# Stand Up For Your Rights: Approaching Government

# Vision Australia logo. Blindess. Low vision. Opportunity.A guide to standing up for your rights.

# About this self-advocacy guide

This self-advocacy guide will assist you to enhance communication skills and strategies so you can advocate with government to overcome barriers you may encounter as a person with blindness or low vision. These skills will also assist you to advocate for change in matters that you are concerned about, but may have nothing to do with your blindness or low vision.

This guide will help you to understand:

* What is advocacy,

• Your rights and relevant laws, conventions or policies,

* Important self-advocacy skills to develop,
* How government works,
* Why you might engage with government,
* Identifying who to speak to in government,
* How to engage with government,
* Skills for government advocacy,
* What to do if this doesn’t work, and
* What Vision Australia can do to help

The information contained in this guide is of a general nature only and does not address specific situations you may encounter.

## What is advocacy?

Advocacy is a way of promoting, protecting, and ensuring full and equal enjoyment of all human rights which enables you to participate in any area of life you choose.

You may at times experience a barrier to your full participation in everyday life and seek to address this barrier. The action you take to address the barrier is known as advocacy.

You may find that your advocacy will simply mean explaining what blindness or low vision means, and helping other people to understand the ways that you can take part in the community. At other times, advocacy may involve ongoing communication and negotiation to get the best outcomes for you.

You might undertake advocacy on your own, or as part of a group: sometimes another organisation may help you with advocacy. Equally, you could seek systemic change beyond a single issue, and this will improve outcomes for many people who are blind or have low vision.

It’s important to remember that you won’t always achieve the outcomes you want, and there may be many delays, and obstacles in your way. However, by taking action you help to raise awareness of the problem – the more people who speak up and advocate for themselves, the more likely improvements will be made.

There are many ways to conduct advocacy. This guide is focused on helping you to identify when to approach government representatives to self-advocate, and to seek their assistance or support to address barriers you may face as a person with blindness or low vision. Vision Australia has produced a range of other self-advocacy resources that you may find useful. They can be accessed by visiting our website and tying “Stand up for Your Rights Guides” in the search bar. Alternatively, you can email or phone our office and request a copy.

## Know your rights

The United Nations Convention on the Rights of Persons with Disabilities recognises the rights of all people with disabilities to live independently, inclusively and with dignity, in the community. Australia has ratified the Convention, so government policies and practices should be implemented in line with the Convention.

You may at times find yourself in a situation where your rights as a person who is blind or has low vision are compromised. It is important to know your rights so that you have an idea of what is possible, what is reasonable to expect and how your needs may be met. Knowing the laws, policies and practices that are in place to protect your rights will ensure you can speak up for yourself. These may include:

* The Disability Discrimination Act 1992 (Cth) and State disability discrimination legislation;
* Accessibility standards and guidelines; and
* Departmental policies and procedures that aim to address the needs of people with disabilities and other specific community groups.

### The Disability Discrimination Act 1992

The Disability Discrimination Act 1992 (the DDA) is Commonwealth legislation which makes it unlawful to discriminate against a person with a disability.

The DDA defines two types of discrimination against a person with a disability: direct and indirect. Direct discrimination occurs when a person is ‘treated less favourably than a person without a disability’ (section 5), or when there is a failure to make reasonable adjustments. Disability discrimination can also occur indirectly (section 6) such as when a requirement is imposed which a person cannot meet because of their disability. There may also be indirect discrimination if a person with disability could meet the requirement if reasonable adjustments were made, and those adjustments are not made. The DDA covers a range of areas where there may be discrimination, including education (section 22), employment (Division 1, sections 15 - 21B), and the provision of goods, services and facilities (section 24).

### Standards under the Disability Discrimination Act

The DDA allows for the development of Standards in specific areas, such as transport, education, and access to premises. The Standards provide certainty for organisations in meeting their obligations under the DDA in relation to the specific areas covered by the Standards. The Standards also serve as a guide for people with disabilities about what to reasonably expect in the areas covered by the standard.

## General self-advocacy skills

### Communication

In light of the above policies and frameworks, governments should be well on their way to achieving full accessibility. However, you may still encounter access barriers. When you contact a government department about services that are not accessible, (e.g. the Department of Transport and Main Roads), be mindful that the person you speak to may not necessarily be aware of or responsible for the access barriers you have encountered. Therefore, it is best not to begin your communication with government in an accusatory way.

To be an effective self-advocate, it helps to be able to communicate clearly and confidently, be proactive and assertive, while also being polite, respectful and patient. It is likely that you will have to discuss your matter with someone more than once to have it addressed, so when you first raise an issue, using positive language, like ‘inclusion’, ‘participation’ and ‘access’, may help to open up the lines of communication at this early stage, compared to using language like ‘discrimination’, ‘disadvantage’, and ‘exclusion’, even when it’s these circumstances you are trying to address. If you are becoming frustrated with a situation, be mindful not to come across too aggressively; staying calm and focused is more likely to get you a considered hearing and keep the lines of communication open.

### Disclosing your vision impairment

You will be more effective in self-advocating to overcome access barriers if you are comfortable disclosing your blindness or low vision and you are knowledgeable about your level of vision impairment and you can clearly communicate your needs, and the benefits of meeting your needs.

It is not necessary to disclose detailed medical or personal information about your vision impairment. However, in some instances, it may be helpful to explain how the access barrier impacts you as a person who is blind or has low vision.

### Tenacity and resilience

You can’t put the same amount of energy into every accessibility issue, so picking your battles and thinking about what efforts are needed is important to ensure you have the resources, resilience, and patience to commit to the effort, and consider how much it impacts on your life. While some barriers you are attempting to address may be an easy fix, others may be a long-haul, and you may need to take a slow and steady approach in the energy you devote to them.

### Be prepared and keep notes

Good preparation is an essential element in assisting you to be assertive and feel more confident in asking for what you need. Keep notes, including dates and times of conversations, people spoken to / communicated with and results and agreements made in conversations. This is important should you wish to escalate the matter to senior personnel or lodge a formal complaint in the future.

### Network with others

A good first step in addressing access barriers generally is to talk with others who are blind or have low vision to gather information about whether they have also faced this barrier and if so what they might have done to address it.

You might like to use the Vision Australia client network, or check through email lists such as the vision impaired persons list for Australia (VIP-L). You could consider setting up your own group, focussing specifically on advocacy. Further information is provided at the end of this guide.

Networking with others also helps identify that there is actually a barrier. That is, clarify that there is not something you have missed which will provide the access you need. For example, if you are having difficulty navigating your way into a building, you may have missed t directional tactile ground surface indicators (TGSIs) that are available to guide you. Alternatively, you might like to contact a Vision Australia specialist (e.g. an O&M) to assist you to clarify whether this is a difficulty experienced by others and whether there is a simple solution, by calling 1300 847 466. They may be able to assist you to identify what is causing your difficulty and thus to help you to articulate the issue. It will also help you when contacting the organisation concerned to be able to identify that others in the blindness and low vision community have also expressed the same difficulty.

# Why should I engage with government?

Australia is a representative democracy, which means that the decision makers at all levels are elected to represent the interests of the voters. If your representatives know more about your issues and interests then they are more likely to consider your needs when making decisions.

On some issues, you may find that approaching government will be the best way to advocate for your rights. This might involve contacting a government department, your local MP, or the Minister responsible for your issue.

For example, if you see that there are systemic obstacles to your participation in the community due to a public transport policy (e.g. no audio announcements on buses), you may contact the public transport body in your state. If this does not achieve results, you may contact your local MP, and ask them to champion the issue and try to change the policy. Elected representatives often have the resources or knowledge to cut through bureaucracy, and can be useful allies. Another approach is to lobby your local MPs about upcoming legislation, to encourage them to vote for or against legislation that will affect you.

From time to time, government bodies and some departments will hold public inquiries or consultations on issues that affect people with a disability. Vision Australia will often make a submission to these inquiries and consultations. You can also choose to contribute as an individual.

It is important to remember that government departments and politicians can take time to respond to your contact – sometimes it may be six or more weeks before you get a response to your letter or e-mail. This isn’t always a sign they are not interested, as they can be busy. Self-advocacy is often about managing your expectations and practising patience. If your matter is an urgent one, sending a letter and following up with a phone call might speed up the process. However, you don’t want to be perceived as a nuisance, so only do this if it is a genuinely urgent matter, and maintain a polite and respectful manner.

## Case Study

Carla found it difficult to plan a public transport journey. She doesn’t have a smart phone or a computer at home. Carla asked the provider to give her an accessible timetable, and to change their policy so everyone can obtain one. The provider wasn’t responsive to her requests. There is an option to phone a helpline for a timetable, but she prefers to be self-reliant and able to plan her own journey. She decided to advocate for a change in policy, for equal access to timetable information.

How can Carla best identify the right person to speak to? She knows that public transport is at a state level, so perhaps it should be the Minister for Transport. Alternatively, she might want to approach her local MP, because Ministers can be very busy. Carla decides to organise a meeting with her local MP as they like personal and local stories and they may take up the matter.

When Carla was speaking with the public transport operator, they mentioned there is a Disability Accessibility Plan under review, and there are public consultations. She thought about contributing to the review individually to advocate for accessible timetables, but decided that another advocacy group could use her story to make a stronger case for change. They welcome her ideas and use Carla’s story in their submission.

# Who should I approach?

Once you have decided that you want to raise your issue with government, you need to know whom to contact. This section will help you identify what branch of government to contact, and how to identify the right contact person.

## The three levels of government;

### Local Government

Each state and territory has a local government, made up of councils which represent different areas. There are over 500 local councils in Australia. A Council will manage services in the local area and help to plan for the needs of the community. Councils make by-laws for their region or district. They are made up of the elected members (Councillors) who represent the interests of local people, and the staff who deliver services.

If you have a Council access issue contact the Council first to address the issue. If it is not resolved, you can contact your local Councillor, or the Council Mayor.

### State and Territory governments

This level represents your state or territory, and provides major services such as education, transport, emergency services, and hospitals. Most states have two houses of parliament (bicameral). Queensland is a unicameral system and only has one house of parliament. The territory governments are also unicameral. Your local member will usually be in the lower house of parliament.

Large scale planning decisions are made by the state or territory government, such as the location of new suburbs and the services that will be established there. They set policies and manage programs that affect people who have a disability. When seeking to address an access issue, contact the relevant state government department first. If the matter is not resolved, you can contact your local state MP or the Minister for the relevant state government department.

### Federal Government

The Federal Government makes laws that apply across Australia, in both the states and territories. The Commonwealth, or Federal Parliament is bicameral, consisting of both the Senate and the House of Representatives, and it has legislative power over areas such as trade and commerce, fisheries, copyright, immigration, and telecommunications services – and many more.

As with the other levels of government, contact the federal government department in the first instance to seek to resolve your concerns. If the matter is not addressed, you can approach your local federal MP or the Minister for the relevant federal government department or provider.

## Identifying the best contact

To identify the best person to speak to, you should think about who has responsibility for your area of concern. You also need to consider the outcome you want to achieve. The areas of responsibilities overlap, but each issue requires approaching a different part of government. For example:

* Do you want an immediate resolution of your individual concern? Start with your local Council or relevant state or federal government department.
* Do you want a government department to change their policy? The department may be open to feedback, but you may need your local MP to support the issue.
* Do you think legislation needs to be changed to protect your rights as a person who is blind or has low vision? This may involve a bigger campaign, but start with your local state or federal MP and the relevant state or federal Minister.

Generally, MPs only meet with their local constituents. This is not always the case, and there can be exceptions to the rule. Your local MP can promote your cause with the relevant Minister themselves if they choose. There is a useful convention where Ministers offer a response to other MPs, even if they’re from the Opposition party. MPs may also raise the issue directly with the relevant department or provider on your behalf.

Don’t forget about the MP or Ministerial staff – they help decide whether the MP or Minister should get involved with an issue or campaign. Political advisors provide advice and help to make decisions about what meetings to take or turn down. If your issue will take time to resolve, work to build relationships with staff and advisors. Helping them to understand your issue and needs can go a long way to achieving success.

### Scenario

In recent years, Lawrence has gradually lost his eyesight, but still has some functional vision. Because his phone provider refused to give him an accessible bill free of charge, he mails an angry letter to the Minister for Communications. The Minister sends a form letter in response saying the issue is the responsibility of the Telecommunications Ombudsman, frustrating Lawrence – he can’t understand why it’s so hard to sort out the problem.

He speaks to one of his friends, who has been legally blind for a long time, and has some experience with self-advocacy. His friend helps Lawrence to realise that he should have done some more research before writing to the Minister, and that the Ombudsman is a good place to start. Lawrence submits a complaint to the Ombudsman, and after a few weeks his phone provider agrees to provide him with a free accessible bill. When he reflects on the experience, Lawrence acknowledges that even though he eventually got the right outcome, he could have improved his approach. He needed to plan his self-advocacy more effectively, to identify the correct person to speak to, and to work on balancing his assertiveness and his patience.

# How to engage with government

Once you have identified who to speak to, you should think about how you will approach them. There is no single right way to do this, as it will depend on who it is, your preferred means of communication, and what you need to communicate.

## Advocacy with government departments

Each government department has its own internal systems for handling complaints and enquiries. Use their websites, or general enquiry phone numbers to identify who to speak to and how to approach them. Sometimes the first or second person you contact will refer you on – in this event, remain patient and polite and make a note of the correct departmental area and person for future reference.

The most common approach, in order of how it might escalate, is:

* Telephone calls or appointment with the provider (i.e. Centrelink)
* A letter or email
* A meeting to resolve your concerns

A phone call is the most common way to address your concerns with a government department or provider at all three levels of government. You might be on hold for some time. If they are unable to resolve your enquiry at first, you can request either a direct number, or for them to call you back. This streamlines the process if you need to make a follow up call.

Letters or emails are useful for keeping a written record of the progress of an issue. A common way to provide written feedback to government departments is via an online form, available on the government department’s website. Governments need to respond to all contact and feedback, so when making contact in writing, choose the method that suits you best.

A meeting is less common, but you may need to meet with departmental staff or managers if your situation is a complex one, or if it has been unresolved for a long time.

As with all advocacy, it is important to know your rights, and be firm but polite when asserting them. Keep accurate records of any contact you have with government departments. If you’re calling, request their name and your case or file number. If they agree to resolve your concerns you should request written confirmation. If they refuse to resolve your problem, you can ask them to provide written confirmation of this too.

## Advocacy with representatives

When contacting your local Councillor, or state or federal MP, these methods are often used, in order of most to least effective, they are:

* A face-to-face meeting
* A letter, typed or hand written but definitely signed
* A telephone call
* An email

### Meetings

A meeting is often the best way for you to make your case. It gives you the chance to make a personal connection with your local Councillor or MP, and you can present your information in a more compelling way.

Prepare beforehand. Make sure you know what information you want to convey, and what you are asking them to do on your behalf. Try to determine how much they understand about blindness and low vision, so you know how much you need to explain. Make a list of the topics you want to cover so you don’t forget them in the meeting.

* Make it personal. Local Councillors and MPs often respond well to personal stories. Remember that you are the expert about your needs – you have the lived experience of blindness or low vision, and you can speak directly to this knowledge.
* If you are part of a group, have a maximum of three members attend. Think about who is best placed to present each part of your case, and assign roles – you don’t want to contradict each other in the meeting.

It is a good idea to view a meeting as the beginning of a longer relationship with your local Councillor or MP. Thank them for their time, follow up after the meeting, and think about getting a photo with them.

### Letters

Always write a personal letter, instead of a form letter. Politicians receive a lot of form letters. Form letters are produced by organisations for from letter campaigns, where participants just sign and send it. This is likely to result in a form letter in return. When writing to an MP, it may be useful to send the same or a similar letter to the opposition MP.

In your letter, explain your situation and what you would like your representative to do – meet with you, help you resolve the issue, or raise the matter with the relevant department.

### Key information

Information that you need to include in your letter/email includes:

* Subject. In your email or letter the subject line should identify your correspondence as relating to access for people with disabilities.
* Disclosure. An explanation about the relevant aspects of your vision impairment and how you access the goods, services or facilities
* Your status as a constituent, voter, or customer or how you came to access the service
* How the discrimination or barrier has impacted on you (for instance, you were unable to read information on signs; hear the announcements about your location or enter your PIN to complete a purchase.
* Arguments supporting the need for equal access, and why the Minister or government department needs to address these issues – for instance, you are a constituent or voter, and as a person who is blind or has low vision you need to be able to access public transport in a safe and confident way
* A request for action, for instance, an indication of when the organisation will remove the barrier;
* A time frame for the organisation to get back to you in order for you to consider your next steps.

## Sample letter/email

Below is an example of a letter to a Government Transport Department about a lack of next stop audio announcements on buses.

Email: Insert email address

Subject: Lack of next stop audio announcements on buses for people who are blind or have low vision

Dear Sir/Madam

I am writing about the accessibility of your bus fleet for people who are blind or have low vision. I am blind and need to use public transport to travel to work.

When I board one of your buses, I inform the driver that I am blind, and I ask that he or she let me know when the bus is approaching a certain stop. I always sit near the front of the bus so that I will be able to hear the driver.

This results in an unreliable service for me, as on a number of occasions the driver has forgotten my request, and I have ended up at the incorrect stop, often in a location that is totally unfamiliar to me. As a result, I have to navigate my way from unfamiliar surroundings. This is difficult, and sometimes even dangerous for me, as I am not familiar with obstacles and the location of pedestrian crossings. Sometimes I have to wait for up to an hour for a bus to take me back to my correct stop.

This has resulted in my being late for work on these occasions.

I first phoned your departments contact phone number on <insert date>, and have phoned on several occasions since then.

These phone calls have not led to an improvement in the service for me.

On several mornings recently I have caught the train to work. There are audio announcements at the stations, and there are next stop audio announcements on the trains. This ensures that I am always aware of my current location and approaching stop. Tho only reason I do not always use the train system is that the train station is considerably further in distance from my workplace than the bus station.

The Disability Discrimination Act makes it unlawful to treat someone less favourably than others because of their disability. When travelling on one of your buses, I feel that I am being treated less favourably than other travellers because of my disability.

There are a number of inexpensive options currently available to provide next stop audio announcements. This could be as simple as a microphone at the driver’s seat, and a small speaker to broadcast the messages to the front seats in the bus.

Would you please let me know when I can expect your bus fleet to be fully accessible by having next stop audio announcements? This will then allow me to travel with the same ease and independence as the rest of the community.

If you have any questions, please let me know.

I would appreciate a response from you by <insert date>, so I may consider any next steps.

### A telephone call

A telephone call is a good way to start a relationship, and if you already know your local MP or their staff, it might be an incentive for them to help you resolve the issue. You can also use a telephone call to set up a meeting. You may not speak to your local MP, but identify yourself as a local constituent and politely ask that your request be followed up.

### Email

Once you have built a relationship with your local member, email can be an appropriate way to communicate, but the first time around you want to stand out from the crowd. Remember, MPs can get hundreds of emails a day, many of them form letters.

### Scenario

Radha works full time at a law firm near the Melbourne CBD. To get to work, an overpass is the safest route for her. One day, she finds that the path has been permanently closed due to construction works. Radha accesses support from the Orientation and Mobility team at Vision Australia to identify a new path from the station to her office, but it takes longer, and feels unsafe due to poor signalling and narrow traffic islands. Radha wants to use her advocacy skills to improve the path to her workplace, and also to prevent this happening in future, without notice or consultation. How can she do this?

Firstly, Radha needs to identify who is responsible. For improving the signals and traffic islands, it would be the local road authority, VicRoads. To try to stop this occurring again, she should speak with the state government department, as this is a planning regulation issue. She does an internet search to identify the correct contact person for each one.

After speaking with VicRoads and the Department of Transport, Planning, and Local Infrastructure, Radha gets an unsatisfactory response. She is quite upset, so she waits a few days before deciding what to do next.

Radha arranges a meeting with her local MP, and writes to the Minister for Planning in the Victorian Government. The meeting goes well and her local MP writes to both the Minister for Planning and VicRoads, supporting her cause.

It takes a couple of months, including some follow up correspondence to get a result. VicRoads agree to improve the crossings, but it is added to a list of works that will take six months to complete. The Minister for Planning sends a letter, saying that they won’t change the planning regulations on consultations. Radha needs to decide if she wants to take the matter any further, or if she is satisfied with a partial win.

# How Vision Australia can help

Vision Australia’s Advocacy and Engagement team may assist you in your advocacy to government, and in some circumstances may assist in the following ways:

* Writing a letter of support;
* Provide advice and help you identify the most appropriate person with whom to engage;
* Co-advocacy – attend meetings/phone calls with you;
* Refer you to another organisation that may be more suited to assist you with the particular issue e.g. a Public Interest Advocacy Group, Legal Aid, a Public Transport Access Committee, or Blind Citizens Australia.

# This didn’t work – what next?

## Making a complaint

If you have approached a government body directly and have received a poor response or no response at all, you may wish to consider lodging a complaint. You can do this in a number of ways; either by accessing a government department’s internal complaints procedures, ombudsman or contacting the Australian Human Rights Commission (AHRC) or any of the state-based anti-discrimination commissions and boards in respect of alleged discrimination. There is no requirement to exhaust an organisation’s internal complaints procedures before approaching the AHRC or other commissions or boards. These complaints handling services are free, and a person does not need a lawyer to make a complaint. A complaint can be in English or another language. A translator/interpreter can be provided if required. Information about this process can be obtained by contacting Vision Australia’s Advocacy team or the AHRC.

## Related resources

### Vision Australia National Call Centre

Telephone: 1300 847 466

Email: [info@visionaustralia.org](mailto:info@visionaustralia.org)

### Vision Impaired Persons email list (VIP-L)

## Further information

For information on self-advocacy strategies or to obtain this guide in another format, call Vision Australia’s advocacy team on 1300 847 466 or email [advocacy@visionaustralia.org](mailto:advocacy@visionaustralia.org)

### Australian Human Rights Commission (AHRC)

National Information Service: 1300 656 419

Email: [infoservice@humanrights.gov.au](mailto:infoservice@humanrights.gov.au)

V[isit the Australian Human Rights Commission website](https://www.humanrights.gov.au/complaint-information%20https:/www.humanrights.gov.au/complaint-information)

### Anti-Discrimination Commission Queensland (ADCQ)

State-wide telephone information and enquiry line: 1300 130 670

[Visit the Anti-Discrimination Commission Queensland website](https://www.adcq.qld.gov.au/contact-us%20https:/www.adcq.qld.gov.au/contact-us)

### Victorian Equal Opportunity and Human Rights Commission (VEOHRC)

Enquiry Line: 1300 292 153

[Visit the VEOHRC website](http://www.humanrightscommission.vic.gov.au/making-a-complaint)

### Equal Opportunity Commission (WA)

Ph: 08 9216 3900

Email: [eoc@eoc.wa.gov.au](mailto:eoc@eoc.wa.gov.au)

[Visit the Equal Opportunity Commission (WA) website](http://www.eoc.wa.gov.au/complaints-inquiries/making-a-complaint)

### Anti-Discrimination Board NSW

Ph: 02 9268 5544 between 9am – 1pm and 2pm – 4pm

Email: [adbcontact@justice.nsw.gov.au](mailto:adbcontact@justice.nsw.gov.au)

Email: [complaintsadb@justice.nsw.gov.au](mailto:complaintsadb@agd.nsw.gov.au)

[Visit the Anti-Discrimination website](http://www.antidiscrimination.justice.nsw.gov.au/Pages/adb1_makingacomplaint/adb1_makingacomplaint.aspx)

### ACT Human Rights Commission

Ph: 02 6205 2222

Email: [human.rights@act.gov.au](mailto:human.rights@act.gov.au)

[Visit the ACT Human Rights Commission](http://hrc.act.gov.au/)

### Northern Territory Anti-Discrimination Commission

Ph: 1800 813 846

Email: [antidiscrimination@nt.gov.au](mailto:antidiscrimination@nt.gov.au)

[Visit the NT Anti-Discrimination website](http://www.adc.nt.gov.au/index.html)

### Equal Opportunity Commission (SA)

Ph: 08 8207 1977 between 10am – 3pm

Email: [eoc@agd.sa.gov.au](mailto:eoc@agd.sa.gov.au)

[Visit the Equal Opportunity Commission SA website](http://www.eoc.sa.gov.au/eo-you/making-complain)

### Equal Opportunity Tasmania

Ph: 03 6165 7515

Email: [office@equalopportunity.tas.gov.au](mailto:office@equalopportunity.tas.gov.au)

[Visit the Equal Opportunity Tasmania website](ttp://equalopportunity.tas.gov.au/complaints)