

Merri-bek Civic Centre
90 Bell Street
Coburg Victoria 3058
T: (03) 9240 1111

Postal Address
Locked Bag 10
Brunswick Victoria 3056

merri-bek.vic.gov.au



To the Department of Families, Fairness and Housing (DFFH),

Re: Disability Inclusion Draft Bill 2022 - Merri-bek City Council submission

Merri-bek City Council welcomes the opportunity to provide feedback about the Victorian Disability Inclusion Draft Bill 2022. This submission has been informed by feedback from members of Council's Disability Reference Group (made up of local residents with a disability).

Merri-bek City Council welcomes the new draft Bill and is supportive of many of the improvements that will lead to a more inclusive community for people with disability in Victoria. Especially noteworthy is:

- the strengthening of accountability and reporting mechanisms
- the focus on Universal Design and co-design
- the addition of Disability Impact Assessments and proposed 'new duties' for defined entities
- the attention given to intersectionality
- the new role of a Disability Commissioner.

We believe the Bill makes ambitious, yet important and achievable, steps to confronting ableism, promoting equality, and ensuring people with disabilities are included in all aspects of public life.

We recommend further consideration to the following issues when developing the final version of the Bill:

- The Bill would be strengthened by referring and locating in the context of the Disability Discrimination Act (DDA) 1992. Given the importance of this Federal legislation, alignment of the bill to the spirit and purpose of the DDA 1992 would be important.
- Physical access barriers are a major concern for many people with disabilities and they lead to social isolation and exclusion. While these physical barriers are usually caused by ableist attitudes, which the Bill successfully addresses, the Bill could be further strengthened by more explicit measures to address equal access to the physical environment.
- Inaccessible public transport is a major concern for people with disability that limits participation and inclusion to community life. The Bill could be strengthened through a greater acknowledgement of the importance of accessible public transport.
- 'Objective (g)' could be worded differently to avoid confusion.
- The new 'Inclusion Principles' create a solid foundation for the emergence of sound goals and actions, however reducing or consolidating these would magnify their impact.
- Regarding the preparation of the State Disability Plan (Section 12, (4)), we suggest it is a requirement for the State to consult with people with disabilities when preparing the Plan. This is not explicitly mentioned. Making this a requirement appeals to the notion of 'Nothing About Us, Without Us.'
- We welcome the inclusion of Disability Impact Assessments (DIAs). We recommend further detail about how the State Government will support defined entities to build their capacity to

conduct thorough DIAs that promote universal design, reduce barriers and promote inclusion for people with disabilities. Conducting these assessments and making these decisions will require a good knowledge of universal design and disability access and inclusion issues that are somewhat lacking across the sector.

- In addition, the requirement to conduct DIAs requires adequate resourcing. There is an opportunity to consolidate similar assessment requirements (e.g., Gender Impact Assessments) to maximise resources and encourage an intersectional approach by stakeholders.
- While the focus on Universal Design (UD) is welcomed, a frequent criticism of UD is that it fails to properly recognise cultural interests. The concern here is that an adherence to UD principles will neglect important cultural interests when designing places, programs, goods and services. We would like the Act to make reference to the importance of cultural appropriateness, safety and inclusion in order to overcome the limitations of UD.
- Section 15, 2 (b) - should be expanded to include 'education and training'.
- The new role of Disability Commissioner is welcomed. The role would be strengthened by including within its scope the ability to receive complaints relating to disability inclusion.
- We would like to see some guidance in the Bill about how the future Act will work together with the Disability Act 2006. We assume some sections of the Disability Act 2006 will be amended to ensure there is no confusion with the new obligations for defined entities in the Disability Inclusion Act.

Overall, Merri-bek City Council is supportive of many of the improvements proposed in the Disability Inclusion Draft Bill and congratulates the Victorian Government for its commitment to strengthening disability inclusion in our state. We are grateful for this opportunity to provide feedback and encourage further engagement as the introduction of the bill progresses.

Yours sincerely
Eamonn Fennessy
Director Community
Merri-bek City Council