

***Ceremonial Closing Public Hearing, Royal Commission into Violence, Abuse, Neglect and Exploitation of People With Disability***

***Commissioner Barbara Bennett, 15 September 2023***

Hi, I want to start by acknowledging my fellow Commissioners, and to particularly thank Commissioners Galbally and McEwin as the Commissioners with disability. They were so generous in sharing their insights and lived experience. I learned a lot from them.

I also wish to particularly acknowledge and thank the people with disability who gave so much to this Royal Commission. They had the courage and the strength to share with us their experience, often shocking and deeply personal. They came with suggestions and recommendations of what needs to be changed, and how to make those changes, with many saying “it may be too late for me but I want a better future for the next generation”.

These people gave practical meaning to “nothing about us without us”. Their message was clear: the only path to change is to give due weight to the voices and perspectives of people with disability and their organisations.

I want to talk specifically about group homes throughout our hearing.

We heard that people with disability living in group homes are at significant risk of violence, abuse, neglect and exploitation. We heard that many group homes have failed to keep people with disability safe, they failed to empower people with disability to have choice and control over their lives and they lack opportunities for people to develop and participate in their communities.

Group homes have failed to realise the rights of people with disability under the Convention on the Rights of Persons with Disability. To quote from a submission we received from a person with disability: “a good life includes being able to make decisions about your own life. That means where you live and who you live with, and who can come into your house”.

These people said group homes are not ‘homes’ in the sense that the general community would accept. In describing incidents of violence, abuse, neglect and exploitation of people with disability in group homes, one witness said it occurs almost as part of day-to-day practices in these environments – that it was pervasive.

In 2022, the NDIS Quality and Safeguards Commission conducted an own motion inquiry into aspects of supported accommodation. It cited thousands of incidents of serious injury, of abuse and neglect of people with disability. It reported incidents of unlawful sexual conduct, and incidents of death.

Before group homes came to be the dominant form of housing support for people with disability, many lived in residential centres, some of which housed hundreds of people. We have heard, that regardless of the smallest scale of group homes, they are in fact still “mini institutions” and fail on many accounts, to deliver the quality of life that had been expected in these small group dwellings.

We heard that one rationale for the group home model is “economies of scale”. That it’s cheaper to provide support to five or six residents, requiring one or two staff members for everyone. This can lead to standardisation of care, designed to meet the preferences of staff rather than residents, and can result in neglect of individual care needs in favour of efficiency.

We were told some group homes develop “punitive cultures” towards residents. A witness described a “punishment chart” which recorded when her daughter had not behaved according to the rules. If

her daughter didn't behave in the morning, the staff on that shift would apply a consequence. If her daughter responded to this punishment, this would cause another "behaviour" and another "consequence", and so on. It was cumulative and by the end of the day, we were told she was defeated.

We were told that it was important for people with disability to be able to access all aspects of the broader community, to be able to build trusting relationships with a variety of people, not to have relationships limited largely to support workers and co-residents. We were told that access to the community at large reduces the risks for exploitation, violence and abuse.

On a positive note we heard that there are some emerging innovate models that can provide options for people with disability that better support their human rights and dignity. For example, we heard about the "10+1 housing model" developed by the Summer Foundation. This model involves purchasing 10 apartments in a large development located near accessible transport and other community amenities and redesigning them for accessibility. Under this model, people with disability live in their own home and have their own planned supports.

We heard about the Community Living Initiative (CLI) in Cairns. This is Australia's first purpose-built housing complex for First Nations people with disability. The intention of the initiative is to strengthen culturally safe supports and services to enable people to move back home to Country or to other homes of choice. We were told that: "At its heart, the intent is to provide a place of identity, belonging and healing, led by Aboriginal or Torres Strait Islander people".

I would like to conclude with the words from someone who attended a private session. She told about having lived in a group home since she was 18, and that residents had to get up at the same time, and go to bed at the same time. All the doors were locked, residents could not go out when they wanted to, they could not choose what they wanted to eat or when they had their meals. If they didn't do what they were told, they were locked up. She said it was like a prison.

I believe we can do so much better than this. Thank you.