

COMMUNITY  
LIVING  
AUSTRALIA

# Disability Royal Commission Factsheet

Edition 1



# Background

The Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability was established on 4 April, 2019.

It is expected to run for three years.

The Royal Commission is committed to meeting the needs of all people with disability, including people from Aboriginal, Torres Strait and other cultural backgrounds.

What is learnt from the Royal Commission will help to inform Australian governments, the sector and the wider community on how to prevent, and better protect, people with disability from experiencing violence, abuse, neglect and exploitation in the future.

The Royal Commission will look at all of the groups that provide services to people with disability i.e. the government, institutions such as service provider, schools, workplace, business or charity, and the community.

## Areas of Concern to be Covered

**Violence & Abuse** – includes assault, sexual assault, constraints, restrictive practices (physical and chemical), forced treatments, forced interventions, humiliation and harassment, financial and economic abuse and significant violations of privacy and dignity on a systemic or individual basis.

**Neglect** – includes physical and emotional neglect, passive neglect and willful deprivation. Neglect can be a single significant incident or a systemic issue that involves depriving a person with disability of the basic necessities of life such as food, drink, shelter, access, mobility, clothing, education, medical care and treatment.

**Exploitation** – The improper use of another person or the improper use of or withholding of another person's assets, labour, employment or resources including taking physical, sexual, financial or economic advantage.





## Workshops and Key Discussion Points Raised

The Disability Royal Commission has already held seven workshops across Australia between June and October 2019. The participants in these workshops have ranged from leaders with disabilities, family advocates, professionals, disability service providers, legal aid, public advocates and the First Nations People.

Over the course of the workshops it was clear that where people with disability experienced some form of violence, abuse, neglect or exploitation in one area of their life, this was likely to have significant flow-on effects in others.

### Key discussion points were:

- **Rights of people with a disability**
- **People with a disability to live free from violence, abuse, neglect and exploitation**
- **Homes and Living**

Workshop participants identified numerous examples where people with disability had been abused, neglected and subjected to violence in these types of living arrangements. Participants raised concerns about the difficulties for people with disability in securing safe, appropriately adapted housing, and the flow-on effects this can have. People with disability have often found their requests for adjustments to their living environment directed to the NDIS as a 'disability issue', rather than a public housing one.

- **Education and Learning**

Participants identified education as a critical right for people with disability, noting there can be significant flow-on effects in terms of a person's economic participation if they are denied access to appropriate education. The barriers range from difficulties for parents communicating with schools when complaints arise, children being prevented from accessing relevant support in the classroom, and schools attempting to punish or manage 'challenging behaviours' with restrictive practices, instead of

- **Economic participation**

Participants identified multiple barriers to ensuring full economic participation for people with disability, particularly in the employment sector. Participants reported multiple instances where people were unsuccessful in securing employment or had their employment terminated due to having a disability or not disclosing their disability. Participants also raised concerns about the underpayment of people with disability.

- **Justice**

A lack of police training and understanding of people's lived experience of disability were seen as key factors leading to the disproportionate rates of arrest, charge and sentencing. In some communities, particularly remote and First Nation communities, a lack of appropriate assessments and support services also resulted in the criminal justice system being used as a default care provider for people with disability. In the custodial setting, participants noted the widespread lack of, or delay in, providing assessments to ascertain what kind of support people with disability required had serious implications

- **First Nations People**

It was noted that First Nations People with disability experience physical violence and other forms of abuse at a much higher rate than non-Indigenous people with disability.

- **People with disability in the criminal justice system**

Policing practices, arrest, charge, prosecution and legal and court processes were explored. The barrier and challenges experienced by people with disability in the criminal justice system was one of the most significant issues raised in previous workshops and consultations.



# The First Public Sitting of the Disability Royal Commission

The first public sitting for the Disability Royal Commission was held in Brisbane on the 16th of September 2019. The hearing emphasised the Commission's focus on incidents of violence, abuse, neglect and exploitation and identified the domains that will form the structure of hearings:

1. Homes and living
2. Relationships
3. Education and learning
4. Economic participation
5. Health
6. Justice
7. Individual autonomy/Self-determination and the right to the dignity of risk
8. Community participation
9. Geographical challenges.

The next public hearing will be held in Townsville, Queensland on the 4–7 of November and will focus on education and learning.

## Upcoming Community Forums

The Royal Commission is holding three community forums in Adelaide in November 2019. At community forums people can hear about the work of the Royal Commission and share their stories. Anyone can attend a community forum but for planning purposes you will need to pre-register to attend. All community forums will be fully accessible.

Adelaide, 12 November, 10:00am – 12 noon

Stamford Plaza Adelaide, 150 North Terrace

[Register for morning Adelaide community forum](#)

Adelaide, 12 November, 6:00 – 8:00pm

Stamford Plaza Adelaide, 150 North Terrace

[Register for evening Adelaide community forum](#)

Gawler, 14 November, 10:00am – 12 noon

Gawler Civic Centre, 89-91 Murray Street, Gawler

[Register for Gawler community forum](#)

Community Living Australia will advise you of any further South Australian community forums as they are announced.

# Disability Royal Commission Support Services

## Counselling Support

Free counselling support from Blue Knot Foundation is now available for people with disability, their families and carers, and anyone affected by the Disability Royal Commission.

Call the National Counselling and Referral Service on **1800 421 468** or **02 6146 1468** to find:

- support for your emotional wellbeing
- support for making choices about telling your story
- information on other practical supports available to you.

Open 8.30am to 5.30pm weekdays or 8.30am to 4.30pm weekends.

**If you are currently experiencing any form of violence or abuse, or are concerned for your safety, call the police on 000.**

## Advocacy Support

The Australian Government is extending the National Disability Advocacy Program to include individual advocacy support for people who need extra support to engage with the Disability Royal Commission.

Advocacy support is for people with disability (or family members or carers acting on their behalf) who cannot advocate for themselves because they have difficulty in communicating or understanding how to engage with the Commission.

An advocate will be able to help people with disability to understand how to tell their story to the Disability Royal Commission, how to work out problems or avoid discriminatory issues, find communication supports such as interpreters, and access other supports such as legal or financial services.

Information about the program can be found at [National Disability Advocacy Program](#), along with a [Disability Advocacy Finder](#) tool to help you locate a service provider near you. Alternatively, you can contact the Disability Royal Commission Hotline on 1800 517 199 or at [DRCEnquiries@royalcommission.gov.au](mailto:DRCEnquiries@royalcommission.gov.au) and they will be happy to assist you to find your nearest advocacy service

## Legal Support

A free national legal advisory service is available and can help you to:

- understand your legal rights and options for engaging with the Disability Royal Commission
- assist you to prepare for submissions or private sessions
- find out about financial assistance that may be available to you.

You can contact National Legal Aid directly on **1800 771 800** (8.45 am – 4.45 pm, Monday to Friday) to register your interest.

## Financial Support

The Australian Government is funding legal financial assistance to individuals and entities to assist with meeting the costs of legal representation and disbursements associated with engaging with the Royal Commission.

Applications can be submitted by downloading the [application form](#), and emailing a completed form to [finass@ag.gov.au](mailto:finass@ag.gov.au) with the required attachments.

If you cannot send your application by email, please telephone the Financial Assistance Section on 02 6141 4770 or 1800 117 995 between 8.30am – 5.00pm, Monday to Friday.

If you are deaf, or have a hearing or speech impairment contact us through the National Relay Service and give 02 614 4770 as the number you would like to call.

## Helpful Links

[Public Hearing recording](#)

[Workshops](#)

[Practice Guidelines](#)

[Support](#)

## Royal Commission Contact Information

Email: [DRCEnquiries@royalcommission.gov.au](mailto:DRCEnquiries@royalcommission.gov.au)

Telephone: 1800 517 199

Post: GPO Box 1422, Brisbane QLD 4001



# Further Questions and Information

If you have any questions or would like more information in regards to the Disability Royal Commission, please contact Community Living Australia

Telephone: 08 8536 5888

Email: [info@claustr.com.au](mailto:info@claustr.com.au)

Post: PO Box 1166, Strathalbyn SA 5255

