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## **TRANSCRIPT OF PROCEEDINGS**

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**THE HON RONALD SACKVILLE AO QC, Chair**  
**DR RHONDA GALBALLY AC, Commissioner**  
**THE HON ROSLYN ATKINSON AO, Commissioner**  
**MS A.J. MASON OAM, Commissioner**

**THE ROYAL COMMISSION INTO VIOLENCE, ABUSE, NEGLECT AND  
EXPLOITATION OF PEOPLE WITH DISABILITY**

**TOWNSVILLE**  
**10.02 AM, TUESDAY, 5 NOVEMBER 2019**  
**Continued from 4.11.19**

**DAY 2**

**DR K. MELLIFONT QC appears as Senior Counsel Assisting with MR A. FRASER**  
**MS K. McMILLAN QC appears with MS P. CLOHESSY for the State of Queensland**

COMMISSIONER SACKVILLE: Yes, Dr Mellifont.

DR MELLIFONT: Yes.

5 COMMISSIONER SACKVILLE: Just something I would like to say. I want to  
make a statement about privacy and confidentiality and then give a brief explanation  
as to why these matters are not as straightforward as might be thought. The  
statement is as follows: the Royal Commission understands that some people might  
10 be worried or concerned about use or disclosure of their information or identity if  
they make a submission to the Royal Commission. If you ask us to, the Royal  
Commission can and will protect the confidentiality of your identity and/or  
information in your submission for the duration of the Royal Commission. As you  
know, the Royal Commission is set to last for three years.

15 The Royal Commission is currently working on the protection of confidential  
information once the Royal Commission has concluded, that is, the protection of  
confidentiality after that time, and we will update the website as information  
becomes available. We recommend that if you have any concerns about the use or  
disclosure by the Royal Commission of the information in any submission that you  
20 would like to make to the Royal Commission, you contact Legal Aid's free Royal  
Commission National Legal Advisory Service. The number is 1800 771 800. If you  
or your legal representative would like to discuss making a confidential submission  
to the Royal Commission or the use and/or disclosure of your identity or information  
by the Royal Commission, please send us an email with your contact details to  
25 DRCenquiries@royalcommission.gov.au and someone from the Office of the  
Solicitor Assisting the Royal Commission will be in contact.

This statement will be placed on the Commission's website so the telephone number  
and internet details will be available. The difficulty that we're facing is that the  
30 Royal Commissions Act does not allow us to afford complete protection after the  
Commission ends which is scheduled to occur in two and a half years' time. This  
was addressed by amendments to the Act applicable to the Child Abuse Royal  
Commission. That legislation, so I have been advised, was passed and had  
retrospective effect, but it does not apply to other Royal Commissions including this  
35 one. So we have been working on ways in which we might be able to offer complete  
protection even after the Commission finishes, but that's not an easy path to  
navigate, and that explains why we haven't completed the process.

In due course, we may ask the government to introduce legislation providing  
40 protection after the Royal Commission ends, but that, of course, would be a matter  
for government and for the Parliament, in due course. Whatever powers a Royal  
Commission have, they don't include enacting legislation. So that's the position  
concerning confidentiality. In effect, it can be guaranteed during the life of the  
Commission, but in certain limited circumstances, not thereafter. That can only be  
45 addressed, we think, by legislation, but we may be able to provide mechanisms that  
provide protection. We will just have to see what can be developed. The second

5 thing that I want to mention is that when a witness is in the witness box, it can be a little distracting if there is talk or movement in the room while the witness is giving evidence. So we would ask, if you don't mind, try and minimise conversation and movement while the witness is in the witness box to avoid distracting as far as possible. Thank you.

10 DR MELLIFONT: For the record, appearances, Mellifont, initials K.A., together with my learned friend Mr Fraser, A.B., as Counsel Assisting the Commission. We are assisted by the Office of Solicitor Assisting.

COMMISSIONER SACKVILLE: Yes, thank you.

MS McMILLAN: Do you require an appearance again today?

15 COMMISSIONER SACKVILLE: No.

MS McMILLAN: Thank you - - -

20 DR MELLIFONT: Thank you.

COMMISSIONER SACKVILLE: Thank you very much, Ms McMillan.

25 DR MELLIFONT: And I'll just note the appearances as per yesterday in that event. Thank you. May I take this opportunity to remind everyone of the non-publication order which expressly prohibits the publication of any information which would tend to identify current or former students of the education system in Queensland. And that, of course, covers information regarding the parents of such children, including photographs or video because that information will indirectly identify the children. The prohibition is also directed, not just to mainstream media, but to publication on 30 the web, on Facebook, or any type of social media. This order does not prevent the evidence given from being published, provided it is done in a way which does not directly or indirectly identify the students or the parent.

35 This morning the Commission will hear from another parent of children with disability. In the course of that evidence, the Commission will hear that her children have attended two independent private schools here in Queensland, and may I note that the Chair has issued a direction in terms of the identity of those schools being by way of a pseudonym and, in the circumstances, that the non-publication extends to anything which would directly or indirectly identify those two schools. In the 40 circumstances, may I call the first witness, please?

COMMISSIONER SACKVILLE: Yes. Thank you. Thank you very much. I think it has been explained to you that you may take the oath or the affirmation as you wish. Thank you.

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<AAC, SWORN

[10.08 am]

**<EXAMINATION BY DR MELLIFONT**

5 COMMISSIONER SACKVILLE: Thank you very much. Please sit down, and thank you very much for coming to give evidence. I know, and we know, that this is not necessarily an easy experience. If you need any time during giving evidence, please let us know and we will take a short break. Thank you very much?---Okay.

10 Yes, Dr Mellifont will now ask you some questions.

DR MELLIFONT: Good morning?---Hello.

You live here in a suburb in Townsville?---I do.

15 Okay. You are actually employed by the Queensland Department of Education as a special education teacher; is that correct?---Yes.

20 But giving evidence here today, you're doing so in a private capacity?---That is correct, yes.

Were you employed between January to June 2018 as the Acting Head of Special Education Services for two primary schools in the Townsville area?---Yes, I was.

25 And is that title sometimes abbreviated to the acronym HOSES?---HOSES, yes.

Okay. Have you been a special education teacher in the Queensland State Education system since 2005?---And five, yes.

30 Okay. But you've been on extended personal leave since September 2018?---Yes.

Is that correct?---That's correct, yes.

35 And so the observations you make here as a teacher within the system relate to the period up until that September 2018 - - -?---Yes.

- - - when you went on leave?---Yes.

40 And the reason for your leave is that you have been diagnosed with cancer?---Diagnosed with cancer, yes.

But you're feeling okay today?---I'm feeling great.

45 Great. You have a Bachelor of Education from the University of Southern Queensland in 1988?---Yes.

Okay. And did you complete a Masters of Special Education by coursework from Flinders University in 2005?---I did.

Did you manage to accomplish that while your husband remained interstate - - -?---Yes.

5 - - - while you were caring for your five children, each of whom have a disability?---Yes.

And you managed to do that in a fairly short period of time?---Yes.

10 Quite an accomplishment?---It was crazy.

But you got there?---Yes.

15 All right. So prior to living in Queensland, you lived in the Northern Territory; is that correct?---That's correct.

Okay. And in Northern Territory, your children went to Northern Territory public schools?---Yes.

20 Okay. But when you came to Queensland, they were – went to independent schools?---That's right, yes.

Okay. All right. So I will just orient you. I'm at paragraph 6. Okay. So within the Queensland public education system, you've worked there for about 15 years?---Yes.

25 Okay. And immediately prior to the position you left, you were working as a special education teacher at a number of schools, including Currajong, Aitkenvale, Hermit Park and Mundingburra?---Yes. Yes.

30 And before that, it was just – not just. It was Currajong, Aitkenvale and Hermit Park?---Yes.

And, before that, Currajong and Aitkenvale?---Yes.

35 And, before that, just Currajong?---Yes.

40 Okay. So can special – in your time, has it been your experience that special education resources can be shared amongst schools?---Yes, which is why I've worked across so many schools at one time. So if you have – not requiring enough special education teacher hours, you share that across schools. So you might be one person working across – like, I was, four schools or three schools, or – yes, like that.

Is that known as clustering?---It is, yes.

45 Okay. And then when you got to a school which had – which was big enough - - -?---Yes.

- - - that might be just the only school you would work as a special education for?---Yes. So if there's enough need there, you can work there full-time at one school, yes.

5 Okay. Now, I will use the acronym because it's a long title, but can I note for the Commission that that term HOSES is now not being used universally. Different titles are being used, Heads of Department of Inclusive Services, for example, but at the time this witness was within the education system, that was the term, HOSES.

10 COMMISSIONER SACKVILLE: Thank you.

DR MELLIFONT: So, during that time, were HOSES part of the leadership team?---Yes. Yes, they are.

15 And who did they report to?---So HOSES reports to the principal, but you work as a leadership team with the principal, deputies, HOCs, guidance officers, learning supports – quite a big team.

20 Okay. And who did the special education teachers report to?---The special education teacher reports to the HOSES.

And prior to your work in education in Queensland, you worked in education in the Northern Territory?---I did, yes.

25 As what?---I was a classroom teacher in the Northern Territory from 1989 to 2004.

Okay. And in the course of that, were you the educational representative for remote and regional women working to give mothers a say in the education of their children?---I was, yes.

30 And did you receive an award for that work from the Education Minister?---We did, yes.

35 Okay. Can I take you, please, to training on inclusive education. Now, you've got the benefit of a Masters of Special Education, as we've discussed. Did that course work degree cover subjects relating to disabilities?---Yes. So it covered a range of disabilities, and looked at planning and adjustments in mainstream classrooms. I did a lot of subjects around autism because that's my special interest.

40 Okay. Now, prior to Queensland Education bringing out the Inclusive Education Policy in 2018 following the Deloitte Review, was it your sense that people spoke about inclusive education much?---No. No. So before the Deloitte Review, there was really that understanding people would say there's not enough funding and it's too hard.

45 Okay. Have you noticed a change since then?---Yes. Yes.

All right?---Absolutely, yes.

And we will come to that in a bit more detail?---Yes.

5 In terms of sharing of knowledge, have you – have you been part of an inclusive education day?---Yes. So the principal and I went to an inclusive education day which was really good. I've been to a HOSES conference in Brisbane which was attended by the Director-General. It was two days. It was all about inclusive education. It was great, yes.

10 COMMISSIONER SACKVILLE: When was that, roughly?---Beginning of last year.

Thank you.

15 DR MELLIFONT: Okay. All right. So would you whilst you were working there would you have liked to get more training and did you find - - -?---Absolutely. It's really hard to get access to training. You're – if you want to access training it has to align with the school's AIP, their annual improvement plan. So it has got to align  
20 with the AIP. So until inclusive education sort of came on board, it wasn't featuring in the AIP. So it was really difficult to actually get training. So I used to fund my own and take sick leave and go to conferences, yes.

25 Okay. So you would take leave and self-fund attendances at relevant conferences?---Yes.

Which you found to be valuable for your own - - -?---Incredibly valuable, yes.

30 All right. Now, you've spoken about having attended the HOSES conference. Did the Director-General attend that?---Yes, he did.

35 What did you find valuable about that experience?---It was really good to be able to talk to other people like your colleagues to work with other people. It was – for me it was really obvious that the people in Brisbane all knew each other. They obviously got together a lot more than what we do in regional areas. Like for me, being the HOSES was quite an isolated experience, so yes.

40 Okay. So that benefit of being able to speak with your peers?---Oh, yes, absolutely. Yes.

Okay. Now, I want to talk about your family. Okay. You've got five children aged between 15 and 28 years of age?---Yes.

45 And each child faces a range of challenges?---Yes.

I'm going to go through those and ask you to give some more detail in a minute, all right?---Mmm.

Just to orient you I'm at paragraph 14. Let me know when you're there?---Yes.

Okay. Does your eldest child have Autism Spectrum Disorder?---Yes.

5 And the next eldest – generalised anxiety and a social and emotional disorder?---Yes.

The middle child – generalised anxiety and Autism Spectrum Disorder?---Yes.

The next child – Autism Spectrum Disorder?---Yes.

10

And the next child – Autism Spectrum Disorder and Attention Deficit Hyperactivity Disorder?---Yes.

15 Okay. Are the challenges your children face different from child to child?---Absolutely.

20 Can we start with your eldest. And can you tell the Commission the sorts of challenges that your child faces?---So the eldest was educated in Queensland from grade 9 to grade 12. He is really bright. He was diagnosed gifted, top one per cent of the population, but he actually failed grade 12. He was medicated in grade 11 and grade 12 to be able to do that. His anxiety would look like violence, he would push around his siblings, that sort of thing. Massive sensory issues with noise and food. The sensory issues meant that it was really difficult for him to use the school toilet because of the sensory overload of that; that led to lots of difficulties with bladder infections or he would have to go home to go to the toilet, things like that. At that stage, teachers weren't really of the understanding that he required adjustments. So, yes.

30 Did he report bullying to you?---Yes. The bullying was extreme. And like lots of parents are going to tell you, you don't get anywhere. It's really, really difficult. The bullying was so extreme that he actually took a knife to school because he was that scared.

35 Can you talk about your second child, please?---So her anxiety looks like perfectionism. She was school captain. She got very good marks but her anxiety was absolutely extreme. It was really difficult to get that across to the school because she was so well put together and they didn't see the big meltdowns that she had when she came home in the afternoon. Because of that perfectionism there was a lot of doing homework until really late at night, not having enough sleep, there were times where she was so anxious she couldn't even get dressed and go to school but she actually wanted to go to school but she was just so anxious she actually couldn't.

45 When you talk about doing homework late into the night, until what time are you speaking about?---About 3 o'clock would be usual. Three am.

Three am?---Yes.



Your middle child?---The next one is the most affected by anxiety. His anxiety's really extreme. There were times where he missed big chunks of schooling and his dad actually couldn't work because he had to stay at home and look after him. He's got quite poor executive functioning so he has trouble organising his day. You  
5 know, he had lists and visual aids for that when he was little, for that sort of thing, getting ready leaving the house is a big deal. When he was little we used to try and do that transition. We'd give a photo of ourselves to him to go to school.

10 So that he knew - - -?---So he knew we were coming back, yes.

Okay?---These are your parents, they're coming back. Yes. He – he avoids social situations. It makes him really sad that he can't make and keep friends, like he really wants to be able to do that. He's really aware that he's different and that really bothers him. He has – he's very noise sensitive, really noise sensitive. He can't  
15 filter out noise at all. He hears all noise at like the same level. So in this room that air con he would hear that at the same level as my talking voice. It's really difficult for him to filter that. We had lots of discussions with school about wearing headphones. Eventually we got there. It was incredibly difficult for him to change schools. When he was in year 7 he actually missed more of grade 7 than what he  
20 actually attended. So his anxiety was so bad he would sit outside in the car and just cry sitting in his uniform like he wanted to go into school, and he just couldn't. So we actually just focused on actually getting him physically into school. So our goal is actually you're physically in the school. He would sit in a beanbag all day. That was it. That was – that was the goal to achieve when he was in grade 7. So, yes.

25 The second youngest?---So the fourth, she struggles with conversations. Her processing is quite slow. She struggles to filter what to say to other people although she's learning how to do that now. Her social concerns mean that conversation attempts were often ignored by her peers. She's really bright. She's very focused on  
30 what she wants to do. She has one path on what she wants to do. There's no alternatives for her. Just – she's never understood imaginative play, ever. We did a huge amount of work on her speech, fine, and gross motor skills. She had dyspraxia when you substitute sounds for other sounds. Makes it very difficult to understand the person.

35 Okay. Your youngest, please?---My youngest didn't speak. He was non-verbal until he was three. He communicated through behaviour or slamming his head into a wall. We went on a trial of medication when he was in year 6 and when he was in year 7  
40 he was actually on medication. His teachers formed the view that he didn't listen but in actual fact he was actually trying really hard to listen. Very easily distracted by what goes on around him and actually distracted by your own thoughts as well. He likes to be the best at things. His anxiety is extreme. He can be paralysed into like not actually even attempting the work. So if you want to be the best at something it's  
45 got to look perfect and that's not going to happen, well, you're not going to attempt it. He struggles to do homework independently. He chooses not to go on family holidays, because that change of routine is actually too much for him. He's incredibly bright, got a cognitive assessment to prove it but he got a D in maths last

year because his poor executive functioning means he really struggles to organise and know how to use those study skills in maths. So, yes. He – he needs to work through things one step at a time, like most kids with ASD. And we use lists and visual aids to help him do that so he can gain independence in doing that. He's  
5 motivated by what he enjoys, his special interests. He's not intrinsically motivated. So he has difficulty focusing on things that he doesn't see an interest in, and, therefore, he sees no meaning in it. So, yes.

10 Thank you for sharing that with us?---That's okay.

I just want to talk to you about use of adjustments in school. To orient you, I'm at paragraph 16. Now, adjustments might be difficult because - - -?---Yes.

15 - - - they really depend significantly on the person involved?---It really depends on the person. You might get – in primary school you might get a class teacher one year who's fantastic, does excellent adjustments. And the next year you might get somebody who doesn't, and it – it just falls to pieces. In secondary, it happens in subject by subject. And you will see that reflected in the child's academic marks. Like, you will have one teacher who is doing amazing adjustments, another teacher is  
20 not doing any. It's very reflected in that data.

Okay. And just to be clear, so whilst you've worked in the Queensland education system, within Queensland your children were educated in private schools?---That's  
25 correct.

Okay. So as a parent, have you involved allied healthcare practitioners?---Yes.

All right. Tell me about that?---All of the children have had occupational therapists, speech therapists, psychologists. The eldest has had a paediatric psychiatrist. It's  
30 super expensive and it's super time consuming. But it's really important to have access to these specialists. The specialists will do an assessment, write a report, and then you get that report and you take it to the school. I have found that to get the school to read and understand and implement those report recommendations – so to actually read it is one thing, to understand it is another, and to do the  
35 recommendations is another. To actually do that, I've never been completely successful at that. It's really hard. You feel that you – you're made to feel like the teachers are overworked, overburdened, it's too much – it's too hard for them. So as a parent, I would go through those reports and write down the side like how that – what that might look like in the classroom, like how that would look like, what sort  
40 of adjustments you might need to do in the classroom. Teachers really struggle with making that connection. So – yes.

So you've got - - -

45 COMMISSIONER SACKVILLE: Do you mind me asking about – you mentioned the expense. It must be very expensive?---It's ridiculous.

Do you ever get any assistance that whether from Queensland Department of Education, Commonwealth agency or anybody else?---The youngest had access to the helping children with autism package and two of the children now are on NDIS.

5 All right. Thank you. But before that - - -?---Nothing.

- - - there was nothing?---It's extraordinary.

10 DR MELLIFONT: You have described that you'd go through the reports and you'd basically put together a tool for the school to understand and implement the report?---Mmm.

Now, you've obviously got some capacity to do that because of your specialist training and - - -?---Yes.

15

- - - you've obviously had a lot of experience. In your experience within the system as a teacher - - -?---Yes.

20 - - - do you - - -?---I think it's very difficult for parents to do. Incredibly difficult. Like, you have to be really knowledgeable on how to read the reports and how to understand them, yes.

And you've described to us that these reports are written by health professionals - - -?---Yes.

25

- - - for other health professionals?---Yes. That's right. That's exactly right, yes.

30 Okay. And so even teachers with some significant degree of training - - -?---Will still struggle, yes, to understand the - what the - how that translates into a classroom, yes, definitely.

Okay. What's your impression of - generally, of school's focus on A to E data. In answering that, can you tell us what A to E data is?---That's like your academic data.

35

Your academic data?---Yes, the grading, yes.

The grades are A, B, C, D, E - - -?---Yes, that's right, yes.

40 Yes. I mean, there's a massive focus on the A to E data and, for me, there's a real lack of understanding that, like, for my children to succeed, they need adjustments made in social and emotional, both inside and outside the classroom. You know, you - you can't expect a child to not have those social and emotional supports and actually be learning. So, yes.

45

Okay. Can you give an example of your son and grades and where an adjustment was readily able to be made?---Yes. When he was in grade 7, the school that he

attended does these really amazing camps, and I spoke with the school – at the time, he was a runner, and I spoke to the school about our concerns about going on this eight-day survival camp, and they were great. They hired an extra support person; they hired a gappy, and she came so there was an extra person there to help. He had a great time. It was fantastic.

So a gappy is a gap year student?---A gap year student. Yes, a gappy.

Okay?---Yes.

All right. I just want to take you through some other simple adjustments that you've - - -?---Mmm.

- - - seen able to be implemented?---Yes.

Printouts from electronic whiteboards. Can you explain - - -?---Yes.

- - - the benefit in that?---I mean – I mean, sometimes, when you're talking about adjustments, you're not talking about things that are really big and major, but they make such a huge difference. Like, for my kids, getting a printout of what's been written on the electronic whiteboard. If you don't have an electronic whiteboard, just the teachers' notes, having that given to you in a written format because, that way, when the teacher's talking, the child isn't actually writing down at the same time because, that way, you don't have that divided attention – they can't do that divided attention. So you can have one or the other. You can have them writing, or you can have them listening to the teacher. So the teachers actually provided that, then they can listen and learn. I mean, it's so simple.

Okay. I'm on paragraph 19 now?---Yes.

Okay. Can you tell me what your middle child said was the most important adjustment for him?---Yes. So he's 21, and I said to him last week, "What would be the one thing that would make a big difference to you? What's – at school. What would have made the most difference to you at school?" And he said the most important adjustment, the thing which made the most difference when he was at school was when teachers and teacher aides helped him without making it obvious, without making him stand out and without making him feel different.

Thank you. What's your experience about whether it's easy or difficult to get teachers to make adjustments?---It's good fun. It can be incredibly difficult to get teachers to make adjustments because of teacher's knowledge – lack of knowledge and lack of understanding. I mean, sometimes I've had to really bring out the big guns and talk about the DDA and stuff like that. Like, sometimes, it can be really, really difficult.

Okay. When you talk about, "Bring out the big guns," you're talking about pointing out that issues breach the Disability - - -?---Discrimination.

- - - Discrimination Act?---Yes. Yes.

Okay?---Yes.

5 Can I just pause there for a moment. Now, you're not suggesting, universally, that teachers have problems?---No.

Or that there aren't fantastic teachers out there because there are?---There are.

10 Okay. And you're firmly of the view that there's a mix?---Exactly.

Okay. All right. So can we just talk, for example, about one, you know – one adjustment that was able to be started with your child about going to the library. What happened with that?---So my child was one of the children was going to the library at lunchtime. He really needed a place to calm at – you know, before going back into class. The librarian, in her wisdom, decided that you are only going to be allowed in the library if you were actually doing work which really defeated the purpose for him. He just needed to be sitting in there in that calm space. So I actually had to get involved and – yes, and talk about the DDA, and it was just so unnecessary – it could have been solved so simply, but it turns out to be a really big deal, so, yes.

But, ultimately, it was solved?---It was solved, yes.

25 Okay. But it involved your proactive intervention?---It did, yes.

Do you find that tiring?---It's exhausting. It's absolutely exhausting and frustrating and unnecessary, yes.

30 All right.

COMMISSIONER SACKVILLE: When did this happen? Can you - - -?---Well, he was in grade 7. He's in grade 10 now.

35 All right. Thank you.

DR MELLIFONT: When you've raised issues with some teachers – again, it's just some teachers?---Yes.

40 Have you had responses like, "I have 27 other students in the class. I don't have time"?---Yes. Yes.

45 What's your impression about that?---Sometimes, I say things – saying, "Well, it's your job." It's, like – I mean, what do you say to that when someone says to you, "I've got 27 other children in the class"? They're basically saying to you, "These 27 other children in the class, they're more important than your child." So – yes. So I'm very unimpressed with that.

Okay. Can I just read to you a part of your statement and tell me – you tell me whether this still accurately reflects your view: that, sometimes, when teachers say that to you, you think they truly believe that they don't have time to make adjustments for students with disabilities, but with proper understanding and training  
5 adjustments, being able to be readily accommodated, they can make an enormous amount of positive difference to the child being able to learn?---Absolutely. Absolutely.

All right. So I want to talk to you, if you don't mind, and I'm at paragraph 22, you  
10 made a decision to move from the Northern Territory to Queensland because you were hopeful that the education needs of your children might be better supported in Queensland?---Yes, that's correct, yes.

Okay. And you considered a range of schools and ultimately made a decision to  
15 enrol your children into non-State schools?---Yes.

And that was because of your belief that they were better funded and provided more support?---That's correct.

Okay. In your experience in that system, do all non-State schools have trained  
20 special education teachers?---No. No. In my experience, there have been no trained special education teachers. It's often somebody who has come off class, just been a classroom teacher. Yes, they don't have the training, no.

All right. I'm going to take you to around paragraph 23. Were you satisfied with  
25 your experience at the first school?---No.

All right. Tell us why?---Our eldest child was the only one that went through to  
30 grade 12 at the first school. There were lots of incidents at the school. One of them was he came home one day and explained to us that the teacher had said to him, "You need to show me some respect." He's got ASD; he's very literal. He stood up and saluted her – pushed his chair back and saluted her, and the teacher said, "Fine, you can't have the chair," and she put the chair against the wall, and he didn't know what to do so he's gone over and sat down in the chair, and she threw a whiteboard  
35 marker at him and – and then pulled him from the chair and made him stand there. When he came home, he was so perplexed as to why she had behaved that way. He had just no understanding that what he had done was really offensive to her and he was just like, "What the", you know? So, yes, it was nasty. Yes.

So, from your impression, a lack of understanding - - -?---A massive lack of  
40 understanding.

- - - of the child?---Yes. Yes.

Okay. Can you take me to another example, please?---So the same child had  
45 massive fine – fine motor issues, so had lots of difficulty writing. He – at that time, laptops weren't common in schools, so we were fighting for a laptop. We weren't

getting anywhere. The teacher came across to his maths book which she just said – it was a big mess, and she picked it up, ripped the pages up and threw them in his face. So, yes.

5 Was there an incident relating to your third child not standing in line - - -?---Yes.

- - - or apparently not standing in line?---Yes. So he – when standing in line to go into class, he stands a fair way back from the rest of the students because of his sensory issues. As he was walking in, the teacher pulled his hat off and hit him with  
10 it because she wasn't happy with him doing that. I was suitably unimpressed. The – I mean, the reason he's standing back there is because of sensory issues. Like, he's trying to avoid that unaccepted touch from his peers. So he's, in fact, put a strategy in place and, because of the teacher's lack of understanding and knowledge, you know, she's done that because she hasn't understood what he's doing. So he's got in  
15 trouble for using his own strategy, yes.

Okay. The same child - - -?---Yes.

- - - how does he go with problem-solving and concentration?---So he self-talks.  
20

Self-talks?---Yes. So when he's talking through – when he's needing to concentrate, he'll self-talk. When he's problem-solving, he'll self-talk. The teacher told him to be quiet because he was distracting everybody else. Like, he can't work unless he's self-talking, so – yes.

25 Okay. Again, so a lack of understanding - - -?---Very, yes.

- - - how that child can learn?---Yes. That's right, yes.

30 All right. What about your youngest son and his experience sometimes in asking teachers to repeat instructions?---Yes. So because he has trouble concentrating, if a teacher stands in front of the classroom and – and talks – talks – verbal, verbal, verbal, verbal, verbal – there's no visual provided, he really struggles to process that and understand that. So his strategy is to ask for that to be repeated so he can  
35 understand. So he was actually told, “Are you stupid? Weren't you listening?” So, yes. I mean, this can – so – this is so basic. Write the instructions on the board. I mean, how hard is it?

40 And, sometimes, does one or more of your child – children need to wear a hat inside?---Yes, so - - -

Why is that?---So when you – some of my children have got the sensory issues with the fluoro lights. It's terrible. So they would wear a hat inside to compensate for that. More than one of my children had their hat flicked off the back of their head  
45 and told that they couldn't wear it.

Now, in the results of your experience there, you decided to move schools?---We did.

To another non-State school?---Correct.

5

Okay. So, in fact, three of your children received scholarships to that school?---They did, yes.

Okay. Can you tell me your experience at that school?---Are we on 27?

10

Twenty-seven to 28?---Okay. So even though my children received scholarships to the school and I didn't personally have any trouble enrolling my children in school, I'm very aware of other people who have experienced gatekeeping at the same school. So, yes.

15

So, to the best of your knowledge, are there other students at that school with higher needs than your children?---No.

All right.

20

COMMISSIONER SACKVILLE: Can you tell us a little bit about the scholarships. Was that – were they scholarships through the school or some other - - -?---They were academic scholarships through the school.

25

Were they?---Yes.

DR MELLIFONT: Okay. So, at least in the early days, can you tell me about your experiences there?---Okay. So - - -

30

Paragraph 28(a)?---Yes. So the fourth child has sensory issues which means that she has to go to the toilet immediately when she needs to go. The – we had a lot of trouble negotiating that with the school for her to actually be allowed to go to the toilet. Then when we had discussed that with the school and she was allowed to go to the toilet, the teacher would say things like – when other kids asked to go to the toilet the teacher would say, “Oh, no, you're not – you can't go now.” Meaning, well, you're not my daughter so you can't go. So really belittling her that she needed to go to the toilet. And she became quite embarrassed about that and so just wouldn't ask to go to the toilet. Yes. So - - -

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40

Your concern about that is not just for your daughter but that it negatively affects how cohorts of students - - -?---Yes.

- - - view their peers with disability?---Yes.

45

Is that right?---Yes, exactly. Because – like, the teacher's questioning this thing that she needs to do for her disability, in front of a whole class. So it gives the class almost like permission to do the same. Yes.



Do any of your children use fidget toys to help them with concentration?---They do. Look at me with my - - -

5 A fidget toy might be a fidget spinner?---They had – I bought these really awesome cubes from America. They were fantastic. The kids took them to school. I really liked them because they didn't make clicky sounds and didn't – yeah. They were just really quiet little things. It was great.

10 So it was something the children could use?---Yes, when they were anxious.

When they were anxious but which would not disturb the other kids?---Exactly. Most definitely.

15 Okay. What happened?---They had them taken off them. So – all the kids did. So the kids were too scared – some of them were too scared to ask for them back. The ones that did ask for them back were told no, you can't have it back. And I – it's another example of me having to become involved and something so small turns out to be something so big, you've got to send an email, you've got to ring teachers. It becomes ridiculous, yes.

20 Okay. And what about asking teachers for adjustments?---So, for example, adjustments like letting them use laptops during assessment, having movement breaks, having toilet breaks during assessment. I've actually been told by teachers "We can't make special allowances for your child".

25 And is that even if a particular adjustment is - - -?---Yes. And I would have to say, "It's in their support plan. It's in the support plan". And they're still telling you, "No, we can't do that". So, yes.

30 Is your concern – or one of your concerns about that it might encourage other children to question adjustments in a similar way?---Yes. And that's exactly right. Like, when we were actually were successful with laptops being able to be used in assessment because of the handwriting so you could type, other children felt free to give their opinions on what they thought about that.

35 COMMISSIONER SACKVILLE: I think we will hear a little more about this later, about support plans, but can you tell us – explain what the support plan is so far as your child is concerned?---So a support plan – a support plan comes out of a meeting where there's the parents, teacher, external services, the student, if necessary, or if  
40 they want to be there, and you come – you look at the goals. You're developing goals. The goals are so that that child can access the curriculum. Yes. So – does that answer the question?

45 Yes. Thank you.

DR MELLIFONT: Thank you. All right. So whilst things have been far from perfect, have you felt that overall you've been better listened to at this school than the last?---Oh, yes. Most definitely.

5 And have you attended meetings at school, for example?---Yes. So – actually, that's about support plans. So the school actually sent me a – a draft support plan, and I let them know what I thought about that. I mean, you can't send a parent a draft support plan, how are you having a meeting and all discussing it if they've done a draft support plan.

10 So you see that as the cart before the horse?---Yes. Absolutely. The – because a support plan is looking at the child and the whole situation, like all of their environments, you're all working on the same goals. You're not – it's not the school's priorities, it's the child's priority. So, yes. So when I was telling them how much I thought of their draft support plan, I requested that at the support meeting I wanted all his classroom teachers. I've never actually requested that before but I was so unimpressed. And they all came. And it was fantastic, because I was able to talk about the supports that he wanted, and all of them were there listening at the same time. So I knew everybody knew. So, yes.

20 And it enabled you, did it, to share with all the teachers in one session some of the strategies - - -?---Yes.

- - - identified to help your child in the classroom?---Absolutely, yes.

25 Okay. Can I take you then, please, to your early experiences working in the Queensland education system. Now, this is about 2005. So it's a little while ago now. So at that first school there was a HOSES and there were two special education teachers including you?---Yes.

30 And then you got an extra special education teacher because there are a lot of students there with a disability which meant you had extra – additional special education resources?---Yes, that's correct, yes.

35 Okay. But at that school there was a particular teacher who was problematic in your view?---Yes.

And did you view instances of restrictive practices?---Yes.

40 We're at paragraph 32?---Yes. So at that particular school I did witness restrictive practices. For example, a child being dragged along by her arms with her legs dragging behind. It was incredibly traumatising, incredibly confronting. I was brand new to Queensland. I was brand new to the role. Yes, I was like "Wow, this is not okay." Yes.

45 All right. Now, if it happened now with some years under your belt?---I would be like – I would be saying something about that.

Yes. You would stand up to it now?---Yes.

But you didn't have the confidence then?---No. Because for me I was brand new and I was like, "Whoa, is this what they do here? Holy...".

5

Okay. Did you see problems with children – non-verbal children who needed assistance with toileting?---Yes. So children would sign that they needed to go to the toilet, and they were often told to wait. And then would sit in their chair in their own urine. Yes. And quite often, they were the non-verbal children who actually didn't have the capacity to go home and tell their parents what was happening.

10

The problems with that are obvious but one, of course, is the reduced or inability for those children to communicate at home what was happening to them at school?---Yes. Absolutely.

15

Okay. I'm at 35 now?---Mmm.

Can you talk about, please, whether there are circumstances where a lot of children were out of class?---Yes. So at that particular school we had a room, a special education room. So – this is 2005. So children would actually run from class. We would be required to go and find the kids. And then they would end up in this special education room doing nothing. Yes.

20

Okay. So at that time at that school you felt it was very out of control?---It was awful. It was – it was – I – it just was so out of control. It felt to me like there were just band aid solutions. No one was actually looking and going, "This is out of control, we need to do something." I just had my case load and I just did my case load, yes.

25

30 Okay. Stressful?---Pardon?

Stressful?---It was incredibly stressful, yes.

All right. You were almost glad to see when your role expanded to start to spend time at another school?---Yes. It was good. So another school needed a special ed teacher so I was over at the other school more than what I was at the first school. And that was really good for me because I got to see, "Hey, it's not like this everywhere. This is really good."

35

40 Okay. And did things change when the problem teacher, if I can use that in quotation marks – I hope I don't offend anybody by doing that – left?---Yes, most definitely.

40

45 Okay. Now, since that time when you worked at that first school, you say there has been a real shift?---Yes.

Can you explain that to me?---Yes.

I'm at paragraph 38?---So there's definitely been a real shift. You don't – you know, restrictive practices, unplanned restrictive practices are for safety reasons. Like a child on the top of a balcony hanging off the balcony, a child going to the road. Like that's where you would see that sort of unplanned restrictive practice. I think now  
5 teachers are much more aware that restrictive practice should not be used. I mean, even though like in my role, I use restrictive practices. I've never actually been trained in restrictive practices even though I've asked to be.

10 But overall, in more recent times your observation is that restrictive practices are only used when safety calls for it?---Correct, yes.

Okay. More generally in the same time have you seen an increase in children with anxiety and trauma-type behaviours?---Yes.

15 And extreme behaviour?---Yes.

Okay. What have you seen in terms of how that's dealt with in more recent times?---I think teachers have a much better understanding now of those trauma-type behaviours. You know, things like the child having a meltdown. You know, you  
20 don't intervene when the child's having a meltdown. You're just going to make that situation worse. In my role, I still get called to a lot of those situations. But I don't get called there because I'm the special ed teacher. I get called there because I've made an effort to make a relationship with that child. If the class teacher made a relationship with that child they would probably be able to do the same thing.

25 Now, you're aware of the Inclusive Education Policy?---Yes.

You think it's a good start?---It's excellent.

30 Okay. Can I take you to the last sentence in paragraph 41?---Yes.

And ask you to talk about - - -?---So after the Deloitte Review and, you know, the Inclusive Education Policy, it's really good because it's got people talking about inclusion, and I think finally people understand that – are beginning to understand  
35 that inclusion is not integration. Like, you know, they're different things.

All right. So you're aware of the Disability Service Plan?---Yes. Yes. Although most classroom teachers wouldn't be aware of it, I would say.

40 Okay. And why would you say that?---How would they be aware of it? Like, classroom teachers are so overwhelmed and overworked that when there's something extra like that comes along, unless they are actually given time, and it's not expected to be in their own time, it rarely happens.

45 Okay. What's your view about co-teaching models?---Love it. So a co-teaching model – there's different forms of co-teaching models. So at the moment there's not enough funding and there's not enough focus on the co-teaching model. So there's

still a lot of mistrust with teachers that if – if they do really well in that year with their children with disabilities, then next year they’re going to get more kids with disabilities and other class teachers won’t. There’s still that idea of that. So yes.

5 Okay. Are you aware of the existence of inclusion coaches and autism coaches?---Yes.

Okay?---So we have inclusion coaches and autism coaches for our region. You have to apply to access the inclusion coach and then autism coach and then you wait.

10

So when you left in September 2018 how many of each was there for your region?---There was an autism coach and an inclusion coach.

One of each?---Yes.

15

Okay. And did you have any occasion to actually interact with either?---Yes. So in my role as SEP I’ve used the autism coach on two occasions. The first was an incident at the school where the child had actually been suspended for a lot of behaviours that related to his disability, and his mother wrote a letter to the Department. So, in that circumstance, the Department sends the letter back to the school, and the school writes the reply, and it’s given to the parent. In that circumstance, we were told that the autism coach would come to the school and see what was going on. In my view, he was not very helpful and he was not very knowledgeable. I basically showed him around the school and that was it. Nothing happened. On the second occasion, we had a child come into prep who was going to need significant adjustments. Administration staff were panicking. So I actually knew the autism coach and so I asked her to come in. She came in, made lots of really good suggestions that were taken up. Incredibly valuable resource, but there’s just nowhere near enough of them.

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COMMISSIONER SACKVILLE: You mentioned there were two in your region. What’s the region exactly?---I don’t know.

Your region?---Yes, our region, yes. I don’t know how far out they go.

35

Okay?---Yes.

DR MELLIFONT: We will be able to clarify that later this week. Okay. Now, in your very helpful statement to the Commission, which will be available in due course, you’ve identified a number of things, and I’m just going to summarise them and I’m going to take you to a particular part; okay?---Mmm.

40

45

So in terms of challenges of parents of students with disability, the challenges that they face, you’ve indicated that you regard them – them as including a poor understanding of the importance of reasonable adjustments and what inclusive education looks like, difficulties when issues are raised with a school, and the

attitudes of some individual teachers and other school staff, and the lack of sufficient independent recourse?---Yes.

5 What I want to take you to, please, is page 20 of your statement and at paragraph 75?---Okay.

10 And I want to ask you what, in your view, as at the time you left – well, not left; you'd gone on leave, only on leave – needs to improve?---Okay. So there's a real lack of training in university courses about how a disability – how a disability needs to change the classroom approaches. The current training is really superficial. Most teachers come out of uni not knowing how to make adjustments. The universities don't target the demands of what that teacher's going to face when they're first in the classroom. I mean, a good example is that they don't receive any training to help them interpret speech reports, OT reports, psychologist reports. They don't get any training in that sort of thing. So, yes.

20 Now, just before you move to the next point, has it been your experience that you've seen teachers being fearful of adopting tailored or inclusive approaches because they simply don't know how to?---Yes. So they don't know how to. They're – they're fearful because they don't want to do it wrong, so they don't know what to do, yes.

25 Okay. The next one point, please?---Yes. So lack of opportunities to share useful information amongst teachers. I mean, I – I spoke about that before, you know, being really helpful to provide opportunities for teachers to share knowledge, what tools work with specific children from previous years, sharing resources. There's nowhere near enough sharing and collaboration with classroom teachers, so, yes.

30 Another barrier you would like to see broken is a lack of top-down support for students with disability in some schools?---Yes.

35 Tell me about that?---So I'm surprised to find that I work with people, including principals and administrators, who still think that children with disability should not be taught in inclusive environment or actually understand what it looks like in reality. It's concerning that that's the situation because these are the people which have power to suspend and exclude, and if you have a teacher who wants that child out of their class and they know that that principal is going to suspend, yes, it's much easier for that child to get suspended.

40 So your concern is that if senior people don't support, in a strong way - - -?---Yes.

45 - - - inclusive education, that it's unlikely that much progress can be made towards that goal?---Yes. If you don't have the leaders in your school supporting inclusive education, that's – I mean, that's going to set that culture and that mindset across that school. You can have your little individual teachers doing their best, but they're not getting the support that they need, yes.

And, conversely, you've experienced that when there are terrific principals, great leadership, that it does change - - -?---Absolutely.

- - - culture?---Absolutely.

5

Right. I'm up to page 21, paragraph 15?---Yes. So the perception that the education of students with disabilities is a lower priority and that actually doing the adjustments and teaching this child with a disability is like an extra thing in your job, and it's not. It's your job. That's your job. That's what you should be doing. It leads to teachers having that idea that, "Oh, I've got no time to do that," because they see it like as an extra thing. You know, they – they won't do things like prepare different assessment methods, that sort of thing. Yes, they – that's when you get them saying, "Oh, you know" – that's when they talk about having those time constraints to even consider what the – you know, the assessment needs to look different and changed. Like, you know, I mean, just really basic things like the child – with handwriting. If the assessment, they could verbally tell you or somebody could scribe. Like, you will actually have teachers say, "Oh, we don't have time for that." That's your job.

All right. So you're talking about a need for a culture where all students are regarded as having equal rights?---Yes.

20

And equal opportunity to learn?---Yes.

Equity in learning?---Yes, absolutely.

25

Okay. You've touched a bit on under-resourcing, but, in particular, if I could briefly summarise this, and let me know if I get anything wrong, you're concerned about whether teachers have sufficient support, for example, through co-teaching models, or a special education teacher can assist a classroom, or resources to provide them with additional time to consider adjustments. That's one concern?---Mmm.

30

And related to that is the paperwork load; is that right?---Yes.

Can you explain that to me, please?---So there's a lot of paperwork involved in special education because you have to be able to show that you've got extensive – that you're making extensive adjustments for the verification to actually go through. Once that verification is approved, you then do the EAP which is, you know, what the funding's based on. The child gets their stanine level - - -

35

That's s-t-a-n-i-n-e?---Yes, which is what their funding is based on. I mean, this whole process can take hours and hours and hours to do. This is like – you know, as well as the support plan. So if you have a classroom teacher who has a couple of kids that need to be verified, it's an enormous amount of work for that one classroom teacher, and the classroom teacher is expected to do it in their own time. So it's, yes, quite extensive, yes. I mean – and it – and, also, after you do all that, like, the whole process is completed and funding is approved, you don't get that funding until next

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year after day 8. So that classroom teacher, they're not even going to see that. Yes. So it's next year.

5 Okay. You've spoken a bit about a focus on the wrong issues and you've spoken a bit on the heavy focus of A to E data and the lack of focus on social and emotional adjustments, both in and outside the classroom. What I want to ask you about is on – is about the focus on reducing suspensions and increasing attendance and your observations in respect of that?---So, I mean, it's really great that, you know, you want to reduce suspensions and increase attendance, like, yes, but what actually happens is instead of the child being suspended, they might go to reflection room or detention room, or whatever it's called, for three days. So they might go the first day, and then think, "Stuff this," and then not come to school. So you just – you have got the attendance problem. So it's really like the reason for wanting to reduce suspensions is to really gain that understanding that this behaviour is part of the disability and you need to be making adjustments for it. So reducing your suspension data isn't actually looking at what the actual problem is, which is that this behaviour is linked to the disability, and the people working with this child aren't actually understanding that.

20 Before I ask you what you'd like to see this Commission achieve, can you share with the Commission paragraph 78, please?---Paragraph what, sorry?

78 at the bottom of page 22?---It starts with, "It breaks my heart."

25 It's okay. You can just read it, if you like?---

30 *It breaks my heart to think that people still think that children with a disability don't have the same rights as everybody else. It shows me that there's such a long way to go. At one school I worked at, we put an extra staff member on duty during class breaks and we worked on the social/emotional goals. So incredibly important. The principal could not understand why we needed these additional supports and, instead, proposed gathering every child with a disability at lunchtime and confining them to the undercover area. I tried to explain how this proposal was not satisfactory, but the principal did not seem to understand. I had to resort to doing a comparison with choosing a group of children of a single race and asking whether it would be okay to put them in a shed at lunchtimes. The principal did seem to understand once I made this point.*

40 How long ago was that, do you think?---2017.

What would you like to see this Commission achieve?---Everything. Right.

45 We'll do our best. We'll do our best, but let's start with the points you'd like to make?---Okay. I would like - - -



COMMISSIONER SACKVILLE: You can stop there, if you want?---I would like to see the general public's perception towards the education of students with a disability change. I would like people to realise that the way students with disability are currently treated is not okay. Teachers and other school staff need increased  
5 knowledge and understanding of the challenges that are faced by students with disability so that the appropriate supports need to be provided. So you've got to understand the challenges before you can understand what supports need to be provided. I think there needs to be a stronger focus within schools on the social and emotional challenges faced by students with disability. This has such a huge impact  
10 on the child's learning experience and their likely at attendance, and if you don't get that right, if you don't get the social and emotional right, how are they supposed to learn? I think the funding for the co-teaching model would be a very helpful change. In co-teaching model, the special education teacher participates in the classroom with the classroom teacher. They discuss possible adjustments; they model the changes  
15 that need to happen, and – and you're able to address those challenges that are happening in the classroom, but, also, you're focusing on the whole class, not just focusing on that child with a disability. While special education teachers already do this to an extent, additional funding needs to happen so that can happen more. Yes.

20 DR MELLIFONT: I want to thank you for your time. Can I indicate to the Commission that this witness is not required for cross-examination.

And thank you very much for your time.

25 COMMISSIONER SACKVILLE: Do you have any questions?

THE WITNESS: Thank you.

COMMISSIONER SACKVILLE: Right. Can I ask you a question. You've  
30 obviously given a very great deal of thought to how things might be improved. From what you've said, I assume you would think it very important that the education of all teachers, the courses that all teachers undertake, should include some element of how to implement inclusive education. Is that what you have in mind?---Yes, absolutely.

35 What would you see as included in a course like that as part of teacher training?---I think you get beginning teachers that don't even understand, you know, the basics of a disability, let alone how that disability can actually affect. Like autism, for example. You know, how that can affect everybody differently, and what that looks  
40 like. You know, you've got a child with anxiety punching someone. That's their anxiety. To understand what those behaviours are that are actually being communicated and how all different children do that. So unless you've got that very first understanding, then you're not going to understand what those adjustments – teachers need to be able to go, "This is what's happening with this child in my room.  
45 This is why they're doing it. These are some of the things I can try." You know, they need to be able to do that. As an absolute basic, be able to do that, yes.

Are there any courses that you know of that include that kind of - - -?---The Masters do that, yes. But, I mean, the basic teaching qualification needs to do that because you're not going to come into a school and not have someone in your room that's not on the NCC data. That's not going to happen, like, yes, you need to be prepared for that, yes.

Thank you. Thank you very much for coming?---Thank you.

And sharing your experiences and the benefit of your experience. We appreciate it very much. We know that this is not an easy thing to do. Thank you?---No, it's not.

Thank you?---Thank you.

15 <**THE WITNESS WITHDREW** [11.16 am]

DR MELLIFONT: Is it convenient to take the morning tea break now at 11.35?

20 COMMISSIONER SACKVILLE: Yes, we can, and just remind us what will happen at 11.35.

DR MELLIFONT: Yes. Mr Bates from the Queensland Teachers' Union will be giving evidence and he will be led in that evidence by Mr Fraser of counsel.

25 COMMISSIONER SACKVILLE: Thank you very much. We'll resume at 11.35. Not 11.34 or 11.36. 11.35.

DR MELLIFONT: We will aim for that precision.

30 **ADJOURNED** [11.17 am]

35 **RESUMED** [11.36 am]

COMMISSIONER SACKVILLE: Yes.

40 DR MELLIFONT: Mr Fraser will be taking this witness.

COMMISSIONER SACKVILLE: Good. Thank you.

MR FRASER: Thank you. The witness is Kevin John Bates.

45

<**KEVIN JOHN BATES, SWORN** [11.36 am]

**<EXAMINATION-IN-CHIEF BY MR FRASER**

5 COMMISSIONER SACKVILLE: Thank you very much, Mr Bates. Please sit down. Thank you very much for coming to give evidence today?---Thank you.

10 I understand you would like to make an acknowledgement?---If I may, please. It's a formal position of our Union in reconciliation that we acknowledge the traditional owners on the land we are gathered. And I want to pay my personal respects to elders past, present and emerging for their custodianship of this land.

COMMISSIONER SACKVILLE: Thank you very much, Mr Bates. I will now ask Mr Fraser to ask you some questions.

15 MR FRASER: Thank you.

Your name is Kevin John Bates?---That's correct.

20 You're currently the president of the Queensland Teachers' Union?---Yes.

How long have you been in that role for?---I was first elected to the position in 2011 and took up office in January of 2012.

25 Can you explain the role of the QTU and your position in it?---The Queensland Teachers' Union is 130 years old this year. We were formed by teachers and principals by Queensland State Schools. We represent the interest of 47,000 teachers and principals right across Queensland working in our public education system. We also represent teachers and leaders in our TAFE system and the work that they do in educating young Queenslanders in that context.

30 And before you took up the role of President of the QTU what did you do?---Before I became the president of the Union I've had somewhat of a variety of roles. I began my working life as a teacher. I was a secondary school teacher working throughout various locations in Queensland. My area of expertise is in social sciences. I finished my teaching role in 1994 when I was a Head of Department in charge of curriculum for a small secondary department at Dunwich on North Stradbroke Island off the coast from Brisbane. I then took up a role as the QTU organiser for south-west Queensland based in Toowoomba, where I spent about five years. I then moved to Brisbane into the role of the Union's industrial advocate, where I represented the interests of the Union in the Industrial Relations Commission, and in negotiations around wages. And then moved back to Toowoomba as the Union's organiser for the south-west, before being elected in 2011 into my current role.

45 And you've provided a statement to this Commission?---I have, indeed.

And you have a copy of that with you?---I have it with me.

Commissioners, that statement together with the seven annexures to it are contained within tender bundle A. That's commencing at tab 54 through to 61. While I'm referring to that index I foreshadow I will be asking Mr Bates some questions regarding QTU's position in respect of Education Queensland's education policy.

5 That appears in Ms Deborah Dunstone's statement and that's in tab 15. Mr Bates, in your statement you've included as annexures 2 and 3 two documents. The first is described as QTU's position on Education Queensland's Inclusive Education Policy and the latter is a QTU information statement for members as to the education of students with disabilities. That's the longer document that's annexure 3. I'd like to

10 ask you some questions about the latter. Commissioners, that's at tab 57 of the bundle.

Now, if I can take you to the first page of that statement, it states there that QTU broadly supports the move towards greater inclusion of students with disabilities in

15 regular classrooms subject to various conditions. I would like to ask you some questions about the conditions that you have referred to there. Now, the first of these that I will ask you about regards – relates to teacher professional development. That's on the fourth bullet point at the top of page 2.

20 Now, there's two components to teacher professional development, isn't there, or teacher professional qualifications. The first is originally qualifying as a teacher by a process of university study, and then, secondly, with respect to ongoing professional development. I would like to ask you some questions about the first of those two things, and that is becoming a teacher. Now, what is essentially, in broad terms,

25 required in order to qualify as a teacher in Queensland?---The process is known as initial teacher education. It takes various forms across tertiary institutions either in Queensland or in other parts of the nation, indeed overseas. The circumstance in terms of the curriculum, the expectations around initial teacher education in Queensland, are determined by the Australian Institute For Teachers and School

30 Leadership, a national body that sets the standards for teachers and for school leaders right across the nation. A more recent development in terms of education in this nation has been cooperation at a national level by the states and territories who are constitutionally responsible for delivering education through the auspices of the federal government to deliver nationally consistent standards for teachers and school

35 leaders. So it's the teaching standards for graduate teachers, and there are, in fact, four levels within teaching standards, "graduate" indicates those things that a person should have as a skill set and knowledge base when they complete initial teacher education, and then register to become a teacher. The – the second level is

40 "proficient" which we would normally expect a teacher to develop after five years and there are two higher levels to which people can aspire throughout their teaching career. But importantly at that initial teacher education level, the issue is related to completing a curriculum, either in a four-year undergraduate degree, or in a postgraduate qualification, which is currently two years.

45 And with respect to the initial teacher education and the teaching requirements, or the curriculum requirements for students with disabilities, what issues, if any, have arisen, in your view, about that?---The curriculum requires teachers to be familiar

with diversity issues as they apply in the classroom. It's much more broadly defined than simply disability. Disability is one of the issues about which teachers should be familiar in addressing diversity in the classroom. But certainly, given the depth and breadth of the curriculum, our assessment would be that disability is not considered in any great detail during most university qualifications. And where it is addressed, it's often because students themselves have selected particular electives that might lead to greater depth of knowledge and understanding of the issues pertaining to education for students with disability. So the – the broader issue is that the – the universities are – what the universities offer is determined by the AITSL standards and as a consequence this is one of many issues that have to be addressed during the time available for the qualification at the university.

COMMISSIONER ATKINSON: And who sets those standards?---So the AITSL board, which is owned by the Ministers for Education, sets the standards. They've been developed in consultation with teachers and principals around the nation over a number of years, but they are essentially owned by the board of AITSL.

COMMISSIONER SACKVILLE: What's the relationship between what the board specifies and what a particular university or tertiary institution might include in their courses?---In order for a university course to be approved and then delivered and, of course, to attract federal government funding as a consequence, it's necessary for those courses to be vetted by usually the state-based teacher registration authorities that are charged by AITSL with responsibility for approving the courses of study that are being undertaken. So the Queensland College of Teachers considers all of the programs on offer in Queensland universities, and is required to assess each of those programs against the standards to determine whether or not they meet the expectations set by the national body for the work that students would undertake during their initial teacher education course to achieve the required standards. There are some other measures such as, for example, the graduate teacher performance assessments that then look at, at the end of the program, have they reached the necessary level in relation to those sorts of things, but there is a – an audit quality assurance process that every university has to participate in on a regular basis which, I think, is around about every five years to have those programs assessed against current standards and - - -

But the national standards are minimum standards, presumably?---Correct.

It's open to any given tertiary institution to include extra elements in the program that leads to a teacher qualification?---There are clearly minimum standards and a university could introduce an additional curriculum at any particular time.

Does any university have any particular courses that address questions of inclusiveness in relation to disability, as far as you're aware?---Most universities would offer such courses to one degree or another. I'm not – I don't have sufficient expert knowledge around the actual courses on offer in universities to be able to answer to any degree of certainty, but, certainly, you know, there is programs available at different universities around Queensland.

Yes. Thank you.

5 MR FRASER: Mr Bates, I've received a note that's for me also. I would ask you just to be conscious in your answers of the interpreters and transcribers, to slow your pacing a little bit. Thank you?---I'm speaking at about half my normal speed, so I will slow down even further.

COMMISSIONER SACKVILLE: Make it 20 per cent?---I will try hard.

10 MR FRASER: So once a person has qualified as a teacher, they then are accredited with the Australian teaching – what's the name of that organisation?---They're actually accredited by their local teacher registration authority. So, in Queensland, that would be the Queensland College of Teachers would provide them with registration.

15 And then every five years, there's an obligation to renew that qualification?---Correct. And they're required to have completed a certain amount of continuing professional learning in order to be able to renew, and they have to have a minimum number of days of teaching within a school context to be able to renew  
20 with full registration.

With respect to professional learning, you've said there's some requirements for that. What are the – in terms of those requirements, are there any national or state criteria that needs to be met?---The way continuing professional learning is described is in a  
25 non-exhaustive list of suggested areas that teachers and principals might work in that can contribute towards the total quantum of hours of professional learning that can be undertaken. There are no mandated topics that teachers must undertake as part of the continuing professional learning, but, rather, opportunities that are provided for individual teachers to choose the things that meet their particular needs. In a  
30 workplace context, teachers engage in an annual professional development conversation with their supervisor where they would look at issues about personal development, and so there's an overlay and difference between the professional learning that might be undertaken as a part of an annual performance of a professional development plan and the continuing professional learning that's  
35 required to be undertaken to meet registration requirements in each five-year interval.

With respect to the programs and courses that are available, have your members reported any concerns to you about the appropriateness of those courses or  
40 difficulties in accessing those courses relating to students with disability?---In recent years, there have been the development of some extremely valuable programs of professional learning in the area of students with disability. There was, for a short time, a bucket of money provided by the federal government to ensure that those programs could be accessed by teachers and principals and, in Queensland, we know  
45 that when they – those courses were offered, they were highly valued by teachers, particularly in the area of autism and Autism Spectrum Disorder in that they provided learnings in an area of great need in schools. My advice is that those

programs, when offered, were generally oversubscribed, that is, the places that were on offer were quickly filled and people were very keen to be engaged in that learning when the opportunities were provided, but, as with many things, the funding eventually ceases, and so there's a limited opportunity for those programs to be able to continue. I dare say, most teachers would argue that providing opportunities for good professional learning will see people take them up.

COMMISSIONER SACKVILLE: What was the Commonwealth program that provided funding, do you remember?---No, I don't. But we're talking in the order of about three – three or so years ago.

Okay?---Yes.

MR FRASER: When a teacher wishes to take up a course like that, a professional development training course, what are the requirements – what do they have to do with their employer enable to – in order to be able to take that up?---Really, there's – there's two key options. One would be where the school supports a particular development, professional development program. Most schools would have an application-based process where the teacher would apply to undertake a particular program. Every school has a budget for professional development that they expend in supporting school staff to engage in that professional learning, but, obviously, that budget is finite, and not everybody's applications are approved, necessarily. There is a link between that annual performance development plan and applications for professional learning that teachers would make. So there's both personal professional learning, where people identify either career goals or issues in their practice that they want to look at, versus issues that are identified by the Department of Education as the employer, or, indeed, by each individual school as priorities for that school community in terms of professional learning. A common one, for example, reading and the teaching of reading is – is one that often features in school compulsory learning processes.

With respect to a teacher, for example, in a regional area wanting to access a course like that, what additional complications or matters arise about that?---Traditionally, many of these professional learning programs are offered in major centres such as Townsville, in this region, and there are the complications of people who live in more isolated areas taking significant time to travel to those centres at an additional cost to the school. It's important to understand in the context of education that when a teacher is absent from a school on any given day, they have to be replaced because there is a class of students that require a supervisor and a teacher for that day. So, in some circumstances, in western parts of Queensland, for example, undertaking a one-day professional learning activity could take up to three days to actually complete because it takes a day of travel both ways to actually do that. There's also the added cost of accommodation and the cost of the transport that's undertaken. The school has to build that into their budgets, and while there is some loading available to schools in remote and isolated areas, it doesn't – I'm advised by our members on many occasions, does not cover the additional cost of engaging in professional learning from a rural or remote centre.

If I can come back to your statement and the position of QTU at the third bullet point, you say, there, a condition of support for Queensland Education's policy is that teachers and other staff have been adequately trained to work with students with disabilities. Can I ask you to expand upon that. Is there any further training or  
5 support that you haven't already referred to in terms of professional development?---I think the critical issue from this perspective is that, often, the needs in terms of professional learning can't be adequately described until the students are actually in the classroom, and the reason for that is while it's possible to categorise disability according to some of the – the low incidents, for example, in relation to  
10 hearing impairment or visual impairment, in a general sense, it's about being able to develop responses to each individual child's particular needs. And while they might come with a diagnosis of a particular disability, that doesn't necessarily mean that there's a silver bullet answer, if you will, a one size fits all answer, that – to meet their needs in terms of disability. So the critical thing here is to have flexibility in  
15 the delivery of this professional learning that allows for teachers to develop a menu of responses to the sorts of circumstances that they will encounter in the practice of teaching children in the classroom.

The last bullet point you refer to – or the position paper – refers to an adequate  
20 allocation of additional teacher FTE and/or teacher aide hours to support the students. I understand FTE is full-time equivalent. What do you see as being the issues that arise with resourcing for students with disability?---One of the issues that is plain in the classrooms right around Queensland is that the expectations of a single teacher are often beyond the capacity of a single human being to deliver. That might  
25 sound like an overstatement, but it is an acknowledgement that we are limited in our capacity as human beings to do 27 things at once because, in many classrooms, there are 28 young individuals, or 25 in other circumstances, each of whom – each of whom have a unique set of circumstances that need to be dealt with in terms of effectively providing for education. If the system is able to support our education for  
30 these young people with additional human resources – qualified teachers in the first instance is our preference – we have a greater capacity to deliver for every one of those young people. Where we continue to rely on a model that places 28 young people or 25 in other classes in the care of one teacher and expect that person to cater for all of the individual differences of young people, our assessment would be that  
35 there will continue to be deficits in our system in terms of being able to do that work.

Where a student has been identified as having a disability, do additional resources flow to a school from that?---In a general sense, the resourcing model is constructed so that the verified disability for a student can lead directly to resourcing being  
40 provided. There are time issues. So provided that verification occurs prior to day 8 of the school year in a normal school, they will have resources flow for that particular student. Day 8 is a cut-off. It's a universally applied cut-off in schools in Queensland related to the resourcing allocations that apply to school, it's a practical bureaucratic process to ensure that there is a known deadline by which submissions  
45 are made to the central office of the Department of Education of student enrolments, including enrolments for students that have diverse needs so that they are funded accordingly. Where a student with those needs is either enrolled in the school or



verified after that date, in normal circumstances, that resourcing would not flow until day 8 the following school year. There is some flexibility at a regional level with a contingency fund that allows for some circumstances to be catered for by the allocation of additional resources. That allocation represents about three per cent of the total resourcing pool, and so it is extremely limited.

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COMMISSIONER ATKINSON: So are you saying if a child with disabilities starts school, not on the first day of the school year, for example, at the beginning of term 2 or semester 2, it's only by allocation of these reserve funds that anything can be done - - -?---In terms - - -

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- - - to assist the teacher with that child?---In terms of providing specific resources to the school where it's after day 8, normally, that would mean the resources are not allocated until the following year unless there is something left in the contingency fund to provide specific support for that child.

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COMMISSIONER SACKVILLE: You said that funds are made available, but to whom are they made available and for what purpose? Are they actually specific to a particular child?---No, they're not.

They're given to the school, aren't they?---Correct.

And it's at the discretion of the principal as to how the funds are spent?---Correct.

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And there is a pool of money that is not confined to disability, as there be – there are other diverse matters that may lead to funds being allocated to that school?---There's a complex series of buckets of allocations - - -

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That finishes it up in one school bucket?---In – to a large extent, yes.

Yes. Thank you.

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MR FRASER: And who, ultimately, has control over that bucket within a school?---At a school level, the principal determines the allocation of resources. We actively engage with principals to work on a consultative process which allows for input from all teachers but the decision-making that is undertaken in respect of allocation of resources is the responsibility of the principal.

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Now, the policy refers to an allocation of teacher aide hours to support a student with disability. What is QTU's position as to the role that a teacher aide should play as to the inclusions due to disabilities in the classroom?---Teacher aides in our school play a vital role in supporting the education of young people. There's no question of that. But they are not teachers. Their role is to assist in the teaching process and to assist students, where necessary, to assist with the making of adjustments to meet the needs of individual students. One of the complications of our classroom settings is that often teachers have to rely on teacher aides to do more than their role actually requires, and it's an issue for our system as a whole to understand that asking a

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teacher aide to take on additional responsibilities industrially and professionally is inappropriate, but it's often the case that there is no obvious alternative. So from our perspective, additional teachers are crucial, and there are a range of ways which additional teaching time can be allocated into classrooms to ensure that the support that's required. That does not mean that the role of teacher aides is not highly valued and very appropriate. It just means that there are different and distinct roles played by each of those people in the classroom. And obviously, there are a range of other specialists who provide support to our classrooms as well, in terms of therapists, nurses, and advisers such as the autism coaches and others that have already been mentioned this morning.

Are you aware of instances of students with disabilities essentially being left to be – to be taught that professional role by student aides – by teacher aides, I should say?---I've not directly witnessed that myself. I am aware, however, from exchanges with members of ours, given that I interact with them on a regular basis in schools and around the State in classrooms, they have shared with me that often the only alternative not just for students with disabilities, but at other times for students, for example, in multi-age classes such as in our small schools where six or seven year levels are being taught simultaneously, that often the only option for a teacher who's trying to teach across a vast range of subject matter and different year levels is to use a teacher aide to support the teaching process in the classroom. Most teachers would set the work and then ask the teacher aide to support the teacher's work in delivering that for the young people that are in a particular group, for example.

What are the other sorts of assistance that a teacher aide provides to a student with disability?---There – there is a long list, and in many ways whatever is needed in most circumstances would be the answer. It can be, for example, assistance with toileting. It may be assistance with individual learning processes, or it may be assistance through behaviour management techniques that contribute to the child being able to engage effectively with the lesson that's being taught on the particular – at that particular time. So it's a – it's a broad spectrum of activities that might be undertaken to support the educational process that's going on in the classroom.

You refer to toileting. Any other support of a personal nature or medical nature?---Depending on the setting, some of our teacher aides have very specific training and skillsets associated with particular needs for students. PEG feeding is one of the things that can sometimes involve a teacher aide. Students with oxygen therapy can involve a teacher aide ensuring that tubing is kept clear so that there's no blockages or occlusions. There are issues to do with a range of other personal care matters related not just to toileting but other personal issues. There's the potential for those teacher – teacher aides to be involved in the administration of medication. So I'm aware, for example, in the cases of severe epilepsy where certain types of medication need to be administered, that may be undertaken by a teacher aide.

I would like to ask you some questions about QTU's position as to special schools. Now, in page 4 of your statement you refer to QUT – sorry, QTU advocating for the construction of additional specialist schools to alleviate population pressures in

existing special schools. Can you expand on what forms the basis of that support for additional special schools?---Just to contextualise these comments, I wanted to just briefly mention the process that we undertake in determining these positions. This is not something that Union officers sitting in a building in Milton in Brisbane sit down and come up with good ideas and write them down. We go through an extensive process of consultation with members where the development of this policy is undertaken on a biannual – biennial basis. Every two years we sit down with all of our policy and it’s subject to review. There’s then a democratic process where 250 elected QTU members meet at our conference every second year and determine the policy positions of our Union going forward. So the – the matters to which I refer are matters of Union policy as determined by members through a democratic process. In respect of special schools, the general position is that as an option in a broader education system, special schools where there is very specific enrolment policies that relate to the particular needs of an individual child have a place in terms of providing the best means to provide support for that particular student. But that it is entirely appropriate that it be an option available for parents to choose to send their children to those schools, or to another educational setting that meets the needs of their child. So our position is that if you make, for example, a blanket decision to take away special schools as an option, it denies the system and parents and those students one of the suite of options for providing effective education in a State School system.

What are the present requirements to qualify or be eligible for attendance at a special school?---In most circumstances, enrolment in a special school requires specific approvals. There’s a set of criteria – and, again, not an issue that I have expert knowledge in, but certainly the criteria are strictly enforced, and often involve the intervention and reports from medical practitioners to provide the appropriate assessments of the student’s disability to ensure that they meet the necessary criteria before they’re enrolled in a school.

30 COMMISSIONER SACKVILLE: The principal criterion is profound intellectual disability, is it not?---One of.

COMMISSIONER ATKINSON: One of the arguments that’s put forward against this position is that special schools are then used as a gateway option, suggesting to parents that their child would be better off in the special school and can’t be accommodated in mainstream education because there is that option. In other words, it’s used to divert children who might otherwise be able to be accommodated in mainstream schools. Do you – does the Union have a position on that?---Our view would be that ultimately the decision to enrol is one taken by the parent. The decision to enrol in a special school is only available where the relevant criteria are met. And in those circumstances, it’s a viable option. It would – it is appropriate for teachers and principals, as experts in education, to provide advice to parents about what they see as being good practice and support for the student’s needs, but ultimately, the choice around where the enrolment occurs is up to the parent. And that’s made plain by the legislation that governs the operation of our education system.

COMMISSIONER SACKVILLE: I understand the point about parent choice, and I think the way you've explained it is that parental choice is a very important element in the maintenance of special schools. Your statement puts it, I think, slightly differently. The paragraph that I'm referring to says:

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*Special schools are a critical part of the offering in education in the State system in Queensland. Such schools provide a crucial context where specialist facilities and services, including teachers specifically qualified in special education, can generate the greatest positive impact the students with the most complex disability and health issues.*

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That sounds like an endorsement of the particular benefits of special schools. Is that – have I read that correctly?---That is correct. And – and it goes to what is probably best characterised as more of an economic rationalist argument rather than an educational one. And that is by concentrating our resources in a particular location we can deliver the greatest benefit in a cost effective way given that our system struggles all of the time with issues of a finite budget. So the – the buildings, facilities, human resources necessary to deliver effective education for all students don't exist in every context.

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Do we take that as a Union endorsement of economic rationalism?---Indeed not. That's perhaps my alternative description of the one I went to first.

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COMMISSIONER ATKINSON: I'm confused, Mr Bates. I'm not sure why the Union would be concerned with an economic rationalist argument. Teachers Union surely is concerned with the best educational outcomes?---And in other evidence that I hope to give today we will talk about the fact that we think there's a critical need for significant increase in funding and resources that would make other alternatives viable, but in the absence of those resources, we have to take a practical approach which is how can we provide the best possible outcomes, and until such time as we achieve our goals of limitless resources for our schools to provide the services that children need, we're probably going to have to look at some unfortunate compromises around some of those outcomes.

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I think limitless resources might be setting the bar a bit high, don't you think?---When you look at what the Gonski review found in terms of disability, it was an area that was so complex and so challenging that the original review determined that they could not possibly do it justice and that it required a specific review of its own in order to try and determine the best way to deliver the financial resources necessary to support our system. To my knowledge, that review's not occurred and we're now approaching a decade since the original Gonski review found there was a critical need to move this issue forward. So it is a problem that has confronted governments at a state and federal level for some time and it's not yet had an appropriate answer.

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COMMISSIONER SACKVILLE: We had evidence yesterday that it might be feasible to phase out special schools over a period of, say, 15 years. Would you say

that is a feasible objective, and, if so, what would be needed to achieve that objective?---In the context of a guarantee that every child's needs would be resourced appropriately in their individual context, the answer to that would be yes. But we would not support the notion of students being enrolled in schools where

5 there was currently no capacity for the system to provide the resources necessary to support their education. Because the challenge there would be that, as I indicated earlier, the – the current expectations on teachers have already reached the limit of human capacity, adding additional expectations would stretch us well beyond that.

10 So the position that you would adopt is that, in principle, it is feasible for every child, no matter how profound the disability, to be educated within the mainstream system but that the only limitation essentially is the provision of adequate resources to cater for the needs of each individual child. Is that a fair summary of your position or the Union's position?---Commissioner, the – the evidence around the world is that it is

15 possible. The fact that we can't do it here is a consequence of limitations on our system, as opposed to some intent to construct restrictive or limiting factors that go beyond the resourcing issues.

And then, I suppose, there would be a debate about what resources are required to

20 bring about this result?---And in all circumstances, the logic is that it actually comes down to what the individual child's needs are.

Yes?---Because, again, to suggest that you can have some sort of suite of options that will meet all of the needs of a child defined in some centrally determined way is

25 extremely problematic, and making an assessment of a child's needs on an individual basis is the only fair and reasonable way to allocate those resources. The problem for treasuries, the problem for governments is that that's often an unknown, and what they like to have is a very clearly defined set of numbers that indicate that child X will need certain number of dollars to meet their educational needs as a – as opposed

30 to having a process that says we should do whatever it takes.

COMMISSIONER ATKINSON: So is that a, if you like, a – the strong support which the Chair read to you which you agreed was strong support for special schools is subject to what you've said - - -?---It's - - -

35 - - - in evidence?---It is.

Okay.

40 COMMISSIONER SACKVILLE: Mr Fraser, we slightly interrupted you. Please continue.

MR FRASER: With respect to access to funding for students with disabilities at present, is it correct that one of the ways or the principal way this is achieved is

45 through an Education Adjustment Program in a school?---That's right.

Can you explain how this process works?---Essentially, the development of the program is a cooperative one, and it reflects the importance of the partnership of school staff, and I use that term to be inclusive because it will vary, from  
5 the classroom teacher; potentially, a head of special education services in the school who has expert knowledge in the area; potentially guidance officers, teacher aides, therapists who provide services for young people, and the parent, the student themselves, and other advocates who might be interested in supporting the family through that process. So it's – it's meant to be a cooperative developmental process  
10 that helps (a) to understand the issues in question, and (b) to develop responses that allow for the best possible way of addressing those in the classroom context. It is important, however, that it is a true partnership, and that means that, you know, the advice of educational experts has value in that process and has to be considered in the construction of the – the educational adjustment plan.

15 What are the verification requirements for disability in that process?---Verification requirements – and, again, I'll need to talk in generalities because I don't have a – a – a complete understanding of the process. Essentially, in the current context, that involves an assessment at the school level that will often involve seeking additional  
20 sources of information from medical practitioners and others, therapists involved in the care for the child, for example, and then there is a statewide process for the verification of those assessments that are made at a local level. It's often at that stage and particular times of the year where there's a backlog that occurs, and verification is an essential part of the process in terms of accessing resources to support those  
25 children with a – with a disability.

Are there any particular issues that arise in regional areas in terms of obtaining verification of disability?---Regional, rural, isolated areas suffer from a dearth of access to the appropriate specialists to provide the sorts of advice that schools often  
30 need. So this is a general community issue which has a direct impact on the ability of schools to meet the requirements. There is also an additional issue which – that flows from this, and it goes to the – the matter of the expense of some of the reports that are required, and I know, from direct experience in schools, that, at times, some schools, in fact, take that responsibility on themselves because the parents are unable  
35 to meet the expense, and I have experience of teachers and principals taking the parent and the child to medical appointments and making arrangements for the payment for those appointments in order to facilitate access by the parent to the service if it's available, and then, obviously, the challenges around finding appointments and specialists who can provide that support and advice. And the  
40 reason I particularly mentioned the isolation factor is that we've only recently conducted a campaign on the islands in Moreton Bay, for example, where there are significant issues with being able to access specialist medical advice. So it's not just a factor of extreme isolation and rural settings. It can, in fact, simply be unusual contexts such as offshore islands that make it more difficult for families to access  
45 these services.

Now, with respect to the collection of information required under the EAP process, can I now ask you some questions about the NCCD process that you referred to in your statement, and that seems to relate to the collection of information as well.

5 What is that program and how does that differ from an EAP?---So the Nationally  
Consistent Collection of Data process, NCCD, arose, I think, in the order of three or  
four years ago, perhaps five. Sometimes, time tends to blur in this job. The process  
requires schools to make an assessment against the Disability Discrimination Act  
definition for disability, make an assessment of the adjustments required by each  
10 individual student in the school and report that data to the federal government,  
effectively, to allow for an assessment of the incidence of disability and the capacity  
of systems to make the necessary adjustments. Importantly, those adjustments are  
the adjustments that are needed. They're not necessarily the adjustments that are  
made in each individual circumstance, on the understanding that there are limitations  
15 around resources, and I would have to say we have had significant angst in our  
system and in others in relation to the Nationally Consistent Collection of Data  
process because people do not see a direct link between collecting the data, which is  
a time-consuming process, and the delivery of resources to support the adjustments  
that need to be made for students. So what teachers and principals report to us is we  
20 go through this process to generate data. We now have a clear picture of students  
who meet the individual definitions within the Disability Discrimination Act and the  
sorts of adjustments that they would need. The third stage of that process is the  
delivery of resources, and that's where the system currently lets our schools down.

25 COMMISSIONER ATKINSON: So are you saying there are two completely  
separate bureaucratic processes, there's the EAP and the NCCD, and there's no  
correlation between the two?---If I could jump ahead, perhaps, because I think that  
the logic of that – the answer is, yes, to an extent, and one of the things that we  
would be very keen to see is a very close link between the data collected through this  
NCCD process - - -

30 Yes?--- - - - and the way in which schools allocate and the resources and the  
programs to meet the student's need. If those things were closely linked, people  
would see value in the collection of that data. At the moment, it's data for data's  
sake, to a large extent.

35 Well, what are the barriers to that happening?---Well, at the present moment, the  
resources are simply not there. It's – we come back to that same issue again which is  
that we identify the adjustments, and I have to say teachers and principals have  
certainly reported to us significant concern with identifying what they see as the full  
40 scope of adjustments that are required on the basis that they feel, being unable to  
deliver those because of resource deficits within the system, may render them liable  
under the Disability Discrimination Act for a failure to appropriately deal with those  
things. I'm not saying that's valid. I'm simply – that's a common reflection from  
our schools that we – we need to be conscious at all times that people are operating  
45 within what is a – a bit of a famine in terms of resourcing at a school level.

MR FRASER: Does the data required to be collected under the NCCD require a formal diagnosis from a medical practitioner of disability?---In essence, the assessment is one by educators and specialists in the school, rather than needing to necessarily have it external, because the three categories of adjustment are related to an assessment by educators as to what's required in the classroom.

Can I ask you some questions about early childhood development programs in this State? We heard some evidence about those yesterday. Can you offer any – can you expand upon what that is: an early childhood development program?---Early childhood development programs essentially provide specific supports for children from birth to five years of age to ensure that their early years' experiences prepare them as well as is possible for access to formal education once they start in the prep year. ECDPs in Queensland have been around for an extensive period of time. It's an unusual program at a national level in that not every state and territory provides this particular support, And it doesn't just relate to students with disability, in that, developmental delays and a range of other childhood issues may result in a child accessing this early childhood development program in order to provide ways in which issues that might impact on their ability to engage with formal schooling – to eliminate some limitations around that. The feedback from parents, students, teachers and principals is almost universally positive in that their lived experience of a student who comes into their school as a prep-aged student, having had the experience of ECDP support, is that it makes a valuable difference to that child's ability to engage with education. So they see it as a valuable part of our system ensuring that, before formal schooling starts, there are opportunities provided to support the needs of the child to ensure that, when formal schooling starts, they can do the best they can.

In your statement at page 4, you refer to the need for adequate additional resources, both physical and human, to support students with disability, and that's a condition upon which the support of QTU is predicated for inclusion of disability – students with disabilities in classrooms. Can you explain the types of additional resources that you're referring to here, perhaps starting with physical facilities?---Queensland Education system operates – the state school system operates in a range of buildings and facilities, many of which originate from the 1950s, 1960s and 1970s, and have largely been unamended in – since that time. The concerns of access were not something that drove the design of schools in that particular era, and for many schools built at that time, it's an extraordinarily difficult process to ensure access right around the school. There are certainly parts of the school that would be accessible to everybody, but not the whole school. So there's a fundamental issue simply about access as an initial point. The second area is in relation to technology and devices in terms of the physical setting of the school. We know that, for example, many students would benefit from augmented communication devices or access to alternative support for learning in relation to things like iPads, laptops, the use of interactive whiteboards, for example, in the classroom. While many schools have these, it's something that has been retrofitted to classrooms that were designed with a blackboard out the front and, you know, over time, those have been replaced with whiteboards, and then, over time, replaced with electronic means of



communicating with students in the classroom. So the physical context, devices and technology, is also an issue. And then in, I guess, a more fundamental sense, access, also, to things like appropriate toilet facilities and areas for ensuring the dignity of young people is being respected in terms of personal care arrangements in a school context. Many schools would not be provided with resources like that. That's provided often after a student enrolls so that that service can be provided, but that's a matter of delay, then, in those resources being effected in a school where they didn't previously exist.

10 COMMISSIONER SACKVILLE: So far as technological aids for students with disability, additional aids beyond those available to all students, is that a matter for the principal to determine out of this bucket of money to which we referred earlier? Is that the only source?---There are other – the – the – the bucket of money that we talk about is made up of many parts, and one of those certainly includes some  
15 provision for both students with disability particularly, but also what's called whole school support student learning resources funding, WSS-SLR. That bucket of money is based broadly around being able to provide services for all students as well as providing some additional resources for students with disability as well.

20 Yes, but my question is directed to whether those aids can be provided only out of that money that is at the disposal of a principal, or are there other sources. For example, at the moment under the NDIA?---In a general sense they would come out of the school's own resources. A region could also provide some specific support and then, of course, through the NDIS programs, parents could certainly opt for some  
25 of those additional devices and technologies to support their student as well. There are a number of sources.

COMMISSIONER ATKINSON: I suppose the thing that disturbs me when you talk about the physical difficulties is underlying that is an assumption that not everybody  
30 has the right to be there, whether it be a teacher with a disability, a student with a disability. I mean, it's – I'm struggling with the question to ask you, but do you understand my difficulty with the assumption that's made when you say that? I mean, we had the same problem with every public building and schools are public buildings. We have had the same problem with every public building, but if you  
35 accept the basic premise that everybody has the right to be there, then the problem just needs to be solved, doesn't it?---There's no disagreement. My point goes to the fact – and it probably goes back to my comment previously about limitless funds – there are 1240 schools in Queensland in State system. Probably a third of those are more recent builds, maybe a half. The notion of being able to retrofit, you know, 600  
40 or 700 schools in a way that makes them fully accessible is – we would welcome it. It's unlikely to achieve funding from government any time soon is our concern. It's not an issue of an assumption that people don't have a right to be there. It's about how do you ensure with the current state of finances that you can provide for access. And what tends to happen is an individual solution to a particular issue. With a  
45 student for example in a wheelchair arrives at a school, then funds are dedicated to providing for access, and they will build ramps instead of stairs, provide lifts to get into buildings. Those things happen. But they don't happen on a program basis that

means that every school has them. They're provided on a needs basis when a particular issue arises in a particular location. So if I – if I made – led you to understand that our view was that that was an acceptable circumstance, then that's not – clearly not what I intended. It is an unacceptable circumstance but it's a lived reality that our schools face. The buildings they have are the buildings they have and they do not have the resources, and nor does treasury, in our estimation, to ensure that every one of those buildings is brought up to standard in terms of accessibility in the foreseeable future.

10 COMMISSIONER SACKVILLE: When was full accessibility adopted in the construction of schools in Queensland?---Largely 1988.

15 Eighty-eight?---There was a PS 88, HS 88 model which was seen as being a standard sort of construction model for our schools. Most of those would have provided for accessibility. But, again, it depends on individual school sites, of course, because land – the specifics of the site can – can determine the design of the school as well but in a generic sense, we go back to the 80s to that sort of generic model.

20 We interrupted you again, Mr Fraser.

MR FRASER: I'm coming to the conclusion in any event. Mr Bates, before you finish, can I ask you this: what would you, in your role as president of the Queensland Teachers' Union, like to see come out of this Royal Commission?---And if I may, I did prepare a short statement - - -

25 COMMISSIONER SACKVILLE: Certainly?---Because it's probably easier given I'm in a representative role to – to read it, if that's – if that's all right.

30 You have sworn or affirmed to tell the truth, though?---Absolutely. The Queensland State School system can be justifiably proud of the work that teachers and principals do every day to make the policy and practice of inclusion come to life in our schools. The creation of an Inclusive Education Policy in 2016 and 2017 did not mark the beginning of the focus of the State School system on inclusive education. Instead, it was a watershed moment in crystallising the myriad approaches to inclusion across the system into a cohesive purpose. Inclusive education is about much more than disability. Educators are expected to cater for students who have diverse sexual orientation, have Aboriginal or Torres Strait Islander heritage, are in out-of-home care, are refugees and people seeking asylum, from culturally and linguistically diverse backgrounds, are in rural and remote schools, are gifted and talented learners, and have specific mental health needs. All of these factors have been identified as having the potential to limit access to and opportunity from education. Educators have a clear understanding of what is required of them to deliver an inclusive education system. They know how to deliver best practice solutions to meet the individual needs of students. It's intrinsic to our craft as teaching professionals.

45 What is missing from this work is the means to fully deliver on the promise of policy and intended practice. Schools have long been denied resources to fully cater for students with disability. This deficit continues to impact on schools. Our Union, in

conjunction with students, parents, and community members, has campaigned for many years for better resources for students with disability wherever they go to school. More than a decade ago, the Gonski school funding report recommended that more specific work be done to develop an adequate response to the needs of education systems to cater for education for students with disability. That work has not been completed. When I talk about resources, what I mean is the human resources we need at the school level, the people we need to make adjustments to education delivery to better meet the support needs of individual students. That would be teachers, teacher aides, therapists, nurses, and leaders. Class sizes that reflect the added complexity of a broad mix of student needs in delivering education, reducing standard class sizes or allocating additional teachers and teacher aides to standard classes enhances the capacity of teachers to teach all students and allows for the delivery of educational adjustments to support students with disability. Extracurricular and co-curricular activities, inclusion of all students in such activities currently relies on volunteer helpers, and yet with adequate resourcing, reliance on volunteers can be replaced with skilled paid staff. At the regional level, the people we need to provide expert advice and support to teachers and principals and education support staff on best practice for students – in education for students with disability. And for all of those people, the skills and training to support the work of our people in schools, to enhance the delivery of inclusive educational practice. Specialist training for specialist teachers in inclusive education and training for mainstream teachers who currently cater for the majority of students with disability in this State. The physical resources we need. A full range of educational settings and programs across our education system to support choice by parents and educators of the situation that best meets the needs of the student. This must, in our submission, include special schools, special education programs, early childhood development programs, and access to mainstream classrooms, accessible buildings, infrastructure and facilities. The bulk of Queensland schools were built at a time when the needs of people with disability were not a consideration in design and construction. Significant additional investment in our physical school settings is necessary to overcome this situation. Technology and devices. Catering for students with disability often requires significant additional provision of technology and devices. This tends to be provided only once the need arises based on an individual or group of students and delays associated with procurement inevitably result in restricted access to education. Augmented communication devices are one example where use of the latest technology can enhance educational outcomes and support teaching practice. In terms of extracurricular and co-curricular activities, access to a range of in-school activities is limited to the physical school setting and only changes to the physical setting can overcome that. Alternative locations can be accessed but often with significant additional cost to the school community. There's the social resources and community infrastructure we need. Social and community services are the support for families supporting students with disability which are the part of the responsibility – is only partly the responsibility of the education system. Effective integration of social and community services with our education system is essential to efficacy in this process. Medical services – families across the State struggle to access general and specialist medical services to underpin the identification of access requirements for young people in education. Our hopes for the outcomes from this

Royal Commission centre on a comprehensive, non-partisan approach to setting clear expectations for schooling for students with disability and provision of all the resources necessary to deliver the best possible education for all students.

5 Thank you, Mr Bates. Mr Fraser, any further questions arising out of that statement.

MR FRASER: Nothing further from me, thank you.

10 COMMISSIONER ATKINSON: So probably the only controversial matter in what you've just said was the support of the Union for special schools, which, of course, is a matter of controversy, and one we have to consider. The – and that's the position of the Union, I understand you're saying?---That's right.

15 Rather than your own personal position?---Correct.

So – and that was reached at a biennial conference?---Most recently this year.

This year?---That policy was reaffirmed this year.

20 What month of this year?---July.

It was after the Education Department introduced its new policy?---Yes.

25 Has the Union given any consideration to the question of in terms of the resources available whether or not the cost of building new special schools might be better used, or used, to provide all those other supports that you mentioned in the last iteration of all the things that you said would be useful to create more inclusive education in Queensland?---I consider our view would be that it's not an either/or option, that rather we would consider special schools to be in the context of the  
30 the unlikely of delivering all the resources that are necessary, that they are likely to be a factor in an ongoing way across Queensland. There are locations that don't currently have access to special schools. Those systems operate. But they do so where – with some significant additional support needed, obviously, to support students outside of special school settings. So from our perspective, until we  
35 determine otherwise, I guess, we continue to argue that building more special schools is an option that should be considered by government.

Okay. Thank you.

40 COMMISSIONER SACKVILLE: Mr Bates, thank you very much for giving evidence. We do appreciate it. Thank you for your assistance – I'm sorry, I have forgotten to ask you, Ms McMillan. You want to ask some questions?

45 MS McMILLAN: No, but I wish to indicate this: we don't have any questions from the evidence given today of Mr Bates.

COMMISSIONER SACKVILLE: Right.

MS McMILLAN: But a quantity of documents was placed into the hearing room that we only discovered Monday morning. That includes a quantity produced by the QTU. We've not had a chance to go through those documents. I've indicated to my learned friends our position is this: is that I understand it's sought that Mr Bates be stood down. We're content with the position that once we've had a chance to look at those documents, if there's anything that arises we can consider our position at that time, but I'm content at this stage I have nothing to ask him at this point.

10 COMMISSIONER SACKVILLE: Thank you very much.

MS McMILLAN: Thank you.

COMMISSIONER SACKVILLE: Mr Bates, again, thank you very much for your attendance.

15

**<THE WITNESS WITHDREW [12.45 pm]**

20 COMMISSIONER SACKVILLE: Dr Mellifont, yes.

DR MELLIFONT: That's the last witness before lunch. If we could resume at 2.20 with Professor Carrington.

25 COMMISSIONER SACKVILLE: 2.20.

DR MELLIFONT: To be followed by Dr Mann.

30 COMMISSIONER SACKVILLE: Commissioner Galbally, who is from Melbourne and is an expert in these things, tells me that something is to happen at 2 pm Queensland time and by that coincidence that event that particular odd event that they hold in Melbourne will be over by the time we resume.

DR MELLIFONT: Hence the extra five minutes.

35

COMMISSIONER SACKVILLE: Hence the extra five minutes. We will adjourn until 2.20.

40 **ADJOURNED [12.45 pm]**

**RESUMED [2.20 pm]**

45

COMMISSIONER SACKVILLE: Yes, Dr Mellifont.

DR MELLIFONT: I call Professor Suzanne Carrington.

5 COMMISSIONER SACKVILLE: Professor Carrington, thank you very much for coming. I think it has been explained to you, you may take an oath or affirmation, as you wish. Thank you.

<SUZANNE CARRINGTON, SWORN

[2.20 pm]

10

<EXAMINATION BY DR MELLIFONT

15 COMMISSIONER SACKVILLE: Thank you very much. Please sit down. Dr Mellifont will ask you some questions.

DR MELLIFONT: Are you Suzanne Carrington?---Yes.

20 Is your current position as Professor and Associate Dean of Research, Faculty of Education, Queensland University of Technology?---Yes.

Do you hold a double Diploma of Teaching, Diploma of Special Education and a Diploma of Primary Education, which is a three year degree?---Yes.

25 You hold a Bachelor of Education?---Yes.

As well as a Masters in Special Education?---Yes.

30 And you have a PhD?---Yes.

And the focus of your PhD was on inclusive education?---Yes.

Prior to moving into academia were you a teacher for 10 years?---Yes.

35 Where was that?---I was a teacher in Roma, here in Townsville, and in Cairns and in London.

Okay. Was that as a special education teacher?---Mainly, yes, special education.

40 MS McMILLAN: Could I just ask if the witness could speak up a little.

THE WITNESS: Sure. Is that better?

45 MS McMILLAN: Yes. Thank you.

DR MELLIFONT: And during that time did you work in primary and secondary schools to implement an inclusive approach to education?---Yes, in 1990 to 1993 I

worked in Cairns in primary and – and secondary schools after they closed the special school in Cairns. And so we worked, I guess, together to implement an inclusive approach to education in Cairns.

5 Okay. So the special school was closed in 1989?---Yes.

And then the children from that special school were enrolled in the primary and secondary schools?---That's right, in Cairns.

10 Okay. Since 1996, is it the case that all teachers have been required to complete at least one subject in inclusive education – inclusive education in Bachelors' degrees for education?---Yes. And maybe even a little bit earlier than that. So I was first employed at University of New England in Armadale, and so in New South Wales the compulsory subject for pre-service teacher started in 1993 in New South Wales.

15

Okay. I'm going to come back to the issue of tertiary studies in respect to inclusive education a little bit later. Can I ask you, have you had a senior role in government about supporting implementing inclusive education?---Yes. So after I finished my PhD on inclusive education I was employed in the Department of Education in Queensland, and I had the role of the director of the staff college in inclusive education, and I worked across the State of Queensland to support the implementation of inclusive education in schools, and support professional development of teachers and school principals over those three years.

20

25 Okay. So 2000 to 2003?---Yes.

And in that work part of your focus was to develop inclusive culture, policy and practice?---Yes.

30 And you've published in excess of 60 articles with respect to education?---Yes.

And the majority of which had a focus on inclusive education?---Yes.

35 Are you also the director of the education program for the Autism Cooperative Research Centre?---Yes.

Is that a nationally – that is a Commonwealth funded eight-year research program?---Yes.

40 And are you 6.5 years into that program?---Yes. Yes, we are.

45 Okay. Can you tell me about how the research from that program is to be shared?---So with cooperative research centres, there's a strong focus on translating the – the research into knowledge that will have an impact, and because the program that I'm the director of is about education and support for teachers and – and staff working in schools, we actually launched last week. We have a soft launch at the moment for a community portal, which is – which is called Inclusion Ed which is

aimed to develop a community of practice to support teachers and people in schools to implement an inclusive approach to education.

5 Okay. So it's going to assist supporting diverse learners in inclusive  
settings?---That's right. So even though the research in Autism Cooperative  
Research Centre is focused on supporting students on the autism spectrum, what we  
10 have found in the research that what is good for students on the autism spectrum is  
often good for the majority of students in the classroom. And so the focus of the  
community portal, the web portal, is called Inclusion Ed and it's very much focused  
on supporting students with diverse needs in inclusive settings.

Thank you. I want to move now to the fundamentals of inclusive education. What's  
your framework for inclusive education?---Okay. So with inclusive education,  
15 there's a strong focus on supporting diversity of – of learners, and inclusive  
education is really about children having the right to go to their local school with  
their siblings, and in their local, you know, community, to develop those friendships  
in their local community. So it's very much about welcoming and supporting all  
20 children and families so that they feel like they belong and they feel like they're  
respected. It's also about equity. So inclusive education is about supporting all  
children to have the best possible opportunity to be successful at school, to be  
successful in their learning, to be successful in their social sort of participation in the  
school. And so, you know, with all of those sort of expectations, this really requires  
25 not just sort of tinkering around the edges in schools, it really requires systematic  
reform to really change what we do and what we expect in the way that we – we  
teach children in schools.

And within the framework you conceptualise inclusive education, what's the role of  
the UN Convention?---So the UN Convention on the rights of persons with  
30 disabilities states:

*The right to inclusive education encompasses a transformation in culture,  
policy and teaching practice in all educational environments to accommodate  
the different requirements and identities of individual students, together with a  
35 commitment to remove the barriers that impede that possibility.*

Okay. Is inclusion the same thing as integration?---So this is sort of an interesting  
question because when we started, I guess, the – what we now know is an inclusive  
approach in Cairns, what we were really focused on at that time was integration. So  
40 it – the difference between inclusion and integration is inclusion is about teaching  
diversity, whereas integration was very much about teaching children who had a  
disability. And our focus with integration at that time was as a special educator was  
really to get our – our children, our special education children ready to join, you  
know, the mainstream classroom. And so there was no expectation for classroom  
45 teachers to change the way that they planned and to change the way that they taught  
in classrooms. It was actually my responsibility as a special education teacher to  
think about how I would support the child with a disability in the mainstream  
classroom. And so that's a really key difference between an inclusive approach to



education which really requires classroom teachers to think about the needs of all learners in their classroom and to think about how they're going to plan to meet all of those students' needs, in comparison to integration which is where we have like a special education teacher or a learning support teacher often going with the classroom teacher, developing, you know, individualised adjustments that support that child. So it's like an add-on, the integration is like an add-on, if you like.

10 All right. So under the integration model, to an extent children are expected just to fit in to existing ways of teaching, whereas inclusion requires reform in planning and teaching?---Yes.

15 So as to support equity in learning for all students?---Yes. And it's like sort of building an inclusive approach from the ground up. You know, really thinking about the learners right from the very beginning, whereas with integration it's like the add-on, you know, how can we fit this child into what's happening in this classroom.

20 Okay. Can you explain, please, the difference between special education and inclusive education?---Okay. So this – this was sort of really something very, you know, interesting that I, I guess, grew to understand as I was doing my PhD. As you know, I have a background as a special education teacher. So the difference between special education and inclusive education is about the beliefs and the values and the models of disability or the models of difference that actually inform those two approaches, if you like. So an inclusive education is based on the social cultural model of disability, and this is where the society and the environment influence how disabled a person may be. So this is why inclusive education has a focus on identifying and removing the barriers to learning, because with an inclusive approach we're trying to think about, you know, the classroom environment, the teaching pedagogy, how we have an approach to a curriculum, and what barriers are actually in place that we can remove that will make it more – a more successful experience for children and so that they can be better included. So this is in contrast to a medical model of disability which really takes a deficit approach and views impairment or disability as an individual inadequacy that must be fixed or remediated. And so that underlying sort of framework of a medical model really assumes that a child or a person who has a disability has a deficit, and is really reflected in the language that we might use. So the language around disorder and deficit, invalid, handicapped, slow learner, really, all of those types of words sanctioned those medical and negative views of a disability.

40 Okay. Now, under the inclusive approach you spoke about how under that approach, the focus is on how the environment can be changed to best meet the individual needs of the student. I just want to ask you for a couple of practical examples of that. Say, for example, you have a student using a wheelchair?---Yes.

45 How do we see that in the inclusive model?---So – so a child who – who is coming into a classroom that is in a wheelchair we need to be thinking about how we can give that child the best access to the learning environment, to the resources, to be able to interact with their – their – you know, their peers in the classroom, to interact

with the teacher. And so that's really a matter of maybe moving furniture around, thinking about where children are placed, how people might move around the classroom. It might influence about where a classroom might be placed in the school. So, for example, in a school where there may not be ramps, for example, or  
5 – or lifts, for example, we might have to ensure that that child's classroom is on the ground floor, for example, so that that child can access the classroom.

What about students with low vision just as another example before we move on?---So a child with low vision, I mean, if we're thinking about adjustments,  
10 particularly now that we have technology like iPads, for example, you know, we can teach children just to use something simple like an iPad to take a photograph of maybe, you know, a picture or some text, and then you can zoom out, you know, with – with the iPad very easily. So we can use lots of, I guess, adjustments that we might be able to – to take from technology. Often very simple things that students  
15 can use in inconspicuous ways in the classroom that would give them an adjustment, and an adjustment to their environment and an adjustment to the resources that they're accessing, for example. And I guess a key thing with those differences, the social sort of cultural model really is a way that we think about difference rather than just thinking about disability. So disability is just one type of difference, whereas the  
20 medical view is very much also focused on disability.

COMMISSIONER SACKVILLE: Your – you have a very extensive list of publications, if I may say so, dating from quite a time before the convention, the UN Convention. What – and they include papers on inclusive education. What  
25 prompted your interest in inclusive education predating the convention, and what – was there any particular philosophy that influenced you?---So I think what prompted that was, really, my experience of being a teacher in Cairns. So just before I arrived in Cairns I had been a teacher in London at an early intervention school, and we had – I had a small group of children in a very, in a special education setting, so I knew  
30 that the children in London really could have a much different experience if they were learning with their – their peers in a more inclusive setting. So then when I came back to Cairns and Cairns had closed the special school, we – I was very lucky and worked in – in two schools but one school in particular was a primary school where the school principal welcomed all of the children who were in the local  
35 community, whether they had a disability or not, and we worked really collaboratively, I think, together with the parents to really work out, you know, how to do this whole inclusive education type of approach. I don't think at that point in time I had even heard about inclusive education. So we – we really worked together. And I remember the parents that I worked with gently and constructively gave us  
40 feedback about the language that we used, the approaches that we were taking, because they had really high aspirations for their children, and they wanted them to be included. And so we really worked that out together in Cairns, and so at that point in time I had finished my Master's in Special Education. I was interested in going on to do future research and that was what I was interested to explore.

45

Were you influenced by the English school, Oliver, and so forth?---Yes. Well, a little bit but I don't think I really had learnt a lot about that until I started doing my PhD.

5 And what was your PhD on?---My PhD on – was on – I had actually focused in secondary schools because secondary schools are often more challenging for us to think about including children with a disability in. So my – my PhD was comparing the – the beliefs and the values and the practice in two school communities. One school that I ended up calling as a more inclusive school, and one school that I  
10 described as being – having a more traditional approach to education. And so that that school had a stronger focus on categorising students, withdrawing students, focus on high performance in terms of academic performance, behaviour, and was less flexible in terms of how they wanted their teachers to work and in comparison to the more inclusive school was a school actually that had a very broad range of  
15 diversity in that school in terms of culture. And so disability was just one other type of difference within a broader school community. And so that – that's really what I focused on.

And does that PhD thesis form the basis for some of your publications around 2000 and a few years after?---Yes. Yes. Yes. So the – my, I guess, key sort of  
20 publication about “Inclusive Education Needs a Different School Culture” was my conceptual framework for my PhD.

Thank you.

25 DR MELLIFONT: So that was a 1998 article?---Yes.

And without oversimplifying it, because we will go in some detail in a moment, what resonated for you is that that – you can have all the resources in the world but unless  
30 you have the right beliefs and attitudes, you won't get proper inclusion?---Yes.

Okay. Now, that article, 1998. Some time ago now. What's your view on the validity of the framework to current times?---So I still have the strong view that beliefs and values influence that practice, and can make an enormous difference in a  
35 school to support an inclusive approach to education. There has been a lot of research that's been done since the time that I did my research, and it was interesting I read that article on the plane coming up to Townsville this morning, and I think it – it still strongly sits. And there's a lot of research from many different countries all around the world that – that also support that initial research that I did. So there's  
40 also Australian research, for example, in 2012 that indicates that the inclusive attitudes of the teachers towards supporting students with a range of learning needs created the conditions necessary within the schools to foster inclusion in practice which, in turn, resulted in more inclusive attitudes of other teachers, parents and students.

45 So is it your view that the medical model of disability still influences our beliefs, attitudes and practices?---Sorry? What - - -

Is it your view that the medical model of disability - - -?---Yes.

5 - - - still influences our beliefs, attitudes and practices in education?---Yes. So, you know, there's not many situations, I think, in schools where people would talk about the medical model of disability, but it is still part of a lot of our unconscious thinking in education because many – much of the work that we do in our training for teachers often also draws on a – on psychology, for example, and if we think about, you know, the views and understandings around psychology, there's often, also, a focus on thinking about who's normal and who's not normal. And so it sort of influences, almost, our DNA, and we unconsciously – you know, thinking about, you know, what's wrong with children, how children need to be fixed. It influences some of the language that we use. So we are often intervening to almost try to fix up children. So there's just this sort of underlying beliefs – set of beliefs and values that, often, we're not really aware of that influences our thinking and also influences our values and our practice.

20 So what's a danger of separation of students with so-called special needs?---I think – well, the first issue is that research tells us that if we separate and segregate children with disabilities, it leads – it can lead to long-term marginalisation; maybe incomplete schooling; long-term problems in terms of, you know, life opportunities, perhaps, employment. So the long-term effects of separation and marginalisation are, certainly, very clear in the research, but it also has an impact, I guess, on people more broadly in education because we – we, sort of, grow – grow up thinking that, you know, people are different and – and we need to be separating people. So that has a long-term consequence, not only on people who have disabilities, but for – for people who don't have disabilities.

30 So is it your view that the separation of students with so-called special needs can deflect attention away from understanding the social and cultural forces that shape education?---Yes. So there has been quite a lot of work done, I guess, in that space. So for teachers who have a diverse group of children in their classroom, in – in many ways, that challenges the teacher to continually critically reflect and think about how they can better meet the learning needs of students. When we continually, sort of, separate children who have different learning needs, it more or less takes that opportunity away from teachers to think about, you know, how they can change and improve their teaching practices to better meet the needs of all students in their classroom. And – and we know, for example, from doing all of the research over the last six and a half years that we've done in the Autism Cooperative Research Centre, that a lot of the findings that come out of that research that – that actually support good teaching for students on the autism spectrum are actually good teaching for every student. And so we think about universal design for learning, and we talk about inclusive teaching practice now as being just really good teaching practice.

45 Can you tell me if this encapsulates some of your opinions:

*That the social and cultural model of disability informs beliefs about disability is just one type of difference. Other types of difference are culture and gender,*

*etcetera. Difference is not a disease or social deviance or disorder, and these beliefs can be submerged in the routine of our work and our thoughts and influence culture and practice in schools.*

5 ?---So – so I guess that is at the – the core of that medical model, that medical view  
of disability, and if we think about disability as just one type of difference, it gives us  
a broader understanding and respect for diversity in our society. And so by  
supporting people in schools and teachers and children and parents to work together  
10 in a more inclusive approach, it can actually influence us to be more respectful of  
difference more broadly, I think, in our society.

What does research tell us about pre-service teachers who have studied one or more  
subjects about inclusive education?---So as we said before, we've been doing work  
15 in teacher education for a long time now to support a more inclusive approach to  
education, and there has been a lot of research in – in that space. And so we have  
clear research that tells us that people in their teacher education degrees, if they – if  
they studied at least one subject in inclusive education, they will have much more  
positive beliefs and values and attitudes and be more willing to support inclusive –  
an inclusive approach in schools. So there's very clear evidence about that.

20 So you need at least one subject, but preferably more?---Yes.

And what's the current position with your school?---So, at QUT, which is where I'm  
25 from, in the faculty of education, we have pushed strongly – we have two  
compulsory subjects to support inclusive – an inclusive approach to education in our  
faculty.

Okay. And a Bachelor's degree, study two subjects, we're talking two out of 32  
30 subjects?---Yes. Yes.

And there's obviously a lot of other things to cover?---Yes, that's right. But I think,  
most – all universities, I think, around Australia would have – it's compulsory to  
have one subject.

35 COMMISSIONER SACKVILLE: On what exactly?---Well, that's a really good  
question - - -

Thank you?--- - - - because they would call that – there would be a number of  
40 universities, in my view, who might think that they have a subject on inclusive  
education, but that subject actually might be more around special education because  
it might be supporting pre-service teachers, for example, to learn about categories of  
different disability and different strategies that can be used to support, you know,  
those categories of – of – of disability. And – and that's challenging, I think, because  
many of our people who are working in teacher education in this type of area in our  
45 universities may not have been a teacher in an inclusive type of school, and there's a  
lot of misunderstanding, I think, generally, about what is the difference between  
special education and inclusive education. And so one of the things that we see and

one of the things that really annoys me is that we'll see a lecturer position, for example, advertised at a university that might say something like "special education/inclusive education" meaning that they're the same thing, and they're actually not the same thing.

5

So what does your course include or the courses that are compulsory that address inclusive education in the way you've described?---So I think it's important for our -- our teachers to have an understanding of the historical aspects of actually developing inclusive education; the various international conventions and, you know, treaties and things that have occurred; what -- what's in our Australian legislation, for example; what their responsibilities are as a teacher in providing an inclusive approach in education. We also would have some understanding about a lot of the research that is out there supporting an inclusive approach to education. We have a long history now of research that tells us that inclusive education is good for everybody, not just for students with disabilities, but also good for students without disabilities. We also have a strong focus on supporting our teachers to learn about inclusive culture, policy and practice and, in particular, practice. So how they're going to design and plan their teaching based on principles like universal design for learning, differentiation, meeting the professional standards using the tiers of support. Yes. So there's a lot still to fit in there, I think.

20

It sounds like a lot?---Yes.

25

As far as the vocation of teaching is concerned or the profession of teaching, what skills, as a result of the courses that you teach, will a teacher have that, in the past, perhaps, they have not had in teaching classes that include children with disability?---So I think one of the important outcomes, I guess, of the work that -- that we have done is that we would be preparing teachers for what we would say they would have a strong ethical framework, and that, I think, comes back to those beliefs and values and attitudes that are required for inclusive education, because inclusive education is based on a set of values: respect, equity, for example, social justice. So we would be expecting our teachers to -- to graduate with a strong ethical framework and the values that support an inclusive approach to education, as well as the knowledge and skills to be able to teach in inclusive ways. We actually want them to challenge the, often, what they might see as the status quo in schools. So we want them to be bold and -- and to challenge what they -- they see happening, and that's really difficult, I think, for -- particularly for some of our young teachers because many of our young teachers start out as -- in positions of a -- being on a contract. So they don't want to challenge anybody in their school because they're on a contract.

30

35

40

Is there a generational divide in these matters in - - -?---I beg your pardon?

45

Is there a generational divide in these matters in Queensland, that is to say, older, more experienced teachers, perhaps having different views to the younger people coming through having done courses of the kind you describe?---There could be. I haven't seen any, you know, strong evidence to support that. I think people would have some views about that. But there's -- you know, we have many examples of

some very good inclusive schools in Queensland that probably have teachers from right across the – you know, the ages or the years of experience in teaching.

5 DR MELLIFONT: How important is it for the – for the teaching practicum to occur in a school where – which has truly embraced inclusiveness?---So the teaching practicum requirement is there in every Bachelor of Education course across Australia and – and I think most universities would be trying to support their pre-service teachers to have a range of experiences in different schools. I guess the issue is we don't really have control over the type of experience that our pre-service  
10 teachers might have, and so, you know, they might have their professional experience in a school that may not actually have an inclusive approach to education. They might be operating – they might have a special education unit, for example, that is still operating in a very segregated way in a school. So what they – what our pre-service teachers, in that professional experience, what they might see in practice  
15 may not match, you know, what they're learning about, for example, within their university subject.

At this very important informative stage of their careers?---Yes.

20 Yes. Okay. Before I move off this topic of education for teachers, there are also a variety of Masters in Education that somebody can undertake, including in inclusive education; is that correct? Just answer “yes” for the record?---Yes. Yes.

25 And you understand the Queensland Government has funded a number of its staff to undertake Masters in Inclusive Education?---Yes, school principals, yes.

30 And have you seen the fruits of that in recent awards?---Yes. So on the 25<sup>th</sup> of October in Brisbane in Queensland, we had Dakabin State School won the Inclusive Education Showcase Award and the school principal from that school had completed a Masters in Inclusive Education with us, actually, at QUT.

35 Okay. I want to come back now, please, to the importance of beliefs and attitudes in influencing an inclusive school culture and ask you is there one single model of what an inclusive school might look like?---Well, inclusive education is very much, I guess, within a particular context. So how a school might operate in an inclusive way, you know, in Brisbane might be very different to how it might operate in a rural school or in a remote sort of context, or in a school, for example, that has a large number of Aboriginal students in that community. So the important thing that we know from the research, what is really common for inclusive schools is that there is a  
40 culture of welcoming and supporting all students and families and staff, and a demonstration of inclusive values such as equity, social justice and respect for diversity, but the way that that actually occurs will be very much influenced by the context of that school and their community.

45 So what's the power of a teacher with a positive attitude then?---Well, very – very powerful. I mean, we – we know that we might have schools, for example, that might have lots and lots of resources. So, for example, a school might have lots and

lots of teacher aide time. They might have lots and lots of technology. They might have great ramps in place, but that school may not necessarily be a welcoming school, and – and children with a disability and their families may not feel like they belong and are – and are welcomed in that school. So it's not necessarily the  
5 resources that actually makes the difference. It's not the resources that makes the school welcoming and respectful of – of diversity in society.

What do you see is the potential impact of a principal, say, or somebody in a leadership team telling a parent their child might be better at the special school down  
10 the road?---Well, that sends a very clear message, doesn't it, that – to a family and to their child that they don't belong and that they're not welcome in that school, and that can be, you know, really, really challenging, I think, for a parent – even though a parent might know that, you know, that they have a right to send their child to the  
15 local school, and they might want their child to go to the local school with their siblings. But if you have a message like that from a school leader, then, you know, that makes it very difficult and – and I think, you know, people would – would not feel like they might want to go to that school if that – if the – if the school principal sends that message.

20 Within the school itself, what's the importance of school leaders or teachers being flexible in respect of accepting students who might have particular sensory needs?---So I guess being part of an inclusive environment is being flexible, to be able to support individual learning needs. So children, for example, or students who might be on the autism spectrum, or students who may not be on the autism spectrum  
25 may have particular sensory issues, and so for a – a school – a school leader or a teacher who is leading in a classroom, if they were trying to be inclusive, they would be respectful and accommodating and maybe flexible to support those sensory needs that a child might have. So the child might, you know, find it very difficult to have very bright lights. They may not like – might have a reaction to the very loud school  
30 bell, for example. So a school leader and school classroom teachers who can be accommodating and flexible to support those issues is a really inclusive approach.

Founded on - - -

35 COMMISSIONER SACKVILLE: Just – can I ask this: does the inclusive approach require or assume that all children will be in the same classroom – assuming they're at the same age or development for purposes of education, will be in the same classroom at all times?---So, I mean, the goal would be to have children included  
40 and - - -

At all times?---That would be the goal, but there will be situations, for example, we've just talked about a student who might be on the autism spectrum where that individual child might find it very difficult to be in, you know, the primary school  
45 classroom all day. So they – they may need to have some time out and might need to have some quiet time. But there's also maybe times when all children in the classroom might need to have time out and be, you know, time to go and learn quietly under the tree or work in the library, for example. So it's not necessarily



about having to be in the same place doing the same thing all of the time. And that's where equity comes in. So inclusive education is based on equity, which is about ensuring that all children have what they need to be successful in their learning.

5 So if deaf children needed to learn Auslan, that could be done consistently with inclusive education in a physically separate environment?---I would expect if children were learning sign language, it would be great for the whole class to be learning sign language, but they – a child might need some individual support, they might need to go and practise, for example, they might need to go and learn to use an  
10 app on their iPad. So different children might be able to come and go at different times to have some individualised support. The important thing is that research tells us that as soon as you have a special education place in a school, a special education class, then that just perpetuates the continuation of opportunities to separate children and remove children, you know, from working with their – or learning with their –  
15 their peers. So one of the – the school that I did my PhD research in, for example, that was described in that study as an inclusive school, there was no special class or place. All of the – there were special education teachers in that school. They were part of, you know, the staffrooms with all of their colleagues. If the special education teachers had to have time to have an individual session with a student, they  
20 would go and meet in the library. So as soon as there's a place that is special, then that sends a message about who's going to that place as being separate and different. So it's always interesting when we think about inclusive education, it really is about place. But it's not just about place, because you can have children who are in the ordinary classroom in the mainstream all the time in the same place but they may not  
25 be included because they may not be welcome. They may not be having their learning needs supported. So the issue about place is something that I think is quite complex and not as simple as should children be in the same classroom all the time for it to be an inclusive program.

30 COMMISSIONER ATKINSON: So can I just test something as an attitude. So if you had a deaf child who learned Auslan, if the attitude is this is an advantage because then all the children in that class have the opportunity to learn Auslan and to be able to communicate with each other, including the deaf children, all the children get the advantage of that extra piece of education?---Yes.

35 Is that what you mean?---Yes. You know, and there's many examples of that happening. Yes, so Auslan can be their second language. It's often taught as a second language, isn't it.

40 DR MELLIFONT: I will pick up a few of the issues just raised and I will try and deal with them sequentially.

COMMISSIONER SACKVILLE: Sorry.

45 DR MELLIFONT: No, I didn't mean that. I'm going to try and deal with them sequentially.

COMMISSIONER ATKINSON: I think you did mean it.

COMMISSIONER SACKVILLE: I think you definitely meant it.

5 COMMISSIONER ATKINSON: Point taken.

DR MELLIFONT: So first of all, I want to touch upon the role of specialist teachers. What's your view in terms of the role of specialist teachers within education?---So to be – to develop an inclusive approach we still need specialist  
10 teachers who have specialist knowledge, specialist skills who know how to use, you know, resources and equipment and technology. So, you know, my thinking is that we need to encourage specialist teachers – I'm trying not to use the word special education teachers because I'm trying to move away from that terminology, I guess. So classroom teachers who are working in an early childhood or a primary school or  
15 a secondary school need support. School principals need support. Teacher assistants or teacher aides need support if we're going to be moving towards an inclusive approach. So my perspective would be that we need to encourage specialist teachers to be working collaboratively with teachers in regular schools, co-planning, co-teaching, sometimes working as consultants, but really working together to look at  
20 the skills that everybody has. And I guess that really includes parents as well.

I just want to clarify something. You're not being critical of special education. You have good friends who are - - -?---Yes.

25 - - - special education teachers?---Yes. And I was a special education teacher.

You're just seeing a better way of utilisation of special skills in an inclusive model?---Yes.

30 Okay?---So we have, you know, a clear pathway ahead of us, a clear expectation of developing more inclusive schools. We need to, I guess, bring all of the knowledge and skill of everyone together and working in collaborative ways to – to make that a reality.

35 You used the word – the concept of “equity” in answer to one of your questions to the Chair. Can you explain to the Commission and to those watching the difference between equity and equality?---So equity is really about giving students what they need to be successful, and equality is about giving everyone the same. So a good example if we're thinking about what that might mean is to think about glasses. So  
40 there's a lot of people around the room who have glasses. I wear glasses. If you want to give me an exam to do, I actually need the adjustment of my glasses to be able to do well in that exam. So equity is about giving people what they need to be successful in, you know, their learning or in an assessment task. Whereas equality is about giving everyone the same but everyone doesn't need glasses. So that's sort of  
45 just a bit of a nice way of thinking about equity and equality.

COMMISSIONER SACKVILLE: That covers 2400 years of philosophy in one answer?---There you go.

5 DR MELLIFONT: Well done. Very efficient. Can I also pick up on an answer to a question from the Chair which is – which was about does inclusion mean every student is with every other student for all times for all purposes and you explained that. And I think you described that kind of idea as being full inclusion as opposed to your framework for inclusion. Is that – do I have that correct?---Yes, it's more of a process.

10 Okay. And so that the idea of that full inclusion where everybody's in the same room all the time with all the students is problematic because it doesn't permit a flexibility to achieve equity for the students; is that right?---Yes. Well, I – I just always quite wonder what full inclusion actually means, because, you know, there's  
15 a lot of researchers, a lot of people who – who talk about inclusive – inclusion or inclusive education as a process rather than being as an end destination. And I guess one of the ideas around inclusive education being a process is that we can be always in a critical reflective process of review and development and think about how in a classroom or how in a school we can be more inclusive. So it just, I guess, frightens  
20 me a little bit when people start using words like “full inclusion” because it's like that's the goal. That's what we want to get to. But if we think about equity, it may actually not be appropriate for all students to be in the classroom, the same classroom all the time. It sort of – it's about that discussion that we had about place. So it's full inclusion, I think, often implies being in the same place all the time.

25 But inclusion within your framework is all about equity?---Yes. And it's a process.

And by – when you say it's a process, it involves increasing the participation of pupils within cultures and curricular of mainstream schools and decreasing  
30 processes?---That's right.

Can I take you back to language for a minute, please. You started to touch on that but how important is it?---So language is so important when we're talking about these issues because it's through our language that we have an understanding of what  
35 people's beliefs and values are. So when I did my research in my PhD, there was a lot of comments that people made that indicated what their beliefs were, and it indicated fairly strongly, for example, that their beliefs were drawing on, you know, that medical model, that model of thinking about who's normal and who's not normal. And so in schools we – we often hear teachers say things like, “I have 21  
40 normal children and three special education children in my class”, which sends a message about what they're thinking about those categories of children and – and their ideas of difference.

And it's your experience that this use of labels has a very real and very adverse  
45 impact on people?---Yes. Yes. So we know that labels, you know, carry stigma and leads to bullying and – and long-term serious issues for people, and just can perpetuate those very negative ideas of people in society. It also indicates, I guess,

our thinking about, you know, what special education is. So I remember when I was at – in Cairns, one of the comments that I was picked up on when the – the parents were talking to me was we used to talk about sending the children down to the Special Education Unit. And the parent came to me and said, “I don’t want my child  
5 to go down to the Special Education Unit. What sort of message is that sending about my child and their education that they’re receiving?”

And you have seen in relatively recent years examples of where the Special Education Unit is some distance away from the rest of the school and sometimes  
10 fenced?---Yes.

Can I – can I move now to explore how an education program can operate in an inclusive model of support, including how teachers trained in special education can work with others – with other teachers to support students’ learning needs. And I  
15 know we’ve touched on this already just a few moments ago, but what I would particularly like to focus on in the time we have left is the co-teaching model. Can you tell us about that?---Yes.

COMMISSIONER GALBALLY: Just before you do, could I just ask a question  
20 about the 40 – you referred to a lot of research that shows that this model yields really good learning outcomes, and just passed it by. I just wonder whether you could just elaborate on that?---So there has been a lot of research, I guess, over the years but I guess particularly in the last five years, in particular, there has been a significant systematic review that look – has looked at a lot of studies that have been  
25 done internationally that strongly gives us the evidence that inclusive education is a good approach to education not just for children with a disability but also for children without a disability. So there’s a lot of research that talks about the academic outcomes, you know, social participation, belonging outcomes in terms of things like completing school, you know, life after school in terms of future  
30 opportunities. So there’s a number of pieces of evidence. There has also been a big – quite a review, the Hehir Review that lots of people reference that is particularly focused on children who have an intellectual disability, for example, and the benefits for language development and learning, you know, cognitively, academically concepts around maths, for example. So there’s a significant body of evidence now  
35 and I can – I’ve got those if anyone needs to have a look at those.

Would it be your view that there wouldn’t be any disability, any child with a disability that wouldn’t benefit from inclusive education, as you see it?---Yes, that  
40 would be my view. That everyone can benefit from an inclusive education.

Thank you.

DR MELLIFONT: The Hehir report is Hehir 2016?---That’s it.

45 And there’s also the Szumski. Can you help me with the pronunciation?---Not really.

Szumski meta-analysis study in 2017 which showed that an inclusive approach to education benefits academic and social learning for students with disabilities and for students without; is that correct?---Yes, that's correct.

5 COMMISSIONER SACKVILLE: Who did the study?

DR MELLIFONT: I can't say it.

10 COMMISSIONER SACKVILLE: I'm not worried about the name. Which university – is this Australian or - - -?---No, it's international systematic review - - -

I see?--- - - - of research.

15 It's a literature review, essentially?---Yes.

COMMISSIONER ATKINSON: Literature analysis?---Yes. Across international research, not just Australia.

20 DR MELLIFONT: So the body of evidence in terms of this research permits at the conclusion that students educated in diverse and inclusive environments are more likely to be more accepting as adults and that there is a link between inclusive education and social inclusion in education, employment and living in the community which in turn demonstrates the flow-on effect of inclusive education and how this can lead to more positive outcomes for people with disability after they  
25 leave school?---Yes.

That's your understanding of the - - -?---That's it.

30 - - - research?---Yes.

Can I come back now, then, to the concept of co-teaching, please?---Yes. So this – there has been quite a lot of research particularly in the Scandinavian countries in support of co-teaching as a model, which is, I think, a really positive way of bringing the knowledge and the skills together between special education teachers and  
35 teachers who will work – who might be working in a primary or a secondary classroom. But also bring – can bring together the knowledge and skills from different specialists, therapists, occupational therapists, for example, and speech therapists. So it's really about bringing together people to work in transdisciplinary ways. But in particular, co-teaching involves co-planning and co-teaching and  
40 there's a range of different models that have been put forward and a lot of research that has been done now particularly in the Scandinavian countries. So research tells us that co-teaching enables teachers to spend more time with particular learners who need extra support. And it very much relies on building trust and respect for different people's individual knowledge and – and skills to be able to work together  
45 to benefit all students in an inclusive way.

And what's your observation as to whether co-teaching models have benefits for the teachers?---Yes, that's a good question. So we know from the Scandinavian research, for example, that co-teaching helps teachers to share the workload. It helps them relieve stress, and become better teachers through reflection and sharing. And I think that's a really important part of the research because it's through the reflection and sharing that teachers often talk about things like their beliefs and their values and their attitude. It's – it's talking and reflecting about those ideals that can actually really move people forward.

10 We've heard some evidence in the course of this week, witnesses expressing varying attitudes about the continuation or purpose of special education schools. Do you have a view on that?---I think particularly if we move to drawing on the specialist knowledge and the skills and the resources, for example that sit in special schools, and mobilising that to support a more inclusive approach to education, that would be a really powerful way forward, because I think it's important to acknowledge all of that specialist knowledge and skill that sits there. We can't do inclusive education without the support of everybody working collaboratively together. So I would see that if we worked to that type of approach where we had people co-planning, co-teaching, sharing knowledge, sharing our resources, we could diminish special schools, and I know, in some of the international contexts that I've worked in, we have developed special schools as, like, resource hubs, knowledge hubs, resource hubs, for example, to support a cluster of primary/secondary schools, and that's working fairly well.

25 COMMISSIONER SACKVILLE: Is there any system internationally that has no special education schools or equivalent?---Are there any - - -

Any jurisdictions, countries where - - -?---Yes.

30 Which one?---So I've just come back. I've been working in the Maldives for a couple of weeks.

Yes?---There are no special schools in the Maldives, for example. They're – and they have – they're just developing reviewing their Inclusive Education Policy, but they have a significant advantage because they don't have to unravel the special education system. They're just putting all their energy into moving forward to be more inclusive.

40 Has any jurisdiction successfully unravelled the special education system?---I think we have. So we have the work that has happened in Italy, for example. Although, I think that - - -

Not everybody thinks Italy has worked - - -?---Yes, I was going to clarify that.

45 - - - in the way advertised?---I think the way that we can do it here could be quite different from what has happened in Italy because I think acknowledging the specialist knowledge and skills and resources and support that exist in special

schools and supporting all of the people who work in – in special settings to come on the journey towards developing a more inclusive approach could be a much more positive way to go.

5 DR MELLIFONT: Can I ask you about the time critical nature of the right to education?

COMMISSIONER ATKINSON: Sorry, Dr Mellifont.

10 DR MELLIFONT: Sorry.

COMMISSIONER ATKINSON: I think Ms Galbally - - -

15 COMMISSIONER GALBALLY: I just wanted to ask you about New Brunswick - - -?---Yes.

- - - as another – as a place that is unravelling, as I understand it?---Yes. Yes, and a team of our inclusion colleagues have just come back from a visit to New Brunswick to have a look at what is happening there. So, yes, there are certainly, you know, lots  
20 of positive stories about what has happened in New Brunswick in Canada. There's also, you know, some examples of practice that we may not be thinking is as inclusive as they might be thinking, but it's certainly really valuable, I think, to be looking at what's happening in different places around the world, particularly the work that is happening internationally in – in a lot of countries that are less  
25 developed. The – the challenge that comes up a lot is about – we don't have the resources to actually do this, and in many of the countries that I work in, they have far less resources than we have, but they have the right – or not the right. They have the inclusive beliefs and values and the collaboration where they work together to actually make a difference and, yes, you know, the additional resources can really  
30 make a big difference, having extra support, having technology, having school environments, for example, that are more – more accessible, but we also know that we can have all of that. But we may not actually have an inclusive approach to a school where a family and a child still doesn't feel like they belong and they're – they do well. So we – we really need to think about it carefully and learn from  
35 what's happening.

COMMISSIONER SACKVILLE: Dr Mellifont, how long are you likely - - -

40 DR MELLIFONT: Well - - -

COMMISSIONER SACKVILLE: Should we take a break now?

45 DR MELLIFONT: Well, I think we need to – probably, just another five or so minutes with Professor Carrington. Perhaps 10 minutes. Then we'll have a break, and then we've got Dr Mann. There's some aspects of Professor Carrington's evidence - - -

COMMISSIONER SACKVILLE: Yes. No, no.

DR MELLIFONT: - - - we haven't got to, but we can reduce those to writing and pop them on the website in due course.

5

COMMISSIONER SACKVILLE: Yes. Well, go ahead.

DR MELLIFONT: So we might just touch at a couple more topics, Professor Carrington, before I come to what you would like to see come out of this Commission?---Sure.

10

And that is can I start, please, with the time critical nature of the right to inclusive education?---Yes. So we know that if we start early with children and families and – and support children and families to be included, you know, in early childhood settings, for example, and they then have the opportunity to, you know, move through a supportive inclusive school setting, that that can really have a really strong, you know, positive influence on the children in particular and their, you know, life opportunities. It can change their – their life, really. But also, it can have a significant influence on all children, and an understanding and respect for diversity in a school, for example. So we can really learn a lot from the children. The children can really guide us, I think, as adults, sometimes, in being really inclusive. And, you know, children, if they start really early, they don't really see, you know, the categories and the differences and all of the – the challenges in the way that, sometimes, the adults see all of those. They just see each other as – as children, and – and they learn to be working together and to supporting each other, I think.

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Can you tell me whether the research tells us that segregated placement of children with disabilities has resulted in a population of people that might be marginalised, uneducated – under-educated, socially rejected, physically excluded and sometimes unemployed?---Yes, the research tells us that.

30

Okay. Professor, what would you like to see come out of this Commission?---Okay. I have just made a couple of notes.

Yes?---Okay. I would like to see that principles of inclusion and equity should inform national policies in all levels of education to welcome and support all children and students with a view to inclusion in our society. We need to articulate the critical elements of an inclusive education system in Australia, and we need to consider what supports are required for our senior education leaders, teachers and specialists to ensure inclusive and equitable quality education for all. My final point is that we need professional development, ongoing professional development that really involves reflective review and development, and we need that because it's important in schools, as schools face new challenges in responding to diversity. So we also know that special educators will find the context and focus of their work challenging if we move this way, and we also need to support everybody with ongoing professional development.

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45



That's the evidence of Professor Carrington this afternoon.

COMMISSIONER SACKVILLE: Professor Carrington, thank you very much for your evidence. I'm sorry?

5

MS McMILLAN: I have no questions, thank you.

COMMISSIONER SACKVILLE: No, so – you keep hiding behind the screen and I - - -

10

MS McMILLAN: I don't think it's deliberate.

COMMISSIONER ATKINSON: No, and I don't think he should blame you.

15

MS McMILLAN: Yes, thank you.

COMMISSIONER SACKVILLE: Thank you very much for your evidence. You've been extremely helpful. Thank you.

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**<THE WITNESS WITHDREW [3.28 pm]**

COMMISSIONER SACKVILLE: We will take a break now for - - -

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DR MELLIFONT: Yes, 3.45.

COMMISSIONER SACKVILLE: 3.45. Thank you very much.

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**ADJOURNED [3.28 pm]**

**RESUMED [3.45 pm]**

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DR MELLIFONT: Mr Fraser will be taking this witness.

COMMISSIONER SACKVILLE: Yes. Dr Mann, is it? Thanks very much for coming to give evidence. I think it has been explained to you that you may take an oath or affirmation as you wish. Thank you.

40

**<GLENYS RAE MANN, AFFIRMED [3.45 pm]**

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**<EXAMINATION BY MR FRASER**

COMMISSIONER SACKVILLE: Thank you very much. Please sit down and Mr Fraser will ask you some questions.

5 MR FRASER: Can you tell the Commission your full name, please?---Glenys Rae Mann.

And your two most recent qualifications are in 2006, a Masters of Educational Studies from the University of Queensland?---Yes.

10 And in 2017 you obtained a PhD from the University of Queensland?---Yes.

Now, you have provided a statement to this Commission; is that correct?---Yes.

15 For the record, that's at tab 105 of the agreed bundle. What is your current role?---So currently, I am a lecturer in the school of early childhood and inclusive education at Queensland University of Technology.

And you yourself are a parent of a child with a disability?---Yes, I am.

20 And that child received an education in Queensland?---Yes, he did.

That was some time ago now?---Yes. So my son is 26 and he attended the same schools as his sisters. So this wasn't in the State system. This was a Catholic and an Anglican school. So he went through the regular system then. My son has an  
25 intellectual disability.

And are you a member of any disability advocacy groups at this time?---I'm currently a member of Community Resource Unit.

30 Now, you have – in 2016 you completed a doctoral thesis entitled An Exploration of Parental Decisions to Transfer Children From Regular to Special Schools?---Yes, that's correct.

35 Now, I would like to ask you some questions about that thesis and about the research that underpinned it. From the nature of the topic, you were looking at decisions parents were making. How did you go about obtaining evidence from parents to form the basis for your thesis?---I conducted a mixed methods research study. So, I began with focus groups and those focus groups involved parents who had students with disabilities and parents of children who didn't have disabilities, and it covered a  
40 range of ages, so primary school and secondary school. So that was the first phase of the research. And then the second phase, I wanted to go more deeply into that experience of making the decision to go from a regular to a special school, and so I conducted narrative research, which is a methodology that's used to understand  
45 of the research, I developed a survey, and the items on that survey were developed from the findings, and so I wanted to explore whether the experiences of those

parents were experienced more generally. So, the survey was the third stage. So, there were three stages in the research.

5 And to clarify, all of these parents had children in the – in Queensland?---Yes, that's correct.

But not necessarily the State system?---That's correct.

10 Now, with respect to the decision that is referred to on the topic, can you give an overview as to the options available in Queensland to parents of students with disability and to those students themselves?---Yes. So the – the options that – that parents provided, to either attend a regular school or a special school, so depending on – so the option to go to a special school is limited by the requirements for a special school. So, we heard some evidence about that earlier today. And then  
15 within a regular school there is a number of combinations, I suppose you could say. So in regular schools there are special education classes, special education units. And so children really attend or are involved in regular classrooms at – in – for various length of time. So there's a number of different possibilities, I suppose you would say, for how students are educated.

20 And so the reference to a special school, can you expand upon what that means? Is that children with disability being educated in a segregated separate school?---Yes.

25 Separated physically - - -?---Yes.

- - - as well?---Yes. So students are in a separate setting. They're with other students with disabilities. Sometimes – I think there are a number of examples where the special school is co-located. I think I've heard there's a couple of those examples but, typically, it's totally separate from a regular school. And similarly, in a regular  
30 school, the way that special education programs operate can take various forms. So sometimes, as Professor Carrington referred to, there are special – there are special – there's funding for a special educator, but that funding isn't necessarily used to support a separate place. So, sometimes special educators can support children to be in regular classes. There isn't a separate room or building. So there is that, at that  
35 end of the – the possibilities, right up to where students are segregated for the whole day, the whole week in a separate location in – located on the same grounds as a – as a regular school. And then there's a lot of variations in between those two options.

40 Now, the choice – the concept of a choice referred to in the title of your thesis, is that a choice to – in that – in that sense, a choice to move to a special school being a separate - - -?---Yes.

45 - - - separate school, physically distinct?---Yes. Yes. So I was really clear in the terms of my research that that's what it involved. So, some parents inquired about being involved in the research who were – who felt that they were segregated in the regular school but just for clarity, so it was – so I could be sure of the data, I didn't

include parents who were talking about being moved to a separate education unit. So it was moving from a regular school into a separate segregated special school.

5 COMMISSIONER SACKVILLE: The sample was 80 altogether, was it?---That was for the survey in the focus groups – there were six focus groups, and then there were three participants in the narrative research.

The 80 participants that were the subject of focus groups - - -?---The survey.

10 The survey?---Yes.

How were they selected?---That – that was – the survey was advertised through schools. So I – I phoned all of the special school principals in Queensland and asked them to participate. And – because there’s quite a rigorous ethics process with the  
15 Department. So I – I got permission to phone principals, but I didn’t have permission to actually approach parents through the schools. So the principals were invited to advertise the research with parents, and then parents – so some schools I sent them if the principal asked, I sent them copies of the survey. So that was one way. So it was through the – the schools. But I also advertised it through parent  
20 groups as well.

What was – what were the parameters you were seeking to have parents of children who were now in special education, previously in state - - -?---Yes.

25 - - - state public schools?---Yes.

- - - and had moved. Was it simply self-selection, those who wanted to participate - - -?---Yes.

30 - - - in the survey?---Yes.

And I see that it turned out that of the 80, 73 were mothers, four were fathers, and three grandmothers?---Yes.

35 Where did the fathers all go? Why weren’t there more fathers, do you think?---I think you would find, if you looked through the literature, that particularly around education and advocacy, those sorts of areas, it’s very often mothers who will be involved in that. And very often it’s mothers who respond to calls for research as well. That’s – it is one of the issues that comes up very regularly in the – in the  
40 literature. People will identify that it’s mothers who are the ones that want to be involved.

Was this broken down into single parent families and two - - -?---No.

45 - - - parent families?---No.

Okay.

MR FRASER: Now, the – again, the topic refers to a concept of a choice. How does this idea of a choice arise in the Queensland context?---So – so, sorry, can you - - -

5 Well, I suppose, parents have a choice to make. They're entitled to choose between a regular school; that's correct?---Yes.

Or a special school?---Yes. Yes.

10 So that's a – so that's really a dual system. Is that an accurate way of - - -?---Yes. Yes. So there is – a dual system is maintained in Queensland. So we've had discussion about that earlier today, that special schools still exist. So we do have that within, sort of, the context of the Inclusive Education Policy. And theoretically, on –  
15 on paper, theoretically parents are free to choose which enrolment they – they would prefer, but certainly experience and my research indicates that that's – that's not a free choice, that it's – it's in theory only and parents don't feel that this is an authentic choice that they're able to make.

Why did you consider this notion of parental choice to be a worthy topic of  
20 consideration for your thesis?---I have been working in inclusive education area for a long time. So when it came time for me to – when I decided I wanted to do some research and head in that direction, my analysis of the situation, I suppose you would say, was to see how strong a – what a power the notion of parental choice has in this arena. So the – the decision to maintain a special school option and to maintain this  
25 dual system is very often justified through saying it offers parents choice. Because there is such evidence and legal mandates now for an inclusive approach, this is like a tension, this feels like a really important tension for us in understanding how to move forward with students with disability. So because of that – that power that's accorded to parents, supposedly, around parent choice, I wanted to explore that  
30 notion, because it has – it – because it is used so regularly as a reason for maintaining a special system, in spite of all the evidence and the movement towards regular schools.

Are there any particular themes that you saw emerge – or you have seen emerge from  
35 your research as to the qualities that all parents look for in a school, whether they have a parent with a disability – sorry, a child with a disability or not?---Yes. So the – the focus – one of the focus areas of the – the group discussions that we had to start this research was around what parents are looking for, because I thought that was a key – a key understanding to have around this – this research. So the focus groups,  
40 as I said, involved a range of parents. It wasn't just parents of students with a disability because I wanted to see, you know, is it because parents of students with a disability want something different, are they looking for something different to what other people want? So I thought it was a really important question to ask is – what do parents want? So there has been research done by other people around what  
45 parents look for in a school, and I wanted to focus more on what parents were looking for about the lives of their children. So because what you're looking for in a school, what a school offers, doesn't necessarily equate to a good school life. So

schools can have all of the – the qualities that, you know, parents will say it's around a good school but that doesn't necessarily mean for an individual child that that – that that transfers. So I was more interested in looking at what sort of life do you want for your child, not what sort of school do you want, what sort of life are you after? What's important for you for your children while they are at school? And coming out of those focus groups, it was really clear that all parents, no matter what age, no matter what – what school they were going to, whether the child had a disability or not – they all wanted similar things. There were five themes that came out of what parents wanted out of school life for their children. So the first one that – that was, I think, the strongest theme was a theme of connection. I've named it "connection" because it covers quite a few things there. So things like friendships, relationships, being part of – a part of the school. So school membership. All of the membership, the class membership, sport membership, those sort of thing. Participating with others and being accepted warmly by others. So those relationship ideas. That was probably, I think, the strongest theme – what everybody wanted. The second strong theme was around growth, and I've said "growth", not just "learning" because it's not just about academic learning. Parents wanted to see their children feel like they were succeeding, achieving – achievement. So certainly, yes, academic learning, but not just that. So growth in lots of other ways too. So widening horizons, opportunities, those sort of thing. Then a third theme was around personhood. So that's recognising children as individuals, recognising their strengths and their interests, giving them a chance for autonomy, independence, leadership, feeling positive about themselves, those sort of things. The fourth theme is around basic needs. So part of that is around emotional ease, physical safety, freedom from bullying, and that sort of – those sort of topics came up in that – in that theme. And, finally, the last theme was around enjoyment. So parents wanted their children to have fun and enjoy the experience of being at school. So this was all parents. Those themes came out in conversations with everyone.

And did your research identify any differences between what parents with a child with a disability wanted as compared to parents with a child without a disability?---So the themes – the themes were the same. As I said, all parents wanted those – those themes, but I think what was – what's really important is that some of the things that parents of students who don't have a disability almost took for granted, so they didn't mention at all or rarely mentioned. There was – there were some aspects to conversations when a child had a disability that were very clear. So the first one is around – yes. So, the first one is around in that connection theme. In that one, when children had disability, there was a lot of talk around welcome and acceptance, belonging. So when a child didn't have a disability, those sort of ideas were not really discussed. It was almost like parents took for granted that that's what would happen for their children. So I think for – when a – when a child has a disability, parents are very alert to this, the possibility of exclusion and – and not belonging, and it – it's something that's very important to them because the risk is so high that that won't be something their children will experience. So, that desire for welcome, the desire for their child to belong, the desire for their child to be wanted at the school was very – was much stronger. There was also a lot of conversation about rejection which is, sort of, the opposite – the flip side of that. So, a lot of talk about

welcome because they'd experienced rejection. They had experienced exclusion. So I – I have some examples of things that – that parents told me. So, "In the end" – this is a quote from a parent:

5           *In the end, it was them going, clearly, "We don't want you here."*

A parent has been told that. Another – another mother spoke of enrolling in three different schools in one year before she found a school that was welcoming. So because they had had experiences of exclusion and rejection in various forms, they  
10 were very sensitive to that notion of welcome. They – they didn't want student – they didn't want their children to be in a place where they weren't welcome. Even if they really wanted inclusion, if they really wanted their child to be in a regular school, very sensitive to whether or not the child would be wanted there or not. So that was one difference. The other one is in the – the theme of growth. There – the  
15 parents of children who had a disability were much more likely to talk in those conversations about not underestimating their child's potential. So they – they believed in their child's capacity for learning, and they really believed in the importance of high expectations. So this, again, seemed to be something that other parents took for granted, that their – their children would just be extended and would  
20 learn in schools. When there was a child with a disability, there was much more sensitivity and protectiveness about how important it was that their children learned and – and could be seen for what they were capable of doing, rather than having low expectations. So there are some quotes from that too:

25           *My only negative experience of school was a teacher with very low expectations. My daughter did no work whatsoever.*

And then another – another mother said:

30           *The principal proudly told me he can now count to 10. And I went, "Well, actually in grade 1, he counted to 15. He had 20 sight words. So I mean, I'm not so excited about that, to tell you the truth."*

So those – those sort of conversations came up much more – or came up with people  
35 when there's – when their children had a disability, so that notion of low expectations. With the theme of personhood – and this was very strong – parents wanted teachers to see their child and not just a disability. Parents would talk about how they had experience of their children being seen as a stereotype, "And I've had a student – I've taught children with Down syndrome before so I sort of know what to  
40 do here," or, "Because someone has Down syndrome, they won't be able to do such and such. We won't even try that." So it's like that notion you're not actually seeing a child, you're actually just seeing a disability. So those sort of conversations came up. The only difference, really, in the one about basic needs was conversations about physical access, and so that was very – a really important part of parents' hopes for  
45 their children was that, obviously, they – they could access and participate in all that a school could offer. And, interestingly enough, the theme around happiness, there

was no difference whatsoever. Everybody just spoke about they wanted their children to enjoy school and have – and play and have fun.

5 Of the parents that chose to enrol their child with a disability in a special school, what factors did your research reveal guided that decision? And can I ask you to give us an overview of these things, and then I will ask you about each one?---So the parents that had decided to go to a special school, I – I have broken that down into a number of factors. So the first one I built around hopes for their children. So basically coming out of that first – those focus groups. So – so what – what parents  
10 wanted for their children out of school life. Another factor – other factors revolve around the negative experiences that parents and children had in regular schools, and then another factor in the decision to move was the relationship, the parent/teacher relationship, and there were two other factors that came out in the analysis of the survey data: one was age of the child that seemed to play a part, and also the fact  
15 that – that some students had additional disabilities to having intellectual disability.

What was the usual – or was there a trend as to the age of the – when the age of the child played a part, what age - - -?---Yes. So it seemed to fall mainly around 11 years of age. So most – most children transferred around that 11, 12 years.  
20 Although students did transfer from a very young age to quite an old age. I think 17 was the oldest, and there were some quite young – but mainly around that – that age of 11 which tends to be around when parents would be thinking about secondary school. So I think that’s probably quite an important point.

25 If I can come back to the first factor you mentioned, being the hopes of a parent of a child with a disability, are you able to expand upon that?---Yes. All right. So these – these things probably are very similar to what we’ve spoken about, so I will – I will just say this briefly, very similar to the focus group so it did come out in the other – in the other parts of the research too. So children were very sensitive to potential  
30 harm. They were very protective and what they wanted was growth and learning, and they – because that was such an important thing, they would – they gave up on other things in order to seek learning. So wellbeing was a very strong theme. So parents were very focused on the wellbeing of the children, and this – this could override their desire for a regular school enrolment. So I wanted – a quote here:  
35

*I wanted her to feel happy, valued. I didn't want her to be the worst of the students in everything she did.*

40 There was also a strong hope for connection, and some parents felt that was more possible in a special school, and there were strong hopes for personhood. So being able to manage the environment, feeling good about themselves. I think that’s one of the things that came out quite strongly, that parents wanted an environment in which their – their children could feel like they weren’t always the one that couldn’t do it. They wanted their – their children to feel like they could – yes, they could feel good  
45 about themselves and make a contribution. So they’re probably – that’s a little bit more detail about hopes for children.



COMMISSIONER SACKVILLE: Most of the respondents had children on the autistic spectrum, 45 out of the 80; is that right?---Sorry, could you - - -

5 Most of the children that were the subject of the survey were on the autism spectrum - - -?---Yes, a lot - - -

- - - 45 out of 80?---Yes, a lot.

10 They, presumably, were fairly severely affected on the spectrum?---I didn't ask about - - -

In order – because they would have to be in order to satisfy the criteria for eligibility for special - - -?---Yes.

15 - - - schools, would they not?---Yes. So they would have had to – my understanding – my understanding of the criteria is you have to have a severe disability which includes an intellectual disability. So the intellectual disability and autism.

20 I see. How many children at any given time in the special schools would have transferred, at some stage, from the mainstream schools? In other words, what proportion would 80 represent out of the totality at any given time?---I do have that figure. I will have to look it up.

25 Okay. When you're ready?---But – shall I do that or - - -

No, no, that's all right. When you're ready, I'm sure we can get a hold of it?---Yes, we come back to that – so I – I do know that it was 36 per cent – at the time I was doing the research, there was 36 per cent of the students in special schools in 2015 had transferred from regular schools.

30 And there are about four and a half thousand children in special schools at that time?---I think that's – I think that's correct.

35 Is that right?---Yeah, I have – I do have that figure, but I just don't know it off by heart.

Okay?---But I do remember that it was 36 per cent that had transferred.

40 Okay. Thank you.

MR FRASER: I think the next factor you mention as being relevant to the parental decision to move to a special school was negative experiences in regular schools. Are you able to expand further upon that?---Yes. The – the most common factor was around learning barriers, so barriers to education. So that includes things like  
45 lowered expectations, lack of support, parents feeling like their children weren't being taught and weren't being provided the sort of support that they needed in order to learn. So in – so 88 per cent of the survey participants indicated that they left

school, the regular school, because of learning barriers in the regular school. Some – some things that people said about that, some quotes, one parent said that their child was ignored or forgotten by the main classroom teacher. Another parent said that their son had a learning support teacher for half a day, and then after that finished, he had to go home because there wasn't enough support for him. Another parent said:

*My son was bored due to lack of engagement and spent a lot of time moving from mainstream classes to the special education unit and back again.*

10 This sense of time wasting and students not being taught and – probably links very well – links into that hope for learning in the move. So they felt that they – there were learning barriers in the regular school and they hoped, by the move, that they would, in fact, be more able to learn. Another – another negative experience of parents in regular schools was around the culture. So this includes attitudes, not feeling like they were welcome, not feeling like they were belonging. So rejection and exclusion. Some example – so 69 per cent of survey participants indicated that that was one of the reasons why they left. So here is some examples of that. One parent said:

20 *I was told my child could not be supported for class swimming lessons even though he could swim, and I was asked to keep him home on sports day. I was not given the choice.*

Another parent:

25 *The school said they didn't want him back next year.*

And in yet another example:

30 *Our child spent the year working at a desk in the storeroom because he couldn't cope in the classroom environment, and this was too disruptive to the other students.*

35 And then a third – there was a third, sort of, theme in this negative experiences in the regular school, and this was around emotional strain. This – this included parents, the stress that parents felt and also included the stress that children felt. So parents talked about children being unhappy. So 78 per cent left because of emotional strain of some sort. And from other experience over the years, parents – it's quite a regular theme when you hear parents speaking about trying to follow their dream of inclusive education can be highly stressful, and a lot of work. So this is sort of quite indicative of other things I've heard over the years. So some examples:

45 *My child became increasingly anxious in the years he was in regular school. Dropping him at school was extremely stressful and I used to think I was leading him to the wolves.*

And I chose that one because I've heard that so many times, parents will say that, that they so much want all the benefits they've heard about inclusive education but they feel that it's their child out there having to actually sort of bear the – on the frontline, basically, of – of the difficulties with actually providing an inclusive education in that setting. So another example:

*The social isolation of having no friends led to levels of anxiety and unhappiness that made being at regular school pointless.*

10 So lots of – lots of conversation about how the time in regular schools was very difficult. So those were the three main themes that I suppose came out of those experiences in regular schools.

15 Can you explain what your research revealed about the significance of the parent and teacher relationship?---Yes.

In that decision to move?---Yes. There's lots of evidence in the literature, apart from – from mine, around the relationship between parents and teachers in regular schools. There's a very common theme in that is the power imbalance between parent and teachers. That feeds into what I was saying before about parents' choice, a lot of people are finding it's not an authentic choice. So some of the examples that I have of that power imbalance is that parents would talk about wanting to – to choose something and perhaps even wanting – so their – their preferences being overridden by – by teacher views. So – so there was constraints on the preferences that parents had. And probably even more so in relation to the – to the survey or decision to actually to move to special was the constant pressure that underlies a decision to enrol in a school if that's not what the school was agreeing with. So there are a number of parents that talked about how their decision to go to the regular school in the first place wasn't necessarily supported. And so even though the schools knew they couldn't in an outright way say, "You can't come here", there was like sort of an underlying pressure at the time they were enrolled at the school that eventually wore a parent down to the point that, you know, "I can't, I'm too tired, I can no longer resist this pressure that you're putting on me to leave." So I have a – the narrative particularly, they're from one of the articles that you have as part of evidence, has – is very, very strong representation of that dynamic. So I've had one of the quotes from that narrative. I think it illustrates this – this point:

*She put so much pressure on to me. It was horrible. And in the end I really – I could not – I was so guilt ridden I ended up putting him into special school because I could not find any more arguments in my head and I still regret it deeply. I still hate the thought of it you know but I was so pressured. It was horrible. It was horrible. I was made to feel like I was nearly an abusive parent to keep him at the school. It was so bad.*

45 So that's quite an extreme quote but other parents certainly talk about this – this ongoing feeling that they have – they're constantly being judged for the decision that

they've made and it wears people down. So 63 per cent of survey participants were told by someone in authority that it was best to go to a special school.

5 Are you able to give a short summary of the issues that you see as being involved with this process of school choice?---Yes. So I think the important point to make here is that school – school selection does not necessarily represent parents' preference. I think that's the key point, really. So choice presupposes that there's an option and a freedom to choose, and I think parents were quite clear that – that the decisions that they were making weren't happening in a vacuum, that there was –  
10 there was systemic issues that were playing a part in the choices they made. I've given you some examples of that. One issue there is that when – when decisions were being made – one example one of the parents gave was that advice came from the very people that – so when a decision was made about a school and the school, for example, the parent, you know, wanted to go to the – to the regular school,  
15 teaching staff would look to – to advice from – from other teaching staff. So it's almost like they were – they weren't getting objective advice. So the quote here I have is:

20 *They would always go back to the SEDU for a report.*

So SEDU is the same as the SEDP, special education – whatever that was that someone referred to a little bit before. This is just an earlier version of it. So the special – the – before primary school, the early childhood centre. So:

25 *They would always go back to the ECDU for a report about your child and if they had the view your child belonged in a special school that was the report they would give. The schools were choosing.*

30 Is that the ECDP?---Yes. Yes. So the SEDU is an early version of that. Yes. And then another – another parent said:

35 *I could send my son to a school where he's repeatedly suspended. I could have chosen that but funnily enough that's not what I chose. So to me it's not a real choice.*

So, yes, so that notion that there's freedom to choose, I think it's very clear from parents that that's not what their experience was.

40 COMMISSIONER SACKVILLE: All these transfers took place before Queensland adopted the Inclusive Education Policy, I take it?---Yes.

Do you know if any work has been done post Queensland education policy on this sort of issue?---No. No.

45 Would it produce different results, do you think?---So – that's hard for me to say. I suspect not. So even though it's – even though it's before the current Queensland education policy, before this policy there was an Inclusive Education Statement. So

– and we all – so it’s quite a few years since we’ve had something called the placement policy. There used to be a placement policy where there was no choice, where parents were directed to a school. So that has been gone for a long time.

5 Has it?---So even though we have this – you know, we can see how things are changing and we can see how – how – how much more committed and – and more clear in the statements we are, the entitlement to go to a regular school on paper was certainly there when – when this research was done. And that’s – that’s – I think that’s one of the considerations, is that things can be on paper and they can look very  
10 good on paper. Parents are like the litmus test of what is actually happening. In some ways there’s so much work that has been done in that area. Like the policy documents are much clearer, they’re much more in line with the UNCRPD. We have that work. We’ve got to the point where we’re saying parents have a choice. So I think that’s clear in policy documents. But what’s actually happening to parents in  
15 schools day-to-day reflects the challenge that it is to actually put this – put this into practice. I’m not sure if that answers your question but - - -

I think it does adequately. Otherwise Mr Fraser will get very angry with me.

20 MR FRASER: What do you see as being the critical lessons that are to be taken from your thesis?---Okay. So the point which I think I stressed already but I think bears saying again is that parental choice is used as a reason for maintaining special schools. It’s a – it’s used worldwide. It’s used in the literature regularly, saying we have to keep this – this parental choice. So this notion that we do have – that parents  
25 do have a right to choose is used to keep a dual system going. The notion of parental choice is problematic. Parents don’t have the choice that supposedly is accorded to them on paper. So it’s problematic using that as a – as a justification for – for the maintenance of a special school system. The parents in my study didn’t choose special schools freely. They choose – they chose special schools because they were  
30 tired, they were stressed, they were witnessing what was happening to their child, the negative things that were happening to their child, they were hurt themselves, they were trying to protect their children. That’s not a free choice for a system. The other thing I would like to add there, too, is that for some of the parents when they made the choice to go to a special school what they hoped for in the special school didn’t  
35 come to be – come to be. They thought that students might have more of a chance to learn there, but, in fact, they didn’t find that to be true. There was one – one family in the narrative where the move to the special school actually resulted in more – more restraint. The child was suspended more. The child was isolated more. So some of the promises that are held as a carrot to parents don’t come to be. And, of  
40 course, we know the long-term impact of being in a special school. So – so my – that – I suppose that’s the first really important point I would like to make, is this notion of choice is – is misrepresenting the situation for parents. So we have to really consider that if we’re going to use that as a reason for maintaining the system. The other thing I think that’s a really important point to make is that parents through  
45 making this decision and through sharing what they have with me have really highlighted the things that haven’t – that have been – haven’t gone right for them, the things that have gone wrong for them in the regular school. So this gives us a

5 window into how policies are being implemented. So there's a key message there  
that we're wanting – that people want inclusive education but just because you're  
enrolled in a regular school that's not the equivalent of inclusive education, that there  
are – so parents are, yes, giving us a window into the work that still needs to be done,  
10 is – that sort of school life that they want for their children is to be. So they want  
inclusive education but regular schools are not in a position – currently there are  
many challenges in creating and crafting those lives that families want. So I think  
the – the key important – the important point there is that people want regular  
schools but they will give up on a regular school if those qualities aren't there for  
10 their children.

15 Finally, Dr Mann, what would you like to see come out of this Commission?---I  
believe that these options that parents have, regular and special, the way current –  
they currently exist are both failing families. Regular schools are failing families  
because they are struggling to – to implement the inclusive approach, for – and  
we've heard evidence today around why that might be. And we know that that  
20 special schools and segregation, we know from history and we know from the  
literature that segregated education does not lead to the best outcomes for children,  
both in the short and the long term. So one of the questions that has been asked is  
why are there so many – why are there so many inquiries. And we've had so many  
over the last few years. Why are we sort of going around and around in circles in  
this way? My understanding of why that's happening is because we're in this  
25 holding pattern around trying to fix up this regular – keep the special there – so many  
energy and resources are going into the dual system. The existence of special  
schools is a barrier to actually building the capacity of regular schools. While special  
schools are there, there's a place to send students that we don't know what to do  
with. If we commit to an inclusive education system, then that will – that requires us  
30 to develop our capacity. It requires us as teachers and families and leaders to all  
work out how this can happen. So while the special school is there, we have this  
ready, nice, easy fix that we'll send the kids we don't know what to do with over to  
this place. So it also ties up resources. It sends a message that some children don't  
belong with the rest of us. It maintains an attitude and a culture that excludes people.  
So what I would love to see is some commitment to making a decision about  
35 dismantling a special system, working together collaboratively, recognising the  
wonderful work that is being done in some schools, so bringing together that – that  
knowledge, bringing together the knowledge of specialists, redeploying the resources  
that we use in this special segregated system and using it instead to create and  
cultivate an inclusive approach to schools. And in that way, I think what we could  
40 really see happening is we could actually develop school – school cultures and  
school possibilities where all these things that parents want for their children will be  
a possibility.

I have no further questions for Dr Mann.

45 COMMISSIONER SACKVILLE: Ms McMillan.

MS McMILLAN: No, thank you.

DR MELLIFONT: That's – unless there's a question - - -

5 COMMISSIONER ATKINSON: I just did have one question. Sorry. Is there any  
breakdown of the families – the 80 that you surveyed in terms of culturally or  
linguistically different groups or First Nations families or anything that might have  
suggested other intersectional disadvantage apart from having children with  
disabilities?---No.

10 Okay.

DR MELLIFONT: That's the evidence for today.

15 COMMISSIONER SACKVILLE: Dr Mann, thank you very much for attending.  
And thank you for giving us the benefit of your research and experience. We  
appreciate it. Thank you?---Thank you.

<THE WITNESS WITHDREW

[4.32 pm]

20 DR MELLIFONT: Can we resume tomorrow morning at 10 am with an opening  
statement by Ms McMillan for the State of Queensland. Followed by throughout  
course of the day two panels of evidence which will be some heads – inclusive  
education and some principals.

25 COMMISSIONER SACKVILLE: Very good. How long are you likely to be, Ms  
McMillan?

30 MS McMILLAN: Half an hour at the very most, probably less.

COMMISSIONER SACKVILLE: Good. By the way, leave was given for the  
Commonwealth to make an appearance. Have we seen any sign of the  
Commonwealth with its vast resources?

35 DR MELLIFONT: Not physical sign, but I understand there has been some  
communication. So I will find out what that was before the morning.

COMMISSIONER SACKVILLE: Very good. Thank you.

40 COMMISSIONER ATKINSON: We are still in Australia.

DR MELLIFONT: We are.

45 COMMISSIONER SACKVILLE: Well, we will adjourn until 10 am tomorrow.

**MATTER ADJOURNED at 4.32 pm UNTIL  
WEDNESDAY, 6 NOVEMBER 2019**



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