

Commonwealth Disabled People's Forum  
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## **CDPF Brief Information on Implementation of UNCRPD Questionnaire**

Will all DPOs joining the Commonwealth Disabled People's Forum and/or their delegates please ensure this form is completed and emailed back. Return to [rlrieser@gmail.com](mailto:rlrieser@gmail.com) along with the completed application form.

### **1. Name of your DPO**

Australian Federation of Disability Organisations

### **2. Name of your country**

Australia

### **3. Has your country ratified the UNCRPD and when?**

Australia was one of the first countries to ratify the United Nations Convention on the Rights of Persons with Disabilities on 17 July 2008.

### **4. What has your country done to Implement the UNCRPD?**

- 4.1 The CRPD Committee is provided information through alternative, or shadow reports written by disabled person's organisations and by the country's national human rights body. In Australia, this is the Australian Human Rights Commission.
- 4.2 Under Article 5 the Parliament of Australia has enacted four separate statutes prohibiting discrimination on race, sex, disability and age. They are the Racial Discrimination Act, the Sex Discrimination Act (SDA), the Disability Discrimination Act (DDA) and the Age Discrimination Act. These enactments must be read together with the Australian Human Rights Commission Act, which establishes the Australian Human Rights Commission (AHRC) and regulates the processes for making and resolving complaints under the four Acts which prohibit discrimination.

- 4.3 Article 6 Women with Disabilities. The problem of abuse of women and girls with disability has been recognised through the NDIS Quality and Safeguards Commission and the Disability Royal Commission. The Australian Human Rights Commission has also released a report on 'A Future without Violence' with recommendations to eliminate violence in institutional settings.
- 4.4 Article 7: Children with Disabilities. The National Framework for Protecting Australia's Children is focused on child protection against violence, abuse and neglect.
- 4.5 Article 8 Awareness-Raising. The National Disability Awards celebrate the achievements of persons with disabilities including children with disabilities and those who provide services to them.
- 4.6 Article 9 Accessibility. The Australian government has the Disability Standards for Accessible Public Transport 2002 , the Disability (Access to Premises – Buildings) Standards 2010, and the National Standards for Disability Services.
- 4.7 Article 10 Right to Life. The establishment and report of the Disability Royal Commission is a commitment to addressing concerns about life expectancy and suicide of people with disability, especially among marginalised populations.
- 4.8 Article 11 Situations of risk and humanitarian emergencies. Australia has embraced the Sendai Framework for Disaster Risk Reduction 2015-2030 (Sendai Framework), and the Charter on the Inclusion of Persons with Disabilities in Humanitarian Action (Charter on Inclusion).
- 4.9 Article 12: Equal Recognition before the Law. In 2013, the Australian Government requested the Australian Law Reform Commission (ALRC), to conduct a comprehensive inquiry into the laws and legal frameworks within the Commonwealth jurisdiction that deny or diminish the equal recognition of people with disability as persons before the law and their ability to exercise legal capacity.'

The ALRC identified five framing principles to govern its inquiry: dignity, equality, autonomy, inclusion and participation, and accountability.

The ALRC report Equality, Capacity and Disability (2014) developed a set of National Supported Decision-Making Principles, supported by guidelines, to direct the reform of all Commonwealth, State and Territory laws relating to decision making.

- 4.10 Article 13 Access to Justice. Federal courts provide wheelchair access, hearing loops in court rooms and interpretation services and their websites meet Australian Government standards for web content accessibility.
- 4.11 Article 14 Liberty and Security of the Person. In 2016 Australian Governments tabled the Draft National Statement of Principles Relating to Persons Unfit to Plead or Found Not Guilty by Reason of Cognitive or Mental Health Impairment (National Principles).

- 4.12 Articles 15, 16, & 17 Humane Treatment.

Article 15 – Freedom of Torture or Cruel, Inhuman or Degrading Treatment or Punishment

Article 16 – Freedom from Exploitation, Violence and Abuse

Article 17 – Protecting the Integrity of the Person

In 2017, legislation was enacted to establish the National Disability Insurance Scheme (NDIS) Quality and Safeguards Commission which is empowered to deal with complaints under the NDIS and monitor the use of restrictive practices.

## **5. How much is your DPO involved in implementation with the Government of your country?**

We regularly make submissions on issues related to the implementation of the UNCRP to the Australia Government. See <https://www.afdo.org.au/our-work/submissions/>

## **6. Has your DPO been involved in producing a shadow report to go to UNCRPD Committee and how?**

Yes, as a member of a group of disability organisations from around Australia we compiled a report titled Disability Rights Now 2019: Shadow Report to provide the views of Australians with disability to the CRPD Committee. See <https://www.afdo.org.au/uncrpd/>

## **7. What progress has been made on implementing Inclusive Education?**

In Australia, inclusive education is on the agenda of all state governments, with calls being made for genuine reform throughout all school systems. Despite the maintenance of segregated schools and classes for students with certain forms of special educational needs (SEN) or disability in some states and territories, the inclusion movement is supported by a growing assortment of legislation, policies, and guiding documents. As education in this country is primarily a state responsibility, the move towards inclusive schooling for students with SEN varies considerably according to local socio-political, historical, and geographical contexts.

## **8. What progress has been made on social protection for PWD?**

The Social Protection Hub, supported by the Australian Government, plays an important role in facilitating a global dialogue on social protection, particularly in response to the COVID-19 social and economic crisis. It produces publications, organises events such as webinars and facilitates regional and global knowledge exchange, through [www.socialprotection.org](http://www.socialprotection.org).

## **9. What progress has been made in implementing employment opportunities for PWD?**

In May 2023 the Australian government allocated an additional A\$57 million (US\$37.9 million) to strengthen the supported employment sector, or Australian Disability Enterprises (ADEs), which support paid employment for people with disabilities (PWDs). This investment aims to enhance opportunities for individuals with disabilities to contribute to their local communities through employment. See <https://hrmasia.com/australia-strengthens-employment-sector-for-pwds/>

## **10. What progress has been made on challenging negative attitudes and stigma to PWD?**

See [https://link.springer.com/chapter/10.1007/978-981-13-5962-0\\_3](https://link.springer.com/chapter/10.1007/978-981-13-5962-0_3)

## **11. What progress has been made in achieving gender equality for PWD?**

See <https://www.pmc.gov.au/publications/wgea-review-report/snapshot-gender-equality-australia>

## **12. What capacity building does your DPO need? Identify areas.**

1. Governance training for Board directors and potential directors
2. Fundraising and grant writing training

**13. If you are the National Umbrella DPO, how do you operate democratically with other DPOs?**

Our Constitution allows for more Board Directors from members organisations than currently take up the role. In addition, we work with DPO's who are not members of AFDO to lodge submissions to federal and state governments.

**14. If you are an impairment specific or have a particular focus or are a regional DPO, how do you work with Umbrella DPO?**

We are a national cross disability Federation of DPOs

**15. If there is no national umbrella DPO, how could one be built?**

This would need to be a funding decision and commitment from the Australian Government, for which there does not appear to be much interest.

**16. How does your DPO get funded?**

Through the DRO grant process by the Department of Social Services which has strict criteria for eligibility. We also get funding from other sources for specific project work.

**17. What training capacity does your DPO have?**

We have regular member forums where training in knowledge and skills in different areas are provided by other member DPO's or external consultants and invited guests.

**18. What regular training do you provide for PWD?**

As per 17 above.

**19. How does your DPO involve young PWD?**

Through our membership program.

**20. Does your DPO have any experience working in a humanitarian disaster?**

AFDO has partnered with Fire and Rescue NSW to develop and deliver Fire Proofing At-Risk Communities (FPA-RC). This is a NSW state-wide, risk reduction, information and education initiative with the following objectives:

1. **Building Capacity** of people with disabilities to engage with fire and disaster risk reduction, and to improve their understanding and communication with firefighters and other emergency responders.

2. **Develop and deliver educational resources** and training programs for emergency services staff in regional, rural, and metropolitan areas.
3. **Long-term reduction** in the disproportionately high number of people with disabilities sustaining harm in fire events, such as house and bush fires.

AFDO is the lead agency for the project. Fire and Rescue NSW is the second-largest emergency and disaster response organisation in the world. Other partners include the University of Sydney and the Rural Fire Service (ACT).

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