

YOUR RIGHTS YOUR CHOICES



Villamanta Disability Rights
Legal Service Inc.

**An easy to read book about legal rights for people
who have an intellectual disability in Victoria**

Your Rights, Your Choices

An Easy To Read Book About Legal Rights For People With An Intellectual Disability In Victoria

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IMPORTANT NOTES!

This book is not meant to give legal advice. It is only meant to give you general information. It is important, when you want legal advice, to talk to a lawyer. Villamanta Disability Rights Legal Service Inc. cannot take responsibility for any loss that happens if things are done, or not done, because of what is in this book.

**The phone numbers in this book were right when this book was printed.
They might have changed after that.**

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About this book

This book is all about rights. It is for people who have an intellectual disability and it has been written in easy to read language. The book tells you some of the rights you have in many different parts of your life. It also tells you about places that you can phone to find out more information.

In each section of the book, the main information is in the same position as this, at the top of the left hand page. At the bottom of the page it tells you who to phone for more information.

On the right hand page of each section, there is more information, which might be useful as well.



For more information phone
VILLAMANTA DISABILITY RIGHTS LEGAL SERVICE INC.
Ph: (03) 5229 2925

Free Call 1800 014 111

(For people who have a disability and their carers only)

Email: legal@villamanta.org.au

Other people can phone us on (03) 5229 2925

If you have access to the internet you can also look at our website on
www.villamanta.org.au

About this book

The law says that people who have an intellectual disability have the same rights as everyone else. This means you have a right to make your own decisions and choose what you think is best for you, as long as you do not break the law.

Sometimes people will try to stop you having these rights. Sometimes people will try to stop you making the choices that you want to make. When this happens you might need to fight for your rights, or to get someone else to help you stand up for your rights.

For this reason, this book tells you where you can go for more help in getting your rights.

A lot of the rights that are covered in this book are complicated. Sometimes you need to get more information about some rights before you can really know what choices you can make. Sometimes you need more information so that you can make the choices that are best for you.

That is why it is important to contact some of the places that are mentioned in this book, because they can help you with this information. It is very important that you do this if you find that you are getting confused, or if you are not sure about what your rights and choices are. This can often happen when you try to stand up for your rights, or when other people try to tell you that you do not have rights.

If people tell you that you are wrong when you try to stand up for your rights, do not give up, **GET MORE INFORMATION AND HELP** from the places in this book.

Villamanta

This book was written by Villamanta Disability Rights Legal Service Inc.

Villamanta is a community legal service, which works only on disability legal issues. It works for all people in Victoria who have a disability, families and others who support the rights of people who have a disability.



For more information about your rights phone
VILLAMANTA DISABILITY RIGHTS LEGAL SERVICE INC.

Ph: (03) 5229 2925

Free Call 1800 014 111

(For people who have a disability and their carers only)

Email: legal@villamanta.org.au

Villamanta

Villamanta works to get a better deal for people with a disability, and supports them to stick up for their rights.

Villamanta does this in 5 main ways.

- Giving people information and advice about the law and supporting them to find ways to get their rights
- Using the legal system to help people get their rights
- Teaching people about rights and the law
- Working to change laws to make them fairer to people with a disability
- Selling books on disability issues.

For more information about Villamanta and information sheets about lots of different rights issues, check out our website

www.villamanta.org.au

or you can Email us at

legal@villamanta.org.au

If you cannot use the internet we can send you an information booklet about Villamanta, or information sheets about your rights.

Villamanta has two telephone numbers:

VILLAMANTA has a **FREE** telephone number

WHICH IS ONLY FOR PEOPLE WHO HAVE A DISABILITY OR THEIR CARERS

It is 1800 014 111

Everyone else will need to phone us on our other number,
which is (03) 5229 2925

Email: legal@villamanta.org.au

Your right to have your say: Advocacy and Self Advocacy

You have the right to have a say in things to do with your life. You have the right to have someone support you to speak up for yourself, or to have someone speak up for you IF YOU WANT THEM TO.



TO FIND OUT WHERE THE NEAREST ADVOCACY SERVICE IS, LOOK AT THE
LIST ON PAGE 51
OR PHONE:

VALID (03) 9416 4003
1800 655 570 for country callers

OR

THE PUBLIC ADVOCATE'S OFFICE 1300 309 337
(03) 9603 9500

OR

VILLAMANTA 1800 014 111

Your right to have your say: Advocacy and Self Advocacy

You have the right to have a say in the things to do with your life. Having a say means that YOU choose what happens in your life. It means you have some control over your life. Having your say might not always mean you get what you want.

You have a right to have a say, to speak up for yourself about what goes on in places like:

- Where you live
- Where you spend your day – at school, day centre or anywhere else.
- Where you work

Speaking up for yourself is called SELF ADVOCACY.

There are people at advocacy services who can support you to speak up for yourself.

You have the right to have someone speak up for you IF YOU WANT THEM TO. A person who speaks up for someone else is called an ADVOCATE

Advocates are in lots of places in Victoria, and can help you get your rights.

Advocacy Services can support you to speak up for yourself, or they can speak up for you if you want.

They are good places to get information about your rights, or about services for people with a disability.

To find the address and phone number of the Advocacy Service nearest you, look at the list on page 51.

Making your own decisions

You have the right to make your own decisions, and you have the right to have all the information you need to make decisions for yourself.



If someone is not letting you make your own decisions and you want an advocate or a lawyer to help you, phone:

THE PUBLIC ADVOCATE'S OFFICE
Country callers 1300 309 337 Or (03) 9603 9500

OR

VILLAMANTA

Free call 1800 014 111

Making your own decisions

You have the right to make your own decisions. You also have the right to have all the information and support you need to be able to make decisions for yourself. This is called making an INFORMED CHOICE. You can get advice from other people to help you, if you want to. You do not have to follow their advice if you do not agree with it.

Making your own decisions is important, because it means that you have more control over your own life.

You still have the right to make your own decisions, even if other people do not always agree with the things that you decide. SOME of the decisions that you have a right to make for yourself are:

- Where to live
- Who to live with
- What to spend your money on
- What friends to have
- What to do in your spare time

The only ways that your right to make your own decisions can be taken away is by the Guardianship List or a court. We explain more about the Guardianship List later in this book, on pages 16.

If people are not letting you make your own decisions, then you might like to get help from an ADVOCATE or a LAWYER. (A lawyer is a person who is specially trained to know a lot about laws, which are the rules we all have to live by.) Sometimes an advocate or a lawyer can make sure that other people understand that they are not allowed to stop you from making your own decisions.

The Office of the Public Advocate

There are laws to protect people with a disability. The Office of the Public Advocate will stand up for people with a disability.

The Office of the Public Advocate can help you if you think that you are not being treated fairly.



For more information, you can phone

THE PUBLIC ADVOCATE'S OFFICE

1300 309 337

Or (03) 9603 9500

The Office of the Public Advocate

Some of the things that the people at the Office of the Public Advocate can do if you are not being treated fairly are:

- Talk with you about it
- Tell you what your rights are
- Suggest things that you can do to fix up the problem
- Put you in touch with someone who can help you
- Help you fight for your rights

You can always talk to the people at the Office of the Public Advocate **IN PRIVATE**. This means that no one else will be told that you are talking to the Public Advocate's Office. It is important to know this, just in case you are scared that you might get into trouble for speaking up about things that you think are not fair.

Guardianship List

You have a right, when you turn 18, to make your own decisions. This means that other people are not allowed to make decisions for you. The only way your right to make your own decisions can be taken away is by the Guardianship List, or a court. Even before you turn 18, you still have the right to make some decisions.



For more information about Guardianship
you can phone

THE GUARDIANSHIP LIST

Free Call 1800 133 055 (VCAT)

Or (03) 9628 9911

Or
Villamanta on 1800 014 111

Guardianship List

You have a right to be protected from other people making decisions for you when they don't have the legal right to do that.

If there is no other way a person can be helped to make their own decisions, the Guardianship List might choose someone to make decisions for them. This person is called a GUARDIAN or an ADMINISTRATOR.

A GUARDIAN makes decisions about lots of things about your everyday life. These can include where you live, what you do in the daytime, who you can see, and medical treatment that you get. An ADMINISTRATOR makes decisions about your money and legal matters.

Before the Guardianship List makes any decision about whether or not you need a guardian or an administrator, the law says that they must ask you what you think about it.

If the Guardianship List decides you need a guardian or an administrator, they will decide who that person should be. A guardian can be a friend or a relative, or a worker from the Office of the Public Advocate. An administrator can be a friend or relative, or a worker from State Trustees Ltd. or some other organisation that looks after people's money.

Sometimes parents or other people think that they are your guardian and can make decisions for you. If you are eighteen years or older, no-one can make a decision for you if you do not want them to, UNLESS the Guardianship List has said that they can.

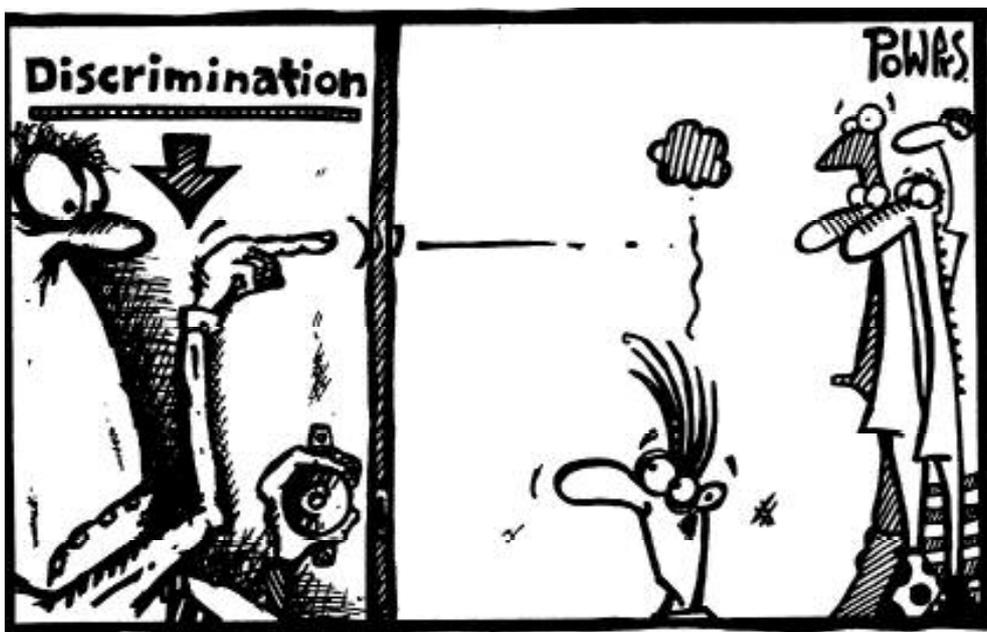
The Guardianship List will also decide just what decisions the guardian or administrator is allowed to make. This is because in lots of cases a person might only need a guardian or administrator for some things. For example, a person might be able to make most of their own decisions, but need a guardian to decide whether or not they should go to hospital for an operation. If this was the case, the guardian would only be allowed to make decisions about the person going to hospital and having an operation, NOT ABOUT OTHER THINGS AS WELL.

The Guardianship List makes sure that guardians and administrators do the right thing and do a good job for people. If you have a guardian or an administrator, they must act in your best interests and consult with you. If you are not happy with your guardian or administrator, you can ask the Guardianship List to look at it and maybe change their decision.

Getting a fair go

Disability Discrimination and Equal Opportunity laws

You have a right to be treated fairly. No one is allowed to treat you unfairly because you have a disability. If they do, this is called DISCRIMINATION.



If you think that you are being discriminated against, you can phone:

DISABILITY DISCRIMINATION LEGAL SERVICE

Free call 1300 882 872

OR

(03) 9654 8644

THE VICTORIAN EQUAL OPPORTUNITY & HUMAN RIGHTS COMMISSION

Free call 1800 134 142

OR

Advice Line (03) 9281 7100

VILLAMANTA 1800 014 111

THE PUBLIC ADVOCATE'S OFFICE 1300 309 337 Or (03) 9603 9500

Or you can phone your nearest COMMUNITY LEGAL SERVICE.

There is a list of these on pages 52 & 53.

Getting a fair go

Disability Discrimination and Equal Opportunity laws

There are laws that are meant to make sure DISCRIMINATION does not happen.

SOME of the ways in which people with a disability sometimes get treated unfairly might be:

- Estate agents might not let you rent a house or flat because you have a disability
- A club might not let you join because of your disability
- You might get picked on at work because of your disability
- You might be made to do a written test for a job when you don't really need to read or write to do that job.

These things don't happen all the time, but when they do you have a right to complain about it and use the law to make sure you get treated fairly.

Your rights where you live

You have a right to have a say in decisions about where you live and about what happens at your home.



If you want to know more about your rights
where you live, phone:

AMIDA (03) 9650 2722

OR

the TENANTS' UNION OF VICTORIA ADVICE LINE
(Mon, Tues, Thur & Frid 9 a.m.— 4 p.m. Wed 4.30—8 p.m.)

(03) 9416 2577

OR

VILLAMANTA on Free Call 1800 014 111

If you want help from a COMMUNITY VISITOR, phone

THE PUBLIC ADVOCATE'S OFFICE

1300 309 337 Or (03) 9603 9500

Your rights where you live

Some examples of decisions you might want to have a say in are:

- Where you live and what sort of place you want to live in
- Who you live with at your house
- Who works at your house
- What time you have your meals
- How jobs like cleaning and cooking are done
- Who can come into your house
- When to get up and when to go to bed
- When to go out and when to come home

You have a right to have a say in these decisions no matter where you live – whether it is in a flat by yourself, sharing with others, a community residential unit, an institution or anywhere else.

COMMUNITY VISITORS can help you if you have problems with the place where you live, if it is a place run by the government, disability organisations or other supported homes. Staff must help you talk to a Community Visitor if you want them to. Community Visitors can talk to the staff if you want them to help get things sorted out. Community Visitors do not work for the government or the boss of the place where you live. They work for the Public Advocate's Office, whose job is to stand up for the rights of people who have a disability.

Privacy and confidentiality: Being by yourself and keeping your business to yourself

You have the right to be by yourself if you want to and for other people to only find out things about you that you want them to know.



If you think that you are not getting the privacy or confidentiality that you have a right to, you can phone VILLAMANTA

1800 014 111

OR

THE PUBLIC ADVOCATE'S OFFICE

1300 309 337

OR

THE PRIVACY COMMISSIONER

1300 363 992

OR

THE HEALTH SERVICES COMMISSIONER

1800 136 066 Or (03) 8601 5200

OR

The Disability Services Commission

1800 677 342

Privacy and confidentiality: Being by yourself and keeping your business to yourself

Privacy means that you have the right to things like:

- Having your own room and choosing who can come into it
- Being on your own when you have a shower, a bath, use the toilet, or get dressed
- Being on your own when you want to

Other people should be around you for these things **ONLY IF YOU WANT THEM TO BE THERE.**

You also have the right to keep your business to yourself. The only people who need to know your business are the people you want to tell. This means you have the right:

- To make and receive phone calls when you want
- Not to have anyone listen to your phone calls
- For your doctor, social worker, solicitor, or other workers not to tell anyone about you unless you say they can
- For workers in disability services not to tell anyone else about you unless you say they can

If a disability service works with you (for example, it could be the service which supports you where you live, or where you work) they will probably write information about you. This information is called a file.

You have the right to look in and read this file and to ask for things to be taken out or changed if you do not want them in there. They must keep this file locked up so that only the right people can read it (like your worker).

These are just **SOME** of your rights to privacy and confidentiality.

Pensions & Benefits

You have the right to get money from the Government, if you do not have a job, or if you have a job that does not pay you a proper wage, or if you are sick and cannot work.



If you are having problems with Centrelink, or want to find out more about pensions and benefits you can phone

WELFARE RIGHTS UNIT on
1800 094 164 (Tuesday to Friday a.m. only)

or Geelong WELFARE RIGHTS
Phone (03) 5221 4744 to make an appointment for the Advice Line
(Appointments are available on Mondays & Thursdays 10am — 12 noon)

(WELFARE RIGHTS UNIT and WELFARE RIGHTS are not part of Centrelink – they can help you stick up for yourself with Centrelink).

or you can phone

CENTRELINK

13 27 17 or for Languages other than English **131 202**

Pensions and Benefits

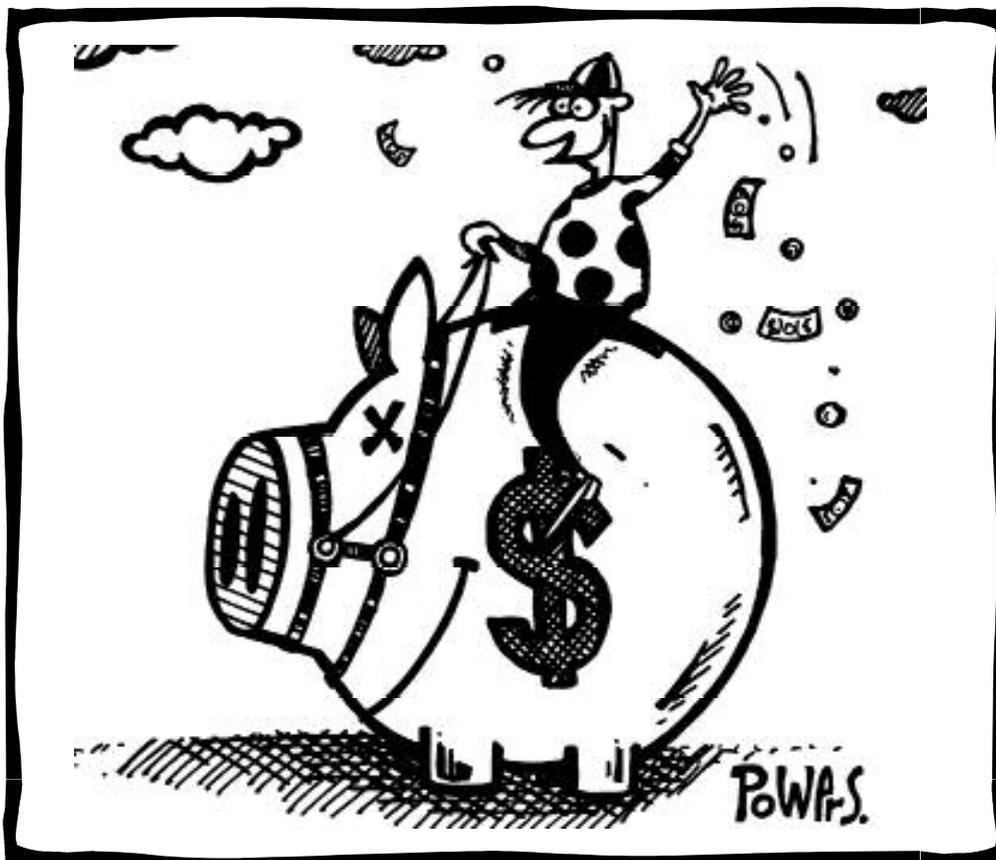
The money you get from the government is called a pension, benefit or allowance, and it gets paid to you every two weeks.

If you have a disability, you might get what is called the DISABILITY SUPPORT PENSION. If you get the Disability Support Pension, (or other benefit or allowance) you can still earn some money. Once you start earning more money than the Government says you can, you will start to lose SOME of your Disability Support Pension, (or other benefit or allowance). In most cases, you are still better off, because you do not lose as much as you earn, so you still end up with more money.

The Government department which looks after pensions and benefits is called Centrelink. If you have problems with Centrelink, you can ask to see one of their social workers or disability officers. If you would rather talk to someone who is independent from Centrelink, talk to the Welfare Rights Unit, or in Geelong, Welfare Rights.

Money

You have the right to look after your own money and to make your own decisions about what to do with it.



To find someone near where you live to help you learn to look after your money, you can phone

FINANCIAL & CONSUMER RIGHTS COUNCIL

Free Call 1800 134 139 Or (03) 9663 2000

If people are not letting you make your own decisions about your money,
phone VILLAMANTA

1800 014 111

OR

THE PUBLIC ADVOCATE'S OFFICE
1300 309 337 OR (03) 9603 9500

Money

Unless you have an ADMINISTRATOR, you have a right to look after your own money and to make your own decisions about things like:

- Whether or not to put it into the bank
- What to spend it on
- How much to save and how much to spend

An ADMINISTRATOR is someone chosen by the Guardianship List to make decisions about your money if you cannot make your own decisions. See page 16 for more information.

Often there are lots of things that you will need to spend money on, such as bills, rent and food. If you choose NOT to spend money on these things it will usually mean that you have to go without some very important things. These can include electricity, a telephone, proper food and a decent place to live.

It can be hard sometimes to work out how to spend your money. If you are having trouble working out how to spend your money, and you have a lot of bills to pay, a financial counsellor can help you learn to look after your money better.

Health – Doctors and hospitals

You have a right to make decisions about what happens if you get sick, or what health care you need to stay well.



If you are not happy about your doctor or hospital or any health service, you can phone the

HEALTH SERVICES COMMISSION

Free Call **1800 136 066**

Or (03) 8601 5200

Health – Doctors and hospitals

Unless you have a guardian, some of the decisions that you have a right to make about looking after your health include:

- Choosing which doctor or hospital to go to when you need them
- Deciding if you want to have any of the pills, injections, tests, operations or other things doctors might say you need.

Some of these decisions can be hard to make. You have the right to information and support to help you make these decisions.

Doctors should give you this information **IN A WAY THAT YOU CAN UNDERSTAND**. No doctor should do anything to you until they have explained it clearly and you have said it is OK. **IT IS YOUR BODY AND YOU HAVE THE RIGHT TO SAY WHAT HAPPENS TO IT.**

You have the right to get another opinion from another doctor before you make your decisions.

You can also ask to see your files – this is the information that doctors or health workers write down about you.

Relationships and Sex

You have the right to choose your own friends and to have a boyfriend or girlfriend if you want to.



To find out more about sex and safe sex

OR

To find a counsellor who can help you with ways to make
relationships work better, phone your nearest
COMMUNITY HEALTH CENTRE

OR

FAMILY PLANNING VICTORIA

Free Call 1800 013 952

Or (03) 9257 0100

To find more about the laws about getting married, you can phone your
nearest COMMUNITY LEGAL SERVICE
There is a list of these on pages 52 & 53.

Relationships and Sex

ONCE YOU ARE 18 YEARS OLD

- You have the right to make your own decisions about friendships, sex and relationships.
- You have the right to get married or live with your boyfriend or girlfriend.
- You have the right to have sex with another adult, if you both want to.
- You can do some of these things before you are 18, but there are special rules about this, and you should always make sure you find out about these rules first.

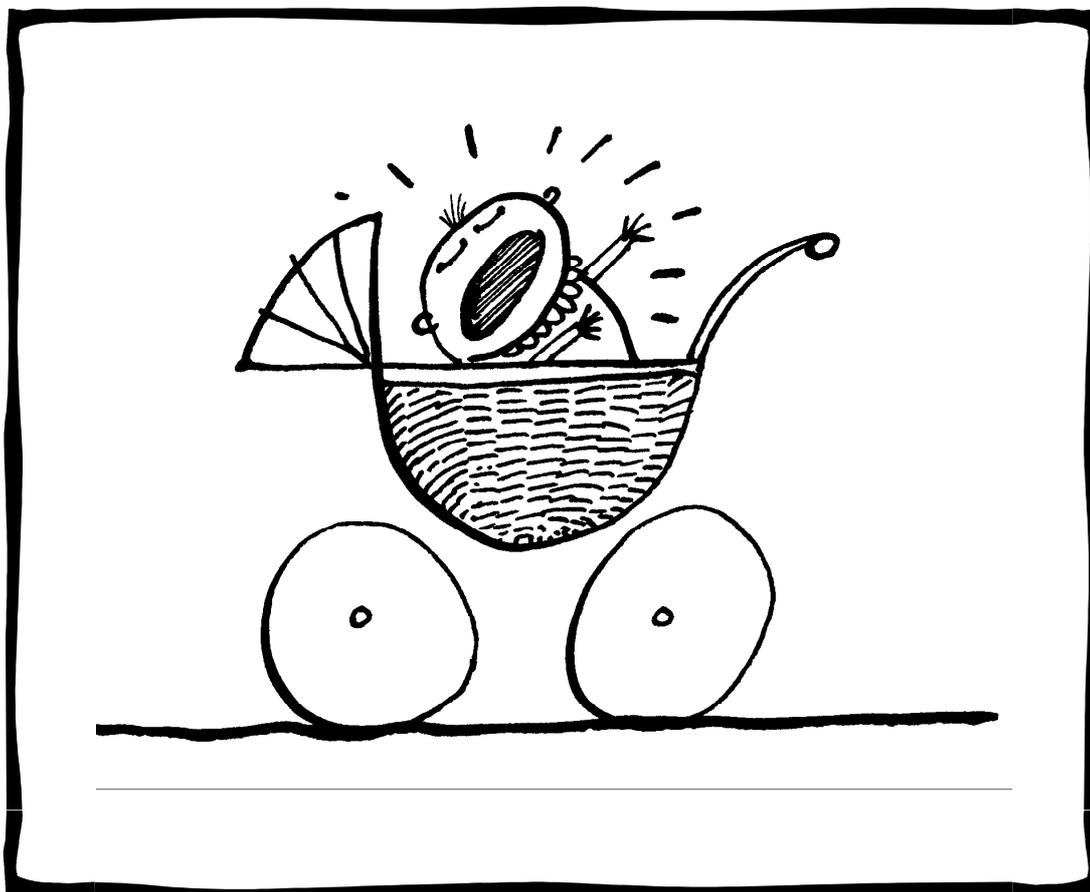
You do not have to have sex with someone if you do not want to, even if you are married to them. It is your body, and you have the right to decide what happens with it. Even if you have said yes to sex before, you can still say NO if you change your mind.

It is NOT OK to have sex with someone if they do not want to. Forcing someone to have sex with you is called RAPE, and anyone who rapes someone can go to jail for it.

If you do have sex, it is very important to have SAFE SEX. Safe sex means having sex in a way that protects you from catching diseases, and stops you from having a baby if you don't want one. If you don't have safe sex, you can catch diseases like AIDS, which can kill you. You can catch these sorts of diseases even from people who look very healthy and who might not know they have the disease themselves. You can find out about safe sex by talking to a doctor, or someone from a Community Health Centre. It is very important that you do this so that you get all the information you need about having safe sex.

Having a baby Or not having a baby

You have the right to decide if you want to have a baby or not.



If you want to find out about having a baby or how to make sure you do not have a baby, you need to talk to a DOCTOR, someone from a COMMUNITY HEALTH CENTRE, **or** your local FAMILY PLANNING CLINIC.

To find the nearest one to you,
you can speak to your doctor or phone

FAMILY PLANNING VICTORIA

Free Call 1800 013 952

(03) 9257 0133

Having a baby Or not having a baby

If you decide to have a baby, you have the right to get support if you need it, to help you look after the baby. Community Health Centres can give you some help.

If you have a baby, no one is allowed to take your baby away UNLESS A COURT SAYS SO. The law says that the Courts can only take your baby away if there is no way of helping you to look after the baby properly.

If you decide you do NOT want to have a baby, you need to know how to stop this happening BEFORE you have sex.

Deciding if you want to have a baby or not is a very important decision. It is best to get advice on this, so that you have all the information you need to make the best decision for yourself.

Sexual assault and rape

You do not have to have sex if you don't want to have sex, and you do not have to let anyone touch your body, if you don't want them to.



To get help or more information about rape and sexual assault
or incest phone

CASA (CENTRE AGAINST SEXUAL ASSAULT)

1800 806 292 OR

DOMESTIC VIOLENCE AND INCEST RESOURCE CENTRE

(03) 9486 9866 OR

DOMESTIC VIOLENCE & SEXUAL ASSAULT

1800 200 526 (THE HELPLINE)

Sexual assault and rape

You are in charge of your body and you have the right to say what happens to it. You do not have to have sex with someone if you do not want to, even if you are married to them, or have had sex with them before. If someone forces you to have sex with them, this is called RAPE.

You do not have to let anyone touch your body sexually either. If anyone forces you to do this it is called SEXUAL ASSAULT.

It is NOT OK for anyone in your family (like your father, brother, sister, uncle, or mother for example) to have sex with you, or touch you in a sexual way. This is called INCEST.

It is NOT OK for a doctor or health worker to have sex with you, EVEN IF YOU WANT TO. If you live in a place that has workers to support you (for example a Community Residential Unit (CRU)) it is NOT OK for any worker there to have sex with you, EVEN IF YOU WANT TO. This is breaking the law.

RAPE and SEXUAL ASSAULT and INCEST are breaking the law, and anyone who does them can get into serious trouble, including getting locked up in jail.

If you have been raped or sexually assaulted, or if someone has had incest with you, it is important that you know that IT IS NOT YOUR FAULT! You might feel pretty bad, and it is important to get help from people who understand, like CASA, who can support you.

Being hassled or picked on

You have the right to be treated in a fair way. You do not have to put up with being picked on, annoyed or hassled by other people. There are things that you can do to stop them.



There are laws to stop people harassing you. To find out more you can phone:

DISABILITY DISCRIMINATION LEGAL SERVICE
Free call 1300 882 872
OR (03) 9654 8644

VICTORIAN EQUAL OPPORTUNITY & HUMAN RIGHTS COMMISSION
Free call 1800 134 142
OR (03) 9281 7100

OR
your local COMMUNITY LEGAL SERVICE
(there is a list of these on pages 48 & 49)
OR

VILLAMANTA
1800 014 111

Being hassled or picked on

When someone is annoying you, or hassling you, this is called HARASSMENT. There are lots of different sorts of harassment. Here are some of them:

- Laughing at you because of your disability
- Asking you to have sex even when you tell the other person that you are not interested
- Making you listen to dirty jokes when you don't want to
- Touching you when you do not want them to
- Hassling you because of your disability

YOU SHOULD NOT HAVE TO PUT UP WITH ANY OF THESE THINGS. If these things happen to you, you can tell the person you don't like what they are doing and that you want them to stop it. If this does not work, get support by telling your friends and family, or the person in charge, or a social worker.

If someone at home is hurting or hitting you

You have the right to feel safe in your home. No one has the right to hurt you or to make you feel scared, even if they live with you.



For information and help if someone at home
is hitting you,
or for help to find a safe place,
phone
DOMESTIC VIOLENCE AND INCEST RESOURCE CENTRE
(03) 9486 9866

OR

CONFIDENTIAL HELP LINE

1800 200 526

If someone at home is hurting or hitting you

You do not have to put up with the person you live with hitting you or your children, or being cruel to you in other ways. Even if the person says that you have done something wrong, and that you deserve to be hit, **THEY ARE NOT ALLOWED TO HIT YOU.**

If this is happening and you want support or more information, you should get some help. You can call the police to stop them, or to get them to move out.

If you need to leave your home because you do not feel safe, there are safe places you can go – they are called REFUGES. The Domestic Violence and Incest Resource Centre can help you get into a refuge.

Rights at work

You have the right to be treated fairly at work.



For more information about workers' rights,
Phone
AED (Association of Employees with a Disability) LEGAL SERVICES

(03) 9639 4333

OR

JOBWATCH – 1800 331 617

OR

If you would like to find out about what union you can join,
you can phone

VICTORIAN TRADES HALL COUNCIL
(03) 9659 3511

Rights at work

You have lots of rights as a worker. Some of these rights are:

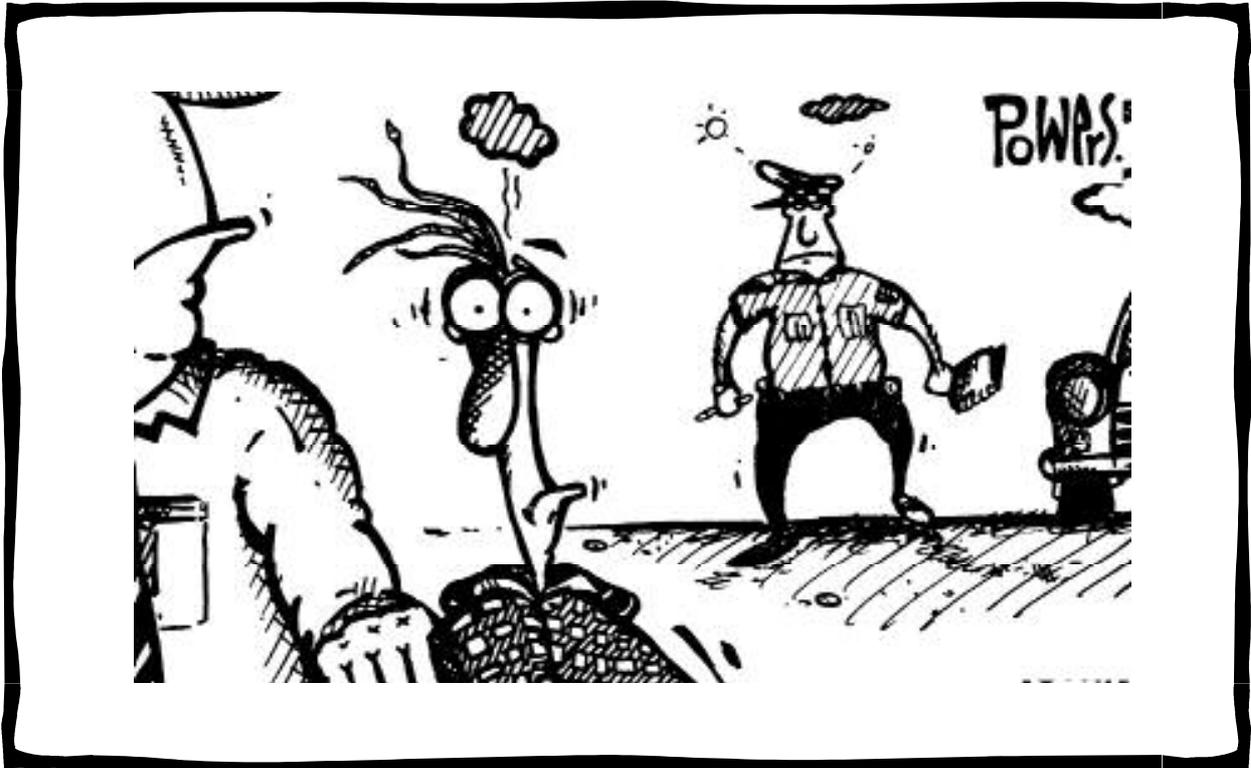
- Getting fair pay
- Having a safe workplace
- Getting paid if you are sick or hurt at work
- Not getting unfairly sacked

There are lots more rights you have at work.

Sometimes bosses try to pretend that you do not have rights, but you do. It is important that you get support from other workers and that you get people to back you up in getting your rights at work. When workers join together for their rights it is called a UNION. If you are working in a job in open employment, then you should be able to join a union, and get support for your rights at work.

The Police

You have the right to be treated in a fair way by the police and to have a specially trained person (called an Independent Third Person) there to support you if the police want to talk to you.



To find out how to get a lawyer or to find out more about your rights to do with the police, you can talk to

VILLAMANTA
1800 014 111

OR

to your nearest COMMUNITY LEGAL CENTRE
(List of phone numbers on pages 52 & 53)

OR

VICTORIA LEGAL AID
Free Call 1800 677 402 or (03) 9269 0120

For information about
INDEPENDENT THIRD PERSONS
Phone
THE PUBLIC ADVOCATE'S OFFICE
1300 309 337

The Police

If the police want to talk to you, you have the right to have another person to be there to support you and help you understand what is going on. This person is called an INDEPENDENT THIRD PERSON or an ITP. The police should phone the Office of the Public Advocate, who can get someone who is specially trained to be the Independent Third Person.

There are lots of rights that you have whenever the police talk to you. Some of these are:

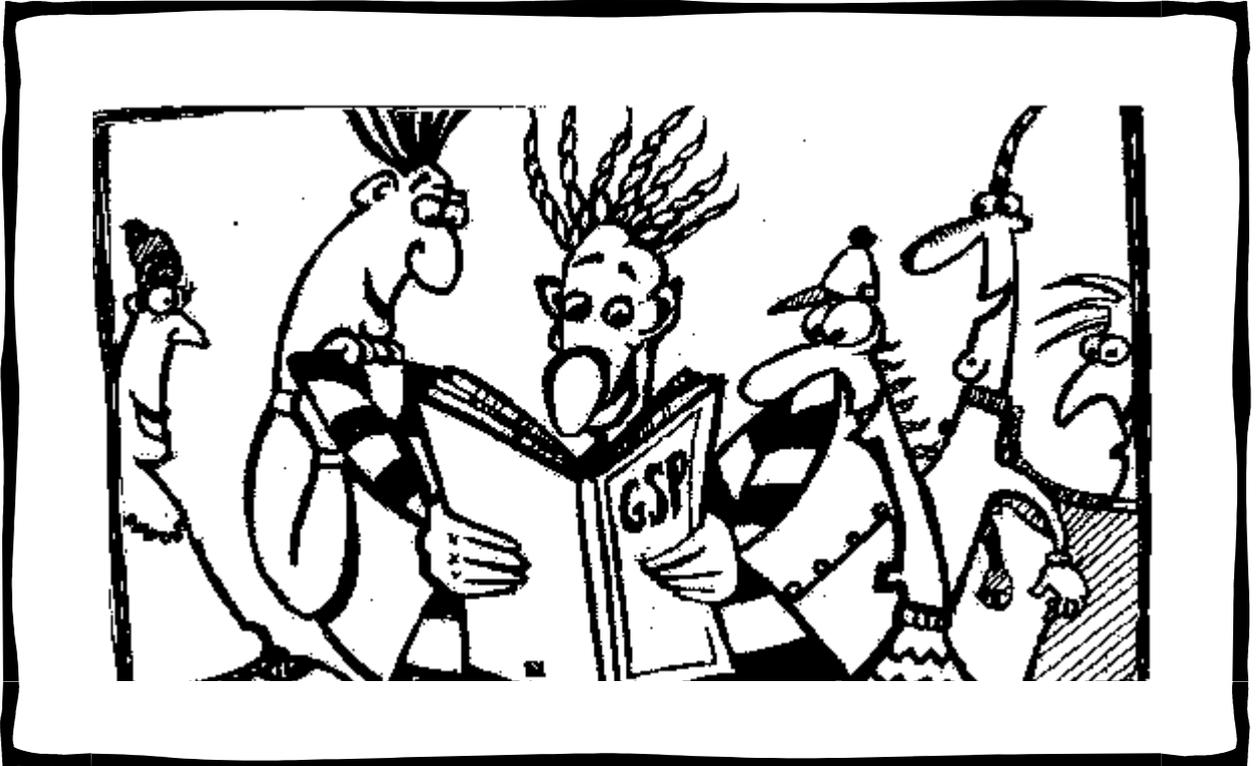
- You do not have to talk to the police if you do not want to – except to give them your name and address
- You have the right to have a LAWYER to support you. A lawyer is someone whose job it is to know about the law and to give you advice about the best thing to do. They also speak up for you if you have to go to court. You can ask your ITP to get a lawyer for you.

You have the right to complain if you think the police have not treated you fairly, or have not listened to you when you have tried to tell them your side of the story.

More information is in a free booklet called "Police Powers – Your Rights." It is available from Victoria Legal Aid or community legal centres.

Your right to get services

You may have a right to get some services from the government
and to have a Service Plan.



If you think you should get some services from the government you can
phone

THE DEPARTMENT OF HUMAN SERVICES, DISABILITY CLIENT SERVICES on
1300 650 172 Or
VILLAMANTA DISABILITY RIGHTS LEGAL SERVICE on
1800 014 111

If you are unhappy with a decision about you made by the Department of
Human Services, or a service provider, you can call the

DISABILITY SERVICES COMMISSIONER on

1800 677 342 (Free call) OR

1300 728 187 (local call)

OR

VILLAMANTA on 1800 014 111

Your right to get services

Some people who have a disability have a right to receive some services from the government under a law called the *Disability Act 2006*.

If you have an intellectual disability, and you are registered with the Department of Human Services, Disability Services, that Department is responsible for making sure you get the services you need. You are entitled to ask for a SERVICE PLAN to be done for you at any time.

A **Service Plan** is a plan of:

- what your goals are
- what services you need to achieve your goals
- who is responsible for helping you achieve those goals; and
- when you will get that help

Disability Services must help you get a Service Plan, and include in it what you want.

Some examples of the sorts of things that a Service Plan can plan for are:

- your housing
- your work
- getting help to manage your money
- your health

You can have other people involved in the meetings to do the Service Plan if you want - for example, you might want an advocate or a carer involved. If you are not happy with what is in the Plan, or other decisions that Disability Services make about you, you can talk to Disability Services about it. If they do not fix it up, you can complain to the Disability Services Commissioner.

Making a Will

You have a right to decide who will have your money and things after you die.



A WILL is an official paper that says what you want to happen to your money and the things you own, after you die. If you make a Will, people have to do what it says after you die.

You have the right to make a Will, as long as you understand about it. You need to get advice to make sure it is done properly, or else people do not have to do what it says.

To find out about making a Will, phone your
local COMMUNITY LEGAL SERVICE.

There is a list of these on page 52 & 53

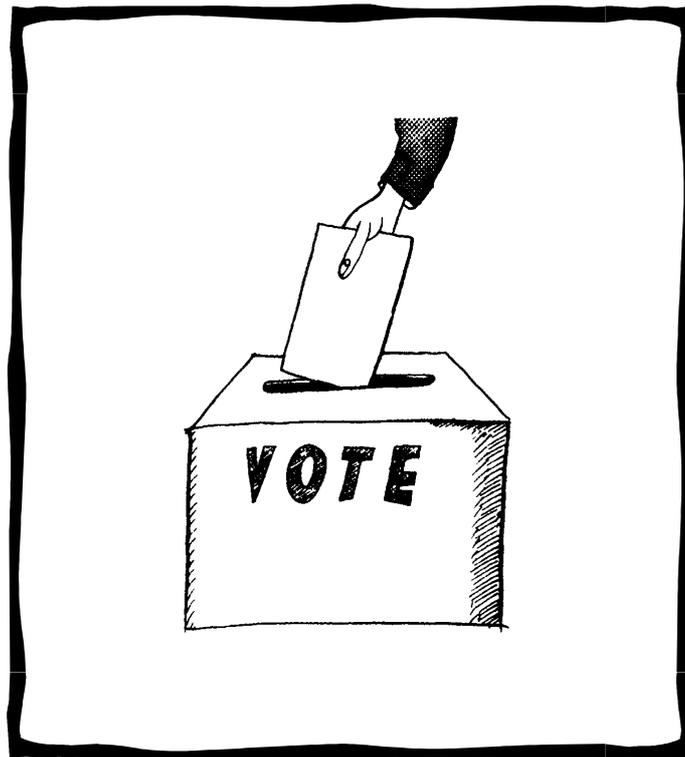
Making a Will

A WILL is an official paper that says what you want to happen to your money and the things you own, after you die. If you make a Will, people have to do what it says after you die.

You have the right to make a Will, as long as you understand about it. You need to get advice to make sure it is done properly, or else people do not have to do what it says.

Voting

If you are 18 years or older, you have a right to have a say in choosing who is in the Government.



To find out more about voting, phone
the AUSTRALIAN ELECTORAL COMMISSION

13 23 26

Voting

If you are eighteen years or older, then you have a right to have a say in choosing the people –

- who run Australia and make the laws we have to live by
- who run Victoria

These people are called the Government, and choosing them is called VOTING.

Voting is done at ELECTIONS. Elections are usually held every few years, although some elections are held more often than this.

When there are elections coming up, you will usually get lots of notices in your mail box from people who want you to vote for them.

No one else can tell you who to vote for. It is YOUR decision. If you want people to help you decide who to vote for, then you have a right to talk about this with anyone you trust. If you want someone to help you fill out the voting form, then you can get help from a friend, or from someone who works at the Electoral Commission Office.

The Electoral Commission has the job of running the voting and making sure that everyone who can vote is on the list, which is called the Electoral Roll.

To be able to vote, you have to have your name on the Electoral Roll well before the election – phone the Australian Electoral Commission to find out how to do this.

STATEWIDE ADVOCACY SERVICES IN VICTORIA

VALID

235 Napier Street FITZROY(03) 9416 4003

ACTION FOR COMMUNITY LIVING

179 High St NORTHCOTE (03) 9489 2999

ADEC - (Action On Disability In Ethnic Communities)

175 Plenty Rd PRESTON (03) 9480-1666

AMIDA – (Housing Advocacy Only)

1st Floor Ross House

247 Flinders Lane MELBOURNE (03) 9650 2722

ASSOCIATION FOR CHILDREN WITH A DISABILITY

Suite 2, 98 Morang Road, Hawthorn 3122..... (03) 9500 1232

..... Free Call 1800 654 013

DISABILITY RIGHTS VICTORIA

179 High Street NORTHCOTE (03) 9489 2999

STAR

2ND Floor Ross House,

247 Flinders Lane MELBOURNE (03) 9650 2730

DISABILITY JUSTICE ADVOCACY

266 Johnston Street

ABBOTSFORD (03) 9416 3488

..... Free Call 1800 332 265

YDAS (Youth Disability Advocacy Service)

Level 2, 172 Flinders Street, Melbourne 1300 727 176

REGIONAL INFORMATION AND ADVOCACY COUNCILS:

BENDIGO 127 Mitchell Street Free Call 1800 462 480

SHEPPARTON 190 Benalla Road Free Call 1800 221 944

SWAN HILL 51 McCallum Street (03) 5032 0082

ADVOCACY SERVICES AROUND VICTORIA

MELBOURNE - DISABILITY RESOURCES CENTRE

179 High Street NORTHCOTE..... (03) 9481 6646

GRAMPIANS DISABILITY ADVOCACY ASSOCIATION

Shop 2/32 Tuson Street ARARAT 1800 552 272

or Ballarat Office (03) 5333 7344

Or Horsham Office (03) 5381 2400

BENTLEIGH SOUTHERN CITIZENS ADVOCACY

269 Centre Road (03) 9576 5455

COLAC – CITIZEN ADVOCACY—BARWON REGION

50A Rae Street (03) 5232 1009

OUTER SOUTH EAST—DISABILITY RESOURCE CENTRE

(Dandenong, Mornington Peninsula, Frankston, Casey, Cardinia & Kingston)

186 Foster Street East, Dandenong..... (03) 9791 4870

FRANKSTON - WESTERNPORT SPEAKING OUT

6/44 Beach Street..... (03) 9770 1710

GEELONG - BARWON DISABILITY RESOURCE COUNCIL

48 McKillop Street (03) 5221 8011

BARWON REGION DISABILITY RIGHTS ADVOCACY SERVICE

38 Myers Street, Geelong..... (03) 5221 8033

HEIDELBERG - NORTH EAST CITIZEN ADVOCACY

208 Burgundy Street..... (03) 9459 6002

SURREY HILLS - CITIZEN ADVOCACY INNER EAST

1059 Riversdale Road (03) 9808 8633

MELBOURNE - REINFORCE

2nd Floor Ross House, 247 Flinders Lane..... (03) 9650 7855

MORWELL - GIPPSLAND CITIZEN ADVOCACY

58-60 Commercial Street..... (03) 5133 9440

MOE - GIPPSLAND DISABILITY RESOURCE COUNCIL

42 Fowler Street..... (03) 5127 9171

RINGWOOD - CITIZEN ADVOCACY OUTER EAST

17 Greenwood Avenue (03) 9879 5206

SUNBURY - CITIZEN ADVOCACY

5/36 Macedon Street (03) 9744 7378

WODONGA - DISABILITY ADVOCACY AND INFORMATION SERVICE

20 Stanley Street..... (02) 6056 2420

Or 1300 886 388

WARRNAMBOOL - SOUTHWEST ADVOCACY ASSOCIATION

31 Princess St (03) 5561 4584

COMMUNITY LEGAL CENTRES IN VICTORIA

Community Legal Centres are places that can help you with things to do with the law and your rights.

They are also good places to go to if you need help from a lawyer

ALBURY WODONGA Community Legal Service	(02) 6056 8210
BALLARAT: Central Highlands Community Legal Centre	(03) 5331 5999
BOX HILL: Eastern Community Legal Centre	(03) 9285 4822
BROADMEADOWS Community Legal Service	(03) 9302 3911
COBURG/BRUNSWICK CLC & Financial Counselling Centre	(03) 9383 2588
CLAYTON NORTH: Monash Legal Service.....	(03) 9905 4336
DANDENONG: Casey Cardinia Community Legal Service	(03) 9793 1993
DEER PARK: Brimbank/Melton Community Legal Centre	(03) 9363 1811
ESSENDON Community Legal Centre	(03) 9376 7929
FITZROY Legal Service	(03) 9419 3744
FLEMINGTON / KENSINGTON Community Legal Centre	(03) 9376 4355
FOOTSCRAY Community Legal Centre	(03) 9689 8444
FRANKSTON: Peninsula Community Legal Centre	(03) 9783 3600
FRANKSTON NORTH: Peninsula Pines Community Legal Centre	(03) 9873 3600
BENTLEIGH: Peninsula Bentleigh Community Legal Centre	(03) 9570 8455
GEELONG: BARWON Community Legal Service	(03) 5221 4744
MORWELL: Gippsland Community Legal Service.....	(03) 5136 9020
Or	1800 004 402
MILDURA: Murray Mallee Community Legal Service.....	1800 243 002
Or	(03) 5023 5966
NEWPORT: Western Suburbs Legal Service.....	(03) 9391 2244
NORTHCOTE: Darebin Community Legal Service	(03) 9484 7753
NORTH MELBOURNE Legal Service.....	(03) 9328 1885
SOUTH MELBOURNE: South Port CLC	(03) 9690 9144
SPRINGVALE MONASH Legal Service	(03) 9562 3144
ST KILDA Legal Service	(03) 9534 0777
WARRNAMBOOL: South West Community Legal Centre	1300 361 680
WERRIBEE: WYNDHAM Legal Service Inc.	(03) 9741 0198

COMMUNITY LEGAL CENTRES IN VICTORIA

WESTERN SUBURBS Legal Service	(03) 9391 2244
WEST HEIDELBERG Community Legal Service.....	(03) 9450 2002
WHITTLESEA Community Legal Service.....	(03) 9401 6655

**Or to find out which legal service is best for you—call the Federation of
Community Legal Centres on (03) 9654 2204**

SPECIALIST COMMUNITY LEGAL CENTRES IN VICTORIA

ABORIGINAL FAMILY VIOLENCE PREVENTION AND LEGAL SERVICE (VIC)	
Melbourne	(03) 9654 3111
.....	Toll Free: 1800 105 303
AED Legal Services (Association of Employees with a Disability).....	(03) 9639 4333
ASYLUM SEEKER RESOURCE CENTRE INC	(03) 9326 6066
COMMUNICATIONS LAW CENTRE LTD	(03) 9600 3841
CONSUMER ACTION LAW CENTRE LTD	(03) 9670 5088
Legal Advice Line:	(03) 9629 6300
Or	1300 881 020
DISABILITY DISCRIMINATION LEGAL SERVICE INC.....	(03) 9654 8644
Or	1300 882 872
DOMESTIC VIOLENCE & INCEST RESOURCE CENTRE INC.....	(03) 9486 9866
ENVIRONMENT DEFENDERS OFFICE (VICTORIA) LTD.....	(03) 8341 3100
Or	1300 336 842
FAMILY MEDIATION CENTRE (Moorabbin).....	(03) 9556 5333
Ringwood	(03) 9876 0677
Narre Warren	(03) 9705 6277
HUMAN RIGHTS LAW RESOURCE CENTRE LTD.....	(03) 9225 6695
JOB WATCH INC.	(03) 9662 1933
MELB. UNIVERSITY STUDENT UNION LEGAL SERVICE	(03) 8344 8687

SPECIALIST COMMUNITY LEGAL CENTRES IN VICTORIA

MENTAL HEALTH LEGAL CENTRE INC	(03) 9629 4422
..... Toll Free:	1800 555 887
MUSLIM LEGAL SERVICES VICTORIA INC.....	(03) 9386 6804
PUBLIC INTEREST LAW CLEARING HOUSE (VIC) INC	03) 9225 6680
REFUGEE & IMMIGRATION LEGAL CENTRE INC.....	(03) 9483 1140
SENIORS RIGHTS VICTORIA	(03) 9654 4456
STUDENT LEGAL SERVICE.....	(03) 9479 1469
TENANTS UNION OF VICTORIA LTD	(Advice) (03) 9416 2577
..... Toll Free:	1800 068 860
VICTORIAN ABORIGINAL LEGAL SERVICE CO-OP LTD	(03) 9419 3888
..... Toll Free:	1800 064 865
VILLAMANTA DISABILITY RIGHTS LEGAL SERVICE INC	(03) 5229 2925
.....Toll Free Advice: (1pm-3pm)	1800 014 111
WELFARE RIGHTS UNIT INC	(03) 9416 1111
..... Toll Free: (except calls from Melbourne and Geelong)	1800 094 164
WOMEN'S LEGAL SERVICE VICTORIA	(03) 9642 0877
..... Toll Free:	1800 1330 302
YOUTHLAW	(03) 9611 2412

**Or to find out which legal service is closest to you -
call The Federation of Community Legal Centres on
(03) 9652 1500**

Or

VILLAMANTA on 1800 014 111

Some words used in this book & what they mean

Advocate

Someone who speaks up for you and for what you want.

For more information turn to pages 10, 11. Also see in this list, Self Advocacy.

Centrelink.....

The Government Department who pay the Disability Support Pension and other benefits and allowances (like the "Dole") to people who need it. They also decide who should get this money and who should not get it.

For more information turn to page 24. Also see in this list Disability Support Pension.

Confidentiality

Keeping personal information private (only sharing it with people you say it is OK to).

For more information turn to pages 22, 23.

Courts

Where judges hear about and decide who has broken the law, and how the law breaker should be dealt with.

For more information turn to pages 42, 43. Also see in this list Crime, Jail, Laws, Lawyer, Legal Centre or Legal Service, and Police.

Crime

Doing something which is against the law.

Also see in this list Courts, Independent Third Person, Jail, Laws, Lawyer, and Police.

Decision

Making a choice on what you will do, or what you want.

For more information turn to pages 10, 11, 12, 13, 15, 17. Also see in this list Informed Decision, Self Advocacy, Advocacy, Guardian, Guardianship List.

Disability Support Pension (also called DSP)

Money to live on, which is paid by the Government to people with a disability who need it. (This used to be called the "Invalid Pension", or "Sheltered Employment Allowance", or "Benefit", or the "Pension").

For more information turn to pages 24, 25. Also see in this list Centrelink.

Discrimination

Treating someone unfairly because of something different about them. A lot of discrimination is against the law, for example discriminating against someone because they have a disability.

For more information turn to pages 18, 19, 36, 37. Also see in this list Equal Opportunity.

Some words used in this book & what they mean

Domestic Violence

Violence at home from someone who lives with you. Violence can be hitting or hurting you, making you scared, picking on you, not letting you have enough money to look after yourself, or stopping you from having friends or going out. You do not have to put up with this!

For more information turn to pages 38, 39.

Election

Where everybody gets to choose, by voting, whom they want to be the Government – who are the people who run the country (Australia) or the state (Victoria).

For more information turn to pages 48, 49.

Equal Opportunity

Having a fair chance to get something or do something.

For more information turn to pages 18, 19. Also see in this list Discrimination.

Estate Agent

A person who arranges for someone to rent or to buy a house or unit or flat to live in. Estate agents are not allowed to discriminate against people just because they have a disability.

Files

A collection of information written down about someone or something.

For more information turn to pages 22, 23, 28, 29. Also see in this list Confidentiality.

Independent Third Person (ITP)

Someone who can provide support when a person with a disability is being interviewed by the police to make sure that they understand one another.

For more information turn to pages 42,43. Also see in this list Police.

Jail

(Also called prison and sometimes spelt gaol) A place where people who have broken the law may be locked up.

For more information turn to pages 34, 35, 42, 43... Also see in this list Courts and Crime.

Laws

Rules made by the Government or judges about what we can and cannot do.

For more information turn to pages 18, 19, 34, 35, 42, 43. Also see in this list Courts and Crime.

Lawyer

A person who is specially trained to know a lot about laws, and who can help with things to do with laws or going to court, talking to the police, or if there has been a crime.

For more information turn to pages 42, 43. Also see in this list Court, Crime, Laws, and Police.

Some words used in this book & what they mean

Legal

Things to do with laws.

Also see in this list Courts, Crime, Laws, Lawyer, and Legal Centre.

Legal Centre or Legal Service

An organisation which can provide education, advice and assistance with things to do with laws. Also a place to go to if you need help from a lawyer.

Also see in this list Laws and Lawyers.

Police

People whose job is to make sure we follow the laws and to catch people who break laws. (Also sometimes called "Cops" or the "Fuzz").

For more information turn to pages 38, 39 42 ,43. Also see in this list Laws, Courts, Jail, Lawyers, and Legal Centres.

Self Advocacy

Speaking up for yourself, having your say in things to do with your life.

For more information turn to pages 10, 11, 12, 13. Also see in this list Advocate and Decision.

Sexual Assault.....

Touching someone in a sexual way when they do not want to be touched. Rape, which is making someone have sex when they do not want to, is one type of sexual assault. Sexual assault is against the law.

For more information turn to pages 34, 35.

Union

An organisation which stands up for the rights of workers.

For more information turn to page 40,41.

