

Understanding Our Clients

Disability

Understanding disability in Australia

- Twenty percent of people in Australia have a disability. Having a disability is a diverse experience. There are many different disabilities including cognitive, intellectual, neurological, physical, sensory and psychosocial disabilities, including mental health conditions. Chronic illness, addiction and the effects of trauma can also be disabilities. Two people with the same disability may have very different experiences and needs, so do not assume a one-size-fits-all approach to disability.
- Some people may have multiple disabilities. Others may have an invisible disability such as hearing loss or a mental health condition. Some people choose not to identify as a person with disability. Others who do identify as a person with disability may choose not to disclose it, including on forms they are required to fill out to access a service. Others may be proud of their disability and identify with being a disabled person as a central part of their identity. Every person with a disability brings different experiences and should be treated as an individual.
- Don't make assumptions about your clients because of their disability, including about their circumstances or what they can or can't do.
- It is important to be able to have a conversation about disability that is respectful.
- Language matters. People with disability may have a preference about the language that is used to refer to them, so it is best to follow the lead of your client. Be empathetic and respectful, and make sure you don't ask intrusive questions about their disability.
- Some people prefer person-first language (person with disability), others prefer identity-first language (disabled person). Some people or communities may not identify as disabled at all, but rather as part of a cultural group (Deaf or Autistic communities). If you are not sure or can't ask, it is best to use person-first language or refer to your client by their name.
- Be mindful of not using language that is ableist, derogatory or negative about disability (for example, crazy, idiot, mad). If you slip up, acknowledge your mistake and apologise.
- People with disability also experience other factors that impact on their access to services such as culture, background, education and experiences of trauma.

General principles for providing accessible services

- It is vital to ask the person directly what they need or prefer to be able to access the service you are providing. This could include the location, technology, information or way of communicating. There are tips on starting the conversation below.
- Focus on how you can provide a service that is accessible to your client and not on what is 'wrong', 'impaired' or 'different' about your client.
- Respect a person with disability's autonomy and dignity of risk. Dignity of risk refers to the right of people to make their own decisions and take their own risks (within legal bounds), even if you would make a different decision in their position.
- Legal advice to a person with disability should be just as objective, and legal representation as vigorous, as to any other person. Don't apply best interest principles unless it is part of the relevant legal test.

Support people

- Some people with disability like to have a support person through a legal process for emotional or practical support, or for support in decision making, and lawyers should be open to this. This could be a family member, friend, or professional like a support worker or disability advocate. This may help to create a trusting lawyer-client relationship.
- Be mindful that the request for a support person should come from the client. If the support person makes this request, then you should check with the client without the support person present.
- If a support person is attending the appointment with your client, make sure to speak to the client and take the client's instructions unless they specifically say they wish for the support person to speak for them.

Physical accessibility

- It is good practice to ask someone if there are any physical adjustments you can make to ensure they can access the physical environment, whether it be your office or a court.
- Appointment rooms should already have physical accessibility measures in place, like ramps and enough space for a wheelchair turning circle.
- Know where to direct people to accessible toilets.
- Make sure that doors can be opened by someone using a wheelchair.
- Make sure the corridors are clear to get to your office.

- Check if there is accessible parking and transport and communicate this to the client.
- Make sure you know what to do in an emergency.

Communication

- Everyone has different communication preferences. It is respectful, and makes the provision of legal advice more effective, if you can provide options.
- It is good practice to schedule appointments around the client's preferences. For example, if mornings are better for the client, make the appointment in the morning when client wellbeing and health are at their best.
- Clients may prefer a video call or a face-to-face appointment at a familiar or accessible place.
- Providing an agenda may assist some clients as it can make the appointment more structured and predictable.
- Give clients an opportunity to digest the advice and information you have provided them. Offer breaks and an opportunity for them to ask questions or clarify information that they have been provided. It's important not to hold people with disability to a higher standard than other clients. For example, most clients without legal training may not be able to explain your advice back to you.
- If a client prefers visual communication, it can be useful to follow up with an email with images.
- Ask your client if they'd prefer multiple appointments instead of one to assist them to process complex or voluminous information.
- Provide information to clients in their preferred language. This may be a language other than English (for example, some Deaf people communicate using Auslan).
- Letters should be written in an accessible way for visually impaired clients to make sure they can make use of a screen reader, or perhaps Braille if it is a physical letter.

Disability resources

This tip sheet is just the beginning. You can click on the hyperlinks below to obtain more information and tips on working with clients with specific disabilities.

- **Ask Izzy** is a mobile website that connects people in need with housing, a meal, money help, health and wellbeing services, family violence support, counselling and much more. The [Ask Izzy Disability Advocacy Finder](#) can be used to link people with disability-to-disability advocates. You can fill out the online form on behalf of a client to locate disability advocates who can assist your client with general disability advocacy or NDIS appeals.

- The [Disability Gateway](#) has **information and services** to help people with disability, their family, carers and supporters to find the support they need. It includes information and services across different areas such as health, housing, employment, transport and everyday living, as well as advocacy and legal services. It includes national services, as well as services in each state and territory. You can call the Disability Gateway on 1800 643 787 or find information via their website.
- The [Australian Federation of Disability Organisations](#) is the national voice representing people with disability in Australia. Their members are national and state disability advocacy organisations run by and for people with disability and their families, representing Australians with disability.
- There are a range of national and state **disability organisations** that can provide information, research, resources and training to you. The [Australian Federation of Disability Organisations Resources webpage](#) has a comprehensive list of disability organisations. Some of the organisations can support you to work with people with specific disabilities such as [Brain Injury Australia](#), [Deaf Australia](#) and [Physical Disability Australia](#). Other organisations can support you to work with groups of people with disability such as [Children and Young People with Disability](#), [Women with Disability Australia](#) and [First Peoples Disability Network](#). It is a good idea to familiarise yourself with the disability peak organisations so you can learn more about different disabilities as well as some of the intersectional experiences of people with disability.
- **People With Disability (PWD) Australia** is Australia's peak rights and advocacy organisation for people with disability. Their [PWD resources webpage](#) has useful information that will support you to explore what disability is and the right language to use when discussing disability.
- **Independence Australia** has an [A-Z of Disability Etiquette](#) their website that also provides guidance on the best language and practice to use when talking to someone living with a disability. It is important to remember that everyone will have their own preferences and that this resource is just a guide.
- The [National Relay Service](#) is a relay service that assists people who are deaf and/or hard of hearing to speak with people over the telephone. You may receive a telephone call from a client who is deaf or hard of hearing via the National Relay Service.
- **Mobility maps** (also known as accessibility maps) are an easy to read and understand map that identifies the accessible facilities (and any barriers) available in a particular area. All organisations are encouraged to create their own mobility maps. See the [City of Sydney's accessibility map](#) for an example of a mobility map.
- The [WheelEasy](#) app has **wheelchair accessible information** with maps and mobility friendly locations in Sydney and beyond. They use a traffic light system to show whether a place is green (accessible), yellow (partially accessible), or red (inaccessible).

- The [Sunny app](#) was created by and for women and girls with disability to recognise, respond and get help if they are experiencing violence and abuse.
- [Our Site](#) was created by women and girls with disability, for women and girls with disability. It provides information, stories, videos and resources on five main topics related to the rights of women with disability: Your Rights, Lead & Take Part, Life Choices, Sex & Your Body, Safety from Violence. All information has an Easy Read option.
- The [Disability Royal Commission](#) has a very comprehensive and informative collection of research, reports, issues papers, public hearing evidence and other publications about a wide range of issues affecting people with disability such as NDIS, police responses, education and employment.
- The **Law Society Journal** has an article written by a solicitor in Your Story Disability Legal Support, [Working with clients with disability: improving experiences in the justice system](#). The article discusses how lawyers can improve the experiences of people with disability in the justice system.