**Background**

On Wednesday 31st July, the Australian Government released its official response to the Disability Royal Commission (DRC), 10 months after the Final Report was handed down last September. The government responded to 172 of the 222 recommendations that were their primary or shared responsibility with the states and territories.

Of those recommendations, the Australian Government:

* Accepted in full (supporting the recommendation in its entirety): 13 recommendations
* Accepted in principle (supportive of the overarching policy intent but may consider different approaches to implementation): 117 recommendations
* Is further considering (awaiting outcomes of related inquiries or further consultation): 36 recommendations
* Noted (neither acceptance or rejection due to the recommendation not being within the Australian Government’s policy responsibility or remit):  6 recommendations

**Full Steam Ahead**

Some of the key recommendations the Government has Accepted in Full include:

* **Rec 5.2 - Review and update Australia’s Disability Strategy:** The Australian and state and territory governments have agreed to release an updated ADS by the end of 2024. A separate major evaluation focussed on outcomes will also commence in 2025
* **Rec 7.16 - Priorities for inclusion in the new Disability Employment Services model:** The Australian Government says it has undertaken extensive consultation with the disability employment sector to inform the new specialist DES program with further consultation planned ahead of implementation (from July 2025). Eligibility for the new DES will expand to include people with less than 8 hours work capacity and volunteers not receiving income support. An estimated 15,000 additional people will be able to access the program each year
* **Rec 7.17 - Develop education and training resources for Disability Employment Services staff:** The Australian Government highlighted its commitment of $23.3m to establish a Disability Employment Centre of Excellence, which will develop best practice, evidence-based information and training to help DES providers deliver high quality and effective employment services
* **Rec 7.29 - Embed an ‘open employment first’ approach in the NDIS Participant Employment Strategy:** the Australian Government response highlights that the NDIA released the next iteration of the NDIS Participant Employment Strategy 2024–2026 on 20 March 2024. Inclusive employment is certainly a featured priority of that document, but the term ‘open employment first’ does not appear. The Agency also commits through the strategy to measuring employment outcomes, differentiating between employment in ADEs and open, inclusive employment settings.
* **Rec 10.20 - Making [NDIS] complaint processes accessible:** The DRC recommended steps be taken to provide a ‘no wrong door approach’ to NDIS complaints, and to ensure that the NDIA and other agencies accommodate people’s preferred means of communication and make other adjustments as necessary. The government has accepted this recommendation and has noted that In February 2023, the NDIS Commission introduced a new national complaint handling model to improve accessibility and responsiveness of its complaint handling processes. It further notes The NDIS Commission has implemented a national triage process for all complaints. This includes a ‘no wrong door’ approach through the NDIS Commission’s call centre

**Legislating for Disability Rights**

One of the most important and highly publicised areas of reform coming out of the final DRC report was the recommendation to legislate a new Disability Rights Act, which would give effect to Australia’s obligations under the United Nations Conventions on the Rights of People with Disability (UNCRPD). The report contained 22 recommendations (recs 4.1 - 4.22) regarding the establishment of the new DRA; however the Australian Government has listed all of these as ‘subject to further consideration’ alongside the recent report by the Parliamentary Joint Committee on Human Rights which recommended a Federal Human Rights Act. It also noted the steps it has already taken in enacting a new Disability Services and Inclusion Act (2023) to improve quality and safeguarding arrangements for people with disability outside the NDIS.

The DRC also made recommendations (recs 4.23 - 4.34) regarding reform of the existing Disability Discrimination Act 1992 (DDA). The Australian Government has accepted in principle all these recommendations and is dedicating $6.9 million to review and modernise the DDA.

**More to come in Accessible Communications**

One of the most important areas of reform for people who are blind or vision impairment coming out of the DRC was ‘Recommendation 6.1 - A National Plan to promote accessible information and communications’. The DRC recommended that the Australian Government work with the state and territory governments to develop this plan, in co-design with people with disability and their representative organisations. The DRC recommended that the plan recognise the diversity of people with disability and the many formats and languages that people may require information to be provided in, and should identify and allocate appropriate funding and resources for delivery.

The Australian Government has accepted Rec 6.1 ‘In principle’. In their response, they note that All governments support the development of an Associated Plan under Australia’s Disability Strategy 2021–31 to improve the accessibility of information and communications for people with disability, and commit to leading the development of the Associated Plan, building on existing initiatives to deliver a unified approach.

In addition to the development of the Associated Plan, the Australian Government has committed to building capacity across the Australian Public Service (APS) for “effective policy engagement, design and consultation with the disability community”. This work is designed to “embed accessibility in the policy design and implementation of government policies, programs and services and everyday interactions with the community”.

**Inclusive Education still unclear**

The DRC’s most controversial recommendations related to the phasing out of segregated or special schools. The Commissioners were split over these recommendations, with Commissioners Bennett, Galbally, and McEwin pushing to phase out special/segregated schools entirely (Rec 7.14), while Chair Sackville and Commissioners Mason and Ryan wanted to reform and improve these settings (Rec 7.15).

The Federal Government has sidestepped this issue entirely, arguing that “State and territory governments will continue to be responsible for making decisions about registration of schools in their jurisdictions, with the intent to strengthen inclusive education over time”. They do however recognise “the ongoing role of specialist settings in service provision for students with disability and providing choice for students with disability and their families”. The government ‘accepted in principle’ several other recommendations on inclusive education, including: ending exclusionary disciplinary practices, improving policies around reasonable adjustments, developing a Roadmap towards inclusive education, and improving funding arrangements.

This is certain to be an area of continued debate.

**“New” money?**

Taken all up, the Australian Government has committed $369m for their initial response to the DRC, and have stated that this is in addition to $3bn they have committed over the last three budgets to ‘building a more inclusive Australia.’

However, it should be noted that a significant proportion of this $369m in ‘new’ funding - including the $227.6m for the new employment service, the money for the Disability Employment Centre of Excellence ($23.3m), and funding for the National Disability Abuse and Neglect Hotline and the Complaints Resolution and Referral Service ($2.6m) - had already been announced in the May Budget this year.

According to the analysis provided by Disability Services Consulting (DSC), the remainder of the newly announced funding will go towards:

* $6.9m to review the Disability Discrimination Act
* $39.7m for a new disability advocacy program
* $12.1m to amend the Migration Health Requirement so that is fairer for children with disability
* $15.6m to unify disability quality and safeguarding arrangements nationally
* $4.4m for consistent community visitor schemes
* $2m to improve the safety of women and girls with disability (there’s no more information on what that will look like)
* $1.2m to create targets to reduce and eliminate restrictive practices
* $12.3m for accessible information and communications, including Auslan
* $3.7m to continue the Primary Care Enhancement Program for People with Intellectual Disability
* $19.6m to improve community attitudes around disability

**What’s next**

As noted in the [Joint Media Release by Disability Representative Organisations (DROs)](https://www.afdo.org.au/media-statement-from-dros-on-government-response-to-disability-royal-commission/), overall, this response by the Federal Government is ‘deeply disappointing and fails to respond to the scale of violence, abuse, neglect and exploitation of people with disability’.

We, along with our colleagues and allies across the sector, call on the Australian (and State and Territory Governments) to:

* Take urgent action on all 222 recommendations of the Disability Royal Commission
* Provide clear timelines within the next six months for all recommendations accepted ‘in principle’
* Establish a Disability Reform Implementation Council to ensure disability lived experience leadership in the implementation of recommendations