



Disability Royal Commission Australian Government Response: Volume 4

Realising the Human Rights of People with Disability

Volume 4 examines Australia’s human rights obligations and proposes changes for a stronger and more comprehensive legal framework to protect and advance the rights of people with disability. It includes 34 recommendations, all of which are within the Australian Government’s primary or shared responsibility.

Realising the Human Rights of People with Disability	
Recommendation	Australian Government Response
4.1 – 4.22: Establishment of a Disability Rights Act	Subject to further consideration
4.23 – 4.34: Disability discrimination reform	Accept in principle

Key actions and initiatives

The Parliamentary Joint Committee on Human Rights (PJCHR) has tabled its report on Australia’s Human Rights Framework. It has recommended the Government re-establish and significantly improve Australia’s Human Rights Framework. The Government will further consider the DRC’s recommendations. They will do this alongside the PJCHR’s recommendations.

The Australian Government will further consider the Disability Royal Commission’s recommendations in relation to the enactment of a Disability Rights Act, and the accompanying functions and complaints mechanism of a National Disability Commission, alongside the PJCHR’s recommendations. This will ensure a holistic approach is taken to ensuring the rights and freedoms of all Australians are respected and protected.

The Government has also continued to progress a range of reforms and measures that will better protect and advance the human rights of people with disability. Key measures include:

- **Enacting a new Disability Services and Inclusion Act**

On 1 January 2024, the *Disability Services and Inclusion Act 2023* (the Act) commenced. The Act replaces the *Disability Services Act 1986* and strengthens quality and safeguard arrangements for people with disability outside the National Disability Insurance Scheme.

- **Costs in discrimination proceedings**

In November 2023, the Government introduced the *Australian Human Rights Commission (Costs Protection) Bill 2023* to Parliament. The Bill presented a new costs model for federal discrimination proceedings. Its aim is to reduce the risk of costs orders being made against applicants. This includes against people with disability.

- **Developing a new International Disability Equity and Rights Strategy**

The Australian Government is developing a new International Disability Equity and Rights Strategy to ensure Australia remains a strong and consistent global leader in advancing equity and human rights for people with disability.

- **Supporting participation at the Conference of States Parties (COSP) to the *United Nations Convention on the Rights of Persons with Disabilities***

COSP is the most significant and diverse meeting of people with disability in the world. In 2024, the Government supported 9 Australians representing the disability community to attend the 17th COSP at the United Nations headquarters in New York.

Government investment

- The Government is committed to ensuring Commonwealth anti-discrimination legislation works for people with disability and is dedicating **\$6.9 million** to review and modernise the *Disability Discrimination Act 1992*.
- The Government has committed **\$12.2 million** over four years from 2024-25 and **\$5.2 million** ongoing to enable special consideration for child visa applicants born and ordinarily resident in Australia with a health condition or disability to enable the grant of a visa.