

CANBERRA
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LAW

Actively Involving People with Disability

Canberra Community Law's Disability-Lived Experience Framework



This framework describes how Canberra Community Law ('CCL') 'closely consult[s] and actively involve[s]' people with disability. This phrase from the 2008 *Convention on the Rights of Persons with Disabilities* reflects the revolutionary statement adopted by the disability rights movement 'nothing about us, without us'.¹ This state obligation under international law has slowly been translated into federal and territory legislation, policy and practice. Aside from the emerging legal obligations to closely consult and actively involve people with disability in matters affecting them, there are also moral and pragmatic reasons to do so.

CCL has committed to 'lead change towards a just and empowered community through legal services, education, and law reform activities'.² Around two-thirds of people who access CCL services identify as having a disability. Therefore, the active involvement of people with disability is necessary to achieve CCL's mission and values, including social justice and human rights, evidence-based advocacy, empowerment and self-determination, collaboration and engagement.

Language

This framework follows the advice from People with Disability Australia and peak mental health consumer bodies about inclusive language.³ It defines disability broadly and recognises that people identify diversely. This framing of disability is consistent with CCL's Disability Action and Inclusion Plan.⁴ The framework uses the term 'lived experience' to reflect the experiences of people with disability, people who have been or are mental health service consumers, and people with accessibility needs.

Our Approach

An empowerment model informs CCL's Disability Lived-Experience Framework. People with lived experience are experts on measures that can be taken to improve service accessibility and broader disability inclusion in areas of public life. People with disability have first-hand experience of how human rights violations impact them and adopt innovative measures to reduce harm. To learn from this expertise, CCL, operating within our scope of practice, sustainably and meaningfully engages with disability-lived experience experts.

People with disability are not a homogenous group and have intersecting identities. They face diverse barriers to participating in consultations. Therefore, this framework provides multiple paths to participation. The following describes CCL's approaches to ensure lived experience advice shapes our work.

i. Board Representation

The CCL Board conducts an annual audit of the skills and experience of Board Members. The annual Board audit is designed to identify the skills, strengths, experience, and expertise the current Board members bring to the Board's deliberations. As part of the questionnaire, Board members are asked if they have lived experience of disability. Although the CCL Board does not have identified positions, the annual process is designed to help the Board identify gaps to inform its future recruitment and selection decisions.

1 *Convention on the Rights of Persons with Disabilities*, Opened for Signature 24 January 2007, 2515 UNTS 3 (entered into force 3 May 2008) ('CRPD') Art 4(3).

2 CCL mission. Strategic Plan 2020-2024, <https://canberracommunitylaw.org.au/wp-content/uploads/2021/10/CCL-Strategic-Plan-2020-2024-1.pdf>.

3 See PWDA Language Guide: A guide to language about disability (2021), <https://pwd.org.au/resources/language-guide/> and About mental health consumers (2023) <https://www.vmiac.org.au/info/about-consumers/>.

4 CCL Disability Action and Inclusion Plan, <https://canberracommunitylaw.org.au/about-us/disability-action-and-inclusion-plan/>.

ii. Partnerships with Organisations that Centre Lived Experience

CCL partners with organisations that are led by and employ people with lived experience of disability. Examples of this work include CCL's monthly outreach to the ACT Mental Health Consumer Network, CCL and mindDog Australia's community education lunch on assistance animals and your rights, and CCL's *Just Hearing* project with Rebus Theatre on supporting people with mental ill-health in the justice system. These partnerships are opportunities for mutual learning between the organisations.

iii. Listening to Our Clients

CCL has thousands of interactions with community members every year through its legal services. These exchanges enable CCL staff to learn about the legal issue(s) that a person is experiencing and other factors that may interact with their legal issue(s), such as broader health and social needs. CCL staff also benefit from hearing the clients' desired outcomes for discrimination complaint resolution. These outcomes may focus on resolving individual needs or on systemic reform.

iv. Project Advisory Groups (new in 2023-24)

A small advisory group of people with disability will convene to provide advice on CCL's community legal education. Members of this time-limited, closed group will be recruited through an expression of interest process. They will have access to capacity-building opportunities relevant to their advisory role. The group secretariat will work with members to overcome barriers to effective and meaningful participation.

v. Community Roundtables/Workshops/Forums (new in 2023-24)

Recognising that some groups face greater barriers to participation, CCL will undertake closed meetings with communities with disability that face significant barriers to participating in other advisory mechanisms. These meetings may be undertaken in partnership with organisations that have existing relationships with these communities. The meetings will focus on working together to develop measures to meaningfully include these communities in this framework, barriers the community faces to legal services, common legal issues experienced by the community, and identifying priorities for accessible community legal education. In 2023-24, CCL will undertake meetings with Aboriginal and Torres Strait Islander communities with disability and LGBTIQ+ communities with disability.

vi. Technical Advice and Training from Lived Experience Experts (fee-for-service)

CCL accesses lived experience advice from organisations that provide fee-for-service accessibility advice and training. CCL has worked with Scope Australia on the Easy English translation of our Disability Action and Inclusion Plan and sought feedback on the Plan from Next Level Inclusion. CCL also worked with Scope Australia on the Easy English translation of its service brochures and CCL's fact sheet on assistance animals and your rights. CCL staff also undertake professional development designed and delivered by people with lived experience, including through the ACT Deafness Resource Centre, ACT Guide Dogs, Autism Spectrum Australia and Mental Illness Education ACT.

Carers

People who are carers are important in realising the rights of people with disability and play a crucial role in the lives of many people with disability. But, sometimes, carers' needs and rights may conflict with those of people with disability, or their priorities for action may differ. Therefore, for simplicity, the scope of this framework is on lived experience advice from people with disability and people who are or have been mental health service consumers. Nonetheless, some lived experience advisors may choose to bring a support person to enable them to participate effectively in a consultation or advisory group.

The Future

As CCL deliberately and strategically engages with people with lived experience to seek advice, we will learn and subsequently modify this framework. Further, as resources become available, CCL may sustainably extend this framework to other content areas or employ other approaches. Extensions to the framework may include project advisory groups or round tables to respond to law reform inquiries, creating identified (affirmative measures) roles for people with disability (staff, students, volunteers), and engaging people with disability in hard-to-reach places such as prisons and group homes through innovative consultation methods. In the future, CCL may have targeted consultations with people with disability who are young, culturally diverse, women, and older (65+), as well as people with disability living in group homes, people with intellectual disability, people with communication disability, and people with low written and digital literacy and disability.

Measuring Progress

The effectiveness of this framework will be monitored through an implementation plan and annual evaluation meeting described below.

i. Implementation Plan

An implementation plan has been developed to ensure that necessary resources are available to undertake the activities in this framework. The implementation plan will be regularly monitored and updated by CCL's Disability Justice Liaison Officer.

ii. Annual Evaluation Meeting

This framework will be reviewed annually at a meeting that will include CCL's Executive Director/Principal Solicitor, Disability Law Supervising Solicitor and Disability Justice Liaison Officer. The meeting members will consider reports about framework activities, participant feedback, and the diversity of people participating. The impact of the framework on CCL's practice and outputs and how this may have influenced broader systems will be documented at the meeting. Based on this information and learnings, the group will identify priority communities and approaches for the following 18 months. The framework will be updated to reflect decisions from this meeting, and a brief report will be provided to the board and posted on the CCL website.

For more information about this framework please contact us at info@canberracommunitylaw.org.au or on 02 6218 7900.