**Australia’s civil society Shadow Report on the**

**Convention on the Rights of Persons with Disabilities (CRPD)**

**2019 CONSULTATION GUIDE**

**Background**

Australia signed up to the [United Nations Convention on the Rights of Persons with Disabilities](https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities.html) (CRPD) in 2008. This means Australia has made a commitment to protect and promote the rights of people with disability. The main way that Australian Governments are doing this, is through the [National Disability Strategy](https://www.dss.gov.au/disability-and-carers/supporting-people-with-disability/resources-supporting-people-with-disability/national-disability-strategy-2010-2020-australian-government-action-plan).

Every four years, the Australian government has to report to the United Nations (UN) and be reviewed on what it has achieved. A committee of independent experts, the [UN Committee on the Rights of Persons with Disabilities](https://www.ohchr.org/EN/HRBodies/CRPD/Pages/CRPDIndex.aspx) (the Committee) does this review.

People with disability, through their representative organisations, can also provide a report to help the Committee review Australia. This report is known as a civil society Shadow Report.

Australia was first reviewed by the Committee in September 2013. A civil society Shadow Report was provided to the Committee. This report, *Disability Rights Now*, is available [here](https://pwd.org.au/our-work/campaigns/human-rights-campaigns/united-nations-convention-on-the-rights-of-persons-with-disabilities/crpd-civil-society-shadow-report/).

In September 2019, Australia will be reviewed by the Committee for the second time. The Australian Government has provided its [report](https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD/C/AUS/2-3&Lang=en) to the Committee. This report is the government’s response to a [List of Issues](https://tbinternet.ohchr.org/_layouts/treatybodyexternal/SessionDetails1.aspx?SessionID=1342&Lang=en) that the Committee want to know about.

A civil society working group made up of Disabled People’s Organisations (DPOs), disability representative and advocacy organisations is now working on the second civil society Shadow Report. You can find out more about the working group [here](http://dpoa.org.au/united-nations-convention-rights-persons-disabilities-crpd-civil-society-crpd-shadow-report-working-group/).

**Introduction**

This Consultation Guide has been written by the working group to support organisations to gain feedback from people with disability about how **they** feel Australia is implementing the Convention on the Rights of Persons with Disabilities (CRPD).

This feedback will inform the drafting of the second civil society Shadow Report to be presented to the Committee in July 2019. As well as the formal report presented to the Committee, we aim to produce a community report, which will reflect the findings of the community consultation.

This Guide outlines various ways that organisations can facilitate consultation, as well as provide their expertise for the Shadow Report. Organisations that are gathering feedback for the [current review of the National Disability Strategy](https://engage.dss.gov.au/a-new-national-disability-strategy-for-beyond-2020/) may want to use these consultations to feed those submissions as well. The Guide is not an exhaustive list of consultation options, and different methods will work for organisations depending on location, resources and people with disability that you wish to consult with. If you need support with your consultation contact Kate Finch from People with Disability Australia (PWDA) at katef@pwd.org.au.

**Consultation methods & timeline**

The second civil society Shadow Report will be provided the UN Committee in July 2019. Consultation and input to the report, including the survey, will be open until **May 31, 2019.**

**Survey**

The working group has developed an [online survey](http://dpoa.org.au/shadow-report-survey/) for people with disability. This survey can be promoted to members, staff and the wider community, but should only be completed by people with disability.

The survey groups questions into themes relating to different aspects of life, broadly linking to the Articles in the CRPD. The questions focus on the [List of Issues](https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fAUS%2fQPR%2f2-3&Lang=en) raised by the Committee and the civil society Shadow Report will provide the perspective of people with disability in relation to these issues.

The survey has 15 sections. Each section has several questions. People with disability can choose to complete the entire survey, or they can pick the sections that are most relevant or important to them. Each question has a yes, no, unsure tick box, and a free text box so that people can share more about their experiences. These personal stories are really important.

It may be easier for some people to print the survey and go through the questions first and then complete online. Organisations may wish to put time aside for staff to support individuals to go through and complete the survey.

The survey is anonymous, although there are a few demographic questions included for example your age and where you live.

We encourage organisations to promote and share the survey with their networks.

The following are suggested social media posts about the survey that can be cut and pasted and amended as required:

**Facebook:** Have your say! The Australian Government is being reviewed by the United Nations (UN) on how well they are implementing the Convention on the Rights of Persons with Disabilities (#CRPD). A working group of Disabled Peoples Organisations (DPOs), #disability representatives and advocacy organisations are writing a report for the UN Committee, showing them the perspectives of people with disability. Fill out this [survey](http://dpoa.org.au/shadow-report-survey/) to let the UN committee know what is important.

**Twitter:** How’s Australia doing on #humanrights for people with #disability? The UN is reviewing how well our government has implemented the #CPRD so far. If you’re a person with disability, fill out [this survey](http://dpoa.org.au/shadow-report-survey/) and let us know how it’s going #auscrpdreview. Questions? Contact @PWDA

When posting on twitter, if organisations include the #auscrpdreview that will help to keep track of posts. The survey is hyperlinked in the above, and can be accessed here - http://dpoa.org.au/shadow-report-survey/

If someone doesn’t want to or can’t complete the survey it may be better for organisations to interview people or run a focus group.

**Semi-structured interviews**

These interviews should be conducted one on one. It may be useful to include a note taker (if the person being interviewed agrees, and conditions around confidentiality are established). By having a note taker, the interviewer will be better able to focus on the discussion. The interviewee may also have support requirements to be taken into account.

Appendix 1 is an interview outline. The template contains survey questions, that have been reworded to be more conversational. The template also includes prompt questions.

We ask that the interviewer or note taker record the key points of the discussion for each section, rather than transcribe the entire conversation. This should ideally be a summary of approximately 150 words per section. Key points should be checked with the interviewee to make sure that everything they feel is important has been captured. We also ask that quotes be included that highlight an issue being discussed. Please note good things that have happened in peoples’ lives as well as challenges.

Some of the discussion may be sensitive or upsetting for individuals, so we encourage organisations to ensure that support or referral is provided after the interview if required.

**Focus groups**

Organisations may wish to facilitate focus groups to gain feedback relating to the themes of the survey. These groups may utilise existing forums, such as peer support networks, organisational boards or project advisory groups.

Appendix 2 is an overview of focus group principles and guidance on how to run a group. Appendix 3 provides an example session plan, with questions to promote discussion on the topic areas and issues. Please collect demographic information about the focus group participants.

Once again, we recommend a note taker attend the group to record the key points of the discussion under each issue. As with the interviews, please note good things that have happened in peoples’ lives as well as challenges.

Some of the discussion in the group may be sensitive or upsetting for individuals, so we encourage organisations to ensure that support or referral is provided during and after the session.

**Other data and reports**

The working group is gathering evidence to inform the civil society report, and is aware that many organisations have done previous in-depth work on specific issues. If you have previous reports and data that you would like to inform the report, please provide a summary of this work in the attached template (Appendix 4). The information provided should highlight the key issues and what needs to be done, with a limit to 250 words.

**APPENDIX 1**

**INTERVIEW GUIDE**

**Explanation**

This interview is the opportunity for you to give feedback about your rights. The questions will ask about different areas of your life.

The answers you give will contribute to a report for the UN Committee about how well the Australian Government is implementing the Convention on the Rights of Persons with Disabilities (CRPD).

If you don’t want to answer anything, you can skip it or you can come back to it later

If you are talking about something that is upsetting and you want to take a break them let me know.

**Questions**

1. **Tell me about your experiences with support services.**

Follow up: Do you have access to the support you need, such as disability support, aged care, child care and home-help? What about any mobility aids and devices?

1. **Do you know where to find information on Government services like the disability pension and the NDIS?**

Follow up: Is the information accessible, easy to understand and in your language (if applicable)?Have you ever given feedback to the government about issues that are important to you, how did you do it?

**3. Tell me about your experiences with health care?**

Follow up:Can you access the health care that you need? Do you feel that you have all the information about your health that you need?

What about treatment? Can you get access to what you need, and it is your choice?

Do health workers, like doctors, nurses, dentists, listen to you and understand your needs? Do they explain everything to you and give you the chance to ask questions?

Do you have health insurance? Have you had any problems accessing health insurance because of your disability?

**4. Tell me about your experience with education.**

Follow up: Do you have the same education opportunities as other people?

Does/did your school, university or training college make changes for your disability, for example do you get course material in an accessible format, or do you get access to an interpreter?

Have you ever been separated in your school/university or training college from students without disability?

**5. Have you had the same work and employment opportunities as other people?**

Follow up: What is your employer like, do they make adjustments for you? Do you receive the same pay for your work as someone without disability would?



**6. Do you feel safe in your home and in the community? Have you ever experienced violence or abuse?**

Follow up: If you have, could you get help? Could you access support and services you needed?

**7. Tell me about your personal relationships and family life.**

Follow up: Have you ever tried to get advice and support around relationships, including sexual relationships? Did you get what you need, and know where to go?

Do you have children? Did you get medical support to have a baby (IVF)? Have you had medical treatment which stops you getting pregnant?

What about parenting – do you have access to support services you need to assist you to parent?

Have you had a child removed from your family because of disability?

**8. Do you have enough money from wages, or a pension to pay for what you need, such as rent, food and transport?**

Follow up: Do you ever have to deal with Government agencies like Centrelink, department of housing? What are they like, are they helpful?

**9.** **Do you think the general public have a good understanding of disability? Have you ever been discriminated against or treated unfairly, because of your disability, race or gender?**
Follow up: Do you identify as intersex – have you been discriminated or experienced medical treatment?

Do you know about discrimination laws? Have you ever you ever tried to use discrimination laws when you have been treated badly? Was it effective?

**10. Have you ever had contact with the justice system, like the police or the courts? Do you think you get treated fairly?**

Follow up: Do you think that police, lawyers and court staff are trained properly to support people with disability?
Do you have control over your money? Can you get bank loans and credit?

**11. Can you choose where you live and who you live with? Do you feel safe where you live?**

Follow up: Have you ever had difficulty moving between states and countries because of your disability?

**12. Do you have good access to transport? Can you access public and private buildings, for example, libraries, cafes, workplace and your friend’s homes?**

**13. Do you have access to the same social activities as people without disability?**

 Follow up: For example, plays, movies, sports, cultural and religious events important to you and your family? Can you go on the holidays you want?

Do you have the same access to websites, phone and technology, people without disability?

**14. Have you ever spoken to your local politician about disability-related issues? Did they listen to you and do something about your concerns?**

**Are you able to vote in elections, including accessing polling stations and ballot papers?**

Follow up: Is online information about Government policies and programs available in plain English and accessible formats?

**15. Have you ever been in, or prepared for a natural disaster, like a flood or a bushfire?**

Follow up: Do you have all the information you need to prepare? Do you think response plans include the needs of people with disability?

**APPENDIX 2**

**FOCUS GROUP GUIDANCE**

**Focus Group**

A focus group is a small group discussion run by a facilitator to learn about issues, ideas and opinions on a topic or topics. It is a qualitative way to collect data and complements other data collection methods such as surveys.

It is a great opportunity to give and get information. You must provide a suitable space for people to share and then support them to build on the conversation.

**Logistics**

Planning is key for a focus group to work. Things to consider include:

* Number of people; minimum 4, maximum 10
* Who to invite; a broad mix of people or people with specific skills and experience
* Room; an accessible, private space, with room to break into small groups
* Time; 2 hours ideal, 1 hour can work, 3 hours means you get more covered
* Equipment; whiteboard, flip chart, PowerPoint and AV equipment if needed
* Refreshments; cuppa on arrival and morning or afternoon tea works a treat
* Follow up;thanks and summary within 1 week and then share report and broader outcomes later in the year when available.

**Roles**

People are also key to a focus group. Choose suitably trained and experienced facilitators to

* Facilitate the session, prompt and ask further questions to get deeper responses
* Manage participants and encourage quieter people to have their say
* Stay on topic; if they are focusing on issues but not getting to ideas of how to improve things and what Government can do then stop and redirect
* Summarise what you hear, highlight key points visually e.g. use a whiteboard

Co-facilitator; person with disability if facilitator is not, this is a good opportunity to build member or staff facilitation skills.

Note taker; vital to record key points and quotes, particularly if not recording session.

For more information or ideas on CRPD reporting focus groups contact Rachel Spencer Council for Intellectual Disability rachel@nswcid.org.au

**APPENDIX 3**

**FOCUS GROUP PLAN**

This plan has been developed as a guide to run a focus group for CRPD Shadow Report consultations. Build your session plan around it and consider; your skills and knowledge, the people attending and areas they and your organisation may want to focus on.

|  |  |  |
| --- | --- | --- |
| **Topic** | **Content** | **Notes** |
| **Intro** 20 mins | Welcome and acknowledgment Purpose of sessionOverview of sessionIntroductions and icebreaker Group agreementCar Park | Introductions and icebreaker help people feel comfortable.Group agreement; you can set or ask people to contribute. Include respect, confidentiality, staying on topic.Car Park; a place to park ideas, issues and questions not related to follow up. |
| **CRPD** 20 mins | Human RightsCRPD overviewReporting to the UN | Use this as an opportunity to educate people on CRPD and reporting process. |
| **Discussion**20 mins | Open questions* What are the good things in your life?
* What things in your life could be better?

  | Discuss in one group or small groups and share back.Avoid closed questions that only get a yes/no answer. |
| **Break**10 mins | Tea and coffee; the best chats happen over a cuppa! | If people raise important points, make note or raise in group. |
| **Discussion**30 mins | Choose one or several of the topics/issues and focus on these. | You can use the semi-structured interview questions from Appendix 1. |
| **Wrap Up**20 mins | Summarise key points.Ask for a final word from each participant. See notes.Thanks; what next and follow up | If you were Prime Minister for a day what is one thing you would change?What is the number 1 change you would like to see for people with disability before we report to the UN? |

If you would like more detail of session plans contact Rachel Spencer rachel@nswcid.org.au

**APPENDIX 4**

**FURTHER EVIDENCE – DATA & REPORTS**

**ORGANISATION NAME:**

**CONTACT PERSON:**

**CONTACT EMAIL AND PHONE:**

**REPORT NAME:**

**LINK TO FULL REPORT OR DATA:**

To support the working group to include the evidence from additional data and reports, please review the [List of Issues](https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fAUS%2fQPR%2f2-3&Lang=en) outlined by the UN Committee and tell us the issue it refers to and the relevant CRPD article.

**ISSUE THAT IT RELATES TO:**

**CRPD ARTICLE THAT IT RELATES TO:**

**SUMMARY OF KEY ISSUES AND WHAT NEEDS TO BE DONE (max 250 words):**

In your summary please refer to the [Australian Government response](https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fAUS%2f2-3&Lang=en)