



## **Disability Services (Principles and Objectives) Instrument 2018**

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I, PAUL FLETCHER, Minister for Families and Social Services, make this instrument under subsection 5(1) of the *Disability Services Act 1986*.

Dated 20 December 2018

PAUL FLETCHER  
Minister for Families and Social Services

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## 1 Name

This instrument is the *Disability Services (Principles and Objectives) Instrument 2018*.

## 2 Commencement

This instrument commences on the day after it is registered.

## 3 Authority

This instrument is made under subsection 5(1) of the *Disability Services Act 1986*.

## 4 Definitions

In this instrument:

**Act** means the *Disability Services Act 1986*.

**advocate** means a person who assists:

- (a) people with disability; or
  - (b) the families of people with disability,
- to represent their interests.

**services** means services provided to people with disability and includes a rehabilitation program under Part III of the Act.

**programs** means programs for people with disability administered by the Commonwealth under the Act.

## 5 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

## 6 Principles

The following principles are to be furthered in the administration of the Act:

- (1) People with disability are individuals who have the inherent right to respect for their human worth and dignity, and live a life free from neglect, abuse and exploitation.
- (2) People with disability, whatever the origin, nature, type and degree of disability, have the same basic human rights as other members of Australian society.

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- (3) People with disability have the same rights as other members of Australian society to realise their individual capacities for physical, social, emotional and intellectual development.
  - (4) People with disability have the same right as other members of Australian society to services which will support their attaining a reasonable quality of life.
  - (5) People with disability have the same right as other members of Australian society to exercise choice and control in relation to the decisions that affect their lives.
  - (6) People with disability receiving disability services have the same right as other members of Australian society to receive those services in a manner which results in the least restriction of their rights and opportunities.
  - (7) People with disability have the same right of pursuit of any grievance in relation to services as other members of Australian society.

## **7 Objectives**

The following objectives are to be furthered in the administration of the Act:

- (1) Services should have as their focus the achievement of positive outcomes for people with disability and their families and carers, such as increased independence and wellbeing, employment opportunities, participating in and contributing to social and economic life, and integration into the wider community.
- (2) Services should contribute to ensuring that the conditions of the lives of people with disability, irrespective of their chronological age, are the same as, or as close as possible to, norms and every-day life patterns which are valued in the wider community.
- (3) Services should be provided as part of locally coordinated service systems and be integrated with services generally available to members of the wider community, wherever possible.
- (4) Services should be tailored to meet the individual needs and goals of the people with disability receiving those services, and their families and carers.
- (5) Programs and services should be designed and administered so as to meet the needs of people with disability who experience compounded disadvantage, for example, as a result of their age, their ethnicity, religion, cultural or linguistic circumstances, or their sex, gender identity, sexual orientation or intersex status.

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- (6) Programs and services should be designed and administered so as to promote recognition of the competence of, and enhance perceptions of, people with disability.
  - (7) Programs and services should be designed and administered so as to promote the participation of people with disability, their families and their carers in the life of the local and wider community through maximum physical and social integration in the community.
  - (8) Programs and services should be designed and administered so as to ensure that no single organisation providing services shall exercise control over all or most aspects of the life of a person with disability.
  - (9) Organisations providing services, whether those services are provided specifically to people with disability or to members of the wider community, should be accountable to those people with disability who use their services, the advocates of such people, the Commonwealth and the community generally for the provision of information from which the quality of their services can be judged.
  - (10) Programs and services should be designed and administered so as to provide opportunities for people with disability to enjoy lifestyles and reach goals that are appropriate to their chronological age and valued by the community generally.
  - (11) Services should be designed and administered so as to ensure that people with disability have access to advocacy support where necessary to ensure adequate participation in decision-making about the services they receive.
  - (12) Programs and services should be designed and administered so as to ensure that appropriate avenues exist for people with disability to raise and have resolved any grievances about services.
  - (13) Services should be designed and administered so as to provide people with disability with, and encourage them to make use of, avenues for participating in the planning and operation of services which they receive, and the Commonwealth and organisations should provide opportunities for consultation in relation to the development of major policy and program changes.
  - (14) Programs and services should be designed and administered so as to respect the rights of people with disability to privacy and confidentiality.
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## **Schedule 1—Repeals**

### ***Disability Services Act 1986 – Principles and Objectives for the purposes of section 5***

#### **1 The whole of the instrument**

Repeal the instrument.