

Introduction

The United Nations has addressed the needs of people with disability in the United Nations *Declaration of the Rights of Disabled Persons (1981)*. The Convention on the Rights of Persons with Disabilities (CRPD) was opened for signature by nations on 30 March 2007. On its opening, the CRPD was signed by 81 nations and by the end of June 2008 129 countries, including Australia, had signed up to the convention. In 2008, Australia ratified the convention indicating its intention to be bound by the treaty.

The federal *Disability Discrimination Act 1992* encourages organisations to develop their own action plans to establish policies and programs to eliminate disability discrimination. At a state level, the *Disability Services Act 2006* (Qld) reaffirms people with a disability have the same rights as all community members, including their right to access government services. This Act reaffirms people with a disability should be empowered to exercise their rights, and in this way is consistent with the principles of the Convention on the Rights of Persons with Disabilities. The Act requires Queensland Government departments to develop a Disability Service Plan, which describes the way the department is working to provide appropriate and accessible services for people with disability, their family and carers. In addition, the *Anti-Discrimination Act 1991* (Qld) prohibits discrimination on the basis of an impairment.

In 2005, Legal Aid Queensland developed an action plan to reflect the organisation's commitment to assist people with a disability who have difficulty accessing legal aid services. The plan operated until the end of 2008. This is the new Legal Aid Queensland Disability Action Plan 2009–13, which is aligned with the Legal Aid Queensland Strategic Plan 2009–13.

Some actions from the Disability Action Plan 2006–08 have been updated and included in this plan because they have ongoing relevance.

In developing this plan, we consulted widely with our staff and relevant community agencies who support people with a disability. We will monitor the plan through our Disability Action Plan reference group comprising senior managers.

Policy statement

Our vision is "to be part of a fair justice system in Queensland that responds to the diverse needs of disadvantaged people". Our mission is "achieving fair outcomes in the justice system". As such, we are committed to ensuring legal aid services are accessible to people with a disability, and that quality legal aid services are provided to people with a disability. We are also committed to creating, promoting and sustaining opportunities and services that allow people with disability to participate in the wider community and have a better quality of life. We will carry out our functions in ways that respect diversity and eliminate discrimination.

In striving to achieve our vision and mission, our decisions and actions are guided by the following values:

- Social justice:** We strive to protect people's rights, ensure they receive fair treatment, and reduce their risk of social exclusion.
- Respect:** We show respect for the people we assist and those with whom we work.
- Quality:** We continue to improve the quality of our work and the outcomes for our clients.

Effectiveness: We strive to deliver responsive and cost effective services by working collaboratively with our suppliers and the community.

Core business and functions

We provide legal assistance to financially and socially disadvantaged people.

We have 14 offices throughout Queensland — Brisbane, Bundaberg, Caboolture, Cairns, Inala, Ipswich, Mackay, Maroochydore, Mount Isa, Rockhampton, Southport, Toowoomba, Townsville and Woodridge.

We provide information, advice and representation in family, civil and criminal law matters, and family dispute resolution. Our first priority is ensuring as many Queenslanders as possible have access to quality legal services.

We aim to assist Queenslanders overcome hurdles that would normally see them unable to access legal help. From financial and social disadvantage, to the challenges created by distance and geographical location, we tailor our services to address the needs of a diverse range of stakeholders.

Staff profile

We employ more than 450 people. Of these, about seven percent (most of whom work full time) identify as having a disability.

Disability Action Plan methodology

The Disability Action Plan 2009–13 was developed with input from key stakeholders and the Legal Aid Queensland Disability Action Plan reference group. We:

- analysed key resources, including the Legal Aid Queensland Strategic Plan 2009–13, the Legal Aid Queensland Policy Program 2008–13, the Legal Aid Disability Action Plan 2006–08
- consulted with our key stakeholders through the Disability Legal Assistance Forum
- received feedback from the Department of Justice and Attorney-General
- consulted across the organisation
- received endorsement from Legal Aid Queensland's management
- received endorsement from the Legal Aid Queensland Board.

Human rights indicators used

In developing this plan, we consulted Queensland Advocacy Incorporated's "Human Rights Indicators for People with Disability". This resource provides human rights indicators for people with disability based on the articles of the Convention on the Rights of Persons with Disability. Human Rights Indicators attempt to provide specific information about the degree to which human rights and fundamental freedoms are 'enjoyed' ('attained' or 'realised') in a particular context. Annexure A lists the Human Rights Indicators against each convention article referred to in the plan. These indicators help measure whether our Disability Action Plan recognises and improves human rights.

How the plan will be communicated

We will publish the plan on our website (www.legalaid.qld.gov.au) to provide access for people with disability, and government and non-government service providers.

Reviewing, evaluating and updating the plan

We will report on our plan each year in our annual report. The plan will be reviewed at least every five years in line with our strategic planning process. However, the actions in this plan will be reviewed each quarter by the Disability Action Plan reference group.

Legal Aid Queensland Disability Action Plan 2009–13

Strategic Plan goal “A fair justice system for disadvantaged Queenslanders”

Convention on the Rights of People with Disability

All human rights and fundamental freedoms of people with disability are interpreted and implemented consistent with the following principles:

- respect for inherent dignity, individual autonomy, including freedom to make one’s own choices, and independence of persons
- non-discrimination
- full and effective participation and inclusion in society
- respect for difference and acceptance of people with disability as part of human diversity and humanity
- equality of opportunity
- accessibility
- equality between men and women
- respect for the evolving capacities of children with disabilities and respect for the right of children with disabilities to preserve their identities.

Convention article	Legal Aid Queensland action	Performance measure
Article 6: Women with disabilities	Represent mothers with disability and, from that casework, identify issues for systemic advocacy.	Number of cases and submissions made to relevant government departments. Women’s Legal Aid [Annual reporting over course of the plan]
Article 7: Children with disabilities	Represent and provide legal advice to children with disability and, from that casework, identify issues for systemic advocacy.	Number of cases and submissions made to relevant government departments. Victims of Crime Compensation Unit Anti-discrimination lawyer [Annual reporting over course of the plan]
	Provide continuing legal education session about issues for children with disability to LAQ staff and partners.	Continuing legal education session provided. Client Information and Advice and Civil Justice Services director [30 June 2010]

Article 9: Accessibility	Make all LAQ offices accessible to people with a disability.	Existing LAQ offices upgraded. All new office premises are accessible. Facility Projects coordinator [Annual reporting over course of the plan]
	Attain feedback from professional services who support people with a disability about the access of people with disability to legal aid assistance.	Feedback/questionnaire from services completed and action plan developed and implemented. Research and development consultant Strategic policy coordinator [30 June 2010]
	LAQ websites to comply with World Wide Web Consortium (www.w3.org/WAI) guidelines.	Working towards compliant websites, subject to any budget constraints. Media and Public Affairs Unit [30 June 2013]
	Develop guide for people with a disability to access LAQ buildings and services.	Guide completed and published on website. Media and Public Affairs Unit Strategic policy coordinator [30 June 2010]
Article 12: Equal recognition before the law	LAQ to lead policy and law reform initiatives that improve outcomes for our clients with disabilities and achieve justice system efficiencies.	Number of policy and law reform activities. Strategic policy coordinators [Annual reporting over course of the plan]
Article 13: Access to justice	Establish and sustain a Disability Legal Assistance Forum with key justice stakeholders.	Number of regular meetings. Projects set by forum are completed. Client Information and Advice and Civil Justice Services director [Annual reporting over course of the plan]

	<p>Establish and maintain regular meeting with the Adult Guardian about providing legal services to clients with a disability.</p>	<p>Number of regular meetings.</p> <p>Number of policy and practice activities.</p> <p>Family Law Services director [Annual reporting over course of the plan]</p>
	<p>Improve accessibility for people with disability obtaining information, advice and referral from LAQ's information and advice program.</p>	<p>Number of people with a disability accessing information and advice.</p> <p>Percentage of FACT clients with disability.</p> <p>Client Information and Advice and Civil Justice Services director [Annual reporting over course of plan]</p>
	<p>Provide legal advice and minor assistance to people with disability through the Brief Services Unit.</p>	<p>Number of services provided by the Brief Services Unit to people with a disability Number of referrals to Brief Services Unit and Special Circumstances Program at Brisbane Magistrates Court.</p> <p>Percentage services provided by Brief Services Unit and FACT to people with disabilities.</p> <p>Client Information and Advice and Civil Justice Services director [Annual reporting over course of the plan]</p>
	<p>Incorporate screening for intellectual disability/cognitive impairment in LAQ advice processes.</p>	<p>HASI screening project implemented.</p> <p>Client Information and Advice and Civil Justice Services director [30 June 2010]</p>
	<p>Provide periodic training on disability and/or mental health issues to all staff and appropriate external legal service providers.</p>	<p>Number of training sessions completed.</p> <p>All directors</p>

		[Annual reporting over course of the plan.]
	Audit case management standards and client service standards to reflect the needs of people with a disability.	Audit performed and case management standards amended. All legal services directors [30 June 2010]
	Include information on disability in LAQ induction program.	Information module included in induction program. Principal learning and development officer [30 June 2010]
	Regional offices to participate in and initiate regular meetings with local disability/mental health support service providers to improve response to the legal needs of people with a disability.	Regular meetings in each regional office. Regional Legal Services – senior solicitors [Annual reporting over the course of the plan]
	Ipswich and Bundaberg LAQ offices to (a) host a disability service providers forum on referral pathways and (b) develop a joint action plan in response to the local legal needs of people with a disability.	Forum completed and action plan developed and implemented. Regional Legal Services – senior solicitors Rural and Regional Strategy coordinator [30 June 2013]
	Advocate at state and federal level to increase funding for civil law services for disadvantaged people in proceedings where basic human needs are at stake (eg legal representation in the guardianship and mental health regimes, legal assistance and representation in social security, employment, housing, credit, debt and migration matters).	Number of advocacy activities. Client Information and Advice and Civil Justice Services director [Annual reporting over the course of the plan]
	Collect data and monitor access and equity benchmarks for advice and representation for people with a disability.	Benchmarks developed and monitored on a statewide and regional level. Business Analysis Unit [30 July 2009]

Article 27: Work and employment	Audit employment policies and procedures to comply with the requirements of the <i>Anti-Discrimination Act 1991</i> (Qld) and <i>Disability Discrimination Act 1991</i> (Cth).	Audit completed and employment policies reviewed. Human Resources manager [30 June 2012]
	Ensure selection criteria do not inappropriately preclude employees with a disability.	Role descriptions updated and evaluated to ensure employees with a disability are not precluded from positions in LAQ. Human Resources manager [30 June 2012]
	Ensure managers and staff are aware of their responsibilities under the LAQ Reasonable Adjustment policy.	Communication plan developed and implemented. Human Resources manager [30 June 2012]
	Ensure Security policy's operation accommodates people with a disability.	Security policy reviewed and accommodates people with disability. Finance and Facilities manager [30 June 2012]
	Audit complaints policy to ensure it accommodates people with a disability.	Complaints policy reviewed and amended where necessary. Research and development consultant [30 June 2011]
	Recognise and record staff who identify as having a disability.	EEO census forms are completed by all staff. Human Resources manager [Annual reporting over the course of the plan]

Annexure A Human Rights Indicators

Article 6: Women with disabilities

- The pre-existing gender inequality of women and girls with disability is recognised in all aspects of CRPD implementation.
- Women and girls with disability enjoy all human rights and fundamental freedoms on the basis of equality with men and boys.
- Positive measures are in place to ensure the development, advancement and empowerment of women and girls with disability, and their ability to exercise their human rights and fundamental freedoms.

Article 7: Children with disabilities

- Children and young people with disability enjoy all human rights and fundamental freedoms on an equal basis with other children.
- In all actions concerning CYPWD, the best interests of the child is a primary consideration.
- The evolving autonomy of CYPWD is recognised in all decision making processes that affect them.
- CYPWD are able to express their views on all matters that affect them.
- The views of CYPWD are given appropriate weight in all decision making processes.
- Reasonable accommodation is provided to CYPWD where required to ensure their ability to participate in decision making processes on an equal basis with other children.
- Age related accommodations are provided to CYPWD on an equal basis with other children to ensure their ability to participate in decision making processes.

Article 9: Accessibility

- PWD are able to access all aspects of the environment on an equal basis with others including:
 - public and private buildings and facilities
 - information and communications, including information and communication technologies and systems.
- Barriers and obstacles to accessibility of public facilities and services are identified and eliminated.
- Standards and guidelines are in place and are enforced to ensure the accessibility of public service and facilities.
- Standards and guidelines for accessibility apply to both government and private entities providing public services and facilities.
- Training on accessibility issues for PWD is provided to all relevant stakeholders.
- Signage in public buildings is available in Braille, and in easy to read and comprehend formats.
- Live assistance and intermediaries (such as guides, readers and sign language interpreters) are available to facilitate accessibility to public buildings and facilities.
- Any other necessary assistance is available to PWD to ensure their access to information.
- PWD have access to new information and communications technologies and systems, including the Internet.
- Information and communication technologies and systems are from the outset designed, developed, produced, and distributed so as to incorporate accessibility features.
- Information and communication technologies and systems may be made accessible to PWD at minimum cost.

Article 12: Equal recognition before the law

- All PWD are recognised at all times and in all situations as persons with legal rights and duties.
- PWD are able to exercise legal capacity on an equal basis with others.
- PWD receive any support they may require to exercise their legal capacity.
- PWD are able to own and inherit property.
- PWD have access to credit on an equal basis with others.
- PWD are not deprived of their property without proper lawful reason.
- PWD are able to control their own financial affairs on an equal basis with others.
- PWD receive any support they may require to manage their financial affairs.

Article 13: Access to justice

- Persons with disability enjoy effective access to justice at all stages of the legal process.
- Procedural accommodations are made in the legal process to ensure effective participation of PWD in the justice system in whatever role they encounter it.
- Age-related accommodations are made to the legal process to ensure effective participation of children and young persons with disability.
- Appropriate training is provided to all justice agency personnel to ensure access to justice for PWD.

Article 27: Work and employment

- PWD have access to work on an equal basis with others.
- PWD have the opportunity to gain a living in a freely chosen or accepted labour Market and work environment.
- PWD have access to open, inclusive and accessible employment.
- Discrimination on the ground of disability is prohibited in all forms and aspects of employment.
- PWD have access to just and favourable conditions of work on an equal basis with others. This includes:
 - equal opportunities of work
 - equal remuneration for work of equal value.
- Safe and healthy working conditions and protection from harassment.
- PWD exercise their labour and trade union rights on an equal basis with others.
- PWD have effective access to general technical and vocational guidance programmes, placement services and vocational and continuing training.
- Career opportunities and career advancement for PWD are promoted.
- PWD are provided with assistance to find, obtain, maintain and return to employment.
- Opportunities for self-employment, entrepreneurship, development of cooperatives and personal enterprises are promoted to PWD.
- PWD are employed in the public sector.
- There are policies and measures (such as affirmative action and incentives), which promote employment of PWD in the private sector.
- PWD have access to reasonable accommodation of their impairment and disability related needs in the workplace.
- PWD have access to work experience in the open labour market.
- Vocational and professional rehabilitation, job retention and return-to-work programmes for PWD are promoted.
- PWD are not held in slavery or in servitude and are protected from forced or compulsory labour on an equal basis with others.