) was also at the Conference. It was a good place for lots of advocates and self advocates to talk and share ideas.

Villamanta's Deputy Chairperson, Amanda Hiscoe, helped to tell people at the Conference about good advocacy.

Amanda has been a member of Villamanta's Committee of Management for 14 years and is also the Public Officer. Amanda runs Villamanta's Committee meetings when the Chairperson is away. Amanda is also an active member of the Scouting movement and will be attending the 22nd Australian Scout Jamboree in January 2010, in Sydney.

Amanda does a lot of Disability Advocacy. As well as being a member of Villamanta she is also a member of some other important advocacy and self advocacy groups including Reinforce.

As part of her advocacy work this year Amanda also went to a meeting to help write the Shadow Report to the United Nations about Australia and the new international Charter on the Rights of People with Disabilities (2006). The reason for the Report is to tell the United Nations about how people who have a disability think Australia is going in its work to measure up to the Charter. Amanda and other people had quite a bit to say about lots of problems for Australian people who have a disability. There is still nowhere near enough supported accommodation and other very important services available to people who have a disability and the Australian and State governments need to put a lot more money into these services. Amanda says there is still a lot of work to be done before Australia can say it is meeting the standards of the international charter.

Amanda and Villamanta staff will be going to the "Having a Say" Conference organised by VALID in February, 2010 and doing some more Disability Advocacy there.

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) 96571600 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

People who have Autism/Autistic Spectrum Disorder (ASD) in Victoria

Helping children with autism: Disability assistance from the State government of Victoria for children who have autism

In Victoria recent acknowledgement and inclusion of ASDs (Autism) as a neurological impairment under the *Disability Act 2006* (Victoria) means that all people with an ASD (not only those who have an intellectual disability, or some other form of disability covered by the *Disability Act*) can now be considered for disability services. Previously the *Disability Act 2006* did not include Autism.

Summary of information about residential statements

What is a residential statement?

The *Disability Act 2006 (Vic.)* says that if you live in a residential service you must be given a *residential statement*.



A residential statement has information about:

the service,



the costs

your right to complain



Home Bushfire Plans

The Victorian government's Better Health website provides some information for people who have a disability to help them prepare *Bushfire Plans*. This is available from betterhealth.vic.gov.au



The CFA (Country Fire Authority) have a *Fire Ready Kit* on their website cfa.vic.gov.au. Accessible versions of this kit are being developed for people who have hearing, visual or cognitive disabilities. The CFA hopes that these kits will be finished by December 2009.

Did You Know.....

Villamanta has a book called

YOUR RIGHTS YOUR CHOICES,

which is free to people who have a disability. It is an easy to read book about legal rights for people who have an intellectual disability in Victoria.

If you would like a copy, or information about this and other Villamanta publications, please contact us on

1800 014 111 (1 pm - 3 pm Mon - Frid) or
(03) 5229 2925 or visit our website on:
www.villamanta.org.au



What are the big problems for people who have a disability?

Villamanta wants to know what you think are the big problems, especially legal problems, for people who have a disability.

If we know about problems Villamanta can sometimes do some work to help get them fixed.

If you know a problem that you think needs some work done on it, give us a call on

1800 014 111

between 1 p.m. and 3 p.m.

Monday to Friday

or email us at: legal@villamanta.org.au

or write us a letter and send it to

44 Bellerine Street, Geelong, Vic., 3220

Villamanta Disability Rights Legal Service Inc.
44 Bellerine Street, Geelong Vic 3220

Postage
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Villamanta Disability Rights Legal Service Inc.

ABN 32 690 988 235

A free state-wide legal service that works on disability related legal issues.

Villamanta Disability Rights Legal Service Inc. is part of the Australian Network of Disability Advocacy Services funded by the Australian Government

Telephone Advice Line for people who have a disability

Free call 1800 014 111 (1 pm - 3 pm Monday—Friday)

Email: legal@villamanta.org.au

Telephone: 03 5229 2925

Website: www.villamanta.org.au



We would like to send you our Newsletter by email

Please let us know:

- ◆ If you want to get our newsletter by email
- ◆ If you want it emailed or posted in larger print format
- ◆ Please note Villamanta no longer has a TTY service—Callers who are deaf, or have a hearing impairment are asked to email, fax or use the National Relay Service on **1800 555 677** - Callers who have a speech impairment can use Speech on Speech Relay on **1800 555 727** and quote Villamanta's Free Call number **1800 014 111** (Between 1 p.m. and 3 p.m. Monday — Friday)



**PLEASE PHONE VILLAMANTA on 1800 014 111 or
Email: legal@villamanta.org.au**