



Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability

Response by the Government of Western Australia

July 2024

Response by
Minister on behalf of
the Government of
Western Australia

Ministerial Foreword

I commend the Hon Ronald Sackville AO KC and his fellow Commissioners for their effort and dedication to bring us the findings of the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability (Disability Royal Commission).

Throughout the Disability Royal Commission, the contributions of people with disability, their families, carers and supporters have built an impressive and important body of work.

The Final Report details nearly 10,000 stories shared by people with disability, their families, carers and advocates. These stories have brought to light the lived experiences of violence, abuse, neglect and exploitation of people with disability, including women and children, First Nations people, people from culturally and linguistically diverse backgrounds, and LGBTIQ+ people.

It has also highlighted the need for reforms which will require continual commitment, effort and partnership across all governments and the community.

As Minister for Disability Services, I am deeply moved by the evidence of survival, struggle, personal strength and determination detailed by the Disability Royal Commission.

The courage shown by all who took part is admirable and I would like to thank each and every person who contributed through discussions, consultations, and submissions to this significant report.

The recommendations presented in the Final Report provide an important path forward for creating safer and empowering environments for people with disability, and that will be a direct result of the perseverance and great bravery of those who campaigned relentlessly for this Royal Commission.

We are continually working to improve the ways we support people with disability, and the recommendations of the Disability Royal Commission will be influential in improving laws and practice to better protect people with disability from all forms of violence, abuse, neglect and exploitation.

The Western Australian Government is committed to ensuring that reforms in response to the recommendations made in the Final Report bring about meaningful and lasting change now and for generations to come.

Our State is working towards building a community where people with disability, and those who share their lives, are safe, engaged and empowered to live as they choose in a community where everyone belongs. People with disability should feel safe in their homes, workplaces, schools, and in their communities. In making recommendations for change, the Disability Royal Commission outlines a vision for a more inclusive Australia in which people with disability live free from harm.

Through accepting, or accepting in principle, 100 of the recommendations made by the Disability Royal Commission, we will work to ensure this is the reality in WA.

Further consideration of other recommendations will be undertaken with the people they impact within clear timeframes to ensure relevance and provide certainty to individuals and the disability sector.

We have come a long way in our journey to create a more inclusive WA, and we still have a long way to go. The WA Government is committed to the vision proposed in the Disability Royal Commission and we will work together with people with disability, their supporters, the community, and other governments across Australia to implement the reforms put forward.

I am pleased to present our State's response to the Disability Royal Commission and WA's renewed commitment to people with disability.

Hon Don Punch MLA

Minister for Disability Services

Acknowledgement of Lived Experience

The WA Government recognises the experiences and expertise of people with disability, including their families, carers and support networks. We commit to engaging with people with disability and ensuring they can live as they choose in a community where everyone belongs and is safe.

Acknowledgement of Country

The Western Australian Government acknowledges the traditional custodians throughout Western Australia and their continuing connection to the land, waters and community. We pay our respects to all members of Western Australia's First Nations Communities and their cultures, and to Elders both past and present.

Alternative Formats

This report is available in alternative formats which can be found on the [Department of Communities website](#)

Or contact Communities on 1800 176 888 or OfficeofDisability@communities.wa.gov.au

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Context

The Disability Royal Commission began in April 2019 in response to community concern about violence, abuse, neglect and exploitation of people with disability. It was conducted across four and a half years, holding 32 public hearings and two ceremonial sittings, and received 17,824 phone enquiries and 7,944 submissions.

The Western Australian Government (the WA Government) provided strong support and engagement to the work of the Disability Royal Commission by providing input, evidence, and submissions.

These hearings examined case studies from the WA context and took evidence from WA witnesses and organisations, including government departments and service delivery providers.

In preparation for the release of the Final Report, the Disability Royal Commission published an Interim Report, 14 Issues Papers to help inform related public hearings and seven Progress Reports which detail the barriers that stop inclusion in Australia. These important publications have valuable insights from people with disability, their families and carers, supporters, people working in the disability sector, and many others.

The Final Report was released on 29 September 2023 and makes 222 recommendations for change across 12 volumes, with 132 of the 222 recommendations applicable to WA. This formal response outlines the WA Government's considered response to each of the 132 recommendations.

Consultation to inform this WA Government response has occurred primarily with relevant government agencies to establish a clear understanding of the current state and breadth of action required to implement the recommendations.

The WA Government is committed to consulting on the implementation of the recommendations of the Disability Royal Commission with people with disability, their families and carers, all levels of government, the disability services sector, and the broader community to deliver better outcomes for people with disability in WA.

There are connections between some Disability Royal Commission recommendations and the broader national disability reform agenda, including recommendations from the Independent Review of the National Disability Insurance Scheme (NDIS Review). The WA Government will ensure there is a consistent and cohesive approach across the implementation of the disability reform program.

Overview

This document is the WA Government’s commitment to fully consider and respond to the findings of the Disability Royal Commission.

The Disability Royal Commission Final Report makes a total of 222 recommendations for the Commonwealth, state and territory governments, and non-government bodies.

Of the 222 recommendations:

- 84 are applicable to the Commonwealth Government;
- 85¹ are the shared responsibility of the Commonwealth, state and territory governments together;
- 44 are applicable to all state and territory governments;
- Six are directly applicable to certain states or territories, including three specific to the WA Government; and
- Three are for non-government bodies and the Commonwealth Government.

Overall, 132 recommendations have been considered by the WA Government. These include all recommendations with joint Commonwealth, state and territory responsibility, those directed at all states and territories, and three recommendations specific to WA.

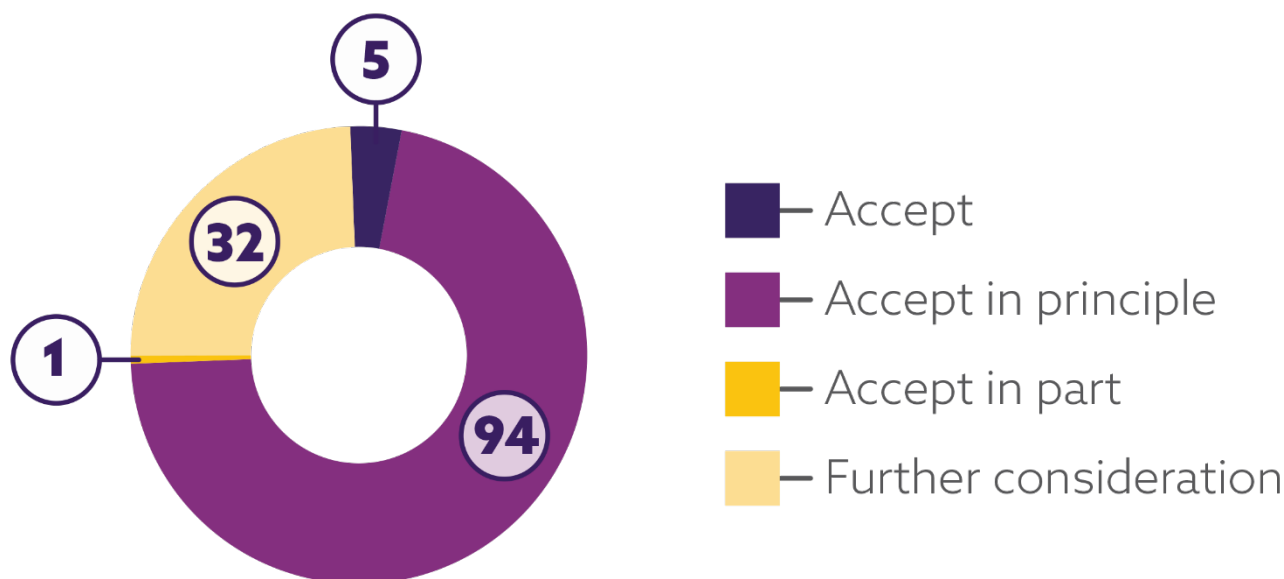
The WA Government is responding to these recommendations according to the following position definitions:

Position	Definition
Accept	The WA Government accepts the recommendation in full.
Accept in principle	The WA Government agrees with the overall policy intent of the recommendation but supports implementation in a different way or timeframe to what the Disability Royal Commission has recommended.
Accept in part	The WA Government accepts some parts of a multifaceted recommendation but does not accept one or more parts, as indicated.
Further consideration	The WA Government is not able to accept or reject the recommendation at this time. Unless specified, a response to recommendations for further consideration will be put forward by mid-2025.
Note	The recommendation does not fall within the WA Government’s jurisdiction (e.g., the recommendation relates to the Commonwealth or to a non-government body).
Not accept	The recommendation is not supported by the WA Government.

¹ One joint recommendation, 4.30, has been split in government responses. The Commonwealth will respond to recommendation 4.30 (a) in the Australian Government response. The WA Government is responding to recommendation 4.30 (b) in the WA Government response.

These definitions are consistent with those agreed by the Commonwealth, states and territory governments in responding to recommendations with cross government implications.

Figure 1: Profile of the 132 recommendations applicable to the WA Government.



Of the recommendations relevant to WA, the WA Government accepts, accepts in principle, or accepts in part 100 recommendations (76 per cent). Some of these recommendations have already been addressed through past work, and for others, work has started. Examples of work underway are outlined throughout this document.

WA has worked with the Commonwealth and other state and territory governments to agree on shared responses to the 85 recommendations that are jointly for the Commonwealth, state and territory governments. These joint responses have been given careful consideration through Ministerial Councils including the:

- Disability Reform Ministerial Council;
- Standing Council of Attorneys-General;
- Police Ministers Council;
- Indigenous Affairs Ministers' Meeting;
- Women and Women's Safety Ministerial Council;
- Health Ministers' Meeting;
- Education Ministers' Meeting; and
- Housing and Homelessness Ministerial Council.

The following sections provide a summary of the WA Government's responses to recommendations, with a focus on volumes four to 12. A response to each recommendation is provided at **Appendix A**.

A Commonwealth, state and territory response to joint recommendations will be released separately. This WA response and supporting table provides specific WA context for joint recommendations, including for the minority of joint recommendations where WA maintains an alternative position.

Summary of community engagement

The Disability Royal Commission was established by the Commonwealth with support from states and territories. In line with this, the Commonwealth has led consultation and engagement to date. The WA Government supported the Commonwealth's national public consultation on the Disability Royal Commission, raising awareness to help ensure WA perspectives would be captured in national consultation outcomes.

The WA Government has taken into account the feedback to the Commonwealth process along with preliminary engagement to identify priority issues and areas of concern. These discussions occurred with advisory bodies including people with lived experience, advocacy groups, sector peak bodies and organisations, and governments.

Consultation demonstrated a high level of community support for the recommendations of the Disability Royal Commission. There is strong support for better legal protections, improved governance, greater accessibility and inclusion, and more consultation and co-design of policies and programs with people with disability.

For First Nations people, there is opportunity to build on priority areas already in progress. Input emphasised the importance of placed-based approaches to build design and delivery capacity, as well as a partnership approach with shared learnings between Aboriginal Community Controlled Organisations and non-Aboriginal organisations. In taking recommendations forward, there is a need to seek direction from the lived experience of First Nations people.

Key concerns raised by the community relate to the current lack of clarity about reforms, workforce shortages, and mainstream services which can be ill-equipped to meet the needs of people with disability. Concerns were also raised regarding recommendations to phase out all education support schools, close Australian Disability Enterprises (ADEs) and close group home supported living. To some, the removal of these options is perceived to limit individual choice and control. Others see disability specific settings and services as segregation. Despite these differing views, there was general agreement that better outcomes for people with a disability across education, employment and housing are vital.

Feedback emphasised the importance of co-design and continuous engagement with people with disability to ensure a coordinated approach to disability reform that is rights based and person-centred.

Volumes 1 – 3: Voices of people with disability about the Royal Commission and the nature and extent of violence, abuse, neglect and exploitation

The first three volumes of the Final Report detail important context and information that show the ongoing causes of violence, abuse, neglect and exploitation of people with disability, and build the case for change. These volumes do not make any recommendations.

Volume 1, 'Voices of people with disability', includes over 1,500 de-identified narratives that are drawn directly from the experiences of people with disability shared in their private sessions and submissions.

Volume 2, 'About the Royal Commission', provides information about the establishment of the Disability Royal Commission, the terms of reference, and how the inquiry was conducted including public hearings, private sessions, community engagement, submissions and the policy and research program.

Volume 3, 'Nature and extent of violence, abuse, neglect and exploitation', offers information and data about the many forms of violence, abuse, neglect and exploitation encountered by people with disability in Australia. This also includes the experiences of different groups and communities, including women and girls with disability, LGBTIQ+ people with disability, First Nations people with disability, and people with disability from culturally and linguistically diverse backgrounds.

The WA Government acknowledges the significant contributions from people with disability and their supporters and appreciates the courage and costs of taking part in the Disability Royal Commission. The bravery of people with disability and their supporters underlies the findings of the Disability Royal Commission and its recommendations.

Volume 4: Realising the human rights of people with disability

The Convention on the Rights of Persons with Disabilities (CRPD) is the main treaty that outlines Australia's international obligations to have legislative, administrative, and other measures that promote, respect, and protect the human rights of people with disability.

The Disability Royal Commission found that current Commonwealth, state and territory legislative frameworks give limited legal protection to the rights recognised in the CRPD and do not provide effective remedies when those rights are breached. While some structures are designed to assess Australia's laws against our international obligations, there is no system to ensure all Australian laws are consistent with the CRPD.

To consolidate the implementation of the CRPD into domestic legislation, the Disability Royal Commission recommended the enactment of an Australian Disability Rights Act. This aims to ensure a stronger legal framework to support equality and inclusion, and advance the human rights of people with disability, including the rights of First Nations people with disability not specifically articulated in the CRPD.

While most of the recommendations in this volume are directed towards the Commonwealth Government, the Disability Royal Commission also recommended state and territory governments enact legislation matching or equivalent to the recommended new Australian Disability Rights Act, taking into account their own legal frameworks.

The WA Government accepts in principle one of the two applicable recommendations in Volume 4

There are two applicable recommendations to WA in this volume. The WA Government recognises that people with disability have the right to live and take part in safe environments free from violence, abuse, neglect and exploitation and that more needs to be done to meet Australia's obligations under the CRPD.

Governments have committed to further considering recommendation 4.22, strengthening disability rights protection in state and territory laws through enactment of the *Disability Rights Act*, alongside the findings and recommendations of the Parliamentary Joint Committee on Human Rights Inquiry into Australia's Human Rights Framework.

The WA Government accepts in principle recommendation 4.30, legislating criminal penalties for vilification of people with disability, and acknowledges the importance of sufficient legal protections to safeguard people with disability from vilification.

If supported, the development of new Australian Government legislation will take time. The WA Government will consider any necessary legislative changes to align with a potential national Disability Rights Act through broader examination of WA's criminal anti-vilification provisions.

Volume 5: Governing for inclusion

The Disability Royal Commission made a range of recommendations on improving governance to prevent people with disability from experiencing violence, abuse, neglect and exploitation, and to achieve a more inclusive society. Despite significant reform of national disability policy, strategy and governance over the past decade, the Disability Royal Commission found outcomes for people with disability in Australia remain poor compared to people without disability. Some outcomes for people with disability have been difficult to improve due, in part, to a lack of coordinated action across a range of policy areas and service systems.

Strong national disability strategy and governance arrangements will require making changes to disability policy and major reform across service systems.

The WA Government accepts or accepts in principle all of the five applicable recommendations in Volume 5

The WA Government accepts that we require stronger national governance structures to ensure better outcomes for people with disability. In line with recent commitments by all governments to significant reforms in the disability ecosystem, including improving the NDIS and developing foundational supports, governments are assessing effective and coordinated ways to strengthen the disability system, including a new intergovernmental agreement.

A focused review of Australia's Disability Strategy 2021-31 (ADS Review) has started and will consider the issues raised in the Disability Royal Commission and feedback from the first two years of Australia's Disability Strategy 2021-31.

The WA Government is committed to working with the Commonwealth and other state and territory governments to ensure the structures to support national coordination and alignment are leading to better outcomes for people with disability and all five relevant recommendations are implemented.

Joint Commonwealth, state and territory action in response to the Disability Royal Commission will build on National Cabinet's agreement of 6 December 2023 to secure the future of the NDIS, including through reforms to the NDIS and jointly designing more foundational supports for people with disability.

‘A Western Australia for Everyone: State Disability Strategy 2020-2030’

On 3 December 2020, the WA Government launched a 10-year whole-of-community vision to protect, uphold and advance the rights of people with disability living in Western Australia.

A Western Australia for Everyone: State Disability Strategy 2020-2030 (the State Disability Strategy) is WA’s commitment to promote important change including equitable opportunities and outcomes in all areas of life, and to drive positive and caring attitudes towards people with disability, ensuring everyone is treated fairly.

The four Pillars of Change underpin the Strategy and were developed by people with disability as part of a co-design group:

1. Participate and contribute
2. Inclusive communities
3. Living well
4. Rights and equity.

The Pillars of Change put forward a vision for a future where legislation and policies protect the rights and interests of people with disability; people with disability have access to quality disability services and support; people with disability and their advocates have their voices heard; and people with disability are welcomed and accepted in the community.

The collective efforts of public sector agencies, and increasingly the private sector, are overseen and monitored by the Department of Communities’ Office of Disability, the Disability Services Commission Board and the Ministerial Advisory Council on Disability, ensuring that people with disability continue to play an instrumental role in driving and promoting the Strategy and Action Plans.

Disability governance

In February 2024 the Department of Communities established a Disability division in recognition of the need for stronger disability strategy and governance across government and in support of the wider community. The Disability division is a realignment of Communities' operating model to ensure robust governance following the State's transition to the NDIS.

The Disability division builds upon the work and role of the [Office of Disability](#) that was established in 2021 with a focus on improving inclusion and accessibility in WA, and ensuring the rights of people with disability are upheld. The Office of Disability has provided sector stewardship throughout significant change to the WA disability landscape. The Office of Disability has driven work and innovation across the WA Government and within the sector as custodians of the State Disability Strategy, working to advance inclusion and participation of people with disability in Western Australia.

The establishment of Communities' Disability division ensures that disability continues to be a focus for the WA Government, and that there is a strong voice advocating for people with disability across Government, the disability sector, and the broader community. This is vital as WA works alongside the Commonwealth and other states and territories during this significant reform agenda.

Communities' Disability Division is supported by the expertise of the Disability Services Commission Board ([the Board](#)) and by the Ministerial Advisory Council on Disability (MACD). The Board contributes to, and monitors, the implementation of the State Disability Strategy to ensure it meets objectives and drives delivery of inclusive communities where people with disability live well, participate and contribute, and exercise their rights as equal citizens in the community.

Membership is made up of people with lived experience of disability, as well as advocates and carers for people with disability. MACD reports directly to the Minister for Disability Services about issues affecting the lives of Western Australians with disability, their families and carers.

Since 2022, the Board and MACD have come together as part of the Western Australian Disability Advisory Council (the Council). The Council was established to harness the unique expertise and influence of the Disability Services Commission's Board and the Ministerial Advisory Council on Disability. The Council advises the Minister for Disability on the development and implementation of policies, services, programs, and activities that affect people living with disability.

Volume 6: Enabling autonomy and access for people with disability

Volume 6 promotes the importance of independent decision making and examines some of the barriers people with disability face in exercising independence across a range of services, settings, and areas of daily life. Key issues addressed include:

- barriers to accessibility of information and communications;
- moving towards a supported decision making framework;
- ensuring accessible and inclusive health services; and
- regulation and elimination of restrictive practices.

The WA Government accepts or accepts in principle 19 of the 31 applicable recommendations in Volume 6

There are 31 applicable recommendations to WA in this volume. The WA Government:

- accepts one recommendation;
- accepts in principle 18 recommendations; and
- is undertaking further consideration of 12 recommendations.

Supported decision making

The Disability Royal Commission recommends a supported decision making approach is embedded in guardianship and administration law and practice. Supported decision making recognises people with disability have the right to make decisions but may need support to do so, such as through advocacy services, and is key to enabling the independence of people with disability.

There are 15 recommendations related to introducing a supported decision making framework in WA's guardianship and administration legislation.

The WA Government recognises the value of supported decision making in assisting people with disability to reflect their own will and preferences. The WA Government also recognises the need for improved capacity building at individual and institutional levels to ensure people with disability are fully supported to be as independent as possible in making decisions that affect their lives.

In WA, the *Guardianship and Administration Act 1990 (WA)* (the Act) enables substitute decision makers to be appointed to make personal, health and financial decisions on behalf of adults who may not have capacity to make these decisions on their own.

The WA Government has committed to amending this legislation and has referred the matter to the Law Reform Commission of WA to undertake a comprehensive review of guardianship and administration laws. This will look at the need for reform of the Act and how best to implement that reform in the WA context, taking full consideration of the

recommendations of the Disability Royal Commission, and other recent reports and legislative reforms. This process will also allow for consultation on the application of these recommendations in WA.

The Law Reform Commission will provide a final report to Government by 1 April 2025.

Health

The Disability Royal Commission made several recommendations to improve access to health services through a range of models and adaptations, including developing specialised health and mental health services for people with cognitive disability.

The WA Government accepts these recommendations in principle and is committed to ensuring people with disability have access to health services and reach the highest possible health and wellbeing outcomes.

This includes addressing the significant health disadvantage, including higher rates of modifiable health risk factors and behaviours, preventable disease, co-occurring conditions, and levels of psychological distress that people with disability often experience.

The five health-related recommendations focus on improving the accessibility of services for people with disability. Work currently underway across the WA health system to improve the experience of people with disability includes, but is not limited to:

- The WA Disability Health Framework (2021) – including a priority action area on workforce capability;
- The WA Hospital Stay Guidelines (2023) – provides ways to support people with disability in hospitals; and
- A Disability Health Profile form – enables people to identify communication needs, disabilities, equipment requirements, and environmental requirements (such as lighting, and noise control).

Nationally, recommendations align with current work under the National Roadmap for Improving the Health of People with Intellectual Disability (Roadmap). The WA Government will continue to work with the Australian Government Department of Health and Aged Care and state and territory counterparts to develop initiatives addressing the intent of the recommendations.

Restrictive practices

The Disability Royal Commission found that many people with disability are subject to restrictive practices including seclusion or mechanical, chemical or physical restraint. Restrictive practices can cause lasting physical and psychological harm and are not always used as a last resort or in response to a risk of harm to the person with disability or

those around them. People with disability, particularly people with cognitive disability, can be subjected to restrictive practices in multiple settings.

The WA Government is committed to working towards the reduction and elimination of the use of restrictive practices for people with disability in WA and has so far endorsed:

- the National Framework for Reducing and Eliminating the Use of Restrictive Practices in the Disability Services Sector; and
- the National Disability Insurance Scheme (NDIS) Quality and Safeguarding Framework (NDIS Framework).

Under the NDIS Framework, the WA Government is responsible for establishing arrangements for the authorisation of regulated restrictive practices in NDIS services in WA. Building on extensive public consultation, work is in progress to develop a legislative basis for the authorisation of restrictive practices in funded (specialist) disability services in WA.

The WA Government accepts in principle all restrictive practice recommendations. Recommendations 6.35 and 6.36 require states and territories to have appropriate legal frameworks for the authorisation, review and oversight of restrictive practices across disability, health, mental health, education and justice settings for people with disability.

For people with disability in funded disability service settings this is expected to include work on options to align existing legislative and authorisation arrangements with the recommendations or establishing new arrangements specific to each setting.

This, as well as consideration of the findings and recommendations of the Disability Royal Commission, will help establish mechanisms to safeguard the human rights of the person with disability and provide greater oversight of the regulation of when restrictive practices are authorised to be used in WA.

The WA Government accepts in principle improving collection and reporting of restrictive practices data across multiple settings, and targets and performance indicators to drive the reduction and elimination of such practices. Implementation will reflect capacity, technology and privacy considerations of related data collection and reporting.

Further consideration will be undertaken as to how certain and prohibited restrictive practices are mitigated in existing and future arrangements of health, mental health and justice settings to meet the principles of these recommendations.

The WA Government also accepts in principle the recommendation to ensure the legislative prohibition of non-therapeutic sterilisation. The state's response will be built on clear definitions of non-therapeutic sterilisation and will ensure that any prohibition does not restrict the rights of people with disability or otherwise. Consideration will be given to how this may affect people requiring supported decision making, including those under 18 years of age.

State funded advocacy

The WA Government is committed to building inclusive communities which support and empower people with disability. It recognises that disability advocacy services are crucial to ensuring the rights of people with disability are respected and people with disability are able to meaningfully participate in all parts of society.

The WA Government, through the Department of Communities, funds disability advocacy through the State Disability Advocacy Program, which includes investment in both individual advocacy and systemic advocacy.

The Department of Communities also co-chairs the WA Network of Disability Advocacy, which facilitates collaboration between the disability advocacy sector and stakeholders, to improve outcomes experienced by people with disability.

In 2023, Legal Aid WA established Disability Legal WA with shared state and Commonwealth funding. Disability Legal WA is a dedicated service for people with disability to better meet their needs and make services more accessible. The work of the Disability Legal WA team includes a triage service to connect people with disability with appropriate legal and advocacy services, advice on family, criminal and civil matters, legal health checks to assist with unidentified areas of need, case management and advocacy regarding a range of legal matters, and advocacy and assistance regarding the NDIS.

Disability Legal WA complements the work of other legal assistance providers, including community legal centres and Aboriginal Community Controlled Organisations, which are also delivering services to people with disability. These efforts are reflected in the WA Legal Assistance Strategy, which identifies people with a disability among priority client groups for legal assistance services.

The state also provides advice and representation to mentally impaired accused in the criminal justice system support via its Criminal Law (Mental Impairment) Funding as well as DARDY, a wraparound legal service for young people who have or are suspected to have a disability, who are involved in the criminal justice system.

Ensuring people with disability have access to the right information to enable choice and control

The WA Government is undertaking reforms across the public service to ensure people with disability have access to the right information to make informed decisions.

WA's public authorities must ensure information and communications are accessible through a range of measures:

- The WA Accessibility and Inclusivity Standard requires digital content to meet the latest version of global accessibility standards called the Web Content Accessibility Guidelines (WCAG).
- The WA Language Service Policy 2020 requires WA Government agencies and service providers to provide access to interpreter and translated material to people who might not be proficient in English.
- Disability Access and Inclusion Plans (DAIPs) requires public authorities to develop strategies to ensure their information is accessible.

Supporting digital inclusion for people with disability

Digital inclusion is more than being able to physically connect to the internet. It is also about understanding how to connect, being able to afford these connections, and having access to digital tools and devices designed to meet people's needs. Many people with a disability struggle to access digital technologies and are missing an increasingly important way to learn, work, connect with community and access government information and services.

In 2021, the WA Government launched the Digital Inclusion in WA Blueprint to ensure all Western Australians can easily access and use digital technologies. The Blueprint outlines the Government's aims and strategic approach to addressing digital disadvantage, and focuses on four priority areas: connectivity, affordability, skills and design.

Significant attention has been given to improving the design of WA Government service delivery, making it more accessible to people with a disability. As of January 2024, the Department of the Premier and Cabinet (Office of Digital Government) has migrated 98 websites from 31 different entities to a single platform – WA.gov.au. This platform, along with the ServiceWA app and the PeopleWA e-research platform, is regularly audited by the Centre for Accessibility to ensure best practice. In recognition of these achievements, the West Australian Government was named as a finalist in the 2023 Australian Access Awards.

For more information see: [Digital Inclusion in WA Blueprint](#).

Reducing barriers to accessing information and services online

The WA Government, through the Office of Digital Government, is committed to reducing barriers faced by people with developmental disabilities and low literacy when accessing information and services online and is working on:

- making Easy Read documents available on the WA.gov.au platform;
- including the Easy Read logo on web pages where these documents are available;
- promoting opportunities to attend Easy Read workshops, led by Developmental Disability WA, to staff and stakeholders; and
- exploring the use of artificial intelligence to assist access to information across all WA government websites.

In addition, the WA Government is working to support cyber safety initiatives, including:

- [Cyber Resilience Outreach Clinics](#) – mobile pop-up clinics across remote and regional Australia to support awareness of cybercrime in vulnerable communities.
- [WA Digital Inclusion Project](#) – funded by Lotterywest and implemented by the WA Council of Social Service to provide [Easy English Guides](#) on how to be safe online.
- [WA Scam Net](#) – operated by the Department of Energy, Mines, Industry Regulation and Safety (DEMIRS) to deliver community education, resources and support to vulnerable members of the community regarding online scams. DEMIRS are also working to deliver all relevant agency content in Easy Read format.

Volume 7: Achieving inclusive education, employment and housing

Volume 7 explores education, employment and housing and highlights the important roles these play in advancing wellbeing, fostering equity and enhancing participation in all parts of life.

Commissioners had different views about ending segregated education, employment and housing options, resulting in alternative approaches put forward in some recommendations.

Some Commissioners viewed separate education, employment and housing options for people with disability as segregation and called for the phasing out of these settings. Other Commissioners consider that personal choice and situations can affect the suitability of separate settings for people with disability. Community feedback on the Disability Royal Commission Final Report continues to reflect these differing views.

Despite this difference, there is agreement on the important steps needed to bring about a more inclusive society. Key steps are outlined below:

- Mainstream education needs to enable more children and young people with disability to be educated in inclusive settings.
- The open labour market should become more accessible to people with disability, creating greater opportunities for them to work in open employment and be included within the broader community.
- There should be a greater range of accommodation options available to people with disability and flexibility in how NDIS housing support packages can be used.

The WA Government accepts and accepts in part or in principle 25 of the 32 applicable recommendations in Volume 7

There are 32 applicable recommendations to WA in this volume. The WA Government:

- accepts one recommendation;
- accepts in principle 23 recommendations;
- accepts in part one recommendation; and
- is undertaking further consideration of seven recommendations.

Education

The Disability Royal Commission found that Australian schools are not consistent in delivering inclusive education. It found that students with disability face many barriers to inclusive education, such as lack of appropriate adjustments and supports that help participation, engagement in decision making, and planning to support transitions to

further learning or work. All Commissioners agreed major reforms are needed to overcome these barriers.

The WA Government is committed to providing inclusive education settings, policies and practices and acknowledges that students with disability thrive when they are in a welcoming environment and provided with the same educational and social opportunities as students without disability. Since 2007, WA-endorsed education support programs have been built on mainstream school sites, rather than stand-alone, segregated schools or centres.

All education related recommendations are accepted in principle by the WA Government, except recommendations 7.14 and 7.15, which represent transformative change for many families and will require appropriate consultation, sequencing, and support.

Disability and inclusion in education

In December 2023, the WA Government commenced a review of the *School Education Act 1999* (WA) to better safeguard students with disability and to strengthen access, inclusion and services across the public education system. This review will ensure the Act is meeting the needs of people with disability, their families and carers, and WA's public schools.

Since the School Education Act was introduced in 1999, there have been significant changes in law and disability services that have impacted the education of students with disabilities and learning difficulties. The WA Government has led many inquiries and consultations that have shown there is a need to improve inclusion, participation, recognition, equity, rights and attitudes towards young people with disabilities.

Telethon Kids Institute autism researcher Professor Andrew Whitehouse will provide expert input and strategic guidance during the review process. To support this long-term transformation, a trial of 16 Complex Behaviour Support Coordinators will help school leaders develop tailored and inclusive approaches that suit the specific needs of students with disability.

Many changes have already been implemented to increase inclusion in WA's schools. The Department of Education's Enrolment in Public Schools policy was updated and came into effect in July 2022. The policy states that principals will enrol students with disabilities on the same basis as students without disability at their local public school. The new Enrolment Framework for Students with Disability in Public Schools is mandated and sets out the enrolment criteria and priorities for specialist disability programs.

Disability and inclusion in education (continued)

A revised Student Behaviour in Public Schools policy details principals' responsibilities to provide behaviour support to students with complex needs. This includes using a multi-tiered system of support that holistically considers student needs and provides interconnected interventions, so students receive the appropriate level of support. The policy outlines responsibilities for principals to engage with the school community in a co-design process to develop, document and communicate the roles and responsibilities of all members of the school community in strengthening positive student behaviour.

Significant investment has been committed to support public school students who have a diagnosed disability or additional learning needs. The funding supports the increasing number of students diagnosed with autism and others experiencing a range of learning challenges.

The Department of Education continues to investigate ways to streamline access to funding for schools to support students with disability. The Department has commenced a procurement process to identify, adapt and pilot a functional needs assessment tool.

It is hoped the tool may provide a more efficient assessment of the level of adjustments being provided to students with disability in WA's public schools, without a heavy reliance on diagnosis. The tool will also integrate with the schools individual planning for students and the Nationally Consistent Collection of Data on School Students with Disability process.

The expansion of the Department of Education's Specialist Learning Programs (SLPs) for students with autism will bring the overall total to 24 in 2025. SLPs provide skilled teachers and individualised planning and support to better meet the educational needs of primary and secondary school students with autism. SLPs reflect aspects of the Foundational Supports Strategy outlined in the NDIS Review, which requires agencies to look at alternative models of service delivery to support children with disability. SLPs also offer increased opportunities for collaboration across government and non-government services and to consider co-location and mobile service models.

There are a range of SLPs that support the individual needs of students with autism from Kindergarten to Year 12. The programs target year level or near year level academic engagement and achievement, organisational skills, social cognition development, positive peer relationships and emotional self-regulation. As reported in the Education and Health Standing Committee, *A Different Kind of Brilliance: Report of the inquiry into support for autistic children and young people in schools*, schools report that SLPs create wider benefits across their mainstream school environments, increasing awareness of autism, which contributes to a culture of inclusivity.

Principles of inclusive education

Launched in October 2022, [Teaching for impact](#) is the Department of Education's position on effective teaching. This provides a range of supporting resources to assist teachers to cater for diverse learning needs. Schools have access to a suite of professional learning, including online modules, to provide specialist knowledge and skill development to support students with disability.

Teaching for impact states that effective teachers believe in inclusion and value student diversity. Inclusive teachers respect and accommodate differences between learners and know that this will have a positive impact on the wellbeing, mental health and resilience of children and young people. Inclusive learning environments are promoted through research and evidence-based practice. Service provision includes intensive consultation for students with high and complex needs, targeted cohort support and whole school professional learning delivered in a variety of modes to accommodate the needs of all students in public-school settings.

Employment

The Disability Royal Commission found that people with disability experience barriers to obtaining and keeping open employment. The opportunity to work, earn a living and take part as an economic citizen has flow-on effects for a person's ability to support themselves and their family, realise life aspirations, achieve financial security and enjoy their human rights. In addition, increased inclusion and visibility in the workforce may support greater access to services and can function as safeguards against violence, abuse, neglect and exploitation.

The WA Government is committed to ensuring people with disability can access meaningful and inclusive employment and recognises the potential this has to increase economic opportunities and independence. The WA Government acknowledges that there is a need to significantly improve access to employment in the public sector of people with disability and commits to developing actions aimed at reducing the barriers to employment.

All employment related recommendations relevant to WA are accepted in principle, except for 7.32 which proposes an end to segregated employment by 2034. The WA Government is further considering this recommendation to better understand its impact on employment access, particularly for those with high employment support needs. This will require significant consultation and consideration of any unintended consequences, risks and, if supported, an appropriate timeline for implementation.

The WA Government recognises the importance of access to employment for all working age people, as well as the different views of Commissioners and in the community about the roles of Australian Disability Enterprises and sub-minimum wages.

The WA Government is reviewing its definitions of people with disability, moving towards self-identification. Disaggregation of employment targets may require privacy considerations with greater risk of individual identification, particularly in smaller agencies. The equity index shows the representation of employees with disability is spread evenly across all levels of the workforce.

Initiatives to employ people with disability

The WA Public Sector Commission supports agencies through policy and guidance initiatives including:

- Changed employment rules to allow agencies to directly employ a person with disability to any public sector role by removing the usual more complex recruitment processes;
- Guidance resources on workplace adjustments to help agencies create work environments that attract and retain people with disability;
- Publishing a hiring managers toolkit to encourage more inclusive recruitment practices accompanied by guidance on promoting psychologically safe workplaces and removing unconscious bias; and
- Working on a maturity assessment tool to guide agencies with disability inclusive practices, including recruitment.

As part of creating WA's digital future, scholarships up to \$5,000 per person with disability is provided by the Department of Training and Workforce Development to cover fees of eligible students to study IT, programming, cybersecurity or software development courses at Certificate IV and diploma levels.

Career development for secondary students

The Department of Education's "Career Conversations" events for schools and families includes information about career pathways for young people with disability, to support their transition from education to further training and/or employment. From January 2022, of public schools with qualified career practitioners there are:

- Four schools with Department endorsed Education Programs for high needs students; and
- Three schools with Department endorsed Education Support Programs for low to medium needs students.

Students needing education support and enrolled in schools with a career practitioner have individual access to services to encourage successful transitions from education to further training and work.

Accessible training

The [Participation Equity Program](#) supports eligible people with a disability to access training in 34 qualifications. Courses range from Certificate I-IV level in Business, Logistics, Community Services, Education, Agriculture, Manufacturing and Retail.

Through this program, registered training organisations are provided with a 40 per cent loading in addition to normal funding rates to provide wrap-around services designed to improve the engagement, retention, and completion of students with disability in their training program/qualification.

Housing

The WA Government wants to see people living in safe, accessible and affordable accommodation. The WA Government acknowledges that people with disability face multiple barriers to finding appropriate housing and that those with higher support needs often have fewer housing options.

The WA Government has reviewed and considered all eleven housing recommendations under Volume Seven. Of the eleven recommendations, seven have been accepted fully, in part or in principle, and four require further consideration.

These four are recommendations 7.37, 7.40, 7.43, and 7.44. Prioritising people with disability in national housing and homelessness approaches is a joint responsibility shared by the Commonwealth and States and Territories. The WA Government accepts in principle prioritising people with disability in key national housing and homelessness approaches and will work in partnership with the Commonwealth and other states and territories to progress this. Addressing homelessness in the National Housing and Homelessness Plan requires further consideration and WA will work with other jurisdictions to reach a final decision on this recommendation. Recommendation 7.37 will be considered when a second round of reforms to the *Residential Tenancies Act 1987* is proposed.

The WA Rent Reforms will allow tenants, with permission from the landlord or agent, to make minor modifications to a house. These are intended to include modifications that support people with disability, such as mobility aids to walls and installing ramps. Consultation on the type of minor modifications is anticipated to occur in coming months.

The State Government is working with the disability sector to support the Specialist Disability Accommodation (SDA) market, recognising that there are significant barriers to the development, particularly for Robust standard builds.

The WA Government recognises that recommendations to phase out group homes are seen differently across the community. Recommendations 7.43 and 7.44, both looking at

phasing out group homes, require significant consultation as well as consideration of any unintended consequences and risks. All governments will consider these recommendations further alongside recommendations of the NDIS Review, including Recommendations 8 and 9 of the NDIS Review and their associated actions.

There are unique challenges and risks many people with disability face due to a lack of appropriate housing options. The WA Government is committed to improving the availability of accessible social and affordable housing, as well as improving access to alternative housing, for people with disability. However, some proposed reforms will need to be carefully considered to ensure they do not exacerbate the current housing shortages and result in worse housing outcomes for people with disability and other at-risk groups.

The WA Government will work across governments on these matters, including agreeing on common definitions, defining roles and responsibilities involved, and how these would best apply in the State.

Housing and homelessness supports

The WA Government is investing in a range of housing and homelessness measures including delivering almost 5,000 new social homes and undertaking maintenance and refurbishments on thousands more.

The WA Government builds all new social housing properties to the Silver Liveable Housing Design standard, where practical, in line with the WA Housing Strategy 2020-2030. This requires safe continuous and step free path of travel to a dwelling entrance, internal doors and corridors that facilitate comfortable and unimpeded movement between spaces, accessible toilets and bathrooms, and stairways designed to reduce the likelihood of injury.

The WA Government is committed to delivering the Liveable Housing Design-standard into the East Perth and Mandurah Common Grounds construction projects, to improve accessibility and support the changing needs of tenants.

Common ground accessibility

Common Ground is a housing model that provides permanent, supportive housing in a purpose-built facility for adults who have experienced chronic homelessness or are low-income earners. Originating in New York, the Common Ground housing model has been successfully adopted in other Australian cities.

Both Common Grounds in Western Australia are designed to the Liveable Housing Design Guidelines as follows:

- East Perth's mix includes six per cent Platinum, 80 per cent Gold, and 14 per cent Silver. Construction began in mid-2023 and the site will open to tenants in mid-2025; and
- Mandurah's mix includes 86 per cent Gold, and 14 per cent Silver, construction is expected to begin in 2024 and open to tenants in 2026.

Volume 8: Criminal Justice System and people with disability

The Disability Royal Commission found that people with disability, particularly First Nations people and those with cognitive and psychosocial disability, face over-representation in the criminal justice system across all stages from police contact and arrest through to court processes and correctional settings.

The Disability Royal Commission found that people with disability in custodial settings are more likely to have difficulty coping with the prison environment, and to experience a higher rate of co-occurring ill mental health and physical conditions than prisoners without disability. The Disability Royal Commission also found that people with disability in contact with the criminal justice system are at increased risk of being disadvantaged and socially isolated, and experience higher rates of recurring incarceration.

The Disability Royal Commission recommended improved screening and identification practices to better understand the disability related needs of people in criminal justice settings.

For people with disability who are victims of crimes, alternative reporting pathways and approaches are recommended to build trust in and improve police responses. The WA Government has recently implemented numerous initiatives to reduce barriers for people with disability to report crimes.

The WA Government accepts or accepts in principle 16 of the 20 applicable recommendations in Volume 8

There are 20 applicable recommendations to WA in this volume. The WA Government:

- accepts two recommendations;
- accepts in principle 14 recommendations; and
- is undertaking further consideration of four recommendations.

The WA Government is committed to improving conditions in the justice system for people with disability, with considerable work already completed or in progress, including improvements to information provision through the court system, the implementation of the *Criminal Law (Mental Impairment) Act 2023*, and the provision of appropriate disability supports and adjustments that are non-adversarial, trauma-informed, and culturally competent.

WA is putting in place a new model of care and trauma-informed operating philosophy in youth detention that includes a multidisciplinary team of mentors, Aboriginal support officers, a range of Allied Health Professionals and other specialists working together to assist young people's rehabilitation journey. This includes a particular focus on the

identification and support for those young people with neurodevelopmental and other disabilities.

Work has already commenced on aspects of recommendation 8.20 to improve accessibility and responsiveness of police services. The WA Police Force recognises that people with disability face unique barriers and challenges when engaging with police and have worked to ensure people with disability are able to access services, events, buildings and facilities.

The WA Government continues to strive towards addressing the considerable barriers people with disability face in reporting crime to police. This includes initiatives to support access to information and communication support, such as the SMS Assists Initiative, and the opportunity to access interpreter services including Auslan, which provides people with hearing and speech impairment with an alternative means of communicating with police.

The WA Government is working with the Commonwealth and state and territory governments to develop an action plan to address violence against women and children with disability, and nationally consistent family and domestic violence disability inclusive definitions under the National Plan to End Violence Against Women and Children 2022-2032. At a state-level, this will involve collaboration and consultation across all levels of government, the disability community, family and domestic violence sector and legal sectors as well as civil society.

Reforming WA's mentally impaired accused laws

The Criminal Law (Mental Impairment) Act 2023 is scheduled to commence in late 2024 and overhauls Western Australia's outdated mentally impaired accused laws. The new laws will play a significant role in protecting the human rights of persons with mental impairment in the justice system, ensure procedural fairness, and bring WA into line with best practice in other states and territories, including through:

- expanding the disposition options available to the judiciary so that community supervision orders are available for both those acquitted on account of mental impairment and those found unfit to stand trial;
- limiting the terms of custody orders to ensure they align with the likely sentence the court would have imposed if they were sentencing the person in the ordinary course, having found them guilty of the offence;
- introducing procedural fairness provisions to support the rights to appear, appeal and seek review of decisions of the courts and the new Mental Impairment Review Tribunal; and
- ensuring determinations about the release of persons with mental impairment from custody, and the conditions to be attached to such release (if any), are made by the new Mental Impairment Review Tribunal.

Improving WA Police responses to people with disability

Autism alert cards

The WA Police have worked with the Autism Association of Western Australia to assist individuals with Autism when they encounter situations with police and first responders, to promote more positive interactions.

The Autism Alert Card alerts emergency services that the person carrying the card has Autism and may require additional support. It lets responders know that the cardholder may have difficulties in communicating and may show signs of unusual behaviour. It also includes two named contacts who can offer their support to help emergency and public services to understand the individual with Autism's needs.

SMSAssist

SMSAssist© is a text messaging service for people who are deaf, hard of hearing or speech impaired, which can be used for contacting the WA Police Force and requesting assistance. People who are deaf, hard of hearing or unable to speak clearly can use SMSAssist© to contact the police and a police operator then sends a reply. This applies even if the disability is temporary or only occurs at certain times, for example, when someone becomes stressed.

Volume 9: Improving the experiences of First Nations people with disability

First Nations people with disability face unique challenges in Australia. As shown by the Disability Royal Commission, the prevalence of disability is higher in First Nations populations than in the general population. First Nations people with disability can also face barriers to accessing culturally safe and inclusive services across many systems.

The Disability Royal Commission proposes a renewed commitment to elevating the needs, aspirations and priorities First Nations people with disability in policy and programs. Addressing these matters is likely to drive change on a range of Closing the Gap outcomes areas, including early years development, education, employment, housing and justice.

Recommendations broadly look at improving the Closing the Gap Disability Sector Strengthening Plan, increasing investment in the First Nations community-controlled sector and disability workforce to improve the provision of culturally safe, local services to First Nations people with disability and the establishment of a First Nations Disability Fund.

The WA Government accepts in principle all of the six applicable recommendations in Volume 9

The WA Government is committed to addressing the marginalisation of First Nations people with disability and is working to remove the barriers to safe and inclusive services across systems, including the child protection and criminal justice systems.

In July 2020, WA signed on to the National Agreement on Closing the Gap (National Agreement) which aims to overcome the inequality experienced by First Nations people and achieve life outcomes equal to all Australians. The National Agreement was developed in partnership between all Australian governments and Aboriginal and Torres Strait Islander people.

The WA Government is seeking to better meet the needs of First Nations people with disability by engaging and working with Aboriginal Community Controlled Organisations. This is helping WA to achieve greater Aboriginal empowerment and cultural safety across a range of services.

The WA Government will collaborate across governments to support the establishment of a First Nations Disability Forum to lead further development of the Closing the Gap Disability Sector Strengthening Plan.

A range of strategies are in place to ensure the cultural safety of First Nations people with disability in criminal justice settings. To support Aboriginal communities and organisations

to meet the needs of Aboriginal people with disability, the WA Government has also made investments in:

- Disability advocacy - provided by the Wunan Foundation in the East Kimberley and Mawarnkarra Health Service in Roebourne and surrounding areas.
- An Aboriginal Health Council of WA (AHCWA) project that supports the WA Aboriginal Community Controlled Health Service (ACCHS) to become NDIS service providers to ensure NDIS services are responsive to the needs of Aboriginal people with disability.
- The [AHCWA Mappa](#) project - an online platform that allows people to identify health and other services available across WA. With WA Government support, AHCWA upgraded the platform to include disability service providers.
- An AHCWA project to develop an accredited VET course to equip disability service providers with the skills and knowledge to provide culturally secure education and advocacy for Aboriginal people with disability, with the course expected to be delivered from mid-2024.
- The National Disability Services delivery of the [Think Support Campaign](#) - a social media and advertising campaign that aims to attract younger people, males and Aboriginal people to the disability services sector workforce.
- A project led by Western Australia's Individualised Services to build the capacity of disability service providers in regional and remote areas to operate in compliance with NDIS Quality and Safeguards Commission requirements.

Several WA Government agencies are also collaborating with the Australian Government and local stakeholders in the NDIS Integrated Care and Commissioning Kimberley Trial, which aims to bring together relevant agencies, investments and resources across health, aged care, disability and veterans' care sectors to join-up and better align service systems and build a consolidated and more sustainable care and support sector.

Workforce Diversification and Inclusion Strategy for WA Public Sector Employment 2020-2025

In 2020, the WA Public Sector Commission introduced the Workforce Diversification and Inclusion Strategy for WA Public Sector Employment 2020-2025, along with six action plans targeting specific diversity groups, including Aboriginal and Torres Strait Islander people and people with disability.

The strategy sets specific and ambitious goals to increase the representation and inclusion of these identified groups in public sector employment. The proposed goals are designed to have a lasting impact and intended to transcend the five-year window to the end of 2025.

The strategy has four key areas: educate and empower, attract and develop, lead and build, account and celebrate. These aim to uplift diversity knowledge, refine talent practices, foster inclusive cultures, and uphold accountability in enhancing workforce diversification.

The Aboriginal Empowerment Strategy, Western Australia 2021-2029

The Aboriginal Empowerment Strategy – Western Australia 2021-2029 was developed in partnership with the Aboriginal Advisory Council of WA. The goal of the Strategy is for Aboriginal people, families and communities to be empowered to live good lives and choose their own futures from a secure foundation.

The Strategy outlines a strategic framework that will guide future WA Government policies, plans, initiatives, and programs to improve outcomes for Aboriginal people. The Strategy emphasises genuine partnerships and engagement with Aboriginal stakeholders, accountability, and culturally responsive ways of working, including in disability services.

The Strategy also sets out the state's approach to meeting its commitments under the National Agreement on [Closing the Gap](#), marking a significant step towards comprehensive community empowerment and improved coordination of government efforts.

Volume 10: Disability Services

This volume looks at the services available to support people with disability and shows opportunities to improve access and inclusion. It also considers how to achieve greater safety and protections.

The Disability Royal Commission found that the market approach to disability services has not worked for everyone. It calls for urgent work to address service delivery gaps in all jurisdictions. The Disability Royal Commission's recommendations in this area include actions to improve the ability of the disability support workforce to meet the needs of people with disability and professionalise and stabilise the workforce.

The Disability Royal Commission found the NDIS Quality and Safeguards Commission has a key role in preventing and responding to violence, abuse, neglect and exploitation in disability services.

The WA Government accepts in principle all of the 14 applicable recommendations in Volume 10

WA Government accepts in principle all 14 applicable recommendations in this volume.

The WA Government is supportive of collaborative work between relevant governments to ensure people with disability can access quality disability services. The relationship between the Disability Royal Commission's recommendations and the NDIS Review is complex and it is critical to carefully consider design, planning and unintended implementation issues. The WA Government is committed to ongoing work with the Commonwealth and state and territory governments to strengthen quality, access to, and oversight of disability services.

The WA Government recognises the importance of having well-supported, safe and experienced disability services, able to support people with a variety of needs and goals in diverse settings. In WA, service provision challenges are often made worse by extreme remoteness. For individuals, this can result in limited access to specialised services that are also culturally safe. For both service providers and service users extensive travel requirements become cost prohibitive. In addition to collaborating across governments, partnerships with disability service providers, peak bodies, people with disability, and their families and carers will be essential to ensuring a strong disability service ecosystem that meets the needs of people with disability.

It has remained necessary for the WA Government to provide critical and necessary support as the provider of last resort when gaps in NDIS supports have been identified and rapid responses have been required.

During the transition to a full scheme NDIS, the WA Government has maintained its role as a provider of last resort in critical situations through:

- The Regional Intensive Support Coordination program;
- Emergency respite; and
- Intervention Support Services.

Recommendation 10.16 requires that governments agree to include a requirement for NDIS providers to consider redress and forms of support to an NDIS participant where the NDIS Quality and Safeguards Commission (NDIS Commission) forms the view that the service provider bears responsibility for the violence, abuse, neglect or exploitation experienced by the NDIS participant. Consideration should be given to ensure that such a measure does not have the unintended consequence of disincentivising service provision in already underserved markets or where higher risk services are needed.

The WA Government is committed to ensuring that people with disability are provided safe and high-quality services and has invested in projects led by Western Australia's Individualised Services, National Disability Services, and the Western Australian Association for Mental Health, which aim to support disability providers to meet the compliance requirements of the NDIS Quality and Safeguards Commission.

Behaviour Support Practitioner Uplift

The WA Government recognises that Behaviour Support Practitioners have a crucial role in protecting the rights of people with disability and ensuring services are appropriate and safe, including by supporting the reduction and elimination of restrictive practices through working with people with disability, families, providers and stakeholders utilising Positive Behaviour Support.

In recognition of a shortfall in Practitioners during the transition to the NDIS, as well as the thin markets impacting WA, the WA Government invested in a project to increase and sustain the number of appropriately skilled Positive Behaviour Support Practitioners.

The training was delivered to 220 Practitioners from 86 different organisations across WA. National Disability Services facilitated a Community of Practice to ensure regular support to Practitioners.

Volume 11: Improving independent oversight and complaint mechanisms

The Disability Royal Commission found that state and territory and NDIS Commission oversight functions for people with disability should be better connected to deliver joined up and efficient responses for individuals. These functions should be independent, sufficiently empowered and properly resourced to enable them to be effective. A person-centred approach is critical to encouraging reporting of violence, abuse, neglect and exploitation.

Recommendations from the Final Report look at the value of introducing adult safeguarding laws, state and territory specific one-stop shops (providing information and advice about reporting violence or abuse towards a person with disability), community visitor schemes, and nationally consistent reportable conduct schemes.

The WA Government accepts in principle seven of the 15 applicable recommendations in Volume 11

There are 15 applicable recommendations to WA in this volume. The WA Government:

- accepts in principle seven recommendations, and
- is undertaking further consideration of eight recommendations.

The WA Government is committed to upholding the rights of people with disability, including through safeguarding and oversight mechanisms. The WA Government recognises the importance of ensuring the safety of people with disability who have limited or no access to natural supports. The WA Government is committed to working with the Commonwealth, and other states and territories, to ensure any future approach towards adult safeguarding measures are informed by a nationally consistent approach for people with disability in WA.

Recommendations 8.2, 11.7, 11.8, 11.11 relate to National Preventative Mechanisms bodies. The WA Government continues to work on these matters as part of the national commitment to implement the United Nations Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT), and interjurisdictional discussions are ongoing.

Recommendations 11.1 and 11.2 about establishment of nationally consistent adult safeguarding functions require further consideration. The WA Government is undertaking a review of current safeguarding arrangements with consideration of the Disability Royal Commission findings. In depth consultation with people with disability and the wider disability community, as well as across government, is needed before determination of a final position. WA will also work with other governments through the Disability Reform

Ministerial Council to consider reform options for a nationally consistent and unified approach.

Similarly, recommendations 11.14, 11.15 and 11.16 about the establishment of a disability death review scheme and relevant legislation require further consideration. The WA Government acknowledges the importance of understanding and addressing factors that contribute to the disproportionate rates of deaths and potentially avoidable deaths of people with disability. These recommendations must be considered in the context of recommendations 11.1 and 11.2. There are considerable implications for policy and legislative programs, including the existing functions of the Office of the Ombudsman WA, which undertakes Child Death Review and Family and Domestic Violence Fatality Review functions. Defining the respective role of the disability death review schemes and the relevant functions of the NDIS Commission are also important considerations.

WA's reportable conduct scheme

WA's Reportable Conduct Scheme began in January 2023. The scheme provides independent oversight of how organisations prevent and respond to allegations of abuse and sexual misconduct regarding a child, or sexual offending, by employees.

Legislation to set up the Scheme was subject to extensive consultation and is consistent with key recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse.

Providers of disability services have been included in the Scheme since January 2024.

Volume 12: Beyond the Royal Commission

Volume 12 sets out the key steps needed for implementing and monitoring the Disability Royal Commission's recommendations. Measures include that:

- the Commonwealth Government and state and territory governments should publish written responses to the Final Report;
- the Disability Reform Ministerial Council (DRMC) should oversee the implementation of the Disability Royal Commission's recommendations; and
- a proposed independent National Disability Commission should provide an annual assessment on the implementation of the recommendations and evaluate their effectiveness.

The WA Government accepts in principle all of the seven applicable recommendations in Volume 12

The WA Government accepts in principle all seven applicable recommendations in this volume.

The WA Government recognises that high quality data and research are vital for measuring the effectiveness of policy and service delivery and holding governments and organisations to account. The WA Government is committed to working with the Commonwealth and state and territory governments to improve data collection and the research and evidence base to improve outcomes for people with disability.

On 5 March 2024, Disability Ministers released a joint statement on the Disability Royal Commission. The joint statement acknowledges recommendation 12.1, and notes that given the scale and complexity of reform recommended, all governments would formally respond to the Final Report by mid-2024.

National Disability Data Asset

The WA Government has partnered with the Commonwealth and all other states and territories to deliver and run the National Disability Data Asset (NDDA). This enduring linked data asset will provide new evidence that sheds light on the experiences of people with disability, including their contributions to the community, their participation pathways within government services and how service systems can work together to support them.

The NDDA will also enable improved reporting on outcomes under Australia's Disability Strategy 2021-2031. The WA Government has accepted in principle the Disability Royal Commission recommendation to permanently fund the NDDA and utilise it to identify the factors that put people with disability at greatest risk of violence, abuse, neglect or exploitation.

Next Steps

The recommendations of the Disability Royal Commission are transformational and are a significant program of work within the broader disability reform context.

Many matters raised through the Disability Royal Commission are complex and sensitive. The WA Government will be undertaking a careful approach in implementing the reforms, acknowledging the importance of working in consultation with people with disability, their supporters, and the wider community.

The WA Government will move forward with:

- A whole-of-government approach to implementation in line with the commitments of this response;
- Implementation planning with people with disability and their supporters, as well as the disability services sector and broader community where relevant; and
- Transparent and coordinated cross-government reporting.

Where recommendations are under further consideration and not subject to an existing timeline, the WA Government will provide an updated position as part of mid-2025 reporting.

In implementing recommendations, the WA Government will ensure priorities reflect those of people with disability and the wider WA community. The WA Government will consult broadly with the community as part of implementation, particularly for recommendations that will result in significant changes.

Many joint recommendations require collaboration with the Commonwealth and other state and territory governments. The WA Government is working with inter-jurisdictional groups to make progress on these recommendations at a national level. WA will continue to work with other jurisdictions to oversight national processes and coordinate intergovernmental responses to recommendations.

In line with Recommendation 12.2, the WA Government will report to the Disability Reform Ministerial Council on its implementation progress. Reporting will interface with the State Disability Strategy and Australia's Disability Strategy 2021-2031.

Finding Help and Support

The response by the WA Government to the report of the Disability Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability may bring up some strong feelings and questions.

There are services available to assist. Some options for advice and support are listed below:

Beyond Blue Support Service

Available 24 hours a day, 7 days a week. Website: [Beyond Blue Support Service](#)

Confidential support, offering brief counselling and referral services.

Telephone 1300 224 636, or chat online.

Lifeline Crisis Support

Available 24 hours a day, 7 days a week. Website: [Lifeline Crisis Support](#)

This confidential service provides support if you are feeling overwhelmed, having difficulty coping or thinking about suicide.

Telephone 13 11 14 to speak to a crisis support worker, or chat online.

1800RESPECT

Available 24 hours a day, 7 days a week. Website: [1800RESPECT](#)

Support if you are affected by sexual assault or domestic and family violence or abuse.

Telephone 1800 737 732, or chat online.

13YARN

Available 24 hours a day, 7 days a week. Website: [13 YARN](#)

Confidential crisis support service, offering a culturally safe space for Aboriginal and Torres Strait Islander people to yarn to.

Telephone 13YARN (13 92 76) to access support from First Nations crisis counsellors.

Disability Royal Commission: WA Government Response

Department of Communities

Postal address: Locked Bag 5000, Fremantle WA 6959

Telephone: 1800 176 888

Email: enquiries@communities.wa.gov.au

Website: www.communities.wa.gov.au

Translating and Interpreting Service (TIS) – Telephone: 13 14 50

If you are deaf, or have a hearing or speech impairment, contact us through the National Relay Service. For more information search National Relay Service