



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

About the **Disability** Royal Commission



**A more inclusive,
just society**

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What is a Royal Commission?

A Royal Commission is a public inquiry, independent of government, into a matter of great importance.

Each Royal Commission has terms of reference, which define the issues it will look into.

Royal Commissions have broad powers to hold public hearings, call witnesses under oath and compel evidence.

Personal experiences inform the work of a Royal Commission by highlighting systemic issues. However, the Royal Commission cannot decide or resolve individual cases, or award compensation.

Royal Commissions make recommendations to government about what should change.

The Disability Royal Commission

The Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability (referred to as the Disability Royal Commission) was established in April 2019 in response to community concern about widespread reports of violence, abuse, neglect, abuse and exploitation of people with disability.

The Disability Royal Commission will investigate:

- 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.

You can access the full terms of reference at www.disability.royalcommission.gov.au/about

The Disability Royal Commission gathers information through research, public hearings and the personal experiences people tell us about in submissions, private sessions and other forums.

We will deliver a final report to the Australian Government by 29 April 2022. In this report, the Royal Commission will recommend how to improve laws, policies, structures and practices to ensure a more inclusive and just society.

Settings and contexts

The Disability Royal Commission can investigate experiences and conditions in many settings and contexts, including:

- schools
- workplaces
- jails and detention centres
- secure disability and mental health facilities
- group homes or boarding houses
- family homes
- hospitals
- day programs

Violence, abuse, neglect and exploitation

Violence, abuse, neglect and exploitation are important terms for the Disability Royal Commission. In the context of the Royal Commission, these terms have certain meanings.

Violence and abuse

Violence and abuse cover a range of behaviours towards people with disability. These could include assault, sexual assault, constraints, restrictive practices (physical and chemical), forced treatments, forced interventions, humiliation and harassment, financial and economic abuse and significant violations of privacy and dignity on a systemic or individual basis.

Neglect

Neglect includes physical or emotional neglect, passive neglect or wilful deprivation. Neglect can be a single significant incident or a systemic issue that involves depriving a person with disability of the basic necessities of life such as food, drink, shelter, access, mobility, clothing, education, medical care and treatment.

Exploitation

Exploitation is when a person takes advantage of someone else. This could include improper use of another person or the improper use of or withholding of another person's assets, labour, employment or resources including taking physical, sexual, financial or economic advantage.

The Commissioners

Seven Commissioners have been appointed to examine and expose violence, abuse, neglect and exploitation of people with disability. They are:

- the Honourable Ronald Sackville AO QC (Chair)
- the Honourable Roslyn Atkinson AO
- Ms Barbara Bennett PSM
- Professor Rhonda Galbally AC
- Ms Andrea Mason OAM
- Mr Alastair McEwin AM
- the Honourable John Ryan AM.

Two of the Commissioners (Prof Rhonda Galbally and Alastair McEwin) are people with disability. Two Commissioners (Chair Ronald Sackville and Roslyn Atkinson) are former judges with extensive experience of the law and the conduct of public inquiries. One Commissioner (Andrea Mason) is a Ngaanyatjarra and Kronie Australian woman from Western Australia, and Commissioners Barbara Bennett and John Ryan have extensive experience in the disability and human services sector.

Public hearings

Public hearings are formal proceedings in which witnesses give evidence about events and issues that are relevant to the Disability Royal Commission's terms of reference.

Public hearings are informed by individual cases, and how people with disability, as well as their families and carers, have been affected by particular issues.

This may include current and past government, institutional and community practices.

All public hearings of the Royal Commission are recorded and streamed live on the Royal Commission website. Every public hearing of the Royal Commission will have live captioning and Auslan-English interpreters.

Sharing your personal experiences

Hearing from people with disability, families, support people and the broader community helps the Royal Commission understand the extent of violence, abuse, neglect and exploitation against people with disability, the impacts, and how we can prevent it in the future.

The Royal Commission knows that coming forward to share your experience is a big step. We want to make it as easy as possible.

There are people who can help you work out what you want to say. Counsellors will provide emotional support before, during and afterwards. Please tell us about any other supports you need. Contact us for more information.

Submissions

You can share your experience with the Royal Commission online, in writing, by telephone, email, or as a video or audio recording. This is called a submission.

We encourage people to tell their story in their first language, including Indigenous languages and Auslan. We will provide interpreters and translators.

Protecting your identity and information

If you make a submission, we will not publish your submission unless you want us to. If you do want us to publish your account of your experience, we can publish it without naming or identifying you.

If you do not want your information or your identity to be shared with anyone outside of the Royal Commission, we can protect your identity and the information you share with us until the Royal Commission ends in April 2022 (when the Final Report is due).

If you are concerned about your identity or the information you have provided being

disclosed after the Royal Commission has ended, you can apply for a private session.

Protection from retribution

We understand that people with disability may be concerned about retribution, for example if they make a public submission that is critical of an employer or accomodation provider. We take this concern very seriously because such retribution can be a criminal offence.

Find out about making a submission at www.disability.royalcommission.gov.au/share-your-story.

Private sessions

There will be opportunities for people with disability, family and supporters to share their experiences with a Commissioner in a private session. Anyone who has information to share that is within the terms of reference can ask for a private session.

Private sessions, which can be in person, via video conferencing, or on the telephone, allow you to share your experiences with a Royal Commissioner in a confidential setting.

Anything you tell us for a private session that identifies you is protected from disclosure by law. Other than in very limited circumstances, the information you provide for a private session that identifies you remains confidential, even after the Royal Commission

has ended. It cannot be subpoenaed or disclosed under freedom of information legislation. Information you provide in a private session cannot be used in evidence against you in civil or criminal proceedings. Find out about private sessions at www.disability.royalcommission.gov.au/share-your-story

Counselling support is available for participants before, during and after private sessions.

We may receive large numbers of requests for private sessions. We will do our best to offer private sessions to everyone who requests one.

Find out about private sessions at www.disability.royalcommission.gov.au/share-your-story

You can tell us about your experience

- in your first language, including Indigenous languages and Auslan
- on the phone, online, in a video or audio recording
- in a private session with a Commissioner

Counselling and support

Seeing or hearing news about the Royal Commission will be hard for some people. Sharing your experience can be hard too.

There are services available to support you. Some of these are provided by the Royal Commission, others are independent providers funded by the Australia Government.

The Royal Commission has a counselling team who attend all community forums, public hearings and private sessions to provide counselling and support to anyone at these events.

Blue Knot Foundation offers free specialist counselling support and a referral service for anyone affected by the Disability Royal Commission.

Call the national hotline on 1800 421 468 (9am-6pm AEDT

Monday to Friday, 9am-5pm AEDT Saturday, Sunday and public holidays).

If you are deaf, or have a hearing or speech impairment, call the National Relay Service on 133 677 and give 02 6146 1468 as the number you want to call.

If you are non-verbal or have other communication needs, online chat facilities and email are available. If you would like to discuss your access and communication needs, please contact helpline@blueknot.org.au.

There are many organisations who can provide individual advocacy for people engaging with the Disability Royal Commission. To find an advocacy service in your area, go to www.disabilityadvocacyfinder.dss.gov.au.

Support in other languages

If you require support in another language, please call:

- the National Counselling and Referral Service on 1800 421 468 and ask for an interpreter (the counsellor will make the arrangements), or
- the Translating and Interpreting Service on 131 450 and ask to be connected to the National Counselling and Referral Service on 1800 421 468.

If you would like to order any of our documents in braille, please phone 1800 517 199.

There is a national legal service formed by National Legal Aid, and the National Aboriginal and Torres Strait Islander Legal Services to provide free legal advice and information to people who want to share their experiences with the Disability Royal Commission.

The service is independent from the Disability Royal Commission and can help with:

- information and advice about the Royal Commission's powers, procedures and guidelines
- writing witness statements
- advice on related legal issues such as confidentiality agreements
- information about financial assistance that may be available to you.

Free call 1800 771 800
between 9:15am and 5:15pm
AEDT, Monday – Friday,
excluding public holidays
or visit the website at www.drclegalservice.org.au.

Legal advice

Legal financial assistance scheme

Legal costs will be covered when you are engaging with us in the following ways:

- being called, or granted leave to appear, as a witness at a hearing of the Royal Commission
- being requested to attend, or attending an interview of the Royal Commission
- complying with a notice to give information or a statement in writing that will be used as evidence in the Royal Commission, and/or
- complying with a notice to produce issued by the Royal Commission.

If you have been called by the Royal Commission in your personal capacity you will be eligible for legal financial assistance. If your organisation has been called, you may be eligible for legal financial assistance, subject to an assessment of whether the organisation can meet the cost of its legal representation without incurring serious financial difficulty.

The Attorney-General Departments website includes information on how you can apply. Go to www.ag.gov.au.

Contact us

Phone

1800 517 199 (9am-6pm AEDT Monday to Friday excluding national public holidays.)

If you are deaf or have a hearing or speech impairment, call the National Relay Service on 133 677 and tell them you want to call 07 3734 1900.

To call us in a language other than English call the free Translating and Interpreting Service (TIS National) on 131 450 and tell them you want to call 1800 517 199.

Postal address

GPO Box 1422, Brisbane, Qld 4001.

Email and website

DRCenquiries@royalcommission.gov.au

.disability.royalcommission.gov.au

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Mailing list

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