



Children and Young People
with Disability Australia

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The Hon Ronald Sackville AO QC
Chair of the Royal Commission
Royal Commission into Violence, Abuse, Neglect and Exploitation of People with
Disability
GPO Box 1422
BRISBANE QLD 4001

Monday, 29th August 2022

Dear Commissioner Sackville and fellow Commissioners,

Please accept Children and Young People with Disability Australia's *response to the Disability Royal Commission's Supported decision-making and guardianship: proposals for reform roundtable paper* (attached with this letter) as a formal submission into the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability (Disability Royal Commission).

Meaningful participation in decision making empowers individuals to exercise control over their own lives, improving their autonomy, wellbeing and personhood. Children and young people with disability, particularly those with cognitive impairment, are likely to need support to make some decisions about their lives.

Access to quality supported decision making—where individual participation is recognised as a right—is therefore paramount, as has been highlighted by the:

- Australian Disability Strategy ; Principle One, Respect for inherent dignity, individual autonomy including the freedom to make one's own choices, and independence of persons.
- Australian Law Reform Commission's proposal that "the will, preferences and rights of persons who may require decision making support must direct decisions that affect their lives"
- National Disability Insurance Scheme's (NDIS) emphasis on choice and control.
- United Nations Convention on the Rights of the Child; Article 12 that "States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child."
- National Principles for Child Safe Organisations , principle 2 states, "Children and young people are informed about their rights, participate in decisions affecting them and are taken seriously". These principles are based on the findings in the report from the Royal Commission into the Institutional Response to Child Sexual Abuse.

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We urge the Disability Royal Commission to make bold and targeted recommendations to the reform proposals regarding supported decision making and guardianship. Meaningful participation in decision making empowers individuals to exercise control over their own lives, improving their autonomy, wellbeing and personhood.

If you would like to know more about this submission or CYDA's work, please feel free to contact me on (03) 9417 1025 or lizhudson@cyda.org.au.

Kind regards,

Dr Liz Hudson
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CYDA