

# AN OPEN LETTER TO THE PRIME MINISTER, THE NATIONAL CABINET, & THE OPPOSITION LEADER

*Immediate Actions Required for Australians with Disability in Response to the Disability Royal Commission*

4<sup>th</sup> December 2024

Dear **Prime Minister**, Hon Anthony Albanese MP and **Opposition Leader**, Hon Peter Dutton MP,

We write to you, as Australians from all walks of life and all sides of the political spectrum. We include not only a diverse range of organisations that represent the interests of people with disability and their supporters but also individuals, including Australian Honours recipients, Commissioners, Advisory members, academics, community leaders and other eminent individuals.

We are from diverse backgrounds but united in our concern and position regarding the [Final Report of the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability](#).

After four-and-a-half years of harrowing evidence regarding the abuse and violence experienced by people with disability, we are concerned that as few as **13** of the **222** recommendations have been fully accepted by the Commonwealth Government. State and Territory Government responses have been similarly disappointing. As a matter of priority and urgency, the Commonwealth Government must confirm bipartisan support and progress key recommendations — especially within **Volume 7** of the Final Report (regarding education, employment, and housing) and within **Volume 4** (regarding the human rights of people with disability) — to enable an integrated ecosystem and an inclusive society throughout all of Australia, across all levels of government.

We – as organisations and as individuals – all understand that the shocking wrongs that the Disability Royal Commission (‘DRC’) exposed will continue without Government’s bipartisan support and dedicated leadership and commitment to the necessary actions to end them.

As demonstrated by the Final Report of the Royal Commission, our compliance with the United Nations’ *Convention on the Rights of Persons with Disabilities* (‘CRPD’) and our standing with the international community are currently at risk. Meeting our compliance obligations is vital, because CRPD obligations are a key guardrail for us creating a genuinely inclusive society for people with disability that supports the prevention of abuse, exploitation, and violence against disabled people. This is why we are calling on the Australian Government – at all levels – to urgently action transformational progress and genuine co-design with disabled people and the disability community.

**DRC Recommendation 5.6**, one of the recommendations that the Australian Government has not yet accepted, calls for the establishment of a dedicated Minister for Disability and a dedicated Department of Disability Equality & Inclusion that is staffed by and for people with disability.

The impending retirement of Minister Shorten as the Minister for the National Disability Insurance Scheme (‘NDIS’) presents a critical opportunity for the Government to actualise a dynamic and positive response to the DRC report – by ensuring that Minister Shorten’s successor is not just a Minister for the NDIS but is also a dedicated Minister for Disability: a Minister for the interests of all disabled people, dedicated to working for them, *regardless* of whether they are a NDIS participant.

This dedicated **Minister for Disability**, focused on fostering an inclusive Australia where opportunity and entitlement to equality exists for all people with disability to live alongside people without disability, would then take in hand the governmental response to the DRC, to effect transformational reforms with disabled people.

This dedicated Minister for Disability must then, through their leadership of a new **Commonwealth Department by and for disabled people**, work shoulder-to-shoulder with the states & territories – to ensure that all Australian Governments meet their *CRPD* obligations.

Furthermore, the evidence is overwhelming: centring people with disability in all relevant decision-making processes and progressing their inclusion across all areas of life leads to better outcomes for all. The exclusion of people with disability from governance and decision-making places them at much higher risk of violence, abuse, neglect and exploitation. This societal segregation of disabled people curtails their socio-economic participation and undermines the efficacy of any policies and services meant to support them as equal members of the Australian community.<sup>1</sup>

We urge you to implement **DRC Recommendation 5.6** so that Minister Shorten’s successor can also begin the pivotal work of establishing a dedicated and effective **Department of Disability Equality & Inclusion** which must, in turn, begin the important work of progressing and implementing DRC recommendations. Implementing the remaining DRC recommendations, including those in **Volume 4** and **Volume 7**, would not only improve laws, policies, structures and practices to ensure a more inclusive and just society but also ensure our compliance with the *CRPD* and other international laws by implementing the recommendations of the **2019 Concluding Observations<sup>2</sup> of the United Nations CRPD Committee**.

This is a crucial opportunity to make meaningful and transformational changes to enable impactful social and economic participation. This not only provides for the important upholding of our nation’s values of fair and equal opportunity for all – but a reinforced commitment with our international obligations under the United Nations’ *Convention on the Rights of Persons with Disabilities* (*‘CRPD’*). Without a dedicated Minister and Department for disabled people covering both the NDIS and the wider government ecosystem regarding disability supports outside the NDIS, further neglect, abuse and deaths of people with disability will be inevitable.

Indeed, without a dedicated Minister and Department by and for disabled people, institutionalised ableism will continue to silence the voices of victim-survivors from intersectional backgrounds – such as CALD/CARM women with disability and LGBTQIA+ people from First Nations communities.

We call on you both, as major parties, and all levels of Australian Government – Commonwealth, State and Territory and local – to demonstrate your leadership and commit to this urgent, necessary reform. For your convenience, an Executive Summary of our calls to action can be found at the end of this letter.

Representation matters.

Yours sincerely,

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<sup>1</sup> See, eg, James Vincent, Dennis McCarthy, Hugh Miller, Kirsten Armstrong, Sarina Lacey, Grant Lian, David Qi, Nansi Richards & Tomas Berry, Taylor Fry and the Centre for International Economics, *Economic cost of violence, abuse, neglect and exploitation of people with disability*, Report prepared for the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability, February 2023; s

<sup>2</sup> United Nations Committee on the Rights of Persons With Disabilities [Concluding observations on the combined second and third reports of Australia \(Advance Unedited Version\) \(CRPD/C/AUS/CO/2-3\)](#) upon its review of the [combined second and third periodic report of Australia](#) on the implementation of its international human rights obligations under the Convention on the Rights of Persons with Disabilities.

## Individual Endorsements

*Undersigned by the following individuals, who are endorsing in their personal and individual capacity – rather than reflecting the views of their employers, councils, organisations, and/or the Australian Government*

### **Commissioners & National Advisory Council Members**

- 2024 Akii Ngo (Australia’s Disability Strategy Advisory Council)
- 2024 AW Shim (National Autism Strategy Oversight Council)
- 2024 Chris Varney (Australia’s Disability Strategy Advisory Council)
- 2024 Dr George Taleporos (Independent Advisory Council)
- 2024 Heidi LaPaglia-Reid (National Autism Strategy Oversight Council)
- 2024 James Manders (Independent Advisory Council)
- 2024 Jenny Karavolos (National Autism Strategy Oversight Council)
- 2024 Katherine Elliston (Australia’s Disability Strategy Advisory Council)
- 2024 Melba Marginson (AHPRA Community Advisory & Victorian Multicultural Commissioner)
- 2022 Samuel Hockey (National Mental Health Commissioner)
- 2024 Tess Moodie (First Nations National Plan Steering Committee)

### **Academics, Order of Australia Recipients, & Other Esteemed Individuals.**

- 2022 Alister Robertson (Queen’s Service Medal)
- 2022 Ben Fogarty LLB (NSW Barrister, Junior Counsel Assisting the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability)
- 2024 Catia Malaquias OAM
- 2024 Deborah Boyd LLB
- 2024 Dr Damian Mellifont PhD
- 2024 Kate Swaffer MSc (Dementia Care)
- 2024 Dr Linda Steele PhD
- 2024 Theresa Flavin (Human Rights Advisor for Dementia Alliance International & OWEGA)

## Organisational Endorsements

*Undersigned by the following 65+ organisations, who are endorsing in their capacity as state, territory, and national peak bodies in not only the disability sector but also other sectors such as the health, mental health, and gendered violence sectors.*

*Organisations from all state/territory jurisdictions are represented.*

- AEIOU
- ACT Mental Health Consumer Network
- Advocacy WA
- All Means All
- AMAZE
- Australasian Society for Autism Research
- Australian Autism Alliance
- Australian Federation of Disability Organisations ('AFDO')
- Australian Medical Students Association
- Australian Women's Health Alliance
- Autism Aspergers Advocacy Australia ('A4')
- Autism from the Inside
- Autism South Australia
- Autism Spectrum Australia
- Autistic Self Advocacy Network ('ASAN')
- Australian Disability Clearinghouse on Education and Training ('ADCET')
- Australian Tertiary Education Network on Disability ('ATEND')
- BEING – Mental Health Consumers
- Blind Citizen Australia
- Brain Injury SA
- Bus Stop Films
- Consumers of Mental Health WA ('CoMHWA')
- Deaf Australia
- Deaf Blind Australia
- Dementia Alliance International
- Disability Advocacy Network Australia ('DANA')
- Disability Advocacy and Complaints Service of South Australia ('DACSSA')
- Disability Advocacy Victoria
- Disability Discrimination Legal Service ('DDLS')
- Disability Justice Australia
- Down Syndrome Australia
- End Rape on Campus ('EROC')
- Every Australian Counts
- Family Advocacy
- First Peoples Disability Network Australia
- Health Consumers Tasmania
- I CAN Network
- Inclusion Australia
- Independent Collective of Survivors ('ICOS')

- Integrated Disability Action
- Justice and Equity Centre
- Leadership Plus
- Lived Experience Leadership & Advocacy Network ('LELAN')
- Mental Health Australia
- Mental Health Lived Experience Peak Queensland ('MHLEPQ')
- Mental Health Lived Experience Tasmania ('MHLET')
- National Mental Health Consumers Alliance ('NMHCA')
- National Mental Health Consumer and Carer Forum
- National Organisation for Fetal Alcohol Spectrum Disorders
- National Union of Students
- National Ethnic Disability Alliance ('NEDA')
- Queensland Advocacy for Inclusion ('QAI')
- People with Disability Australia ('PWDA')
- People with Disabilities Western Australia ('PWdWA')
- Physical Disability Australia
- Polio Australia
- Post Polio Victoria
- Regional Autistic Engagement Network ('RAEN') Tasmania
- Settlement Services International
- Square Peg Round Whole
- Starting with Julius
- Student Alliance for Inclusion (SA4i)
- South West Autism Network
- Tasmanian Disability Education Reform Lobby ('TDERL')
- TASC Legal and Social Justice Services
- Tourette Syndrome Association of Australia
- Victorian Mental Illness Awareness Council ('VMIAC')
- Young People in Nursing Homes National Alliance
- Youth Disability Advocacy Network ('YDAN')
- Youth Disability Advocacy Service ('YDAS')
- Women with Disability Australia ('WWDA')

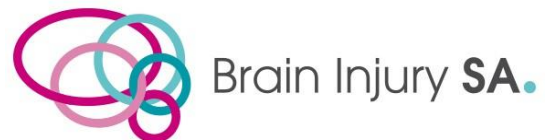


AUSTRALIAN  
Autism Alliance



Australian Federation of  
Disability Organisations











**Inclusion Australia**



**Justice and  
Equity Centre**



**Integrated  
disAbility  
Action**

**Leadership<sup>+</sup>  
Plus**



**Mental Health  
Australia**



**N E D A**

**National Ethnic Disability Alliance**



**NATIONAL MENTAL HEALTH  
CONSUMER ALLIANCE**



**National Mental Health  
Consumer & Carer Forum**





## Executive Summary

### Urgent Actions

**We call on both major parties and all levels of Australian Government (Commonwealth, State and Territory and local) to implement the following urgent actions:**

1. Commit by the end of 2024, in alignment with the [Final Report of Disability Royal Commission \('DRC'\)](#) and its recommendations of improved governance for disability, to implementing **DRC Recommendation 5.6**, which entails establishing these following new governance arrangements:
  - i. Establish a *“portfolio responsible for the disability and carers policies and programs currently the responsibility of the Social Services portfolio”*;
  - ii. Establish a Federal Minister for Disability Inclusion, who would be *“responsible for disability inclusion strategy, policies and programs that are currently under the remit of the Minister for Social Services”*; and
  - iii. Establish a Commonwealth Department of Disability Equality and Inclusion, which would be *“responsible for the national disability and carers policies and programs that are currently the responsibility of the Department of Social Services”*
2. Commit to ensuring that Minister Shorten’s successor, as the Federal Minister for Disability Inclusion, can begin the pivotal work of progressing and implementing the remaining DRC recommendations, including those in **Volume 4** and **Volume 7**.
  - i. This dedicated Minister for Disability must ensure – in line with **DRC Recommendation 5.6** – must recruit people with disability into senior leadership roles to ensure that the new Department of Disability Equality Inclusion is a Commonwealth Department led *by* and *for* disabled people.
  - ii. This dedicated Minister for Disability must ensure that there is – across all levels of governments – genuine consultation and co-design with disabled people and their families/carers.
  - iii. This dedicated Minister for Disability must work shoulder-to-shoulder with the states & territories – to ensure that all levels of government are meeting not only their obligations under the United Nations’ Convention on the Rights of Persons with Disabilities ('CRPD') but also the recommendations of the 2019 Concluding Observations of the United Nations CRPD Committee.

[END]