

Tuesday 23 July 2019



Disability community renews our calls for Commissioners to stand aside

People with disability are again raising the alarm that the integrity of the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability is at risk due to the significant conflicts of interest of two of the appointed Commissioners, Ms Barbara Bennett PSM and the Hon. John Ryan AM.

On 8 April this year, more than [60 disability organisations](#) from across Australia called on the Government to address the significant conflicts of interest that Ms Barbara Bennett PSM and the Hon. John Ryan AM hold in relation to their appointments as Commissioners on the Royal Commission.

These calls were backed up by more than 1200 individuals who signed an online petition calling for the two Commissioners to step down. The petition included over 400 personal statements raising concerns about the conflicts of interest of these two Commissioners. The clear message from the disability community was that our Royal Commission must be beyond reproach. The petition was sent to the Prime Minister the Hon. Scott Morrison MP on 12 April as well as presented to the then Minister for Families and Social Services Paul Fletcher MP on 15 April. To date the disability community has not had a formal response from the Government.

Last week, the disturbing case of [violence against Eden Carmac](#) highlighted the systemic failures of national and state systems to protect or offer justice to people with disability experiencing violence.

“Our concern is that two of the proposed Commissioners have very recent, extensive and significant backgrounds working for the very institutions that will be examined by the Royal Commission – state and federal public services, which is a direct, strong and unmanageable conflict of interest,” said Matthew Bowden, Co-CEO People with Disability Australia, a member of Disabled People’s Organisations Australia (DPO Australia).

“Eden Carmac’s situation demonstrates that the Commissioners appointed to the Royal Commission must be at clear arms-length from systems and services that have failed to protect people with disability and may have perpetrated violence against us.”

“As people with disability, we must know that we can give evidence to the Royal Commission into violence against us safely, that we can tell our stories to those who do not hold unmanageable conflicts of interest,” said Matthew Bowden.

Mary Sayers, CEO Children and Young People with Disability Australia said, “Sadly Eden’s story is not a once off. Violence, abuse and neglect of children and young people with disability happens in Australia too often: in schools, in disability services, in their homes and in the community. Children with disability are almost four times more likely to experience violence than children without disability. If this Royal Commission cannot be a

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place where people with disability feel safe to give evidence, it cannot perform its primary functions.”

Mary Mallett, CEO, Disability Advocacy Network of Australia said, “There is overwhelming, sector-wide support from the disability advocacy sector for Mr Ryan and Ms Bennett to step down. We have been calling for this Royal Commission for many years and are concerned that this ‘once in a lifetime’ opportunity for justice may be wasted if action is not taken. Unfortunately, since the election of the current Government, we have not seen any action to address these widely held community concerns.”

“It is essential that the Government reconsider its appointees with unmanageable conflicts of interest, and instead look to the many eminently qualified and skilled people with disability, who did not have a conflict of interest and who have the confidence of the disability community,” said Ross Joyce, CEO of Australian Federation of Disability Organisations.

In appointing new Commissioners to replace The Hon. John Ryan AM and Ms Barbara Bennett, PSM, we would urge the Government to consider the following criteria:

- is a person with disability;
- has minimal and manageable conflicts of interest;
- has respect and trust from people with disability and the wider community;
- has high-level standing and experience in the application of the law and their impact on people with disability;
- understands the rights, laws and policies for people with disability, particularly the UN Convention on the Rights of Persons with Disabilities;
- has knowledge of all forms of violence inherent in all settings and the existing legal and policy frameworks;
- understands the way age, sex, gender, gender identity, sexual orientation, intersex status, ethnic origin or race intersect with disability and violence.

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