July 2022

To Hamilton City Council

Please find attached DPA’s submission on Hamilton City Council Disability Policy Action Plan 2022-25

Disabled Persons Assembly NZ

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Introducing Disabled Persons Assembly NZ

Disabled Persons Assembly NZ (DPA) is a pan-impairment disabled person’s organisation that works to realise an equitable society, where all disabled people of all impairment types and including women, Māori, Pasifika, young people are able to direct their own lives. DPA works to improve social indicators for disabled people and for disabled people be recognised as valued members of society. DPA and its members work with the wider disability community, other DPOs, government agencies, service providers, international disability organisations, and the public by:

* telling our stories and identifying systemic barriers
* developing and advocating for solutions
* innovation and good practice

## United Nations Convention on the Rights of Persons with Disabilities

DPA was influential in creating the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD), a foundational document for disabled people which New Zealand has signed and ratified, confirming that disabled people must have the same human rights as everyone else [[1]](#footnote-2). All state bodies in New Zealand, including local and regional government, have a responsibility to uphold the principles and articles of this convention. There are a number of UNCRPD articles pertinent to this submission, including:

### Article 9 – Accessibility

“States Parties shall take appropriate measures to ensure persons with disabilities access, on an equal basis with others, to the physical environment, to transportation, to information and communications.”

**Article 19 - Living independently and being included in the community**

“States Parties to the present Convention recognize the equal right of all persons with disabilities to live in the community, with choices equal to others, and shall take effective and appropriate measures to facilitate full enjoyment by persons with disabilities of this right and their full inclusion and participation in the community ...”

**Article 20 - Personal mobility**

“States Parties shall take effective measures to ensure personal mobility with the greatest possible independence for persons with disabilities, including by:

a) Facilitating the personal mobility of persons with disabilities in the manner and at the time of their choice, and at affordable cost;

b) Facilitating access by persons with disabilities to quality mobility aids, devices, assistive technologies and forms of live assistance and intermediaries, including by making them available at affordable cost;

c) Providing training in mobility skills to persons with disabilities and to specialist staff working with persons with disabilities;

d) Encouraging entities that produce mobility aids, devices and assistive technologies to take into account all aspects of mobility for persons with disabilities.”

**Article 21 - Freedom of expression and opinion, and access to information**

“States Parties shall take all appropriate measures to ensure that persons with disabilities can exercise the right to freedom of expression and opinion, including the freedom to seek, receive and impart information and ideas on an equal basis with others and through all forms of communication of their choice, as defined in article 2 of the present Convention, including by:

a) Providing information intended for the general public to persons with disabilities in accessible formats and technologies appropriate to different kinds of disabilities in a timely manner and without additional cost;

b) Accepting and facilitating the use of sign languages, Braille, augmentative and alternative communication, and all other accessible means, modes and formats of communication of their choice by persons with disabilities in official interactions;

c) Urging private entities that provide services to the general public, including through the Internet, to provide information and services in accessible and usable formats for persons with disabilities;

d) Encouraging the mass media, including providers of information through the Internet, to make their services accessible to persons with disabilities;

e) Recognizing and promoting the use of sign languages.”

**Article 30 - Participation in cultural life, recreation, leisure and sport**

“1. States Parties recognize the right of persons with disabilities to take part on an equal basis with others in cultural life, and shall take all appropriate measures to ensure that persons with disabilities:

a) Enjoy access to cultural materials in accessible formats;

b) Enjoy access to television programmes, films, theatre and other cultural activities, in accessible formats;

c) Enjoy access to places for cultural performances or services, such as theatres, museums, cinemas, libraries and tourism services, and, as far as possible, enjoy access to monuments and sites of national cultural importance.”

New Zealand Disability Strategy 2016-2026

Since ratifying the UNCRPD, the New Zealand Government has established a Disability Strategy to guide the work of government agencies on disability issues. The vision is that New Zealand be a non-disabling society, where disabled people have equal opportunity to achieve their goals and aspirations, and that all of New Zealand works together to make this happen [[2]](#footnote-3). It identifies eight outcome areas contributing to achieving this vision, including:

### Outcome 5 – Accessibility

“We access all places, services and information with ease and dignity.”

# The submission

DPA is providing this submission for the benefit of the Hamilton City Council in its deliberations over the Disability Policy and Action Plan 2022.

DPA is pleased to see that this policy has been much improved and upgraded to an action plan as we recommended in our submission on the earlier draft disability plan. This is a positive step in the right direction in terms of giving much needed detail around what needs to happen to make Hamilton a more accessible and inclusive city.

DPA also welcomes the proposal to develop a Hamilton City Disability Strategy to guide disability-related policy development in the years ahead and we would welcome being a partner in the development of this Strategy alongside the Waikato Disabled People’s Forum.

However, DPA highly recommends that the leadership of disabled people be emphasised in the next and final draft of the action plan. This specifically includes the need for partnership with disabled people and disabled people’s organisations and not service providers. While there is an acknowledged place for service providers in supporting disabled people, traditionally they have attempted to take over being the voice of disabled people. Our local membership strongly believes that the best vehicle to deliver this leadership is through the Disabled People’s Forum which already partners with, for example, the Waikato District Health Board (now Health New Zealand) over health matters.

Consequently, DPA members feel that the current Disability Advisory Group (DAG) is too siloed in terms of the way it works and, therefore, does not fully reflect the community development or leadership being offered by us as disabled people. Therefore, we recommend that the Council forge a more active and strengthened partnership with the Disabled People’s Forum, which many DPA members already play an active role in.

Pivotally, the Action Plan must incorporate the UNCRPD, New Zealand Disability Strategy and Te Tiriti O Waitangi/Treaty of Waitangi as the guiding documents for this action plan.

Furthermore, the plan should include the aim of making the Council’s Disability Advisor position one which sits within the executive management team to give it greater heft and influence given the increasing number of disabled people who now reside in Hamilton and are projected to do so going into the future.

Our key recommendations will highlight the changes we want to see made to each action plan goal, with the overall end goal being that disabled people’s leadership is strengthened and becomes one of true partnership with the Hamilton City Council. Indeed, this could act as a model for how other councils can and should involve disabled people in all facets of decision making that impact upon us.

# DPA’s recommendations

The Disabled Person’s Assembly recommends that:

* **Recommendation 1**: Hamilton City Council make the Disability Advisor role an executive management level position to enable it to have greater influence in terms of policy making and the ability to operationalise the Disability Action Plan and steer the development of the Disability Strategy.
* **Recommendation 2:** Goal 1 around developing effective, mutually beneficial partnerships with external stakeholders to inform and progress positive outcomes needs to see the City Council forge a more active and strengthened partnership with the Disabled People’s Forum.
* **Recommendation 3:** Goal 2 around funding and decision making around accessibility being enabled by good quality data and audits needs to include as a key stakeholder disabled access auditor Tim Young’s Smart Access company. Smart Access conducts assessments of footpaths and connections to public transport and, in fact, it has recently completed assessments for local authority clients in Tasmania, Australia and other locations around New Zealand.
* **Recommendation 4:** Goal 3 around Council services being responsive to disabled people should include more areas than just education and assisted waste services as the whole spectrum of Council services including libraries, museums, customer services, etc, must also be incorporated within this goal to make it truly meaningful. However, we do welcome the incorporation of disability responsiveness training for all new staff but this needs to extend to current staff as well.
* **Recommendation 5:** Goal 4 around people being able to get around the city independently and safely should include in the Community Access mapping and other relevant actions that this process be led by Tim Young’s Smart Access Company as well given its specialisations in these areas.
* **Recommendation 6:** Goal 5 around the whole community enjoying equitable play opportunities should include Recreation New Zealand as a national partner in this endeavour as well.
* **Recommendation 7:** Goal 6 around Council projects embedding the principles of universal design and making every new project accessible to the whole community should include Barrier Free New Zealand and Lifemark as key partners in undertaking assessments.
* **Recommendation 8:** Goal 7 around the Hamilton City Council being an enabling employer should include DPA’s successful Mahi Tika programme - which takes a disabled person peer-led approach to placing disabled people into employment – as an employment placement partner to Council.
* **Recommendation 9:** Goal 8 around barriers to civic life and democratic participation being removed through better physical access and improved governance and communication processes should include DPA as an organisation which can provide leadership and advice in this regard.
* **Recommendation 10:** Goal 9 around that Council communications are produced and distributed in accessible and effective formats needs to include reference to the need for disabled people and our organisations to be involved in emergency planning and response processes. Also, there is the need in this goal to have People First, Blind Citizens and other DPOs involved in advising on how to improve and make all Council communications accessible.

1. United Nations Convention on the Rights of Persons with Disabilities, December 13, 2006. <https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/convention-on-the-rights-of-persons-with-disabilities-2.html> [↑](#footnote-ref-2)
2. Office for Disability Issues. (2016). *New Zealand Disability Strategy 2016 – 2026*. Retrieved from https://www.odi.govt.nz/assets/New-Zealand-Disability-Strategy-files/pdf-nz-disability-strategy-2016.pdf [↑](#footnote-ref-3)