



UNITING CHURCH IN AUSTRALIA

SUBMISSION TO

ROYAL COMMISSION INTO VIOLENCE, ABUSE, NEGLECT
AND EXPLOITATION OF PEOPLE WITH DISABILITY

RESPONSE TO THE RIGHTS AND ATTITUDES ISSUES PAPER

AUGUST 2020

Uniting Church in Australia Assembly

Lvl 4 262 Pitt St Sydney NSW 2000

T 02 8267 4228 E enquiries@nat.uca.org.au

<http://assembly.uca.org.au>

The Uniting Church in Australia welcomes the opportunity to provide a brief response to the Royal Commission's Issues Paper on Rights and attitudes.

Recommendations

The Uniting Church makes the following recommendations to increase awareness of the rights of people with disability and encourage positive attitudes about people with disability:

1. Co-design educational programs on the rights of people with disability, valuing diversity and inclusion, and confronting discrimination and ableism with government support, for inclusion in education curricula across Australia
2. Remove barriers to participation and build inclusion for people with disability within communities to realise the human rights of people with disability and safeguard against violence, abuse, neglect and exploitation
3. Compulsory rights-based training for disability support workers
4. Increase representation of people with disability in the media telling their own stories

The Uniting Church in Australia and human rights

The Uniting Church is committed to working for the elimination of discrimination and the promotion and protection of human rights and has been since its formation in 1977. This commitment has been articulated in several previous statements of the Church, as well as witnessed through the Church's advocacy on human rights, including its advocacy for a comprehensive national Human Rights Act to better protect the rights of all Australians.

In the Church's inaugural *Statement to the Nation*, the Church affirmed the rights of all people and committed itself to oppose all forms of discrimination which infringe basic rights and freedoms.¹ In 2006, the Church adopted its statement on human rights, *Dignity in Humanity: Recognising Christ in Every Person*, which expresses the Church's support for the UN human rights instruments and states:

... the Uniting Church believes that every person is precious and entitled to live with dignity because they are God's children, and that each person's life and rights need to be protected or the human community (and its reflection of God) and all people are diminished.²

In 1985, the 4th Assembly of the Uniting Church made the statement *We are a Multicultural Church* and recognised the formation of the United Aboriginal and Islander Christian Congress (UAICC). In 1994, the relationship between the UAICC and the Uniting Church was formalised through a covenant with the exchange of statements and UAICC presenting *The Covenanting Painting* to the Church.

UnitingJustice Australia, the former justice policy and advocacy unit of the Uniting Church in Australia Assembly, stated in its Submission to the Human Rights Commissioner's Consultation on *Rights and Responsibilities 2014*:

It is the responsibility of all of us as individuals and as a community to seek the common good: to help build a just, peaceful, inclusive and prosperous society, where all people are valued, where the [First Peoples] of this land are respected as the precious soul of the nation, where civil liberties are taken seriously and where the diversity of religions, languages and cultures is regarded as a great gift; where

everyone has a home, decent work, access to a good education and good healthcare and the opportunity to live meaningful lives free from fear, prejudice and violence.³

In 2018, the 15th Assembly of the Uniting Church in Australia adopted the following *Statement of Access and Welcome*:

In accordance with the Uniting Church *Basis of Union*, the Church is a fellowship of reconciliation, “a body within which the diverse gifts of its members are used for the building up of the whole, an instrument through which Christ may work, and bear witness to himself” (Paragraph 3).

In light of this, 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.

In seeking to be a community of reconciliation, the Uniting Church acknowledges that for many people with disability its life and faith has not always borne witness to this vision. The Uniting Church seeks:

- (a) to embody a community life that in its theology and practice is accessible to all people;
- (b) to ensure that within its own life people with disability are treated justly and have their hopes and rights realised; and
- (c) to advocate for justice and equality for people with disability in the wider community.

Since adopting this Statement, a liturgical response which acknowledges the historical exclusion experienced by many people with disability was developed and Disability Access Guidelines for use at all events and activities overseen by the Assembly and its Agencies were produced.

The Church continues to draw attention to public policies that do not align with international human rights standards set out in the UN human rights covenants, conventions, and treaties, which the Australian Government has signed or ratified. In 2019, the Church provided a submission to the Commonwealth Government’s public consultation process on the *Religious Discrimination Bill 2019*. In the submission, the Church expressed concern “that the proposed legislation ignores the role that religious beliefs have played in perpetrating and perpetuating discriminatory attitudes in relation to women, people with disabilities and LGBTIQ people.”⁴ The Church also expressed concern “that people with disabilities may experience discrimination as a result of this legislation and ask that adequate consultation is undertaken.”⁵

The Church will continue to support the development of policy and legislation which upholds the rights of all people to participate in the community and public life, be treated with respect and accorded dignity without discrimination.⁶

As Dr Ben Gauntlett, Australia’s Disability Discrimination Commissioner, recently wrote:

...it is important that all Australians recognise that good disability policy benefits us all – not just people who currently have a disability. ... And it should seek to ensure that every person in Australia is respected and included irrespective of race, gender, education level, socio-economic status, ethnicity, age or sexual orientation.⁷

Many within society do not consider that in the future they may have a disability or disabilities themselves, the likelihood of which increases as people age, with one in every two people aged 65 or over having a disability.⁸

Rights of and attitudes about people with disability

It is our belief that the community's awareness of disability rights remains low. This comes at a significant cost to people with disability. Negative attitudes about people with disability also persist within the community and affect the everyday lives of people with disability. As Ellen Fraser-Barbour recently wrote: "People don't question the beliefs and attitudes that relegate people with disability as lesser and inferior. Ableism is rife in our community, and all too easy to excuse."⁹

Significantly more needs to be done to increase awareness of the rights of people with disability, shift persisting negative attitudes within the community and tackle ableism. As a society, we need to ensure these negative attitudes are challenged and not accepted and adopted by younger generations, and "recognise ableism as a human rights issue equally as pervasive as racism, sexism and other "isms".¹⁰

Education has a fundamental role to play in improving rights awareness and the development of positive attitudes about people with disability, as well as highlighting the intersection of disability with age, gender, and race, for example. The Uniting Church supports better education on the rights of people with disability, the barriers people with disability face, and valuing diversity and inclusion.

The accessibility and inclusivity of communities and mainstream service systems, such as health and education systems, for people with disability is fundamental to the realisation of the rights of people with disability. A lack of accessibility and inclusivity, and feeling unwelcome, precludes people with disability from fully participating in our communities and restricts contact between people with disability and the wider community. This potentially serves to further entrench negative attitudes about people with disability in the community, as well as increasing the risk of violence against and abuse and neglect of people with disability due to reduced connections, visibility and informal oversight.

A quality, well-trained disability support workforce is also fundamental to realising the rights of people with disability, as well as increasing awareness of these rights in society. Disability support workers should be required to undertake rights-based training on the rights of people with disability either before they commence work as a disability support worker or as a priority, if already employed. We understand an NDIS Quality and Safeguards Commission Worker Orientation Module 'Quality, Safety and You' is intended to educate NDIS workers on their obligations under the NDIS Code of Conduct. However, it is our understanding that this module is not currently mandatory for NDIS workers prior to commencing in disability employment, nor is there a set timeframe for completion of the training. In addition, it does not extend to non-NDIS workers.

The media also has a role to play in helping to improve rights awareness and attitudes about people with disability, as well as ensuring it does not perpetuate negative attitudes

or stereotypes of people with disability. Over time, there has been an increase in people with disability telling their own stories in the media, but more needs to be done to ensure people with disability have their voices heard.¹¹ Greater representation of people with disability in the media remains essential so the public hears directly from people with disability on all issues, not just those about disability.

When asked about the link between the representation of people with disability in the media over time and the attitudes held about people with disability in society, Nas Campanella, Disability Affairs reporter at the ABC, replied:

Well, let's face it, if you don't see people with a disability on your TV screens, if you don't hear from them, if you don't read what they have to say in the newspaper or magazines, you don't see them included in stories that aren't even related to disability... if you don't see or hear from those people, you almost start to think that they perhaps don't exist, and that they couldn't possibly be a lawyer or a teacher or any of those high profile roles and of course that has a detrimental impact on the way society sees, thinks about and talks about people with a disability.¹²

Lizzie Ridsdale recently wrote in her article, 'Why Authentic Disability Representation on 'The Heights' Is So Important':

I cannot overstate the importance of the inclusion of characters with a disability, portrayed by actors with a disability, in our television and media all the time, not only occasionally. As people who live with disabilities, we have a so often underserved, but essential need to see ourselves reflected in more mainstream media.¹³

Lizzie went on to say that "[t]he portrayal of disability in such a real way has significant potential to take some of the weight of advocacy, often unrelenting, off the shoulders of people with disabilities."¹⁴

Recommendation 1

Co-design educational programs on the rights of people with disability, valuing diversity and inclusion, and confronting discrimination and ableism with government support, for inclusion in education curricula across Australia

Recommendation 2

Remove barriers to participation and build inclusion for people with disability within communities to realise the human rights of people with disability and safeguard against violence, abuse, neglect and exploitation

Recommendation 3

Compulsory rights-based training for disability support workers

Recommendation 4

Increase representation of people with disability in the media telling their own stories

About the Uniting Church

The Uniting Church in Australia is the third largest Christian denomination in Australia and the first church to be created in and of Australia. The Uniting Church in Australia was formed on June 22, 1977, as a union of three churches: the Congregational Union of Australia, the Methodist Church of Australasia and the Presbyterian Church of Australia.

In Australia's 2016 Census, more than 870,000 people identified themselves as having an affiliation with the Uniting Church.¹⁵ In any week more than 2,000 congregations worship in Uniting Church communities in 45 different languages, including 15 First Nations languages. Even though our congregations can be vastly different, each is a community in which people seek to follow Jesus, learn about God, share their faith, care for each other, serve the local community and seek to live faithfully and with real joy.

The Uniting Church is organised not by a hierarchy, but by a series of inter-related councils — local churches, regional presbyteries, six synods, and the national Assembly. Decisions are usually made by consensus. Each council has its distinct tasks, and each council recognises the limit of its responsibilities in relation to other councils.

The Uniting Church is also one of the largest providers of community services in Australia. With over 1,600 sites, the community services network supports 1.4 million people annually, employs 50,000 staff and is supported by the work of over 30,000 volunteers.¹⁶ As the national body for the community services network and an agency of the Church, UnitingCare Australia gives voice to the Church's commitment to social justice through advocacy and by strengthening community service provision.

The Uniting Church is committed to cooperating fully and openly with the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability (Disability Royal Commission). In line with this commitment, the Uniting Church released a [values statement](#) which will guide the Uniting Church's engagement with and response to the Disability Royal Commission. The Uniting Church has established a National Task Group to help guide the Uniting Church's response, with the membership comprising representation from across the life of the Church, each state synod, and the community services network. The Chair of the National Task Group is the Assembly General Secretary, Colleen Geyer, and the Executive Officer for the National Task Group is Tenille Fricker, a Senior Analyst at UnitingCare Australia.

Endnotes

¹ Uniting Church in Australia, 'Statement to the Nation: Inaugural Assembly, June 1977' <<https://assembly.uca.org.au/resources/introduction/item/134-statement-to-the-nation-inaugural-assembly-june-1977>>.

² Uniting Church in Australia, 'Dignity in Humanity: Recognising Christ in Every Person' (Resolution 06.20.01, 1 July 2006) [2] <<https://www.unitingjustice.org.au/human-rights/uca-statements/item/484-dignity-in-humanity-a-uniting-church-statement-on-human-rights>>

³ UnitingJustice Australia, Submission to Australian Human Rights Commission, *Rights and Responsibilities 2014* (21 October 2014) 2 <<https://www.unitingjustice.org.au/human-rights/submissions/item/981-rights-and-responsibilities>>.

⁴ Uniting Church in Australia, Submission to Attorney-General's Department, *Religious Freedom Bills – First Exposure Drafts Consultation* (October 2019) 3 <<https://assembly.uca.org.au/news/item/3087-uca-submission-on-new-religious-discrimination-laws>>.

⁵ Ibid.

⁶ UnitingJustice Australia, Submission to Australian Human Rights Commission, *Rights and Responsibilities 2014* (21 October 2014) 3.

⁷ Dr Ben Gauntlett, 'Good Disability Policy Benefits Everyone', *Australian Human Rights Commission* (online, 5 August 2020) <<https://humanrights.gov.au/about/news/good-disability-policy-benefits-everyone>>.

⁸ Australian Bureau of Statistics, *Disability, Ageing and Carers, Australia: Summary of Findings, 2018* (Catalogue No 4430.0, 24 October 2019).

⁹ Ellen Fraser-Barbour, 'We Need to Talk about Ableism', *ABC Life* (online, 11 August 2020) <<https://www.abc.net.au/life/we-need-to-talk-about-ableism/12525078>>.

¹⁰ Ibid.

¹¹ 'Representing Disability in the Media; and Making Sense of Garden Scents', *Life Matters* (ABC Radio National, 30 June 2020) <<https://www.abc.net.au/radionational/programs/lifematters/why-disability-representation-matters/12387112>>

¹² Ibid.

¹³ Lizzie Ridsdale, 'Why Authentic Disability Representation on 'The Heights' is So Important', *Yahoo* (online, 5 August 2020) <<https://www.yahoo.com/lifestyle/why-authentic-disability-representation-heights-000359350.html>>.

¹⁴ Ibid.

¹⁵ Australian Bureau of Statistics, *Census of Population and Housing: Reflecting Australia – Stories from the Census, 2016* (Catalogue No 2071.0, 28 June 2017).

¹⁶ Figures are approximate at 30 June 2018.