

# Summary Tasmanian Response to the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability (the Disability Royal Commission)

July 2024



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## How to use this paper



The Tasmanian Government wrote this paper.

When you see the word 'we', it means the Tasmanian Government.



We wrote this paper in an easy to read way.



We wrote some hard words in **bold**.

This means the letters are thicker and **darker**.

We explain what the hard words mean.



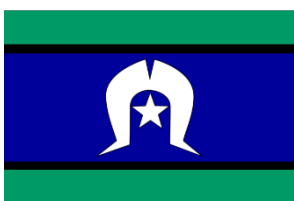
You can ask for help to read this paper.

You could ask a friend, family member, support person or advocate.

# Acknowledgement of Country



We recognise First Nations peoples as the traditional owners of the land we live on – Tasmania/lutruwita.



They were the first people to live on and use the:

- land
- waters.

# Support for you

If this paper upsets you, you can get support here:



Lifeline is a service for people at risk of suicide.

This is when someone ends their own life.

You can call Lifeline any time on **13 11 14**



Beyond Blue is a service that can support you with your mental health.

You can call them any time on **1300 224 636**



1800Respect is a phone service for people around Australia who experience:

- domestic and family violence
- sexual violence.

You can call them any time on

**1800 737 732**



The Disability Gateway is an information service for people with disability.

You can call them Monday to Friday

8 am – 8 pm on **1800 643 787**

## Minister's Foreword



Thank you to everyone who bravely shared their stories with the Disability Royal Commission.



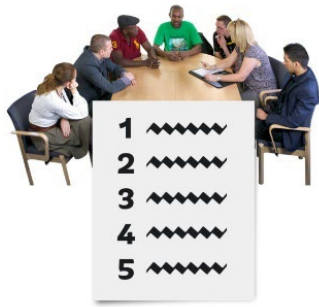
The Tasmanian Government wants Tasmania to be a place where people with disability:

- have the same choices as everyone else about how they live
- are part of the community



The most important thing is to make Tasmania a safe place for everyone.

We want Tasmanians with disability to live free from violence, abuse, neglect and exploitation.



We are already doing some work to make that happen.

We explain some of this work in this paper.



Some recommendations of the Disability Royal Commission would mean big changes for people with disability.



We will not make big changes without talking to you first.



The Honourable Jo Palmer MLC

# What is the Disability Royal Commission?



People with disability told governments in Australia that we should work out the best ways to stop people with disability from experiencing:



**violence** – when someone hurts you physically



**abuse** – when someone treats you badly



**neglect** – when someone is not helping you the way they are supposed to help you ignoring



**exploitation** – when someone takes advantage of you.



## A **Royal Commission:**

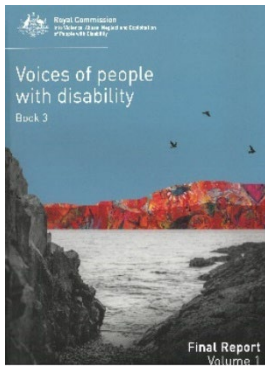
- is an official way of looking into a big problem.
- helps us to work out what went wrong; and
- what we need to improve



We call the Disability Royal Commission **DRC** for Short.

The **DRC** finished on 29 September 2023.

# The Disability Royal Commission Final Report

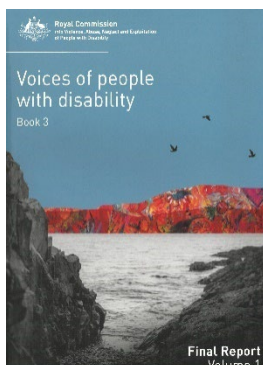


The DRC wrote a Final Report to share:



- what people with disability and their families told them.
- what governments and the community should do.

These are called recommendations.



The DRC Final Report has:

- 12 parts. These parts are called volumes
- 222 **recommendations**



**Recommendations** are the things the DRC think should happen

Recommendations start in Volume 4.

# About Our Response to the Disability Royal Commission



We used what people told the DRC to write our response.



We will keep talking to people with disability.

We want to find out what you think is important about answering the DRC.

For each of the 222 recommendations we:

- **Accept**
- **Accept in principle**
- **Subject to further consideration, or**
- **Note**



**Accept** - means we agree with the recommendation.



**Accept in principle** - means we agree with the recommendation.

But need to think more about it.



**Subject to further consideration** - means we need to think more about the recommendation.



**Note** – means:

- another government or organisation is doing the work, or



- the DRC did not agree on the recommendation



In this paper we share the work we are doing about the DRC Final Report Volumes 4 – 12.

# Volume 4: The Rights of People with Disability



The DRC recommends a new law in Australia called the **Disability Rights Act**.

An **Act** is a Law.



**The Disability Rights Act** would protect the human rights of people with disability.



**The Disability Rights Act** would be a law for all of Australia.

The Australian Government will think about making this law.

There are 34 recommendations in Volume 4:



- We accept or accept in principle one recommendation.
- We need to think more about one recommendation.
- We note 32 recommendations.



## What we will do

We are working on the **Tasmanian Disability Inclusion and Safeguarding Act.**



These are the words that describe the Act and what it is trying to do.



“An Act to **advance and safeguard the human rights** of people with disability and to advance the **full and effective inclusion** of people with disability in the Tasmanian Community.”

The Act will:



- Make your human rights stronger.
- Make sure you can take part in your community.

## Volume 5: Guiding Government Plans



The DRC recommends governments

- Write a **National Disability Agreement**



A **National Disability Agreement** is a plan for how governments around Australia will work together for people with disability.



- Look closely at plans to make sure they focus on **inclusion** for people with disability.



**Inclusion** means – everyone can take part

- Establish a National Disability Commission



These recommendations will mean more inclusion for people with disability.

	Yes <input checked="" type="checkbox"/>
	Not sure <input type="checkbox"/>
	No <input type="checkbox"/>

There are seven recommendations in Volume 5:

- We accept or accept in principle five recommendations
- We note two recommendations



## What we will do:



We will work with other governments to make plans more inclusive of people with disability.



We are working on the new **Tasmanian Disability Strategy**.



The **Tasmanian Disability Strategy** - is a plan for Tasmanians with disability.



It aims to make things fairer and easier for you.

This Strategy will focus on inclusion of people with disability in Tasmania.

# Volume 6: Using Accessible Services and Better Decision Making

The DRC recommends governments work to:



- make information more **accessible** for people with disability



**Accessible** means - it is easy to find, use and understand.



- support people with disability to make decisions about how they live their life



- make it easier for people with disability to get the health care they need



- make it easier for people with disability to do what they want

	Yes	<input checked="" type="checkbox"/>
	Not sure	<input type="checkbox"/>
	No	<input type="checkbox"/>

There are 41 recommendations in Volume 6:

- We accept or accept in principle 24 recommendations.
- We need to think more about seven of the recommendations.
- We note 10 recommendations.



## What we will do:

We are making changes to the **Guardianship and Administration Act 1995 (Tas)**.

**Guardianship and Administration Act** is a law – under this law if you cannot make decisions yourself, a chosen person can make them for you.

They can make decisions about things like your money, healthcare, or where you live.

The changes to the Guardianship and Administration Act 1995 (Tas) will support people with disability to make decisions about their lives.



We are making a **Disability Health Strategy**.



A **Disability Health Strategy** is a plan about health.

It will focus on better health care for people with disability.



Our new Tasmanian Disability Inclusion and Safeguarding Act will say when **restrictive practices** are allowed.



A **restrictive practice** is when a disability service provider may need to do something that stops a person with disability from doing something they want to do.



Restrictive practices should only happen:

- to keep a person with disability or other people safe from harm.



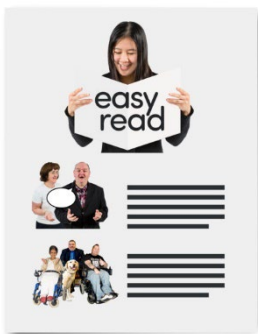
- when there is no other choice.



- if an expert like the **Senior Practitioner** says it is ok.



The **Senior Practitioner** has a job to protect your rights if you have restrictions placed on you.



We will also work with other governments to make information more accessible for people with disability.

# Volume 7: Inclusive Education, Employment and Housing



Volume 7 has three parts:

- **Part A – Education**
- **Part B – Employment**
- **Part C – Housing**



## Part A – Education

There are 15 recommendations in Part A - Education:



- We accept or accept in principle 13 recommendations
- We note two recommendations



The DRC recommends making it easier for people with disability to get a good education.



In 2021, we received a Final Report from the **Tasmanian Commission of Inquiry.**



**The Tasmanian Commission of Inquiry** looked at how children can be safer in Tasmania.



Tasmanian  
Government

## What we will do:

We agreed to all the Tasmanian Commission of Inquiry recommendations.



Some of these recommendations are like DRC recommendations in this volume.



We are looking at our plans about education to make sure they include people with disability.



One recommendation of the DRC was to close **support schools** in the future.



A **Support School** is a school where only children with disability go.



We know some people want to close support schools and some people do not.



We think parents should be able to choose if their children go to a support school.



## Part B - Employment

There are 17 recommendations in Part B - Employment:



- We accept or accept in principle five recommendations.
- We need to think more about one recommendation.
- We note 11 recommendations.



The DRC recommends making it easier for people with disability to get a job.

The Australian Government will lead most of the work in Part B – Employment.



One recommendation of the DRC was to close **Australian Disability Enterprises (ADE)** in the future.



**Australian Disability Enterprises** is supported employment that helps people with disability who need extra help to work.

Many people with intellectual disability work in ADEs.



We are doing work to make it easier for people with disability to work for the Tasmanian Government.



We know some people want to keep working at an ADE, and some people do not.



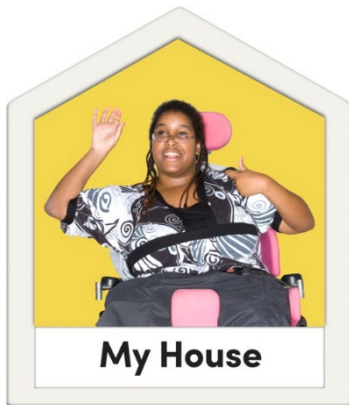
We will ask people with disability what they think about ADEs.



We will work with other governments on a **Supported Employment Plan.**



This plan will focus on people with disability having choice and control over where they work.



## Part C - Housing

There are 12 recommendations in Part C - Housing:



- We accept or accept in principle six recommendations.
- We need to think more about five recommendations
- We note one recommendation.



The DRC recommends making it easier for people with disability to live where they want.



One recommendation of the Disability Royal Commission was to close group homes in the future.



We know some people want to keep living in group homes, and some people do not.



## What we will do:



We will not close any group homes soon.

We will ask people with disability what they think about group homes.



We are working with other governments on plans to provide more housing options for people with disability.

# Volume 8: Criminal Justice and People with Disability

Volume 8 is about people with disability in the **criminal justice system**.



The **criminal justice system** includes:

- police
- the courts
- the law
- prisons



People with disability are more likely to have contact with the justice system than people without disability.



The DRC recommends governments make it easier for people with disability to get the support they need when they:

- deal with the police.
- go to court.
- are in **detention settings**.



**Detention settings** are places where people have to stay if they:

- have broken the law
- are waiting for a court to decide if they broke the law.



For example:

- prisons
- youth justice centres.

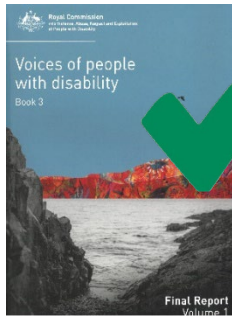
	Yes	<input checked="" type="checkbox"/>
	Not sure	<input type="checkbox"/>
	No	<input type="checkbox"/>

There are 24 recommendations in Volume 8:

- We accept or accept in principle 14 recommendations.
- We need to think more about three recommendations.
- We note seven recommendations.



## What we will do:



Some recommendations from the Tasmanian Commission of Inquiry are like the DRC recommendations in this volume.



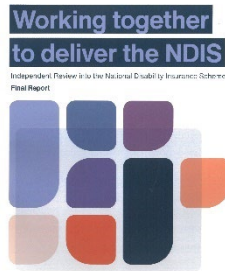
We agreed to all the Tasmanian Commission of Inquiry recommendations.



This includes making youth justice centres safer for young people with disability.



We are looking at our plans about prisons to make sure they focus on inclusion for people with disability.

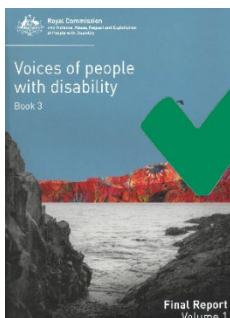


2023

The National Disability Insurance Scheme (NDIS) Review report was released in 2023.



The NDIS Review looked at how well the NDIS is working.

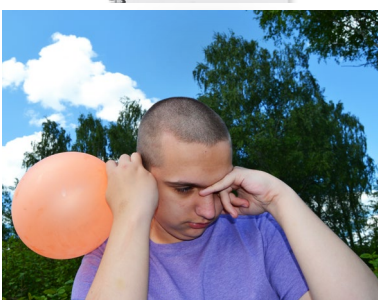


Some recommendations from the NDIS Review are like DRC recommendations in this volume.

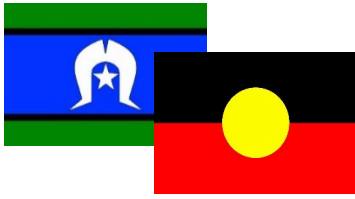
We are looking at what the NDIS Review recommended.



We will work with other governments to make the national plan to reduce violence against women and children more inclusive of people with disability.



# Volume 9: First Nations People with Disability



Volume 9 is about **First Nations people** with disability.

**First Nations people** are Aboriginal and Torres Strait Islander peoples.

First Nations **cultures** often understand disability in different ways.



A culture is:

- a way of life
- what people believe
- what is important to the community.



The DRC recommends governments make it easier for First Nations People with Disability to receive services from governments and service providers.

There are 13 recommendations in Volume 9:

- We accept or accept in principle five recommendations.
- We need to think more about one recommendation.
- We note seven recommendations.





## What we will do:

We are working with other governments on **Closing the Gap.**



**Closing the Gap** is a national plan about how governments can support Aboriginal and Torres Strait Islander peoples.



Part of Closing the Gap is about people with disability getting the services they need.



We will work with First Nations people and organisations who can tell us how we can improve services to First Nations people.

# Volume 10: Disability Services



Volume 10 recommends governments should make sure disability service providers keep the people they support safe.

There are 33 recommendations in Volume 10:

	Yes <input checked="" type="checkbox"/>
	Not sure <input type="checkbox"/>
	No <input type="checkbox"/>

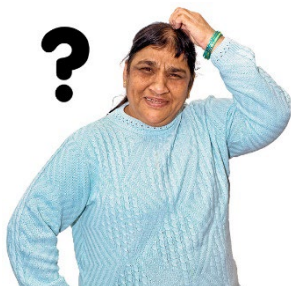
- We accept or accept in principle 14 recommendations
- We note 19 recommendations



The Tasmanian Disability Inclusion and Safeguarding Act says that when people with disability are receiving services they should:

- be safe.
- have their human rights protected.

People with disability told the NDIS Review that:



- the NDIS is hard to understand.



 The right to be safe from serious harm

- governments need to make sure people with disability are safe when receiving support from disability service providers.

The Australian Government will lead most of the work in this area.



## What we will do:

We will work with the Australian Government to make sure:



- disability service providers keep you safe and protect your human rights.



- You can easily complain about a service that does not keep you safe and protect your human rights.
- governments know if a disability service provider is not keeping you safe and protecting your human rights

# Volume 11: Improving ways to manage and report a problem



The DRC recommends governments should make sure:

- people with disability can safely and easily make a complaint.
- governments and organisations manage complaints the right way.
- governments can know if people with disability are safe from violence, abuse, neglect and exploitation.



When you make a complaint, you tell someone that:

- something has gone wrong
- someone has treated you badly.

There are 18 recommendations in Volume 11:



- We accept or accept in principle nine recommendations.
- We need to think more about six recommendations.
- We note three recommendations.



## What we will do:



The Tasmanian Disability Inclusion and Safeguarding Act will set up a **Disability Inclusion Commissioner**.

Part of the Tasmanian **Disability Inclusion Commissioner's** job will be to look into complaints from people with disability about:

- Violence
- Abuse
- Neglect
- Exploitation



Ombudsman  
Tasmania

We are working with other governments on a national plan to make it easier for people with disability to complain to **Ombudsman Offices**.

**Ombudsman Offices** are places you can complain about services you receive from governments.



We are setting up the **Tasmanian National Preventive Mechanism** (NPM).

The **Tasmanian National Preventive Mechanism** checks police stations and court cells.



**Preventive** means to stop something bad happening.

A **mechanism** is how something is done.

The Tasmanian National Preventive Mechanism will visit **places of detention**



**Places of detention** are places where people are not allowed to leave.

They will make sure people are not experiencing:

- **Torture**



**Torture** is when you hurt someone to punish them or to make them do or say something.

or being treated in a way that is:



- **Cruel**
- **Inhuman**
- **Degrading**
- Being treated in a way that is **cruel**, **inhuman** or **degrading** is when someone is treated badly.



We will work with other governments on **Community Visitor Schemes.**

**Community Visitor Schemes** make sure you are receiving good and safe services.



They help to find and report issues and problems.

# Volume 12: Beyond the Royal Commission



The DRC recommends governments should respond to the DRC by:

- writing a response to the DRC

- working together with people with disability on the recommendations.



- sharing reports of the work being done.

There are eight recommendations in Volume 12:



- We accept or accept in principle seven recommendations.

- We note one recommendation.



## What we will do:



We will share the work we are doing to answer the DRC report.



We will collect information to understand how well we are doing.