

CONTROL, THREATS AND INTIMIDATION IN DISABILITY SERVICES

“Too many families tell how they are threatened and intimidated when they deal with disability service providers,” said Max Jackson. “This case study is but one of these stories.”

“There are two elements to the case study,” Max explained. “The first tells of an eight-year struggle by a single mother of an intellectually disabled daughter to have ongoing deficits corrected in her daughter’s residential service.” “The second concerns the role of an advocate and his organisation in seeking to split a loving family relationship by applying to VCAT to have a guardian appointed. This threat of guardianship demonstrates a blatant abuse of power and authority by an organisation which is funded by the government to support the right of disabled persons to make their own decisions.”

Max emphasised that while this case study depicts one story, it effectively emphasises how service providers in the disability sector use control, threats and intimidation with families and persons with disabilities. He further emphasised that, despite the myriad of so-called protections and the clarion call promoting the rights of persons with disabilities, there is still a long way to go to realise the dreams of the pioneers of disability rights.

“It is appalling to think that some five decades since the rights movement began, the rights of persons with disabilities and their families are being abused by those who are funded to promote and enact the very rights they give lip service to.”

The paper makes the case for five critical reforms. First, rather than mouthing sentiments about the important role families play, the government must show leadership and fund family advocacy. Families are currently without any such support. Second, the government must give the Disability Services Commissioner real power by amending the current Disability Act to include the power to direct. Third, greater scrutiny and transparency must be applied to funded agencies, and the results of quality audits must be made public. Fourth, existing funded advocacy services should not simply continue to be funded as though they are a “sacred cow” and beyond question. Fifth, particular recommendations of the recent Law Reform Commission report concerning VCAT powers and the guardianship legislation must be enacted.

Max said, “The paper in effect is a call to arms to people with a disability and their families to demand that rights no longer simply remain mouthed words of those with the power and control in the disability sector. Instead, rights must become the real basis on which service quality is scrutinised and funded.”

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Contact: Max Jackson, Mobile 0413 040 654. Margaret Ryan, Mobile 0412 409 610.