

## PART 9 DISABILITY

### CRC/C/15/Add.2.16: Para 40

The Committee recommends that the State party ensure that adequate human and financial resources are allocated to implement the New Zealand Disability Strategy, in particular those aspects relating to the integration of children with disabilities into mainstream education and other aspects of society.

#### *Overview*

- 9.1 New Zealand considers that it is more appropriate to deal with the issues relating to children with a disability in one place in this report.
- 9.2 Considerable progress has been made with implementing the New Zealand Disability Strategy in the period since the last report. Agencies are required to report annually on their achievements to progressively realise the vision of the Strategy that New Zealand is a society “that highly values our [people with impairments] lives and continually enhances our full participation”. Implementing the Disability Strategy has led to a shift away from associating disability with ill-health to a focus on what persons with a disability can do.
- 9.3 A number of important achievements should be noted that contribute to young persons with disabilities’ lives. Some of these achievements include:
- a dedicated Minister for Disability Issues (2000) and an Office for Disability Issues (2002) that operate within the Ministry of Social Development
  - New Zealand ratified the Convention on the Rights of Persons with Disabilities in September 2008
  - in October 2006, the last of the institutions for people with physical and intellectual disabilities was closed, meaning that persons with disabilities live in the community like other New Zealanders
  - **The Disabled Persons Employment Promotion Act** was repealed in 2007, giving disabled people access to the same employment conditions, rights and entitlements as other New Zealanders
  - In 2006 sign language became an official language of New Zealand under the **New Zealand Sign Language Act (the Act)**. This Act recognises the language and culture of the Deaf community and gives Deaf people a right to use New Zealand Sign Language in legal proceedings giving them better access to the justice system and other government processes
  - Deaf, hearing-impaired and speech-impaired New Zealanders can now use standard telephone services. In 2004, the Telecommunications Relay Service was set up nationally to provide a service based around text phones and relay assistants to complete calls. Work is now under-way to trial a video component to this service so that deaf people will be able to make telephone calls using New Zealand Sign Language, with the services of an interpreter.
- 9.4 Objective 13 of the New Zealand Disability Strategy focuses specifically on enabling “disabled children and youth to lead full and active lives”. It outlines the actions that agencies will take to ensure that children and young people with disabilities are integrated into society as a whole.

This objective reflects the view that disabled children achieve better outcomes when they attend mainstream schools and are integrated with their non-disabled peers.

- 9.5 Since the 2001 Disability Survey, the proportion of children participating in mainstream classes has increased significantly between 2001 to 2006. Eighty-eight percent of children with disabilities, aged five to fourteen years, attended only mainstream classes in 2006, compared to 74 percent in 2001.
- 9.6 The following activities by the Ministry of Education are contributing to the achievement of objective 13:
- **Better Information to Address Barriers to Learning** – seeks to help children achieve improved learning outcomes (including social and cultural outcomes) by providing classroom resources to enable teachers to identify and address barriers to learning
  - **Resources for parents, carers, and teachers to improve learning for children and young people with Autism Spectrum Disorders (ASD)** – this includes an evidence-based Guideline for Autism Spectrum Disorder, emphasis on early interventions, information and education for parents and carers, and ongoing professional development for teachers and other professionals
  - **Better Outcomes for Children Action Plan 2006 – 2011** – to raise achievement and improve services for children eligible for special services through Group Special Education
  - **Professional development of the Special Education workforce** – to enhance capacity and capability of the workforce, including study awards, workforce planning and contracts to ensure training is accessible
  - improving access to Out-of-School Services for disabled children by developing a five-year action plan to ensure these services are reliable, conveniently located and accessible. Improving access to such services will increase disabled children's opportunities for participation and social inclusion, and increase support and choices for their families.

### ***Education initiatives – supporting children and young people into mainstream education***

- 9.7 The Education Act 1989 gives people who have special educational needs the same rights to enrol and receive education at State schools as people who do not have such needs. In 2000, a new system of resourcing special education in schools was fully implemented. This is based on the principle of allocating equivalent resourcing for similar levels of need, regardless of disability type or educational setting. Since 2000, resourcing for special education has increased by \$448 million (or a 50 percent increase) as the system is refined and improved. Every school receives a special education grant as part of its operational funding. This is to be used to support children's and young people's special education needs within the school.
- 9.8 The **Ongoing and Reviewable Resourcing Schemes (ORRS)** provide specific resources for the small group of school students throughout New Zealand who have the highest need for special education. This resource is additional to standard staffing allocations and operational grants.
- 9.9 Some students require intervention from specialists and specialist teachers to adapt the New Zealand Curriculum content because of their rate and/or style of learning. Other students

simply need equipment/technology (e.g. hearing aids) and/or specialised teaching strategies (e.g. signing).

- 9.10 The Ministry of Education requires all students receiving ORRS funding to have an Individual Education Plan (IEP). An IEP sets out the student's individual learning programme and the cycle of assessment, planning, provision and evaluation surrounding a student's learning. The Ministry strongly recommends that all other special education needs students have an IEP.
- 9.11 There are established services to support teachers who have students with vision impairment. These services include Resource Teachers Vision, Developmental Orientation and Mobility specialists, Ministry of Education special education teams and associations that will assist in providing information and resources.
- 9.12 Most Deaf and hearing impaired students are in regular early childhood education centres and local schools. There are support services and equipment available to help these students access the curriculum. Guidelines on using New Zealand Sign Language in the New Zealand Curriculum were released by the Ministry of Education in 2007. They set the direction for teaching and learning New Zealand Sign Language.
- 9.13 Attention has also been paid to addressing the needs of students with disabilities in transitioning from education to employment. Sixty-five organisations have been contracted from 2008 to provide transition services for disabled young people from over 300 secondary schools around the country. Eligibility for transition funding for very-high-needs students has been lowered from age 21 to the minimum school leaving age (16) so that students can make the transition to the adult world at an age which is appropriate to them.

### ***Review of long- term disability support***

- 9.14 An interdepartmental review of support available to people with disabilities was prompted in 2007 by concerns about inequities in support for disabled people. In March 2008, the government endorsed the review's recommendations, which sought greater emphasis on holistic approaches to disabled people's needs, and more effective tailoring of services to meet those needs. It also emphasised the importance of early support for families with disabled infants and children.

### ***Children in care***

- 9.15 Most children or young people in New Zealand who have a disability are able to live with their parents or, failing that, in an alternative family setting. Even if a child or young person with a disability is in the custody of the Chief Executive of the Ministry of Social Development, in most cases they would not be put into 'residential care', but instead placed into an alternative family setting. There are very few children or young people with disabilities in New Zealand who are in an institutional setting because of their disability.
- 9.16 Agreements for out-of-home care of disabled children are governed by the Children, Young Persons and Their Families Act 1989. The Act provides for agreements to be a maximum of two years, but may be extended by a family group conference agreement. There are proposals to reduce the maximum length of an agreement to one year to provide for a more regular review of these placements.

- 9.17 These agreements are funded through the Ministry of Health's Needs Assessment and Service Co-ordination service (NASC). Disability support provision follows on from the NASC assessment, and is reviewed six monthly.

## **FACTORS AND DIFFICULTIES**

- 9.18 Significant progress has been made to integrate children and young people with disabilities into the education system, and for their health needs to be more adequately met. There will always be issues around sufficient resources and their effective and fair allocation. There has been a significant increase in funding for special education services in recognition that costs are high and that rules associated with some more specialised funds do not sufficiently address or meet the users' needs.
- 9.19 Mainstreaming and de-institutionalisation have been major milestones in New Zealand's history. Reporting on, and monitoring of, the Disability Strategy has facilitated positive and noticeable changes across a range of areas however there will always be room to improve. Evidence is clear that children and young people with disabilities face additional challenges at various transition points. Ensuring that children and young people with disabilities receive all the opportunities accorded others, are matters that need to be continually monitored and addressed.