

**Submission to the Joint Standing Committee
on Treaties
on the Optional Protocol to the
Convention on the Rights of Persons with
Disabilities**

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A national voice for families of children with a disability

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The Australian Association for Families of Children with a Disability (AAFCD) is a national organisation representing children with a disability and their families and is funded through the Department of Families, Housing, Communities and Indigenous Affairs (FaHCSIA). We are a non-profit, community-based organisation. We work alongside families of children and young people with disability.

VISION

The vision of AAFCD is to provide children with a disability the opportunity to live meaningful and fulfilling lives within safe, supportive and appropriate environments. As part of this vision AAFCD acknowledges the critical role that families play in providing the necessary care and support to children with a disability and recognises their need to be supported in this role. AAFCD will achieve this vision by:

1. **Educating** national public policy-makers and the broader community about the needs of children with a disability and their families.
2. **Advocating** on behalf of children with disability to ensure individual choices and the best possible support and services are available to them from government and the community.
3. **Informing** families about the rights and entitlements of the child with a disability to services and support.
4. **Celebrating** the successes and achievements of children with a disability.

GUIDING PRINCIPLES

The principles that guide the work of AAFCD are:

Children the priority: that the safety and well-being of children with disability is paramount and consistent with Australia's obligations under the international Convention on the Rights of the Child and the international Convention of the Rights of Persons with Disabilities.

Respect: for the views and interests of children with disability and their families.

Recognition: for contributions made by families to ensure the safety and well being of children with a disability.

Inclusion: to ensure that children with all types of disability, from all cultural and religious backgrounds and from different family structures are supported by the work of AAFCD.

Responsiveness: to ensure that full advantage is taken of strategic opportunities that arise from the political and social policy environment that benefit children with a disability.

Collaboration: with relevant non-government, government and private sector partners to promote the interests of children with a disability.

Transparency: within AAFCD's governance structures, decision-making processes, financial expenditure and reporting activities.

AAFCD welcomes the opportunity to provide a submission to the Joint Standing Committee on Treaties regarding the *Optional Protocol to the United Nations Convention on Rights of Persons with Disabilities*.

It is believed that ratification of the Optional Protocol will:

- Further demonstrate Australia's commitment to the rights of people, including children, with disabilities. It will provide a further opportunity to access a formal mechanism of review for people with disabilities, including children, to establish whether their rights have been breached. This specifically means to "monitor" the implementation of the Convention as it relates to the lived experience of people with a disability, including children.
- Further promote elimination of discrimination. Accession to the Optional Protocol creates a clear pathway for redress if people with disabilities, including children, believe their rights under the Convention have been violated and all domestic remedies have been exhausted.

Accession to the Optional Protocol creates a system which further protects and promotes the rights of all people with disabilities, including children, as stipulated in the Convention on the Rights of People with Disabilities.

- Increase accountability of the Australian community in regard to obligations under the Convention on Rights of Persons with Disabilities. This will be achieved by providing an additional means to establish whether there is a violation of the rights of people with disabilities, including children, and an opportunity to pursue an appropriate remedy.
- Affirm the necessity to consider "experiences" of disability when examining any issue which impacts on the lives of people with disabilities including children, by the referral to the Disability Committee whose members have diverse and extensive experience of disability.

AAFCD provides a link between the direct experiences of children with disabilities and their families to policy makers and other key stakeholders. It is believed this link is essential for the creation of a holistic framework that fully acknowledges the rights and needs of people with a disability. AAFCD believes that the existence of the Disability Committee aligns with the experience of AAFCD.

AAFCD strongly supports Australia's accession to the *Optional Protocol to the Convention on the Rights of Persons with Disabilities*.



Elizabeth McGarry
Chief Executive Officer