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The relationship between challenging behaviour, burnout and cognitive variables in staff working with people who have intellectual disability

Journal of Intellectual Disability Research, Volume 55 part nine September 2011 pp.844-857

**Background**  There is evidence to suggest a relationship between the way in which staff perceive challenging behaviour and burnout in staff working with people with intellectual disabilities (ID) and challenging behaviour. However, the evidence of a direct link is equivocal and it is possible that a number of different variables mediate this relationship. The aim of the study is to confirm whether there is a relationship between challenging behaviour and staff burnout, and in addition, to test whether staff perceptions about challenging behaviour mediate this relationship.

**Method**  Seventy-eight staff completed measures of burnout, challenging behaviour and perceptions about challenging behaviour. The perceptions explored included beliefs about the timeline of behaviour, staff’s perception of whether they themselves have control over the behaviour, beliefs about clients’ ability to control the behaviour and staff’s negative emotional responses.

**Results**  Significant positive correlations were found between challenging behaviour and burnout, challenging behaviour and cognitive variables, and cognitive variables and burnout. Regression analyses demonstrated that negative emotions mediate the relationship between challenging behaviour and burnout.

**Conclusions**  The results show evidence that there is a relationship between challenging behaviour and burnout that is mediated by negative emotion, namely the fear of potential assault.

Duty of care and autonomy: how support workers managed the tension between protecting service users from risk and promoting their independence in a specialist group home

Journal of Intellectual Disability Research, Volume 55 part nine September 2011 pp.873-884

**Background**  In the UK those paid to support adults with intellectual disabilities must manage two potentially conflicting duties that are set out in policy documents as being vital to their role: protecting service users (their duty of care) and recognising service users’ autonomy. This study focuses specifically on the support of people with the genetically determined condition, Prader–Willi syndrome (PWS). Due to the behaviours associated with PWS, the support of this group of people vividly illustrates the tension between respect for autonomy and duty of care. This article explores how support workers working in a residential group home managed their competing duties of managing risk and promoting independence in practice.

**Methods**  An ethnographic study, comprising of qualitative observations, semi-structured interviews and documentary analysis, was undertaken to investigate the work of support workers in a UK residential group home specialising in the support of adults diagnosed with PWS. The study focused on how support workers attempted to reconcile the tension between protecting service users from the risks associated with the syndrome and acknowledging service users’ autonomy by enabling independence.

**Results**  Findings demonstrate that risk was central to the structure of care delivery at the group home and support workers often adhered to standardised risk management procedures. The organisation also
required support workers to promote service users’ independence and many thought acknowledging
service users’ autonomy through the promotion of their independence was important. To manage tensions
between their differing duties, some support workers deviated from standardised risk management
procedures to allow service users a degree of independence.

Conclusions There is a tension between the duty of care and the duty to recognise autonomy at the level
of service delivery in residential homes. Support workers attempt to manage this tension; however,
进一步 work needs to be done by both residential services and policy makers to facilitate the
reconciliation of the duty of care with the duty to recognise service users’ autonomy in practice.

Transforming staff practice through active support
Journal of Intellectual & Developmental Disability, September 2011; 36(3): 156-166

Background Active support is being introduced in many residential and respite homes in an effort to
improve engagement in meaningful activity of people with intellectual disability

Method A train-the-trainer approach was used in a large government organization that supports
people with intellectual disability in Australia. Five apprentice trainers were trained to provide
active support training to 65 staff associated with 6 group homes. These 5 trainers were then monitored
to provide training to 54 staff in another 6 group homes. Staff evaluated their interactive training
experiences, and pre and post outcome data were collected for a small number of service users from the
second set of group homes, along with staff outcome data regarding residential working practices, group
home management, and staffing practices.

Results The train-the-trainer model proved to be an effective strategy for training large numbers of staff.
The interactive training component was particularly effective and was associated with improvements
in service user engagement in domestic tasks and decreased depression levels. Staff job satisfaction
increased and significant improvements were recorded in residential working practices.

Conclusion Active support training is an effective strategy for empowering staff to better support
people with an intellectual disability to be meaningfully engaged in daily activities. There are
implications for organizations related to ongoing implementation and practice improvement.

Disconnected expectations: Staff, family, and supported employee perspectives about retirement
Journal of Intellectual & Developmental Disability, September 2011; 36 (3): 167-174

Background Australia has few policies to support the transition of older people with intellectual
disability from employment to retirement. This study aimed to identify the possibilities and barriers to
retirement for older employees in supported employment services.

Method Five distinct participant groups discussed retirement in 6 separate focus group interviews: staff
from disability accommodation (7) and employment services (7), members of mainstream activity
programs for older people (4), family members (5), and supported employees (2 groups of 6 people).

Results Participants perceived retirement as a risk to the well-being and participation of employees.
Participants were pessimistic about the availability of necessary support in retirement. The need for
additional resources and skills was identified, but the utility of inclusion strategies was not recognized.
Continued segregation through specialist programs or adaptation of existing employment programs was
the most commonly suggested retirement option by staff and family members.

Conclusion Perceptions did not reflect the current policy imperatives of social participation. This poses
an additional obstacle to conceptualizing, planning, and supporting quality of life for older people with
intellectual disability
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R. Jackson
Speaking up for the disabled

ADVOCATES for a National Disability Insurance Scheme would do well to sign Adrian Kosztra as campaign spokesman.

The Mackay-based 25-year-old was a keynote speaker at the Be Inspired Conference for parents of and people with disabilities at Lake Kawana and he made his voice loud and clear.

Adrian always knew he had something to say but he could never find how until he met Betty Rose, her son Peter and through them Alice Owen.

Mum Carol Thorne had assisted him with facilitated communication from an early age but it wasn’t until they met Alice that they found someone who could see beyond Adrian’s disabilities to the person trapped inside.

An alphabet board gave voice to his frustration.

A small pamphlet packed with Adrian’s poems and graphic images includes one piece that speaks to that frustration. He is now well on the way to writing a book.

“T only see powerful

Holding my inheritance

In their greedy hands

Wanting me too, did they

In my prison chair

I gave up too early

Maybe I will die before

I inherit my right to live

“He just took it,” Carol said of the technology-driven facilitated communication device her adopted son learned to use.

“We had finally found someone who believed he had the ability and intelligence to communicate.”

The Be Inspired conference was not just about people with disabilities. Parent/Parent general manager Di Wolthers wanted those being talked about front and centre.

The event was a two-day showcase of their true potential in drama, provision of hospitality, as presenters, artists and performers.

Guests came from across the Sunshine Coast, Toowoomba, Rockhampton, Brisbane, Victoria, NSW and WA.

“We wanted to show how the disabled can shine if given the opportunity,” Judi said.

FOCUS ON POTENTIAL: Melanie and Shayne Towers, Jordan Overs, Christine Troy-Perry and Sophie Bolton at the Be Inspired Conference.

PHOTO: JOHN MCCUTCHEON
VICTORIAN education authorities insist they have the right to restrict the number of integration aides and other specialists that they hire - even if it means discriminating against students with disabilities.

And the state says it would cost almost $1 billion if it had to to hire an integration aide for every student with an IQ of 75 or less, which it could not afford.

The lawyers for Victoria's Education Department are arguing that states' rights trump the Federal Disability Discrimination Act in a submission to a discrimination case currently being considered by the Federal Court.

Jade Sievwright, a Victorian teenager with an IQ of around 70, is suing the Education Department for discrimination, claiming it failed to provide her with the integration aide and speech therapist she needs to reach her full potential.

But in a late submission to the case, the Education Department is arguing that even if it is found to have discriminated against Ms Sievwright by failing to provide her with a full-time aide and a speech therapist, "it is beyond Commonwealth legislative power" to compel the state to hire these education aides.

The submission cites a 1995 High Court decision in a dispute about the awards of state public servants. In that case, the High Court ruled that states have the right to determine the size and nature of their workplace.

The submission in the latest case argues that, if failing to provide Ms Sievwright with an aide and speech therapist is found to be discriminatory, this would mean that the Education Department had not employed "sufficient numbers of aides to provide full-time assistance to students in Jade's IQ cohort and to employ sufficient numbers of speech therapists to provide speech therapy on demand to all students assessed as requiring such therapy".

Their submission states that it would cost $975 million to provide full-time integration aides to all students with an IQ of 75 or less in the state school system, and would mean employing 20,000 staff across 1539 schools - an average of 13 staff per school.

The submission states that the Act "interferes with the right of the State to determine the number and identity of aides and speech therapists it will employ in the Department, and by extension, the degree to which it will provide aides to students in classrooms and allied health services (like speech therapists) in a school setting".

This argument on constitutional grounds has horrified disability advocates, who fear it may have serious ramifications for other discrimination cases.

"Put simply, the state of Victoria's argument is that even if the Federal Court decides a child requires a full-time aide, it cannot order the state to provide it because to do so would amount to interfering with a basic function of the state," said solicitor Gabriel Kuek of Access Law, the firm representing Ms Sievwright.

"If successful, that argument will have very significant repercussions as it would affect every single disabled child in Australia. It would substantially diminish the protections the Disability Discrimination Act provides to disabled children."

Stephanie Gotlib, executive officer of national peak body Children With Disability Australia, said parents across Australia regularly used the Federal Disability Discrimination Act to seek extra support for their children in school.

"The Department of Education should have a commitment to the Disability Act, not trying to weasel their way out of their legislative responsibilities," she said.

But the Federal Disability Discrimination Commissioner Graeme Innes does not believe that any ruling in this case would have widespread implications for the disabled.
“The court could still find that the student had been discriminated against, but also that the department does not have to hire a particular person,” he said.

Mr Innes said families of disabled children frequently took discrimination cases to the Federal Court, and education departments were often required “to make reasonable adjustment” of their budgets and staffing to provide extra help to the children in question - without being required to provide the employment of specific aides or teachers.

Education Minister Martin Dixon could not be reached for comment. The case resumes in the Federal Court in late September.
Students protest as RMIT abandons disability training

Sarah-Jane Collins
August 31, 2011
The Age

Specialised degrees training disability services workers will soon disappear from Victorian universities. Photo: Ken Irwin

SPECIALISED degrees training disability services workers will soon disappear from Victorian universities, after RMIT walked away from a course to prepare students to work in special schools.

Students completing its Bachelor of Applied Science (Disability) course protested at the cuts this week, saying the lost qualifications will make it harder for employers to find highly qualified disability services workers.

The university axed the degree, along with the Education and Disabilities double degree. About 235 students are completing the courses, which the university has committed to gradually phasing out.
In 2006, Deakin University announced it would phase out the same degree, meaning there are now no universities in Victoria offering specialised courses for disability workers.

RMIT student Jessica Bennett said the university had given no warning the course would be axed before the official announcement two weeks ago.

She said the university told students that courses in psychology, nursing, social work and exercise science could substitute for the disability course.

"We're all quite shocked and concerned about it … we're trying in the disability field to direct focus more from a medical perspective to a social perspective. These degrees that RMIT has offered as an alternative contain one, at most, elective about people with disabilities," she said. "The effect is going to be far-reaching … the workforce is already underskilled."

RMIT pro-vice-chancellor Peter Coloe said the decision was made after "long and careful consideration of a range of strategies to maintain the program". "Interest in the degree has diminished over several years, resulting in the lowest-ever number of applicants in 2010," Professor Coloe said, announcing the decision. "The university remains committed to providing professional training to people who wish to work in the disability field, and the School of Life and Physical Sciences will investigate the option of offering a TAFE program in Disability Studies."

Micah Wilson, 12, brings far more to Trinity Christian School than he takes from it, according to principal Carl Palmer.

But as a student with an autism disorder who needs additional assistance including a teacher's aid, Micah also costs more than the average student to educate.

Students with disabilities have historically been wedged between different funding regimes for government and non-government schools.

If they are enrolled in a government school, they attract state and territory government subsidies to cover the cost of their disability up to five times more than if they are enrolled in the non-government system.

While Micah is one of more than 60 special needs students, recognised and funded by the Commonwealth, this additional funding is far less than what he would receive were he enrolled in the government sector.

Trinity also caters for nearly 80 students with do not receive any additional funding but require added assistance.

As the Gonski review of funding for schooling today issues four independent research papers on different aspects of education resourcing, the non-government school sector is hoping future reforms will include a fairer and more transparent funding structure for students with disabilities.

Mr Palmer said principals in non-government schools were "over a barrel" when it came to enrolling students with disabilities.

"Of course we cannot discriminate against a child with a disability, but we also have to be clear with parents about any limitations we face in what we can offer a child. I have to ask myself whether I am disadvantaging Micah because I can't put as much funding into his education as I would like to - and I can't increase the fees for everyone else to cover the added costs," he said.

"My hope is the Gonski review will see us treat all children with a disability - through no fault of their own - as equals. I fail to understand legislation which allocates a student like Micah X amount of dollars in one setting but a fifth of that in another school."

Micah, who has been enrolled at Trinity since kindergarten, said he loved the school because of his friends, teachers and principal.

Sometimes he found school a challenge "because my imagination is so strong".
But he also brought with him "incredible strength and a wonderful sense of humour" which was valued by the rest of the school community, according to Mr Palmer.

With the Gonski review due to report to Government by the end of the year, many in the non-government sector are lobbying for a voucher system.

Such a system - in which students in non-government schools were guaranteed a minimum level of funding, with extra support for those with special needs, has already been flagged by the review panel.

The National Catholic Education Commission’s submission to the Gonski review also calls for a fundamental rethink on the way students with disabilities are funded.

Chief executive Bill Griffiths said the most important first step was for a fair and national set of disability definitions to be decided. Then all funding - from the Commonwealth, state and territory governments, and from schools themselves - needed to put "put on the table".

The Association of Independent Schools has similarly argued that the issue of funding for students with disabilities needed to be addressed by the Gonski review.
Support for workers with disabilities calls for three-way partnership

Graham Bradley
September 1, 2011

Improving employment opportunities for people with disabilities is a win-win goal for business and the community sector. Three recent federal government changes to disability-related payments are important steps in helping people who want to work to be in a better position to do so. But government, business and the community need to work together to make these changes work in the way they are intended.

There is much common ground between large employers and community in wanting to support groups of Australians currently under-represented in our workforce.

A similar level of common ground has been demonstrated by our political leaders in achieving bipartisan agreement on much-needed changes to disability-related payments and support. Every Australian should be encouraged and enabled to participate in the workforce and community life, yet too many people with a disability face barriers when it comes to looking for work. A little over half of working-age Australians with a disability are in the labour force compared with the 83 per cent of working-age Australians without a disability, and we need to address this imbalance.

The government’s move to change eligibility rules around the disability support are positive, focusing on what people can do rather than on what they can’t.

The government’s draft legislation relaxing tax treatments on disability payments will also enhance the capacity of recipients to achieve economic independence, and of carers to provide for children with a disability.

Finally, the decision to fund a National Disability Insurance Scheme, if implemented effectively, could increase choices for people with a disability, and support more effective participation in the community and the workforce.

The recent changes to disability payments will go some way to improving the incentives for under-represented groups to participate in the workforce. Implementing broader reforms to the transfer system recommended by the Henry review would go further in providing the right mix of supports and incentives.

Addressing the participation imbalance and catching up with countries such as New Zealand that have much better outcomes for people with a disability calls for hard work on the ground. This hard work must be undertaken by a collaboration of government, business and community groups.

Employers need to recognise people with a disability as productive contributors rather than focusing on potential added risk or cost.

Research from the Human Rights Commission has shown that employers are not at greater risk of OHS issues when they employ disabled people. On the contrary, the loyalty and commitment from employees with a disability results in lower turnover, fewer sick days and higher engagement.

Government services need to be streamlined to allow a package of necessary support services to be accessible for individual disabled clients - as recommended in the Productivity Commission’s draft report. Those support services range from health-related services to education and training, employment-related services and pre-employment preparation.

Employers need better support in being able to find and employ people with a disability who have the right skills and competencies. Current services are too remote from understanding employers’ needs and being able to locate or develop suitable candidates.

In all of this, it is important to remember that these initiatives are designed to help people with a disability to realise their potential. This means getting the financial incentives right and providing the support services people need for independent living and working.

The announcements to date are a good first step. We look forward to seeing more in the government’s response to the Productivity Commission’s report.

Solving these problems is by no means easy. But when different sectors unite to identify and implement solutions, the task becomes more achievable.

Graham Bradley is president of the Business Council of Australia.
In search of a new money deal
Caroline Milburn
September 5, 2011

RARELY do those involved in the school funding debate step away from day-to-day battles over money and influence and instead take a longer view.

Last week they got an opportunity to do that, with the release of four big independent research papers commissioned by the federal government's Gonski review. The papers are a key element in the Gillard government's overhaul of Australia's school funding system, the first comprehensive review since 1973.

Putting pressure on elite private schools to accept more struggling students is one of many proposals from the four reports likely to excite controversy. At a press conference releasing the reports, both the Education Minister Peter Garrett and David Gonski, the Sydney businessman chairing the review panel, hosed down expectations they were endorsing proposals raised in the 616 pages in the reports. Instead, the reports will be added to evidence, including 7000 submissions, that the panel is examining before it delivers its advice to government by the end of the year.

"Our minds are still open, we're forming our own assessment on the research and this is why we're inviting the public to make submissions to us on this research," according to Mr Gonski, who said the panel will develop a fairer, more transparent school funding system. "We acknowledge that the research includes contestable issues. It's our intention that there be open and consultative rapport with the panel."

What is beyond dispute is that the most costly students to educate, disabled students and Australia's long tail of under-performing disadvantaged students, are concentrated in public schools. Current funding arrangements for disadvantaged students are examined in the report by the Australian Council for Educational Research (ACER). It costs $2.8 billion a year to fund disabled students, 80 per cent of whom are in the public sector. Another $600 million is spent on programs for struggling children from poor families, most of whom are in government schools.

The funding system is disjointed, overly complex and not good at evaluating whether the programs for disadvantaged students improve their results, according to the ACER findings. "Few [programs] have been evaluated, and fewer still have been evaluated with student outcomes as a focus," its report says.

Australia has an overly large proportion of underperforming students, compared with other OECD countries. However, another report by a consortium led by the Nous Group says although most disadvantaged students are in government schools, it is important to note that underachievement is occurring in schools of all types, among all students and is getting worse in the key areas of reading and maths.

Australia's decline in the education performance of its students in international tests is clear at all levels, and can't solely be explained by its large group of underperformers. "In short, Australia's performance in reading and mathematics over the past decade should have improved due to the increased wealth of the country, but it has in fact gone backwards," says the Nous report, conducted with the University of Melbourne and Flinders University, which examined challenges facing school education. "This is during a time when the performance of other countries and systems has improved significantly."
Growth in Australia’s rates of school completion has stalled since 2000, while the trend in the rest of the OECD has continued to rise.

To improve the performance of all students regardless of their socio-economic status, the Nous report argues that governments need to create an environment for "lifting all boats" rather than adopting separate approaches to the government, Catholic and independent school sectors.

The report says governments should focus its efforts and funds on six levers proven by research evidence to be crucial in improving student performance. They are: ■ Improving the quality of teachers and teaching. ■ Ensuring the right external standards and oversight. ■ Promoting regional-level collaboration and networked schools. ■ Supporting disadvantaged students. ■ Investing in under-performing schools. ■ Strong leadership to drive improvement.

The report says a lot of "high-quality" schools could arguably be better described as "schools with high-quality" students because many in the government and non-government sectors have selective enrolment practices that favour more successful students.

It recommends governments should provide financial incentives to encourage well-resourced, high-performing schools to take on groups of underperforming, disadvantaged students.

"Increasingly, people travel further to be educated, but at the same time there are numerous examples of 'good' schools sitting side by side with 'bad' schools," the report says. "Many Australians would be saddened by that sight for what it says about who is getting 'a fair go' as much as they would be concerned about 'blights' on the community landscape.

"Regardless of one's perspective, it is not hard to make the argument that it is in a community's interests for all schools to thrive and be a shared resource."

Each research paper evaluates a core problem that most educators agree must be fixed for meaningful funding reform to occur. Previous governments have shied away from overhauling Australia's inefficient funding system, unwilling to confront the ideological divisions that riddle Australia's public-private school structure. In an increasingly partisan, febrile political environment, the Gillard government is about to try.
FASD: The hidden disability

By Tammy Thielman - Salmon Arm Observer Published: September 07, 2011

He looks like a regular boy. In many ways, he is one. He likes gaming, reading and going to summer camp.

No one would suspect that Adrien Astill, 13, has a hidden disability. Adrien lives with partial Fetal Alcohol Syndrome (pFAS).

Adrien, a Grade 8 student, and his grandmother Kathy Astill agreed to speak about living with pFAS to help raise awareness about the condition.

Sept. 9 is Fetal Alcohol Spectrum Disorder (FASD) Prevention and Support Day. The Astills would like others to know how to relate to someone with FASD, and to know what life with pFAS is like for Adrien.

FASD is an “umbrella term” used to describe a range of disabilities and diagnoses that come from prenatal exposure to alcohol.

While Adrien has some challenges, especially in school, he has many strengths, said Kathy, who Adrien lives with in a loving family environment where he receives positive support and role modelling.

“Adrien’s biggest advantage is reading. He struggles with short-term memory and being told what to do. If he can read it, that helps him remember,” said Kathy.

Making lists of specific tasks and chores is very helpful. Attending a workshop on FASD helped Kathy understand her grandson better.

“We learned what’s it’s like to be in his shoes. Before we got the diagnosis, it was tough. We wondered why he didn’t remember things. We get along better now.”

Kathy would like others to understand what challenges Adrien will face as he gets older.

“It’s not just about right now. I’m here to protect him. One day, he will want to get a job and be in a relationship.”

One challenge is interacting with youth his own age.

“Adrien is great with younger kids,” said Kathy. “But these kids really do have a hard time with their own age group.”

Adrien can be easily distracted and doesn’t always understand consequences, said Kathy, who is very close with her grandson. The two often go on hikes and trips together as well as simply enjoying life at home.

“I like reading about how things work,” said Adrien, who also enjoys collecting antique glass bottles. “I like to read about physics and I like to build things, like an architect. I’m really good at reading and following instructions.”
Adrien described that he likes teaching himself about things.

“Adrien’s very good with animals and people with special needs,” noted Kathy. “He’s really good at going into new situations where he doesn't know anyone. He’s very brave.”

Raising a grandchild with pFAS has been challenging, admits Kathy, but also rewarding. “You have to be open-minded,” said Kathy. “It’s not right to keep it hidden because then you’re not helping the children.”

Shawna Rothwell is the Shuswap Children’s Association FASD Keyworker. Rothwell works with many families, including the Astills.

“With FASD, there are some common characteristics, but each individual is unique,” said Rothwell.

“With FASD, there are some common characteristics, but each individual is unique,” said Rothwell.

“Families can be creative to find strategies for their child.”

Rothwell encourages families to use the FAS-friendly KISS Method: Keep it Specific, Step-by-Step and Strengths-based. Other positive “S” words like Self-Esteem can be added to the list.

This Friday from 9 a.m. to 1 p.m Rothwell will have an FASD awareness and information table set up at the Ross Street Plaza. According to a Health Canada website, about 300,000 Canadians live with FASD.
THE federal Disability and Sex Discrimination Commissioners Graeme Innes and Elizabeth Broderick have called on the Attorney-General to ban the sterilisation of children - unless there is a compelling medical reason - regardless of whether they have a disability, and of adults with disability without their informed consent.

"It is the [Human Rights] Commission's position that [sterilisation] shouldn't occur apart from therapeutic circumstances," Mr Innes said. "Even if it is occurring, there should be court supervision, and that is not happening in many cases."

The sterilisation of intellectually disabled women and girls is seriously under-reported, Mr Innes said, and the Human Rights Commission has anecdotal evidence that girls are still being sterilised by doctors who bypass regulations requiring them to apply to courts for permission. Mr Innes is working with the Family Court of Australia and all the guardianship boards across Australia to update the numbers of officially sanctioned sterilisations.

"The numbers from the Family Court will be low, and when we get the data back from the guardianship boards, it will be relatively low," Mr Innes said. "Is that because it's not going on or that they're not being asked? I think it's the latter."

Mr Innes said he was talking to the Attorney-General about unifying sterilisation regulations, which vary from state to state.

Under-reporting was found to be widespread the last time sterilisation was researched, in 2001 by Women With Disabilities Australia, and also in 1997, when the Human Rights Commission last examined the issue.

Families and carers still ask for sterilisation because they do not realise they have other options, according to Carolyn Frohmader from Women With Disabilities Australia.
Disability hate crimes up a fifth

By Wesley Johnson
Thursday, 8 September 2011

Disability hate crimes rose by more than a fifth last year, figures showed today.

Police recorded 1,569 incidents where the victim thought the alleged crime was motivated by their disability in England, Wales and Northern Ireland, compared with just 1,294 in 2009.

But the overall number of hate crimes dropped by 7% from 51,920 to 48,127 in 2010.

The Association of Chief Police Officers (Acpo) said disability hate crimes had been "significantly under-reported in the past".

Chief Constable Stephen Otter, the ACPO lead on equality, diversity and human rights, said officers were committed to "building victims' confidence and improving our recording practices so that more victims can access the service they deserve".

Iqbal Bhana, deputy chairman of the Government’s hate crime advisory group, added: "It is good to see progress but there is still a long way to go before we can be satisfied that hate crime victims are properly protected."

The latest figures also showed there were 39,311 race-related hate crimes last year, 4,883 motivated by sexual orientation, 2,007 crimes by religion or faith, and 357 by transgender issues.

A Home Office spokeswoman said: "Targeting a person or a group based on their disability, gender identity, race, religion or sexual orientation is unacceptable, and tackling hate crime is an issue the Government takes very seriously.

"For the first time police forces are recording hate crime data centrally.

"This will help the police to target resources more effectively and better protect victims, because everyone should have the freedom to live their lives without fear of targeted hostility or harassment."

A spokeswoman for the Equality and Human Rights Commission (EHRC) said: "Evidence from our inquiry into the harassment of disabled people, which is being released on Monday, shows that there is still significant under-reporting of this type of crime.

"Often there is a failure by authorities to recognise that these crimes may be motivated by hostility towards disabled people, so it may not be recorded as hate crime.

"Disabled people tell us that they do not want to report incidents of harassment or abuse because they fear the consequences or may feel that they won't be taken seriously.

"Specific recommendations for the police are set out in our report Hidden In Plain Sight, which will be published next week."

Dan Scorer, Mencap's campaigns manager, added that the cases were "just the tip of the iceberg", saying "the majority of hate crime cases still go unreported".
Disability rules bypassed in low-floor tram rush

Josh Gordon
September 12, 2011
The Age

The Department of Transport knowingly breached federal anti-discrimination laws by ignoring wheelchair accessibility rules on trams.

A tender assessment from September last year for 50 new "low-floor trams" reveals that the department decided a Disability Discrimination Act requirement for a step height between platforms and trams of no more than 12 millimetres was too onerous, instead asking for a cheaper 50 millimetre option, which is the European standard.

"It was determined that the 12mm option was not feasible and should not be actively pursued", the briefing to Martin Pakula, transport minister in the former Labor government, says.

The documents, obtained under freedom of information laws by Greens MP Greg Barber, warn that no tenders had developed a "workable system" to meet the requirement, saying the impact on delivery times and maintenance was too great.

Transport Minister Terry Mulder announced last month the first of the 50 new Bombardier trams will begin operating next year.

Sanctions for beaching the federal discrimination act, if any, are unclear. But Ray Jordan, of Reservoir, said he often finds it difficult to board trams in his wheelchair and is considering taking the government to the Australian Human Rights Commission.

"I have had experience where I've just simply not been able to get onto a low floor tram at a platform tram stop," he told reporters.

"My option is to sit there and wait for the next tram to come along and just hope that I can get on that one."

Greens transport spokesman Greg Barber says many of the existing low-floor trams do not comply with the federal standard and there are gaps of up to 90mm.
"When the former government placed the order for trams they knew that they would not comply with the federal wheelchair standard," he told reporters.

"That's something the new government needs to fix."

Mr Jordan said Mr Mulder should order the department to examine how they are going to fix the problem.

"We don't want to stop or delay those (new) trams. We just want to make sure that they can be accessible by everybody - people with wheelchairs, people with walking frames, parents with prams."

In a press release last month, Mr Mulder said the new $300 million trams would provide easier access.

With AAP

Hope for alcohol syndrome babies

September 12 2011 at 08:10pm

ANGELIQUE SERRAO

For the first time, many South African babies born with foetal alcohol syndrome (FAS) will be diagnosed at birth – giving them a far better chance at getting help.

It was announced last week that the world’s first commercial project to diagnose and analyse the syndrome in new-born babies was being launched in South Africa.

FAS is a birth defect caused by alcohol consumption during pregnancy. It is characterised by growth and mental retardation, facial and neural abnormalities, as well as malformations of organs. Children suffering from the syndrome have learning disabilities, show poor co-ordination, have problems with memory, and exhibit hyperactivity and behavioural problems.

It is estimated that South Africa has 4 000 reported new cases of FAS every year, the highest in the world. The majority of these cases are reported in the Northern and Western Cape.

The test, which will be rolled out in a few targeted areas, was developed by English company Trimega Laboratories, founded and led by local entrepreneur Avi Lasarow.

Trimega was the first company to market hair alcohol testing, and the test for the syndrome in babies is based on a similar system.

The company is working in partnership with local forensic science company Tripelo, which will be conducting the tests.

Lasarow said the test was done on the baby’s first stool, which would be taken from the hospital to the laboratory. The tests would be able to see whether the baby had high levels of alcohol in its system.

When alcohol crosses the placental barrier, it can stunt foetal growth, cause facial stigmata and damage neurons and brain structures.

Lasarow said that in a number of cases, however, physical traits were not always obvious and it could take years before a child was diagnosed with the syndrome, often at school when they showed learning and behavioural difficulties.

“The benefit of this test is that the parents and doctors can intervene immediately, helping in the right treatment of the child so that the parents won’t just think their child is naughty. They will know there is a health problem here,” said Lasarow.

The testing is part of a UK-South Africa bilateral forum, which is a commitment made to double bilateral trade between the countries by 2015.

The UK Department of International Development committed £76 million (R881m) to support South Africa, particularly with health issues. The money for the testing will be part of this funding.
WE BEGIN with three typical stories about sexual assault. Two intellectually disabled girls complain that a 17-year-old boy with autism has indecently assaulted them. The parents of one girl are angry and want the boy to be prosecuted, but the police tell them it is unlikely he will be convicted. The parents of the other girl want him to understand that what he did was wrong and he must not do it again.

A 50-year-old man has only now been able to discuss the fact that as a young child he was molested by a family friend who is now almost 80 years old. He does not want the perpetrator jailed but wants an acknowledgment of the harm done to him and an understanding that the offender was not the kind old man everyone thought he was.

A 50-year-old woman is raped by her 20-year-old neighbour after she invited him to have a drink with her. The jury was not satisfied beyond reasonable doubt that the woman did not consent to have sex with the alleged offender. He is acquitted after a trial.

As it stands, the criminal justice process cannot acknowledge or vindicate these victims. And some alleged offenders may go on to harm others.

This is despite relatively recent changes to how Victoria deals with sex crimes. In 2004 the Victorian Law Reform Commission recommended changes to make the criminal justice system more responsive to the needs of sexual assault victims.

Since then police investigation processes have improved and a specialist sex offences prosecution unit has been established. Delays in trials concerning child sex offences have been reduced and a child witness support service has been established. Complainants can give evidence via CCTV from a remote facility and the evidence of children is pre-recorded and the DVD shown to the jury. Education programs for barristers and judges have addressed myths about sexual assault.

These changes have had positive effects. Recent interviews of complainants in sex offence trials, conducted within an evaluation of the Victorian reforms, found that most would encourage others to report sexual offences to the police.

Despite these improvements, the prosecution of sexual offenders will only ever provide justice to a minority of victims. In Australia, as in other countries that have made similar reforms, less than 20 per cent of sex assault victims report the offence to police, and many complaints do not proceed to trial.

In Victoria, the proportion of those charged with sexual assault who plead guilty has fallen, so that a higher proportion of witnesses have to give evidence and be cross-examined. Of cases that do go to trial, less than half result in a conviction. It has been estimated that less than 2 per cent of sex assault victims will have their complaints vindicated by a conviction of the offender.

Although the changes in handling cases are encouraging, we should consider other alternatives for victims who do not wish to report offences to police or take part in a trial, or where the evidence is unlikely to lead to a conviction.

One option is the use of conferencing to divert young offenders from prosecution, as is done in South Australia. In conferencing, both the victim (or the victim's family) and the offender would have to agree to participate in a meeting chaired by a trained person.

The offender would admit their wrongdoing and the victim would be able to explain how the offence affected them. The offender would agree to make reparation, which could include keeping away from the victim and attending treatment. Those who accompany the offender would undertake to keep the offender to the agreement.

Members of the community may be concerned that this would provide a soft option for offenders. But the process of sitting in the same room with the victim and their family confronts the offender with the reality of what they have done.

Professor Kathleen Daly's research on the outcomes of the South Australian diversion program is encouraging. Conferencing gives victims a voice in a way a criminal trial does not. If used to divert offenders from prosecution, they may be encouraged to admit guilt early. In South Australia, there is no evidence that young offenders who go through this process are more likely to reoffend than those who go to jail.

We support piloting and carefully evaluating a diversion scheme for young sexual offenders. Conferencing might also be used in cases where the victim does not want the offender sent to jail or the offence occurred many years ago and it is unlikely that the offender will be convicted.

Another possible use for conferencing would be prior to sentence, after a sexual offender has pleaded guilty, though this would not assist victims who do not wish to report the offence.

In the first example we gave, this process was successfully used. The results for both victim and offender and for the protection of other potential victims may well have been better than those that would have been achieved if the boy had been tried and acquitted.
Marcia Neave is a judge of the Court of Appeal, Supreme Court of Victoria. Michael Rozenes, QC, is Chief Judge of the County Court.
2,400 children with disability screened

Aloysius Xavier Lopez

Chennai School in Vadapalani is a few metres away from the residence of Sanjay Kumar (6). Yet he was not on the rolls of any school. His cerebral palsy with mental retardation was the justification given by his parents for not sending him to school.

After the screening camp for such children conducted by Sarva Shiksha Abhiyan (SSA) in Chennai Schools in various parts of the city recently, his parents have agreed to send him to the Chennai School near their home.

“Many such parents are not aware that the children can be admitted to mainstream schools,” says V. Vijayapriya, a therapist with SSA. The parents of Sanjay said that they did not enrol him in school mainly on account of the fact that they were unable to take him to a special school far away, she adds. “It was difficult to carry him to a special school at a distance. The problem has been solved after he has been admitted to the Chennai School adjacent to our house,” said S. Parimala, the student’s mother.

Many parents do not know that admitting children with disability to mainstream schools can have a positive impact, says P. Kamala, a teacher of Chennai School. She cites the example of S. Aravind (9) who was admitted to the school a few months ago with hyperactivity. “He is learning more from his peers than from the teachers. His learning ability has improved considerably. He is able to concentrate well,” she adds.

More than 2,400 children with disability have been screened during the first phase in the city so far. The children at the screening camp would receive national identity card for the persons with disability, assistive devices or surgical correction free of cost. The first phase of screening has been completed for all zones of the city last week. The final screening on Friday was held at Chennai School, Rama Street near Valluvar Kottam. The second phase of screening would begin next month. Any child with disability irrespective of the income limit of their parents may make use of the screening camp for obtaining national identity cards or other assistance pertaining to the right to education, said Assistant Project Officer of SSA A. Samadhanam. Ration card with four photographs of the child are the requirements for taking part in the screening. Persons with disability from areas not part of the Chennai Corporation also participated in the screening, said Corporation Joint Commissioner (Education) T. N. Venkatesh.

Keywords: Sarva Shiksha Abhiyan, disability, education
Inquiry backs disability pension reform
From: AAP September 19, 2011

THE Gillard government's plan to save cash by tightening eligibility for disability pensions has received the nod from a Senate parliamentary inquiry, but welfare groups and a dissenting Greens senator have slammed the move.

In late July, the federal government announced sweeping changes to get people off disability support pensions (DSP) and into the workforce that would save the budget an estimated $35 million each year.

The government plans to change the impairment table that assesses the work capability of disabled people.

People no longer eligible for the disability pension, including those with chronic pain and hearing impairments and who are obese, will be placed on the job-seeker Newstart Allowance, which is a third less than the rate of the pension.

The changes come into affect at the start of 2012, and government modelling suggests 40 per cent of disabled people now eligible won't be under the new system.

After a brief inquiry, the Senate Community Affairs Committee tabled its report to parliament today recommending the bill be passed.

The committee recommended the government "expand consultation" for the revised impairment tables.

"This should include information for current disability support pension recipients about the potential impact of the tables when a medical review is conducted," a report said.

It also recommended that the Department of Families, Housing Community Services and Indigenous Affairs regularly checks the impairment tables.

A dissenting report by the Australian Greens senator Rachel Siewert said she had grave concerns about the government's lack of proper consultation, some medical conditions being omitted and inadequate testing of the tables.

"I'm concerned the government has rushed the development of these tables in order to fast track the reform," she said.

"The result will be... more people living with disability in poverty, on the inadequate Newstart allowance."
Anglicare, the Salvation Army, UnitingCare and Catholic Social Services say disabled people will be "set up to fail" if the government goes ahead with money-saving plans to tighten eligibility for disability pensions.

The four charities argue the labour market is "not ready and able to employ them" and 14,400 disabled people could be relegated to living on $34-a-day.

The National Welfare Rights Network (NWRN) said it was disappointed with the report's findings. It says the government hasn't done its homework on the impact of the impairment table changes. "The revised tables were tested on just 215 people and for some medical conditions a mere two people were sampled," the Network said.

"With so little time for genuine consultation over the revised tables, it is certain that other major deficiencies will be found if the government rushes these changes through parliament."
Diminishing dole a 'ticking time bomb'
Peter Martin
September 19, 2011

AUSTRALIA'S 3.4 million pensioners can loosen their belts from tomorrow. They'll get a pay rise of $19.50 a fortnight. But those on Newstart unemployment benefits and student allowances won't be so lucky - they'll get an extra $11.73.

The disparity between the two increases means Newstart is worth just two-thirds of the pension - and is set to fall to less than half of the pension by 2040.

And new rules governing eligibility for the disability support pension to take effect in January will tip an increasing number of Australians off the disability pension on to Newstart, cutting their take-home benefit by $262 a fortnight.

"It's a ticking time bomb," says Cassandra Goldie, chief executive of the Australian Council of Social Service.

"The government's own estimate is that the chance of getting assessed as eligible for the disability pension will drop 40 per cent. As existing recipients are reassessed they will drop on to an unemployment benefit that even the Organisation for Economic Co-operation and Development says isn't up to the job."

The OECD reported last year that Newstart had become so low as to raise "concerns about its adequacy" and a Bureau of Statistics survey this month found that four in every five Newstart recipients reported significant financial stress, more than any group identified.

The single Newstart rate is $33.92 a day, due to increase to $34.74 on Tuesday. By contrast, after Tuesday, the single pension will be $748.80 a fortnight - $53.50 per day.

Pensioner couples will get a combined $1129 a fortnight.

Rules introduced by the Rudd government increased the pension, but not Newstart, by the larger of three different indices: the consumer price index, the pensioner living cost index, and male total average earnings.

Two of the past four half-yearly increases have been driven by male earnings; the other two by the pensioner living cost index. None have been driven by

the lesser CPI. Newstart and student allowances recipients get only the CPI increases, typically the lowest of the three measures.

The Centrelink website wrongly says the CPI increases adjust payments "in line with increases to the cost of living".

The Bureau of Statistics website makes clear the CPI is not a measure of the cost of living and has not been since changes were made to the index in 1997.

A large one-off jump in the pension in 2009 means that in the past two years the buying power of the fortnightly Newstart allowance has slipped $22 while the buying power of the pension has climbed $175.

"It's not sustainable," Dr Goldie said. "Newstart will have to climb and this will become more apparent as more disability pensioners find themselves reassessed on to it."

ACOSS will ask at next month's tax summit for an immediate $50-a-week increase in Newstart to take it to $586.60 a fortnight, somewhat closer to the single pension. The measure would cost around $1 billion.

"We support the idea of trying to get people on the disability support pension into work, but giving them a pay cut along the way makes it too hard," Dr Goldie said.

Poll: Should the unemployment benefit be raised to the level of the pension?

- Yes
- No

Vote View results

Poll closes in 7 hours.

Disclaimer: These polls are not scientific and reflect the opinion only of visitors who have chosen to participate.

Comments

79 comments so far
Down Syndrome Study Finds Families Are Happy
By Shaun Heasley | September 22, 2011

Having a child with Down syndrome may come as a surprise, but it’s a good experience, families are reporting in a trio of new surveys.

Researchers surveyed more than 3,000 family members and people with the chromosomal disorder across the country for what’s believed to be one of the largest looks at life with Down syndrome. The findings, which will be published in three articles in the October issue of the American Journal of Medical Genetics, offer a rosy picture.

The vast majority of parents said they have a more positive outlook on life because of their child with Down syndrome. And, nearly 90 percent of siblings indicated that they feel like they are better people because of their brother or sister with the developmental disability.

Nearly all of the survey respondents with Down syndrome said they were happy with their lives, themselves and their appearance. Only 4 percent said they felt sad about their life.

“As international discussion is mounting over the new prenatal tests, family members have now had their say about life with Down syndrome,” said Susan Levine from the disability nonprofit Family Resource Associates, who worked on the study alongside researchers at Children’s Hospital Boston and the Dana-Farber Cancer Institute. “And, more importantly, the people with Down syndrome themselves have clearly stated that they consider their lives valuable.”

Researchers did acknowledge that the survey population could be a slightly biased one since all respondents came from families that are members of nonprofit Down syndrome groups. Nonetheless, they say the findings are valuable since they offer the “largest and most comprehensive portrait of life with Down syndrome to date.”

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There is a "systemic failure" by public authorities to recognise, prevent and intervene in the harassment and abuse of disabled people, a watchdog has said.

Many disabled people see harassment as a commonplace experience and high-profile cases such as that of Fiona Pilkington, who killed herself and her disabled daughter Francecca Hardwick, 18, in 2007 following 10 years of sustained abuse, are only the tip of the iceberg, the Equality and Human Rights Commission (EHRC) said.

It called for the criminal justice system to be made more accessible, for police to routinely consider disability as a motive where a victim is disabled, and for better support for victims.

The report comes as figures showed the number of disability hate crimes recorded by police in England, Wales and Northern Ireland rose by more than a fifth last year, up 21% from 1,294 in 2009 to 1,569.

But the Association of Chief Police Officers (Acpo) warned it was a crime that had been "significantly under-reported in the past".

The EHRC report said: "There is a systemic failure by public authorities to recognise the extent and impact of harassment and abuse of disabled people, take action to prevent it happening in the first place and intervene effectively when it does. These organisational failings need to be addressed as a matter of urgency."

Around 1.9 million disabled people were victims of crime in 2009/10, making them more likely to be victims of crime than people who are not disabled, the EHRC said.

Mike Smith, lead commissioner and disability committee chairman, said: "Dealing with disability- related harassment is going to take concerted effort by a significant number of public authorities, with proper leadership and joint working at all levels. "But it won't just be public authorities that have to act differently. It's all of us. I want the person at the bus stop who sees something happening, or the plumber repairing a tap who comes across something untoward, to know that they too should take action."

A Government spokesman said: "Disability related harassment is unacceptable and has no place in a civilised society. We need to work together to do more to change negative attitudes, prevent disability harassment and hate crime from happening and protect those who are targeted."