

# Annual Report 2022-2023

# **Our Vision**

**Inclusive communities where all people are equally valued and enjoy human rights.**

# **Our Purpose**

**To advocate for the protection and advancement of the needs, rights and lives of people with disability in Queensland.**

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# Acknowledgement of Country

Queensland Advocacy for Inclusion (QAI) respectfully acknowledges First Nations people as the Traditional Custodians of this land and recognises their role in our work, in the disability community and in society. QAI acknowledges the impact of colonisation and the continual social, emotional, and physical consequences it has for First Nations people and commits to building a brighter future together.



## About us

Established in 1987 by a small group of passionate Queenslanders with and parents of people with disability, QAI is an independent not-for-profit advocacy organisation and specialist community legal centre for people with disability. We are first and foremost a systems advocacy organisation focused on changing attitudes and policy to improve the lives of the most vulnerable people with disability. We started with a small team of three staff and a Management Committee run by a majority of people with disability and have always been an organisation that champions the expression 'nothing about us, without us'.

Having grown immensely since 1987, we are now an accredited community legal centre, have accredited Economic and Social Council status with the United Nations and run nine advocacy services with around 45 staff. In 2020, QAI became the first organisation in Queensland to voluntarily opt-in to be bound by the Human Rights Act 2019 (Qld). In the face of our expansion, we have worked hard to ensure our systems advocacy remains at the core of our organisation and we are now not only guided and informed by the wisdom and lived experiences of our Management Committee, but of our many individual clients as well.

# New logo - same QAI

This last year we have been through an extensive process to develop a new logo for our 36-year-old organisation. We did this with the goal of modernising our organisation's branding to include a deeper representation of who we are, while ensuring we maintain our history, values and core identity. We went through many options and variations before deciding on the below logo with the concept of a kite. The new logo will be rolled out over the final few months of 2023.



## Kite concept

The kite is an analogy for QAI and the people we represent. Like wind lifts a kite to fly, QAI creates a force that lifts our community and clients to soar freely without barriers.

Inside the kite, are four shapes each with a different colour. These represent the stages of the QAI journey including past, present and future. As you follow the trajectory of each stage, you see it trends upwards and onwards. This is our vision. That we continue our work until society reaches a point where our services are no longer needed.

## Colour meaning

**Maroon** represents Queensland, as well as an homage to the QAI red that we have been known for from the beginning.

**Orange** represents community. The community which has been at our core since our founding, and the community we continue to fight for.

**Purple** represents the dignity of people with disability, which we have always fought for, as well as the wisdom, ambition and independence needed to achieve this for all people with disability.

**Blue** represents the freedom people with disability will have to live lives free from barriers once we achieve our vision for truly inclusive communities.

# Our people

## Management Committee

President	Byron Albury	
Vice President	Fiona Kennedy	
Treasurer	Edward Cole	
Secretary	Deborah Jones	
Committee Members	Brendon Donohue Donna Best Meriel Stanger	Niki Edwards Trevor Boone

## Staff as of 30 June 2023

Chief Executive Officer	Matilda Alexander	
Chief Operating Officer	Megan Pearce	
Chief Financial Officer	Bill Kyle	
Principal Solicitors	Carly Dennis	Sian Thomas
Principal Advocate	Caitlin De Cocq Van Delwijnen	
Senior Solicitors	Andrea de Smidt	Vinay Veerabhadra
Consultants	Elly Desmarchelier	Mary Burgess
Systems Advocate	Sophie Wiggans	
Individual Advocates	Brianna Bell Christen Hayter Emma Bennett Gabrielle Hill Glennis Gill Jennifer Smith Joshua Apanui Lina Zarta Louise Martin	Louise Ostertag Paula Herlihen Ridmi Ambalanduwa Sara Martin Sarah Thompson Sarah Ward Sophie Farnsworth Thomas Dixon

## Staff as of 30 June 2023 continued

Solicitors	Anna Brasnett Chloe de Almeida Jess Park	Kerryn Luppi Saibal Kar Sonia Oki
Paralegals	Eva Thelander Eve Newton-Johnson Neve Fraser	Ruby Clarke Tara Seiffert-Smith
Senior Administration Officer	Cate Sudbury	
Administration Officer	Emma Moore	
Information & Referral Officers	Emma Bennett Emma Moore	Jesse Althaus Savannah Spalding
Communications Officer	Shannon Bell	
Bookkeeper	Helen Della-Ricca	

## Our volunteers

We would like to thank our invaluable volunteers, pro bono legal support and the students who chose to complete their placements with us for their time, energy and support.

**Barristers:** Benedict Coyne, Nola Pearce, Paula Morreau and Sam Lane.

**Law firms:** Allens, Clayton Utz, Barry Nilsson, MinterEllison and Norton Rose Fulbright.

**Universities and students:** QUT law student capstone placements Jordon Potts and Zachary Burley. QUT social work student placements Megan He and Alex (Yueqi) Yang. UQ political science and international studies intern Chloe McGibbon. Central Queensland University social work student placement Jesse Althaus. University of Canberra Aurora Internship Program intern Amanda Mitchell.

# Our services

Over 2022-2023 QAI had three Advocacy Practices which covered a total of nine services across various areas of need for people with disability.

## Human Rights Advocacy Practice

- Disability Royal Commission Advocacy
- Human Rights Law
- Indigenous Advocacy
- Justice Support Program
- Mental Health Law
- Systems Advocacy

## NDIS Advocacy Practice

- NDIS Appeals Support
- NDIS Decision Support

## Disability Advocacy Practice

- Young Peoples Program
- Pathways

**4,753**

Services  
provided

**4,177**

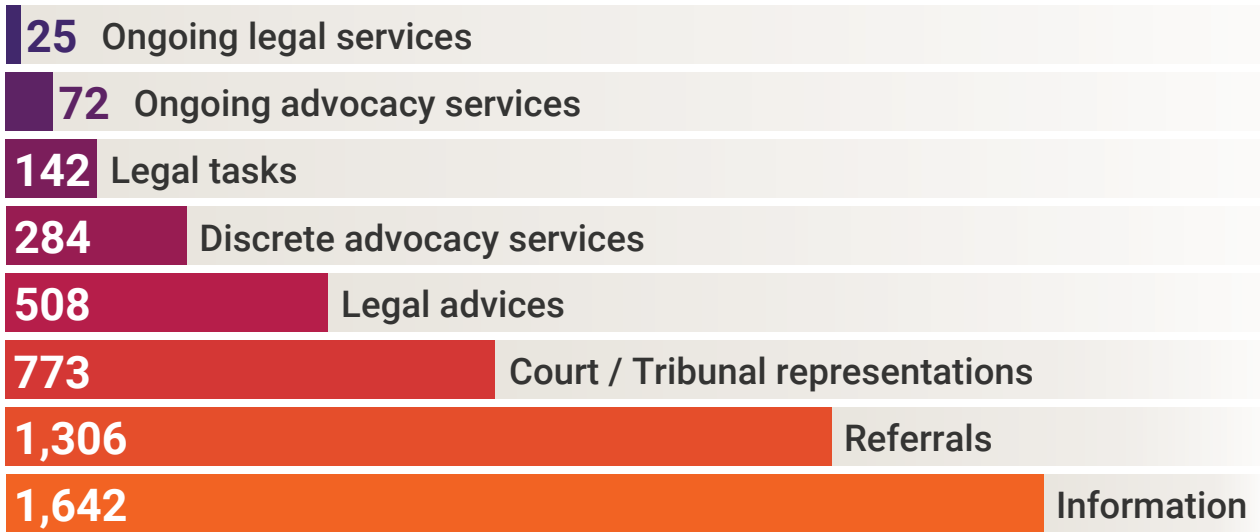
People  
contacted  
QAI

**2,948**

Unmet need\*

\*Includes referrals and information we gave due to capacity or issue being outside of our scope.





## Who we helped



**97.4%**

were people with disability or experiencing mental illness



**17.7%**

were people who identified as First Nations people



**93.3%**

were people experiencing financial disadvantage



**12.1%**

were people experiencing or at risk of homelessness



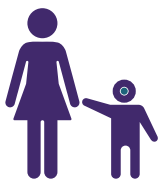
**26.5%**

were people experiencing domestic or family violence



**34.7%**

were people living in regional or remote areas of Queensland



**22.3%**

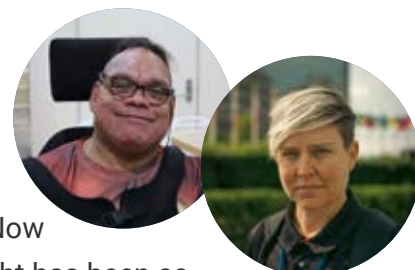
were children or young people under 18



**6.5%**

were people aged 65 or older

# President & CEO report



Welcome to the 2022/2023 annual report for Queensland Advocacy for Inclusion. QAI continues to be a strident and fierce advocate for human rights in Queensland, advocating to remove the barriers to an inclusive community created by discrimination and segregation. The United Nations Convention on the Rights of Persons with Disabilities requires the full and effective participation and inclusion in society of people with disabilities.

This financial year has seen significant human rights challenges including the first visit of the UN Sub Committee for the Prevention of Torture to Australia, a visit that was suspended in part due to the non-cooperation of the Queensland Government in refusing access to disability specific sites of detention such as the Forensic Disability Service and Authorised Mental Health wards. QAI spoke out, calling for increased transparency and travelling to the United Nations directly to deliver a statement condemning the practice of indefinite detention of people with disability. The significant toll of more than a decade of isolation without any guarantee of release is the very real human story that underpins these important rights and drives us to never forget those who are deprived of their liberty.

The deinstitutionalisation of people with disability has been a consistent theme from our members, clients and supporters. QAI participated in the drafting process for the UN guidelines on Deinstitutionalisation at the United Nations in New York in June 2022 and we were pleased to see the formal adoption of these Guidelines by the Committee on the Rights of Persons with Disabilities in

September 2022. Now that this human right has been so well articulated, QAI commits to realising the freedom and autonomy of people with disability throughout our work. To this end, QAI has adopted deinstitutionalisation as an overall organisational strategic focus.

Our NDIS team has seen significant change in their work this year as the NDIS evolves and we meet our clients' needs in a dynamic and ever changing environment. While there has been a significant change in the culture and outcomes of the Agency, we continue to receive many requests for assistance from people navigating appeals and attempting to secure their basic human rights and needs. The end of the financial year also saw the end of our Decision Support Pilot, providing advocacy and support to clients to access NDIS. The Federal cuts to this program are very disappointing, given the increasing awareness of the importance of individual advocacy.

The Disability Royal Commission has now closed and in our final submission we recommended:

1. End the segregation of people with disability
2. Address prejudicial attitudes and a lack of understanding of the needs of people with disability
3. Involve people with disability in decision-making processes
4. Ensure access to essential supports
5. Introduce stronger safeguards that will protect against abuse
6. Address intersectional disadvantage
7. Introduce a redress scheme

QAI has continued to take a leadership role in the disability advocacy community. The solidification of the Queensland Independent Disability Advocacy Network (QIDAN) has been an increasingly powerful force to advocate for disability advocates, provide training and support and coordinate systemic and individual advocacy. We have also continued to answer calls from around Queensland on our Pathways hotline, linking folks with disability advocates and support.

Our young people's team has worked with people facing school exclusions, facing guardianship proceedings, enmeshed in child safety and youth justice systems. The practical assistance a disability advocate can provide in getting these young people voices heard is immeasurable.

Our Mental Health Advocacy team is responsible for the majority of our hearings and continue to argue for greater human rights and liberties for people under treatment orders. In some instances we have been working with clients under orders for a decade or more to gain the progressive realisation of deinstitutionalisation.

QAI's Human Rights team experienced significant staff changes this year and we welcome former public advocate Mary Burgess, who brings a wealth of experience and a formidable reputation to the operations of QAI.

An important internal focus this year was on the development of a disability inclusion working group. QAI is firmly committed to

inclusion, self-determination and justice for people with disability. QAI believes that disability inclusion is both a process and an outcome. For inclusion to be achieved there must be the active participation of people with lived experience of disability in public and private decision making and within the everyday operations of QAI.

QAI commits to disability inclusion by:

- Recognising the physical, societal and attitudinal barriers to effective participation for people with disability.
- Valuing the leadership of people with disability in creating and shaping the direction of QAI.
- Creating an accessible and safe space for workplace participants and clients. We value the voices, perspectives and choices of people with disability and ensure contributions are meaningful.
- Recognising the diversity of experience of disability as well as intersecting identities within the disability community.

Thank you to all staff, management committee and members for your hard work throughout the year. Together we are fighting for justice and human rights and creating a world where we all want to live.

**Byron Albury, President and  
Matilda Alexander, CEO**

# Systems advocacy

## A Right to Learn campaign

Last year, QAI partnered with the Aboriginal and Torres Strait Islander Legal Service (ATSILS) to write a report about students with disability and Aboriginal and Torres Strait Islander students being suspended and excluded from school more frequently than their peers.

This year, we built upon this by officially launching the [A Right to Learn](#) campaign, to keep disabled kids in class. The campaign coalition includes QAI, ATSILS, Youth Advocacy Centre (YAC), PeakCare Qld and Youth Affairs Network Qld, and is calling on the Queensland government to conduct a parliamentary inquiry into this issue. Our other campaign asks are:

- Halve the number of students with disability being suspended and excluded over a five-year period
- Invest in evidence-based alternatives
- Develop inclusion scorecards for schools
- Establish an independent monitoring board to oversee these changes

The campaign was launched at a forum held at the Centre for Inclusive Education (C4IE) in March. The forum brought together researchers, experts, families with lived experience and politicians to discuss why certain students are being disproportionately excluded from school. Since then, we have continued to meet with stakeholders to gain support for our campaign.



While we have not yet achieved a parliamentary inquiry, we continue to receive regular media interest in the campaign. The Queensland Department of Education has also acknowledged the problem and has promised to implement changes to address it.

## Disability Royal Commission

This year also saw the Disability Royal Commission draw to a close. Throughout the Royal Commission, QAI made many recommendations for systemic change. In December 2022, QAI made a final submission that summarised our key recommendations in the hope that they would influence the Royal Commission's final report to the Australian government. The QAI team also [shared our key recommendations in a short video](#). The video identifies the key themes which must be addressed to protect people with disability from harm. For example, removing segregation, addressing prejudicial attitudes, involving people with disability in decision-making and ensuring access to essential supports.

## United Nations

Another highlight of the year was our attendance at the 16th Conference of States Parties (CoSP) to the Convention on the Rights of Persons with Disabilities (CRPD) in New York. CoSP is an annual gathering of governments, Disabled Peoples Organisations and civil society members who come together to share ideas and discuss the implementation of the CRPD around the world.



QAI's group (pictured above) included our CEO Matilda Alexander (right), QAI NDIS Advocate Brianna Bell (middle right), Senior Policy Officer at First Peoples Disability Network, Mali Hermans (middle left), and Solicitor at Caxton Legal Centre (previously at QAI), Alex Ladd (left).

While at the United Nations, QAI raised the issue of the indefinite detention of people with disability in psychiatric and forensic disability institutions. The United Nations Subcommittee on the Prevention of Torture came to Queensland in October 2022 and was denied entry to Queensland's mental health and forensic disability services. QAI remains concerned about insufficient protections

against torture, abuse and neglect of people with disability in institutions. We called for the full and immediate implementation of the CRPD Committee's Deinstitutionalisation Guidelines to fulfil the right of all people with disability to live independently in the community.

To support our call, QAI held a side event on the issue. We heard from Vice Chair of the CRPD Committee, Rosemary Kayess and a panel of people with lived experience of institutions. QAI presented our idea for developing a Report Card to track progress against the Deinstitutionalisation Guidelines.

On the idea of a Report Card, Rosemary Kayess said:

**“I think as a policy tool it will be very useful for advocates, but also for state parties as well as monitoring mechanisms within countries, like national human rights institutions and ombudsmen. I think it's something that needs to be shared widely and can be useful in monitoring these processes.”**

We also co-facilitated a side event with People with Disability Australia (PWDA) on the need to ensure sexual orientation, gender identity and expression and intersex rights are protected in the disability community.

## QAI Conversations

We also began a new event series called QAI Conversations. These events are for people with disability and their families to come together to discuss the issues impacting the lives of people with disability, while sharing food. We held an event in February to discuss the NDIS Review and in

May to discuss our A Right to Learn campaign. The events are part of a new process for our members and the broader disability community to be more involved in our systems advocacy. We want to have meaningful conversations and listen to everyone's ideas about how the human rights of people with disability can be advanced. Above all, we hope to grow a sense of community, where people with disability, their families and supporters are at the heart of our systemic advocacy.



## Submissions

Topic	Submitted to
Draft guidelines on deinstitutionalisation	CRPD Committee July 2022
Information gathering for access and planning	National Disability Insurance Agency July 2022
Guardianship, substituted and supported decision-making	Disability Royal Commission August 2022
Places of Detention	Disability Royal Commission September 2022
Capability and Culture of the NDIA	Joint Standing Committee on the National Disability Insurance Scheme (NDIS) October 2022
QAI's final recommendations to the Disability Royal Commission	Disability Royal Commission December 2022
Monitoring of Places of Detention (OCPAT) Bill 2022	Qld Legal Affairs and Safety Committee January 2023

Topic	Submitted to
Implementing OPCAT in Queensland	Position Statement January 2023
A new act to replace the Disability Services Act 1986	Department of Social Services February 2023
Strengthening Community Safety Bill	QLD Economics and Governance Committee February 2023
Briefing paper for NDIS Review panel	NDIS Review March 2023
Current and proposed sexual consent laws in Australia	Senate Standing Committee on Legal and Constitutional Affairs March 2023
The issue of increasing disruption in Australian school classrooms	Senate Standing Committee on Education and Employment April 2023
Review of the impact of Covid-19 on school students with disability	Commonwealth Department of Education April 2023
Administrative Review Reform	Commonwealth Attorney's General Dept. May 2023
Inquiry into Australia's Human Rights Framework	Joint Committee on Human Rights June 2023

## Feedback

From systems advocacy training for Carer Representatives at Carers QLD:

"Truly enjoyed listening to you both. Couldn't help but wish I got to see you both in true advocacy action!"

"Great insights & knowledge. Very informative. Incredible facilitators. Really enjoyed the presentation."

# Queensland Independent Disability Advocacy Network

In 2022-2023 the Queensland Independent Disability Advocacy Network (QIDAN) continued to progress it's aims of:

- Systemic advocacy: to take coordinated action to address systemic issues experienced by people with disability
- Member support: to provide a collaborative space for the exchange of information, resources and issues affecting disability advocacy organisations
- Sector advocacy: to promote the importance and value of independent disability advocacy on a local, state and national basis

QIDAN members met monthly to discuss systemic issues experienced by people with disability. As a collective QIDAN:

- Provided advice to Government including the NDIA about the experiences of advocates assisting people with disability with NDIS concerns and the NDIS quality and safeguards commission
- Prepared a data analysis of Queensland Disability Advocacy Programs demonstrating advocacy services and unmet demand
- Met with Ministers and Local Members to discuss the benefits of disability advocacy
- Contributed to the review of the Criminal Procedures of Magistrates Courts
- Engaged with advocates and parents with disability to prepare a report on recommendations and the issues experienced by parents with disability engaged with the child safety system for the Disability Royal Commission
- Prepared a data analysis of Queensland Disability Advocacy Programs for services provided around housing and tenancy issues
- Provided advice to Government about the experiences and impacts on young people with disability engaged with the youth justice system
- Contributed to the Ministerial Roundtable about Taxis and transport with the Department of Main Roads
- Contributed to the NDIS Review Consultation with the Department of Prime Minister and Cabinet

We also established the Queensland Independent Disability Advocacy Network Community of Practice for advocates to connect and share knowledge. The Community of Practice has held several webinars and facilitated a two-day conference for advocates in Brisbane.



## Qld Disability Advocacy Conference

The first Qld Disability Advocacy Conference focused on building connection and capabilities. Over 60 disability advocates attended across the two days to build connections, share knowledge and develop skills in accessible communication, supported decision making, self-care, and data gathering and analysis.



Pictured above is a group photo of many of the advocates who attended the conference.

## Feedback

“The presentations and workshops were informative, engaging and relevant. I really appreciated the time taken to provide and implement the program.”

“I loved the networking, feeling a part of something bigger.”

# Presentations & Events

## Presentations

Topic	Presented to
Systems advocacy training	Carer representatives at Carers QLD
Children's rights and the right to education	Youth Law Australia and Australian Lawyers for Human Rights Diplomacy Training Program
NDIS appeals	Australian Disorders of the Corpus Callosum, Queensland Law Society, Mater Health professionals, and Support Coordinators
Understanding the NDIS	Multicultural Australia
Appealing NDIS funding decisions	Community Legal Centres Queensland and Legalwise
Services provided by QAI and feedback for systemic change	Queensland Department of Education
Advocacy tips for reasonable adjustments, suspensions and exclusions in Qld State Schools	QIDAN Community of Practice
Discrimination and human rights	Down Syndrome Queensland
Decision-making, capacity and guardianship and administration	Gold Coast Community Legal Centre
Panel on mental health law	QUT students
Guardianship and administration and mental health law training	Allens law firm, TASC and Gold Coast Community Legal Centre
QAI Natural Disaster Advocacy service	Multiple community sessions were held in conjunction with Communify, QDN and Amy McMahon's office

## Events

### United Nations



QAI hosted a side event to the 16th United Nations Conference of State Parties to the CRPD. The topic was [Deinstitutionalisation Part 2: Fighting contemporary forms of institutionalisation in Australia](#). This event is where we launched the concept of a Report Card for deinstitutionalisation efforts.

We also co-hosted a second side event at the United Nations with People with Disability Australia. The event was called [A comparative perspective on ensuring sexual orientation, gender identity and expression and intersex rights are protected in the disability community](#), with guest speaker Rosemary Kayess.



### Forum on school suspensions



We held a forum on the disproportionate use of suspensions in Queensland state schools, together with ATSILS, PeakCare Qld, YAC and the Centre for Inclusive Education (C4IE). The event brought together researchers, experts, families with lived experience and politicians

### OPCAT Forum

We co-hosted a forum on OPCAT with the Queensland Public Advocate and the Queensland Human Rights Commission. This event brought together key stakeholders from government and civil society across Queensland to discuss implementation of the Optional Protocol to the Convention Against Torture (OPCAT) in Queensland.



# Human Rights Advocacy Practice

QAI's Human Rights Advocacy Practice is a broad practice. It includes our systems advocacy and five individual advocacy services, two legal and three non-legal. These diverse services are united by the strong human rights focus which underpins all of our work. The service areas work separately and collaboratively, with internal referrals frequently made between services, to provide appropriate clients with wraparound support. There is a strong, positive relationship between our individual and systems advocacy work, with insights gained through the provision of our individual advocacy informing our prioritisation and understanding of systemic issues.

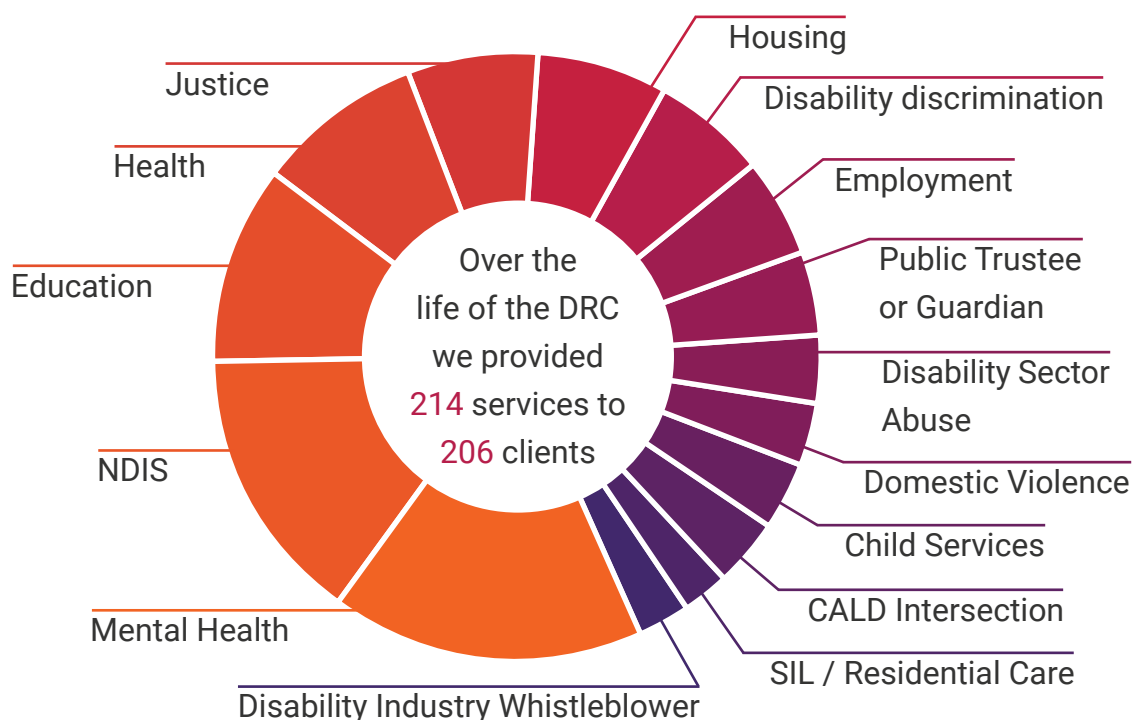
## Disability Royal Commission Advocacy (Concluded)

### What we do

The end of the Disability Royal Commission (DRC) saw our advocacy service come to a close. Throughout the DRC, QAI provided advocacy support for people who wished to engage with the DRC and needed help planning how best to tell their story, communicating their support needs to the Commission and engaging in a session. The DRC has now concluded. The DRC team worked furiously towards this endpoint, assisting our clients to get their stories finalised and cases closed. The findings of the DRC were released in a Final Report on 29 September 2023.

### Client focus areas

Please note clients could have more than one focus area.



## Case study - Rohan

We assisted Rohan\* in making a public written submission to the Disability Royal Commission (DRC). Rohan was born in Africa and has lived in Australia for over four years. He worked as an ophthalmologist across Africa and the Middle East for over 9 years when he suddenly started experiencing vision loss. At this point, he returned to his home country where he became politically active and worked hard to advocate for the rights of culturally marginalised people.

Since living in Australia, Rohan has become a high-ranking community leader and supported those within his ethnic community who live with a disability. Rohan's DRC submission focused on the significant barriers faced by people with disability who are on temporary protection visas (TPV), and the lack of adequate disability support for those people.

Rohan also discussed his concerns about disability employment services, as many services will only assist people with finding work for a maximum of 8 hours per fortnight, and very specific types of jobs. This makes it extremely difficult for people with disability who would like to work more than 8 hours per fortnight as they do not have access to other forms of financial support.

Rohan's final recommendation to the DRC was that disability diversity schemes in organisations, workplaces and businesses need to be more proactive in including diverse groups, as it is not good enough to show "commitment" to workplace diversity without ways of implementing such policies.

\*Name has been changed

## Feedback

"I never would have had the strength to make X's submission to the Royal Commission without your gentle, persistent, intelligent and caring encouragement."

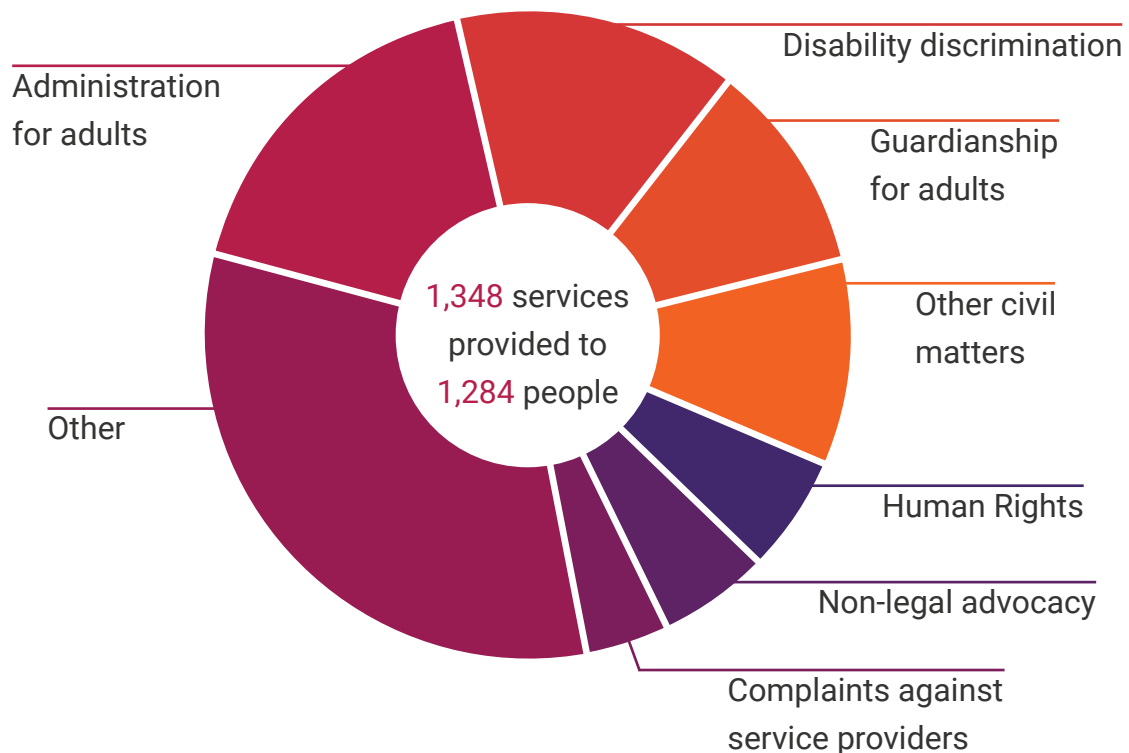
"Thank you, our talk today has given me hope. It makes me feel worthy as a human being that some people do believe in me."

## Human Rights Law

### What we do

Human Rights Law provides legal advice and representation for people with disability who need legal assistance to protect their human rights. The service covers, guardianship and administration, restrictive practices, disability discrimination, and human rights violations.

### What we assisted with



### Natural Disaster Advocacy Program

This year we had a short-term program to assist Queenslanders with disability who had been affected by the floods in early 2022. The service provided advice to individuals as well as some community preparedness information sessions and resources.



## Case study - Barbra

We assisted Barbra\* at a QCAT hearing in November 2022 to revoke an administration order. Barbra lives with schizophrenia, anxiety and other health conditions. Barbra was previously under an order appointing her family as her guardians and administrators following a period of being unwell.

In June 2021, QAI successfully advocated for this order to be changed, in accordance with Barbra's instructions. The guardianship order was revoked and the Public Trustee of Queensland was appointed as her administrator.

At the most recent hearing in November 2022, QAI submitted there was insufficient evidence supporting that Barbra lacked capacity to manage her own finances and that there was a need for an administration order. The QCAT member asked Barbra a significant number of questions to test her understanding of financial decision-making and the various decisions that would need to be made, especially as it relates to her property. QCAT relied on two health professional reports which supported that Barbra had sufficient decision-making capacity.

QCAT found that Barbara had decision-making capacity for all financial matters and revoked the administration order. Barbra remarked after the hearing that she could now sleep soundly at night for the first time in two and a half years.

\*Name has been changed

## Feedback

"You have no idea how grateful I am for all the advice and assistance you and [advocate] are providing. The past few years have been incredibly difficult, and it is heartwarming to know there are good people like you both in this world willing to help. I hope in my retirement I can give back to others where they need support, you are an inspiration to me."

## Indigenous Advocacy

### What we do

QAI's Indigenous Advocate acts as an internal consultant to build cultural competency within QAI and to improve QAI's relationship with Aboriginal and Torres Strait Islander clients, communities, and accessibility to QAI's services. Our Indigenous Advocate is a state-wide service with a focus on regional and remote areas.

Another primary aspect of QAI's Indigenous advocacy is engaging in community outreach. In the last year our Indigenous Advocate engaged in outreach trips throughout Queensland including to Biloela, Burketown, Cloncurry, Doomadgee, Emerald, Mt Isa, Normanton and Woorabinda.

### Yarning Circles

Our Indigenous Advocate, David Wenitong, also facilitated two Yarning Circles for First Nations People with disability (the group from the first Yarning Circle pictured below). The purpose of these Yarning Circles was to discuss what a voice for First Nations People with disability may look like in Queensland. The Yarning Circles were well supported and there was lots of positive discussion around the formation of a First Nations peak body for disability advocacy.





## Case study - Jed

Jed\* is a young Aboriginal man on a Forensic Order (Disability), having been deemed unfit for trial under the Mental Health Act 2016 (Qld). Jed was brought into the Rockhampton Mental Health Inpatient Unit (MHIPU) – High Dependency Unit (HDU) after property damage to his accommodation. Due to the level of support required to support Jed in the community, he was admitted to the Rockhampton MHIPU while awaiting transfer to the Forensic Disability Service (FDS).

Due to Jed's levels of aggression toward staff he was solely nursed in the HDU with no leave from the ward to the Low Dependency Unit or out of the hospital. Jed was often placed in seclusion, and this was used as a behaviour management tool rather than due to his clinical presentation. During the day, police would supervise Jed in the HDU between 7am and 11 pm and overnight he would be placed back in seclusion. Jed remained in the HDU for close to three months while awaiting transfer to the FDS.

QAI provided advocacy assistance to Jed at the MHRT and with the treating team, to ensure his views, wishes and preferences about his treatment and care needs were expressed. Our advocacy also assisted him to transfer to a more appropriate rehabilitation service so he was not detained in the authorised mental health service in unsuitable conditions.

\*Name has been changed

## Feedback

"I would like to thank you for all the work you do at QAI for your clients, your work is invaluable."

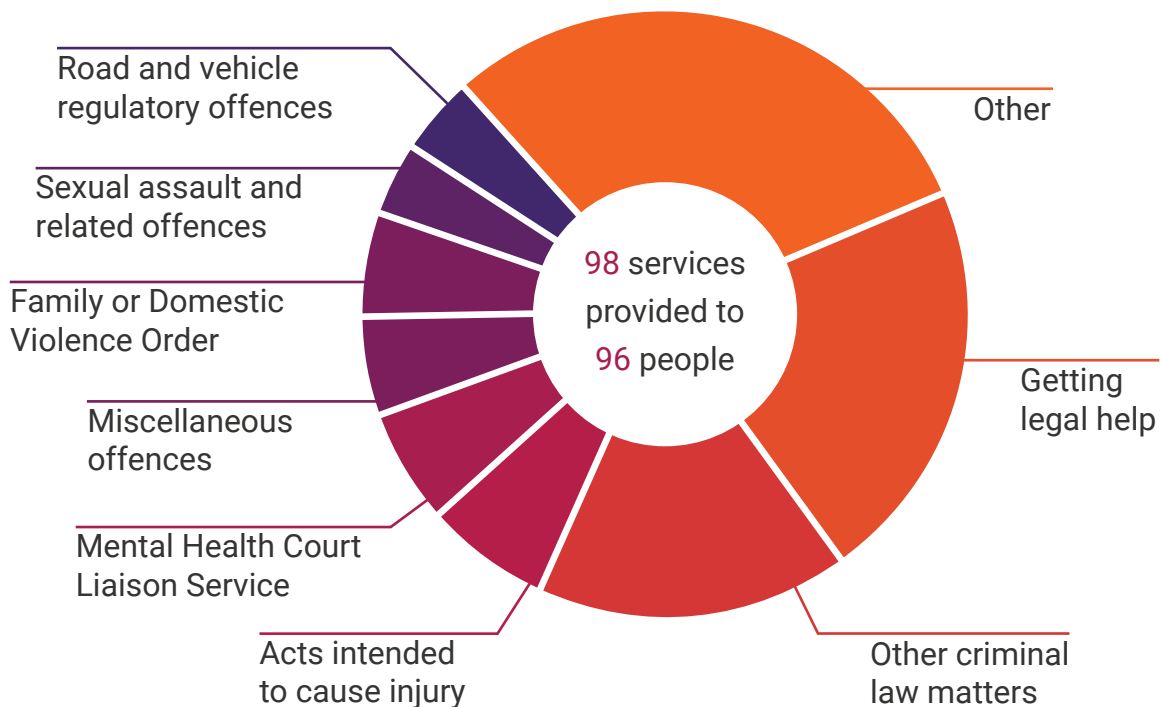
"Thank you for your dedicated support, it is extremely appreciated."

## Justice Support Program

### What we do

The Justice Support Program (JSP) provides non-legal advocacy support for people with impaired capacity who are involved in the criminal justice system. We help people to understand and navigate the system, achieve a fair outcome, and address social and personal causes. At the end of 2022 we said farewell to our longtime JSP advocate Liz when she retired. We welcomed Sarah into the role early in 2023.

### What we assisted with



## Case study - Eric

Eric\*, a man with intellectual disability, had been approached by the Queensland Police Service (QPS) for questioning in relation to a serious allegation of sexual assault. Eric's support workers helped Eric to reach out to QAI for assistance regarding this matter. JSP had an initial appointment with Eric to discuss his circumstances and obtained Eric's consent to speak with people and obtain information in relation to his matter. This included authority to speak with the police, his mother and his support workers so we could best support Eric. Our JSP advocate, Sarah, worked very proactively and swiftly to gather important and necessary information about the matter before organising and supporting Eric at an advice appointment with a criminal lawyer at Legal Aid Queensland.

Following the advice appointment, Sarah was able to contact QPS and ensure they had on record that Eric was QAI's client as he was a vulnerable person with disability. She also advised them Eric had obtained legal advice and any interactions they have with him are to be done in a manner that ensures our client is well supported.

For example, if they intend on charging him, that QAI are first made aware so we can help facilitate him to come to the station and ensure he has legal representation and his specific disability needs are taken into consideration.

QPS subsequently contacted Sarah to advise they were not pursuing the matter further and they would contact QAI again if that were to change. A fantastic outcome for Eric and a wonderful example of how advocacy can assist clients with disability in a supportive manner to ensure their rights are upheld, and they are not prejudiced.

\*Name has been changed

## Feedback

"Thank you for all of your support during this time. It helped us through the court process."

"I am writing... to give my thanks to Liz for her unwavering support over the past few months whilst I have gone through the criminal justice system for a "Serious Assault" charge. Liz was always available, gave great advice, no judgement and mostly incredible support. I could not have gone through this ordeal without her."

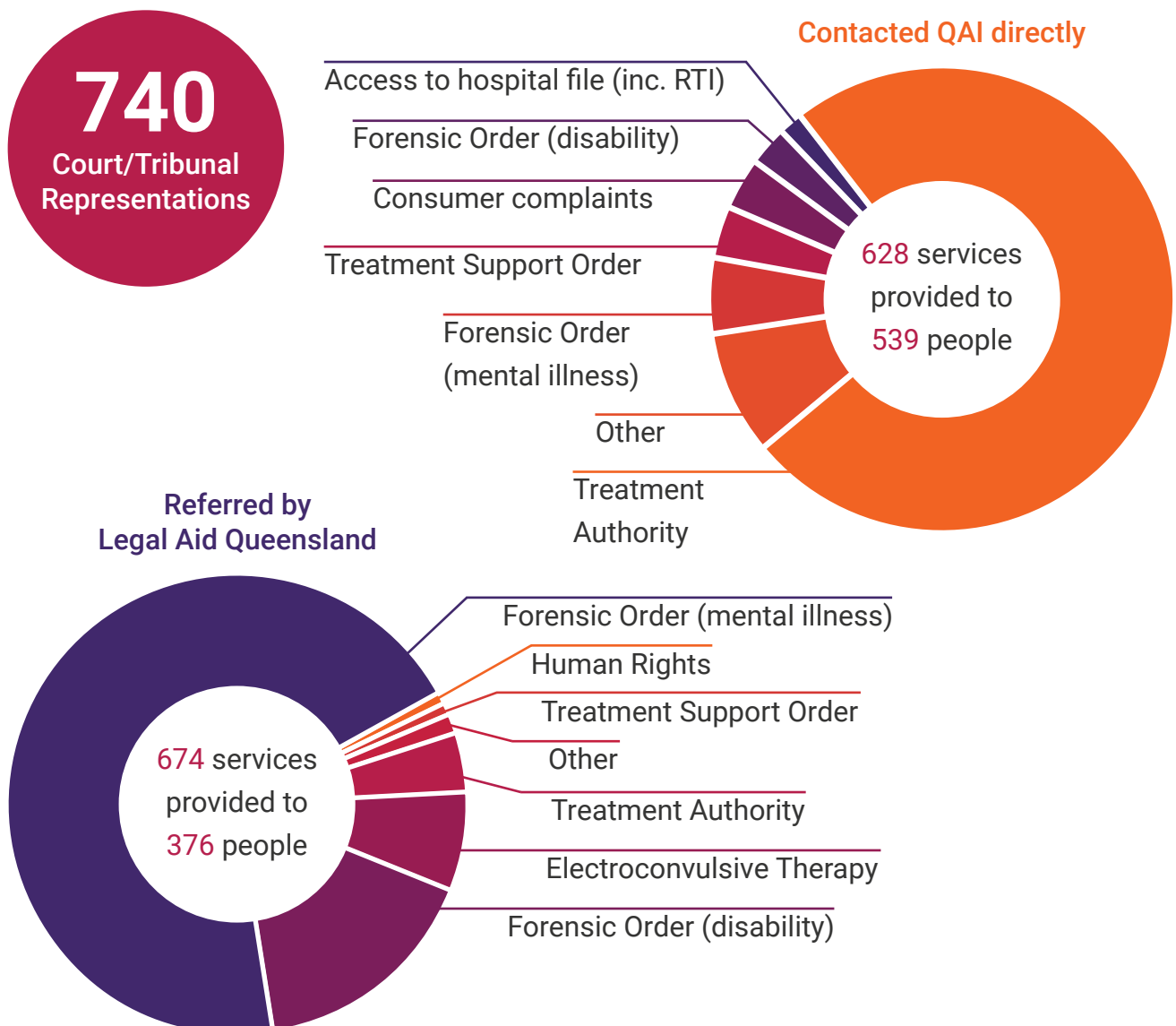
## Mental Health Law

### What we do

QAI's Mental Health Law service helps individuals with disability receiving involuntary mental health treatment in Queensland. Our solicitors provide legal advice for matters arising under the Mental Health Act 2016 (Qld) and representation before the Mental Health Review Tribunal (MHRT) for people subject to Treatment Authorities, Forensic Orders (mental health and disability), Treatment Support Orders, Fitness for Trial Reviews, Confidentiality Order Applications, Applications for Electroconvulsive Therapy and Applications for Transfers to other authorised mental health services.

Our team assist clients across Queensland providing both in person, telephone and video conference assistance as required. Our clients are either referred to us directly, or by Legal Aid Queensland.

### What we assisted with



## Case study - Jean

Jean\* is a First Nations woman who had been found unsound of mind and placed on a Forensic Order by the Mental Health Court. She began rehabilitation as an inpatient and once stable, transitioned back to the community continuing to receive treatment.

Despite good engagement and a complete resolution of symptoms, Jean occasionally struggled with illicit substance use. This was considered an ongoing risk factor and Jean self-identified her social environment was not conducive to abstinence and recovery. Jean believed moving interstate to join family would remove these social pressures. However, she was not allowed to leave Queensland without approval from her treating team. Jean struggled to navigate the legal complexities involved in getting approval. QAI supported Jean to communicate her views, wishes and preferences to her treating team and the Mental Health Review Tribunal (MHRT). Despite best attempts, Jean's requests for interstate transfer and voluntary treatment options were denied. In a desperate bid to remove herself from her social situation and be better supported, she travelled interstate without approval.

Whilst this breached Jean's treatment order conditions, she immediately engaged with mental health professional's interstate and reconnected with her Queensland treating team. It became evident moving had a positive impact on Jean. She maintained employment, had ongoing family support and cultural connections, stable accommodation and demonstrated ongoing abstinence from illicit substances. The Queensland treating team eventually recommended to the MHRT that Jean's involuntary order be revoked. However, the MHRT disagreed and confirmed her order again.

QAI assisted Jean to appeal the MHRT's decision to the Mental Health Court and we were successful in having Jean's involuntary order revoked. Jean now has autonomy and independence and is able to make decisions about her own health care.

\*Name has been changed

## Feedback

**"You restore my hope in humanity which is the most important for me right now. Much gratitude, Carly and all your team at QAI"**

**"Excellent team of people. The help I got was excellent and very helpful."**

# NDIS Advocacy Practice

In 2022-2023 our NDIS Advocacy Practice comprised of two advocacy services, NDIS Appeals Support and Decision Support, which was funded under a Commonwealth pilot since 2018. It was extremely disappointing when in February 2023 the Commonwealth advised the Decision Support Pilot would not be continued beyond 30 June 2023. Through the pilot, our advocates Jenny and Sarah worked with clients to provide them with supported decision-making to navigate the NDIS. This involved guiding and supporting clients through access applications, planning reviews and working to choose appropriate service providers. The need for this type of specific supported decision-making service is in high demand and the failure to fund it in an ongoing capacity seemed irresponsible in our opinion – particularly given the report from the Disability Royal Commission had not yet been released.

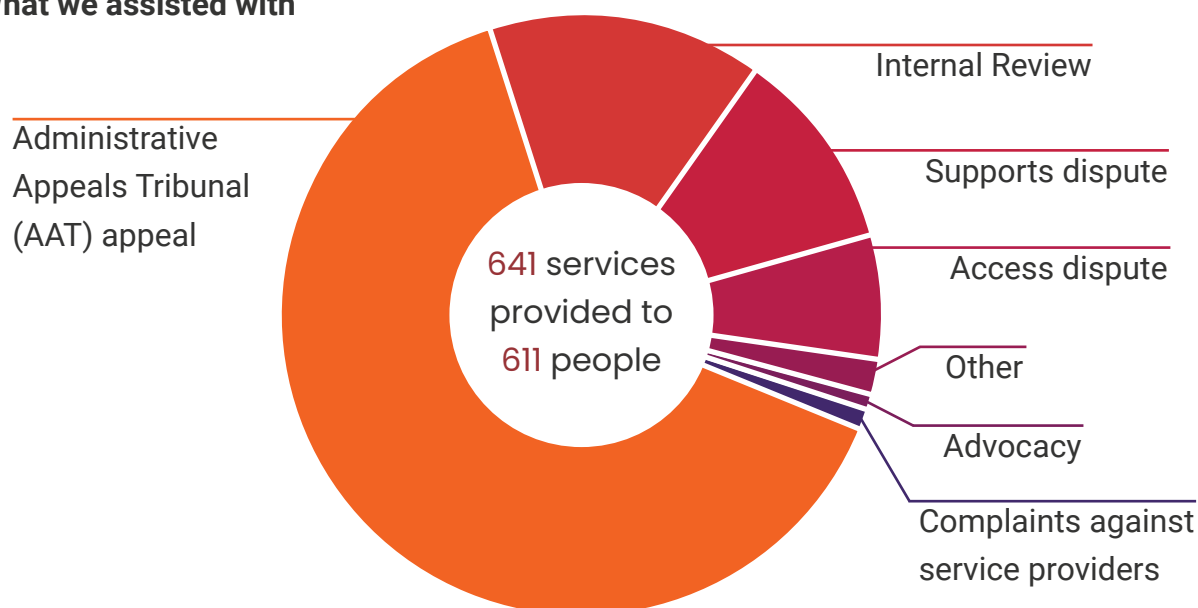
QAI would like to thank and acknowledge our advocates Jenny and Sarah – their care and determination for their clients’ will and preference to be heard through the NDIS process never wavered. They are, in the words of one of our clients “Angels on Earth”.

## NDIS Appeals Support

### What we do

Our appeals team support people with disability impacted by a decision of the NDIA, to review that decision. This year we achieved positive outcomes for all our representation matters without the need to go to hearing. We also published a [set of factsheets and templates](#) on appealing NDIS decisions.

### What we assisted with



## Case study - James

James\*, a young man in his 30s, lives with Autism and Intellectual Disability. James has lived with his elderly father his entire life in a house his father owns. His father plans on leaving that house to James. James's home is a place of comfort and predictability for him. The home is set up specially for James's needs, with a learning space, reinforced walls and his bedroom and support worker bedrooms are side by side. James has privacy and family contact in his home and can live his life on his terms, with his will and preferences respected.

The Agency unfortunately did not agree to provide the supports James needed to live independently in his own home. The Agency's view was that James should move from his home and live with two other participants so that supports could be shared between participants. The Agency's view was that providing the level of support James needed to live in the home of his choice would impact on scheme sustainability. James's family felt like James was being forced into an institutional type setting, against his wishes. During the AAT process, the NDIA made assumptions about what they thought was best for James, which ran contrary to the evidence and was made without speaking with him or his family.

With the support of QAI, James was able to secure support to enable him to continue to live in his own home with his father. As a result, James does not need the NDIA to provide disability housing to him, saving the government those costs. James now has choice and control regarding his housing and future because he has adequate supports to remain living in his own home.

\*Name has been changed

## Feedback

"[We] are over the moon and [Client] wanted me to say thank you for all your hard work... We tried to refer to 5 advocates all had no capacity. Even though [you] had no capacity you assigned a volunteer. [You] enabled [Client]'s voice and as a combined effort the NDIA finally listened to [Client]. Thank you."

"I would like to thank you for your assistance with my case, it made a big difference in the outcome I received."

# Disability Advocacy Practice

## Young Peoples Program

### What we do

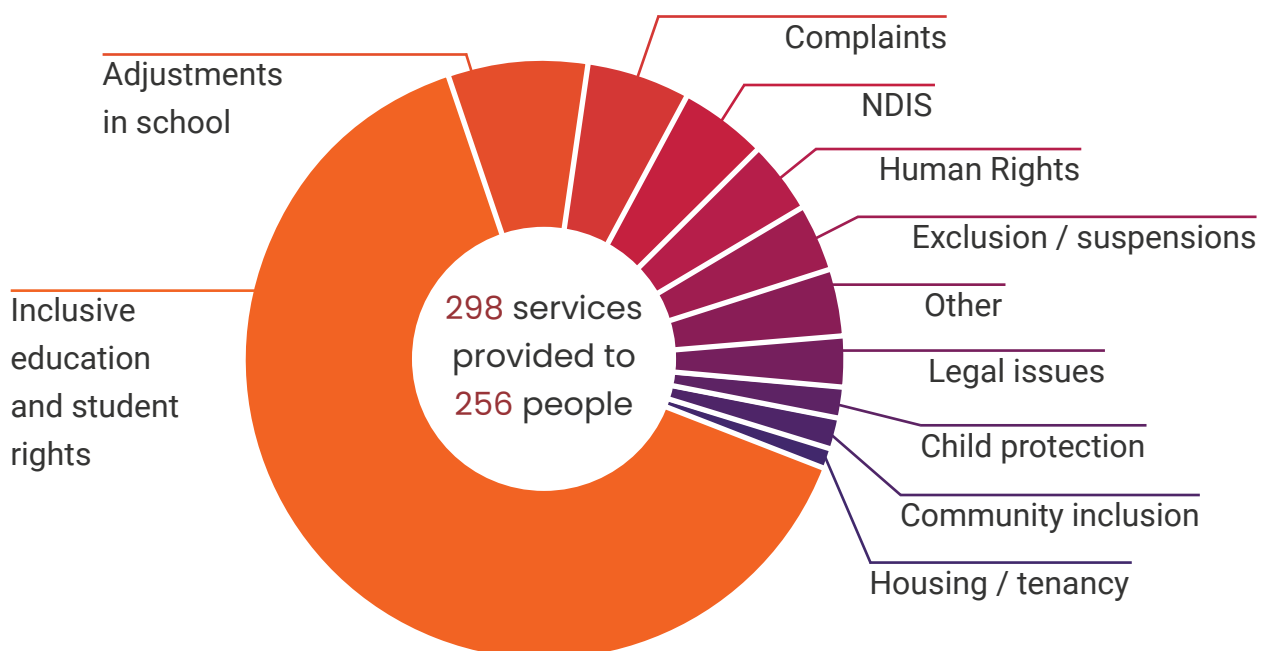
Our Young Peoples Program (YPP) provides individual advocacy for children and young people (from birth to 18 years) with disability to support them to uphold their rights, interests and increase control over their lives. We assist with:

- Navigating systems including education, child safety, NDIS, justice, health
- Experiences of discrimination, conflict and unfair treatment
- Seeking community inclusion, participation, and access

Advocates connected with young people state-wide including outreach trips to Townsville, Cairns, Mackay, Rockhampton, and Bundaberg. Advocates have focused on providing advocacy to young people in youth detention including regular visits to all three youth detention centres in Queensland. Based on our experiences, advocates provided a submission to the Youth Justice Strengthening Community Safety Bill and contributed to the Queensland Family and Child Commission's Child Rights Report. Advocates also participated in the Queensland Collective for Inclusive Education (QCIE) Inclusion Now Rally.

QAI was successful in the tender for education advocacy provided by the Department of Education. This will allow us to continue and expand the advocacy we provide to young people in Queensland State Schools.

### What we assisted with





## Case study - Sam

Sam\* is a 17-year-old attending year 12 at a metro high school. Sam lives independently from his parents and has been diagnosed with a mental health condition. The school is aware of all diagnoses and Sam's living situation and challenges outside school. Sam has had a number of absences from school over the last 6 months, due to challenges with mental and physical health (including hospitalisation) and a period of homelessness, but has continued to achieve high grades in all subjects and has the support of all of his teachers. Even though all information has been made available to the school, Sam was issued with a warning notice for cancellation of enrolment. This warning took a severe toll on Sam's mental health, as well as a threat to his housing as it is dependent on maintaining enrolment at school.

Sam had been required to attend a number of 'monitoring meetings' with members of the school management team, sometimes without a support person, which resulted in missing valuable class time as well as exacerbating Sam's anxiety around school and housing. Sam felt the meetings were not helpful and were being used to instill fear instead of to understand and work with him to graduate at the end of this year. Sam wished to cancel the 'monitoring meetings' so he could attend all his classes, and to have reassurance the school would not cancel his enrolment. Sam contacted QAI and requested an advocate to attend the next 'monitoring meeting' with him and a supportive member of the school team, as well as to give him advice on his rights at school. At the next 'monitoring meeting' our advocate assisted Sam to establish that the meetings would not need to continue as supports had been put in place. The advocate also ensured the school management team were aware of the conditions and responsibilities of cancelling enrolment, and how issuing a warning had impacted Sam.

Sam told his advocate, "things have really improved with school since working with you and your organisation. Your advocacy is partly to thank for me making it this far in school, as I am now only a few weeks away from graduating. Thank you so much again."

\*Name has been changed

## Feedback

"Thank you so much for all your help. I can't even begin to describe the difference you being there made. It has really given us the support we needed to be taken seriously."

"Its nice to see QAI has such a high regard for maintaining the dignity of its clients. Very refreshing."

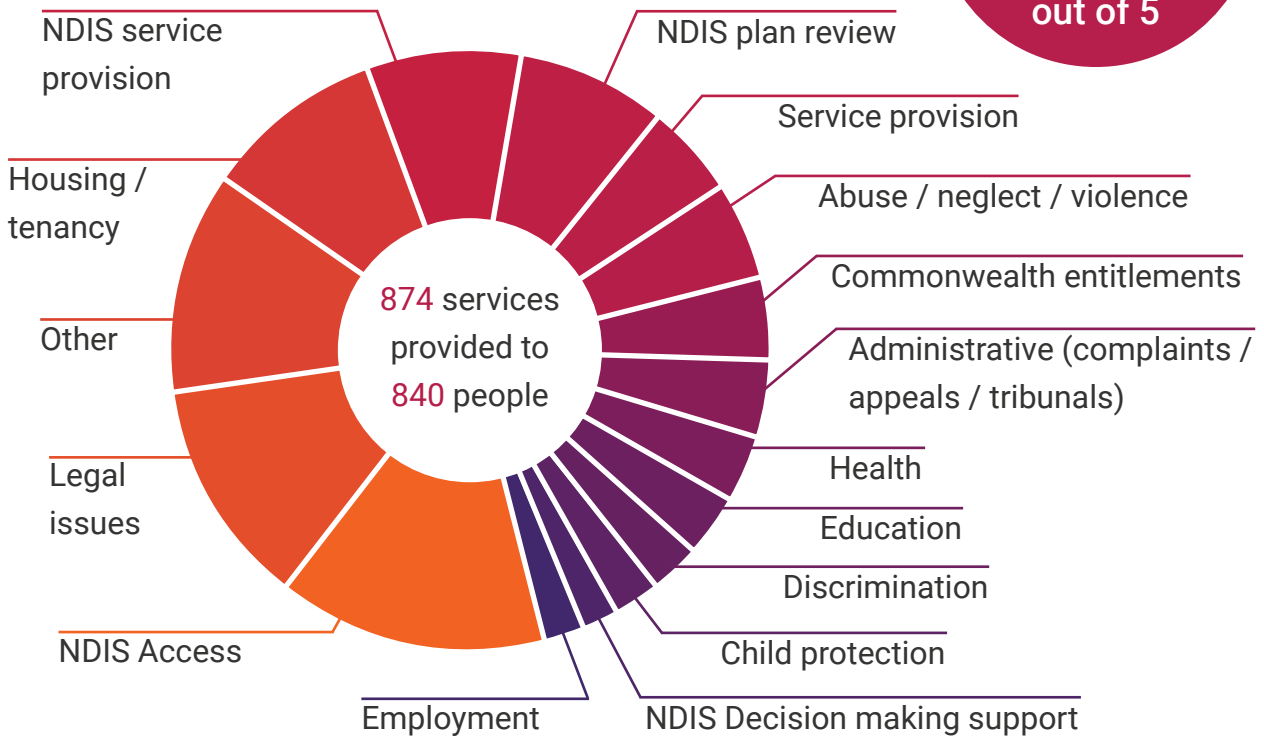
# Pathways

## What we do

Pathways is a service that assists Queenslanders with disability, their family, friends and carers to find advocacy services to suit their needs and location.

Client satisfaction  
**4.8**  
out of 5

## What we assisted with



## Case study - Peter

Peter\* contacted Pathways seeking information and help for a Centrelink issue. Peter is unable to work due to disability, and was receiving the JobSeeker payment. Peter had applied for the DSP on several occasions, but his applications were rejected as Centrelink deemed his disability to be “temporary”. The situation was exacerbated when Peter received notification from Centrelink advising that they would be cutting off his JobSeeker payments unless he starts applying for work.

In addition to the Centrelink issues, Peter experienced financial disadvantage and was unable to afford his medical expenses and transport. Peter lived in a boarding house and had limited informal or formal support. Peter also experienced social isolation and loneliness.

With Peter’s consent, Pathways made a warm referral to a Community Legal Centre to assist with his Centrelink issues and to help with DSP access. Pathways also made a warm referral to disability advocacy to support Peter to access the community. Both referrals were accepted.

Peter provided feedback on his experience with Pathways, “[Pathways staff member] has compassion, kindness and consideration in abundance. Just by showing care and offering sound counsel, [Pathways staff member] transformed my despondent mindset in a matter of minutes.”

“I just wanted to send my gratitude for the help Pathways provided to me. [Advocate] has been sensational in her endeavours to aid my progress with the labyrinth which is Centrelink. Thank you from the bottom of my heart.”

\*Name has been changed

## Feedback

“[Pathways staff member] elevated my mindset from the depths of despair. It has led to a flurry of activity. I am eternally grateful.”

“[Pathways staff member] was proper amazing. I am pleased to know that there is a service like this available. [The Pathways staff member] provided such a calming presence and was very level-headed. They were able to provide an incredible and clear summary of information.”

# Treasurer report

2022-2023 saw the expansion of some QAI services and the ending of other funded programs, with total income for the year increasing by 12% to \$4.7 million.

Regarding funded programs for the year:

- The Young People's Program and the Systemic Advocacy and Information Referral Service both funded by the Dept. of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships (DSDSATSIP) operated for their first full financial year of delivery.
- The Queensland Department of Education contract, originally funded for one advocate was renewed from October 2022 for a period of two years with the funding increased to cover two advocates.
- QAI received a one-off Commonwealth grant of \$119,584 to provide frontline legal assistance services in response to the flood/weather events of February 2022.
- With the Disability Royal Commission ending we saw the end of the current DRC Advocacy program funded through the Department of Social Services (DSS).
- The National Disability Advocacy Program Decision Support Pilot program funded through DSS operated to the end of the financial year but has now been discontinued.

- One-off funding for the year of \$128,402 was received from DSS to fund advocacy work in the NDIS Independent Expert Review space.
- A one-off top up of \$150,000 was received from DSS for the NDIS Appeals Program. This top-up will be used across 2023-24 and 2024-25 to maintain a more stable staffing environment through the program's agreement period.

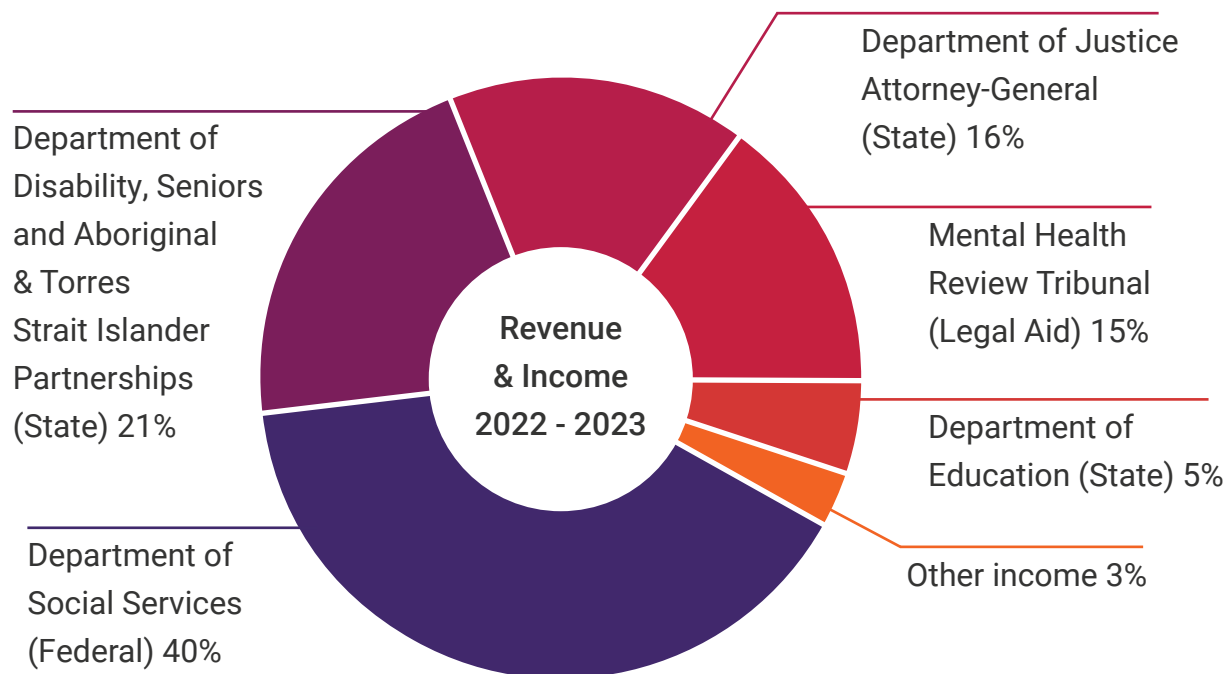
The existing office lease ended in May 2022. It was decided to remain in our current premises and undertake a renovation to create a space better designed to meet our ongoing needs and improve accessibility for staff and clients. The renovation cost will be absorbed over five years through an agreement with the landlords.

Over 82% of expenditure in the year was on wage expenses, again displaying QAI's commitment to maximizing service delivery. The year's surplus was around 5.5% of income.

A focus on risk management and continuity planning remains a priority in protecting QAI's sustainability. Financially, I am confident the organisation is well placed to meet its ongoing cash flow and other commitments and to continue to deliver high quality services to people with disability in Queensland.

Edward Cole, Treasurer

# Financial summary



## Profit and loss summary

Total revenue	\$4,546,733.95
Other income	\$156,297.19
Total expenses	- \$4,427,704.91
Net surplus	\$275,326.23

The full audited financial report is available upon request.

# Our funders



**Queensland  
Government**





**Australian Government**








Advocacy for people with disability

 9am-4:30pm Monday-Friday


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