



# BRIEFING BOOKLET

Better Together, Inclusion for All



*family*

ADVOCACY

**Family Advocacy is a NSW community based, disability advocacy organisation that promotes and defends the interests, rights and needs of people with developmental disability.**

This booklet contains stories from some of the many families, allies and friends that pledge their support to make inclusion for ALL young people with disability in NSW a reality. With over 1.4 million people in NSW living with a disability, and 1 in 5 NSW public school students having a disability, we need to put disability inclusion front and centre.

Our political parties have an opportunity - and a responsibility - to make disability inclusion in NSW a genuine priority and reality. It's time to make our voices heard and demand that politicians commit to ending segregation. We need to ensure that every one has the opportunity to secure a better future.



**"Our vision was for Jacob to be fully engaged in his community, to work and have purpose in his life. So we wanted him to go to the same school as his brother, sister and preschool buddies. But we faced many challenges. ... people with disability are viewed and treated very differently... The system needs to be inclusive."**

**- Annette and Jacob Bush**

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We acknowledge the traditional custodians of the land on which our offices stand and we pay our respects to Elders past and present.



# BRIEFING PAPER

## OUR VISION

Family Advocacy's 'Better Together, Inclusion for All' campaign in response to the Disability Royal Commission's Recommendations aims to ensure people with disability have access to inclusive education, employment, housing, transport and community so we can create a more inclusive society.

## CURRENT SITUATION

The Disability Royal Commission (DRC) heard overwhelming evidence that people with disability in segregated settings are more likely to experience violence, abuse, neglect and exploitation. All Commissioners agreed that reforms are required to ensure that no one is forced to participate in settings designed exclusively for people with disability. Importantly, the six Commissioners made the key point: "Education is the starting point for an inclusive society".

Sadly, many children and young people with disability are currently segregated from their peers and set up on a life pathway with poor employment outcomes and social isolation from the general community. This is in conflict with the *United Nations Convention on the Rights of People with Disability and Australia's Disability Strategy 2021 to 2031*.

## THE SOLUTION

We call on the NSW government to:

1. Accept Recommendations 7.1 – 7.13 which address the major reforms needed to overcome barriers to safe, equal and inclusive education.
2. Accept Recommendation 7.14 to gradually phase out and end segregated education.

These must be implemented with clear timelines, transparency around the process and co-design with people with disability, their families and representative organisations.

# THE BENEFITS OF INCLUSION

Inclusion in education, employment, housing and transport is important because it means people with disability can thrive in our community. There is an overwhelming amount of evidence-based research that supports this, see below.

## People with disability

- greater academic and vocational outcomes
- greater social interaction, resulting in more opportunities to establish and maintain social connections
- get more of the good things in life

- elevated self-esteem
- improved behavioural development
- empathy and understanding
- opportunities to engage with friendships
- equitable education and care

## All Students

## Employment

- professional growth and increased confidence
- developing valued relationships
- opens opportunities to have the good things in life

- greater psychological and economic wellbeing for parents
- parents may feel more supported and confident to return to work
- greater community engagement

## Families and community



**“A fully inclusive education system benefits all kids. Eva just wants to belong, like everyone else.”**

**Traci Caines, Parent advocate**

# THE CURRENT SITUATION FACTS AND FIGURES



**NSW segregates 14% or 25,620 students because they have a disability. We could fill a football stadium with the number of students that are segregated from their peers.**



According to a report by the Disability Royal Commission students with disability make up 75% of suspensions and expulsions in NSW, and are significantly less likely to complete their secondary education than their peers without disabilities.



**1 in 5 NSW public school students or 183,000 students have a disability**



The presence of segregated options is why over 70% of families report experiencing one or more examples of gatekeeping used to minimise the enrolment into mainstream, and/or restrictive practice. This is why segregation needs to be phased out.

Commissioner Dr Rhonda Galbally says that "if you go to a special school, you're 85 per cent more likely to end up in a sheltered workshop with lower than award wages and with very limited living options as an adult".

The result of segregation is that Australia has a poor employment record which has remained the same for nearly 30 years. The employment participation rates for people with disability at 53.4% compared with 84.1% for people without disability. But for people with an intellectual disability, its significantly lower at 14-18%.

# POSITION STATEMENT ON INCLUSIVE EDUCATION



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## Position Statement on Inclusive Education and the Disability Royal Commission Final Report Recommendations

Dear Ms. Car

We write to you in your role as Minister for Education and Early Learning, specifically in relation to the *Disability Royal Commission (DRC) Final Report, Volume 7, Part A: Inclusive Education*.

The key points made by all six Commissioners were (Page 79):

- Under article 24 of the *Convention on the Rights of Persons with Disabilities*, Australia has obligations to recognise the rights of people with disability to education. Education is the starting point for an inclusive society.
- We agree with *General comment no. 4 (2016)* on the right to inclusive education of the Committee on the Rights of Persons with Disabilities that ensuring the right to inclusive education entails:
  - a transformation in culture, policy and practice in educational environments to accommodate the differing requirements and identities of individual students
  - a commitment to removing the barriers that impede that possibility.
- We agree mainstream schools need major reforms to overcome the barriers to safe, equal and inclusive education. However, the Commissioners hold differing views on certain aspects of inclusive education.

We support for mainstream schools to have major reforms implemented with clear timelines, transparency of the process and co-design of people with the lived experience of disability

All Commissioners agreed that the status quo can no longer be tolerated, stating:

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"a safe, quality and inclusive education can only be delivered through significant transformation of the school system. In Part A, 'Inclusive Education' we recommend legislative and policy changes, improved procedures and support services, and changes to culture, capability and practice 'on the ground'. We recommend that these changes are embedded in school practices through enhanced workforce training and support, improved data collection and use, stronger oversight, and greater accountability. Reform at the scale we are proposing requires careful prioritisation and a coordinated approach."

These suggested changes are reflected in Recommendations 7.1-7.13, listed below.

**Recommendation 7.1** Provide equal access to mainstream education and enrolment

**Recommendation 7.2** Prevent the inappropriate use of exclusionary discipline against students with disability

**Recommendation 7.3** Improve policies and procedures on the provision of reasonable adjustments to students with disability

**Recommendation 7.4** Participation in school communities

**Recommendation 7.5** Careers guidance and transition support services

**Recommendation 7.6** Student and parental communication and relationships

**Recommendation 7.7** Inclusive education units and First Nations expertise

**Recommendation 7.8** Workforce capabilities, expertise and development

**Recommendation 7.9** Data, evidence and building best practice

**Recommendation 7.10** Complaint management

**Recommendation 7.11** Stronger oversight and enforcement of school duties

**Recommendation 7.12** Improving funding

**Recommendation 7.13** National Roadmap to Inclusive Education

We expect Recommendations 7.1-7.13 to be implemented with clear timelines, a transparency of process and co-designed by people with a disability, their families, disability advocacy organisations and disability representative organisations.

**We support Recommendation 7.14 to phase out and end segregated education**

The DRC heard overwhelming evidence that people living in segregated settings are more likely to experience violence, abuse, neglect and exploitation. All Commissioners agreed that reforms are required to ensure that no one is forced to participate in settings designed exclusively for people with disability. However, Commissioners were split over the future of settings such as special schools.

We agree with Commissioners Galbally, McEwin and Bennett (who have the lived experience with experience of disability) and call on the government to give significant weight to the three Commissioners and accept their Recommendation 7.14. Phasing out and ending special/ segregated education.

Recommendation 7.14 acknowledges the legitimacy of both disabled people's perspectives and the concerns of some parents. It aligns with Australia's international human rights obligations under the CRPD and other human rights treaties, aiming to progressively establish a fully inclusive education system. This recommendation proposes a phased and responsible transition, complete with



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practical, time-bound targets and budgets, to eliminate discrimination through segregation and create a universally accessible, high-quality, and inclusive education system.

Inclusive education can only be achieved through ongoing enhancement of mainstream practices alongside a phased and responsible transition away from segregated approaches. This transition involves moving away from "special" schools, co-located education support units within mainstream school premises, and "special" classes where students are segregated based on their disability. Until we merge the parallel tracks of mainstream and segregated education into a single inclusive pathway to education, regular schools will not undergo the necessary transformation to provide equal and non-discriminatory education to all children, regardless of disability. This alignment is fundamental to realising an inclusive education system where all children attend school, play, grow, and learn together, fostering authentic and reciprocal connections and relationships that promote respect for their diverse differences and contribute to a more inclusive society.

While we acknowledge that the longer timeframe proposed by Commissioners Galbally, McEwin, and Bennett is intended to ensure sufficient time for implementing reforms in mainstream education, the suggested timeframe of ending segregation by 2051 is unduly conservative and risks leaving two more generations of children behind. We strongly recommend that the government tightens this timeframe so less children are impacted negatively by continued segregation.

We, the undersigned, have the expectation that the NSW Government's response to the DRC Final Report – Volume 7 – Part A: Inclusive Education must:

1. Address the major reforms required to overcome barriers to safe, equal and inclusive education. Accept Recommendations 7.1 – 7.13 and implement them with clear timelines and transparency of process.
2. Address the ongoing segregation of students with disability in education. Accept Recommendation 7.14 Phasing out and ending special/segregated education.

We recognise the implementation of Recommendations 7.1-7.14 will require specific long-term planning and budgetary allocations, involving co-design with people who have the lived experience of disability, their families, disability advocacy organisations and disability representative organisations. Ultimately, it will be worthwhile to improve laws, policies, structures and practices to ensure a more inclusive and just society that supports the independence of people with disability and their right to live free from violence, abuse, neglect and exploitation.

Kind regards

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Skye Kakoschke-Moore, Chief Executive Officer | Children and Young People with Disability Australia (CYDA)

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Through a strong alliance of  
community members  
working together, ALL  
people with disability in  
NSW can have access to the  
same opportunities.



**WE ALL WANT  
INCLUSION**

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