



## Ensuring the well-being of people with disabilities

April 2025

*The Uniting Church affirms that:*

*(a) Christ is most fully present when all people in the Body are unconditionally accepted as people of worth. All people are created in the image of God, including people with disability;*

*(b) along with all members, the faith, gifts, hopes and dreams of people with disability are to be valued and honoured; and*

*(c) God is a God of justice and peace, who seeks reconciliation amongst all people.*

Part of a resolution passed by the 15<sup>th</sup> Triennial National Assembly meeting of the Uniting Church in 2018.

Unfortunately, the national Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability has derailed actions the Victorian Government had planned to take to improve the lives of people with disabilities. The Victorian Government has shelved reforms on several issues and is waiting for the Federal Government to act. For example, in March 2022, the Victorian Government announced within the [State's Disability Plan 2022-2026](#) that it would consult on introducing a Commissioner for Disability Inclusion. Establishing such a Commissioner with adequate powers and functions would have been a welcome reform. The Victorian Government released a draft Bill that would have established a Commissioner but has shelved the plan following the Royal Commission to see what reforms the Federal Government may pursue. The Federal Government has taken limited action in response to the recommendations of the Royal Commission.

The following action is to encourage the Victorian Government to return to pursuing reforms to benefit people with disability and not wait for action by the Federal Government.

The Royal Commission recommended the introduction of a *Disability Rights Act* that gives effect to Australia's obligations under the *UN Convention on the Rights of Persons with Disabilities*. They recommended that the Act recognise that people with disability have a right to live free from all forms of exploitation, violence and abuse, including the right to freedom from gender-based violence and abuse. The *Act* should require government bodies to consult with people with disability in developing policies, laws and programs related to services provided to the public. The consultation should actively involve First Nations people with disability in issues that affect them. The *Act* should require government bodies to address barriers that disadvantage people with disability and address stigma, stereotyping and prejudice against people with disability. Government bodies should also be required to foster good relations between people with disability and other community members.

### What you can do

Write a polite and respectful letter to:

**The Hon. Lizzie Blandthorn**  
Minister for Disability  
Level 22, 50 Lonsdale Street  
Melbourne, VIC 3000

Salutation: Dear Minister

Points to make in your letter:

- Welcome the reforms the government has introduced to support people with disability, but express concern that the national Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability appears to have stalled further reforms in Victoria.
- Urge the Victorian Government to implement Recommendation 4.22 of the Royal Commission and establish a Victorian *Disability Rights Act*. The Act should require Victorian Government bodies to:
  - consult with people with disability in developing policies, laws and programs related to services provided to the public. The consultation should actively involve First Nations people with disability in issues that affect them; and,
  - address barriers that disadvantage people with disability.

### **Use of Exclusion, Restraint and Seclusion in Victorian schools**

In October 2023, *The Herald Sun* reported on 44 Victorian schools where students with disabilities suffered seclusion, neglect and abuse. In October 2024, the Victorian Legislative Council Legal and Social Issues Committee released a report on its inquiry into the Victorian school system. The Committee heard evidence that mainstream schools sometimes excluded students with disabilities because teachers or schools are ill-equipped to provide the necessary support. They face both time and resource pressures and inadequate professional training.

The Committee was concerned about the use of restraint and seclusion in schools as “the use of restraint and seclusion may be traumatising to students and can result in injury or even death.” Seclusion means confining students to a space, such as a small room. They heard evidence that not all teachers and schools were complying with their obligations to report the use of restraint and seclusion of students with disability. Such reporting is essential to encourage measures to curb the use of restraint and seclusion, which should only be used as a genuine last resort.

However, there may have been an improvement in reporting. At the end of November 2024, data from the Victorian Department of Education and Training revealed that nearly 2,700 children were subjected to restraint or seclusion in Victorian state schools in 2024. That was a 46% increase in reported cases compared to 2023. The figures include students who do not have a disability.

### **What you can do**

Write polite and respectful letters to:

**The Hon Ben Carroll**

Minister for Education

Level 3, 1 Treasury Place

East Melbourne VIC 3002

Salutation: Dear Minister

E-mail: [reception.carroll@minstaff.vic.gov.au](mailto:reception.carroll@minstaff.vic.gov.au)

Points to make in your letter or e-mail:

- Express concern at the on-going use of exclusion, seclusion and restraint of children with disability in Victorian schools.
- Ask that the government act on the recommendations of the Legislative Council Legal and Social Issues Committee and ensure that exclusionary practices of students with disabilities are phased out.
- Ask what action has been taken to provide further professional development for school staff to prevent further instances of exclusion practices from occurring in the future after the report by the Legislative Council Committee.
- Ask what action has been taken to improve school compliance with reporting when restraint and seclusion of students is used.