



Statement of ongoing concern

The impact of and responses to the Omicron wave of the COVID-19 pandemic for people with disability

In March 2020, the Royal Commission issued a [Statement of Concern](#)¹ about the impact of the emerging COVID-19 pandemic on people with disability. We asked Australian governments to take all necessary measures to ensure the safety, health and wellbeing of persons with disability during the pandemic, especially people living in disability residential settings and people with cognitive disability.

The Royal Commission held an urgent Public hearing (PH 5) from 18 to 21 August 2020 on the 'Experiences of People with disability during the ongoing COVID-19 Pandemic.' The Commissioners' Report on PH 5 was presented to the Governor-General on 26 November 2020 and subsequently tabled in Parliament. The report made a series of findings about the impact of the pandemic on people with disability and also made 22 recommendations directed to the Australian Government.

On 2 April 2021, the Australian Government announced that it supported, either in whole or in principle, 21 of the 22 recommendations.

The Royal Commission held a further Public hearing on 'The experiences of people with disability in the context of the Australia Government's approach to the COVID-19 vaccine rollout' on 17 May 2021 (PH 12). The Commissioners' Report on PH 12 was presented to the Governor-General on 27 October 2021 and subsequently tabled in Parliament.

The Report on PH 12 included findings that the vaccine rollout for people with disability had been 'seriously deficient' and that people living in disability residential care had been 'deprioritised' in the rollout without any public explanation. The Commissioners' Report for PH 12 made seven recommendations.

On 29 October 2021 the Australian Government announced that it accepted six of the seven recommendations.

Almost two years after issuing the statement, the Royal Commission remains deeply concerned. The pandemic continues to expose the underlying inequities, discrimination and exclusion that people with disability experience in the delivery of fundamental services and supports. The United Nations Convention on the Rights of Persons with Disabilities affirms that people with disability have the fundamental right to health without discrimination on the basis of disability.

The Royal Commission is concerned that people with disability are still not being appropriately prioritised during this phase of the pandemic in relation to health care, disability support and the vaccine/booster rollout.

The Royal Commission notes that National Cabinet will be considering a report on Winter National COVID and Influenza Preparedness at their next meeting in March 2022.² It is extremely important that National Cabinet considers measures to ensure that the health, safety and wellbeing of people with disability are given the priority they deserve.

Key issues of concern

Many of the broader questions that arose near the start of the pandemic for people with disability have returned. We have heard that the more virulent Omicron variant, combined with the significant easing of restrictions in many states and territories in late 2021 as part of the strategy of 'living with COVID', has created problems for people with disability reminiscent of those identified in the Commissioners' Report for PH 5 and PH 12. Advocacy groups and key organisations have expressed acute fears for the health, safety and wellbeing of people with disability.

People with disability often rely on family, friends and support workers to provide essential services. We have been told that during the current phase of the pandemic, many of these people have not been able to provide their usual support. The media have given voice to the harrowing experiences of people with disability who say they have been neglected and exposed to harm by being denied access to vital services and supports.

The Royal Commission has been working actively to gather information which will allow it to respond appropriately to the current circumstances. While the Australian Government and related agencies have provided certain data and some information concerning plans to protect people with disability from the Omicron wave, there are still significant gaps.

The Royal Commission is currently preparing an Issues Paper as a matter of urgency, which will identify a number of areas of particular concern. As with other Issues Paper,

we shall invite responses from interested parties, but especially from people with disability whose health, safety and wellbeing may have been compromised during the Omicron phase of the pandemic.

Our ten areas of particular concern are outlined below:

1. Overall de-prioritisation of people with disability and lack of regard for their health and wellbeing, indicating a lack of systemic preparedness and service coordination.
2. Significant data gaps and reporting in relation to vaccination rates and the rates of infection and mortality of all people with disability. Concerns around language used by governments in the public reporting of deaths relating to COVID-19, with respect to the underlying health status of individuals.
3. Access to vaccinations and boosters for people with disability and disability support workers across the whole community and in all regions, and insufficient levels of immunisation when restrictions were eased and during the current wave.
4. Severe disruptions to disability services and essential supports due to furloughing of staff, fears around transmission and a lack of access to testing.
5. Access to essential health services and fears of health rationing as health care systems become inundated. Access to newly approved anti-viral medications.
6. Lack of equipment (rapid antigen tests, PCR tests, Personal Protective Equipment) and support and guidance for effective infection prevention and control. Lack of accessible testing tools and accessible public health information or interpreting services for some people with disability.
7. Concerns with managing COVID-19 in the home for people for disability.
8. Lack of adequate and meaningful consultation with the disability sector and people with disability to inform this phase of the pandemic response.
9. Fears and isolation for people with disability, needing to shield at home for extended periods, with anxieties about both potential infection from those providing critical support to meet basic needs, and, conversely, a lack of access to these critical services.
10. Reduced formal and informal oversight mechanisms in closed residential settings for people with disability, with an increase in the risk of violence, abuse, neglect and exploitation.

Next steps

The Royal Commission will be releasing the Issues Paper in early to mid-March 2022, which will provide further detail on the issues we have identified. The Issues Paper will also examine the data and information provided by governments, with a view to determining if the processes and systems are in place to protect people with disability ahead of winter.

The Royal Commission encourages people to continue to engage with us by telephone and/or by electronic means in the lead up to and in response to the Issues Paper when it is released.

¹ Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability, *Statement of Concern - The response to the COVID-19 pandemic for people with disability*, 26 March 2020. <<https://disability.royalcommission.gov.au/publications/statement-concern-response-covid-19-pandemic-people-disability>>

² Prime Minister, National Cabinet Statement, 10 February 2022. <<https://www.pm.gov.au/media/national-cabinet-statement-66>>