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Published August 2019.
Foreword from the Chair of the Royal Commission

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 have high expectations of what the Royal Commission can achieve. It offers a genuine opportunity for transformational change.

Australians have historically demonstrated their willingness to embrace seismic change in social attitudes. Some of these transformations have been brought about or at least hastened by Royal Commissions. The starkest recent example is the work of the Royal Commission into Institutional Responses to Child Sexual Abuse (CARC), which succeeded beyond all expectations in forcing the wider 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. This does not necessarily mean that all child sexual abuse has now been eliminated but it is highly unlikely that such widespread and long-term institutionalised abuse could ever happen again. In this sense CARC has brought about transformational change.

While the Royal Commission also offers a genuine opportunity to achieve transformational change in societal attitudes towards people with disability, we are 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 not only tell their stories safely but also receive the support they need to engage with us. Recounting the experiences of people with disability is a powerful mechanism for fostering understanding among the wider community of the inherent dignity and worth of people with disability. The process will also highlight the gap between the rights enshrined in the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) and the reality experienced by so many people with disability.

We recognise that there are considerable challenges in reaching out to and engaging with people with disability in an accessible way. We have to find ways of overcoming not only the physical but the psychological and communication barriers to people being able to tell their stories in a totally safe and supportive environment.
This Accessibility Strategy states the principles that will guide the Royal Commission in its engagement with people with disability. It aligns with the rights-based approach of the UNCRPD, domestic legislation confirming the rights of people with disability and our Terms of Reference.

The Strategy commits the Royal Commission to putting people with disability first in everything we do and explains how this objective will be achieved. The Royal Commission will pay particular attention to the needs of First Nations People and those from culturally and linguistically diverse communities.

We understand the need to consult and to adopt the Strategy as we learn what works most effectively and what we can do better. We welcome any comments you may have on the Strategy at any stage during the life of the Royal Commission.

Ronald Sackville AO QC

Chair
Introduction

The Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability (the Royal Commission), 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 ensuring that this can be done in an accessible and inclusive way, putting people with disability at the centre of all it does. This Accessibility Strategy (the Strategy) explains how the Royal Commission will do this.

Our commitment

The Royal Commission will seek to align with the guiding principles of the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD).

The Royal Commission will put people with disability first. We will seek to design our approach so that we are accessible, and so that people with disability will be able to engage with us in ways that best suit their individual needs.

Consistent with the Terms of Reference for the Royal Commission, particular attention will be given to the experiences of First Nations People as well as people from culturally and linguistically diverse communities. The provision of support for a person with disability to convey their experiences of violence, abuse, neglect and exploitation in their first language is an important factor in ensuring the Royal Commission is accessible to these communities.

This Strategy reflects the Royal Commission’s commitment to inclusion and accessibility. The Strategy is dynamic as it will be reviewed and updated periodically as a result of consultation with people who engage with the Royal Commission.

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 for our communication and engagement strategies.
Foundations

The UNCRPD 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 its inquiry the Royal Commission will ensure that:

• we consider the individual and complex 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 to ensure that people with disability can provide information about their experiences and inform the Royal Commission’s recommendations
• we review our performance and make changes to our processes based on feedback from people with disability.
First Nations People with disability

The Terms of Reference for the Royal Commission require it to consider the particular situation of First Nations People.

First Nations People with disability are among the most disadvantaged of Australians. They often face barriers within their own communities including barriers to accessing disability support services.

The Royal Commission will consult about and adapt our processes as much as possible to ensure a high level of understanding, awareness and involvement of First Nations People and their communities.

Multicultural services for people with disability

The provision of support for a person with disability to convey their experiences of violence, abuse, neglect and exploitation in their first language is a critical factor in ensuring the Royal Commission is accessible to all communities.

When engaging people with disability from different communities, it is important to be aware that ‘disability’ can be a new conversation or concept in many communities. Also people may choose not to identify themselves as a person with disability or may choose not to seek disability supports.

The Royal Commission will ensure that its processes are responsive to the needs of First Nations People and people from culturally and linguistically diverse backgrounds. This may include providing interpreting and translation services so people can speak or write to the Royal Commission in their preferred language. Auslan-English interpreters will be available to assist people who are deaf or have a hearing impairment at Royal Commission events and offices.
LGBTQI+ inclusive

LGBTQI+ people with disability experience additional discrimination in our society. Available data in Australia and other sources highlights that for LGBTQI+ people with disability, their exposure to violence, abuse, neglect and exploitation is heightened by their experience of disadvantage including overt and systemic discrimination and abuse of human rights, homophobic, biphobic and transphobic violence and abuse.

The Royal Commission’s Terms of Reference direct it to consider how the experiences of people are affected by their gender identity, sexual orientation, or intersex status.

The Royal Commission will seek to ensure that its processes are welcoming to LGBTQI+ people and that as for everyone engaging with the Royal Commission their privacy and information are respected.

Trauma informed process

The Royal Commission intends to adopt the principles of trauma informed engagement to assist in recognising and understanding the effects of all types of trauma and to avoid re-traumatisation. This approach will encourage people to feel culturally, emotionally and physically safe to engage with us, through being transparent and trustworthy and providing choice and empowerment.

The Department of Social Services will also provide funding to organisations that will assist with proactively engaging with isolated cohorts about the Royal Commission and how people can take part.
Psychosocial disability

People with psychosocial disability are included in the Terms of Reference for the Royal Commission. Information about the Royal Commission will be circulated to organisations that provide support and advocacy to people with psychosocial disability. The processes of the Royal Commission will be trauma informed and in a manner in which people with psychosocial disability will feel safe to participate. Royal Commission staff will be trained in the needs of people with psychosocial disability.

Workplace accessibility and inclusion

The Royal Commission has adopted an inclusive approach to recruitment and aims to be an employer of choice for people with disability. The Royal Commission will seek to include people with disability in its leadership roles.

The Royal Commission has also applied the Australian Public Service Commission (APSC) Affirmative Measures guidelines to our Expression of Interest process, and the APSC RecruitAbility Scheme applies to all vacancies. We will promote flexible working arrangements by default as part of our inclusive practice.

The Commissioners and senior staff of the Royal Commission include a strong representation of people with a lived experience of disability.

Staff education

The Royal Commission will ensure that new employees receive disability awareness training as part of their induction.

We will also provide a range of training programs that are designed to increase knowledge and awareness of disability and social inclusion mental health awareness.
Ensuring accessible communication

The Royal Commission will offer a range of communication modes (phone, videoconference, written, in-person) and people may choose to engage in the way which best suits their preferences and needs.

Our approach to accessible communication will include:

- transcripts and captions for videos – video, audio and other multimedia used by the Royal Commission will include an accessible transcript, captions and other alternatives as appropriate

- our website will seek to use universal design and adhere to the Web Content Accessibility Guidelines which, for example, 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

- alternative file formats – including Portable Document Format (PDF) and Word documents (DOCX) – will be provided and will be made as accessible as possible

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

- Braille facilities including a Braille printer will be available at Royal Commission offices. Where appropriate external communication products will be available with Braille options.

- Royal Commission staff with an external facing role will complete additional disability awareness training to support a high level of service delivery. Where required, we will hire specialists with skills in communicating with people with complex communication needs.
Accessible engagement for people with disability

1. **Enabling people to engage with us in the way that they choose**

   It is important that people with disability are able to easily engage with the Royal Commission and share their insights and experiences.

   When people are engaging with the Royal Commission, and when we are hosting forums and large public events including in regional or remote areas, people will be able to use their own supports to do this. The Royal Commission will ensure any supports witnesses require are accommodated and that where appropriate, costs are reimbursed. The Royal Commission will also assist in ensuring that specialist communication and transport supports are sourced if required.

   We will also consider people’s preferences for communication so that they can tell their story. Others may prefer to tell their stories with the help of pictures.

   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.

   Our approach will be to seek to provide a safe environment where people can expect to be believed and appropriately supported. We will be informed by lessons and approaches used for previous Royal Commissions including for example the safeguards that were provided to children in the conduct of the Royal Commission into Institutional Responses to Child Sexual Abuse.

   People may also have support people present or someone to speak on their behalf. The Royal Commission recognises the importance of people being able to choose to use facilitated communication or supported decision-making as ways of promoting choice and control. The Commissioners will ensure they are satisfied that the person with disability has exercised that choice and control where they are able to do so.
2. **Supported Decision Making**

The Royal Commission is committed to ensuring that each person is able to make their own decisions about how they might contribute and participate. Where appropriate people who wish to contribute to the Royal Commission will be supported with independent advocacy so they will know what decisions they are making. They will also receive the information they need in accessible formats so that they can weigh up the risks and safeguards of telling their story to the Royal Commission.

Supported decision making and facilitated communication is central to the UNCRPD. The United Nations Handbook on the Convention states¹:

“It is sometimes difficult to designate support networks, particularly when an individual cannot identify a trusted person or people. In addition, people in institutional settings are often denied support, even when it is available.”

The Royal Commission recognises these challenges. We will seek to ensure people with disability can confidently and safely engage with the Royal Commission. To support people with intellectual disability, written resources used in meetings and hearing materials will, as far as possible, be available in Easy English beforehand so that people can be familiar with their content in advance. Where Auslan-English, first language or other interpreters provide support, they will, as far as possible, receive a copy of key documents in advance to assist in their preparation.

The Royal Commission recognises that processes requiring rapid turnaround can create additional barriers to inclusion. The Royal Commission will seek to provide as much notice and time as is practical to allow people to provide information.

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

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3. **Overcoming barriers to participation**

The Royal Commission recognises that people with disability may face barriers to engaging with us, particularly those in more closed environments or institutional settings such as prisons and congregate residential settings such as boarding houses, some group homes or large residential centres.

The Royal Commission will seek to make contact with people in these settings through appropriate advocacy and service providers and will extend confidentiality and privacy to ensure that those people can feel secure in contributing to our investigation.

Where appropriate the Royal Commission will hold people to account if they seek to silence people from coming forward and there are specific provisions protecting these rights in the *Royal Commissions Act 1902* (Cwlth).

The Royal Commission will monitor the effectiveness of our engagement processes with people from different settings to survey whether its processes are sufficiently inclusive and take action to extend its reach where necessary.

4. **Provision of additional supports**

We will seek to provide additional supports including transport, Auslan-English interpreters and specialist disability supports as necessary to allow full engagement by people with disability with the Royal Commission. This may include the Commissioners travelling to engage with people who are unable to do so by any other practical means.

Large public information sessions or forums will include hearing loops, Auslan-English translation and live captioning.

To facilitate engagement by a person using technology at a location outside of our offices and meeting spaces, we may provide support for Commission staff to travel to the person to assist with the technology for the meeting.

The Royal Commission may frequently engage with people who make use of support animals such as guide dogs. The Royal Commission will ensure that protocols for assistance animals are supported as per the *Disability Discrimination Act 1992* (Cwlth), Section 9. This will include arrangements to ensure the wellbeing of assistance animals including water, hygiene and appropriate rest areas.

As per the *Royal Commissions Act 1902* (Cwlth), the reasonable costs of witnesses engaging with the Royal Commission will be reimbursed.
Facilities and Information Technology

Royal Commission offices have a high standard of accessibility. The design and fit out of Royal Commission offices and meeting spaces are supported by a specialist access consultant to ensure public spaces meet the highest accessibility standards. This includes accessible entry, meeting and hearing spaces, facilities and amenities.

The Royal Commission intends that the technology we provide to support engagement is highly accessible. For example, video conferencing technology is compatible with a screen reader and can be accessed via an internet browser. Our website and social media presence meet best practice standards.

Monitoring and evaluation

The Royal Commission will develop reporting for tracking how successfully this Strategy is being implemented. Monitoring will include analytics relating to the specific groups of people engaging with the Royal Commission such as those in closed environments or institutional settings, and from different geographic locations and circumstances to ensure that we are achieving a broad and representative level of engagement with people with disability.

The Royal Commission intends to promote a culture in which it is OK to raise issues and complaints about matters related to this Strategy. This is a welcome opportunity for us to improve our approach.