

CHAPTER 1

BACKGROUND AND ISSUES

Background

1.1 The Senate Standing Committee on Community Affairs received the reference on employment options and issues for people with disabilities on 24 August 1988. The original terms of reference did not include future employment prospects or sales tax exemptions. After consideration, the Committee revised the terms of reference to the following:

‘The employment of disabled persons, with particular reference to:

- (a) current and future employment prospects of disabled persons with particular reference to training, placement, support (including sales tax exemptions), working conditions and rates of pay; and
- (b) the impact of Federal, State and Local Government and private sector programs on the employment of disabled persons.’

1.2 These revised terms of reference were agreed to by the Senate on 10 November 1988. Public notices calling for submissions were placed in major Australian newspapers on 25 and 26 November 1988, and the closing date for submissions was originally 17 February 1989.

1.3 The Committee had received 200 submissions and taken some evidence in public hearings on this inquiry when an inquiry into accommodation services for people with disabilities was referred to it in mid-June 1989. Originally the two inquiries were to be conducted together, with separate reports being made; however, delays to the hearings program in late 1989 resulted in the second inquiry on accommodation (which had a specific reporting date) proceeding separately. The Committee presented its report on this inquiry ‘Accommodation for People with Disabilities’ in May 1990.

1.4 The program of public hearings for the inquiry on employment recommenced in October 1990, concluding at the beginning of December 1990; a list of all hearings is at Appendix 1. The Committee also made a number of visits to different types of employment services and these are listed at Appendix 2. A total of 226 submissions was received, and these are listed at Appendix 3; a list of witnesses who appeared at public hearings is at Appendix 4. In June 1990 the Chair of the Committee, Senator A.O. Zakharov, held discussions with government departments, organisations and workplaces in Darwin. In 1989 and 1990 the Chair also visited the then Federal Republic of Germany, the Netherlands and the United Kingdom. The Chair held discussions on the Committee's terms of reference with Government

representatives in Bonn, Munich, Nuremberg, The Hague and Sheffield, and with professionals working in the field. In August 1990 Senator Zakharov attended the International League of Societies for Persons with Mental Handicap conference in Paris.

Context

1.5 The reference on employment options, as well as that on accommodation services, arose from the considerable debate on the appropriateness of developments in disability services funded by the Commonwealth, particularly those provided under the *Disability Services Act 1986*. Changes in community perceptions, in consumer and service provider outlook and expectations, both in Australia and overseas, over a period of years had encouraged an approach described as the 'least restrictive alternative' in a number of caring services including those for frail aged persons and people with disabilities. Community involvement in service provision and in developing a consumer voice for people with disabilities was a major factor in the emergence of changed attitudes towards people with disabilities. Events such as the International Year of Disabled Persons (1981) marked the greater involvement of people with disabilities in taking the initiative, in speaking for themselves, in seeking equality and in obtaining greater choice in accommodation and employment. The emphasis gradually changed from looking after people with disabilities to increasing their access to the community and its opportunities, as far as was possible for individuals.²

1.6 De-institutionalisation, both literally and metaphorically, has been a dominant theme in much service provision as a consequence of those changing attitudes, along with a simultaneous development of replacement services considered to be more flexible, more capable of meeting the needs of individuals and of developing the capabilities of individuals because of their similarity to the options available to other people living in the community.³

1.7 The 1986 legislation and the associated Principles and Objectives (June 1987)⁴ emphasise the importance of independence, participation in the community and increased opportunity for people with disabilities. In themselves, these Principles and Objectives have created little opposition; in fact, there is a whole-hearted support for them including from many of the 'traditional' service providers who perhaps had been expected to provide the most obvious opposition to change. Even before the introduction of the Bill late in 1986, a number of the ideals expressed in the legislation had begun to affect the nature of service provision – attitudes of some sections of the community and of some employers had changed; educational opportunities including mainstreaming, were being directed more closely

2. *Transcript of Evidence*, pp. 1477-83, 1520-2 (Department of Health, Housing and Community Services).

3. Hardwick, James and Brown, *Accommodation and Employment Policies for People with Disabilities* (Social Welfare Research Centre Report No. 66 1987), especially pp. 4-6.

4. See Appendix 13.

to students' needs⁵; and some new employment options had been developed enabling people with disabilities to have a greater choice. Consequently, there was considerable support for the Principles and Objectives of the Act and, from a number of organisations and individuals, wholehearted support for the Act itself.

1.8 There remain some differences of opinion as to the interpretation of change both in the community and in service provision. For some service providers and consumer groups the basis of opposition is not the legislation. The major concerns expressed by these groups relate to the rate of transition from old to new services, provision for people with severe and/or multiple disabilities, the equity of funds distribution, the perceived need to retain older services and the question of choice. Limitation of opportunity also exists in a time of high unemployment in the general community.

1.9 This inquiry on employment was established to determine if current and future employment options met the current and projected needs of people with disabilities. The debate on the abovementioned issues of choice, access, severity of disability, and equity is not only central to the philosophies of the major interest groups, it is also crucial to the evaluation of the effectiveness and appropriateness of employment services. Consequently, it is discussed in some detail, particularly in Chapters 5 and 6.

EMPLOYMENT SERVICES

1.10 The Commonwealth Government is the major provider of funding for a number of employment options and of employment-related services for people with disabilities, with the majority of these being administered by the Department of Employment, Education and Training (DEET) and the Department of Health, Housing and Community Services (DHH&CS), which is responsible for the Disability Services Program.⁶

Department of Health, Housing and Community Services

1.11 At present the Department of Health, Housing and Community Services is the main provider of funding for actual employment, as opposed to training, programs for people with disabilities. The Department's involvement in the provision of such services is both long-standing (in respect of sheltered employment) and relatively recent (in respect of alternative forms of employment/training such as Competitive Employment, Training and Placement (CETP) services and Supported Employment (SE) services. As the Department with responsibility for the Commonwealth Rehabilitation Service (CRS) it also has a long involvement with rehabilitation of people of working age, as well as of habilitation of those with minimal employment experience and, possibly, long-standing disability. The CRS is part of the Disability Services Program (DSP). In 1988 a new charter was endorsed for the CRS,

5. See below, Paragraphs 4.12-4.14, 4.17-4.28.

6. A list of programs/services is at Appendix 16.

emphasising its function of providing high quality rehabilitation services to those unable to pay, and linking those services to the Commonwealth's responsibilities for income support and labour-market management. Hence, while the CRS is often identified as primarily for those requiring rehabilitation and having been in employment, as opposed to providing services for those with long-standing disabilities, this is no longer the case.⁷

1.12 In December 1989 the Government reaffirmed its commitment to the ongoing provision of rehabilitation programs through the Commonwealth Rehabilitation Service. It confirmed that the CRS has a primary responsibility to provide programs for people with disabilities not covered by compensation arrangements.

1.13 During 1990-91 the CRS assisted over 24,000 clients, a 23 per cent increase over 1989-90, and 13,511 people completed their involvement with the CRS. Of these, 4,527 clients obtained employment, 1,412 were seeking work and 3,987 had achieved a 'non-vocational' outcome.⁸ A further 3,585 clients ceased their program before completion.⁹

1.14 The *Disability Services Act 1986* (DSA) marks the transition from fairly limited options to a much more integrated and open philosophy, with an emphasis on independence, participation in the community and increased opportunity for employment for people with disabilities.

1.15 Under the DSA, sheltered workshops and activity therapy centres (ATCs) – providing a range of primarily non-vocational services for people with more severe disabilities – are not approved services for funding purposes.¹⁰ The large 'factory model' sheltered workshops in particular are expected to evolve to smaller, more open, employment options; the activity therapy centres will be replaced by independent living, training/community access support services. The objective of this change was to provide a five-year transition period during which these services were required to move towards approved service status. This period was due to expire on 30 June 1992, but was extended late in 1991 for a further three years.

1.16 In developing employment options, the emphasis on choice, independence, integration and greater relationship between people with disabilities and the community has meant that the 'traditional' sheltered workshop model has been

7. *Transcript of Evidence*, pp. 1513-19, 1528 (Department of Health, Housing and Community Services).

8. *Non vocational* – this includes voluntary work, education, home duties and independent living.

9. DHH&CS Annual Report 1990-91, p. 98.

10. In November 1991 the Minister for Health, Housing and Community Services announced amendments to the DSA which would allow for 'transition services', which would be those Section 13 services 'making active progress towards Section 10 status'. (Speech by the Hon. Brian Howe, *Australia and Disability – Where to Now?*, 14 November 1991, p. 8).

under pressure from the Government to demonstrate its capacity to provide terms and conditions of employment which approximate those of the normal work place. In particular, there is a concern to reduce the size of workshops which were seen as too institutional because they were too large and impersonal. It should also be noted that even small workshops are not considered acceptable if they do not have a mixture of non-disabled people and people with disabilities. A mixture of employees, as well as a better staff/employee ratio is considered essential to reduce the segregation of people with disabilities seen as characteristic of the traditional workshop.

1.17 The relationship between management/staff and 'clients' in some workshops is also considered institutional in that it is often seen as authoritarian or paternalistic. Those workshops which emphasise dependence and impose inappropriate controls on clients are seen as maintaining outmoded attitudes towards people with disabilities which can no longer be accepted if the dignity and independence of individuals is to be fostered. The preferred relationship option is that of employer/employee, a change which brings a number of issues to the fore, including the rights of employees, the need for improved working conditions including occupational health and safety, the issue of wages in sheltered employment, the quality and type of work available and the quality of relationships possible in a sheltered environment. These issues are discussed in greater detail in Chapters 3 and 6.

1.18 There has been no automatic acceptance by service providing organisations and consumer groups of the Government's position as regards sheltered employment, and evidence was presented to the Committee covering every aspect of this option, with support for and against a continuing role for some form of sheltered employment beyond 1992.¹¹

1.19 The Minister for the then portfolio of Community Services and Health, the Hon. Brian Howe, expressed the Government's policy clearly in respect of traditional services. Speaking at the 1990 ACROD National Convention/Annual General Meeting Mr Howe stated:

It is very easy to stop short of what is really achievable for people with disabilities. Because of my concern that some will stop short of achievable change I have indicated to ACROD officials that the concept of the factory model and of a special review process for some service types cannot be supported.

I am firmly of the view that if, as is claimed, these services are producing quality outcomes in line with the *Disability Services Act* then they will be able to justify ongoing funding under the DSA.

11. Submissions and public hearings all predate the announcement at the end of 1991 that the transition period for sheltered workshops would be extended.

Equally, however, I will not agree to the transfer of any service to section 10 funding¹² until I am satisfied that it has been properly reviewed and that it will further the principles and objectives of the Act.¹³

1.20 One of the major reasons for opposition to the original 5-year timetable for sheltered employment is that some groups believe there is insufficient funding for effective and equitable transition to other forms of employment. There is substantial evidence to the effect that this is the case, and that a considerable number of people with disabilities, at least in the short-term, will either receive no service (because they cannot obtain an employment place of any type) or will not be able to access one that allows for their participation in the community according to the principles of the DSA.

1.21 This argument has not been countered by the Department of Health, Housing and Community Services, which has emphasised that the Disability Services Program does not operate on an entitlement basis.¹⁴ In other words, the Disability Services Program does not have as its major objective the provision of an appropriate service to *all* people with a disability. Rather, it aims to provide a series of services to enable people with disabilities to have options. The issue remains, however, that some people receive services, and others may not and it is important to consider whether social justice objectives can be met in this scenario. The extent of limitation to access will only be known if considerably improved data collection is undertaken on a systematic basis. This issue is discussed in Chapters 3 and 6 and Appendix 7, and recommendations on data are made at the end of this Chapter.

1.22 The two innovative employment service groups which have been developed in recent years are directed to two different groups of people with disabilities: training and placement for those wishing to move to open employment and supported employment for those not able to undertake non-sheltered employment without (often considerable) ongoing support. The first service type may be most appropriate for those with mild to moderate disabilities¹⁵, the second for people with more severe disabilities.¹⁶ For people with severe and/or multiple disabilities, however, neither service may be appropriate.¹⁷

12. Section 10 funding of the *Disability Services Act* provides financial assistance for eligible services.

13. Speech, 22 November 1990, p. 14.

14. That is, there is no *right* to a service for people with disabilities, as opposed to the general right to payments such as unemployment benefits when basic criteria are met. See below, Paragraph 5.177.

15. See below, Chapter 5.

16. See Chapter 6.

17. See Recommendation at Paragraph 5.58.

Competitive Employment, Training and Placement (CETP)

1.23 The first of these options, developed through Competitive Employment Training and Placement (CETP) services may be particularly suitable for people with mild to moderate disabilities. The emphasis is on open employment at award wages and minimal or no support after an initial period.

1.24 There have been several criticisms of CETP services and these are outlined in Chapter 5. These refer particularly to services wanting positive outcomes and hence possibly choosing as clients people who are likely to succeed with minimal input. While such criticisms may be valid, it should also be remembered that the training and placement service does provide access to open employment which the individual may have had difficulty in obtaining through his/her own effort alone. In particular, CETP services provide a service which is somewhat more individual and more direct (in terms of actually obtaining employment) than do DEET services which in effect can only provide training and some work experience components.

1.25 The evaluation of those services will need to be carried out regularly and over a substantial time period. In particular the length of each placement and the success of different placements will require both quantitative and qualitative measurement. Evaluation as to 'value for money' is also important, since there is often a simplistic equating of an award or near award wage with a lack of cost to the taxpayer (that is, through cessation of unemployment benefits or sheltered employment allowance), whereas the cost of the service itself and any continuation of pension or part-pension must also be included in such calculations.¹⁸

Supported Employment

1.26 The second new employment option developed by the Department of Health, Housing and Community Services is also a direct employment option although it includes considerable training and support elements. The objective of supported employment services is to provide an alternative to sheltered employment through the development of small and often enclosed work units. Such units, for example enclaves, have been seen as closed or segregated, if they have minimal contact with the remainder of the workforce. The benefits of supported employment options are deemed to be the small size of the work group, the greater interaction with and attention from support staff, the opportunity to interact with non-disabled work colleagues and the increased wages available because of support received. The cost of such services, including any continued pension payments, would need to be set against other, less quantifiable criteria, such as greater personal development.¹⁹

18. See below, Chapter 5.

19. Those services are discussed in Chapter 6.

1.27 Again, there has not been a sufficient operation period for those services to be effectively evaluated, especially in terms of their qualitative outcome.²⁰ As options, they appear to have considerable benefits in terms of the DSA principles, but they provide places only to a relatively small number of people and are expensive to run. Possibly they are best suited to some people with severe physical disabilities, since the value of 'real' work and participation in a 'work' environment (as opposed to other quality of life situations) remains problematical for people with severe intellectual disabilities.

1.28 In 1989-90, Disability Services Program expenditure (including hearing services) was \$369.86 million and in 1990-91, \$414.5 million. It is estimated that expenditure, including Commonwealth Rehabilitation Service funding, will be \$457 million per annum at June 1994. An estimated \$200 million per annum 'will be provided by the Commonwealth to the States and Territories to fund the transfer of existing services' under the Commonwealth-State Disability Agreement, with a further \$245 million over the life of the Agreement.²¹ The Agreement provides that the Commonwealth will fund employment services and States/Territories will be responsible for accommodation and other support services. It will not take effect in each State/Territory until legislation which complements the DSA is enacted in each State/Territory.

Department of Employment, Education and Training (DEET)

1.29 The majority of witnesses and submissions referring to DEET programs mentioned JobStart and SkillShare. These two programs, plus JobTrain, are potentially of considerable value to people with disabilities, particularly in advancing the integration of people with disabilities in the workforce. Essentially, all three are designed for people on unemployment benefits and unemployed for a period of time (6 to 12 months) but are flexible enough to accommodate other circumstances. This enables some access by people with disabilities who may have been working in sheltered employment (for JobStart), or who were unemployed but not registered with the Commonwealth Employment Service.

SkillShare

1.30 SkillShare brings together three community-based programs (Community Youth Support Scheme, Community Training and Placement and Community Volunteer Program). The community-based projects on which SkillShare was based encouraged participation by people with disabilities, with Community Training and Placement commencements including 26.4 per cent people with disabilities. The new program began operation in this form on 1 January 1989.²²

20. See Chapter 6, Recommendation following Paragraph 6.61.

21. DHH&CS Annual Report 1990-91, p. 94.

22. See below, Chapter 5.

1.31 The objective of SkillShare is to assist long-term unemployed and other 'most disadvantaged',²³ unemployed people to obtain and retain employment or to proceed to further education or training through the provision of skills training, employment-related assistance and enterprise activities by community groups.²⁴ 1990-91 expenditure was \$94.478 million. In 1990 the program provided services to 92,000 eligible persons, an increase of 18 percent on 1989 figures. Forty-eight per cent of the 1990 participants proceeded to employment, further education or training. In 1990-91 a disability strategy to 'improve and increase the quantity and quality of services to people with disabilities'²⁵ was developed, and in 1991 special units (DASUs - disability access support units) came into operation to assist Skillshare projects meet the needs of people with disabilities.²⁶ Skillshare, and its use in the development of employment options for people with disabilities, is discussed in greater detail below in Chapter 5. The program will be fully evaluated in 1992.

JobTrain

1.32 JobTrain assists the long-term unemployed and 'especially disadvantaged' (including people with disabilities) job seekers 'by providing training assistance that is either directly related to immediate job opportunities . . . or is directed to acquiring durable, recognised skills for labour market participation'.²⁷

1.33 JobTrain provides vocational training for entry into the labour market through the provision of appropriate courses (for example, through TAFE, SkillShare) and enables the CES to design and purchase training courses and course places. In 1989/90 10 per cent (or 4,634 persons) of commencements in the program consisted of people with disabilities although this figure would exclude those who were placed in another category (for example, duration of unemployment) rather than disability. The requirements of the local labour market are a key factor, and this may lead to variation in opportunities available to people with disabilities. At June 1991 there had been 71,463 placements overall in 1990-91. Fifty-one point six per cent of participants were 'especially disadvantaged', including 10,700 people with disabilities. 1990-91 expenditure was \$146.264 million. It is expected that 59,000 persons will be assisted in 1991-92 at a cost of \$163 million.

23. 'Most disadvantaged' includes people with disabilities, sole-supporting parents, older unemployed people and Aboriginals.

24. DEET Annual Report 1990-91, p. 75.

25. DEET Annual Report 1990-91, p. 76.

26. *ibid.* See below Paragraphs 5.137-5.138.

27. DEET Annual Report 1990-91, p. 73.

JobStart

1.34 JobStart's objective is 'to assist long-term unemployed and other disadvantaged job seekers to gain access to employment by providing wage subsidies to employers'.²⁸

1.35 The program provides a wage subsidy for up to 26 weeks²⁹ to employers in the private sector who employ and improve the employment prospects of disadvantaged job seekers. In 1989/90 18.2 per cent (or 6,300 persons) of JobStart commencements were classified as 'people with disabilities', although the same proviso as to figures exists as for JobTrain, that people with disabilities may be placed in another category. In 1990-91, 15,110 people (49 per cent of the 30,600 placements) were identified as 'especially disadvantaged'; of these, 13.9 per cent (or 4308 people) were people with disabilities. Two point five per cent of placements were part-time clients, and were mainly people with disabilities unable to work full time (or those people taking training courses linked to a wage subsidy).³⁰ Sixty-one point seven per cent of people with disabilities who began the course³¹ were employed or in further education or training three months after the end of this course.

1.36 Exemptions allow people receiving Sheltered Employment Allowance to be considered unemployed and eligible for the program. Some persons were able to work on a part-time basis, and this is an important fact given that variations in work patterns from standard employment patterns appears to be essential to some people with disabilities.³² Subsidies are now more generally available on a pro-rata basis for permanent part-time work, generally more than 20 hours a week, excluding casual work.³³ Nonetheless, until more detailed data are available and longer-term evaluation is possible, it is difficult to assess if this program is especially suited to people with disabilities *per se* or to people with particular types of disabilities.

Job Search Assistance (Job Search Training and Job Clubs)

1.37 This program provides job search skills and techniques, particularly useful for many people with disabilities because of their lack of experience in such areas.

1.38 In 1990-91 24,140 people accepted Job Search Assistance and people with disabilities were 11.9 per cent of Job Club commencements and 13.8 per cent of Job

28. DEET Annual Report 1990-91, p. 74.

29. Prior to 13 March 1991, the subsidy was up to 20 weeks.

30. DEET Annual Report 1990-91, p. 75.

31. DEET Program Performance Statement 1991-92, p. 115.

32. This issue is discussed below, especially at Paragraphs 5.17-5.58, 6.332-6.347.

33. *Economic Statement*, DEET, March 1991, p. 10.

Search Training commencements. Of those people involved in Job Search Training, some 29.4 per cent succeeded in obtaining employment. More detailed information on level of disability would be required in order to determine if this program provided services appropriate for people with different types of disabilities, or if the program was of particular assistance to people with relatively mild disabilities. Funding in 1990-91 for the Job Search Assistance program was \$10.262 million.³⁴

EMPLOYMENT AND SOCIAL JUSTICE

1.39 Commonwealth Government departments operate programs under the four social justice principles of access, equity, equality and participation. These principles are intended to enhance access, provide a more just distribution of resources (equity)³⁵, establish equality under the law through developing legislation which protects individuals from discrimination (equality)³⁶ and facilitate participation in all aspects of community life.

1.40 The two departments which fund employment and training programs for people with disabilities operate on these principles, and the development of specialist units, positions and/or programs to enhance access and participation by target groups within these employment programs indicates their commitment to social justice principles. Nonetheless, funding constraints necessarily limit services, neither department operates on an entitlement basis in respect of services for people with disabilities, and external factors, including changes in labour market demand, will always influence outcomes. Limitations in human rights legislation³⁷ have seriously hampered the full application of equality principles for people with disabilities. Other anomalies, particularly the uncertainty of the employer/employee relationship (Chapters 3, 6) have affected the extent to which industrial and general rights have been accorded to people with disabilities in the workplace. In a number of submissions and in oral evidence, consumers and service providers also indicated that, although there had been changes in public perception of people with disabilities, there was still a way to go in acceptance – and, as one submission noted, ‘the Government can’t legislate on attitude’.³⁸ Nonetheless legislation can facilitate change in community attitudes as has been evident, for example, following equal employment opportunity legislation.³⁹

34. DEET Annual Report 1990-91, p. 72.

35. See Chapters 5 and 6 for further consideration of the distribution of resources.

36. See Chapter 3.

37. Human rights legislation is discussed further in Chapter 3. Proposed Commonwealth legislation should considerably enhance the rights of people with disabilities – see further, Paragraphs 3.5 and 3.10.

38. Submission No. 29, p. 2 (Mrs I. Kwong).

39. See also Chapter 3, especially Paragraphs 3.11-3.13, 3.15-3.16, 3.130.

1.41 At a more individual level, the difficulties which many people with disabilities (as well as their carers and families) have experienced have not encouraged them to believe that a number of the new employment initiatives offer the best option for them. However, the benefits of such services are attested to by others who are able to take advantage of opportunities. As noted above, the issue of informed choice, including the choice to remain in more sheltered/traditional forms of employment, and of lack of equity in the funding of new services are two of the major issues arising in disability services programs. This affects the operation of social justice in these programs. Any developments in service provision must therefore meet these uncertainties and recognise the effect the past has had on people's present and future capacities to be involved.

1.42 Both the major service providing departments may need to consider a number of other factors in allocation of resources, and previous planning has not been based on a full knowledge of the target population. Data on the numbers of people with disabilities and specifically on those who require assistance at different levels to obtain and maintain employment are acknowledged to be incomplete and imprecise. It is especially important to obtain more information on the numbers of people with specific disabilities, and those who require assistance to obtain employment and employment-related services.⁴⁰ During the public hearings, several witnesses also discussed the vagueness of definition of 'disability'⁴¹ a factor which has meant that such data collections as exist are not uniform. Both factors are being addressed to some extent, data collection particularly so, in order for the Department of Health, Housing and Community Services to operate more on needs-based planning. At the time of finalising the report (late 1991/early 1992) the Department of Health, Housing and Community Services was in the process of upgrading its data system, enabling it to plan according to needs rather than according to submission. The lack of data, especially of uniform data, had hitherto inhibited this type of planning; however, it was expected that new service funding for all States in the 1991-92 financial year would be based on the needs-based planning model. Additional qualitative data would also be collected to complement the standard statistical reports and provide a more comprehensive planning base.

1.43 It is expected that the new data system will be able to identify areas of highest unmet need, but it may lead to an underestimate of people with mild disabilities who nonetheless have high emotional/social support requirements, or who need an active employment strategy early in life to avoid being marginalised.

1.44 Client characteristics will also be collected, including age, gender, ethnic (NESB) background and Aboriginality. While it is essential that this type of information becomes available, the most important factor is the provision of disaggregated information from the Department of Social Security on people on Disability Support Pension, since income support is more likely to be an indicator of need than current access to services. The lack of solid information on numbers

40. The issue of data is discussed in greater detail in Appendix 7.

41. See Appendices 5 and 6.

of people requiring services, however, has necessarily affected the extent to which people with disabilities have equal access to services. This, in conjunction with the 'non-entitlement' basis of the Disability Services Program makes problematical, at least in the foreseeable future, the possibility of participation for all.

Recommendations

The Committee RECOMMENDS:

1. That standard definitions and measurement of disability are used by all relevant departments and by the Australian Bureau of Statistics.
2. That all Commonwealth departments involved in the provision of services and programs for people with disabilities use the same terminology and work from the same definitions of disability.
3. That the Australian Bureau of Statistics should be responsible for establishing a methodological framework for the collection of data for all departments involved in providing or funding services used by people with disabilities.
4. That all departments which provide or fund programs utilised by people with disabilities establish minimum data collection standards and ensure that information on people with disabilities is sufficiently comprehensive to demonstrate whether generic or specialist programs are more able to meet their needs.
5. That the Department of Health, Housing and Community Services initiate, as a matter of urgency, a comprehensive study to collect data on numbers of people with disabilities. Data collection should be standard across Commonwealth departments and State and Territory governments and should include information on type and level of disability; use of and need for, services; age; gender; location; language and cultural background.

1.45 It should not be forgotten either that some issues affecting people with disabilities are similar to those affecting substantial numbers of people in Australian society such as the young unemployed, and long-term unemployed. The substantial increase in funding required to at least enhance access to services – although not necessarily access to secure and well paid employment – would reduce funds available to others. With a decrease in available employment in traditional areas⁴², considerable technological change⁴³ and an oversupply of unskilled labour, the move by people with disabilities into open employment is likely to be very gradual.

42. *Return to Full Employment: A Discussion of Employment and Training Strategies* (ACOSS Paper No. 18, 1988).

43. Rumberger and Levin, *Forecasting the Impact of New Technologies on the Future Job Market* (1985).

For those with more severe disabilities, the costs will be considerably higher and in at least the foreseeable future, the numbers able to participate both in open and in other 'non-sheltered' employment, and to take advantage of training programs, is likely to be small. This has raised issues of resource distribution, which is a major concern to both service providers and users. It also raises the issue of preference possibly being given to people with a particular type and/or level of disability at the expense of others who may not be able to demonstrate the success of new models, or not as quickly. It is also necessary to consider the long-term impact on people with disabilities leaving school who have limited opportunities to enter the workforce. Other disadvantaged groups who may also require special assistance are those who have not obtained access to the system of service provision (for a number of reasons) and those who may suffer through moving from one system to another (for example from one State to another one where a different system operates).

1.46 An assessment of the evidence presented both through submissions and in public hearings suggest that, major economic/social factors aside, there are areas of concern that need to be addressed in order for social justice to operate. Predominant amongst these, as noted above, is the importance of ensuring that there is as much real choice as is feasible, given general funding constraints, and that this choice is evenly distributed so as to maximise access for people with different types of disabilities and different levels of disability. Without this, service provision may be influenced by lobbying (in which the more skilled, better funded and better connected dominate) rather than tied to needs-based planning. Equally importantly, people with severe and multiple disabilities, and people who cannot work full-time, may remain disadvantaged both economically and in community participation.

1.47 A matter of major concern is the extent to which existing employment services are able to meet the additional needs of people with disabilities so that programs actually meet their objectives of enhancing access. Employment does not exist or operate in a vacuum, being part of a whole process; consequently, employment programs cannot operate effectively unless they address a range of needs and unless they are operating in a positive and supportive context. Some of the most important of these issues are considered in Chapters 2 and 3, which relate needs to the capacity to work and examine the legal and attitudinal barriers to full participation in employment.

1.48 In Chapters 5 and 6, previous and new employment and training options are considered in some detail, in light of the needs of, and the inequality experienced by, people with disabilities, and also in light of the importance of providing increased informed choice. In Chapter 7, the issue of income and wages is examined. There has been considerable work done in this area through a consultancy on National Employment Initiatives for People with Disabilities⁴⁴ and through the Wages Subcommittee arising from this which was chaired by the Department of Industrial Relations. The Committee has examined this work in the context of ensuring a fair

44. Chris Ronalds/Labour Research Centre, *National Employment Initiatives for People with Disabilities*, Report of the Disability Workforce Consultancy, 1990 (hereafter cited as *Ronalds Report*).

distribution of resources for people with disabilities and, particularly, of considering the specific needs of people with severe/multiple disabilities.

1.49 Chapter 7 also considers the issue of additional support required in order to make employment both feasible and economically viable; consequently, the need for assistance with transport, medical expenses, aids/appliances, the benefits of sales tax exemptions, etc. are considered in the context of employment.

1.50 Apart from the issues of equity, access and choice, a further major matter considered is the need for greater accountability. Obviously, in consideration of distribution of funds and of the barriers to full participation, of the problems with data collection and the limitation of service provision, the extent of government accountability is raised, at least indirectly. In examination of the effectiveness of current services and of the problems experienced by the more traditional service providers, and of the disadvantages experienced by people with disabilities, the issue of accountability becomes both more complex and even more important. Services are established, legislation is enacted, funds are allocated for specific purposes. Consequently, it is essential that there is proper evaluation of programs and the capacity to adapt programs as circumstances change. It is also essential that responsibility for specific outcomes is clearly allocated, and that where long-term and expensive outcomes are expected that these are as fully funded as possible.

1.51 This is not to say that all services must be expensive or to ignore the fact that there can be multiple, sometimes unexpected, results from projects and services. The need to be as creative and as careful of public funds as possible is obvious, especially given the considerable number of people who may require a service and those who may achieve maximum benefit from a relatively small amount of input.

1.52 However, one of the most obvious problems that has emerged from this inquiry is that there has been insufficient accountability required and given over time.⁴⁵ Particular approaches have become institutionalised, services have not been held responsible for certain outcomes, departments have not established mechanisms for correcting problems, and the community in general has not been able to bring the change it wanted, or to bring it quickly. Some members of the community might still query the concept of community accountability.

1.53 For many of those most directly involved in service provision for people with disabilities, the issue of accountability has not been raised directly. The arguments, the differences of opinion, have often been expressed in other terms. For social justice to be implemented, however, there will need to be more direct and measurable objectives and a willingness to act if these are not met.

45. See below, Chapters 5 and 6, in particular Recommendations Nos. 12, 13 and 14 (Chapter 5), and 1, 6, 10, 11 and 17 (Chapter 6).

Recommendations

The Committee RECOMMENDS:

6. That the Principles and Objectives of the DSA continue to be implemented and encouraged.
7. That adequate funding be provided to enable increased access to services for people with disabilities.