

Disability Act Review Team
Department of Families, Fairness and Housing
Victorian Government
By email - disabilityactreview@dffh.vic.gov.au

11 October 2022

Dear Disability Act Review Team,

Disability Inclusion Bill Exposure Draft.

We welcome this opportunity to comment on your *Disability Inclusion Bill Exposure Draft* ('Bill'). We strongly support the Bill and its objectives to ensure that public entities promote disability accessibility and inclusion. We also support the framework for enshrining obligations in relation to the State Disability Plan and Disability Action Plans, and the establishment of a Commissioner for Disability Inclusion.

The purpose of this submission is to recommend that the Bill also enshrine obligations relating to the Victorian Autism Plan and embed commitments to true end-to-end co-production of all relevant policies and services that impact people with disabilities.

1. Enshrine the Victorian Autism Plan in the Bill.

The Victorian Autism Plan was developed in 2017 to address the complex and unique barriers Autistic people face to inclusion and participation, and their poor life outcomes across a range of domains (including education, employment and health). It builds upon core elements of the State Disability Plan to ensure that the specific needs of Autistic people are comprehensively addressed.

The Victorian Autism Plan was welcomed by the autism sector; however, its implementation and 'mid plan refresh' has been delayed, largely due to the pandemic. A lack of transparency and inadequate reporting obligations have also made it difficult for Victorians to understand progress that has been made and engage in the Plan's ongoing implementation and review.

While the Victorian Autism Plan is linked to the State Disability Plan, enshrining obligations relating to the State Disability Plan alone will not adequately ensure an ongoing commitment to Victoria's Autism Plan. Nor will it enshrine obligations relating to the content, reporting, evaluation or accountability of entities to the Victorian Autism Plan.

Enshrining the Victorian Autism Plan in the new Disability Inclusion Act would cement the Victorian Parliament's commitment to the Plan and provide safeguards and continuity as department staff and governments change. It would also ensure that the Plan going forward is comprehensive and well targeted, and enhances transparency, reporting and accountability.

Drawing upon the approach taken in the Bill to enshrining the State Disability Plan and Disability Action Plans, we recommend that the Bill:

- Require a Victorian Autism Plan that reflects the inclusion principles under the proposed Disability Inclusion Bill.
- Specify the matters the Victorian Autism Plan must address, including set outcomes and measures for action.
- Enshrine an obligation to review the Victorian Autism Plan every 4 years and an obligation to publicly report on progress every year.
- Extend the proposed Disability Inclusion Commissioner's remit to monitoring and reporting on compliance with the Victorian Autism Plan.

We encourage you to explore approaches and outcomes in other jurisdictions that have legislated requirements for autism strategies. For example, England's *Autism Act (2009)* makes it mandatory for the English Government to have a Strategy for Adults with Autism and to review it every 5 years. England's first strategy for Autistic adults was introduced in 2010. It was most recently updated in 2021 and now covers autistic children, young people and adults. The [National Autistic Society](#) and the [National Health Service](#) have reported numerous positive outcomes from the *Autism Act*, including improvements in autism understanding and reduced wait times for assessment and diagnosis. The Act has also embedded a strong commitment to autism across the English parliament.

2. Commit to co-production with all people with disability.

We welcome the Bill's commitment to consultation with people with disability, however the Bill must go further and commit to true end-to-end co-production and shared governance.

Currently, the Bill only requires entities to 'consult with people with disability' when developing policies and programs that impact them. Instead, it should commit to true co-production with people with disability across all stages of development, implementation, monitoring, evaluation and policy and program change.

We are also concerned that when 'consulting', the Bill only requires entities to ensure communications are 'delivered in at least one accessible format' (such as Auslan or Easy English)'.

The Bill should aim to ensure the accessibility of communications to all people with disability. Communications delivered in Auslan alone may obviously remain inaccessible to people with cognitive disabilities such as autism, people with intellectual disability and people with visual impairments. Commitments are also needed to ensure accessibility for hard-to-reach groups, such as Autistic people from culturally and linguistically diverse and Aboriginal communities, as well as people with complex communication support needs.

Sustained work with connected community sector partners will be essential, together with the mandatory dissemination of specialised materials in Easy and Plain English; in multiple community languages; through social scripts; through in person meetings and accessible and inclusive online forums. Engagement also needs to include place-based approaches to avoid a 'metro-centric' plan.

We stand ready to assist.

Please contact me by email at jim.mullan@amaze.vic.au if we can assist by providing further information or answering any questions you may have. We would also be pleased to present to the Department on the importance of any of the matters raised above.

Yours sincerely,



Jim Mullan

Chief Executive Officer