



Mr Andrew Barr MLA
ACT Legislative Assembly
Canberra ACT 2600

Dear Mr Barr MLA

Subject: **federal Royal Commission into violence, abuse and neglect of people with disability**

On the 18th Feb 2019, The Hon. S. Morrison MP, Prime Minister, said¹ in the federal Parliament:

I do note though, as I did in question time today, that the establishment of a royal commission was previously discussed through the Council of Australian Governments and the COAG Disability Reform Council and, at that time, states and territories did not indicate support for a royal commission. So these are hurdles that would have to be addressed. I want to keep all Australians safe and to use whatever powers we have to do so. But this work often requires us to work in partnership with the states and territories, and that's what we will have to address ourselves to going forward. Violence, abuse and neglect of people with disability outside service settings, such as at home or in the community, is mostly covered under state and territory law, so working with the states and territories in this area, looking at matters in the past as well as looking forward, will be absolutely essential. I will be seeking further advice from all states and territories to discuss this important matter of establishing a royal commission, as well as consulting directly and extensively with stakeholders about what the precise terms of reference might be and what other royal commissions, in particular the aged-care royal commission, might be able to offer as a way to address these issues.

¹ See https://www.aph.gov.au/Parliamentary_Business/Hansard/Hansard_Display?bid=chamber/hansardr/c1561753-a807-47fe-adfb-c33f47305e94/&sid=0287

These are the options before the government. As the House knows, calling a royal commission is a matter for the executive government. The Senate has put forward a motion and it won't be opposed by the government. It will be supported by the government. But it will be the government that then will take that matter into consideration and work through all the necessary issues to be able to do something positively in this area and to act on these issues. That's exactly what we'll do. We have no interest in making any partisanship of this issue. One of the reasons I decided to establish the royal commission into aged care is that I believed the royal commission into aged care would provide a fact base, a new platform, to support a further decade of bipartisanship on action on aged care, because I was concerned that that bipartisanship was waning. I sincerely hope that that is not the case in relation to disability care and to be able to go forward with this issue. That is the good faith in which I will engage with the issue and seek to lead the issue forward.

I will report back to the House when we have further advice on these matters and make announcements as and when the government is in a position to do so. With that, I move:

That the resolution of the Senate be agreed to.

Actions speak louder than words. A4 is keen to see how the Senate's motion "will be supported by the government". A4 is keen to see what this government actually *does* to support this motion.

The Hon. S Morrison MP indicates above that he will delay a royal commission awaiting agreement from all the states and territories. We understand that most states and territories, very much to their credit, have already indicated that they support this royal commission ... but we don't know which ones so we have a few questions for you:

1. Will you support the Royal Commission proposed by the federal Senate if/when you are asked? If your answer to question 1 above is "yes",
 - a. are there particular constraints you would want to impose and what are they?
 - b. are there any specific items your (your state/territory) expects to be included in the *Terms of Reference* for such a royal commission?
2. Did your government "not support" or oppose in COAG having a royal commission on as the Prime Minister of Australia indicated in his speech?
3. If your answer to Question 3 above is "yes", then please give your reasons for your answer.

Also note, A4's policy on unanswered questions ([link here](#)). Basically, if you do not answer our questions within a reasonable timeframe² your response will be deemed/interpreted as especially negative; in this instance, A4 will interpret the lack on an answer to question 1 above to mean your state/territory government opposes having a federal Royal Commission into violence, abuse and neglect of people with

² With a federal election due, 2 weeks is "a reasonable timeframe" ... indicate within the 2-weeks if you need more time.

disability because it will reveal your state/territory treats people with disability badly. If you don't answer question 2, A4 will interpret it to mean you previously opposed a royal commission for the same reason.

Please feel free to contact us about the above; I can be reached by email or by telephone on 0418 677 288.



Yours sincerely

Bob Buckley
Convenor

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25/02/2019