



*families* australia  
promoting the interests of families

Committee Secretary  
Senate Standing Committee on Community Affairs  
PO Box 6100  
Parliament House  
Canberra ACT 2600

26 February 2015

Dear Committee Secretary

**Inquiry into violence, abuse and neglect against people with disability in institutional and residential settings, including the gender and age related dimensions, and the particular situation of Aboriginal and Torres Strait Islander people with disability, and culturally and linguistically diverse people with disability.**

Families Australia welcomes the opportunity to make a submission to the Senate Community Affairs References Committee on the *Inquiry into violence, abuse and neglect against people with disability in institutional and residential settings, including the gender and age related dimensions, and the particular situation of Aboriginal and Torres Strait Islander people with disability, and culturally and linguistically diverse people with disability.*

Established in 2001, Families Australia is Australia's national peak body representing and promoting the needs and interests of families. On behalf of over 750 member organisations operating across a diverse range of social support services such as family support, early childhood care, counselling, youth work, mental health and disability, we work to improve national-level policies and programs relating to families.

Since 2007, Families Australia has coordinated the Coalition of Organisations Committed to the Safety and Wellbeing of Australia's Children<sup>1</sup> (the NGO Coalition), a consortium of around 156 major non-government community service organisations and prominent researchers from across Australia who work closely with the Australian, State and Territory Governments to implement the *National Framework for Protecting Australia's Children 2009-2020*, Australia's first ever national plan to tackle child abuse and neglect<sup>2</sup>.

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<sup>1</sup> Details about the Coalition of Organisations Committed to the Safety and Wellbeing of Australia's Children are available at <http://www.familiesaustralia.org.au/coalition/index.htm>

<sup>2</sup> Retrieved from <dss.gov.au>

In addition, Families Australia has auspiced the Alliance for Forgotten Australians (AFA) since its inception in 2007. AFA is a national group which represents the interests of the estimated 500,000 people across Australia who as children experienced serious abuse and exploitation in children's homes, orphanages, and other out-of home care settings.

Families Australia's work with AFA and our work in the *National Framework for Protecting Australia's Children 2009-2020* has provided us with a deep understanding of the impact of violence, abuse and neglect on those most vulnerable in our community. We recognise that having a disability is not the vulnerability but factors such as societal attitudes as well as service design and responses that make those with disability more vulnerable (Robinson 2012)<sup>3</sup>.

Families Australia acknowledges the current National Disability Insurance Scheme consultation process on the *Proposal for a National Disability Insurance Scheme Quality and Safeguarding framework*. We strongly support the development of this framework.

Families Australia supports the Inquiry's focus on the situation of Aboriginal and Torres Strait Islander people with disability, and culturally and linguistically diverse people with disability and seeks the Senate Committee's consideration of the particular issues faced by children and young people with disability (those 0 to 25 years of age) in these communities as well as the broader Australian community.

Families Australia supports the submission from Children with Disability Australia. While policies and safeguards can be put in place to protect children and young people with disability, Families Australia recognises the negative consequences for those placed in institutional and residential care (Browne 2009)<sup>4</sup>. "Young children in institutional care are more likely to suffer from poor health, physical underdevelopment and deterioration in brain growth, developmental delay and attachment disorders"<sup>5</sup>.

The United Nations Convention on the Rights of the Child (CRC) (1990) and the Convention on the Rights of Persons with Disabilities (CRPD) (2006) spell out the rights of children and young people with disability<sup>6</sup>. In ratifying the CRC and the CRPD, Australia undertook to comply with their conditions in preventing and responding to violence, abuse, neglect and other forms of harm in the lives of children with disability.

Families Australia views children and young people with disability as members of families and promotes "...the family, as the fundamental group of society and the natural environment for the growth and well-being of all its members and particularly children, should be afforded the necessary

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<sup>3</sup> S. Robinson (2012) *Enabling and Protecting: Protective approaches to addressing the abuse and neglect of children and young people with disability*. Children with Disability Australia, Melbourne.

<sup>4</sup> K Browne (2009) *The risk of Harm to Young Children in Institutional Care* Save the Children UK.

<sup>5</sup> K Browne (2009) p1. *The risk of Harm to Young Children in Institutional Care* Save the Children UK.

<sup>6</sup> S. Robinson (2012) p19. *Enabling and Protecting: Protective approaches to addressing the abuse and neglect of children and young people with disability*. Children with Disability Australia, Melbourne.

*protection and assistance so that it can fully assume its responsibilities within the community...*" UN Convention on the Rights of the Child (1989).

These children and young people also have legal rights through domestic legislation that protects all community members from criminal and civil wrongs.

Australian governments also have a number of national frameworks and strategies that include mention of children and young people with disability. These include *National Framework for Protecting Australia's Children 2009-2020*, the *National Plan to Reduce Violence against Women and their Children 2010-2022*, and the *National Disability Strategy 2010-2020*. While implementation of these frameworks/strategies is progressing, much more needs to be done to address the issues facing children and young people with disability.

As an example, the *National Framework for Protecting Australia's Children 2009–2020*, and its first and second three year action plans, includes a wide range of priorities and actions that may benefit children and young people with disability but there are few specific actions that refer to children and young people with disability and their families.

Families Australia seeks the Senate Committee's consideration of a recommendation supporting the inclusion of a national priority aimed at achieving better outcomes for children and young people with disability from relevant national frameworks and strategies.

Families Australia notes that the institutional and residential settings that can increase the risk of violence, abuse and neglect for children and young people with disability include respite, school and transportation to and from school. Policies and safeguards to protect children and young people in respite, at school and being transported to and from school are critical.

Access to targeted respectful relationship programmes for children and young people with disability and their families to support them to understand and promote healthy and respectful relationships and to recognise and report abuse and neglect is also essential. Families Australia seeks the Senate Committee's consideration of a recommendation for the development and implementation of targeted respectful relationship programmes.

Thank you for the opportunity to provide this submission to the Inquiry into violence, abuse and neglect against people with disability in institutional and residential settings, including the gender and age related dimensions, and the particular situation of Aboriginal and Torres Strait Islander people with disability, and culturally and linguistically diverse people with disability.

Yours sincerely,

Brian Babington  
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