



# **National Interim Update 2024**

**Government Response to the Royal  
Commission into Violence, Abuse, Neglect  
and Exploitation of People with Disability**

An Australian, state and territory government initiative.



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# National Interim Update 2024

## Introduction

On 29 September 2023 the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability (Royal Commission) delivered its Final Report. It included 222 recommendations and set out a vision for an inclusive Australia where people with disability live free from harm; where human rights are protected; and where individuals live with dignity, equality and respect, can take risks, and develop and fulfil their potential.

On 31 July 2024, the Joint Government Response to Disability Royal Commission Recommendations was published. All governments also released their own responses (except the Northern Territory, which was in caretaker at the time).

The breadth and scope of the Royal Commission's recommendations means a staged approach to implementation is required to enable genuine partnership and collaboration with the disability community on the details of reform and implementation. To drive implementation and promote transparency, all governments have agreed to biannual public reporting on the progress of implementation.

Since 31 July 2024, there has been a strong and ongoing focus on engaging with people with disability, representative organisations and disability advisory groups about how best to proceed with reform associated with recommendations that were accepted or accepted-in-principle by governments.

Governments at both a national and individual jurisdictional level will continue to consult people with disability, their families, carers, representative organisations, service providers, unions and the broader community to inform decision-making on reform in response to the Royal Commission's final report and recommendations.

There is also ongoing work to connect Royal Commission recommendations to other significant reviews and reform activity, such as the Review of the National Disability Insurance Scheme (NDIS). This is enabling the findings from the Royal Commission and relevant reviews to be considered together.

## An ongoing commitment to publicly report on progress

All governments have agreed that biannual reporting arrangements will commence from June 2025, as outlined in the National Disability Royal Commission Monitoring and Reporting Framework. This will include progress reporting against all 222 Royal Commission recommendations.

This National Interim Update 2024 has been developed as an additional initiative to provide a snapshot of some of the key areas of implementation progress in response to Royal Commission recommendations. The update includes selective examples from each jurisdiction and does not represent a comprehensive view of all action taken by individual governments.

## Snapshot of some key areas of implementation progress

### Australian Government

#### ***Recommendation 4.31: Disability discrimination and migration law***

On 16 October 2024, the Government implemented amendments to the *Migration Regulations Act 1994*, to provide special consideration in the visa health requirement for visa applicant children born in and ordinarily resident in Australia with a health condition or disability.

This has removed the immigration barrier for child visa applicants living with a health condition or disability. The special consideration means that the estimated health care or community service costs or prejudice to access services that the child visa applicant may require will not be considered if the child is born in and ordinarily resident in Australia, therefore enabling the grant of a visa.

#### ***Recommendations 6.29: Improve specialist training and continuing professional development in cognitive disability health care and 6.32: Increase capacity to provide supports and adaptations through improved guidance, funding and accessible information***

Implementation of activities under the National Roadmap to Improve the Health of People with Intellectual Disability support Royal Commission recommendations to improve guidance, supports, training and capabilities for health professionals.

The Intellectual Disability Health Capability Framework, published in April 2024, sets out core capabilities and learning outcomes for undergraduate health students. This will help the future health workforce have the right knowledge, skills and attitudes to better care for people with intellectual disability.

Updated versions of both the Adult and Young Person versions of the Comprehensive Health Assessment Program (CHAP) were published in 2024 to assist GPs to provide health assessments to people with intellectual disability. A campaign has launched to promote the CHAP and encourage uptake of annual health assessments. Work is also underway to support the integration of the CHAP into GP software.

The Australian Government is nearing completion of the National Roadmap to Improve the Health and Mental Health of Autistic People (Autism Health Roadmap) through a collaborative co-design process and public consultations.

The Autism Health Roadmap aims to address the breadth of issues faced by Autistic people in the Australian healthcare system. It will outline actions to improve the physical and mental health of Australia's growing Autistic population. The Autism Health Roadmap is scheduled to be complete at the end of 2024 and is associated with the National Autism Strategy.

#### ***Recommendations 7.18: Establish specific and disaggregated targets for disability employment in the public sector and 7.21: Introduce consistent adjustment principles and adjustment passports***

The Australian Public Service Commission (APSC) has onboarded a project team that is investigating best practice relating to disability passports, workplace adjustments, and workplace adjustment principles that may be informed by the human rights model of disability. The team is also considering the benefits of setting employment targets and assessing whether targets achieve the outcomes they intend to.

The APSC is convening an interjurisdictional working group with officials responsible for the implementation of recommendations 7.18, 7.19, 7.21, and 7.22. This working group will work cohesively and collaboratively to ensure implementation of these joint recommendations is consistent.

The APSC has undertaken significant stakeholder mapping, engagement sequencing, and focus group preparations. A survey will be disseminated to all APS staff in the coming weeks with an invitation to provide initial feedback on processes, barriers, and enablers to implementation.

## Australian Government with states and territories

### ***Recommendation 5.2: Review and update Australia's Disability Strategy***

The review of Australia's Disability Strategy 2021-31 (ADS), published in December 2024, considered the issues raised, and recommendations made, in the Royal Commission and took account of feedback from the first two years of ADS implementation. The review was led by the Australian Government working closely with state and territory governments, the ADS Advisory Council and Disability Representative Organisations, as well as consulting with people with disability and the wider disability community. Flowing from the review, all levels of government have agreed to an updated ADS and three new ADS Targeted Action Plans: Inclusive Homes and Communities (Recommendation 7.34), Safety Rights and Justice, and Community Attitudes. An independent evaluation of ADS is expected to commence in 2025-26, consistent with the ADS Roadmap.

### ***Recommendation 6.34: Introduce disability health navigators to support navigation of health care for people with disability***

The Australian Government is working with state and territory governments to review disability health navigation activities and consider the scope for a nationally consistent disability health navigation framework. This project is focused on identifying successful elements, needs, and any existing gaps in existing disability health navigation and coordinating efforts with broader disability navigator reforms.

An intergovernmental scoping group has been established and discussions are underway with states and territories that have existing disability health navigation services. The project is scheduled to be completed by 2026, at which time findings will be presented to Health Ministers.

### ***Recommendations 7.3: Improve policies and procedures on the provision of reasonable adjustments to students with disability; 7.6: Student and parental communication and relationships; 7.8: Workforce capabilities, expertise and development; 7.13: National Roadmap to Inclusive Education***

The Australian Government Department of Education is developing new training modules on the *Disability Standards for Education 2005* to support teachers and school leaders across Australia to build an inclusive culture within schools where students with disability can access and participate in education on the same basis as students without disability.

### ***Recommendation 8.23: Disability-inclusive definition of family and domestic violence***

Through the *National Plan to End Violence against Women and Children 2022–2032* (National Plan), all governments agreed that the findings of the Royal Commission would guide future work to end violence against women and girls with disability. On 16 August 2023, the Australian Government released the First Action Plan 2023-2027. The Department of Social Services is working with Pragma Partners and consulting with states and territories, Disability Representative Organisations, peak bodies and the National Plan Advisory Group on the development of a framework that applies a disability lens across the First Action Plan. Consultations are taking place to co-design the framework, with engagement continuing until the end of the project in mid-2025.

### ***Recommendation 9.11: Disability Sector Strengthening Plan***

The Department of Social Services and the National Indigenous Australians Agency (NIAA) are working with the First Peoples Disability Network and states and territories on the implementation of the Disability Sector Strengthening Plan. The NIAA is leading a project to develop a Monitoring, Evaluation and Learning Framework to strengthen all Sector Strengthening Plans.

## Australian Government with states and territories – National Disability Insurance Scheme

### ***Recommendations 7.29: Embed an ‘open employment first’ approach in the NDIS Participant Employment Strategy and 7.30: Support the transition to inclusive employment***

A revised *Participant Employment Strategy 2024-2026*, released in March 2024, describes 16 priority actions across four focus areas to improve NDIS participant employment outcomes. The NDIA has implemented updated employment supports including earlier interventions for young people from 14-15 years of age. These changes will enable young people to build their capacity for employment and/or further education over time so that they are better supported to transition from secondary schooling to open employment opportunities.

Employment outcome reporting is being expanded to encompass all NDIS participants with funding for employment assistance and will capture the results across all age groups, noting Employment Service Providers currently report employment outcomes for school leavers (18-20 years of age).

### ***Recommendation 9.6: National Disability Insurance Agency Board and Recommendation 9.7: Participation in cultural life***

The *NDIS Amendment (Getting the NDIS Back on Track No. 1) Bill 2024* (the Bill) amended Section 127 of the *National Disability Insurance Scheme Act 2013* to include a requirement that in appointing Board members, the Minister must ensure that at least one Board member other than the Chair is an Indigenous person. The amended Act commenced on 3 October 2024. The Bill's Transitional Rules 2024, which also commenced on 3 October 2024, specifically recognise participation in cultural activity as an NDIS support for First Nations participants. Certain categories of NDIS support will now provide participants with assistance to access and/or participate in cultural activities.

### ***Recommendation 10.2: Independent support coordination***

In early 2024, the NDIA commenced the Conflicts of Interest in the NDIS provider market campaign following recommendations from the Royal Commission, the 2019 review of the *National Disability Insurance Scheme Act 2013*, and the NDIS Review. The campaign focusses on educating NDIS participants and NDIS providers on conflicts of interest, reminds NDIS providers of their responsibilities, and details steps to manage conflicts of interest in the NDIS provider market.

A suite of resources published in November 2024 helps participants and providers to identify, disclose and manage conflicts of interest. The resources include an NDIA Position Statement on conflicts of interest in the NDIS provider market, factsheets and case studies for specific support types and checklists for participants and providers.

### ***Recommendations 10.6: Supported decision-making in disability services and 10.7: Practical guidance on supported decision-making***

The NDIS Commission has engaged the services of La Trobe University to develop a set of e-learning modules to improve capacity of direct support workers to deliver high quality positive behaviour support to NDIS participants. The development of staff skills will focus on improving the quality of life of NDIS participants and supporting the reduction and elimination of the use of restrictive practices. The e-learning modules will be freely available from July 2025.

### ***Recommendation 10.15: Complaint handling and investigative practice guideline***

Working with the Department of Social Services, the NDIS Commission has been progressing work on the development of legislative changes to strengthen the NDIS Commission's powers and ability to better safeguard NDIS participants. Legislative reform for the *National Disability Insurance Scheme Act 2013* is proposed to be introduced following consultation and engagement with states and territories, people with disability, NDIS providers and the disability sector.

The proposed legislative changes focus in several areas:

- the NDIS Commission's regulatory capability to effectively exercise its monitoring, compliance and enforcement functions in relation to NDIS providers
- the NDIS Commission's compliance and enforcement activities to respond to emerging and longstanding quality and safeguards issues
- the NDIS Commission's powers to better prevent bad actors from engaging in the Scheme and incentivise NDIS providers to provide high quality supports.



## Australian Capital Territory

***Recommendations 7.1: Provide equal access to mainstream education and enrolment; 7.5: Careers guidance and transition support services; 7.8: Workforce capabilities, expertise and development; 7.12: Improving funding***

In December 2023, the ACT Government released *Inclusive Education: A Disability Inclusion Strategy for ACT Public Schools 2024-2034* and its *First Action Plan 2024-2026* that align closely with the Royal Commission findings, research, and recommendations. The Strategy aims to deliver greater inclusion for students with disability. The ACT Government's vision is that every child and young person is welcomed, valued, and can access quality education designed to meet their needs at their local school. In ACT public schools, this means that all children and young people can learn and take part in education on the same basis as their peers.

Highlights from the first year the First Action Plan implementation include:

- ACT passed the *Education Amendment Act 2024* in August 2024 that reinforces in legislation, the rights of children and young people with disability to enrol, attend and access adjustments at their local school. This will commence from 1 January 2025.
- The introduction of a new Inclusion Transition and Careers Coach role, developing work related curriculum, professional learning on employment pathways, and establishing employment options supported by the NDIS.
- Commencement of a try, test and learn phase of a new Inclusion Coach initiative in an ACT school network to develop staff confidence and capability to meet the needs of students with disability.

Completion of a consultation on the practice changes required to implement an adjustments-based funding model for students with disability.

***Recommendation 6.32: Increase capacity to provide supports and adaptations through improved guidance, funding and accessible information***

The *ACT Disability Health Strategy 2024-2033* and its *First Action Plan 2024-2026* was launched in December 2023. The Strategy is a 10-year plan that aims to make sure people with disability have equitable and appropriate access to healthcare in the ACT. The First Action Plan sets out actions and activities to meet the goals, principles and focus areas in the Strategy.

The development of the Strategy and First Action Plan was guided by a Steering Committee that included people with disability, carers of people with disability, service providers and advocacy groups. The collaboration with the Steering Committee and consultation with the community has ensured that the voices of people with disability and their supporters have been kept at the centre of the development of the Strategy, and that it reflects their needs and priorities for change across the healthcare system in the ACT.

This includes support for improving the capacity and capability of the healthcare system in the ACT to provide people-centred care that considers the individual needs of people with disability, their families, and carers. The Strategy will ensure that healthcare services are accessible to people with disability, with barrier-free and inclusive physical spaces, reasonable adjustments, and affordability. This extends to a continuing emphasis on providing healthcare information in accessible formats across ACT public healthcare services.

The ACT Disability Health Reference Group has been established to provide high-level monitoring of the implementation of the Strategy and First Action Plan. This continues the commitment to transparency and accountability made to people with disability and their supporters during the development phase of the Strategy.

## *Disability Justice Strategy Second Action Plan (2024-2028)*

### *Recommendations*

*8.1: Conditions in custody for people with disability*

*8.4: Screening and assessment for disability in youth detention*

*8.11: Information for courts and legal practitioners*

*8.15: Policies and practices on screening, identifying and diagnosing disability in custody*

*8.16: Support by First Nations organisations to people in custody*

*8.20: Improving police responses to people with disability*

*8.21: Diversion of people with cognitive disability from criminal proceedings*

The ACT Disability Justice Strategy (DJS) Second Action Plan (2024-2028) was released on the 28 August 2024. The DJS is a ten-year plan which aims to ensure people with disability in the ACT have equal access to justice.

The DJS is a key mechanism that acts to support better access to justice, to promote the safety of people with disability, and for the justice system to see and support people with disability.

The DJS Second Action Plan sets out a roadmap for the next four years to ensure the rights and need of people with disability are at the forefront of our justice system. The Plan includes the voices of people with disability and is the result of extensive consultation with community organisations and justice sector stakeholders. It builds on the successes of the First Action Plan, which led to the establishment of dedicated Disability Liaison Officers and increased awareness of disability within justice agencies. The critical role of Disability Liaison Officers is set to continue under the Second Action Plan.

## New South Wales (NSW)

### ***Recommendation 5.3: Review and update of disability strategies and plans***

The refreshed NSW Disability Inclusion Plan aims to bring together NSW commitments to progress key national disability reforms including the Royal Commission, the NDIS Review and the revisions to ADS and Targeted Action Plans. The plan will incorporate the NSW Disability Royal Commission Implementation Plan, which includes NSW Government commitment to progress Royal Commission recommendations over 2024-25.

The NSW Disability Inclusion Plan 2025-2029 is being guided by extensive consultation with the disability sector and NSW Government agencies. We have heard from the NSW Disability Council, sector peaks and advocacy organisations.

The refreshed plan will have a strong focus on engagement with people with disability, their families and carers, and the broader sector. This means people with disability will have a voice and a means to influence actions that impact their lives at every stage of implementation.

Once finalised, the new plan will shape the development of Disability Inclusion Action Plans (DIAPs) across the NSW Government, as agencies update their DIAPs in 2025. Work is underway to develop a new approach to DIAPs, including a new reporting framework to increase oversight and accountability of plans.

The *Disability Inclusion Act (2014)* provides a legislative basis for disability action planning in NSW, setting out a requirement to report regularly to the Minister for Disability Inclusion and NSW Parliament.

### ***Recommendations 6.21: Additional funding for advocacy programs and 6.22: Improved data collection and reporting on met and unmet demand for disability advocacy***

In March 2024, the NSW Government announced \$28 million in funding to extend the NSW Disability Advocacy Futures Program (DAFP) for a further two years. In November 2024, the NSW Department of Education announced a further \$3.1 million to DAFP to enhance providers' capacity to support students with disability who attend, or wish to attend, a NSW public school.

The DAFP provides funding to support people with disability navigate local services on a 1-to-1 basis, to fund organisations working towards long-term social change, and to fund policy advocacy groups run by, or on behalf of, people with disability. DAFP includes funding to support special projects and sector development grants to advocacy services.

The DAFP commenced in 2022 following a recommendation from the NSW Ageing and Disability Commission's *Review into Disability Advocacy Funding in NSW*.

NSW Department of Communities and Justice has recontracted 19 advocacy organisations to deliver individual, systemic and representational advocacy to support access to NSW government services. The NSW Department of Education has co-funded six of these providers to deliver education-related advocacy to students in NSW public schools.

Alongside this, a new outcomes and reporting framework has been developed and is being introduced over 2024-2025. This new framework will provide improved data on service demand and usage of individual advocacy and introduces data capture on the outcomes being achieved. The new framework will also help us to better understand the systemic issues impacting people with disability by capturing data on the services for which they need advocacy support.

NSW funds the Physical Disability Council to bring together DAFP advocates and other providers of advocacy services to collaborate via the NSW Disability Advocacy Network. The Network provide an information sharing and networking forum as well as an important feedback mechanism to the NSW Government. The Minister for Disability Inclusion regularly attends to hear from the network.

### ***Recommendation 7.1: Provide equal access to mainstream education and enrolment***

The NSW Government supports legal entitlement for students with disability to enrol in their local mainstream schools. This is an existing entitlement in NSW under the *Education Act 1990* (NSW).

The NSW Department of Education has completed an equity focused review of its enrolment policy. This review was undertaken to support the department to confidently deliver on its legislative requirement to provide equal access to mainstream education and enrolment, and considered issues raised in the Royal Commission. As a result, adjustments are being made to the enrolment policy for student enrolments commencing in term 1 2025.

Schools will prioritise non-local enrolments for students with learning and wellbeing needs requiring reasonable adjustments and/or additional educational support, including cultural considerations, disability, developmental age, trauma, child protection concerns, medical and individual needs and circumstances.

School staff, parents, and other stakeholder groups were consulted on these changes. Some of the groups consulted include the NSW Aboriginal Education Consultative Group, Federation of Parents and Citizens Association NSW and Special Education Principals' and Leaders' Association. We heard from stakeholders through direct engagement, deep dive sessions, roundtable discussion and written feedback.

Further consultation is underway to implement additional changes for student enrolments commencing in term 1 2026 to clarify and better support short-term and/or shared enrolment for Aboriginal students based on cultural need.

As we progress the Royal Commission education recommendations more broadly, we are consulting extensively. In September 2024, NSW Department of Education hosted a Royal Commission Collaboration and Engagement roundtable. This brought together education partners, disability advocates, First Nations representatives, and students with disability to discuss inclusive education. The NSW Deputy Premier and Minister for Education and Early Learning, and the Minister for Disability Inclusion attended to hear what stakeholders had to say. Discussions covered applying reasonable classroom adjustments, enhancing workforce development, and fostering inclusion across mainstream and non-mainstream settings.

## Northern Territory

### ***Recommendation 7.10: Complaint management***

In July 2024, following an extensive consultation process, the Northern Territory Department of Education and Training released a new complaint resolution framework (CRF). The CRF includes a comprehensive policy, guidelines, staff toolkits, and resource library to support safe, accessible and responsive complaint handling processes and practices at all levels of schools and the department.

Both Northern Territory Government and non-government schools are required to develop appropriate school-level operating policies, which form a component of improvement processes for government schools and registration requirements for non-government schools.

A dedicated unit within the Department of Education and Training provides information, advice and support to families, principals, school staff, and corporate staff in complex complaints and ensures the consistent application of the CRF.

Parents, families and community members can make a complaint through an online portal that clearly steps out the process and options available. Complaints relating to non-government schools can be escalated to the non-government school registrar if it cannot be resolved by the school or school peak body.

The CRF is consistent with Royal Commission recommendation 7.10, the National Principles for Child Safe Organisations and the Standards Australia Guidelines for complaint management in organisations (AS10002:2022).

### ***Recommendation 7.11: Stronger oversight and enforcement of school duties***

From 2 January 2024, new laws came into effect for government and non-government schools in the Northern Territory under the *Education Act 2015* (the Act) with a focus on improving the safety and wellbeing for students in all schools and updating the law that non-government schools must follow when applying for and retaining registration.

All non-government schools in the Northern Territory must now meet the registration standards under the *Act and Education Regulations 2015* to gain or retain its registration as a non-government school.

This includes minimum standards across 5 areas of: governance and finance; curriculum, teaching, assessment and reporting; child safety and wellbeing; distance education; and boarding.

Non-government schools are required to provide an annual self-report against their compliance with these standards, and a 5-yearly routine assessment is conducted to confirm schools' ongoing compliance with the registration standards and requirements.

The standards were comprehensively workshopped with the non-government sector. The period of consultation and drafting of the non-government school registration standards aligned with the release of the Royal Commission final report which enabled several education-related recommendations to be considered and adopted as part of this work, including recommendations 7.1, 7.2, 7.3, 7.6, 7.8 and 7.10.

### ***Recommendation 7.19: Establish specific disability employment targets for new public service hires in agencies and departments***

The Northern Territory Public Sector EmployAbility Strategy 2024-2027 (the Strategy) was launched on 20 June 2024 by the Office of the Commissioner for Public Employment (OCPE) and aims to foster an inclusive workplace culture and create a safe environment with equitable employment opportunities for people with disability in the Northern Territory Public Sector (NTPS).

The Strategy identifies key initiatives to improve the participation of people with disability in the NTPS and assist agencies to empower individuals to thrive, implement initiatives to improve workplace environment and accessibility, and continuous education and training to address systemic biases.

There are 2 focus areas:

- Improving workplace environments to create an inclusive and accessible workplace that reduce barriers, enhance performance and development opportunities; and
- Improving attraction, recruitment and retention of people with disability to increase the number of NTPS employees with disability to 8 per cent by 2027.

OCPE has responsibility for driving improvements in the employment and retention of people from diverse groups across the NTPS and has established an EmployAbility Reference Group (ERG) to oversee implementation of the strategy with representatives from key NTPS agencies, NTPS employees with disability and/or disability advocates in the workplace.

The purpose of the ERG is to provide a forum for sharing of experiences and insights, to provide advice and inform actions on disability-related matters that impact the workplace and ensure agencies responsible for progressing the Strategy's actions have a well-informed perspective and maintain commitment to achieving outcomes.

Through these measures, NTPS aims to lead by example in creating a diverse, inclusive, and respectful workplace, in line with best practices and legal standards.

## Queensland

### *Recommendations: Multiple recommendations from the Disability Royal Commission and NDIS Review Queensland Disability Reform Framework – The Next Chapter*

The *Queensland Disability Reform Framework – The Next Chapter* (the Framework) was released alongside the Queensland Government response to the Royal Commission final report. The Framework was developed with people with disability and the disability sector to set the outcomes for disability reform in Queensland. There were three areas of focus identified:

- 1 Inclusion, Rights and Voices;
- 2 Quality Services and Supports; and
- 3 Commitment and Accountability.

The new Queensland Government will work in close partnership with people with disability and the sector to set the focus areas for disability reform in line with the priorities of the Queensland Government.

The Framework outlines the outcomes that will be achieved in Queensland through reform in response to the recommendations of the Royal Commission recommendation and the Independent Review of the NDIS.

### *Queensland Disability Stakeholder Engagement and Co-Design Strategy*

Queenslanders with Disability Network was funded to develop the *Queensland Disability Stakeholder Engagement and Co-Design Strategy* (the Strategy).

The Strategy seeks, as recommended by the Royal Commission, to outline the required governance mechanisms and structures to put people with disability and stakeholders at the heart of the reforms process through co design and consultation processes.

The Strategy will support the new Queensland Government to establish the right structures to work in partnership with people with disability and the sector to set the focus areas for disability reform in line with the priorities of the Queensland Government.

The Strategy will support the implementation of multiple Royal Commission recommendations, in line with the outcomes outlined in the Queensland Disability Reform Framework.

### *Recommendation 6.33: Develop specialised health and mental health services for people with cognitive disability*

The new Queensland Government has an election commitment to provide \$10.45 million in funding to deliver eight Neuro Wellness Hubs over five years, providing comprehensive and coordinated care and support, specialised therapies and peer support groups for Queenslanders with neurological conditions. The hubs will be led by an alliance of neurological organisations, including MS Queensland, Epilepsy Queensland, and Parkinson's Queensland.

Hubs will be available in regional Queensland including in Rockhampton, Townsville, Sunshine Coast, Gold Coast and Toowoomba.

The hubs will provide services to people with neurological conditions which may result in physical and cognitive impacts, including acquired brain injury, multiple sclerosis, motor neurone disease, stroke, dementia, Parkinson's disease, and epilepsy.

## South Australia

### ***Recommendations 5.3: Review and Update of disability strategies and plans and 5.7: Focal points across jurisdictions to implement the CRPD***

On 27 June 2024, The *Disability Inclusion (Review Recommendations) Amendment Act 2024* (the Amendment Act) received Royal Assent. The Amendment Act makes a number of amendments to the *Disability Inclusion Act 2018 (SA)*, South Australia's legislative framework to promote the full inclusion of people with disability. Amendments made were in response to an independent review of the Act conducted by Mr Richard Dennis AM PSM in 2022.

The Amendment Act places greater emphasis towards achieving an inclusive community where the principles enshrined in the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) underpin the development and delivery of services and elevates disability access and inclusion planning across all South Australian State authorities (government departments and local councils).

In particular, the Amendment Act requires the next iteration of South Australia's State Disability Inclusion Plan (the State Plan) to set out whole-of-government policies and strategies that respond to the UNCRPD, are informed by lived experience, and specify measurable outcomes for each priority area identified.

In turn, all State authority Disability Access and Inclusion Plans (DAIPs) will be elevated to ensure there is a consistent alignment to the State Plan and that they are accompanied by measurable outcomes, where appropriate. These DAIPs will be developed and implemented within six months of the publication of the next State Plan.

Progress to develop the next State Plan is well underway, with a consultation report released on 26 June 2024 summarising the feedback received throughout the public consultation process run between 9 October 2022 and 3 December 2023.

### ***Recommendations 7.3: Improve policies and procedures on the provision of reasonable adjustments to students with disability and 7.8: Workforce capabilities, expertise and development***

The South Australian government committed \$28.8 million to fund access to an Autism Inclusion Teacher (AIT) in every public primary school. This program commenced in 2023 as part of a suite of initiatives designed to improve support for autistic students and their families. The AITs provide support to other educators and contribute to site-based improvements in practice rather than work directly with students. They are instrumental in building staff capability in their sites, advocating for autistic students and their families, advising school leaders, and supporting practice improvements through a problem-solving approach to develop appropriate site-specific strategies to support autistic students. This initiative is still in its early stages with the focus to date being on building the capability of AITs, however, the early impact has shown clear benefits for educators and students including increased confidence and understanding of evidence-based practices that work best for autistic students.

Following the initial success of the AIT initiative, the South Australian government has continued to build on autism inclusion in public schools with the commencement of the Autism Inclusion in Secondary Schools trial commencing in term 4, 2024. The trial will test three models of increasing intensity levels of support to build autism inclusion in 9 mainstream secondary schools with autistic students transitioning to their sites in 2025. The focus will be on building essential classroom practices and neurodiversity affirming transition processes within the school community by delivering professional learning and supports to school leadership and year 7 school staff at selected schools. Outcomes from this test initiative will inform the South Australian Department for Education's future autism inclusion initiatives, as we prepare for the more than 2,250 autistic students estimated to transition from public primary to public secondary schools over the next three years.



***Recommendation 7.19: Establish specific disability employment targets for new public service hires in agencies and departments***

In December 2023, the South Australian public sector's Diversity, Equity and Inclusion Strategy 2023-2026 was launched. It includes eight deliverables specifically focussed on improving disability employment outcomes, including the introduction of a minimum disability employment target of 3 per cent across the public sector by December 2026. This target would more than double the number of employees who identify as living with disability working in the public sector based on current workforce reporting data.

The South Australian public sector will continue to work toward reaching the Royal Commission employment targets through encouraging the recruitment and retention of employees with disability, building employee confidence and streamlining the process for sharing disability status, and enhancing the sector's diversity and inclusion data.

## Tasmania

### *Tasmanian Disability Rights, Inclusion and Safeguarding Bill 2024*

#### *Recommendations:*

*4.22: Strengthening disability rights protection in state and territory laws*

*5.7: Focal points across jurisdictions to implement the CRPD*

*6.35: Legal frameworks for the authorisation, review and oversight of restrictive practices*

*6.36: Immediate action to provide that certain restrictive practices must not be used*

*6.39: Improving collection and reporting of restrictive practices data*

*10.28: Information sharing between prescribed bodies*

*11.1: Nationally consistent adult safeguarding functions*

*11.3: 'One-stop shop' complaint reporting, referral and support*

*11.4: Creating accessible complaint pathways*

*11.12: Nationally consistent community visitor schemes*

After significant consultation with the Tasmanian Disability community, the Tasmanian Disability Rights, Inclusion and Safeguarding Bill 2024 was passed by the Tasmanian House of Assembly on 17 October 2024. Following Royal Assent on 8 November 2024, this Bill became the Tasmanian *Disability Rights, Inclusion and Safeguarding Act 2024* (Disability Act), and will commence on a date to be determined in 2025. The Disability Act addresses many of the issues raised through the Royal Commission and will play a critical role in creating a safer and more inclusive Tasmania for people living with disability.

A number of measures in the Disability Act represent significant reform, including:

- Creating the position of a Tasmanian Disability Commissioner, the first for Tasmania.
- Establishing a mechanism for the formal inclusion of people with disability in leadership through the creation of a Disability Inclusion Advisory Council.
- Promoting a social model of disability and the human rights expressed within the UNCRPD F and ADS.
- Formalising requirements relating to consultation, planning and reporting of progress in delivering actions through a legislated Tasmanian Disability Inclusion Plan and associated action plans for defined entities such as Tasmanian Government departments and Government Business Enterprises.
- Elevating the role of the Senior Practitioner to that of decision-maker for the authorisation and regulation of restrictive practices used by disability service providers.
- Making provision for a Community Visitor Scheme to be established in the future.

***Recommendations 6.5: Objects of guardianship and administration legislation; 6.7: Decision-making ability; 6.9: Representatives as a last resort; 6.10: Decision-making process; 6.12: Public disclosure and confidentiality restrictions***

On 1 September 2024, amendments to Tasmania's *Guardianship and Administration Act 1995* (the Guardianship Act) came into effect.

The new system is aimed at increasing the confidence of those who are placed under guardianship and administration that their voices will be heard and respected. The changes place people with impaired decision-making ability back at the centre of the system.

Key parts of the reforms are as follows:

- The Public Guardian or Public Trustee will only be appointed where no other person can fulfil the role.
- People under guardianship and administration will be encouraged to make their own decisions, with support where necessary.
- Those who need to make decisions on behalf of a person under guardianship or administration will be required to give effect as far as is practicable to the wishes and preferences of the represented person.
- New complaint resolution and appeal arrangements will be available.

- Restrictions on confidentiality have been lifted in circumstances where a represented person wishes to tell their story.
- Emergency orders will only be able to be made where there is an immediate risk of harm to the health, welfare, property, or financial situation of the person, including where there is a risk of abuse, exploitation, or neglect.
- Greater emphasis will be placed on communicating with the person who is the subject of an application and their family, and more information will be made available on how to seek independent advice and advocacy support.
- The involvement of persons with impaired decision-making ability in health and medical research will now be regulated, including safeguards to ensure that any research has the relevant ethics approvals.

***Recommendation 5.3: Review and update of disability strategies and plans***

The Tasmanian Government has commenced work on Tasmania's Disability Strategy 2025-2027. This strategy is designed as a short-term transitional plan until the realisation of the planning and accountability framework set out in the *Disability Rights, Inclusion and Safeguarding Act 2024*.

The Strategy is being developed based on a range of consultations undertaken with the Tasmanian disability community within the past 12-18 months, including the ADS forum held in Hobart in August 2024.

The consultation feedback was provided to Tasmanian Government Agencies to consider in the development of their actions for the new Strategy.

Recommendations from the Royal Commission, the Independent Review into the NDIS, along with recommendations and/or commitments to other national and state strategies and policy work intersect with this Strategy.

It is anticipated that the Strategy will be finalised by the end of 2024. A targeted consultation process is currently being undertaken to finalise the Strategy.

## Victoria

*Inclusive Victoria: state disability plan 2022-26*

### *Recommendations*

**6.26: Expand the role of the Health Ministers Meeting to monitor health workforce capability development**

**6.31: Embed the right to equitable access to health services in key policy instruments**

**6.32: Increase capacity to provide supports and adaptations through improved guidance, funding and accessible information**

**7.32: End segregated employment by 2034**

**7.33: Prioritise people with disability in key national housing and homelessness approaches**

**7.42: Improve access to alternative housing options**

**7.43: A roadmap to phase out group homes within 15 years**

**7.44: A roadmap to phase out group homes over a generational timeframe**

**8.20: Improving police responses to people with disability**

**9.10: First Nations Disability Forum**

The Victorian Government continues to progress work under *Inclusive Victoria: state disability plan 2022-26* (Inclusive Victoria). This includes work in relation to Inclusive Victoria's six focus areas, which are:

- co-design with people with disability,
- Aboriginal self-determination,
- intersectional approaches,
- accessible communications and universal design,
- disability confident and inclusive workforces, and
- effective data and outcomes reporting.

Detail on how the Victorian Government will undertake policy and service changes in response to disability reform directions will be outlined in the next four-year State Disability Plan.

### ***Recommendation 6.36: Immediate action to provide that certain restrictive practices must not be used***

The Victorian Government has accepted in principle Royal Commission recommendation 6.36 as part of its ongoing commitment to reducing and eliminating restrictive practices, including seclusion, to the greatest extent possible.

The Victorian Senior Practitioner is responsible under the *Disability Act 2006 (Vic)* for ensuring that the rights of people with disability who are subject to regulated restrictive practices and compulsory treatment are protected and there is compliance with appropriate standards. This includes powers under s27(5B) of the Act to issue Directions to disability service providers and registered NDIS providers, which may include prohibiting the use of a specified form of restrictive practice on persons with disability.

The Victorian Senior Practitioner has issued a Direction that prohibits disability service providers and registered NDIS providers from using seclusion on persons under 18 years of age in Victoria.

### ***Recommendation 8.20: Improving police responses to people with disability.***

Since the publication of the Victorian Government's response to the Royal Commission on 31 July 2024, Victoria Police's first tranche of Disability Liaison Officers (DLOs) has increased from 68 to approximately 78. The DLOs began in their roles in April 2024 and were appointed through an expression of interest (EOI) process. The EOI process attracted a high number of motivated and committed Victoria Police members.

The DLOs are keen to build the disability confidence of their colleagues and provide direct support to people with disability. Similar to LGBTIQ+ Liaison Officers and Police Aboriginal Liaison Officers, the DLO portfolio is a role taken on by police members in addition to their core duties. Most are at Sergeant or Senior Sergeant level. This means they have strong links to the frontline as well as being able to take a broader leadership and champion role. Victoria Police established the DLO program to strengthen disability community confidence in police. Many DLOs are already building strong connections with their local community. There are 78 DLOs across the state, with one in every Police Service Area as well as in the Transit Safety Division and other specialist areas. Information about how to contact a DLO can be found at <https://www.police.vic.gov.au/disability-liaison-officers>.

## Western Australia

### *Review of the School Education Act 1999 (WA)*

#### *Recommendations*

*6.35: Legal frameworks for the authorisation, review and oversight of restrictive practices*

*6.36: Immediate action to provide that certain restrictive practices must not be used*

*6.39: Improving collection and reporting of restrictive practices data*

*6.40: Targets and performance indicators to drive the reduction and elimination of restrictive practices*

*7.1: Provide equal access to mainstream education and enrolment*

*7.2: Prevent the inappropriate use of exclusionary discipline against students with disability*

*7.3: Improve policies and procedures on the provision of reasonable adjustments to students with disability*

*7.6: Student and parental communication and relationships*

*7.9: Data, evidence and building best practice*

*7.10: Complaint management*

The Royal Commission recommended reviewing education laws and policies to improve the way in which they take account of and apply human rights. A review of the *School Education Act 1999 (WA)* commenced in 2024 to identify any barriers to access and inclusion within the Act and make recommendations for change.

An open consultation period ran from 20 August to 4 October 2024. The consultation centred on a Discussion Paper that covered potential areas for reform, including the following areas raised by the Royal Commission:

- alignment to human rights – particularly the Convention on the Rights of Persons with Disabilities
- enrolment
- reasonable adjustments
- communication and consultation
- exclusionary discipline
- restrictive practices
- complaint management
- data collection.

To support accessibility, the Discussion Paper was converted to various alternative formats including:

- Easy Read
- translated to 6 languages
- videos for children and young people
- video with captions and Auslan interpreting.

More than 280 people participated in consultation sessions and more than 200 individuals, groups and organisations submitted written submissions.

Children and young people with disability are the key focus of the review. To ensure their voices are captured and heard, the review commissioned deep dive interviews and group activities with children and young people with disability.

A final report with recommendations is due to be provided to the Minister for Education by the end of 2024.

## *Western Australia Youth Detention Operating Philosophy*

### *Recommendations*

*8.1: Conditions in custody for people with disability*

*8.4: Screening and assessment for disability in youth detention*

*8.5: Disability training for staff in youth detention*

*8.6: Western Australia youth detention staff retention*

*8.7: Western Australia youth detention operating philosophy*

*8.16: Support by First Nations organisations to people in custody*

*9.3: Cultural safety of First Nations people in criminal justice settings*

Department of Justice Western Australia, Young People Directorate, is in the process of implementing a trauma-informed model of care to support young people in detention. At the heart of the model of care are eight service principles:

Principle 1: Elevate and respect young people's voices

Principle 2: Foster structure and consistency for young people

Principle 3: Ensure cultural safety and strength for Aboriginal young people

Principle 4: Connect young people with family, kin, and community

Principle 5: Foster a throughcare-focused approach to care for young people

Principle 6: Embed developmentally appropriate and needs-informed approaches

Principle 7: Apply positive restorative approaches to discipline

Principle 8: Promote culture of appreciation, care and support for staff.

In line with Principle 6, specific initiatives have focussed on developmentally appropriate and needs-informed approaches including increased specialist support through the State Forensic Mental Health Service including consultant psychiatry, neuropsychology, speech pathology to supplement the supports and interventions already available for young people with neuro developmental disabilities and/or cognitive impairments. An Aboriginal Advisory Committee has also been established, to ensure screening and assessment processes are culturally appropriate.

Disability awareness training continues to be a focus for Youth Custodial Officers, along with training on Fetal Alcohol Spectrum Disorders, delivered by Australia's peak body National Organisation for Fetal Alcohol Spectrum Disorders.

The Youth Detention Neurodevelopmental and Mental Health Service is located on-site and has developed a neurodevelopmental and mental health screening program to support the identification and management of mental health risk among young people in detention. Work is also being undertaken by the Kids Research Institute to further facilitate screening, assessment and intervention for detainees with neurodevelopmental disabilities.

More broadly, in recognition of the overrepresentation of Aboriginal young people in detention, Aboriginal cultural security features in the new model of care. Initiatives to support Aboriginal young people consistent with Principle 3, including Aboriginal young people with neurodevelopmental disabilities include establishment of an Aboriginal Services Team to work closely with First Nations young people, an Aboriginal Elders and Leaders Cultural mentoring program to provide guidance and support to young people and staff, further engagement of Aboriginal Community Controlled Organisations to deliver a range of programs to connect young people to culture and positively impact social, emotional and spiritual wellbeing and establishment of dedicated cultural sites and spaces.

### ***Recommendation 8.12: Implementation of the National Principles***

The Royal Commission final report recommended that governments review the National Statement of Principles Relating to Persons Unfit to Plead Not Guilty by Reason of Cognitive or Mental Health Impairment (National Principles) through the Standing Council of Attorneys-General.

The Western Australian Government has worked towards these principles through the implementation of the new *Criminal Law (Mental Impairment) Act 2023* (CLMI Act).

The CLMI Act received Royal Assent on 13 April 2023 and commenced operation on 1 September 2024. The CLMI Act establishes new legal provisions, hearings and supports for people who are unfit to stand trial or found not guilty by reason of mental impairment in the criminal justice system.

Key changes brought about under the CLMI Act include:

- New special criminal proceedings for persons who are unfit to stand trial, to ensure the evidence is put before the Court and appropriately tested before a finding is made.
- The introduction of communication partners, who are independent specialists that can assist an accused or supervised person with their communication needs and understanding the court process.
- Provision for new community-based dispositions that a court can impose if, after a special criminal proceeding, they are found to have committed an offence.
- Custody orders can only be imposed by a court if, after a special proceeding, the accused is found to have committed the offence, and the charge carries a term of imprisonment. All custody orders must also have a limiting term set.
- Removing the Western Australian Governor's role in decision making about persons with mental impairment and their orders.
- The establishment of a new Mental Impairment Review Tribunal, which is responsible for reviewing and managing all cases where an accused is placed on a community supervision order or custody order under the CLMI Act.
- Provisions to provide for the safe reintegration into the community of persons supervised under the CLMI Act.



