



## **Inquiry into Social Inclusion and Victorians with a Disability**

### **Vicdeaf submission**

#### **INTRODUCTION**

Vicdeaf (the Victorian Deaf Society) welcomes the opportunity to provide a submission to the Inquiry into Social Inclusion and Victorians with a Disability and applauds the Victorian Government for addressing this important issue. Amid the background context of sector reform at both a state and national level, and given Australia's responsibilities under the *United Nations Conventions of Rights for Persons with Disabilities*, a focus on social inclusion for Victorians living with disability is both timely and relevant.

The National Disability Insurance Scheme (NDIS) launched on 1 July 2013 seeks to enable social inclusion as one of its primary objectives. Themes from the inquiry will be useful in shaping service adaptation during the NDIS trial phase.

That the inquiry seeks to determine a definition of social inclusion for persons with disability is of considerable value. Definitions may vary between disability cohorts and a greater understanding of the relative contexts of social inclusion and its counterpart, social exclusion, would assist in future policy and systems development.

#### **BACKGROUND**

Vicdeaf is the primary source of reference, referral, advice and support for deaf and hard of hearing adults in Victoria. It is a progressive community service organisation which commenced 130 years ago and provides:

- Community information and advice
- Case management
- Auslan interpreting
- Live captioning
- Deaf awareness and hearing awareness training
- Auslan training
- *deafaccess* Victoria programs
- Hearing screenings, assessment, and devices
- Independent living skills support
- Supported accommodation
- Disability Employment Services (both Employment Support and Disability Management Services)
- Auslan video productions

- Community programs
- Supports under the NDIS in the Barwon trial site.

Deafness Forum, a national peak body for hearing loss in Australia, states that one in six, or 16% of Australia's population are estimated to have some form of hearing loss, from mild to profound. The percentage increases with age and is most significant beyond 80. Victoria's population according to the Australian Bureau of Statistics (ABS) was 5,737,600 as of the end of June 2013, which means over 900,000 people in the state have a hearing loss.

According to the 2011 ABS Census Victoria has 2,783 sign language users. The majority of these people use Australian Sign Language (Auslan). Many Auslan users learn English as a second language and due to current and still contentious modes of pedagogy English literacy is often limited. For this reason the use of written English (along with reliance on speech reading) is largely ineffective and an inappropriate language mode option.

Following The Inquiry's terms of reference Vicdeaf's response has been structured under four key areas:

1. Definitions of social inclusion for persons with disability, specifically for those who are Deaf or hard of hearing
2. Barriers to social inclusion
3. A brief commentary on state and federal initiatives that serve to increase social inclusion
4. Proposed solutions to enable greater social inclusion.

Vicdeaf has been invited to speak to the Family and Community Development Committee on Monday 17 March and will address relevant case studies at this time.

## RESPONSE

### 1. Definition:

***What is social inclusion for persons with a disability, particularly for those who are Deaf or hard of hearing?***

Vicdeaf proposes that for individuals who are Deaf and hard of hearing, social inclusion means participating in, and having the means to participate in, any activity which satisfies the reasonable needs and desires of that individual. Furthermore it encompasses the notions of value and respect for the individual and an appreciation of their circumstances and capacities.

Vicdeaf believes that social inclusion leads to social justice – the capacity for an individual to achieve his/her full potential. Social inclusion for those who are Deaf or hard of hearing is viewed therefore as a vehicle or a means, and not as an ends in itself.

For Deaf and hard of hearing people there appears to be three particularly relevant domains of social inclusion, under which there are a range of activities:

1. Information
  - civic
  - political
  - community information

2. Choice and access
  - education and training
  - employment
  - goods and services
  
3. Involvement and connection
  - family
  - friends
  - entertainment
  - community.

When any of the activities are impacted, social inclusion is diminished and marginalisation can occur. The effects at the individual level are a decrease of esteem, personal value, dignity, respect, and at the systemic level on collective intelligence and economic contribution. This reduces the self development potential of an individual as well as his/her ability to “give back to the community” under the broader notion of *positive liberty*.

## 2. Issues:

***What are the barriers to social inclusion for persons with a disability, particularly for those who are Deaf or hard of hearing?***

The barriers to social inclusion faced by those who are Deaf or hard of hearing relate largely to communication. Language is the primary channel of communication within the social inclusion context, enabling individuals to:

- express and understand intent
- transfer and receive information and ideas
- establish and maintain relationships
- purchase goods
- purchase and access services
- access the benefits of society and an advanced economy
- contribute to the functioning of the wider community
- engage in a meaningful way.

Communication barriers exist in two distinct, but closely related, forms for Deaf and hard of hearing people:

### For Deaf people

Deaf people use Australian Sign Language (Auslan) as their primary language and as the means of social interaction. Auslan is a visual spatial language which has no written form. It has evolved over 200 years from British Sign Language and has significant lexical distinctions from its source language.

Auslan is made up of distinct linguistic elements which combine to create a robust language channel:

- Hand shape

- Orientation
- Location
- Movement
- Expression.

Many Deaf people view themselves as belonging to a cultural and linguistic minority. They possess a shared sense of history, experience, language and collective aspirations. Most, however, are born to hearing parents and not directly into Deaf culture and community. Their education is often in an oral/aural setting with hearing peers, sometimes within a regionally-based Deaf Facility. It is during education that the notion of participation and inclusion (or exclusion) may be first encountered.

When Deaf people communicate with each other in Auslan they do not experience isolation or exclusion. In this context they are neither disabled nor disadvantaged by their deafness. It is when they are required to interact within hearing settings – education, university, employment, mainstream community services and activities – that barriers to social inclusion present themselves. It is the mechanics of language, and the fact that Auslan is not shared by mainstream society that acts as both barrier and enabler, depending on the context.

When Deaf individuals communicate with hearing peers who sign, or via the use of Auslan interpreters, social inclusion is maintained. These occasions are rare, however. Many hearing people, when communicating with a Deaf person, assume competent English literacy levels and so default to the use of written English, which is neither effective nor appropriate. Deaf people may rely on speech reading skills when necessary (as described in the section on hard of hearing people below), with varying degrees of effectiveness. The impacts on social inclusion in both cases are considerable.

There is a significant shortage of Auslan interpreters in Victoria certified by the National Accreditation Authority for Translators and Interpreters (NAATI). Access to interpreters throughout the state is therefore limited. Interpreter bookings frequently go unfilled, especially if there is less than two weeks lead-time for an appointment. The coverage of interpreters in regional areas, including the major regional centres, is very low. Often the only option when booking Auslan interpreters for rural assignments is to use Melbourne-based ones; however travel charges makes the cost of such bookings prohibitive. Both the availability and cost of interpreters directly impact a Deaf person's social inclusion. Video relay interpreting (VRI) on mobile devices may offer a solution to this in part at least, and Vicdeaf is currently undertaking trials with the Department of Human Services to test this.

#### For hard of hearing people

Most people who identify as being hard of hearing, whether their hearing loss is acquired or congenital, use spoken and written English as their primary language channel. These people rely on visual and acoustic cues to receive spoken information, and spoken or written language to transmit information.

Depending on the degree of hearing loss, hard of hearing people rely in part or in whole on speech reading (also called lip reading) which is the ability to understand another person through visual cues; by watching the movements of the face and body, by using the information provided by the situation and by the language used.

Conditions for accessing visual and acoustic cues vary greatly, and can be impacted by:

- Lighting
- Environmental acoustics
- Background noise
- Energy levels
- Visual obstructions (including beards)
- Facial expressions
- The speech reading skills of the listener
- The quality of any hearing devices, aids and loops.

The nature of the speech itself can also impact the receptive capacity for individuals, with up to 60% of speech sounds being obscure or invisible, and the mechanical production of many words (homophones) making them appear the same. It should also be understood that a person with a severe to profound hearing loss may not be able to gain sufficient help from a hearing aid to understand speech.

For hard of hearing people isolation can be much greater than for members of the Deaf community within social settings. This can be especially true for those with an acquired hearing loss as they transition from being competent with their acoustic receptiveness to relying on visual and acoustic cues.

Although written and spoken English may not present a problem to hard of hearing individuals, engaging within their community can be challenging and social exclusion experienced. Day-to-day activities such as shopping, using a telephone, catching up with friends and family, undertaking work duties or engaging with work colleagues can be highly difficult.

### ***What are the emerging issues for social inclusion over the next 20 years?***

Social inclusion as a theory has been taking on increasing prominence within a planning and legislative context over the past five years, and this is expected to increase over the next 20 years. This is driven by various sources:

1. Multiple Articles within *The United Nations Convention of Rights of Persons with Disabilities* support social inclusion, explicitly and indirectly:  
*Article 3 – General Principles*, Full and effective participation and inclusion in society;  
*Article 4 – General Obligations*, 1.b To take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices that constitute discrimination against persons with disabilities;  
*Article 19 – Living independently and being included in the community*.

Of note is that Sign Languages are recognised under Article 2 which furthers Australia's obligations to Deaf Auslan users under the convention.

2. The National Disability Strategy 2010-2020, which aims to shape social policy to improve the lives of persons with disability, lists as its first objective: *inclusive and accessible communities*. This objective relates to "the physical environment including public transport;

parks, buildings and housing; digital information and communications technologies; civic life including social, sporting, recreational and cultural life”

The strategy arose from national consultation which was distilled into the report, *Shut Out: The Experience of People with Disabilities and their Families in Australia*. This report speaks in depth about social exclusion and the experience of people with disability.

3. The Strategy’s vision for the creation of “an inclusive Australia society that enables people with disability to fulfil their potential as equal citizens” matches Vicdeaf’s understanding that social inclusion leads to social justice and the fulfilment of individual potential.

The NDIS is one of the outcomes of the National Disability Strategy. Many of the objects of the NDIS Act, which gained Royal Assent on 28 March 2013, support both the UN Convention of Rights of Persons with Disabilities and the theory of social inclusion. For example:

(1) The objects of this Act are to:

- (a) in conjunction with other laws, give effect to Australia’s obligations under the Convention on the Rights of Persons with Disabilities done at New York on 13 December 2006
- (c) support the independence and social and economic participation of people with disability.

General principles guiding actions under this Act:

- (1) People with disability have the same right as other members of Australian society to realise their potential for physical, social, emotional and intellectual development.
- (2) People with disability should be supported to participate in and contribute to social and economic life to the extent of their ability.

4. The Victorian State Disability Plan 2013-2016 intersects with a number of Victorian reform agendas and aims to increase social inclusion.
5. The Victorian Service Sector Reform project gave rise to Peter Shergold’s *Service Sector Reform – A Roadmap for Community and Human Services Reform* final report in July 2013. This report was commissioned by the Victorian Government to identify, through extensive consultation, more effective and efficient service system that would provide better outcomes for clients within the Victorian community and human services sector.
6. The Community Sector Reform Council, consisting of senior government officials and non-government stakeholders, was established to advise the Victorian government and implement many of the reforms of the Shergold report, using the report’s “statement of principles” to guide it.

“Citizen control” is one of the 10 principles recommended by the report, and reflects the intent of social inclusion policies.

The growing emphasis on choice and control, client-centred planning and individualised funding is a consistent focus of the above drivers. The ability to exercise *informed* choice and control are impacted by information access and the language channels described above. For Deaf and hard of hearing people this may lead to notional choice and control rather than a fully realised outcome.

According to the census data analysis by Doctor Louisa Willoughby, *The Distribution of Victoria's Sign Language Users* (2013), growth corridors are emerging for sign language users throughout Victoria. Doctor Willoughby notes "There is a clear trend that many of the metropolitan municipalities with the lowest percentages of sign language users are among Melbourne's most expensive suburbs to rent or buy a home. Thus it seems reasonable to argue that Deaf people are in the main priced out of municipalities such as Melbourne, Yarra and Port Philip, preferring instead to settle in more affordable areas such as Wyndham and Casey."

Greater Bendigo and Greater Ballarat both have significant signing populations. Doctor Willoughby observes, "While the signing population of country Victoria tends to cluster in major regional centres, the Gippsland area proves an exception to this rule and creates a unique challenge for service delivery".

Vicdeaf believes that these growth corridors and the underlining reasons for their emergence (affordability and the relative income levels for signing Victorians) are likely to impact social inclusion and increase the potential for marginalisation. As sign language users move further away from centres of infrastructure and services, they risk reducing their ability to connect and participate in their communities. The task for service providers like Vicdeaf, working closely with government, is to ensure that provisions are made to ensure meaningful support and access regardless of a person's residential location (which mirrors Article 9 and 19 of the UN convention of Rights for persons with Disabilities – covering accessibility and residential choice).

As the focus on social inclusion increases, so too will community and individual expectation. The objectives of the various reform and service agendas point towards a more integrated support system for programs and services across Victoria and all of Australia. It is likely that this will increase in the future, influencing the growth and form of placed-based and wrap-around services.

Information and communication technology (ICT) is likely to form an increasingly important role in the lives of Deaf and hard of hearing individuals over the next few decades, as both a means of and an enhancement to communication, and as a tool for community connectivity. ICT will also become increasingly important to service providers and to integrated service systems (as recommendation 16 of Shergold's report suggests). The cost of this infrastructure will be high, but given the societal gains, the UN convention compliance and the return to the community through increased social and *economic* participation, the cost is anticipated to be worth it.

There is a considerable cost to facilitating social inclusion and this is likely to increase over the next 20 years as the actual extent of social *exclusion* is identified and new means to address it defined. Vicdeaf believes this best to be viewed as an investment in societal capacity building. The benefits in the long terms are connected communities, and individuals who can truly take part in, and give back to these communities.



### **3. Government Services and Initiatives**

#### ***What is the impact of government services and initiatives on social inclusion?***

Governments, both Victorian and federal, are becoming more responsive to social inclusion obligations. A number of very successful services and initiatives have been implemented.

The Victorian government's Building Inclusive Communities program has been successful in reducing social exclusion. Under this program *deafaccess* Victoria aims to assist Deaf and hard of hearing people who live in rural or regional Victoria to:

- Participate in the life of their community,
- Work with community organisations and services to support people and their families,
- Have a say in what happens in their communities, local services and organisations.

The Real Inclusion Kit created by *deafaccess* Victoria, particularly their Fact Sheet 1: Positive Communication, Effective Communication – Including People Who Are Deaf or Hard of Hearing in Community is a good example of the positive work this program does.

MetroAccess and RuralAccess workers continue to implement similar inclusiveness strategies to support individuals with other disabilities.

The Victorian government's Services Connect initiative is very likely to serve as a pathway to the NDIS. Its *Outcome Star* model and specifically its *Social/Community* outcome mean that when the initiative is fully rolled out it will successfully drive social inclusion, whether directly or through its referral functions.

A relationship with the Fire Service Commission has proven most useful in ensuring timely and language-appropriate fire services announcements for Deaf and hard of hearing people. Vicdeaf hopes to strengthen this through a formal memorandum of understanding and to extend these relationships to other community services.

Access to Auslan interpreters along with the quality of interpreting has increased in the last five years due to a number of programs:

- the federal Employment Assistance Fund within employment-related setting
- the National Auslan Booking Service (NABS) for medical appointments

Promisingly, it appears that the Interpreting and Translating support cluster under the NDIS will cover some funding to facilitate community participation. However, on the whole Auslan interpreting remains an unfunded service.

### **4. Solutions:**

#### ***How can social inclusion for persons with a disability, particularly for those who are Deaf or hard of hearing be improved?***

Vicdeaf believes there are three discrete levels that need to be addressed to reduce the barriers of social inclusion for Victorians with a disability. These include, but are not limited to:

1. Systemic / government



- a. Health
  - b. Education
  - c. Transport
  - d. Mainstream services
2. Community
    - a. Employment
    - b. Arts
    - c. Sport
  3. Individual
    - a. Information
    - b. Choice and access
    - c. Involvement and connection

It is the third of these levels, the individual level, which Vicdeaf will focus on for the purpose of our submission to the inquiry.

Using the domains described under the section on definitions, social inclusion for Deaf and hard of hearing individuals can be improved through investing in infrastructure, accessible social design, training, technological developments, and Auslan interpreting:

### **1. Information**

1. Visual alert systems in public spaces
  - ensuring safety for all
2. Interpreted community service announcements
  - enabling equal access to information
3. Interpreted news services
  - increasing knowledge and understanding of issues that impact the local, national and global communities
4. Text or captioned alerts for public transport announcements throughout metropolitan and regional areas
5. Increased coverage of audio induction loops
  - in public spaces and commercial properties

### **2. Choice and Access**

6. Improved access to interpreting
  - increasing the number of interpreters available (through increased training places for both Auslan and interpreter training)
  - increased and/ or additional funding to cover interpreting costs for community participation not included under the NDIS or economic participation not covered by the Employment Assistance Fund, for example:
    - weddings
    - social events

- funerals

7. More effective bilingual education programs

- programs which embrace and respect the use of Auslan as a primary language channel and as the means of teaching written English

8. Increased Video Relay Interpreting

- resources to enable disadvantaged Deaf and hard of people to access the requisite technology and training to operate it

9. Investment in information and communication technology that will assist Deaf and hard of hearing people

**3. Involvement and connection**

10. Captioned cinemas in key metropolitan and regional centres

11. Greater financial assistance for adaptive technology and hearing devices

- broadening the funding options beyond employment and education, and recognising that technology and social media plays an increasingly important role in social inclusion

12. Improved awareness of the communication requirements of Deaf and hard of hearing people

- through targeted education campaigns
- delivered as part of a broad suite of training packages focussed on disability competency development

13. Increased Auslan classes in school-based language programs including increased coverage of

- Auslan as a LOTE subject in primary & secondary settings
- Auslan at the Victorian Certificate of Education (VCE) level.

**SUMMARY**

Our obligations under the UN Conventions of Rights for Persons with Disabilities combined with the multiple sector reforms means that the Victorian government will continue to seek greater outcomes for social inclusion, and society will expect it. Enabling social inclusion for Deaf and hard of people and meeting their specific language needs may be costly. It involves improving technologies, increasing training and awareness and broadening Auslan interpreter access. The cost must not be seen as a barrier to social inclusion for Deaf and hard of hearing people, however, but as an investment in human rights, the unlocking of human potential and the creation of a society in which all members contribute and receive the benefits equitably.

Christine Mathieson

Chief Executive Officer

27 February 2014