



## **Summary**

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

July 2024



## Acknowledgement of Country

In recognition of the deep history and culture of this island, we acknowledge and pay our respects to Tasmanian Aboriginal people, the traditional owners of the land. We recognise Tasmanian Aboriginal people's continuing connection to Land, Sea, Waterways, Sky and Culture and pay our respects to Elders, past and present.

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## Content Warning and Support

The topics discussed in the Disability Royal Commission may cause feelings of sadness or distress.

There are services available to help with these feelings. Some options for advice and support are listed below:

**Beyond Blue Support Service** – phone 1300 224 636, webchat or email (24 hours/7 days) for free, immediate, short-term counselling, advice and referral services.

**Lifeline Crisis Support** – phone 13 11 14 (24 hours/7 days) or chat to a crisis supporter online (7pm – midnight/7 nights).

This is a confidential service providing you with support for when you feel overwhelmed, for when you have difficulty coping, or are thinking about suicide.

**1800Respect** – phone 1800 737 732

Open 24 hours to support people impacted by sexual assault, domestic or family violence and abuse.

**Blue Knot** - phone 1800 421 468

Open 9am and 6pm AEST/AEDT Monday to Friday and between 9am and 5pm AEST/AEDT Saturday and Sunday and public holidays. Provides information and support for anyone who is affected by complex trauma. Complex trauma is repeated, ongoing, and often extreme interpersonal trauma (between people) – violence, abuse, neglect or exploitation experienced as a child, young person and adult.

**The Disability Gateway** - phone 1800 643 787

Open Monday to Friday, 8am to 8pm AEDT / AEST. Information and services to help people with disability, their family, friends and carers, to find the support they need in Australia.





## Information about this Document

This document is the summary of the *Tasmanian Government Response to the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability*.

The aim of this document is to provide an overview of the *Tasmanian Government Response to the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability* and share our commitment to ensuring a more inclusive and just society for Tasmanians with disability.

The *Tasmanian Government Response to the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability* is a separate document that lists all 222 recommendations made by the Disability Royal Commission and the Tasmanian Government responses to them.

The *Tasmanian Government Response to the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability*, and accessible versions of this Summary document, are available at [dpac.tas.gov.au/disabilityroyalcommission](https://dpac.tas.gov.au/disabilityroyalcommission)

When you see ‘we’ or ‘our’ in this document, that means the Tasmanian Government.

In this document, the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability is called the ‘Disability Royal Commission’.

We have included a list of all the Tasmanian Government positions to the 222 recommendations at Appendix 1 at the end of this document.

We have also included a page of useful links at Appendix 2 at the end of this document.

The Disability Royal Commission [\*Final Report - Executive Summary. Our vision for an Inclusive Australia and Recommendations\*](#) includes a glossary and a list of acronyms and abbreviations on pages 313–333. These might be useful to help understand some of the words and terms used in this document.

# Minister's Foreword for the Summary Tasmanian Response to the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability (the Disability Royal Commission)



All people with disability have the right to live their lives free from violence, abuse, neglect and exploitation.

The horrific findings of the Disability Royal Commission highlight ways governments across Australia have failed people with disability. These findings were made possible by the thousands of Australians with disability, and their supporters, who bravely shared their experiences with the Disability Royal Commission. I want to particularly thank Tasmanians who shared their stories and ways that the Tasmanian Government can do better.

I also want to thank the Commissioners and staff of the Disability Royal Commission who reflected the information shared with them in the Disability Royal Commission Final Report.

The response to the Disability Royal Commission, both nationally and here in Tasmania, will improve laws, policies, structures and practices to ensure a more inclusive and just society that supports the independence of people with disability and their right to live free from violence, abuse, neglect and exploitation.

Consultation and co-design with the Tasmanian community is our priority in responding to the Disability Royal Commission recommendations.

I am heartened that many of the recommendations made in the Final Report relate to work already occurring within the Tasmanian Government, informed by the Tasmanian disability community. This



Summary Tasmanian Response highlights some examples of this work currently being undertaken.

The establishment of Tasmania's first Disability Commissioner and the introduction of new disability inclusion and safeguarding legislation are big steps in the right direction to address some of the recommendations of the Disability Royal Commission. We are also focused on implementing safeguards for people with disability that are complementary to the existing national safeguards (such as the NDIS Quality and Safeguards Commission).

The findings of the Disability Royal Commission included something we have known for many years; genuine inclusion of people with disability in all aspects of life plays a crucial role in preventing violence, abuse, neglect and exploitation. This means that while certain Tasmanian Government departments or organisations might take the lead in responding to specific Disability Royal Commission recommendations, it is the responsibility of every area of the Tasmanian Government, and the Tasmanian community in general, to act on what people with disability have told us.

I understand some of the recommendations made by the Disability Royal Commission suggest big changes and may be causing anxiety for some people with disability, their families and support providers. The Tasmanian Government will not be

undertaking any action to overhaul services without significant further consultation to ensure the best outcomes. I also want to assure you the strong voices of Tasmanian people with disability and their loved ones are at the centre of our response and will continue to play a critical role in the months and years ahead as we begin to implement the recommendations.

Some of the recommendations in the Disability Royal Commission will also take some time to implement. We are not seeking "quick fixes", but long-term, sustainable change for generations to come. The Tasmanian Government is committed to reporting every six months and making these reports publicly available so everyone can see the progress we are making in responding to the Disability Royal Commission recommendations.

Once again, I want to thank all Tasmanians with disability, their families, carers and support networks who gave evidence, provided a submission, or engaged in any way in the work of the Disability Royal Commission. Your stories are so important and will pave the way forward for people with disability in this country.

**Jo Palmer**

Minister for Disability Services

# About the Disability Royal Commission

The Disability Royal Commission was established in April 2019 in response to community concern about widespread reports of violence against, and the neglect, abuse and exploitation of, people with disability. These incidents might have happened recently or a long time ago.

The Disability Royal Commission investigated:

- preventing and better protecting people with disability from experiencing violence, abuse, neglect and exploitation
- achieving best practice in reporting, investigating and responding to violence, abuse, neglect and exploitation of people with disability
- promoting a more inclusive society that supports people with disability to be independent and live free from violence, abuse, neglect and exploitation.

More information about the Disability Royal Commission is available on the [Disability Royal Commission website](#).

## The Disability Royal Commission Final Report

The Disability Royal Commission handed their Final Report to the Governor of Tasmania on 29 September 2023.

The Final Report has 12 Volumes and an introduction, which includes the Disability Royal Commission Chair's foreword, the Disability Royal Commission's vision for an inclusive Australia, an executive summary and the full list of recommendations.

The 12 Volumes of the Final Report are:

1. Voices of People with Disability
2. About the Royal Commission
3. Nature and extent of violence, abuse, neglect and exploitation
4. Realising the human rights of people with disability
5. Governing for inclusion
6. Enabling autonomy and access
7. Inclusion education, employment and housing
8. Criminal justice and people with disability
9. First Nations people with disability
10. Disability Services
11. Independent oversight and complaint mechanisms
12. Beyond the Royal Commission

All volumes of the Final Report are available in various accessible formats on the [Disability Royal Commission website](#).





## Key Messages

The Tasmanian Government thanks Tasmanians with disability, their families, carers, friends, advocates and support providers for sharing their stories with the Disability Royal Commission. We recognise your courage in sharing with us ways we can do better.

The Disability Royal Commission consulted with Australians for nearly five years, and we have used what you told us to inform the *Tasmanian Government Response to the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability*. We know that people with disability are the experts in their lives. As we implement the recommendations we've agreed to, and undertake more work on the recommendations we need to further consider, we will be consulting further with the Tasmanian disability community.

The Disability Royal Commission made 222 recommendations in their Final Report. The Final Report has 12 volumes. There are no recommendations in Volumes 1, 2 or 3. Recommendations start in Volume 4. The first recommendation is 4.1.

For each of the 222 recommendations, we have responded with one of the below positions:

- **Accept** means the Tasmanian Government agrees with the recommendation and will begin, or already has begun, work on the recommendation. We have accepted 15 recommendations.
- **Accept in principle** means the Tasmanian Government agrees with the intent of the recommendation, but that there are some things that will need more thought, consultation and/or work. We have accepted in principle 88 recommendations.
- **Subject to further consideration** means the Tasmanian Government needs to give more thought to what the recommendation means for Tasmania. We need to give further consideration to 24 recommendations.
- **Note** means either:
  - That the recommendation is being undertaken by the Australian Government, another state or territory government, or a non-government organisation, or
  - That governments note where the Disability Royal Commissioners held differing views.
  - We have noted 95 recommendations.

Some of the recommendations the Disability Royal Commission made need to be responded to by both the Australian Government and state and territory governments. We call these joint responses.

We have included the joint responses in our *Tasmanian Government Response to the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability*, but the formal Joint Australian, State and Territory Response to the Disability Royal Commission is also available at [www.dss.gov.au/DRC-Joint-Response](http://www.dss.gov.au/DRC-Joint-Response).

We have already commenced work in response to the recommendations of the Disability Royal Commission, including through our commitment to Tasmanian and national strategies, plans and legislation to improve the lives of people with disability. We have shared some information about that work below.

We will report on our progress against recommendations every six months. These six-monthly reports will be publicly available online.

This is the summary of the *Tasmanian Government Response to the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability*.

The *Tasmanian Government Response to the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability* is a separate document that lists all 222 recommendations made by the Disability Royal Commission and the Tasmanian Government responses to them.

The *Tasmanian Government Response to the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability* is available at [dpac.tas.gov.au/disabilityroyalcommission](http://dpac.tas.gov.au/disabilityroyalcommission)



# Volume 4: Realising the Human Rights of People with Disability

Volume 4 is about how best to support the human rights of people with disability in Australia, including by aligning with the Convention on the Rights of People with Disabilities (CRPD).

The main focus of Volume 4 is recommending a new law in Australia – the Disability Rights Act – to protect the human rights of people with disability and explain the rights of people with disability to live free from discrimination.

The Disability Royal Commission recommended that this law be a nation-wide law, and so it is the responsibility of the Australian Government to consider recommendations regarding the Disability Rights Act.

Of the 34 recommendations in Volume 4:

- We accept or accept in principle one recommendation
- We need to give further consideration to one recommendation
- We note 32 recommendations

We are committed to protecting the human rights of Tasmanians with disability. We have a Tasmanian Disability Inclusion and Safeguarding Bill, which strengthens disability rights protections, consistent with United Nations Convention on the Rights of Persons with Disabilities (UNCRPD). The new Act will advance and safeguard the human rights of people with disability and advance the full and effective inclusion of people with disability in the Tasmanian community.

We are also looking at how recommendations within Volume 4 impacts our Tasmanian discrimination legislation.



## Volume 5: Governing for Inclusion

Volume 5 focuses on what governments can do to support people with disability in Australia. This includes the strategies and plans that lay out what governments are doing, or going to do, to address issues people with disability face.

The Disability Royal Commission found that some of these strategies and plans aren't working as well as they should, or that there are gaps in what existing strategies and plans cover.

Specifically, Volume 5 recommends:

- Development of a National Disability Agreement to advance inclusion and the rights of people with disability in Australia
- Reviewing and updating Australia's Disability Strategy to ensure it reflects the findings of the Disability Royal Commission
- Reviewing and updating disability strategies and plans, both at a local state or territory level and national level
- Establishing a National Disability Commission

Of the seven recommendations in Volume 5:

- We accept or accept in principle five recommendations
- We note two recommendations

We are supportive of the recommendations in this volume, and have already started some of the work the Disability Royal Commission has recommended.

This work includes:

- Starting to understand how a new National Agreement would work alongside the existing Australia's Disability Strategy and the National Disability Insurance Scheme (NDIS) Review.
- Working with the Australian Government and other states and territories to review and update Australia's Disability Strategy to reflect the findings of the Disability Royal Commission.
- Actively reviewing the Tasmanian Disability Strategy, in consultation with Tasmanians with disability. We will also ensure this strategy reflects the findings of the Disability Royal Commission.

We recognise that national agreements, strategies and plans should be more inclusive of people with disability. Through our active participation in the renegotiation of these national agreements, strategies and plans we will ensure the voice of Tasmanians with disability is heard and considered.

## Volume 6: Enabling Autonomy and Access

In Volume 6 we hear from people with disability about how they are limited in how they make decisions, control their lives, choose what they want, and go where they want to go.

The recommendations explore supported decision-making, guardianship and administration, and the accessibility of information, including that:

- People with disability have the same right to information as everyone else, but information that is inclusive of, and accessible for, people with disability can be hard to find and use. This includes the information we produce as the Tasmanian Government.
- People with disability want – and have the right to – make decisions about how they live their life, even if they might need some support for some decisions.
- Many people with disability don't receive the health care they need. This is recognised in the work the Australian Commission on Safety and Quality in Health Care is currently undertaking.
- Restrictive practices can cause harm and prevent people with disability from having choices over where they go and what they do.

Of the 41 recommendations in Volume 6:

- We accept or accept in principle 24 recommendations
- We need to give further consideration to seven recommendations
- We note 10 recommendations

We are committed to supporting people with disability to have control over their lives, and understand the importance of informed decision making.

We have already commenced work in relation to some recommendations in this volume, including:

- Undertaking a staged approach to reform of the *Guardianship and Administration Act 1995* (Tas), which will better enable people under guardianship orders to make decisions about their lives. On commencement, the *Guardianship and Administration Amendment Act 2023* will:
  - Ensure the *Guardianship and Administration Act 1995* recognises and promotes the rights of people with disability consistent with the Convention on the Rights of Persons with Disabilities (CRPD)
  - Include the supported decision-making principles recommended in this volume
  - Include that, when a person is performing a function under the Act, they have to do this in a way that, within the circumstances, is least restrictive of a person's freedom of decision and action

- Include a process for appointing a substitute decision-maker that respects the decisions of the person with disability
- Protect the confidentiality of information related to people with disability
- Developing Tasmania’s first Disability Health Strategy, through which the Department of Health will focus on improving the health and wellbeing of Tasmanians with disability, and on ensuring public health services meet the needs of people with disability.
- Tabling in the Tasmanian Parliament the *Tasmanian Disability Inclusion and Safeguarding Bill 2024* that strengthens the legal framework for restrictive practices authorisation and oversight in disability service provision.

We will also work with the Australian Government and our state and territory colleagues to:

- Improve the accessibility of information and communications for people with disability.
- Work with people who use Auslan and Deaf interpreters on what we need to do to boost the Auslan interpreter workforce.



# Volume 7: Inclusive Education, Employment and Housing

Volume 7 tells us about how changes in education, employment and housing in Australia would support greater access, choice and security for people with disability to live, learn, and work within the community.

There are three parts included in this volume:

- Education – Part A
- Employment – Part B
- Housing – Part C

Of the 15 recommendations in **Part A: Inclusive Education:**

- We accept or accept in principle 13 recommendations
- We note two recommendations

We hear people with disability, their families, teachers and school communities telling us that there are many barriers to receiving inclusive education.

We also know through the findings of the Commission of Inquiry into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings, that we all need to take responsibility for improving the outcomes for Tasmania's children and young people. Many of the recommendations from the Tasmanian Commission of Inquiry that we are working on will also address findings of the Disability Royal Commission.

We are committed to providing equal access to mainstream education and enrolment to children and young people with disability. We also support ensuring all children and young people have access to appropriate education provision and recognise a student's right to attend their local mainstream school, where possible.

We are already working to address many of the issues raised with the Disability Royal Commission regarding education for children and young people. Some of this work includes:

- Improving our policies and procedures related to:
  - Educational adjustments for students with disability
  - Careers guidance and transition
  - Inclusive education supports, including through our Aboriginal Education Services
  - Improving teacher and staff understanding of, and capacity to support, students with disability

Future legislative review processes will include the Disability Royal Commission findings as an important input to ensure that our legislation is contemporary and reflects best practice.

We recognise that there are differing views about phasing out support schools, and believe that parents of children with disability have the right to choose the educational option that best suits their child.





Of the 17 recommendations in **Part B: Inclusive Employment:**

- We accept or accept in principle five recommendations
- We need to give further consideration to one recommendation
- We note 11 recommendations

People with disability told the Disability Royal Commission that they want to have a choice about where they work, the type of work they do, and to be paid fairly for their work.

We recognise the importance of employment for people with disability, and support of businesses and entities that prioritise open, inclusive, accessible employment for people with disability.

Some of the work we're already doing to address the information shared with the Disability Royal Commission regarding employment, includes:

- Developing a new State Service Diversity and Inclusion Strategy
- Developing reasonable adjustment principles in some Tasmanian Departments. We will look at expanding this work across all Departments.
- Agreeing to a national Supported Employment Plan and actions, and to the review of that plan in 2024.

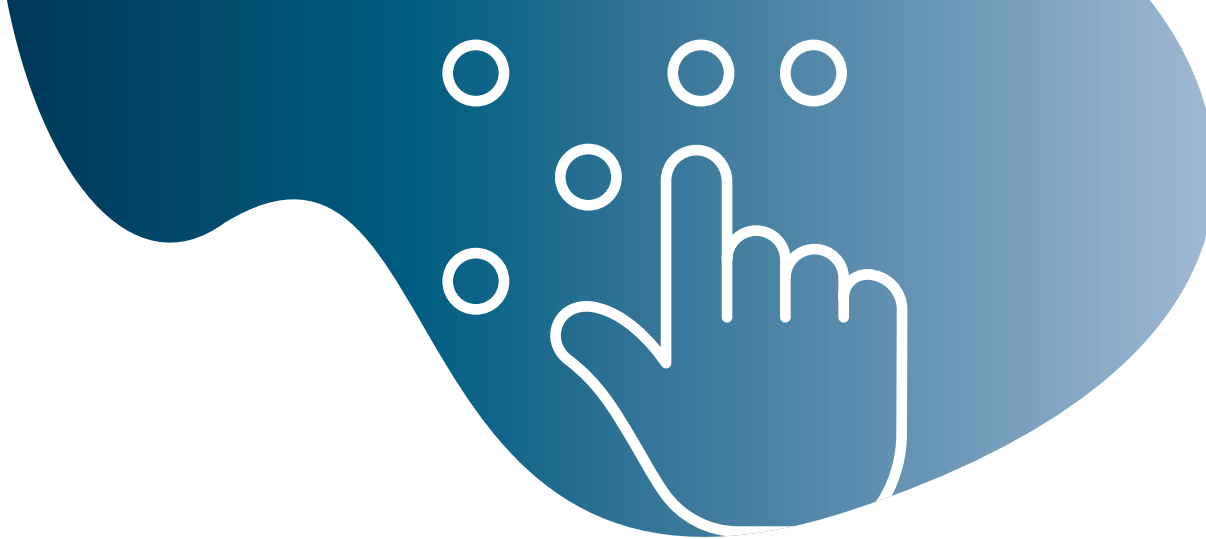
Improving employment outcomes for people with disability is work mostly funded by the Australian Government, and they will be leading most of the response to the recommendations in Part B: Inclusive Employment.

We know many people are interested in, and have differing views on, the recommendation to end segregated employment by 2034. We also know the recommendation is causing some concern with people who work in Australian Disability Enterprises (ADEs) and their families.

We recognise some people take pride in the work they do at ADEs and do not want to work somewhere else, and that other people want more opportunities to work at other jobs with higher wages.

In November 2023 we, together with the Australian Government and other states and territories, agreed a national Supported Employment Plan. The plan is focussed on providing people with informed choice and control about their employment, as well as genuine opportunities to work in a wide range of settings, be it in an ADE, social enterprise, in open employment or in their own business.

Before we can make any decisions about segregated employment some more consultation will be needed.



Of the 12 recommendations in **Part C: Inclusive Housing**

- We accept or accept in principle six recommendations
- We need to give further consideration to five recommendations
- We note one recommendation

People with disability have the right to live in a home that meets their needs, but many people told the Disability Royal Commission that is not their experience.

We recognise the importance of feeling safe and comfortable at home, and how the right housing options can reduce the likelihood of a person with disability experiencing violence, abuse, neglect or exploitation.

Some of the work we're already doing, or have undertaken, to improve housing options for people with disability, include:

- Finalising the new National Agreement on Social Housing and Homelessness with the Australian Government
- Participating in the review of Australia's Disability Strategy
- Adoption of the Liveable Housing Design Guidelines in the National Construction Code
- Committing to increasing the supply of social housing, with 2,000 new homes by 2027 which, at a minimum, will meet silver liveability standards and can be easily modified.

- Developing a plan for the future of the specialist disability accommodation (SDA) properties owned by Homes Tasmania.

We note the phasing out of group homes has been recommended. We understand that some people who live in group homes want to live in a different situation, and that some people who live in group homes enjoy the setting and would be upset to leave their home.

We, together with the Australian Government and other state and territory governments, need more time to consider these recommendations, and won't be making any decisions without consulting people with disability.

## Volume 8: Criminal Justice and People with Disability

Volume 8 is about people with disability in the criminal justice system.

We heard through the Disability Royal Commission that people with disability are more likely to have contact with the justice system than people without disability. First Nations people with disability - and people with cognitive disability, are also more likely to enter detention settings – such as prison.

Of the 24 recommendations in Volume 8:

- We accept or accept in principle 14 recommendations
- We need to give further consideration to three recommendations
- We note seven recommendations

We recognise that people with disability are over-represented in our prisons, something that was also highlighted in Tasmania's Commission of Inquiry and the NDIS Review. We are committed to upholding the rights of people with disability in custody, and our Tasmanian Prison Service is currently reviewing policies and procedures regarding people with disability.

We are also currently considering a report by the Tasmanian Law Reform Institute (Review of the Defence of Insanity in s16 of the Criminal Code and Fitness to Plead) which made a number of recommendations for reform, including about indefinite detention, step down options and other related matters.

In response to Tasmania's Commission of Inquiry, we have committed to:

- Improving conditions in custody for young people
- Introducing legislation to increase the age of criminal responsibility to 14 years, and are working to implement this change by July 2029.
- Prohibiting solitary confinement in youth detention
- Screening and expert assessment for young people in youth detention
- Disability training for staff working with young people in youth detention.

Another important finding included in this volume is that women and children with disability are at a greater risk from family violence. We will work with the Australian and other state and territory governments to apply a disability lens to the implementation of relevant actions within the First Action Plan for Women and Children with Disability to accompany the *National Plan to End Violence against Women and Children 2022-2032*.

## Volume 9: First Nations People with Disability

Volume 9 is about First Nations people with disability's experience of violence, abuse, neglect, and exploitation.

We know that First Nations cultures often understand disability in different ways, which can make it more difficult for First Nations people with disability to receive safe and culturally appropriate services from governments and service providers. We also know that First Nations people are more likely to have disability, and that 1 in 5 First Nations children have disability.

Of the 13 recommendations in Volume 9:

- We accept or accept in principle five recommendations
- We need to give further consideration to one recommendation
- We note seven recommendations

Some ways we are responding to Disability Royal Commission recommendations relating to First Nations people with disability include:

- Doing our part to review the Disability Sector Strengthening Plan through our commitment to Closing the Gap
- Supporting the establishment of a First Nations Disability Forum - noting the importance of including Tasmanian Aboriginal Community Controlled Organisation representation on the First Peoples Disability Network.
- Working with Aboriginal Community Controlled Organisations to better understand the capacity for organisations to participate in workforce development activities.
- Committing to improving the way we work with First Nation children and families in line with Tasmanian Commission of Inquiry recommendations, and our commitment to Closing the Gap.



## Volume 10: Disability Services

Volume 10 recommendations focus on:

- What disability service providers need to do to keep the people with disability they support safe, and how they respond when violence, abuse, neglect or exploitation occurs.
- How the NDIS Quality and Safeguards Commission can help make sure that providers provide the best quality and safe services to people with disability.

Of the 33 recommendations in Volume 10:

- We accept or accept in principle 14 recommendations
- We note 19 recommendations

We are supportive of all recommendations within the responsibility of the Tasmanian Government in this volume, particularly that a human rights approach should be used in inclusion and safeguarding work. This is reflected in the Tasmanian Disability and Safeguarding Bill.

We note that a number of issues addressed within the Disability Royal Commission recommendations were also raised by people with disability in the NDIS Review, including:

- People with disability needing support to navigate the disability service system.
- The need for better quality and safeguarding, including developing policies and procedures that providers have to follow to prevent harm to people with disability, and to report harm if it does occur.

The Australian Government will lead the response to the majority of the recommendations in this volume.

We will engage with the Australian Government in this work, including in relation to:

- Changes to provider registration and audit processes that will continue to ensure appropriate safeguards for participants.
- Supporting a national approach to complaints handling and investigation, and particularly noting the importance of consulting with people with disability in developing complaint handling and investigative practice guidelines.
- Supporting improvements in monitoring and information sharing between governments.



## Volume 11: Independent Oversight and Complaint Mechanisms

Volume 11 is about how we can know if a person with disability is experiencing problems, and how a person with disability can make a complaint.

Recommendations in this volume focus on:

- Making sure people with disability can safely and easily make a complaint
- Making sure governments and organisations that support people with disability manage complaints the right way
- How governments can know if people with disability are experiencing, or at risk of, violence, abuse, neglect and/or exploitation, even if they aren't receiving complaints.

Of the 18 recommendations in Volume 11:

- We accept or accept in principle nine recommendations
- We need to give further consideration to six recommendations
- We note three recommendations

One of the most important pieces of work we have undertaken to support the prevention of violence, abuse, neglect and exploitation of Tasmanians with disability is the development of the Tasmanian Disability Inclusion and Safeguarding Bill. This legislation includes enhanced measures to safeguard the rights of people with disability and establishes a Disability Commissioner.

Other work we're undertaking to address the recommendations in this volume include:

- Participating in a national project to develop guidelines for organisations on implementing accessible complaint handling mechanisms through Ombudsman Offices.
- Establishing the Tasmanian National Preventive Mechanism (NPM) and introducing the *Optional Protocol to the Convention against Torture (OPCAT) Implementation Act 2021*, which:
  - Enables visits by the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment to be undertaken.
  - Provides a comprehensive definition of places of detention, including correctional centres, prisons, detention centres, hospitals, closed psychiatric facilities, police stations and court cells and vehicles used to transport detainees.
- Establishing Tasmania's Reportable Conduct Scheme (established by the *Child and Youth Safe Organisations Act 2023*). The Scheme commenced 1 January 2024, and has already received a significant number of reportable conduct matters.

We recognise the importance of independent oversight in certain settings where people with disability are at increased risk of abuse or harm. We need to undertake further work with the Australian Government and other states and territories to develop a nationally consistent approach to Community Visitor Schemes.

## Volume 12: Beyond the Royal Commission

Volume 12 is about what governments need to do to respond to the Disability Royal Commission recommendations.

The Disability Royal Commission recommends four main things in this volume:

1. Governments should each write a response to the Disability Royal Commission Final Report – this document is the summary of the *Tasmanian Government Response to the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability*.
2. Governments should work with each other, and with people with disability and disability organisations to implement recommendations, and share progress in responding to the Disability Royal Commission every six months.
3. The National Disability Commission recommended in Volume Four should monitor Australian, state and territory governments' response to the Disability Royal Commission.
4. The National Disability Commission should write a report about how life has changed for people with disability five and 10 years after the Disability Royal Commission Final Report was released.

Of the eight recommendations in Volume 12:

- We accept or accept in principle seven recommendations
- We note one recommendation

We are committed to sharing our responses to the recommendations of the Disability Royal Commission and being accountable for the progress of our responses.

We recognise the importance of collecting data to better understand the experience of people with disability in Tasmania and across the nation. We also recognise the importance of co-designing the sorts of questions we ask to collect this data with people with disability, their representative organisations, and with First Nations subject matter experts.

We are also committed to working with the Australian Bureau of Statistics and the Australian Institute of Health and Welfare, the experts in data collection in Australia, to ensure we collect data in appropriate and safe ways that respects the privacy of people with disability.

We are participating in the development and implementation of the National Disability Data Asset (NDDA) which aims to give a more complete picture of the life experiences of people with disability.



## Appendix 1 – Tasmanian Government Recommendation Positions

Rec #	Responsibility	Tasmanian Position
4.1	Commonwealth	Note
4.2	Commonwealth	Note
4.3	Commonwealth	Note
4.4	Commonwealth	Note
4.5	Commonwealth	Note
4.6	Commonwealth	Note
4.7	Commonwealth	Note
4.8	Commonwealth	Note
4.9	Commonwealth	Note
4.10	Commonwealth	Note
4.11	Commonwealth	Note
4.12	Commonwealth	Note
4.13	Commonwealth	Note
4.14	Commonwealth	Note
4.15	Commonwealth	Note
4.16	Commonwealth	Note
4.17	Commonwealth	Note
4.18	Commonwealth	Note
4.19	Commonwealth	Note
4.20	Commonwealth	Note
4.21	Commonwealth	Note
4.22	Joint Commonwealth and States and Territories	Subject to further consideration
4.23	Commonwealth	Note
4.24	Commonwealth	Note
4.25	Commonwealth	Note
4.26	Commonwealth	Note
4.27	Commonwealth	Note
4.28	Commonwealth	Note
4.29	Commonwealth	Note



Rec #	Responsibility	Tasmanian Position
4.30	Commonwealth - (a) States and Territories - (b)	(a) - Note (b) - Accept in principle
4.31	Commonwealth	Note
4.32	Commonwealth	Note
4.33	Commonwealth	Note
4.34	Commonwealth	Note
5.1	Joint Commonwealth and States and Territories	ACT, NSW, NT, QLD, SA, TAS, VIC, WA: Accept in Principle  Commonwealth: Subject to further consideration
5.2	Joint Commonwealth and States and Territories	Accept
5.3	All States and Territories	Accept
5.4	Joint Commonwealth and States and Territories	Accept in principle
5.5	Commonwealth	Note
5.6	Commonwealth	Note
5.7	Joint Commonwealth and States and Territories	Accept in principle
6.1	Joint Commonwealth and States and Territories	Accept in principle
6.2	Joint Commonwealth and States and Territories	Accept in principle
6.3	Commonwealth	Note
6.4	All States and Territories	Subject to further consideration
6.5	All States and Territories	Accept
6.6	Joint Commonwealth and States and Territories	Commonwealth, ACT, NT, QLD, TAS, VIC, WA: Accept in principle  NSW and SA: Subject to further consideration
6.7	All States and Territories	Accept
6.8	All States and Territories	Subject to further consideration
6.9	All States and Territories	Accept
6.10	All States and Territories	Accept
6.11	All States and Territories	Subject to further consideration
6.12	All States and Territories	Accept
6.13	All States and Territories	Subject to further consideration
6.14	All States and Territories	Subject to further consideration
6.15	All States and Territories	Accept in principle
6.16	All States and Territories	Accept in principle
6.17	All States and Territories	Accept
6.18	All States and Territories	Accept

Rec #	Responsibility	Tasmanian Position
6.19	Joint Commonwealth and States and Territories	Accept in principle
6.20	Commonwealth	Note
6.21	Joint Commonwealth and States and Territories	Accept in principle
6.22	Joint Commonwealth and States and Territories	Accept in principle
6.23	Joint Commonwealth and States and Territories	Accept in principle
6.24	Commonwealth	Note
6.25	Commonwealth	Note
6.26	Joint Commonwealth and States and Territories	Accept in principle
6.27	Non-government and Commonwealth	Note
6.28	Commonwealth	Note
6.29	Non-government and Commonwealth	Note
6.30	Commonwealth	Note
6.31	Joint Commonwealth and States and Territories	6.31 a) accept 6.31 b) accept in principle
6.32	Joint Commonwealth and States and Territories	Accept in principle
6.33	All States and Territories	Subject to further consideration
6.34	Joint Commonwealth and States and Territories	Accept in principle
6.35	All States and Territories	Accept in principle
6.36	All States and Territories	Accept in principle
6.37	Commonwealth	Note
6.38	Commonwealth	Note
6.39	Joint Commonwealth and States and Territories	Accept in principle
6.40	Joint Commonwealth and States and Territories	Accept in principle
6.41	Joint Commonwealth and States and Territories	Commonwealth, NSW, QLD, NT, SA, TAS, VIC: Subject to further consideration  ACT and WA: Accept in principle
7.1	All States and Territories	Accept in principle
7.2	Joint Commonwealth and States and Territories	Accept in principle
7.3	Joint Commonwealth and States and Territories	Accept in principle
7.4	All States and Territories	Accept in principle
7.5	All States and Territories	Accept in principle
7.6	Joint Commonwealth and States and Territories	Accept in principle
7.7	All States and Territories	Accept
7.8	Joint Commonwealth and States and Territories	Accept in principle

Rec #	Responsibility	Tasmanian Position
7.9	Joint Commonwealth and States and Territories	Accept in principle
7.10	Joint Commonwealth and States and Territories	Accept in principle
7.11	All States and Territories	Accept
7.12	Joint Commonwealth and States and Territories	Accept in principle
7.13	Joint Commonwealth and States and Territories	Accept in principle
7.14	Joint Commonwealth and States and Territories	Note
7.15	Joint Commonwealth and States and Territories	Note
7.16	Commonwealth	Note
7.17	Commonwealth	Note
7.18	Joint Commonwealth and States and Territories	Accept in principle
7.19	Joint Commonwealth and States and Territories	Accept in principle
7.20	Commonwealth	Note
7.21	Joint Commonwealth and States and Territories	Accept in principle
7.22	Joint Commonwealth and States and Territories	Accept in principle
7.23	Joint Commonwealth and States and Territories	Accept in principle
7.24	Commonwealth	Note
7.25	Commonwealth	Note
7.26	Commonwealth	Note
7.27	Commonwealth	Note
7.28	Commonwealth	Note
7.29	Commonwealth	Note
7.30	Commonwealth	Note
7.31	Commonwealth	Note
7.32	Joint Commonwealth and States and Territories	Subject to further consideration
7.33	Joint Commonwealth and States and Territories	Accept in principle
7.34	Joint Commonwealth and States and Territories	Accept
7.35	All States and Territories	Accept in principle
7.36	All States and Territories	Accept in principle
7.37	All States and Territories	Subject to further consideration
7.38	All States and Territories	Subject to further consideration
7.39	Joint Commonwealth and States and Territories	Accept in principle
7.40	Joint Commonwealth and States and Territories	Subject to further consideration
7.41	Commonwealth	Note
7.42	Joint Commonwealth and States and Territories	Accept in principle
7.43	Joint Commonwealth and States and Territories	Subject to further consideration
7.44	Joint Commonwealth and States and Territories	Subject to further consideration
8.1	All States and Territories	Accept in principle

Rec #	Responsibility	Tasmanian Position
8.2	Joint Commonwealth and States and Territories	Commonwealth, ACT, NT, TAS: Accept in principle NSW, QLD, SA, VIC, WA: Subject to further consideration
8.3	All States and Territories	Accept
8.4	All States and Territories	Accept in principle
8.5	All States and Territories	Accept
8.6	WA	Note
8.7	WA	Note
8.8	WA	Note
8.9	NSW	Note
8.10	NT	Note
8.11	Joint Commonwealth and States and Territories	Commonwealth, ACT, NSW, NT, QLD, SA, TAS, VIC: Accept in principle WA: Accept
8.12	Joint Commonwealth and States and Territories	Commonwealth, ACT, NSW, NT, QLD, TAS, WA: Accept in principle SA and VIC: Subject to further consideration
8.13	Joint Commonwealth and States and Territories	Accept in principle
8.14	All States and Territories	Accept in principle
8.15	All States and Territories	Accept in principle
8.16	All States and Territories	Accept in principle
8.17	Joint Commonwealth and States and Territories	Subject to further consideration
8.18	Commonwealth	Note
8.19	Commonwealth	Note
8.20	Joint Commonwealth and States and Territories	Accept in principle
8.21	All States and Territories	Subject to further consideration
8.22	All States and Territories	Accept in principle
8.23	Joint Commonwealth and States and Territories	Accept in principle
8.24	Joint Commonwealth and States and Territories	ACT, NSW, NT, QLD, SA, TAS, WA: Subject to further consideration Commonwealth and VIC: Accept in principle
9.1	All States and Territories	Subject to further consideration
9.2	All States and Territories	Accept in principle
9.3	All States and Territories	Accept in principle

Rec #	Responsibility	Tasmanian Position
9.4	Commonwealth	Note
9.5	Commonwealth	Note
9.6	Commonwealth	Note
9.7	Commonwealth	Note
9.8	Commonwealth	Note
9.9	Commonwealth	Note
9.10	Joint Commonwealth and States and Territories	Accept in principle
9.11	Joint Commonwealth and States and Territories	Accept in principle
9.12	Commonwealth	Note
9.13	Joint Commonwealth and States and Territories	Accept in principle
10.1	Joint Commonwealth and States and Territories	Accept in principle
10.2	Joint Commonwealth and States and Territories	Accept in principle
10.3	Commonwealth	Note
10.4	Commonwealth	Note
10.5	Commonwealth	Note
10.6	Commonwealth	Note
10.7	Commonwealth	Note
10.8	Commonwealth	Note
10.9	Non-government and Commonwealth	Note
10.10	Joint Commonwealth and States and Territories	Accept in principle
10.11	Commonwealth	Note
10.12	Joint Commonwealth and States and Territories	Accept in principle
10.13	Commonwealth	Note
10.14	Commonwealth	Note
10.15	Joint Commonwealth and States and Territories	Accept in principle
10.16	Joint Commonwealth and States and Territories	Accept in principle
10.17	Commonwealth	Note
10.18	Commonwealth	Note
10.19	Joint Commonwealth and States and Territories	Accept in principle
10.20	Commonwealth	Note
10.21	Joint Commonwealth and States and Territories	Accept in principle
10.22	Joint Commonwealth and States and Territories	Accept in principle
10.23	Commonwealth	Note
10.24	Commonwealth	Note
10.25	Commonwealth	Note
10.26	Joint Commonwealth and States and Territories	Accept in principle
10.27	Commonwealth	Note
10.28	Joint Commonwealth and States and Territories	Accept in principle
10.29	Commonwealth	Note

Rec #	Responsibility	Tasmanian Position
10.30	Commonwealth	Note
10.31	Joint Commonwealth and States and Territories	Accept in principle
10.32	Joint Commonwealth and States and Territories	Accept in principle
10.33	Joint Commonwealth and States and Territories	Accept in principle
11.1	Joint Commonwealth and States and Territories	Subject to further consideration
11.2	Joint Commonwealth and States and Territories	Subject to further consideration
11.3	All States and Territories	Accept in principle
11.4	Joint Commonwealth and States and Territories	Accept in principle
11.5	Joint Commonwealth and States and Territories	Accept in principle
11.6	Commonwealth	Note
11.7	Joint Commonwealth and States and Territories	Commonwealth, ACT, NT, TAS: Accept in principle  NSW, QLD, SA, VIC, WA: Subject to further consideration
11.8	All States and Territories	Accept
11.9	NSW, VIC, QLD	Note
11.10	Commonwealth	Note
11.11	Joint Commonwealth and States and Territories	Commonwealth, ACT, NT, TAS: Accept in principle  NSW, QLD, SA, VIC, WA: Subject to further consideration
11.12	Joint Commonwealth and States and Territories	Accept in principle
11.13	Joint Commonwealth and States and Territories	Accept in principle
11.14	All States and Territories	Subject to further consideration
11.15	All States and Territories	Subject to further consideration
11.16	Joint Commonwealth and States and Territories	Subject to further consideration
11.17	All States and Territories	Subject to further consideration
11.18	Joint Commonwealth and States and Territories	Accept in principle
12.1	Joint Commonwealth and States and Territories	Accept in principle
12.2	Joint Commonwealth and States and Territories	Accept in principle
12.3	Joint Commonwealth and States and Territories	Accept in principle
12.4	Commonwealth	Note
12.5	Joint Commonwealth and States and Territories	Accept in principle
12.6	Joint Commonwealth and States and Territories	Accept in principle
12.7	Joint Commonwealth and States and Territories	Accept in principle
12.8	Joint Commonwealth and States and Territories	Accept in principle



## Appendix 2 - Useful Links

Please find below links to further information that you might find useful:

[Australian Disability Enterprises \(ADEs\)](#)

[Australia's Disability Strategy](#)

[Child and Youth Safe Organisations Act 2023](#)

[Disability Royal Commission Final Report](#)

[Disability Sector Strengthening Plan](#)

[Liveable Housing Design Standards](#)

[National Agreement on Social Housing and Homelessness](#)

[National Disability Data Asset \(NDDA\)](#)

[National Disability Insurance Agency](#)

[National Disability Insurance Scheme \(NDIS\) Review](#)

[National Plan to End Violence against Women and Children 2022-2032](#)

[National Supported Employment Plan](#)

[NDIS Quality and Safeguards Commission](#)

[Optional Protocol to the \*Convention against Torture \(OPCAT\) Implementation Act 2021\*](#)

[Reform of the \*Guardianship and Administration Act 1995 \(Tas\)\*](#)

[Tasmanian Commission of Inquiry Report](#)

[Tasmanian Department of Health's Disability Health Strategy](#)

[Tasmanian Disability Inclusion and Safeguarding Bill](#)

[Tasmanian Law Reform Institute \(Review of the Defence of Insanity in s16 of the Criminal Code and Fitness to Plead\)](#)

[Tasmanian National Preventive Mechanism \(NPM\)](#)

[Tasmania's Reportable Conduct Scheme](#)

[United Nations Convention on the Rights of People with Disabilities \(UNCRPD\)](#)



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