

# Review of the Disability Services Act 2011

Discussion Paper

September 2021

Easy Read Version



What **you** have  
to say is  
**important!**



## **Minister's Message**

The Tasmanian Government wants Tasmania to be a place where people with disability have the same choices as everyone else about how they live and are part of their community.

The most important thing is to make Tasmania a safe place for everyone.

We want Tasmanians with disability to live free from abuse, neglect and exploitation.

This is why we will have a Disability Commissioner.

The Disability Commissioner's job will be independent.

You can go to them to:

- make a complaint about support and services for people with disability
- Have your complaint worked out.

It will be free and confidential.

That means it will be private.

The Disability Commissioner will help services get better.

There is a law called the Disability Services Act 2011. We call it the DSA for short.

This DSA is now 10 years old. Lots of things have changed in that time, like we now have a National Disability Insurance Scheme.

We need to look at the DSA to make it up to date and work well.

We want to hear from people with disability, families, carers, advocates, disability support providers and the Tasmania community.

Then we can write a new DSA using the views and experience of Tasmanians with disability.

**We really want you to have a say.** Please take part in this review and help to make a stronger, more inclusive Tasmania for us all.



The Hon Sarah Courtney MP  
Minister for Disability Services

## Introduction



We have written this paper in easy read.

Some words are hard.

They are in **blue**.

We explain what they mean.



It is ok to get help to read this paper.



**Communities Tasmania** is looking at the **Disability Services Act 2011**.

**Communities Tasmania** is a government department.

The **Disability Services Act** is a law.

We call it the DSA for short.

**We are having a review.**



A **review** is talking to people about the DSA and finding out:

- what is good about the DSA now
- what needs changing
- any new things we need to add.

## About this paper



This easy read paper is a short version of a bigger paper.



You can find the bigger paper on our website at [www.communities.tas.gov.au/disability/tasmanian\\_disability\\_services\\_act\\_2011/review](http://www.communities.tas.gov.au/disability/tasmanian_disability_services_act_2011/review)



In this paper we ask you some questions.

We want you, your family, carers and advocates to have a say.

We also want to hear from the services that support you and community members.



Please let us know if you need help to read this paper.



Phone 1800 341 211

## Topics

### 1. Inclusion, accessibility, and leadership



If something is inclusive it means everyone can take part.

The Tasmanian Government are committed to supporting the rights of people with disability.

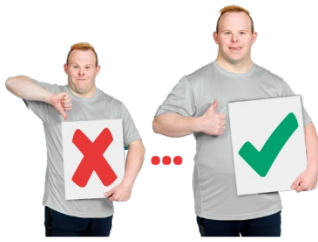


That means we will work hard to protect your rights.



These rights are in the [National Disability Strategy](#) and the [United Nations Convention on the Rights of Persons with Disabilities](#).





The Tasmanian Government wants to improve the lives of people with disability, their families and carers.

We want to do this by **changing attitudes**.



This means we want all Tasmanians to care about people with disability and have better views about disability.



We want to do this for all Tasmanian's who have a disability and not just those who are part of the NDIS.



Tasmania already has lots of plans like [Accessible Island: Tasmania's Disability Framework for Action 2018-2021](#) and the [Disability Action Plans](#) of Tasmanian Government Departments.

Now it is time to make the DSA stronger and better.



We need your help by getting your ideas to these questions.

## 1. Inclusion, Accessibility and Leadership:



**How can we change the DSA so it is a tool to help you be more included in the Tasmanian community?**



Sometimes there are things that make it hard for people with disability to do things. We call these barriers.



There can be barriers to you:

- getting and keeping a job
- using public transport
- getting a home
- getting good healthcare



Sometimes people have bad attitudes toward people with disability.



**How can the DSA help to take away these barriers?**



**How can the DSA help you be more included in the **social life** of Tasmania?**



Social life means the things you enjoy doing in your community with others.



**How can the DSA help you be more included in the **economic life** of Tasmania?**



Being part of the **economic life** means:

- having a chance of a job
- having money to be able to buy things

## 2. Supporting your rights:

The DSA talks about **principles**.

**Principles** are things we think are important.



The DSA principles are the same as in the **UN Convention on the Rights of Persons with Disabilities**.

The **UN Convention on the Rights of Persons with Disabilities** is a law that many countries around the world have agree to.

The DSA principles are also close to the ones in the NDIS laws.



**Are the DSA principles a good way of describing how people with disability live and are supported in Tasmania?**

**Should they change?**

**If so, how?**

### 3. DSA, NDIS and other Australia wide programs:

The DSA sets rules for disability services.

This is because the Tasmanian Government used to fund disability services.

But this has changed.



The NDIS now funds disability services.

This means we do not need the same rules in the DSA.

The Australian Government fund the NDIS.

They also fund things like Disability Employment Services.



**What does the DSA need to have in it so it works with Australian Government funded programs like:**

- **NDIS and Disability Employment Services**



Some services like advocacy services are still funded by the Tasmanian Government

**What rules need to be in the DSA for these services?**



**Are there any other rules we need in the DSA?**

#### **4. Quality and safeguards**



The DSA believes that people with disability should be treated the same as other members of the community.



They should live without abuse, neglect or **exploitation.**



**Exploitation** means being taken advantage of, like someone using your money.

Some other places around Australia have extra things that keep people safe like:

- community visitors – they visit people at home to make sure they are safe
- Disability Commissioners.



**Do you think this is a good idea?**

**Do you have any ideas that we could put in the DSA to help keep people safe?**

## **5. Rules for providers**



There are rules that providers need to follow.

They say how they should act and behave.

The rules are about:



- **your rights** – you have the right to be treated fairly when using disability services
- **participation and inclusion** – you can take part in the community and feel included when you use disability services
- **individual outcomes** – your service helps you to make choices about what you want to do. You can work toward your goals.
- **feedback and complaints** – you can tell people what you think about the services you use.
- **service access** – finding and using services is fair. You can get the services you need.
- **service management** – disability services should be run well.



The NDIS also has some of the same rules.



**Because there are already some of these rules, does the DSA still need to have rules about services?**

**Is it good to have lots of rules about how services should behave and treat you?**



**Should they be written in different places even if they are the same rules?**

**For example, should the rules be in the DSA and the NDIS rules?**



**Should the DSA also make sure services who are not part of the NDIS follow rules?**

## 6. A Tasmanian Disability Commissioner



The Tasmanian Government thinks it is important to have a Tasmanian Disability Commissioner.

Their job would be to promote the safety, health and wellbeing of people with disability.



We think they would help to make sure people get good supports and services.



If we want a Disability Commissioner, we will need to write about it in the DSA.



**What types of things should the Commissioner do?**

**How much power should they have?**

**What should they have the power to do?**

## 7. Supported decision making and consultation



**Supported decision making** means getting the help you need to make decisions.



**Consultation** means asking what you think.

The DSA says this is important.

It says:



- you have a right to make choices about your life
- even for hard decisions, it is your right to be part of making the decision
- you should be part of making decisions about your services and how they work with you.





Other states in Australia have different laws to Tasmania.

Their laws say how and when they must ask people with disability what they think.

This could be about:

- government plans and new ideas
- how a government decision will affect people with disability.



**Should the DSA promote supported decision making?**

**Should the DSA make sure others who help you make decisions are doing a good job for you?**

**How can the DSA make sure the voices of people with disability are heard?**

**How can the DSA make sure the Tasmanian Government think about people with disability when they make decisions?**



**Could the DSA also have laws and rules about when government should talk to people with disability?**

**Do you have any other ideas?**

## **How to have a say?**

We want there to be different ways for you to have a say.

You can choose a way that works best for you.

### **1. Tell us you are interested.**

You or your organisation can tell us you want to take part by:



[DSAReview2021@communitiestas.gov.au](mailto:DSAReview2021@communitiestas.gov.au)



Phone 1800 431 211

**Then we will let you know where and when the consultation will be.**

## 2. Give us your feedback on this paper.



You can give feedback any way you like.

- writing
- talk to us on the phone 1800 431 211



- email



[DSAReview2021@communitiestas.gov.au](mailto:DSAReview2021@communitiestas.gov.au)



- or make a video.

Send your feedback to:

DSA Review  
Disability and Community Services  
Communities Tasmania  
GPO Box 65  
Hobart TAS 7001



Or

[DSAReview2021@communitiestas.gov.au](mailto:DSAReview2021@communitiestas.gov.au)



**We need your feedback by**

**15<sup>th</sup> December 2021**

## **What will happen after the consultation?**



We will think about what people told us.

We will write a report.

The government will read the report and tell everyone what will happen next.



We will write an Easy Read version of the report.

We will make sure you get to see the report.