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**Abstract**

These notes were taken by an employee of Family Advocacy who attended a presentation by Michael Kendrick, a leader in community development and social change strategies from North America. They detail why Independent Advocacy is needed (e.g. many groups are small in number and not influential; their concerns may be of no interest or advantage to others), and describe the vulnerabilities of a group not valued by society. The limits of advocacy are noted, as are the problems of human services. A number of strategies to keep services more responsive are described briefly. **Keyword: Advocacy**

# INDEPENDENT ADVOCACY

Notes on Michael Kendrick's presentation - 7.2.1992

## INTRODUCTION

The usefulness of independent advocacy is limited by how it is done.

It is problematic - hopes are based on a notion which cannot often be fulfilled.

## COMMON REASONS WHY PEOPLE WHO ARE DISADVANTAGED WILL NEED INDEPENDENT ADVOCACY:

- **Many groups are devalued, even hated by powerful segments of society:**
  - Do we want old people?
  - Do old people want to be here as a result of us not wanting them?
  - Amniocentesis - people come into a world where they are not wanted as a result of a decision based on stereotypes.
  - People who have a disability come not just 'into society' but into a hostile society. This sets the stage for mistreatment.
  - It is an actuality that there are groups who are not liked or welcomed. (An example was given of a woman who spoke of 'feral element' when referring to people who are disadvantaged - this is the 'civil face of organised destruction').
  - Each and every one of us carries these deeply held values and feelings.
- **Many groups are small in number and not in a position of influence:**
  - Minority plus differences increases chances of little success.
  - Not 'cured' by social engineering (laws) as people cannot grasp the nature of minority
  - Majority don't know what it's like to be in a minority.
- **Life conditions make it very difficult for them to defend themselves:**
  - It's naive to assume that disadvantaged minority groups can change
  - The poor and sick are unable to influence others
  - People have a different language - it is naive to assume they can easily influence others
  - The nature of the disability impairs the influence which can be brought to bear, (e.g. clinically depressed people are not going to vigorously defend themselves)
  - Small numbers only can undertake the role of advocacy
  - A small number rise to leadership
- **Concerns may not be of interest to or advantage to others:**
  - People won't necessarily just do the right thing
  - Not a stampede of interest
  - People are often driven by self-interest

- No allies

**Circumstances may be a source of advantage to others:**

- It may be in people's interest to keep others *disadvantaged*.
- Blame human services, e.g. all problems are nursing problems, all people are psychotherapy problems
- People are predatory, e.g. staff drive home - clients catch the bus.

**Their cause/needs will inconvenience or otherwise constrain or burden others:**

- People get put out
- Inordinate resistance - in education, it's as if the plague had arrived
- Portrayed as unreasonable, e.g. mass of resistance to the Disability Services Act
- People say they believe in it, but it's just the bureaucrats. In actuality, they don't believe it and resist it.
- Pay lip service

**May seek ends which are incompatible with crucial values of majority:**

- Not going to accommodate differences
- If you are a Jew, you can't stop being Jewish just because you are in a majority
- Society has to accept.

**May be disenfranchised from access to legitimate power and authority:**

- People will ignore what they are supposed to do
- Excluded
- People don't even get to the table. They are not invited into places where decisions are made.
- Having a plan is obligatory - getting needs met is optional
- Symbolic gestures only
- People are socialised into a system of power (no malice)

**Claims may call into question the legitimacy of the authorities or majorities:**

- Virtually to think of improvements is often impossible for people who run the system
- Complaints do not appear in the annual reports.

**They may have exhausted all other moderate means of seeking change:**

- Have to go through channels
- Moderate methods will not get you very far
- Unlikely that use of moderate change will make the powerful change (Question for independent advocates: "Do we play it as it is put to us, or do we change the rules?")

**They may be widely misunderstood or misrepresented:**

- If you were seen as 'less than human' then how could you be understood?
- Stereotypes can't be known

**They may be mistreated and no-one has risen to their defence:**

- Need to break the pattern of mistreatment, e.g. with slavery people didn't see an alternative: "That's just the way it is", with segregation: "That's just the way it is"
- If you are segregated, then you are hidden and undefended (e.g. nursing homes where women use toilets with doors shorter so that their faces were hidden but not their bodies: "That's just the way it is")

**People face exploitation at the hands of predatory interests:**

- For example, boat people, who are sold boats for exorbitant amounts of money

**The normal safeguards for their protection have been corrupted:**

- Advocacy can be corrupted
- Community Visitors Schemes - once a year in finery. Make pronouncements, no vigorous defence.
- Superintendents have ended up appointing community visitors
- If you are affected, then it is not good enough
- Safeguards may be ineffectual - (countries have signed UN Human Rights declarations but 140 countries are engaged in torture)
- Sometimes legitimise mistreatment

**They are invisible to those who carry authority and influence:**

- The further you get from the client, the more your pay increases and you won't see the day to day happenings
- Those closer to the client have less influence
- Become uncomfortable (e.g. when client is missing - "Oh, they are normally here".)

- . **Those who might have defended their interests are fearful of challenging authority:**
  - Structures do create routinised oppression
  - Fear - "What might become of me?" (e.g. Holocaust - people who knew and spoke out soon found out what did happen)
  - Parents fear for their children
- . **Those who allegedly speak on behalf of people are conflicted, corrupted, or otherwise rendered useless:**
  - Independence of advocacy is crucial
- . **They may be crushed to the point where they themselves cannot defend their interests alone:**
  - It is very hard to turn stressed, fearful, tired parents into a mean fighting machine. They are very wary of stirring the pot.
  - The opposition has faxes, words, offices, cars, etc.
- . **Their position has not been adequately advanced by earlier attempts at advocacy:**
  - Botched advocacy has its own problems
  - If advocacy is botched, then it often fouls things up for the future.

## VULNERABILITIES OF GROUP

### What does it mean to be devalued?

- Impoverished
- Risk of neglect
- Risk of social exclusion
- Isolated
- Rejection
- Displaced from familiar surroundings
- Lack of rights of autonomy
- Ignorance of options and choices
- Little say in structures
- Deprived of supports crucial to their very existence
- Difference of "staffland" and 'clientland'
- Situations misrepresented

## **INDEPENDENT ADVOCACY - SO HARD TO DEAL WITH**

Independent advocacy can deal with issues as follows:

- Defend the lives of people from intentional destruction
- Protect people from being placed in irrelevant programs
- Side with people in their complaints (maybe just side with them, that is all)
- Create options - what the future can look like. Offer a choice. Articulate valued roles.
- Keep at bay organisations which will make situation worse
- Challenge harmful images, stereotypes or expectations for the person/group (get to the truth).

Advocacy is crucial, it engages issues and tries to balance the power in favour of the person who is aggrieved.

Without advocacy - we know the consequences.

## **PROBLEMS WITH HUMAN SERVICES**

- Neglect
- Poor attitudes towards being of service
- Lack of involvement/participation of consumers and families
- Poor at communication
- Putting one interest over another
- Mismanagement
- Poor conceptual models of service
- Abuse/mistreatment
- Misjudgements of the person served and their needs
- Lack of program leadership
- Inadequate, incompetent personnel.

Advocacy can describe things accurately and therefore has a better chance of solving them accurately. (Amnesty International is very good at principled advocacy).

**User rights** can be a good thing - are well-intentioned, but may have corrupted safeguards.

**Citizen Advocacy Programs** have nice traditions but are riddled with problems.

**Internal Grievance mechanisms** are underwhelming, external grievance mechanisms are much better.

Independent advocacy has limits but can be a powerful tool. It can set the agenda. Don't be fooled, write the rules of engagement.

If advocacy is courageous, then results can come.

People want you to believe that there is enough going on without external advocacy and safeguards - people don't realise external safeguards are needed.

**Without independent advocacy - even though it has limits - people will be worse off.**



## LIMITS OF ADVOCACY

- **Ignorance of remedies for validly perceived problems**
  - Do advocacy out of 'thinkness'
  - Only as good as the vision, particularly if there is little fervour
- **Indifference of society to the claims of advocates**
  - Good cause but no one listens
  - Have to talk to social workers for the rest of their lives!
  - Pick on low level trivial things, don't have grasp of issues
- **Conflict of interests**
  - Advocacy is full of conflicts
  - Problem with inability to see their conflicts of interests
  - Staff now calling themselves advocates:
    - deep conflicts
    - can never be independent
    - won't recognise this.
- **Emphasis by advocates on 'solvable' issues rather than moral issues**
  - Winning on solvable issues not the essential issues
  - A lot of good advocacy is unsuccessful
  - Defending knowing you don't have a hope in hell
  - Lawyers think strategy, are morally undiscerning and only take cases they think they can win
  - Advocacy may be needed to take on the unsolvable
  - It's very important to be principled - the wrong has to be named; perpetration of wrong has to be named; the solution has to be named
  - Morality has to be served
- **Lack of talent, leadership and experience by advocates**
  - Too 'nice' for job
  - A fixation on the fashionable, i.e. too interested in dealing only in issues which are in 'fashion'
- **Under-resourcing of valid advocacy**
  - Money going to invalid advocacy - not independent
- **Absence of long-term orientation of advocacy**
  - Some problems are going to take decades to solve
  - Providing a 'quick fix' to complex problems
  - Institutions have a long history
  - Tinkering with services
- **Lack of positive values for both oppressed and for society - Hands tied by limits of positive values**

## **PERVERSE OR INEFFECTUAL ADVOCACIES**

- . Value base can be incoherent, contradictory or weak
- . Strength of advocacy may be too weak
- . People may not have commitment to people
- . People are not good at it, not talented enough, and will alienate and make ill-advised public statements
- . Advocacy functions can be quite strong, renewed and refreshed and be right model, but will be ineffective if no review. People become complacent.
- . Person/group won't give you the 'go ahead'
- . Other groups may intimidate advocates
- . Some succumb more to problems of conflict of interest than others
- . Advocacy may be valid but not deep enough

## **SUMMARY**

- . Vast majority of people don't have what it takes
- . There is a lot of stress involved, opposition, battles, etc.
- . Leaders will assume that there is a way
- . If you are a small group, get allies, one at a time
- . Ensure you understand the degrees of conflict and the degrees of freedom

## SOME WAYS TO KEEP SERVICES MORE RESPONSIVE

1. Independent advocacy assumes that the service version of reality can be independently contested, that someone can say 'there is a whole new way'.
2. Independent advocacy can legitimise dissident views both within and outside of services,  
  
e.g. saying that closing institutions is not possible, having reservations.
3. Information can be pursued, distributed and interpreted from the service users point of view:
  - See information with new eyes
  - Reinterpret in the interests of the party at stake
4. Services can be monitored over time, thereby increasing the likelihood of being found out:
  - Scrutiny is very important.
5. The independent advocate can take initiatives to ensure that the service is useful without fear of reprisal:
  - An independent advocate can say what has to be said.
6. The operators of services must live with the likelihood that they will be found out.
7. Advocates can generate a constituency for valid service and the commensurate use of resources (uniting human energy to change):
  - Get a platform outside the system.
8. When conflicts or issues are pursued by advocates it clarifies positions and accountability:
  - Good advocacy clarifies and therefore people can do something
  - Enables things to be seen for what they are.
9. When issues are pressed by advocates, it brings people to decisions:
  - It develops precedents to use later by others
  - Once a decision is made you have an opportunity to press for details
  - Take consciousness and use it to good effect to get things to a position where decision is taken.

10. Witnessing advocacy can bring people to insight and conviction:

- It's very important for families, (e.g. protests in civil rights days, when people saw dogs going after people, they made up their minds about what they thought about the issue)

11. Independent advocacy permits things that vested interest wouldn't want to see rise.

- Powerful agencies do suppress, e.g. in the case of deaths of children in a hospital in Canada, Self Advocacy was able to link deaths to one doctor. The doctors lobbied for people with disabilities to be kept out of the Court but didn't get their way.

12. When independent advocacy does exist, then it emboldens people to come forward.

- Knows how hard it is to take courage.

13. Independent advocacy can be a source of leadership on needed issues of change.

- Working with people who are developing leadership is very important
- Mobilising leadership is critical.

14. Independent advocacy can maintain pressure for change and improvement:

- Let them off the hook and things don't happen
- Can't let up sometimes.

15. Independent advocacy can create a climate for change:

- You don't have to unnecessarily alienate people
- The best advocates don't want to alienate
- Don't develop a 'gotcha!' mentality
- Be sensitive to how others see things
- It doesn't mean you can't be strong.

16. Independent advocacy can often stand apart from the majority and defend interests of unpopular minorities:

e.g. Independent advocacy is needed in situations such as where, in response to mass hysteria caused when a person in an institution killed someone very young, all people living there were locked up.

17. Independent advocacy can help the finding of the voice of people subjected to abuse and mistreatment:

- Support people to find their voice.

18. When damage is done to people, compensation and justice can be pursued to redress legitimate grievances:
  - Restoration can and should be done.
19. Independent advocacy usually becomes astute at negotiation through familiarity with the system:
  - Can act as a resource for others.
20. Independent advocates are granted more credibility than those with a vested interest.
21. Independent Advocacy can assume that things that are crucial get thought about:
  - Independent advocacy points the finger
  - Independent advocacy can say "real roadblocks are here ... and here".
22. Independent advocates typically don't presume that authorities always want or do what's best:
  - They're more alert
  - People are always looking for trouble
  - They're not naive.
23. Permits outside efforts at reconstituting services that have become harmful:
24. Can support forces for change which are on the inside.
25. Can help create a clear sense of choices and options.