

# National Regional, Rural, Remote and Very Remote Community Legal Network

<https://clcs.org.au/4rs-network/>



Chair and Members  
House Standing Committee on Health,  
Aged Care and Disability.  
Parliament House  
CANBERRA  
By email: [Health.Reps@aph.gov.au](mailto:Health.Reps@aph.gov.au)  
3 October 2025

Dear Colleagues

## **Inquiry into the Thriving Kids initiative**

This submission by the National Regional, Rural, Remote and Very Remote Community Legal Network ('4Rs Network') draws on experience working with vulnerable people in 4Rs communities around Australia.

### **About the 4Rs Network**

The 4Rs Network is a network of non-profit legal services in 4Rs areas which provide legal and related assistance via an incorporated non-profit structure or auspicing arrangement.

The 4Rs Network's members, which include about 85 services, groups and networks, are based in, and/or service, localities within 4 of the 5 classes of remoteness including:

- Inner Regional Australia
- Outer Regional Australia
- Remote Australia
- Very Remote Australia<sup>1</sup>

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<sup>1</sup> Australian Bureau of Statistics (Jul2021-Jun2026), [Australian Statistical Geography Standard \(ASGS\) Edition 3](#), ABS Website, accessed 2 October 2025.

This equates to 6 of the 7 levels in the Modified Monash Model<sup>2</sup> being MM2 Regional centres to MM7 Very remote communities.

The 4Rs Network members work with and for their communities and regions. Their methods and programs often reflect deep understanding and long-term efforts to address important community needs. Their programs, services and advocacy often reflect involvement in community issues that have not been addressed by other means, including by local, state, or federal governments.

## 1. Inquiry context includes children in 4Rs areas

The current inquiry began on 2 September 2025 and that despite the Terms of Reference<sup>3</sup> and the importance that the deadline for submissions is today 3 October 2025. So far only one public hearing is publicly indicated, which is in Canberra today.

The terms of reference for the inquiry do not visibly reflect geographic location and the 4Rs location of many children with disability as an intersectional factor. Visibly reflecting both as part of intersectionality is needed as outlined below and throughout this submission.

In relation to people with disability including children with disability in 4Rs areas - the following is a copy of some of the initial sections from the 4Rs Network's written submission in March 2024<sup>4</sup> to the *Joint Standing Committee Inquiry into NDIS participant experience in rural, regional and remote Australia* which is relevant to the context for the current inquiry.

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<sup>2</sup> Disability and Ageing Department of Health, 'Modified Monash Model')  
<<https://www.health.gov.au/topics/rural-health-workforce/classifications/mmm>>.

<sup>3</sup> **Terms of Reference**

- Examine evidence-based information and resources that could assist parents identify if their child has mild to moderate development delay and support parents to provide support to these children.
- Examine the effectiveness of current (and previous) programs and initiatives that identify children with development delay, autism or both, with mild to moderate support needs and support them and their families. This should focus on community and mainstream engagement, and include child and maternal health, primary care, allied health playgroups, early childhood education and care and schools.
- Identify equity and intersectional issues, in particular, children who identify as First Nations and culturally and linguistically diverse.
- Identify gaps in workforce support and training required to deliver Thriving Kids.
- Draw on domestic and international policy experience and best practice.
- Identify mechanisms that would allow a seamless transition through mainstream systems for all children with mild to moderate support needs.

<sup>4</sup> National Regional Rural Remote and Very Remote Community Legal Network, '4Rs Network submission to the Joint Standing Committee on the National Disability Insurance Scheme Inquiry into NDIS participant experience in rural, regional and remote Australia', *Submissions* (Submission, 8 March 2024)  
<<https://clcs.org.au/wp-content/uploads/2024/05/8-March-24-4Rs-with-endorsements-included-16-April-24-Network-NDIS-RRRR-submission-combined.pdf>>.

1.1.1 While the major cities in Australia have the highest number of people with disability, people with disability make up a higher proportion of the population in 4Rs areas even with likely statistical undercount.<sup>5</sup>

1.1.2 The rate of disability among First Nations people is about 3 times higher than the general population<sup>6</sup> and First Nations population as a proportion of the population increases with remoteness.<sup>7</sup>

1.1.3 Many previous reviews, including the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability ('Disability Royal Commission'), Final Report in September 2023,<sup>8</sup> the Committee's Capability and Culture Final Report in November 2023,<sup>9</sup> and the NDIA Review Final Report in December 2023<sup>10</sup> highlight the need to increase efforts to advance the rights of people with disability in 4Rs areas, including rights relating to access to, and full equitable benefit from, the NDIS.

1.1.4 These reports are on the back of previous inquiries which have highlighted shortfalls in rural health to the tune of billions,<sup>11</sup> and major issues to be addressed for full NDIS implementation in the 4Rs especially related to thin markets, insufficient workforce including allied health, and systemic factors including NDIA and service system knowledge and cultural safety for First Nations peoples.<sup>12</sup> "

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"1.3.1 The First Peoples Disability Network has highlighted how First Nations people with disability are impacted by dramatically inadequate progress towards targets in the National Agreement for Closing the Gap expressing that:

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<sup>5</sup> See the summary by the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability, [Final Report, Volume 3: Nature and extent of violence, abuse, neglect and exploitation](#), 42-43 details from the Australian Bureau of Statistics, (27 July 2022), [Understanding disability statistics in the Census and the Survey of Disability, Ageing and Carers](#) ('SDAC') regarding exclusion of and details regarding exclusion of the following from SDAC: Very remote areas of Australia: Discrete Aboriginal and Torres Strait Islander communities; Gaols or correctional institutions; Other non-private dwellings such as hotels and motels, hostels, boarding houses or other long-term accommodation.

<sup>6</sup> Summary by the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability, [Final Report, Volume 3: Nature and extent of violence, abuse, neglect and exploitation](#) 43-46.

<sup>7</sup> Australian Institute of Health and Welfare, [Profile of First Nations People](#), released 7 Sept 2023.

<sup>8</sup> Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability, [Royal Commission Final Report](#), published 29 September 2023 ('Disability Royal Commission Final Report').

<sup>9</sup> Joint Standing Committee into the NDIS, [Capability and Culture of the NDIA Final Report](#), November 2023 ('NDIA Capability and Culture Final Report')

<sup>10</sup> NDIS Review, [Working together to deliver the NDIS, Independent Review into the National Disability Insurance Scheme Final Report](#) 3 December 2023. ('NDIS Review 2023')

<sup>11</sup> Nous Group, [Evidence base for additional investment in rural health in Australia National Rural Health Alliance](#) 23 June 2023 commissioned by the Rural Health Alliance. Also see: National Rural Health Alliance, [Rural health in Australia Snapshot 2023](#), 5, National Rural Health Alliance, [Disability and access to the NDIS in rural Australia Fact Sheet](#), February 2023. National Rural Health Alliance [Aged care access in rural Australia Fact Sheet](#), February 2023.

<sup>12</sup> For example: NDIA Capability and Culture Final Report (n 8); NDIS Review 2023 (n 10). Also see Darwin Community Legal Service, [Submission to the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability](#), 31 December 2022 ('DCLS Disability Royal Commission submission December 2022')

First Peoples with disability and their families have been and continue to be amongst the most seriously disadvantaged and disempowered members of the Australian community.<sup>13</sup>

1.3.2 The FPDN emphasises the importance of driving better outcomes for First Nations people with disability through Closing the Gap priority reforms namely:<sup>14</sup>

- Priority Reform 1 Formal Partnerships and Shared Decision Making
- Priority Reform 2 Building the Community-Controlled Sector
- Priority Reform 3 Transforming Government Organisations
- Priority Reform 4 Shared Access to Data and Information at a Regional Level

1.3.3 Further, in line with findings by the current committee in previous inquiries the FPDN has expressed how remote geographic location can be an intersectional factor:

Intersectionality is where two or more areas of marginalisation combine to create a “double disadvantage.” Intersectionality can include race, remote geographical location, disability, LGBTQIA+ status, and other factors.<sup>15</sup>

1.3.4 This is also acknowledged in the September 2023 *NDIS Costs, benefits and frameworks* report by Taylor Fry commissioned by the Independent NDIS Review.<sup>16</sup> The Taylor Fry Report referred to *intersectionality* as follows (especially see dot point 3):<sup>17</sup>

Intersectionality and outcomes monitoring

There is an ongoing need to ensure the funding and benefits of the Scheme are equitably distributed across different cohorts across Australia:

- First Nations people have challenges in both accessing the Scheme and accessing culturally appropriate services once in the Scheme (for example see Deloitte, 2023, for the Disability Royal Commission) [<sup>18</sup>]
- People from culturally and linguistically Diverse (CALD) backgrounds have specific challenges in accessing and using the scheme, including issues of communication, workforce capacity and cultural awareness. [<sup>19</sup>]
- Issues of thin (or non-existent) markets can affect access to services in regional and remote communities. This can be evidenced by lower utilisation of plans (Miller and Frank, 2021). [<sup>20</sup>]

1.3.5 This submission endorses the *Closing the Gap Disability Sector Strengthening Plan* (Disability SSP)<sup>21</sup> which relates to Priority Two of Closing the Gap and is one of four priority

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<sup>13</sup> FPDN, [Submission by the First Peoples Disability Network to the Productivity Commission Review of the Closing the Gap National Agreement](#), 13 November 2023.

<sup>14</sup> Ibid 19-22.

<sup>15</sup> Ibid 16.

<sup>16</sup> Taylor Fry, [NDIS Review – Costs, benefits and frameworks Final report](#), 20 Sept 2023 (‘Taylor Fry 2023’).

<sup>17</sup> Ibid 140 references from the original included in [brackets].

<sup>18</sup> Deloitte, [Research report – Options to improve service availability and accessibility for First Nations people with disability](#), June 2023.

<sup>19</sup> ‘See for instance, the Discover Summary at <https://www.ndis.gov.au/about-us/strategies/cultural-and-linguistic-diversity-strategy>.

<sup>20</sup> Hugh Miller and Darryl Frank, [‘Review of NDIA actuarial forecast model and drivers of Scheme costs Full report’](#) 25 November 2021 (‘Taylor Fry 2021’)

<sup>21</sup> Closing the Gap [Disability Sector Strengthening Plan](#) (web site).

sectors for strengthening.<sup>22</sup> The others, which are also centrally relevant to First Nations people with disability in the 4Rs are: early childhood care and development;<sup>23</sup> housing;<sup>24</sup> and health.<sup>25</sup>

Priority Two of Closing the Gap has the following outcome and target:

Outcome: Building the community-controlled sector: There is a strong and sustainable Aboriginal and Torres Strait Islander community-controlled sector delivering high quality services to meet the needs of Aboriginal and Torres Strait Islander people across the country.

Target: Increase the amount of government funding for Aboriginal and Torres Strait Islander programs and services going through Aboriginal and Torres Strait Islander community-controlled organisations.

The Disability SSP contains 10 Guiding Principles which are minimum standards:

‘for all existing and future work with First Nations Peoples with disability and further developing jurisdiction led sector strengthening actions in Implementation Plans.’<sup>26</sup>

These are:

- Principle One Human rights
- Principle Two Self-determination
- Principle Three Cultural integrity
- Principle Four Cultural safety
- Principle Five Partnership
- Principle Six Place based
- Principle Seven Innovation
- Principle Eight Empowerment
- Principle Nine Equity
- Principle Ten Sustainability
- Principle Eleven Knowledge
- Principle Twelve Nationally consistent approaches

## Recommendation 1

**That the Committee treat the Terms of Reference as including and requiring consideration of equity and intersectional issues for children with disability in regional, rural, remote and very remote areas and consider this in relation to all six bullet points in the Terms of Reference.**

## 2. Endorsement of the CYDA submission

The 4Rs Network endorses the submission to the inquiry by Children and Young People with Disability Australia.

The CYDA submission highlights major concerns about the Thriving Kids initiative

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<sup>22</sup> Closing the Gap [Priority Reforms](#) (web site).

<sup>23</sup> Closing the Gap [Early Childhood Care and Development Sector Strengthening Plan agreed in principle by the Joint Council on Closing the Gap, 3 Dec 2021.](#)

<sup>24</sup> Closing the Gap [Housing Sector Strengthening Plan, Joint Council on Closing the Gap approved 26 Aug 2022.](#)

<sup>25</sup> Closing the Gap [Health Sector Strengthening Plan, Joint Council agreed in principle on 3 Dec 2021.](#)

<sup>26</sup> Closing the Gap, [Disability Sector Strengthening Plan](#), Guiding Principles are at 4.5.1.

including issues of planning, continuity, coverage, safety and wellbeing at scale and access where each child lives.

We particularly highlight CYDA's recommendations about listening to existing disability community expertise to:

- Ensure supports are tailored to individual needs, neuroaffirming rather than behaviouralist-intervention-based, and provide choice, control and guaranteed support
- Provide supports such as Occupational therapy, Speech therapy, Psychology and Physical therapy
- Tailor supports to the specific needs of First Nations, LGBTIQ+, multicultural, and regional/remote-based children with disability, who face intersectional discrimination and overlapping forms of marginalisation.

## Recommendation 2

**The Committee accept and act on all recommendations in the CYPD submission.**

### 3. Change the culture for success in geographic inclusion

Australia's obligations under the [Convention on the Rights of the Child](#) apply to all children wherever they live in Australia. This is reinforced by Australia's obligations under the [Convention on the Rights of Persons with Disability](#) and obligations under other [core human rights instruments](#). The CEDAW Committee's affirmative guidance that 'rural'<sup>27</sup> women and girls,<sup>28</sup> and Indigenous women and girls,<sup>29</sup> are fully included in all of protections of the Convention on the Elimination of All Forms of Discrimination Against Women, sits within the broader context that human rights are universal.

Whatever the approach to ensuring access to supports and services, and whether it includes the Thriving Kids Initiative (TKI) or not, children with disability in 4Rs areas must be fully included and receive effective access to supports and services. This includes Aboriginal and Torres Strait Islander children and others who face intersectional discrimination as outlined by CYDA.

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<sup>27</sup> 'Rural' in CEDAW Committee vernacular means all non-urban areas including what in terminology in use in Australia are regional, rural, remote and very remote areas.

<sup>28</sup> CEDAW Committee, *General Recommendation No. 34 (2016) on the rights of rural women*, UN Doc CEDAW/C/GC/34 (7 March 2016) ('*General Recommendation No. 34 (2016) on the rights of rural women*').

<sup>29</sup> CEDAW Committee, *General recommendation No.39 (2022) on the rights of Indigenous women and girls*, CEDAW/C/GC/39, (26 October 2022) ('*General recommendation No.39 (2022) on the rights of Indigenous women and girls*').

Against the backdrop of thin markets, workforce challenges, gaps in access to multiple systems and services<sup>30</sup> - including chronically insufficient access to advocacy and community based legal assistance<sup>31</sup> - shortfalls, dislocations or setbacks caused by the TKI development, process and implementation stand to disproportionately harm and negatively affect children in 4Rs areas and cause adverse multiplier effects.<sup>32</sup>

The rights of children all people in 4Rs areas – which are so often treated as tangential in policy, program and legislative development – are at further risk.

**The culture and practices of causing and promoting acceptance of the geographic failure of policy, programs and legislation must stop.**

The TKI or any alternative should meet this challenge – and **should apply and work from a culture of geographic success and inclusion, which protects, respects and fulfills the human rights of children and all, where they live, inclusive of 4Rs.**

### **Recommendation 3**

**The Thriving Kids Initiative and any alternative, must protect, respect and fulfil the human rights of children and all where they live, inclusive of regional, rural, remote and very remote areas.**

Proposals which are not geographically credible, capable, inclusive and accountable play to a norm that it is acceptable to fail children, young people and adults from cradle to grave, in 4Rs areas. Each new proposal which plays to this norm, adds to the *complex of failures* which magnify each other, across so many policies, program and service sectors in 4Rs locations, communities and areas.

Currently **the NDIS Act and swathes of Commonwealth legislation fail to visibly support geographic inclusion of children, people and groups in 4Rs areas.** This portrays that no major challenges for inclusion, intersectionality and implementation exist, when the reverse is true. The invisibility fails to provide leadership and vision to promote momentum and solutions.

The problems which are letting down children with disability in 4Rs areas – and the complex of failures affecting children and others in 4Rs areas across so many policy and program areas and dimensions – mean that the task must now include

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<sup>30</sup> National Rural Health Alliance, 'Disability and Access to the NDIS in Rural Australia', *Publications* (Fact Sheet, February 2023) <NRHA Disability Fact Sheet>; Cherry Baylous, 'Thin markets, thin hopes: The NDIS in regional, rural, and remote NSW', *DA News: How has the NDIS Changed: For better or worse?* (Report, 13 February 2025) <<https://www.da.org.au/publications/ndis-report>>; Joint Standing Committee on the National Disability Insurance Scheme, 'Submissions', *Committee inquiry into NDIS participant experience in rural, regional and remote Australia* (Submissions to the inquiry, 28 March 2025) <[https://www.aph.gov.au/Parliamentary\\_Business/Committees/Joint/National\\_Disability\\_Insurance\\_Scheme/RuralRegionalandRemote/Submissions](https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/National_Disability_Insurance_Scheme/RuralRegionalandRemote/Submissions)>.

<sup>31</sup> Ibid.

<sup>32</sup> Ibid.

***establishing a culture of geographic success and inclusion.*** That is, ***establishing an enabling, educative and self-improving environment for large scale cultural change which expects and achieves full geographic inclusion of children, people and peoples in 4Rs areas.*** Federal legislation can and must be part of this.

#### **Recommendation 4**

The NDIS Act be amended to visibly reflect an intention and objective of geographic inclusion of children, and of all within the purview of the Act, in regional, rural, remote and very remote areas.

Legislative and regulatory framing of the Thriving Kids Initiative and any alternatives – should visibly reflect the same intention and objective.

#### **Recommendation 5**

Considering the complex of factors impeding the success of programs, services and outcomes for 4Rs inclusion, the Commonwealth review all federal legislation, including human rights and anti-discrimination legislation, to identify opportunities to visibly reflect an intention and objective of geographic inclusion of all in regional, rural, remote and very remote areas.

#### **Recommendation 6**

After identifying opportunities for amendment (per recommendation 5), the Commonwealth undertake omnibus upgrade of federal legislation to implement.

#### **Recommendation 7**

The Commonwealth develop directives, processes and mechanisms to review and upgrade all relevant federal policies, programs and guidelines required for fully effective inclusion of regional, rural, remote and very remote areas – focusing particularly on access to services, safety, wellbeing and human rights.

#### **Recommendation 8**

The Commonwealth encourage all States and Territories to do likewise regarding recommendations 5, 6 and 7.

### **3. Re-referral of the NDIS participant experience in rural, regional and remote Australia inquiry**

Unfortunately, the current Committee, the federal Government, people with disability and other stakeholders **do not have the benefit of a report by the Joint Standing**

**Committee on the NDIS inquiry into NDIS participant experience in rural, regional and remote Australia** as that inquiry was not completed before the federal election.

Many people with lived experience, organisations and stakeholders made written submissions to the inquiry and/or were invited to appear before the Committee to give evidence. This included the 4Rs Network which made a written submission in March 2024, appeared at the Committee's hearing in Darwin in May 2024 and provided answers to questions on notice.

The 4Rs Network and no doubt many others, consider that this inquiry is essential and that re-referral should occur for the inquiry to resume, engage, receive further submissions and report.

### **Recommendation 9**

**That the Government re-refer the inquiry into NDIS participant experience in rural, regional and remote Australia to the Joint Standing Committee on the NDIS for the inquiry to be re-established, receive further submissions and report.**

## **4. Advocacy and legal assistance where people live**

The 4Rs Network submission in March 2024 to Joint Standing Committee inquiry into NDIS participant experience in rural, regional and remote Australia, also highlighted major geographic gaps and shortfalls for people with disability in 4Rs areas regarding:

- access to independent disability advocacy support, and
- access to legal assistance.

These gaps and shortfalls in access to advocacy support in or accessible to people with disability in 4Rs areas are continuing.<sup>33</sup>

Additionally, there continue to be major geographic gaps for people with disability in 4Rs areas to access legal assistance regarding their rights and entitlements.<sup>34</sup> This applies across the spectrum of:

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<sup>33</sup> National Regional Rural Remote and Very Remote Community Legal Network, 'Attachment 1 To The Backgrounder to the 4Rs Legal Assistance Report Card – Aug 24 Incorporating response to the Report of the Independent Review of the National Legal Assistance Partnership Agreement', *4Rs Network* (Submission, 1 September 2024) <<https://clcs.org.au/wp-content/uploads/2024/11/2-Sept-24-Att-1-to-Backgrounder-to-4Rs-Report-Card.pdf>>. especially at 4.1.2; Disability Advocacy Network Australia, 'NDIS participant experience in rural, regional and remote Australia', *Publications* (Report, February 2024) <<https://dana.org.au/publications/>>. and many other submissions to the Joint Standing Committee Inquiry, see n 4 above. ; National Centre for Disability Advocacy, 'Advocacy Workforce Survey 2024 Results Report', *Public Reports*, (June 2025) <<https://ncda.org.au/advocacy-resources/public-reports/>>; Disability Advocacy Network Australia, '2024 Future of Advocacy consultations Insights drawn from 2024 Future of Advocacy consultations by ASK Insight and MCS Consultants', (Report, March 2025).

<sup>34</sup> Submissions by the 4Rs Network referred to in the preceding footnote and National Regional Rural Remote and Very Remote Community Legal Network, '4Rs Network submission to the Joint Standing

- specialist non-profit community based legal services,
- generalist community based legal services in 4Rs areas, and
- Aboriginal Community Controlled Legal Services in and/or for Aboriginal and Torres Strait Islander people in 4Rs areas.

Dramatically insufficient funding withholds access to justice and justice from children and adults with disability across vast 4Rs community legal assistance service areas.<sup>35</sup>

### **Recommendation 10**

**Governments should substantially increase funding for access to independent advocacy support to levels required for full geographic access for those to whom the Thriving Kids Initiative, alternatives, the NDIS, disability supports, and/or disability discrimination apply.**

**Service and funding arrangements should ensure accessibility in the forms required by individuals for effective access by them where they live.**

### **Recommendation 11**

**Due process rights, legal rights and human rights must be ensured and be a reality for children and adults with disability whose rights are affected by the Thriving Kids Initiative, the NDIS, alternatives and in other ways.**

**Governments should substantially increase funding to the full range of community based non-profit legal services (specialist, generalist and Aboriginal Community Controlled), to achieve effective access to assistance by children and all people with disability, where they live.**

### ***Contacts provided***

<https://clcs.org.au/4rs-network/>

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Committee on the National Disability Insurance Scheme Inquiry into NDIS participant experience in rural, regional and remote Australia' (n 4).

<sup>35</sup> Ibid.