

Appendix C - Engagement Summary

31 July 2024

In considering the recommendations of the Disability Royal Commission, the NSW Government has sought to hear from people with disability, representative organisations, advocates and service providers about specific recommendations and volumes to inform our response and prioritise reforms.

We heard overwhelmingly that stakeholders welcome the recommendations and want to see strategic reform to reduce and eliminate violence, abuse, neglect and exploitation of people with disability.

This document summarises some of the engagement the NSW Government has undertaken.

Additional information and stakeholder forum communiques are available at:

<https://dcj.nsw.gov.au/community-inclusion/disability-and-inclusion/disability-royal-commission.html>.

Stakeholder forums

The NSW Government has facilitated three stakeholder forums to date to hear the views of stakeholders on the recommendations made by the Disability Royal Commission.

- The Department of Communities and Justice and the Disability Council NSW co-convened an initial forum with stakeholders on 23 October 2023. You can [read the communique here](#).
- The second forum on 1 February 2024, was an opportunity to give voice to First Nations stakeholders' views of the recommendations. You can [read the communique here](#).
- The third forum on 3 June 2024 was to consider in greater detail recommendations on the topics of justice, child protection, housing and homelessness. You can [read the communique here](#).

The three forums took place both in person and virtually and were co-hosted by Jane Spring AM, Chair Disability Council NSW and Anne Campbell, Deputy Secretary, Department of Communities and Justice.

In addition, Damian Griffis, CEO, First Peoples Disability Network and Shane Hamilton, Deputy Secretary, Aboriginal Affairs NSW joined in co-hosting the First Nations forum on 1 February 2024.

The Minister for Families and Communities and Minister for Disability Inclusion attended all three forums. The Minister for Aboriginal Affairs and Treaty also attended the First Nations forum. The Parliamentary Secretary for Families and Communities and Disability Inclusion attended the first and second forums.

Expert panels involved a mixture of the disability sector, academics, and people with lived experience of disability, who gave their perspectives on the recommendations and considerations for their implementation.

Key points raised in the forums were:

- The need for governments to work in partnership with people with disability and their representative organisations when implementing any changes to systems.
- The need for First Nations people to have culturally safe and appropriate services that addressed their needs in a holistic and trauma informed manner.
- The need for mainstream services to be more disability-informed and responsive to the needs of people with all types of disabilities.

The forums were attended by more than 100 participants each time. Participants included people with lived experience of disability, representatives from disability rights and advocacy groups, Aboriginal organisations from across the state, disability services and government agencies.

Targeted NSW consultations

NSW Government departments have engaged in group and targeted discussion with sector representatives on topics and specific recommendations.

Individuals and organisations, including the Summer Foundation, the Council for Intellectual Disability, Catholic Schools NSW, the Physical Disability Council of NSW, Autistic Self Advocacy Network ('ASAN') of Australia and New Zealand and the Australian Autism Alliance, and representatives from the deafblind community, provided presentations to NSW Government's cross-agency taskforce members.

Specialist working groups on inclusive education and guardianship have been convened to further consider the recommendations on those matters.

Public Submissions

The NSW Government held an open submissions process between January and February 2024 calling for individuals and organisations to tell us which recommendations were considered most important and why.

Submissions were invited in a variety of formats to support accessible engagement including, written, verbal, video and voice messaging. We received 28 submissions from people with disability, disability advocates and representative organisations, service providers and peak bodies.

Respondents raised a number of competing priorities from supported decision making, inclusive education, the use of restrictive practices and challenges in the disability support workforce.

Some of the key themes arising from these submissions are summarised below.

- **Guardianship and supported decision making:** Many submissions viewed the guardianship and supported decision making recommendations as an important area of the Royal Commission final report. All respondents on this issue were supportive of the recommendations for legislative, regulatory and administrative changes to implement a supported decision making model.
- **Education (specialist schools):** The majority of respondents, including parents' and teachers' associations, representative school groups and advocacy organisations told us that they are against phasing out specialist education facilities. The respondents said that students and parents need to have a choice about the type of school they attend. Many respondents advised that students with complex needs may have a better experience in specialist schools. Two respondents were in favour of phasing out specialist schools. Respondents called for any decisions about specialist schools to involve meaningful engagement with students and adult with disability, parents of children with disability to discuss their lived experience.
- **Education:** Recommendation 7.8 (workforce capabilities, expertise and development) was supported by several respondents, who noted their support to embed a human rights-based approach to inclusive education across teachers' careers. Some respondents supported improved complaints management procedures in the education sector and stronger oversight and enforcement of school duties. Respondents noted their support for preventing the inappropriate use of exclusionary discipline against students with disability and improving policies on the provision of reasonable adjustments to students with disability and inclusive education units including First Nations expertise.
- **Employment:** Employment was a key theme in the stakeholder submissions with emphasis on employment rates of people with disability remaining low over many years and noting that changes are needed to address this.

Stakeholders told us that targets are needed in the public and private sectors. The issue of segregated employment was brought up by several stakeholders with many submissions in favour of maintaining segregated employment as an option for people with disability, while also supporting open employment opportunities and wage rises.

- **Rights:** Many respondents strongly supported the development of a Commonwealth Disability Rights Act and rights-based inclusion for people with disability. It was consistently argued that legislated disability rights are fundamental to reform.

- **Housing:** Stakeholders strongly support phasing out of group homes and greater availability of alternative housing options. Respondents told us that more accessible housing is needed as well as greater protections for tenants and commitment to accessibility standards.
- **Restrictive practices:** Respondents broadly support the reduction and elimination of restrictive practices including targets and data to measure these efforts and appropriate funding for any changes to restrictive practice regulations.
- **Health:** Respondents told us that they support access to health care for people with disability and the use of 'disability health navigators' (Recommendation 6.34) and called for the right to equitable access to health services to be embedded in policy documents (Recommendation 6.31). There was also support for improving access to clinical placements in disability health services for all health professionals (Recommendation 6.28). The requirement for transport needs to be addressed when considering adaptations and supports to enable access to health care was also raised.
- **Independent oversight and complaint handling:** Respondents told us that independent oversight, complaints and incident management recommendations are important issues. This includes the creation of 'one-stop-shop' complaint reporting and a national 1800 number and website for complaints. Submissions told us that incident management recommendations can streamline incident reporting, strengthen oversight, and improve the effectiveness of investigations. There were calls for appropriate funding for a nationally consistent Official Community Visitors scheme.
- **Accessible communications:** Respondents expressed their support for a national plan to promote accessible information and communications including supporting the duty to provide accessible information and called for an increase in the number of Auslan interpreters.
- **Disability workforce:** There is support for a national disability support worker registration scheme and including revisions to the NDIS Quality and Safeguards Commission processes to ensure a higher standard of care and accountability. Respondents told us that they support information-sharing provisions in relation to workers and that worker qualification and training for frontline workers is important and recommended training options from diverse funding sources. Respondents said that worker remuneration is complex and does not align with NDIS services and NDIA price limits and support portable leave entitlements for workers.
- **Governance:** The development of a National Disability Agreement (Recommendation 5.1) was presented as a key recommendation by several respondents. New governance arrangements for disability in Volume 5, Governing for Inclusion were considered key recommendations.
- **Criminal justice:** Respondents expressed support for criminal justice recommendations in Volume 8. These recommendations relating to improving conditions in custody for people with disability, screening and assessment for disability in youth detention, use of seclusion, diversion, First Nations people in custody and age of criminal responsibility.
- **Provider of last resort:** Respondents said that determining the criteria for designating a provider as a last resort and establishing a clear framework for procurement and ongoing evaluation are critical steps in making this recommendation a reality.