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Select Committee on the Cost of Living
Parliament of Australia

FPDN Submission to the Select Committee on the Cost of Living

The First Peoples Disability Network (FPDN) welcomes the opportunity to make a submission to the Parliament of Australia Select Committee on the Cost of Living.

This submission is structured so that responses to the Cost of Living are found on the initial pages, and further information about FPDN, First Nations people with disability, our policy context and the relevant data gaps can be found in [Appendix A](#).

About FPDN

The First Peoples Disability Network (FPDN) is the national peak organisation of and for Australia's First Peoples with disability, their families and communities. We actively engage with communities around Australia and represent Aboriginal and Torres Strait Islander people with disability in Australia and internationally. Our goal is to influence public policy within a human rights framework established by the United Nations Convention on the Rights of Persons with Disability and the United Nations Declaration on the Rights of Indigenous Peoples. Consistent with our principle of community control, our organisation is governed by First Peoples with lived experience of disability.



FPDN is a Disability Representative Organisation, the Aboriginal community-controlled disability peak, and member of the Coalition of Peaks, a partner to all Australian governments through the National Agreement on Closing the Gap. FPDN led the development of the Closing the Gap (CtG) Disability Sector Strengthening Plan and is actively involved in the CtG Housing Sector Strengthening agenda, the CtG Justice Policy Partnership and the CtG Early Childhood and Development Policy Partnership. FPDN is also a key Commonwealth partner dedicated to progressing implementation of *Australia's Disability Strategy 2021-2031*.

Overarching Recommendations

FPDN recommends the following actions be taken based on the evidence provided in this submission if you wish to reduce levels of poverty and increase access to relevant supports for First Nations people with disability:

1. Recognise the colonial impact and legacies of systemic racism and ableism on the disproportional experiences of poverty on First Nations people with disability
2. Reform accessibility criteria to the Disability Support Pension
3. Ensure the appropriate resourcing and implementation of the CtG Disability Sector Strengthening Plan in all jurisdictions which will support:
 - a. Investment in specific First Nations disability employment interventions
 - b. Investment in building the capacity of employers to create culturally safe, inclusive and accessible working environments
4. Invest in the emergency and crisis support accessibility in regional, remote and very remote areas
5. Review and reform Australian Disability Enterprise wages
6. Fund a review of the availability of culturally appropriate and accessible housing options
7. Create dedicated policies and pathways for First Nations people with disability and caring responsibilities into social housing and the private rental markets
8. Increase consultation with First Nations people with disability and the wider First Nations and disability communities in the areas of health, climate change, disaster and emergency management and recovery



9. Application of the Priority Reforms set out under the National Agreement on Closing the Gap across any measures/ decision taken by the committee to address the cost of living crisis
10. Support implementation of the relevant recommendations from the NDIS Review and the Final Report of the Disability Royal Commission
11. Support the funding and establishment of a First Nations Disability Forum that elevates the voices of First Nations people with disability, giving them a genuine say and access to shared-decision making across the NDIS, Australia's Disability Strategy and Closing the Gap

Cost of living pressures facing First Nations People with Disability

The rise in the cost of living is placing increasing financial pressures on all people. However, we know that our community members that face overlapping disadvantage, exclusion and marginalisation bear the brunt of these pressures. For First Nations people with disability, their families and communities compounding discrimination due to the intersectional factors of racism, disability, gender and remoteness all combine to reinforce poverty and economic exclusion.

The prevalence of disability in the First Nations community is 1.5 times higher than in non-Indigenous communities. This equates to 38% of First Nations people living with disability, and 8.1% (66,100) First Nations people living with severe or profound disability.¹ This is exacerbated in rural and remote communities where there are additional challenges around accessing transport, services, and accommodation.²

People with disability are less likely to be in paid employment and for people with disability who are employed, they are more likely to live in the lowest quintile of household income.³

¹ AIHW, '[Specialised support and informal care for First Nations people with disability](#),' 2023, accessed 11 March 2024.

² Ibid

³ ABS, '[Disability and the labour force](#),' 2020, accessed 11 March 2024.



This is significant when factoring the additional impacts the cost of living crisis is having on people with disability.

Additionally, accessing the NDIS can be problematic for First Nations people with disability due to the complexity of the process, differences in communication expectations, and inherent mistrust of government and mainstream frontline services informed by lived experiences of discrimination and intergenerational trauma. Without critical NDIS support, the medical, social and physical needs of our First Nations people with disability go unmet, leading to further disadvantage.

During emergencies and times of financial stress, First Nations people living in remote areas have the added difficulty of accessing what people think of as commonly available emergency interventions for community members in crisis.

“You can’t go to a food bank. There’s no food bank here. You can’t go to a second-hand shop and buy clothes for your kids from the second-hand shop to go to school. You can’t go. There’s nothing. Total nothing. Zero.”

- Resident of a remote community ⁴

Without funding and resources, basic needs are left unmet in our communities. In FPDN consultations across remote areas, First Nations people with disability explained to us that services were so limited that they would often go days or weeks without access to basic assistance, such as assistance with showering or buying perishable items. In order to fill these support gaps, participants described having to rely on family members (who are ineligible for financial compensation under NDIS legislation) which they said put pressure on their relationships.⁵

Furthermore, ongoing legacies of colonisation, institutionalisation, incarceration, stolen wages, removal of children and institutionalised ableism and racism in policies, programs

⁴ FPDN, '[FPDN Podcast Yarning Disability, Episode 17.](#)'

⁵ FPDN, '[The NDIS Workforce and First Nations People.](#)' NDIS Review Submission, 2023.



and services across the life-course, and across all sectors and systems contribute to the ongoing cycle of poverty in our communities. For example, First Nations children may have unrecognised disability and are instead labelled as the naughty black child⁶ from an early age, resulting in high expulsion rates in schools. This leads to engagement with the justice system, which then leads to challenges in employment opportunities. These experiences exist across the life-course and sectors – from early childhood, housing, health, education, justice, and aged care.

Definition: The Poverty Trap

“The experience of poverty is not limited to merely issues of access to income, education and health but can also be seen as the deprivation of a person’s capabilities to live the life they have a reason to value.

“The poverty trap can be described as the experience of long-term marginalisation from social, economic and political structures, limiting ones choice of and access to necessary and appropriate supports that reduce the impacts of poverty. Multiple lays and cycles of poverty can co-exist at any one time, often perpetuating new cycles. This makes breaking cycles of poverty difficult for individuals and increases the likelihood of families being trapped in poverty for generations.

“The poverty trap experienced by many First Nations peoples is a reflection of their historical treatment as peoples and their ongoing marginalisation from political, social and economic structures”.

- Wiyi Yani U Thangani (Women’s Voices): Securing Our Rights, Securing Our Future Report (2020)⁷

⁶ Dr Scott Avery, [‘Culture is Inclusion,’](#) DARU 2019.

⁷ Australian Human Rights Commission, [‘Wiyi Yani U Thangani \(Women’s Voices\): Securing Our Rights, Securing Our Future’](#) (2020) p.66



Disproportionate stress and financial impacts of interacting with social security and health systems for First Nations people with disability

During a FPDN's regular community consultations and engagements, participants speak to us about the difficulty of accessing supports and the emotional impacts this has on every day life. Below we have highlighted the challenges First Nations people with disability face with interaction with the social security and health systems, services, programs and schemes throughout Australia.

Diagnosis and Disability

Assessments for disability are costly and can be a prohibitive factor for people on low income. In a recent report, a First Nations person with disability explained that government needs "to help First Nations people get access to earlier assessments and diagnosis so that they can have supports earlier. These should be funded in NDIS plans as most people cannot get these done and without them, they cannot get access to NDIS."⁸ This shows that funding for assessments should be a priority so that all people have access to the same supports as needed.

Similarly, there are a lack of culturally responsive diagnostic tools and availability of services to help with receiving a diagnosis. In addition to the fundamental flaw in the diagnostic tests as being culturally inappropriate, especially the WHODAS and Pedi-CAT, key barriers include locational barriers to undertaking the diagnostic testing, and the western medical model of disability juxtaposed with the First Nations cultural inclusion model of disability.⁹ These factors contribute to difficulties for people to receiving a diagnosis. However, without a diagnosis and the accompanying supports, people with disability are not likely to reach their educational and employment potential, resulting in a poverty cycle discussed earlier.¹⁰

Accessibility and Affordability of NDIS Supports

⁸ FPDN, '[The NDIS and Medical Model Gatekeeping](#),' 2023, accessed March 15, 2024.

⁹ FPDN, '[The NDIS and Medical Model Gatekeeping](#),' 2023, accessed March 15, 2024.

¹⁰ FPDN, 'Joint Standing Committee on the National Disability Insurance Scheme – General Issues around the implementation and performance of the NDIS,' 2020, internal document.



For many First Nations people with disability, accessibility and affordability of NDIS supports are limited. There are some barriers to consider as to why it is difficult for First Nations people with disabilities and their families to access the NDIS:

- Cultural differences and language barriers can pose challenges for Aboriginal people in understanding and engaging with the NDIS. The scheme's processes, documentation, and communication may not be culturally sensitive or adapted to the needs of Aboriginal communities;
- Many remote Aboriginal communities are in areas with limited infrastructure, including inadequate transportation and communication networks. This isolation can make it difficult for individuals to access assessment services, support coordination, and other essential elements of the NDIS;
- Low awareness and limited information about the NDIS can be a significant barrier. Many Aboriginal communities may not be adequately informed about the eligibility criteria, benefits, and available supports under the scheme. This can lead to a lack of understanding and reluctance to engage with the NDIS. That coupled with Plan Management companies doing recruitment drives and making empty promises has muddied the water for remote communities;
- Remote communities often face a shortage of local disability service providers. The scarcity of service providers in these areas can result in long waiting lists for assessments, delays in accessing appropriate support, and limited options for individuals seeking services under the NDIS;
- The NDIS application and planning processes can be complex and bureaucratic, requiring extensive documentation and evidence to prove eligibility. These processes may be overwhelming for individuals with limited literacy or numeracy skills, hindering their ability to navigate the system effectively. Having these services run centrally with trained local support would help progress the system fairly for Aboriginal and Torres Strait Islander people; and
- Aboriginal people in remote communities face higher levels of socioeconomic disadvantage, including poverty, unemployment, and limited access to education and healthcare. These factors can compound the difficulties in accessing the NDIS, as



individuals may lack the resources and support needed to engage with the scheme effectively.

The Disability Support Pension

For First Nations people, the uptake of the Disability Support Pension (DSP) is a challenging process due to the complexity of the claim process, literacy barriers, lack of access to medical services to “diagnose” disability, and lack of access to supports in making the claim.¹¹ A 2019 report showed that First Nations people are twice as likely as non-Indigenous Australians to have disability yet their uptake of the DSP is problematic due to fulfilling the eligibility criteria, the increased costs of gaining a diagnosis, limitations to transport – particularly in rural and remote areas, and challenges communicating with Centrelink around the DSP process.¹² Whilst the DSP provides a small income for people with a significant disability or chronic illness that is likely to reduce working hours, or prohibit the person from working,¹³ support is limited for First Nations people with disability without the DSP.

DSP Ineligibility: Poverty and Jobseeker

For many First Nations people with disability who do not meet the criteria for the DSP, they fall through known support gaps, facing higher rates of poverty due to their lack of income. The DSP is often hard to obtain due to its strict threshold requirements and for those who do not meet eligibility, they will receive Job Seeker, or an equivalent, which is a significantly lesser fortnightly payment when compared to the DSP. Those on Job Seeker are often working in low-wage, part-time or precarious labour, if at all. This places extreme financial pressure on First Nations people with disability to meet their daily financial obligations such as food, petrol and clothing, let alone provide enough funds to access the costly diagnostic specialists and support required to access a medical diagnoses. One way to overcome the barriers that have been mentioned is to end or reform restrictions for the DSP and increase

¹¹ Commonwealth Ombudsman, [‘Department of Human Services: Accessibility of Disability Support Pension for remote Indigenous Australians,’](#) 2016, accessed March 18, 2024.

¹² K Soldatic and M Fitts, Western Sydney University, [‘At what cost?’ Indigenous Australians’ experience of applying for disability income support \(Disability Support Pension\),’](#) 2018, accessed March 18, 2024.

¹³ Australian Government, Services Australia, [‘Disability Support Pension,’](#) 2024, accessed March 15, 2024.



the rates at which income supports such as Jobseeker are being offered to ensure an adequate standard of living.

Low labour market participation of people with disability

The unemployment rate for people with disability sits at 10.5% compared to the unemployment rate of 4.6% for people without disability.¹⁴ Furthermore, unemployment rates for First Nations people are higher than non-Indigenous people across all age groups¹⁵ and 38% of First Nations people report having a disability.¹⁶ The intersection of First Nations people with disability gives an indication of potential challenges and barriers that this cohort face. There needs to be a greater focus on recognising the strengths and inherent challenges of the disability community and those impacted by intersectional marginalisation – that is, the overlap of factors that contribute to disadvantage. In particular, First Nations people with disability are vulnerable to ongoing marginalisation, discrimination and disadvantage if both their needs as First Nations people and a person with disability are not recognised and accommodated for within places of employment.

The United Nations Disability Inclusion Strategy¹⁷ Indicator 13 states that policies and strategies around employment need to include provisions to recruit, retain and promote employees with disability. Likewise, Australia's Disability Strategy 2021-2031¹⁸ recognises that employment and financial security are key to improving outcomes for people with disability. This includes having sufficient income to meet needs, which for people with disability, includes additional medical and support costs.

The National Agreement on Closing the Gap highlights that the target to halve the gap in employment outcomes between First Nations people and non-Indigenous people has not

¹⁴ Australian Government, Department of Social Services, '[Disability Employment Landscape Research Report](#),' 2021, accessed 26 February 2024.

¹⁵ ABS, '[Census of Population and Housing: Characteristics of Aboriginal and Torres Strait Islander Australians](#),' 2016, accessed 10 March 2023.

¹⁶ Australian Bureau of Statistics, '[National Aboriginal and Torres Strait Islander Health Survey](#),' 2019, accessed 10 March 2023.

¹⁷ United Nations, '[Disability Inclusion Strategy](#),' accessed March 19, 2024.

¹⁸ Australian Government, '[Australia's Disability Strategy 2021-2031](#),' 2021, accessed March 19, 2024.



been met. This is problematic as “employment status also has associations with outcomes for health, social and emotional wellbeing, and living standards (Bambra 2011; Gray et al. 2014; Marmot 2015).¹⁹ Without decent and stable employment, the cycle of poverty is likely to continue.

Segregated employment

Another relevant barrier for First Nations people with disability to have equal access to sufficient levels of income and employment is to review segregated employment for people with disability through Australian Disability Enterprises (ADEs). This form of employment enables employers to pay people with disabilities lower wages than their non-disabled counterparts. There is also less opportunity for people with disability to move into mainstream employment. This highlights that people with disability are receiving much lower income in comparison to people without disabilities and therefore it is extremely difficult for First Nations people with disability to keep up with the cost of living and leave the cycle of poverty.

Current housing crisis

The current housing crisis, alongside the rising cost of living contribute to the lack of housing options for people on low incomes. When disability and poverty intersect, First Nations people are likely to have unmet housing needs. The impact of intersectionality, where disability and poverty combine, affect even the ability to search for rental housing as appropriate and affordable transport is required to view available houses, and access to digital technology is required to apply for housing. Finding affordable and stable housing has become increasingly difficult as rental prices are increasing with low vacancy rates on rental properties.

Having safe and affordable housing, without overcrowding, contributes to the Closing the Gap outcomes in health, education and employment. Without appropriate housing, individuals experience poorer health outcomes and lower levels of education, leading to

¹⁹ Coalition of Peaks, '[National Agreement on Closing the Gap](#),' 2020, accessed 8 January 2024.



lower rates of employment.²⁰ Likewise, insecure or inadequate housing leads to poor social and emotional wellbeing.²¹ Vallesi et al write: “With so many Aboriginal Australians experiencing homelessness, it is no wonder that five of the seven [Closing the Gap] targets relating to school attendance, life expectancy, educational achievement, and employment are not on track. Without a safe and secure place to call home, school attendance, employment, and health become inconsequential in the hierarchy of needs.”²²

The lack of affordability around home ownership and private rental pushes First Nations people, and particularly those with disability, into social housing. Yet social housing has issues with long wait times and limited supply of social housing. With a high demand for social housing, housing may not be suitable as it can fall short of basic standards and accessibility for people with disability.²³ Statistics show that First Nations Australians are four times more likely to be living in social housing and experience overcrowding in the dwelling.²⁴

Anecdotally, we know this figure is worse for First Nations people with disability who struggle to find accessible and affordable housing options. Housing accessibility can include ramps for wheelchairs, bathrooms with accessible showers and railings, and adequate number of bedrooms for household members and carers. A lack of accessible housing can also mean that available housing is in disrepair. For example, in the Northern Territory, failures to carry out repairs in public housing had been documented, and the question was raised whether compensation should be provided to householders who experienced mental distress because of the failure to carry out repairs to make a house habitable.²⁵ Inhabitable

²⁰ AIHW, [‘People with disability in Australia: Housing,’](#) accessed 27 March 2023.

²¹ M Andersen, A Williamson, P Fernando, S Redman and F Vincent, ‘There’s a housing crisis going on in Sydney for Aboriginal people: focus group accounts of housing and perceived associations with health,’ BMC Public Health, 2016, 16: 429.

²² S Vallesi, E Tighe, H Bropho, M Potangaroa and L Watkins, ‘Wongee Mia: An innovative family-centred approach to addressing Aboriginal housing needs and preventing eviction in Australia,’ International Journal of Environmental Research and Public Health, 2020, 17, 5501, p 10.

²³ M Andersen, A Williamson, P Fernando, S Redman and F Vincent, ‘There’s a housing crisis going on in Sydney for Aboriginal people: focus group accounts of housing and perceived associations with health,’ BMC Public Health, 2016, 16: 429.

²⁴ Australian Government, Treasury, [‘Improving housing supply and affordability,’](#) n.d., accessed 16 June 2023.

²⁵ E Byrne, [‘High Court to decide if Santa Teresa public housing tenants can sue Northern Territory government’](#)



housing also includes issues such as mould, leaking in the building, vermin, and substandard plumbing and electrical wiring.²⁶

Environmental and climate crisis

Housing issues are exacerbated during crisis, including floods and fires or experiences of family violence, exploitation or abuse. The Disability Royal Commission showed up that First Nations people with disability are at a higher risk at experiences all of these crisis' but do not have access to the appropriate supports, such as sourcing suitable emergency relief housing.²⁷

In times of environmental and climate crisis, First Nations peoples with disability are often pushed to the fringes of communities, cities, townships and settlements. These are locations that are often poorly serviced by public, sustainable and accessible infrastructure and can be places that have high chances of experiencing extreme climate crisis events such as floods and fires. Listening to, and learning from, First Nations people with disability is of vital importance as the issues of climate change continues to increase the communities exposure to crisis which disproportionately impact this group.²⁸

Consultation is needed within First Nations remote communities around disaster and pandemic planning and recovery with the aim to have culturally appropriate resources and strategies in place. This is of particular importance for First Nations people with disability who have additional support needs when it comes to disaster and pandemic planning and recovery, particularly those living or detained in institutional settings such as prisons and disability group homes.

[for disappointment and distress](#), accessed 16 March, 2023.

²⁶ M Andersen, A Williamson, P Fernando, S Redman and F Vincent, 'There's a housing crisis going on in Sydney for Aboriginal people: focus group accounts of housing and perceived associations with health,' *BMC Public Health*, 2016, 16: 429.

²⁷ M Andersen, A Williamson, P Fernando, S Eades and S Redman, 'They took the land, now we're fighting for a house: Aboriginal perspectives about urban housing disadvantage,' *Housing Studies*, 2018, 33:4, 635-660.

²⁸ United Nations Climate Change, [Disability Caucus – High-level Segment Statement COP 26](#), 2021, accessed 24 July 2023.



Other related matters

Ongoing distress due to disability poverty is recognised as a global issue. However, people in poverty need to have autonomy over the income that they do have. In a 2020 report²⁹ it showed that 50%-80% of welfare recipients' payments were quarantined, and the payments were overseen by a provide company who profited significantly from this process. In Australia there are two main cards that are used to access the quarantined funds – and one of these cards can only be used at approved businesses³⁰. In remote or rural communities this can be problematic as choice is limited and prices may be too high in the approved business. This type of income control creates stress among participants as it limits self-determination and creates another layer of financial dependence.³¹

Furthermore, the Disability Royal Commission (DRC), revealed a number of findings in regard to First Nations people living with disability within Australia. In particular, the over-representation of First Nations people with disability in prison, and First Nations young people within the juvenile justice system. This demonstrates a failure of proper disability diagnosis and treatment with early intervention, outlining a lack of culturally appropriate services, inadequate funding for remote service delivery, and overall lack of cultural capability.

Measures to ease the cost of living through the provision of Government services

The National Closing the Gap (CtG) targets inherently connect to the reduction of poverty in First Nations communities. In particular:

- Target 8: Strong economic participation and development of people and their communities, and
- Target 9: People can secure appropriate, affordable housing that is aligned with their priorities and needs.

²⁹ Humpage, L., Peterie, M., Marston, G., Mendes, P., Bielefeld, S. and Staines, Z. (2020) Helping or Harming? Compulsory Income Management in Australia and New Zealand – Summary Report. Brisbane, School of Social Science, University of Queensland, Australia.

³⁰ *ibid*

³¹ *ibid*



Target 9 is of particular significance for First Nations people living with disability, outlining necessity for appropriate housing and access to services of which are integral for many First Nations people living in communities without adequate housing and services.

Using the **Priority Reforms** under CtG, there is an existing structure for government to ensure First Nations peoples with disability have:

- a greater say in how policies and programs are designed and delivered;
- have access to community-controlled services and sectors that delivers culturally safe, accessible and inclusive, and disability-rights informed services;
- have access to mainstream organisations and services, such as NDIS services, hospitals, schools and government agencies, that are culturally safe, accessible and inclusive, and disability-rights informed;
- and have access to, and the capability to use, locally relevant, First Nations disability informed, data and information.

Disability Royal Commission Final Report

FPDN is currently reviewing the Disability Royal Commission (DRC) into Violence, Abuse, Neglect and Exploitation of People with Disability's report before committing to endorse recommendations. However, FPDN supports inclusion, equality, self-determination and ending segregation. The DRC recommendations shown below are recommended for consideration around the cost of living for First Nations people with disability.

- Recommendation 7.28: Improve information about wages and the Disability Support Pension;
- Recommendation 7.29: Embed an 'open employment first' approach in the NDIS Participant Employment Strategy;
- Recommendation 7.31: Raise subminimum wages;
- Recommendation 7.32: End segregated employment;
- Recommendation 7.33: Prioritise people with disability in key national housing and homelessness approaches;
- Recommendation 7.34: Include homelessness in Australia's Disability Strategy;



- Recommendation 7.35: Increase the availability and supply of accessible and adaptive housing for people with disability through the National Construction Code;
- Recommendation 7.36: Improve social housing operational policy and processes;
- Recommendation 7.40: Address homelessness for people with disability in the National Housing and Homelessness Plan;
- Recommendation 9.5: Block funding the community-controlled sector;
- Recommendation 9.9: Funding family supports;
- Recommendation 9.11: Building on the Disability Sector Strengthening Plan; and
- Recommendation 9.13: Remote workforce development.

These recommendations focus on employment and housing as these factors support stability and economic security.

NDIS Review

FPDN is in the process of reviewing the findings of the NDIS Review. The recommendations below are not endorsements from FPDN but should be considered in creating equity for First Nations people with disability around the cost of living.

- Recommendation 8: Fund housing and living supports that are fair and consistent, and support participants to exercise genuine choice and control over their living arrangements; and
- Recommendation 22: Embed a highly skilled, person-centred, disability aware culture across all disability agencies and governments.

These recommendations highlight the importance of affordable housing, and the need for a disability aware culture that puts the person first so that needs can be met.

United Nations Sustainable Development Goals

The United Nations Sustainable Development Goals (SDG) aim to create an equitable society. The following SDGs are to be considered in light of the cost of living.

- SDG 1: No poverty;
- SDG 2: Zero hunger;
- SDG 8: Decent work and economic growth; and
- SDG 10: Reduced inequalities.



The SDGs are cross-cutting and are supported internationally. Initiatives taken to address the cost of living crisis should connect and elevate these existing commitments.

Australia's Disability Strategy

Australia's Disability Strategy has outcome areas where governments at all levels are to focus on delivering change. Key outcome areas that relate to the cost of living include:

- Employment and Financial Security;
- Inclusive Homes and Security;
- Education and Learning; and
- Health and Wellbeing.

These outcome areas contribute to future economic stability as well as current economic stability. Specifically, the policy priority areas within the outcome areas are to be considered in relation to the cost of living.

Employment and Financial Security:

- Policy Priority 1: Increase employment of people with disability;
- Policy Priority 3: Strengthen financial independence of people with disability;

Inclusive Homes and Security:

- Policy Priority 1: Increase the availability of affordable housing;
- Policy Priority 2: Housing is accessible and people with disability have choice and control about where they live, who they live with, and who comes into their home; and,
- Policy Priority 5: Transport systems are accessible for the whole community.

Education and Learning:

- Policy Priority 1: Children with disability can access and participate in high-quality early childhood education and care; and
- Policy Priority 3: Improve pathways and accessibility to further education and training for people with disability.

Health and wellbeing:

- Policy Priority 2: Prevention and early interventional health services are timely, comprehensive, and effective to support better overall health and wellbeing;



- Policy Priority 3: Mental health supports and services are appropriate, effective and accessible for people with disability; and
- Policy Priority 4: Disaster preparedness, risk management plans and public emergency responses are inclusive of people with disability, and support their physical and mental health and wellbeing.

These policy priorities are unlikely to make an impact on the lives of First Nations people with disability if they do not have a funded say in the design and delivery of associated programs and services.

United Nations Convention on the Rights of Persons with Disability

The United Nations Convention on the Rights of Persons with Disability (CRPD) is an internationally ratified agreement that upholds the rights of people with disability.

Regarding the cost of living, the following articles are to be considered:

- Article 27 – Work and employment: States Parties recognize the right of persons with disabilities to work, on an equal basis with others; this includes the right to the opportunity to gain a living by work freely chosen or accepted in a labour market and work environment that is open, inclusive and accessible to persons with disabilities; and,
- Article 28 – Adequate standard of living and social protection: States Parties recognize the right of persons with disabilities to an adequate standard of living for themselves and their families, including adequate food, clothing and housing, and to the continuous improvement of living conditions.

United Nations Declaration on the Rights of Indigenous Peoples

The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) is an internationally ratified agreement that upholds the rights of Indigenous Peoples. The following articles are to be considered around the cost of living:

- Article 3: Indigenous peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development;



- Article 5: Indigenous peoples have the right to maintain and strengthen their distinct political, legal, economic, social and cultural institutions, while retaining their right to participate fully, if they so choose, in the political, economic, social and cultural life of the State;
- Article 17 (3): Indigenous individuals have the right not to be subjected to any discriminatory conditions of labour and, inter alia, employment or salary;
- Article 20: Indigenous peoples have the right to maintain and develop their political, economic and social systems or institutions, to be secure in the enjoyment of their own means of subsistence and development, and to engage freely in all their traditional and other economic activities;
- Article 21: Indigenous peoples have the right, without discrimination, to the improvement of their economic and social conditions, including, inter alia, in the areas of education, employment, vocational training and retraining, housing, sanitation, health and social security;
- Article 26: Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired; and
- Article 39: Indigenous peoples have the right to have access to financial and technical assistance from States and through international cooperation, for the enjoyment of the rights contained in this Declaration.

Conclusion

FPDN thanks the Select Committee on the Cost on Living for the opportunity to make this submission. Our key recommendations for addressing the cost of living crisis for First Nations people with disability can be found at the beginning on this document. FPDN welcomes any further discussion on any aspects of this submission.

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Appendix A

About FPDN

FPDN is the community-controlled disability peak and a member of the Coalition of Peaks, a partner to all Australian governments to the Closing the Gap National Agreement. We are also the First Nations Disability Representative Organisation actively representing the voices of First Nations peoples within Australia's Disability Strategy governance structures. For millennia, First Nations peoples, communities, and cultures have practiced models of inclusion. However, despite this, since colonisation, First Peoples with disability and their families have been and continue to be amongst the most seriously disadvantaged and disempowered members of the Australian community. FPDN gives voice to their aspirations, needs and concerns and shares their narratives of lived experience. Our purpose is to promote recognition, respect, protection, and fulfilment of human rights, secure social justice, and empower First Peoples with disability to participate in Australian society on an equal basis with others. To do this, we proactively engage with communities around the country, influence public policy and advocate for the interests of First Peoples with disability in Australia and internationally.

Our extensive national work includes community engagement, capacity building and rights education; systemic advocacy, policy, research, evaluation and data; the development and delivery of evidence-informed training and resources with community for community and to a range of sectors including the Community Controlled sector and mainstream disability sector, Commonwealth and state/territory government policy and service delivery agencies and departments. FPDN also has an international presence and networks, including with the United Nations, and provides consultancy and support to international regions.

We follow the human rights framework established by the United Nations Convention on the Rights of Persons with Disabilities (CRPD), to which Australia is a signatory, and the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).

We are also guided by both the social and cultural models of disability. The social model views 'disability' to be the result of barriers to equal participation in the social and



physical environment. These barriers can and must be dismantled. However, FPDN recognises the critical need to move beyond a social model to ensure the cultural determinants of what keeps First Nations people with disability strong is centred when working with and in designing policies and programs to improve outcomes for First Nations people. We call this a cultural model of inclusion.

A cultural model of inclusion recognises the diversity of cultures, languages, knowledge systems and beliefs of First Nations people and the importance of valuing and enabling participation in society in ways that are meaningful to First Peoples.³² A First Nations cultural model of inclusion includes the human rights framework and the social model of disability to ensure that enablers, approaches, services and supports are culturally safe and inclusive, and disability rights informed. It is the only disability model that seeks to improve the human condition through focussing on what keeps people strong, as distinct to merely negating the adverse impact of difference.

Our community has to operate in multiple worlds – First Nations, disability, and mainstream society. The disability sector reflects this and is a complex and interconnected web of approaches to enable First Nations people with disabilities to realise their rights to participate in all aspects of their life, including safe, affordable, accessible and inclusive housing. These enablers, approaches, services and supports need to exist across the entire life-course, including the Aboriginal and Torres Strait Islander Community Controlled Sector and mainstream disability sector, as well as mainstream organisations and services.

The policy context

FPDN recognises the unique opportunity both Closing the Gap and Australia's Disability Strategy to ensure the legislation, policies, programs and service delivery are accessible, inclusive and equitable for First Nations people with disability.

FPDN discussion points and recommendations are in line with the Closing the Gap National Agreement Priority Reforms and the Disability Sector Strengthening Plan and its Guiding

³² S Avery, '[Culture is Inclusion](#),' 2018, First Peoples Disability Network.



Principles. The Priority Reforms focus on changing the way governments work with Aboriginal and Torres Strait Islander peoples and the Disability Sector Strengthening Plan outlines high-level priorities and actions at a national level to strengthen and build a Community Controlled Disability Sector. The Commonwealth government, all State and Territory Governments and the Local Government Authority are signatories and partners to the National Agreement and also the Disability Sector Strengthening Plan. The Priority Reforms are:

1. Formal partnerships and shared decision-making
2. Building the community-controlled sector
3. Transforming government organisations
4. Shared access to data and information at a regional level

Applying the Closing the Gap approach to disability as a cross-cutting outcome through the Priority Reforms offer structure to government to ensure First Nations peoples with disability have:

- A greater say in how policies and programs are designed and delivered;
- Have access to community-controlled services and sectors that delivers culturally safe, accessible and inclusive, and disability right informed services;
- Have access to mainstream organisations and services, such as NDIS services, hospitals, schools and government agencies, that are culturally safe, accessible and inclusive, and disability right informed;
- And have access to, and the capability to use, locally-relevant, First Nations disability informed, data and information.

First Nations people with disability

For millennia, First Nations peoples, communities, and cultures have practiced models of inclusion. This embracing of diversity and inclusion “is derived from a belief system and worldview of humanity in which biological, physical and intellectual differences are accepted as part of the fabric of society.”³³ Drawing on nation-wide available data, First

³³ S Avery, ‘[Culture is Inclusion](#),’ 2018, First Peoples Disability Network.



Nations people with disability are included in their own communities across social, cultural and community events on average more than other Australians with disability.

However, despite this strength, since colonisation First Nations people with disability experience significant levels of inequality across all other life areas compared to other Australians, including in areas of health, education and social inequality.³⁴ Whilst population prevalence data is limited, First Nations people are twice as likely to experience disability than the rest of the Australian population.³⁵ Using the statistical definitions of ‘severe and profound disability’ in the Australian Bureau of Statistics (ABS) datasets, including the *ABS Survey of Disability, Ageing and Carers (SDAC)*, 2018,³⁶ it is estimated that over 60,000 Aboriginal and Torres Strait Islander people live with severe or profound disability in Australia today.³⁷

First Nations people with disability experience many intersectional forms of discrimination, including discrimination based on age, gender, sexuality and geographic location. These intersecting forms of discrimination are institutionalised and embedded in how policies and programs have been designed, including the NDIS.

Consistent with the social and cultural models of disability within which FPDN works, we recognise that Aboriginal and Torres Strait Islander people are disproportionately affected by poor outcomes. This impact is widespread and has social, emotional, physical, economic and cultural impacts.

Disability Sector Strengthening Guiding Principles

The Disability SSP included Guiding Principles to reflect the unique experiences of First Nations people with disability and their specific social and cultural rights and needs. These principles were developed in line with both the Closing the Gap Agreement and Australia’s

³⁴ S Avery, ‘[Culture is Inclusion](#),’ 2018, First Peoples Disability Network: Australian Bureau of Statistics (ABS) (2016) *National Aboriginal and Torres Strait Islander Social Survey*, (NATSISS) 2014-15 (Release 4714.0).

³⁵ Australian Bureau of Statistics (ABS) (2016) *National Aboriginal and Torres Strait Islander Social Survey*, (NATSISS) 2014-15 (Release 4714.0).

³⁶ ABS, ‘[Disability, Ageing and Carers, Australia: Summary of Findings](#),’ 2018, accessed 29 August 2023.

³⁷ S Avery, ‘[Culture is Inclusion](#),’ 2018, First Peoples Disability Network.



Disability Strategy and were endorsed by all levels of government. The Guiding Principles set a minimum standard for all existing and future work with First Nations Peoples with disability and further developing jurisdiction led sector strengthening actions in Implementation Plans. They also align with both the Australia's Disability Strategy Guiding Principles and CtG.

Australia's Disability Strategy

Australia's Disability Strategy (2021-2030) (ADS) is Australia's national disability policy framework and plays a role in protecting, promoting and realising the human rights of people with disability, in line with Australia's commitments under the United Nations Convention on the Rights of Persons with Disabilities (UN CRPD). All levels of government developed and committed to the Strategy, which sets out priorities and plans for governments to work with the community, businesses, and peoples with disability to deliver the needed changes identified by the sector. The Strategy recognises the importance of making sure actions taken to deliver on its policy priorities are implemented with an intersectional and diversity lens.

First Nations Disability Data Gap

As noted in the Disability Sector Strengthening Plan, First Nations people with disability sit on the periphery of both national disability policies, frameworks, data infrastructure or research agendas. In effect, this means data about and evidence by First Nations people with disability are often not captured in its own right. This has key implications for how data and evidence is captured in relation to First Nations people with disability and their unique experiences of interaction with the service systems and all other aspects of life, including what living well looks like for a First Nation person with disability. Existing data and research are often limited in scope, and often does not provide sufficient focus to all experiences of disability in regional, remote or urban contexts. FPDN is in the process of developing a broad First Nations disability data strategy, however, there is a need for dedicated First Nations Disability data project with specific intersectional data on autism.



When the ADS and CTG are used in conjunction, effective outcomes are more likely to occur across the four Priority Reform areas of formal partnerships and shared decision making, building the community-controlled sector, transforming government organisations, and shared access to data and information. Without an awareness of how of CTG and ADS work together, responsibility is not likely to be claimed by any portfolio.

Human Rights and the Disability Sector Strengthening Plan

Other documents to integrate include the Disability Sector Strengthening Plan (DSSP), the Convention on the Rights of Persons with Disability, and the United Nations Declaration on the Rights of Indigenous Persons.

The Disability Sector Strengthening Plan Guiding Principles³⁸ focus on the following:

- Human rights
- Self-determination
- Cultural integrity
- Cultural safety
- Partnership
- Place based
- Innovation
- Empowerment
- Equity
- Sustainability
- Knowledge
- Nationally consistent approach.

The Convention on the Rights of Persons with Disabilities aligns with CTG through its general principles which focus on respect, non-discrimination, participation and inclusion, equality, and accessibility.³⁹ These align with Priority Reforms 1 through 3.

³⁸ Closing the Gap, '[Disability Sector Strengthening Plan](#),' accessed 5 October 2023.

³⁹ United Nations, 'Convention on the Rights of Persons with Disabilities,' accessed 5 October 2023.



United Nations Declarations on the Rights of Indigenous Peoples⁴⁰ centre around equality, freedom from discrimination, recognition of historic injustices, respect for Indigenous knowledge, cultures and practices, and acknowledging the right for Indigenous people to retain shared responsibility for sharing knowledge and exercising self-determination. These declarations align with each of the four CTG priority reforms.

It must be noted that each of these Strategies and Declarations have been signed and ratified by government at all levels. All CTG priority reforms and targets are visible but not often met. The CTG Agreement has been operating for three years with ample time to implement priority reforms. There needs to be a greater commitment from all levels of government to meet timelines in an efficient and timely manner.

⁴⁰ United Nations, 'United Nations Declaration on the Rights of Indigenous Peoples,' 2007, accessed 5 October 2023.