**Barbary Clarke’s Advocacy Report for Post-Polio AGM, Oct 2021**

Much of my advocacy time, over the past 3 years, has been taken up by the issue of accessible housing. The knowledge I’d gained from my studies for two Masters degrees - in Business Administration and Public Health - and my Grad Dip in Community Development, which had sparked my interest in human rights legislation and how the UN operates, were all very useful in knowing how to slant the submissions I’ve written.

The Australian Building Codes Board (ABCB) is responsible for administering and enforcing all technical guidelines for builders in Australia.

PPV has made three submissions to the ABCB’s progressive stages of its community consultations on the *National Construction Code:*

1. Response to the ABCB’s *Accessible Housing Options Paper* - 7 Dec 2018
2. Response to the *Regulation Impact Statement Consultation - Proposal to include minimum accessibility standards for housing in the National Construction Code* - 31 AUG 2020
3. Response to the *Draft National Construction Code, 2022* - 10 July 2021.

As a result of our submissions, Post-Polio Victoria has been acknowledged *seven times* in their defining final document on building standards for housing accessibility.

Although the ABCB decided against including the higher standards of accessibility that we had advocated:

1. It is hard to over-estimate the significance that, after more than 20 years of advocacy (and against the wishes of the Housing Industry Association and the Master Builders’ Association), the Australian Building Codes Board decided to mandate *a level of housing accessibility* in the *National Construction Code (NCC)*.
2. The Centre for International Economics, which wrote the final report, stated that, based on COAG’s brief to the ABCB to conduct a Cost-Benefit Analysis of three possible mandatory levels of accessibility, they recommended that the (lowest) Silver Level of housing accessibility should be legally required by the NCC. However, we, and other disability organisations, argued that a purely economic argument about housing accessibility for people with disabilities wasn’t good enough - to say nothing of the fact that they hadn’t even balanced those costs and benefits properly.
3. They pointed out that the disability organisations which had made submissions to the ABCB consultations had suggested three possible frameworks for evaluation of accessibility standards. The first two they rejected out-of-hand, as inappropriate. But *PPV’s suggested socio-ecological framework*, by taking a broader perspective on disability and ageing, also including the needs of family, friends, carers, and health practitioners, was acknowledged to have merit because it ‘accounts for the impact of an individual’s social and environmental context on their health outcomes’ and takes equity and the human rights set out in the UN *Convention on the Rights of Persons with Disability* seriously. That is, it takes *who benefits* - and *who pays the price* - into account: something that politicians must, ideally, do when they legislate societal policies.
4. Thanks to my ongoing communication with Marg Ward, of the Australian Network for Universal Housing Design (ANUHD), we were able to do a useful ‘one-two punch’, which was understood as a valid argument regarding the combination of accessibility features in one dwelling by the Centre for International Economics. In it, I used my long experience – that personal stories win the day - in advocacy:

ANUHD suggested that individual accessibility features do not provide related individual benefits unless a coherent suite of accessibility features is provided: 408

Post-Polio Victoria highlighted this argument with a case study (Case Study 3) in its previous submission to the ABCB Options Paper: 409

***The cost of the fire door entry might have been $X, but if the occupier becomes too frail to open it, then no matter how many accessibility features lie in the apartment on the other side of that door, they are useless to the renter, and even the high cost of that desirable feature does not render the whole flat accessible. Or if the lip onto the balcony is too high for the renter to step over with a walker, then there might as well be no balcony. And the shower flooding the entire bathroom floor when it is turned on in its stepless alcove - especially if the tiles become slippery when wet – is useless to an older inhabitant who is very scared of falling, after previously breaking her hip.***

**408 Margret Ward, op.cit., p.18 409 Barbary Clarke, op.cit., p.6.**

1. Political decisions concerning the method of distribution of benefits to people dealing with different forms, and levels, of disability went beyond the ABCB’s remit, they argued, since they had only been asked to do a specifically economics-based Cost-Benefit Analysis. However, they suggested that policy- and decision-makers could ‘weigh up factors, such as social justice for people with disability, supporting more inclusive communities, and ageing in place, as well as Australia’s future progress towards international human rights treaties, against the net cost imposed on other members of the community’ (p212).

All aspects of my advocacy have required huge amounts of reading (e.g. well over 2,000 pages just for the second submission to the ABCB). Similarly, background reading for the campaign against independent assessors, and on the Disability Royal Commission. *The Saturday Paper,* *The Monthly* magazine and *The Guardian* have provided both historical and contemporary information to convince me that, if we want to make the NDIS more sustainable - so it can include people, like myself, who are over 65 - we *don’t,* so much, need to look at the amounts that people on the NDIS are receiving. Instead, we need to be analysing the amounts paid to external consulting companies; to the ex-consultants who have been employed by the National Disability Insurance Agency; to authorised NDIS service providers; and to their subsidiary companies.

I have enjoyed proofreading various PPV documents and making suggestions on the Strategic Plan and the design of our questionnaire.

Emails and phone calls to people who are in positions to influence disability resources are what I call mosquito bites: each one is small, but hopefully attracts attention and spreads the news - free of charge - and maybe generates mainstream media interest in doing longer interviews. I’ve been a regular caller to Radio National & the ABC e.g., to Fran Kelly, P.K., Virginia Trioli, Phillip Adams, Philip Clark, and Nas Campanella. I followed up 2GB regarding ageism after they’d interviewed Peter. And have emailed politicians such as Senators Steele-John, Siewert, & Hughes, Bill Shorten and 5 others. I’ve contacted human rights advocates such as Rosemary Kayess of the Disability Royal Commission; Ben Gauntlett, the Disability Discrimination Commissioner with the Aust Human Rights Commission; and Assoc Prof Gemma Carey from the Centre for Social Impact, who did such a fine job dismantling Linda Reynolds’ argument on why the NDIS was unsustainable.

Endorsement of Building Better Homes Campaign.

I attended the Duty of Candour (re medical error) webinar run by the Health Issues Centre in Feb 2021 (this could be tied-in with our hospital ‘Polio Alert’/ANZCA campaign); and Spinal Life’s webinar on their Disability Doesn’t Discriminate campaign on 7 JUL 2021.

My ongoing communication with Peter Freckleton on advocacy matters e.g. the relevant clauses of the UN *Convention on the Rights of Persons with Disabilities* and the role of the Special Rapporteur has been productive. Providing him with the UN’s *Concluding Observations on the Combined Second and Third Periodic Reports of Australia*, which were scathing about the tardiness of reporting and lack of progress in instituting the *National Disability Strategy* and the *National Disability Insurance Scheme*, plus informing him on the process of ‘exhausting all domestic remedies’ before taking human rights issues to the UN, seems to have given him ideas…

Thank you