

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

Final Report: Synod of Victoria and Tasmania DRC

Task Group

Key points in this report:

- **Assembly's response of a National Task Group to the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability (DRC)**
- **Synod's DRC Task Group (STG) and its response to date**
- **Recommendations for Synod Standing Committee.**

1. BACKGROUND

On 4 April 2019, the Commonwealth Government established the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability, often referred to as the Disability Royal Commission (DRC). The Letters Patent (Terms of Reference) includes:

- (a) what governments, institutions and the community should do to prevent, and better protect, people with disability from experiencing violence, abuse, neglect and exploitation, having regard to the extent of violence, abuse, neglect and exploitation experienced by people with disability in all settings and contexts;
- (b) what governments, institutions and the community should do to achieve best practice to encourage reporting of, and effective investigations of and responses to, violence against, and abuse, neglect and exploitation of, people with disability, including addressing failures in, and impediments to, reporting, investigating and responding to such conduct;
- (c) what should be done to promote a more inclusive society that supports the independence of people with disability and their right to live free from violence, abuse, neglect and exploitation.

<https://disability.royalcommission.gov.au/about-royal-commission>

Originally scheduled to complete its work in autumn 2022, because of disruptions to Public Hearings caused by COVID, the DRC delivered its final report to the Australian Government on 29 September 2023. In this report, the Royal Commission made 222 recommendations to improve laws, policies, structures and practices to ensure a more inclusive and just society.

2. COMMITMENT TO THE DRC BY THE UNITING CHURCH IN AUSTRALIA

The General Secretary of the Uniting Church in Australia Assembly welcomed the establishment of the Disability Royal Commission. Hope was expressed that it would shine a light on shocking and unacceptable treatment of people with disability, give voice to those who have suffered and call on the community to resist and prevent violence, abuse, neglect and exploitation of people with disability.

Commitment to cooperate fully and openly with the Disability Royal Commission was expressed. In line with this commitment, the Assembly Standing Committee established a National Task Group (NTG) to help guide the Uniting Church's response. Synod Task Groups were also established to serve this response.

The 15th Assembly of the Uniting Church affirmed that all people are created in the image of God and along with all members, the faith, gifts, hopes and dreams of people with disability are to be valued and honoured. The Uniting Church seeks to ensure that people with disability have their hopes and rights realised.

<https://uniting.church/disabilityaccess/>

2.1 National Task Group Terms of Reference

The Uniting Church offers a range of services to people with disability and their families, and there are people with disabilities in congregations and among staff and ministry agents.

Key contacts with people with disability are:

- Community services agencies of the Church, including through the National Disability Insurance Scheme, family and child supports including the child protection system, employment services, community care, respite care, people with disabilities receiving support through aged care infrastructure, and other community services
- Schools
- Congregations
- Staff and ministry agents
- Community engagement and participation.

2.2 Purpose of the National Task Group

Accountable to the Assembly Standing Committee, the NTG was established to:

- provide leadership of whole of Church engagement with the Royal Commission, including direct engagement with the Royal Commission and communication into the Church
- document the Uniting Church's values in relation to people with a disability
- oversee development of whole of Church policy positions in response to the work of the Royal Commission
- monitor the work of the Royal Commission and oversee analysis of the work and learnings of the Royal Commission and its impact on the Church and the communities it serves and communicate the analysis across the Church
- harness the expertise within the life of the Church in relation to services to people with disability
- provide leadership into the Church in relation to the institutional safety of people with a disability
- provide leadership in the Church's response to people with a disability who have experienced violence, abuse, neglect and exploitation in the Church.

The NTG has:

- worked collaboratively and in partnership across the Church, including with Synod Task Groups
- drawn on the expertise held across the Church in the provision of services to people with disability and in institutional safety
- sought the voices of people with a disability in the work of the NTG
- sought to understand the particular needs of people with disability from First Peoples and culturally and linguistically diverse backgrounds, and reflect these needs in its work
- engaged with ecumenical and community services partners.

In 2022 the NTG established the People with Disability Overarching Principles Working Group, its purpose being to develop principles for application to all Councils and governance entities of the Uniting Church in Australia:

- governance and decision-making, for example the composition of governance bodies including councils, boards and committees, input from people with disability, oversight of service delivery, people with disability in senior and decision-making roles and employers of people with disability
- access to and adequate complaints resolution processes and institutional safety, especially in relation to access for people who are non-verbal, deaf, have sight impairment, have low literacy or cognitive disability awareness and use of supported decision-making and choice and control.

The Full and Shortened Versions of the Principles will be considered for adoption at the 17th Triennial Assembly in July, 2024. They can be found in the document: [B3D - Disability Royal Commission National Task Group.docx \(uniting.church\)](#)

3. SYNOD OF VICTORIA AND TASMANIA TASK GROUP (STG)

Synod Standing Committee established a Task Group, in alignment with the Terms of Reference and Principles of the NTG. The STG has worked closely with the NTG with representation from Adrian Pyle and Andy Calder.

Membership of the STG represents the diversity of people with disability, families and carers across the Synod. Membership over the life of the STG has been:

- Amy Padgham and Anthony Gartner (Uniting VicTas),
- Adrian Pyle (UC associated schools and chaplaincy),
- Jessica Campbell (Synod Legal Services),
- Janine and Elise Romaszko,
- Wendy Quinn (Presbytery of Tasmania),
- congregational members with lived experience and service delivery experience:
 - o Barbara Carter, Rosemary Shaw and Susan Stork-Finlay.
- Rev (Deacon) Dr Andy Calder (Disability Inclusion Advocate) was appointed by the Standing Committee as the STG's Chairperson.

Since inception, the STG has met 4-5 times per annum.

3.1 Priorities and tasks undertaken since the Task Group's inception

3.1.1 Stories and Incident Searches

The initial task was to inform the Synod about the DRC, via the Moderator's Pastoral Letter and Synod Communications. [Disability Inclusion - Uniting Church in Australia. Synod of Victoria and Tasmania \(uca.org.au\)](https://disability.royalcommission.gov.au/share-your-story)

The General Secretary wrote to all Synod entities informing them:

- (i) about the opportunity for people to directly contact the DRC with stories of concern <https://disability.royalcommission.gov.au/share-your-story> and;
- (ii) of the requirement to undertake a search of records back to 1 July 2012 for any incidents of abuse, violence or exploitation.

From the received responses, there were no reported incidents. However, feedback suggested some neglect because of access needs not being optimal.

To assist these tasks, an Easy English Values Statement, Document Search Guidelines and Fact Sheet were produced and distributed.

3.1.2 Notices to Produce and to Give Information

In 2019 Uniting VicTas received, along with other communities and networks of UnitingCare Australia, notification from the DRC, of likely Notices in which a probing examination of governance, protocols, management, incidents, complaints and their resolution would be undertaken.

Notices to Produce and to Give Information were subsequently issued 21 May 2020. A significant and time-consuming response was developed by staff of Uniting VicTas and Synod Legal Services, and submitted to the DRC on 13 August 2020. Uniting VicTas has not had any further contact from the DRC in relation to Notices to Produce.

3.1.3 National Disability Survey

The STG had input into the development of the NTG's national survey. Distributed across all Synods and UnitingCare Australia communities and networks, its purpose was to compile a detailed picture of all services and opportunities (formal and informal) in which people with disability, families and carers are involved or receive support. The NTG collated all responses which provided key information for the Assembly's submission to the DRC.

3.1.4 DRC Issues Papers

Issues Papers were released by the DRC, seeking community responses. These included First Nations, accommodation, education, health, rights and attitudes, employment, emergency planning and response, criminal justice system.

The NTG provided responses to the following Papers:

- Emergency Planning and Response;
- Rights and Attitudes; and

- First Nations.

Our STG members contributed expertise and knowledge of networks to assist the NTG's Executive Officer, in developing the NTG's responses to those Papers. Our STG decided to respond to the Criminal Justice System Issues Paper, particularly in light of the high rates of people with acquired brain injury and cognitive disability within Victorian prisons.

<https://unitingcare.org.au/royal-commissions/disability-royal-commission/>

3.1.5 Overarching Principles Working Group

Representation by the Chairperson of the STG on the Overarching Principles Working Group.

3.1.6 Compliments, Concerns & Complaints Guidelines (3Cs)

In response to the Overarching Principles framework developed by the NTG, and in response to the DRC recommendations, the STG has developed, in conjunction with the Synod's Culture and Safety Team, a process to develop a congregational feedback/complaints process for people with disability. If approved by Synod Standing Committee (Proposal a) this will be produced in an Easy English format. These *Compliments, Concerns and Complaints Guidelines (3Cs)* for Synod of Victoria and Tasmania congregations will be an important document in shaping this response.

4. ACKNOWLEDGEMENTS

It is acknowledged that whilst the Uniting Church Synod of Victoria and Tasmania strives to be a Christ-like community of just and welcoming relationships, we have not always lived up to that vision and reality.

Appreciation to each member of the Synod Task Group for their time, expertise and commitment to this work. This includes Deb Penaluna (EA to the Moderator and Secretariat) who has provided invaluable administrative support.

Appreciation to the National Task Group, chaired by the previous Assembly General Secretary, Colleen Geyer, and to staff of UnitingCare Australia.

Thanks to all across the Synod who have diligently responded to requests for information.

5. PROPOSALS

It is proposed that the Standing Committee resolve:

- (a) To approve, materially in the form as presented, the Draft *Compliments, Concerns and Complaints Guidelines (3Cs)* (as attached to the original of these minutes) and refer the 3Cs to the Culture of Safety Team and equipping Leadership and Mission (eLM) for completion and education across the Synod; and
- (b) To request the General Secretary to distribute the *Compliments, Concerns and Complaints Guidelines (3Cs)* when completed, to congregations and presbyteries, Uniting AgeWell and Uniting VicTas.

(c) That subject to the 17th Assembly approving the Overarching Principles and Recommendations from the Uniting Church's National Disability Royal Commission Task Group:

(i) to request the Culture of Safety Team and equipping Leadership for Mission to bring a report and proposal to the December 2024 Standing Committee meeting for incorporation of the Overarching Principles and Recommendations into Synod's Disability Action Plan 2023-2026; and

(ii) to request the General Secretary to distribute the Disability Royal Commission Synod Task Group's final report, drawing attention to the Overarching Principles contained within, to congregations and presbyteries, Uniting AgeWell, and Uniting VicTas.

(d) To thank and discharge the Synod Disability Royal Commission Task Group.

Rev (Deacon) Dr Andy Calder
Chairperson
Synod DRC Task Group
31 May 2024

Appendix 1 Draft *Compliments, Concerns and Complaints Guidelines (3Cs)*