Accessibility and Inclusion Strategy
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People with disability, their families, supporters and advocates have fought long and hard to have the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability (the Royal Commission) established.

They rightly see the Royal Commission as offering a genuine opportunity to achieve transformational change. If this opportunity is to be realised the Australian community will need to recognise and accept that all people with disability are entitled, in the words of Article 1 of the United Nations Convention on the Rights of Persons with Disabilities (CRPD), to:

“the full and equal enjoyment of all human rights and fundamental freedoms ... and to promise respect for their inherent dignity.”

There are grounds for optimism. Australians have demonstrated that they are willing to embrace profound changes in social attitudes when presented with compelling evidence that existing attitudes and practices inflict unjustifiable trauma and hardship on vulnerable people.

Some transformations in social attitudes have been brought about, or at least hastened, by Royal Commissions. Perhaps the starkest recent example is the Royal Commission into Institutional Responses to Child Sexual Abuse which succeeded in forcing the wider Australian community to acknowledge the astonishing
extent of child sexual abuse and the complicity of some of the most trusted institutions in Australia in allowing the abuse to occur.

While this Royal Commission also offers a genuine opportunity to achieve transformational change in societal attitudes towards people with disability, the Royal Commission is under no illusion as to the magnitude and difficulty of the task. The terms of reference are very wide indeed, extending to all forms of violence against and abuse, neglect and exploitation of people with disability.

It is critical to the success of the Royal Commission that people with disability are not only able to tell their story safely, but also receive the full range of supports they require to engage with the Royal Commission. Recounting experiences of violence, abuse, neglect and exploitation is a powerful mechanism for highlighting the gap between the rights enshrined in both the CRPD and domestic legislation and the reality confronting so many people with disability in their daily lives. The public hearings conducted by the Royal Commission are intended to foster a greater understanding among the Australian community of the inherent dignity and worth of people with disability and of the rights which they, in common with all Australians, are entitled to enjoy to the full.

The Royal Commission clearly faces a formidable challenge in reaching out to people with disability and encouraging and facilitating their engagement with the Royal Commission. The Royal Commission must assist people with disability to overcome the physical, psychological and communications barriers that might otherwise prevent stories being told. The Royal Commission must also ensure that people telling their stories can do so in a totally safe and supportive environment.

The Accessibility and inclusion strategy states the principles that will guide the Royal Commission in its engagement with people with disability. It aligns with the rights-based philosophy of the CRPD and with the Royal Commission’s terms of reference.

The Accessibility and inclusion strategy commits the Royal Commission to putting people with disability at the forefront of its work and explains how the Royal Commission intends to achieve this objective. As the Strategy emphasises, the Royal Commission will pay particular attention to the experiences of First Nations people with disability and to the experiences of people from culturally and linguistically diverse communities, as well as people in remote areas and closed environments such as homes, institutions and prisons.

The Accessibility and inclusion strategy has been developed and reviewed in consultation with people with disability and advocacy groups. It is essential we continue to adapt the strategy, as we learn what can be done more appropriately and effectively. We welcome any comments at any stage during the life of the Royal Commission.

Ronald Sackville AO KC
Chair
Introduction

The Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability was established on 4 April 2019 to inquire into:

- what should be done to prevent and better protect people with disability from experiencing violence, abuse, neglect and exploitation
- what should be done to encourage reporting of, and effective investigation of, this conduct
- what should be done to promote a more inclusive society that supports the independence of people with disability and their right to live free from violence, abuse, neglect and exploitation.

The Royal Commission is committed to doing this in an accessible and inclusive way, putting people with disability at the centre of all it does.

The Royal Commission wants people with disability to be able to engage with us in ways that best suit their individual needs.
Our foundations

This Strategy sets out some details about how the Royal Commission will engage with people in its processes such as the conduct of hearings and evidence gathering. It will also inform our accessibility approach within our communication and engagement strategies.

The United Nations Convention on the Rights of Persons with Disabilities emphasises the need to:

• respect the inherent dignity, individual autonomy including the freedom to make one’s own choices, and independence of all people
• not discriminate on the basis of disability or any other factor
• promote full and effective participation and inclusion of all people in society
• respect difference and accept people with disability as part of human diversity and humanity
• provide equality of opportunity for all people
• ensure that our services and premises are fully accessible to all
• treat all people equally
• respect the evolving capacities of children with disability and the right of children with disability to preserve their identities.

In conducting our work the Royal Commission will ensure that:

• we do not discriminate on the basis of disability or any other factor
• we consider the individual needs of people with disability
• staff are familiar with the principles and objectives of this Strategy
• the principles of universal access and inclusion for people with disability are considered in the physical environments we use and in the means we use to communicate with people
• we use a range of different approaches, methods and formats to ensure the Royal Commission provides information that is easy to understand and helps people to engage with us
• we offer a range of ways to communicate with us so people with disability can recount their own experiences and thus inform the Royal Commission’s recommendations
• we recognise and encourage the participation of carers and support workers where appropriate
• we review our performance and make changes to our processes based on feedback from people with disability.
Including specific groups

The terms of reference for the Royal Commission are broad and wide ranging, and also reflect an understanding that some groups are at higher risk of violence, abuse, neglect and exploitation.

These include, but are not limited to:

First Nations people
The Royal Commission will continue to consult with, and seek advice from, First Nations representatives to ensure our processes are culturally appropriate. We will make information resources available specifically designed for First Nations people and employ First Nations staff to ensure a culturally safe and respectful way of engaging with the Royal Commission.

People from culturally and linguistically diverse communities
We encourage all people with disability to engage with us in their preferred language. We provide interpreting and translation services and publish information resources in a range of community languages.

LGBTIQ inclusive
The Royal Commission’s terms of reference direct us to consider how people’s experiences are affected by their gender identity, sexual orientation, or intersex status.

LGBTIQ people with disability experience additional discrimination in our society.

Available data indicates that exposure to violence, abuse, neglect and exploitation for LGBTIQ people with disability is heightened by overt and systemic discrimination and homophobic, biphobic and transphobic violence and abuse.

We provide a welcoming and inclusive environment for LGBTIQ people to tell their stories.

Women and girls
Women and girls with disability are far more likely to experience violence and abuse than women and girls without disability, and they are less likely to report this abuse for both personal and systemic reasons.

We provide a confidential and supportive environment for women and girls to engage with us.
Children and young people

Children and young people with disability may be especially vulnerable and often unable to recognise or express themselves in relation to violence, abuse, neglect and exploitation they experience.

We will take steps, through age-appropriate supports, to reach children and young people who may experience particular difficulty in engaging with us. These include the very young, those experiencing ongoing family violence, children and young people who are in out-of-home care, are homeless or in youth detention, or are living in rural and remote areas. We will take care to create child-safe environments where children and young people feel they can share their experiences.

People in specific locations

People in more closed environments, segregated institutional settings (such as prisons) and congregate residential settings (such as boarding houses, some group homes or large residential centres) or people in rural and remote communities may experience particular barriers to engaging with the Royal Commission.

We will work to ensure those in more closed environments and rural and regional communities have equal opportunity to speak out, to share their important stories and provide evidence to the Royal Commission.

For more information visit www.disability.royalcommission.gov.au/support
Everyone who shares their experience with the Royal Commission has the right to feel safe, both physically and emotionally.

The Royal Commission adopts the principles of trauma-informed engagement. These are:

- safety
- choice
- collaboration
- trustworthiness and
- empowerment.

Adopting these principles helps us to recognise, understand and acknowledge the effects of all types of trauma, and avoid re-traumatisation.

We recognise that people may find it difficult to tell their stories. We support people in telling their stories in a way which maintains their wellbeing.

Counselling services are available to support people through the Royal Commission process.
Protecting your confidentiality

If you share your story with the Royal Commission in writing, online or in audio-visual format, we will not publish your information unless you want us to. If you do want us to publish your account of your experience, we can publish it without naming or identifying you.

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

This is because under the current law, the Royal Commission can only guarantee confidentiality while the Royal Commission exists. However, the Royal Commission intends to ask the government to amend the law so that your information is protected indefinitely, even after the Royal Commission ends. This, however, is a matter for the Australian Parliament to decide.

If you are worried about your identity or the information you have provided being disclosed after the Royal Commission has ended, you may be able to share your experience with a Commissioner in a private session.

Anything you tell us in connection with, or during, a private session can be kept confidential even after the Royal Commission ends. It is protected from disclosure by law and cannot be subpoenaed or disclosed under Freedom of Information legislation.

At this stage, the Royal Commission does not know how many people might want a private session, so we cannot promise that everyone wanting a private session will be able to get one.
Confidentiality clauses and defamation

You might be worried that any information that you give to the Royal Commission, including in a written, online or audio-visual submission, is in breach of a non-disclosure or confidentiality clause in an agreement you have signed, or is defamatory. If so, you can ask the Royal Commission to issue you with what is called a ‘notice to produce’ your submission.

If the Royal Commission has issued you with a notice to produce (or if you give evidence before the Royal Commission in a public hearing), it is a criminal offence for any person to injure you, cause you disadvantage, or for your employer to take action against you because you have given information to the Royal Commission.

It is therefore against the law for a person to sue you for breach of a confidentiality clause because you gave your information to the Royal Commission in response to a notice. The law also says that any information you provide to the Royal Commission in response to a notice issued by the Royal Commission cannot be used as evidence against you in any civil or criminal proceedings in Australia.

Retribution and ‘whistleblowers’

We understand that people with disability may be concerned about retribution, for example if they make a submission that is critical of an employer or an accommodation provider.

We take this concern very seriously because such retribution can be a criminal offence. If this happens to you because you have provided us with information in response to a notice to produce, or if you have given evidence in a public hearing, please tell us. The Royal Commission will then investigate your report and if needed, refer it to the police.

You can get free legal advice to help you understand your options in sharing your experience with the Royal Commission. Please call 1800 771 800 (9:15am-5:15pm, daylight saving time, Monday to Friday, excluding public holidays).
We offer a range of ways to allow people to engage with us in the way which best suits them.

Our approach to accessible communication includes the following measures:

- Video, audio and other multimedia used by the Royal Commission will include an accessible transcript, captions and other alternatives such as Easy Read and Easy English, as appropriate.

- Auslan-English interpreters are available to assist people who are deaf or have a hearing impairment. Alternatively, deaf people can use their preferred interpreter and this will be funded by the Royal Commission.

- Our website uses universal design and adheres to the Web Content Accessibility Guidelines 2.1 which will enable content to be accessed using assistive technologies such as screen readers or voice recognition technology or interfaces appropriate to an individual's needs. The Royal Commission will regularly review and update its website design and content in response to feedback from the community.

- Alternative file formats – including Portable Document Format (PDF) and Word documents (DOCX) – are provided and are made as accessible as possible.

- The Royal Commission’s core ICT solutions maintain high accessibility standards, including the video conferencing solution, soft-phones, and eCourt system.

- Braille facilities including a braille printer are available at Royal Commission offices. Where appropriate, information resources will be available with braille options.

- All Royal Commission staff will undertake disability specific training to support a high level of service delivery. Where required, we will hire specialists with skills in alternative and augmented communication.
To help ensure people with disability are able to engage with the Royal Commission and share their insights and experiences, all Royal Commission venues and proceedings will be accessible.

Public hearings, forums and other public proceedings will include hearing loops, Auslan-English interpreters and live captioning.

The Royal Commission is likely to engage with many people who make use of support animals such as guide dogs. We have protocols for assistance animals that include providing water, hygiene and appropriate rest areas.

We will also consider people’s preferences about how they share their experience. For example, the length and time of sessions will be staged where necessary to accommodate people who prefer to have multiple short sessions or sessions at a particular time of day.

Others may prefer to share their experience with the help of pictures. Commissioners may travel to engage with people who cannot travel themselves or where this option is more effective.

The Royal Commission also acknowledges that people with psychosocial disability, intellectual and cognitive disability can often be excluded from participating in inquiries. To support people with intellectual and cognitive disability, written resources used in meetings and hearing materials will, as far as possible, be available in Easy Read beforehand so that people can be familiar with their content in advance.

The Royal Commission recognises that time limits can create additional barriers to inclusion. We will provide as much notice and time as is practical to allow people to provide information.
Using your own supports

People are able to use their own supports when engaging with the Royal Commission if they choose. The Royal Commission will reimburse the reasonable costs of the supports required by people giving evidence at hearings. People with NDIS plans will not be required to use their plan funding for the reasonable costs of such supports.

Where appropriate, people who wish to contribute to the Royal Commission will be supported, including through independent advocacy or the supports of their choice. They will also receive the information they need in accessible formats so that they can make a decision whether to tell their story to the Royal Commission. People may also choose to have someone to speak on their behalf.

Supported decision-making and assisted communication

The Royal Commission recognises the importance of people being able to choose to use assisted communication and/or supported decision making as ways of exercising choice and control and participating in the Royal Commission. The Commissioners will ensure appropriate and effective safeguards in all measures that relate to the exercise of individual choice and decision making.

Where requested, additional support staff will be made available at hearings, private sessions or other forums to assist people as necessary.

Providing supports for you

The Royal Commission will arrange specialist supports for witnesses who do not have, or prefer not to use, their own supports. For example, we can provide transport, Auslan-English interpreters and specialist disability supports if necessary for people with disability who have been asked to appear before the Royal Commission.

Counselling support is available throughout the duration of your engagement with the Royal Commission. Our approach is designed to provide an inclusive environment where you will be believed and appropriately supported.
Royal Commission offices have a high standard of accessibility. The design and fit out of our offices and meeting spaces have been reviewed by a specialist access consultant to ensure they meet the highest accessibility standards, including entry, meeting and hearing spaces, facilities and amenities.

We use technology designed to be accessible. For example, the video conferencing technology is compatible with a screen reader and can be accessed via an internet browser. Our new website and social media presence are intended to meet best practice standards.

We have adopted an inclusive approach to recruitment and aim to be an employer of choice for people with disability. We have applied the Australian Public Service Commission (APSC) Affirmative Measures guidelines to our recruitment process, and the APSC RecruitAbility Scheme applies to all vacancies. We promote flexible working arrangements by default as part of our inclusive practice.

Our Commissioners and senior staff include a strong representation of people with a lived experience of disability. People with disability occupy leadership roles and a range of positions across the Royal Commission.

All Royal Commission staff receive disability awareness training. We also provide a range of training programs delivered by leading disability experts that are designed to increase knowledge and awareness of disability, social inclusion and mental health awareness.
Your feedback is important

We will continuously monitor the implementation of this Strategy, including the level of engagement from specific groups and those in different geographic locations. We will establish reporting measures designed to help us understand and improve our performance.

We welcome your feedback on this Accessibility and inclusion strategy, including on whether it is achieving its objectives. We will use this feedback to improve our approach.

Please contact us on DRCEnquiries@royalcommission.gov.au or 1800 517 199 to have your say on how people with disability, their families, communities, supporters and advocates, can most effectively and inclusively participate in this Royal Commission.