



**UNITING ABORIGINAL AND
ISLANDER CHRISTIAN CONGRESS**



UNITING CHURCH IN AUSTRALIA

SUBMISSION TO

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

**RESPONSE TO THE EXPERIENCE OF FIRST
NATIONS PEOPLE WITH DISABILITY IN
AUSTRALIA ISSUES PAPER**

OCTOBER 2020

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The Uniting Church in Australia and the Uniting Aboriginal and Islander Christian Congress (UAICC) welcome the opportunity to provide a response to the Royal Commission's Issues Paper on The experience of First Nations People with Disability in Australia.

The UAICC or Congress, as it is otherwise known, comprises Aboriginal and Islander Christians from all over Australia seeking to fulfill their calling as Christians among their own people, especially in the area of holistic community development. This includes Aboriginal and Islander members of the Uniting Church in Australia and members in fellowship who may also be members of any other denomination. The UAICC aims, in collaboration with other people, to bring to an end the injustices which hold Aboriginal and Islander people at the fringes of Australian society and to help Aboriginal and Islander people achieve spiritual, economic, social and cultural independence.

“Congress welcomes the Royal Commission [looking] into First Nations people who struggle in life with a disability and pray that there will be tangible and sustainable outcomes for First Nations people.”

Pastor Mark Kickett, Noongar man, Interim National Chairperson of the UAICC and member of the Uniting Church's National Task Group for the Disability Royal Commission

The Uniting Church and the UAICC would like to thank those who provided information for this response. The views reflected in this response are informed by expertise from within the UAICC, both nationally and regionally, and the Church's community services network.

Recommendations

The Uniting Church and the UAICC make the following recommendations to more effectively prevent and respond to violence, abuse, neglect and exploitation of First Nations people with disability:

1. Self-determination that gives First Nations people with disability full control over decisions impacting their lives and communities
2. Greater investment in local healthcare and support services, including dialysis and renal care, in regional and remote areas
3. Remove rules that restrict equitable access to the Disability Support Pension for people who have a chronic illness or disability
4. Develop a dedicated strategy for First Nations employment
5. Include a disability target in the Closing the Gap targets
6. Additional funding and resources for the First Peoples Disability Network
7. Increase disability assessments for First Nations children and enhance early intervention and support services for those with disability, including those with hearing and cognitive impairments
8. Children entering youth detention and adults entering Australian prisons need to be screened for disability

9. Establish an independent Justice Reinvestment coordinating body led by First Nations people to promote the reinvestment of resources from the criminal justice system to local community development initiatives that address the drivers of crime and incarceration external to the criminal justice system
10. Invest in a Justice Reinvestment grants program
11. First Nations people with disability must have fair and equitable access to the education, healthcare, and employment systems, and the NDIS
12. Invest in early interventions around parenting, infant and early childhood health and wellbeing
13. Co-design educational programs on the intersectional rights of First Nations people with disability, valuing diversity and inclusion, and confronting discrimination, ableism and racism with government support, for inclusion in education curricula across Australia
14. Improve access to technology and the internet to enable equitable access to online services and supports for First Nations people with disability, particularly those in regional and remote areas
15. Invest in young First Nations people, including those with disability, wanting to enter the disability job market to increase the number of First Nations people working in the disability sector
16. Provide support to First Nations organisations wanting to provide NDIS supports and services

“The key is again the added vulnerability on top of the vulnerability of being First People. Navigating systems that are not culturally appropriate or culturally inclusive adds yet another layer of disadvantage. Having culturally appropriate services, advocacy and support to navigate not only the systems but the ongoing support is imperative for our First People with disability...”

Alison Overeem, Palawa woman, member of the UAICC Executive and Manager of Leprena in Tasmania

Introduction

First Nations people with disability are some of the most disadvantaged people within Australia, facing many barriers to participation and ongoing injustices. Due to ‘double discrimination’ or ‘intersectional discrimination’, First Nations people with disability are more likely to experience compounded violence, abuse, neglect and exploitation. First Nations people with disability face barriers accessing reasonable adjustments for their disability-related needs in accordance with the social model of disability. They are also continually denied equitable access to Western systems that privilege Second Peoples.

Critically, much more needs to be done to address the significant inequity First Nations people with disability experience and to produce real and sustained change. There is a

clear and compelling need for fundamental, meaningful reform to tackle the systemic disadvantage First Nations people face, including those with disability.

Governments must commit to processes and measures that genuinely empower First Nations people, including those with disability and their communities, recognising their sovereignty and affirming their right to self-determination. Vitally, governments must restructure the way they work with First Nations people and communities. Genuine partnerships must be established and within those partnerships, First Nations people must be regarded as the experts in matters that affect culture and their communities, hold leadership positions, have the power to make decisions and be able to speak out when government diverts from any processes that have been agreed.

Such partnerships should be formed at all levels of government when policies and programs are being developed, and the engagement process undertaken to inform the specific policy or measure should reflect that undertaken to inform the new National Agreement on Closing the Gap.

As Patricia Turner AM stated in her Preface to *A Report on Engagements with Aboriginal and Torres Strait Islander People to Inform a New National Agreement on Closing the Gap*:

All governments need to ensure that they engage fully and transparently; allow Aboriginal and Torres Strait Islander people to have a leadership role in the design and conduct of engagements; ensure they know the purpose and fully understand what is being proposed; know what feedback is provided and how that is being taken into account by governments in making decisions; and are able to assess whether the engagements have been fair, transparent and open.¹

For tangible progress to be made for First Nations people with disability, dedicated funding must be allocated, and that funding must support community-driven solutions to areas of priority identified by First Nations people with disability, delivered by community-based culturally responsive services, wherever possible. Anything less will ultimately fail.

Second Peoples must also inform themselves about 'intersectional discrimination' faced by First Nations people with disability and commit: to their inclusion, to upholding and protecting their rights, and to truth and justice. Second Peoples must listen to and learn from First Nations people with disability and be led and guided by their knowledge and expertise.

Recommendation 1

Self-determination that gives First Nations people with disability full control over decisions impacting their lives and communities

The experiences of First Nations people with disability

Many First Nations languages do not have a specific word for disability. As a result, many First Nations people may not see themselves or their loved ones as having a disability. This means they are unlikely to apply for or receive the supports they require. Juxtaposing this, however, is the history of acceptance and inclusion of First Nations people with disability within First Nations communities.

Many First Nations people with disability have not received a diagnosis nor are they appropriately supported. The reasons for this are multi-faceted. The medical and Western

culture of disease diagnosis and engagement with a medical practitioner is not something that every First Nations person can participate in. Costs can be a barrier, as can location, with access to the right specialist difficult outside of cities. Generations of discrimination from authority and government, combined with a lack of culturally safe services, reduces the likelihood of First Nations people trusting and engaging with mainstream services and systems. The fear of being removed or having a loved one removed from community exacerbates this. Accordingly, many First Nations people with disability have their disability dismissed, often due to racially biased judgement. An example of such a judgement is Centrelink finding a First Nations person with disability ineligible for the Disability Support Pension, saying that they are just being lazy. In many cases the application and accompanying evidence may have been inadequate, as the person applying may not have engaged with the health system in the way government and society expects or because the volume of paperwork required is prohibitive, but this in no way justifies such a judgement.

In the Lowitja Institute's Policy Brief, *Understanding disability through the lens of Aboriginal and/or Torres Strait Islander people – challenges and opportunities*, it states:

Analysis of the [National Aboriginal and Torres Strait Islander Social Survey] suggests that across all age groups, Aboriginal and/or Torres Strait Islander people living with disabilities were more likely than other Aboriginal and/or Torres Strait Islander people to experience unfair treatment, avoid places where they have previously been treated unfairly and more likely to experience violence, threats and removal from their natural families. This suggests the importance of considering safety issues for people living with disabilities...²

First Nations people often have to fight incredibly hard to access medical services and treatments they need, including when medical assistance is urgently required. This has been exacerbated during the COVID-19 pandemic. First Nations people with chronic illness can present with similar symptoms to COVID-19 and consequently may not receive the care they need due to COVID restrictions.

The experience of substandard healthcare is a recurrent issue raised by First Nations people with disability within our own networks. One recent example which illustrates this involved an Aboriginal Elder with stage 5 renal failure who sought, but was denied, access to a doctor on four occasions, including at an Aboriginal Health Service. She had to sit outside for an hour in the cold before being given a form to have a COVID test. Her health deteriorated while sitting in the cold. Her daughter then took her to Emergency, where she was admitted to hospital. Later, she was sent to a hospital in the capital city for dialysis, where she remained for two weeks. By this point, she had already been waiting a year to receive dialysis. At the end of her first hospital stay, the discharge papers indicated that she had had pneumonia. This had not been explained to her or her daughter while she was in hospital.

There are limited supports for First Nations renal disease patients, particularly for those in rural areas who must leave Country to head to the cities to receive dialysis. This means they leave their families, their land and culture to receive treatment. It can also be really difficult for First Nations people in this situation to be able to find accommodation for extended periods of time. There is a need for more dialysis seats in communities so that First Nations people can receive dialysis on Country and focus on their health and wellbeing, instead of facing additional barriers and pressures.

There are also limited supports available for First Nations people with disability wishing to return to Country who require access to suitable, accessible housing. Reverend Lindsay Parkhill, West Arnhem Area Ministry Council Support Worker for Northern Regional Council of Congress, said:

There is an urgent need for assisted housing for disabled people wanting to return to country. An example is a disabled man who has been trying to return to live in Jabiru for nine years. He is stranded in Darwin away from family and is pining away. There are many houses in Jabiru that can be easily adapted for disability needs. Assisted housing is an industry that employs people.

First Nations people are more likely to be deemed to have poor decision-making capabilities and be appointed a guardian and/or an administrator/trustee by the relevant State or Territory Administrative Tribunal. These guardians and administrators/trustees often have limited cultural awareness. First Nations people are more likely to experience this discrimination in response to their behaviour, which is likely driven by unresolved trauma and higher levels of psychological distress.

Another example is in prisons, where First Nations people with disability are over-represented. In such settings, First Nations people with disability are more likely to be viewed as troublemakers and sent to isolation for behavioural reasons, stemming from undiagnosed disabilities and impairments. Fellow prisoners and prison staff deal out their own forms of punishment, including violence, abuse, neglect and exploitation, for those perceived as troublemakers. These undiagnosed disabilities and impairments are often the cause of their imprisonment, and factor heavily into the risk of recidivism.

Recommendation 2

Greater investment in local healthcare and support services, including dialysis and renal care, in regional and remote areas

Government policies and practices

The Federal Government continues to enact policies that are paternalistic and punitive in nature that can have detrimental impacts on those the policies apply to. Social security reforms are frequently founded on the underlying assumption that poverty, unemployment and entrenched disadvantage stem from irresponsible behaviours, idleness, or poor lifestyle choices. This deficit model of social disadvantage blames individuals for their poverty and unemployment, deflecting attention away from the wider structural causes of unemployment and poverty, such as a lack of available work.

The multitude of changes to the eligibility criteria for the Disability Support Pension (DSP), starting back in the 2000s and continued and added to under successive governments, have made it harder for people with disability to access this income support payment. The cumulative changes have resulted in growing numbers of people with disability having to rely on the lower working age payment, formerly known as Newstart, now called JobSeeker, which in no way accounts for the additional costs associated with disability. This payment also has less associated benefits and is conditional on compliance activities.

These changes to income support for people with disability have disproportionately affected First Nations people. In her article, *Disability poverty and ageing in regional Australia: The impact of disability income reforms for indigenous Australians*, Karen Soldatic concludes:

For Aboriginal Australians born prior to 1967 living with adult onset disability, assessed ineligible for DSP, the combined burden generated through insufficient payments and Newstart conditionality is particularly racialised. They have few additional resources to draw upon, and rely heavily upon the goodwill and support from family members and neighbours, who are often themselves, living in high levels of poverty.³

The poverty and hardship experienced by those reliant on support payments not only robs people of their dignity, but also acts as a barrier to employment and participation, making it difficult for people to engage in education or training and maintain a sense of connection and belonging.

Income support payments should be accessible to those who need it and paid at a level that ensures human dignity and an adequate standard of living. Steps should be taken to remove barriers to access such as unfairly restrictive eligibility criteria and excessive evidence requirements that make it hard for people to gain access to payments. Maintaining the social safety net is essential to ensure people on low incomes can meet their needs and participate in society.

Even where First Nations people have been able to secure employment, sometimes they are uncertain if they will be able to maintain the job due to ongoing health issues and/or disability. If they become ill and are off work for longer than sick leave allows (or if they do not have access to such benefits under their employment contract), then back up support to stay employed should be provided. Extra support and education for workplaces and carers to gain further understanding and training when working with First Nations people with a chronic illness or disability is also needed.

Within First Nations policy, disability is often overlooked. For example, no disability target was included in the recent refresh of the Closing the Gap targets. A Closing the Gap target for Aboriginal and Torres Strait Islander people with disability was recommended in the Aboriginal and Torres Strait Islander Social Justice Commissioner's *Social Justice and Native Title Report 2015* but this is yet to eventuate. As Damian Griffis, CEO of the First Peoples Disability Network, said in an interview with Fran Kelly in August, "Put simply, if an Aboriginal person with disability isn't in the room, it doesn't get noted."⁴ He went on to say, "...we have to get serious about understanding the needs of our most vulnerable people, and ...they are our people with disability. Unless we do that, I can't see how Closing the Gap is going to achieve what it wants to achieve."⁵ While disability sits across each of the refreshed targets, it still needs to be recognised through its own target.

Recommendation 3

Remove rules that restrict equitable access to the Disability Support Pension for people who have a chronic illness or disability

Recommendation 4

Develop a dedicated strategy for First Nations employment

Recommendation 5

Include a disability target in the Closing the Gap targets

Recommendation 6

Additional funding and resources for the First Peoples Disability Network

Systems

The justice system has systematically failed many First Nations people with disability, increasing their risk of exposure to violence, abuse, neglect and exploitation. This is demonstrated by the disproportionately high rates of First Nations people – and in particular, First Nations people with disability – who are incarcerated, particularly as compared to the number of First Nations people receiving NDIS or other disability supports.

The estimated rate of hearing impairment in incarcerated First Nations adults is incredibly high.⁶ Within this group, the Australian Law Reform Commission's *Pathways to Justice* report indicates between 80-95% have a hearing impairment.⁷ The report states:

This can result in communication difficulties when engaged with the criminal justice system, particularly where English is a second or third language. Hearing loss can also compound other forms of disadvantage regularly experienced by Aboriginal and Torres Strait Islander people, including unemployment and poor school performance, thus making entry into the criminal justice system more likely.⁸

The report also identifies cognitive impairment and mental health disorders as increasing the likelihood of First Nations people being imprisoned.⁹

Screening children entering youth detention and adults entering prisons in Australia would support the identification and diagnosis of disability and ensure appropriate supports are provided. However, youth detention or prison should not be the first time First Nations children and adults are assessed. Screening needs to occur at multiple points throughout the lives of First Nations people, particularly in early childhood. Where a disability is identified, appropriate and culturally safe early intervention and support services need to be available and accessible to First Nations children and young people so that they receive the supports they require as they grow.

Over a generation ago, the Royal Commission into Aboriginal Deaths in Custody provided a blueprint for reducing the number of First Nations people coming into contact with the criminal justice system. Almost thirty years later, the majority of these recommendations have not been fully implemented. Over that time, successive governments have failed to act on the recommendations from numerous reports, inquiries and royal commissions into the detention and imprisonment of First Nations people. This includes the recommendations of the *Pathways to Justice* report, which was presented to the Coalition Government two years ago.

The *Pathways to Justice* report provides sensible, practical and achievable policy recommendations to reduce the incarceration of First Nations people, including a number of specific concrete actions that the Federal Government can take to support justice reinvestment and reduce the over-representation of First Nations people in the criminal justice system. The UAICC and UnitingCare Australia have previously urged the Federal Government to act on these recommendations as soon as possible and to make coordinated action on reducing incarceration rates for First Nations people a first order priority for the National Cabinet.

This continuous loop of inquiry, recommendations, lack of political will to act, languishing recommendations, new and previously examined issues coming to the fore and the announcement of yet another inquiry must stop. There is ongoing frustration at the gap between words and actions and promises and results.

And the justice system is not the only system that continues to marginalise and disadvantage First Nations people. Other systems, such as the NDIS and the education, healthcare and employment systems, need to be reformed to remove barriers to access and to actively prioritise the needs of First Nations people with disability.

In Uniting WA's report (formerly UnitingCare West), *A report on the NDIS and access for Aboriginal and/or Torres Strait Islander people interfacing with the criminal justice system*, it states:

There is currently a lack of culturally validated, responsive and appropriate tools and supports, including provision of interpreters, for Aboriginal and Torres Strait Islander people to access and navigate the NDIS. Based on anecdotal feedback there also appears to be low levels of cultural competence amongst NDIS staff, disability service providers and the disability system more broadly. The NDIS is a bureaucratic process, and much of the information around referral processes and access is difficult, especially for Aboriginal and Torres Strait Islander people where English is a second language or where literacy and numeracy is an issue. All of these factors contribute to the very real possibility that as a result [t]here is a great risk that this cohort is likely to be left behind by the NDIS and further disadvantaged in that they will not be able to access the Scheme.¹⁰

More needs to be done to improve access to the NDIS for First Nations people with disability, as well as to strengthen implementation of the scheme, particularly in remote areas. Additional funding is needed to provide targeted support and advocacy for First Nations people seeking to access and navigate the NDIS, and to ensure a holistic and culturally appropriate approach is taken to assessment and planning. Priorities for change include the funding of interpreting services and the elevation of cultural elements in participants' plans, as well as enabling those incarcerated to use their NDIS funds while in prison.¹¹

Current systems can better prevent or respond to experiences of violence, abuse, neglect and exploitation of First Nations people with disability through community-based and culturally safe spaces and places, building on self-determination, and maintaining connections to people, place and cultural practices for our First Nations people with disability.

Recommendation 7

Increase disability assessments for First Nations children and enhance early intervention and support services for those with disability, including those with hearing and cognitive impairments

Recommendation 8

Children entering youth detention and adults entering Australian prisons need to be screened for disability

Recommendation 9

Establish an independent Justice Reinvestment coordinating body led by First Nations people to promote the reinvestment of resources from the criminal justice system to local community development initiatives that address the drivers of crime and incarceration external to the criminal justice system

Recommendation 10

Invest in a Justice Reinvestment grants program

Recommendation 11

First Nations people with disability must have fair and equitable access to the education, healthcare, and employment systems, and the NDIS

Priority areas

A priority area must be family unity and family health. More money needs to be invested in early interventions around parenting, infant and early childhood health and wellbeing. This is the backbone of many First Nations cultures and is one that has historically been subjected to institutional interference and discrimination. For example, the continued growth in the over-representation of First Nations families in Australia's child protection systems, which reflects discrimination inherent in mainstream service systems.

There is a need for a whole systems approach to education and cultural awareness and disability, and a focus on culturally appropriate support services, based in community, for community and by community, as well as more tailored services or champions in mainstream services with greater understanding of First Nations people (language, culture) to further enable person-centred and community-centred practices.

Recommendation 12

Invest in early interventions around parenting, infant and early childhood health and wellbeing

Recommendation 13

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

Culturally appropriate responses

The following is a list of culturally appropriate responses to preventing violence, abuse, neglect and exploitation and supporting First Nations people with disability:

- Involving the person in all decisions pertaining to their life;
- Exploring with the person how to best support them;
- Allowing the person the opportunity to tell their story in a way that is meaningful to them, such as through art, preferred communication style or someone who knows them best;
- Continued engagement with the First Nations community, Elders and services, as well as continued connection to Country and culture;
- Providing First Nations advocacy information and support people (Indigenous and non-Indigenous) to understand the UN Declaration on the Rights of Indigenous Peoples as well as the Convention of the Rights of Persons with Disabilities.

Strengthening disability support and advocacy services

“It is noted that many support services are not community or culturally centric and do not cater well for those who struggle to navigate what can be a very difficult and complex system, especially for those who have English as a second, third, fourth, fifth and even in some cases a sixth language.”

Pastor Mark Kickett, Noongar man, Interim National Chairperson of the UAICC and member of the Uniting Church’s National Task Group for the Disability Royal Commission

The lack of culturally safe and responsive support services makes it more challenging for First Nations people to access services.

Services and programs need to be culturally capable and responsive, better integrated, and tailored to the needs of the community. In addition to expanded community-controlled services, mainstream services must be better equipped to provide culturally safe and strengths-based support when working with First Nations people with disability. This will require mainstream services to co-design programs and initiatives for First Nations people with disability and may require the hiring of additional First Nations workers to provide supports and services to First Nations people with disability and/or handing over control of services to First Nations communities.

The COVID-19 pandemic has expedited the availability of services delivered online, including healthcare services, and demonstrated the opportunities online services can provide, including reducing barriers to access. However, utilising online services is predicated on access to the internet and suitable technology. For First Nations people living in regional and remote areas of Australia, the scope of services that could be accessed from afar would be expanded if reliable, affordable internet and suitable devices were more readily available. Without these, First Nations people with disability are unable to access all alternative support and service offerings, potentially disadvantaging them and their care. However, this cannot be a substitute for, nor can it come at the expense of, resourcing communities on the ground. Having culturally inclusive resources and supports available in communities is of utmost importance and will enable all community members to be part of their community, reducing disconnection and isolation of First Nations people with disability. Both approaches should be pursued, providing First Nations people with disability more choice when selecting services.

Talking about disability with First Nations people requires a very special set of skills. In many cases, it is most appropriate for a fellow First Nations person with lived experience of disability to lead such conversations. An increase in the number of First Nations people working in the disability sector would enable this to occur more often. First Nations disability advocacy and support can be achieved by investing in young First Nations people, including those with disability, wanting to break into the disability job market. This will provide young First Nations people with increased employment and economic

opportunities in a market that is currently growing and will continue to grow as the population ages but is currently lacking in First Nations representation. Increasing the number of First Nations people working in the disability sector may also lead to increased awareness and understanding of the NDIS within First Nations communities, and increased engagement levels.

In the Lowitja Institute's Policy Brief, *Understanding disability through the lens of Aboriginal and/or Torres Strait Islander people – challenges and opportunities*, it states:

... the need for organisational change and associated administrative burden can be a disincentive to provider participation in the NDIS, including for [Aboriginal Community Controlled Health Services]. Currently, there is no seed funding to ensure that providers are able to implement the administrative and financial changes necessary to become registered providers, such as the installation of new IT systems that are compatible with NDIS payment systems.¹²

A recent article in the West Coast Sentinel indicates that the Federal Government has awarded \$1 million to a group of four Aboriginal Community Controlled Health Organisations for a "a two-year 'Aboriginal DisAbility Alliance' project aimed at supporting Aboriginal communities to access culturally appropriate disability services."¹³ In the article, Tullawon Health Service's CEO, Joanne Badke, said, "We will be working with government to put in place a one-stop-shop so that Aboriginal service providers can get assistance to set up an ABN, look after finance, tax, IT, HR and other admin functions."¹⁴ She went on to say, "Not having this kind of support has been a big barrier to local community members and business offering services [and] we want to make sure that NDIS delivers social and economic benefits to our communities."¹⁵

"Having our own First Peoples services and workers; so important in access and outcomes."

Alison Overeem, Palawa woman, member of the UAICC Executive and Manager of Leprena in Tasmania

Recommendation 14

Improve access to technology and the internet to enable equitable access to online services and supports for First Nations people with disability, particularly those in regional and remote areas

Recommendation 15

Invest in young First Nations people, including those with disability, wanting to enter the disability job market to increase the number of First Nations people working in the disability sector

Recommendation 16

Provide support to First Nations organisations wanting to provide NDIS supports and services

Conclusion

First Nations people with disability walk in many worlds and it is imperative that each of those worlds work to ensure their needs are being accommodated in all situations. As a society, we must actively seek out the accounts of First Nations people with disability and heed their experience and calls for change. First Nations people with disability must be able to provide guidance on and input into engagement and co-design processes, and access services (of their choosing) and mainstream systems in a fair and equitable way. These services and systems must be appropriate, culturally safe and support the interests of the person and their community.

Thank you for the opportunity to provide this response to the Issues Paper on The experience of First Nations People with Disability in Australia.

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.¹⁶ 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.¹⁷ 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.

The relationship between the Uniting Church and First Nations people

The preamble to the Uniting Church Constitution describes the history of the UAICC and the Covenant formalising the relationship between the UAICC and the Church.

Specifically, it states:

In 1985 Aboriginal and Torres Strait Islander members of the Uniting Church in Australia formed the Uniting Aboriginal and Islander Christian Congress.

In 1988 the Uniting Aboriginal and Islander Christian Congress invited the other members of the Church to join in a solemn act of covenanting before God.

After much struggle and debate, in 1994 the Assembly of the Uniting Church in Australia discovered God's call, accepted this invitation and entered into an ever deepening covenantal relationship with the Uniting Aboriginal and Islander Christian Congress. This was so that all may see a destiny together, praying and working together for a fuller expression of our reconciliation in Jesus Christ.

The covenantal relationship between the UAICC and the Uniting Church was formalised with the exchange of statements and the UAICC presenting *The Covenanting Painting* to the Church. The Church recognised and repented for the Church's complicity in the injustices perpetrated on Australia's First Nations people and pledged to move forward with a shared future.

In 2009, the Church affirmed a new preamble to its Constitution (excerpt above), becoming the first church in Australia to constitutionally recognise Aboriginal and Torres Strait Islander peoples as the First Peoples of Australia, and in 2018, the 15th Assembly of the Uniting Church affirmed the sovereignty of First Nations people in Australia.

The Uniting Church's vision is that "First Peoples' sovereignty is affirmed, First Peoples have a voice in the decision making of our country and are living out their right to self-determination."¹⁸

Endnotes

¹ Coalition of Peaks, *A Report on Engagements with Aboriginal and Torres Strait Islander People to Inform a New National Agreement on Closing the Gap* (Report, June 2020) 3 <<https://coalitionofpeaks.org.au/download/2019-community-engagements/>>.

² The Lowitja Institute, *Understanding disability through the lens of Aboriginal and/or Torres Strait Islander people – challenges and opportunities* (Policy Brief, October 2019) 2 <<https://www.lowitja.org.au/page/services/resources/Science-and-health-conditions/health-conditions/understanding-disability-through-the-lens-of-aboriginal-and-or-torres-strait-islander-people-%e2%80%93-challenges-and-opportunities>>.

³ Karen Soldatic, 'Disability poverty and ageing in regional Australia: The impact of disability income reforms for indigenous Australians' (2018) 53(3) *Australian Journal of Social Issues* 223, 235.

⁴ 'Disability not included in the 16 new Closing the Gap targets', *RN Breakfast* (ABC Radio National, 3 August 2020) <<https://www.abc.net.au/radionational/programs/breakfast/past-programs/?date=2020-08-03>>.

⁵ Ibid.

- ⁶ Australian Law Reform Commission, *Pathways to Justice – An Inquiry into the Incarceration Rate of Aboriginal and Torres Strait Islander Peoples* (Final Report No 133, December 2017) 65 [2.41].
- ⁷ Ibid.
- ⁸ Ibid 65-6 [2.41].
- ⁹ Ibid 66 [2.42], 68 [2.49].
- ¹⁰ Uniting WA (formerly UnitingCare West), *A report on the NDIS and access for Aboriginal and/or Torres Strait Islander people interfacing with the criminal justice system* (Report, 2018) 29.
- ¹¹ Australian Civil Society CRPD Shadow Report Working Group, 'Disability Rights Now 2019', Australian Civil Society Shadow Report to the United Nations Committee on the Rights of Persons with Disabilities in response to the List of issues prior to the submission of the combined second and third periodic reports of Australia [CRPD/C/AUS/QPR/2-3], July 2019, 37.
- ¹² The Lowitja Institute, *Understanding disability through the lens of Aboriginal and/or Torres Strait Islander people – challenges and opportunities* (Policy Brief, October 2019) 2.
- ¹³ Luca Cetta, 'Funding to improve Aboriginal disability services', *West Coast Sentinel* (online, 17 September 2020) <<https://www.westcoastsentinel.com.au/story/6924514/funding-to-improve-aboriginal-disability-services/?cs=1547>>.
- ¹⁴ Ibid.
- ¹⁵ Ibid.
- ¹⁶ Australian Bureau of Statistics, *Census of Population and Housing: Reflecting Australia – Stories from the Census, 2016* (Catalogue No 2071.0, 28 June 2017).
- ¹⁷ Figures are approximate at 30 June 2018.
- ¹⁸ Uniting Church in Australia, *Our Vision for a Just Australia* (Report, June 2019) 6.