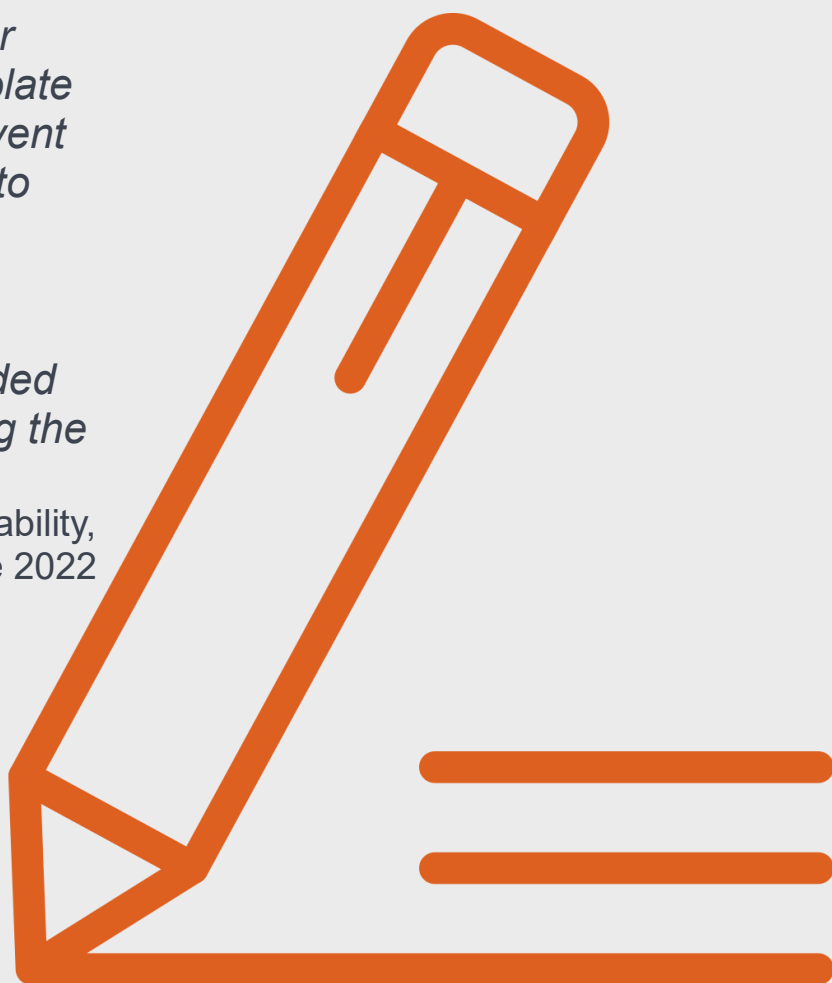


CYDA submission to the Australian Government response to the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability

“It was seen to be a better solution to hide and to isolate disabled students, to prevent bullying than what it was to educate our peers and reprimand bullying and harassing behaviours. Solutions used often alluded to disabled students being the problem in bullying”.

Young person with disability,
June 2022



February 2024



Children and Young People
with Disability Australia



Authorised by:

Skye Kakoschke-Moore, Chief Executive Officer

Contact details:

Children and Young People with Disability Australia

E. skye@cyda.org.au

P. 03 9417 1025

W. www.cyda.org.au

Authors:

Dr Liz Hudson (she/her), Policy and Research manager

Dula Hettiarachchi (she/her), Policy Officer

Contributors:

Britt Wilson (She/her) – Advocate, Young person with disability and CYDA Youth Council member (2023/24)

Gi Brown (they/him) is a young, queer, Koori person with disability.

A note on terminology:

Term being used. Children and young people with disability

Description of how and why the term is being used. The disability community has largely recognised and used inclusive language and terminology for decades. Children and Young People with Disability Australia (CYDA) uses person-first language, e.g., person with disability. However, CYDA recognises many people with disability choose to use identity-first language, e.g., disabled person.

Content warning: Discussion on bullying, isolation, exploitation, abuse, and neglect.

Acknowledgements:

Children and Young People with Disability Australia would like to acknowledge the traditional custodians of the lands on which this report has been written, reviewed and produced, whose cultures and customs have nurtured and continue to nurture this land since the Dreamtime. We pay our respects to their Elders past and present. This is, was, and always will be First Nations land.



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Introduction

CYDA is the national representative organisation for children and young people with disability aged 0 to 25 years. CYDA has an extensive national membership of more than 5,000 young people with disability, families and caregivers of children with disability, and advocacy and community organisations.

Our vision is that children and young people with disability are valued and living empowered lives with equality of opportunity; and our purpose is to ensure governments, communities, and families, are empowering children and young people with disability to fully exercise their rights and aspirations. We do this by:

- Driving inclusion
- Creating equitable life pathways and opportunities
- Leading change in community attitudes and aspirations
- Supporting young people to take control
- Calling out discrimination, abuse, and neglect.

CYDA welcomes this opportunity to make a submission to influence the Australian Government's response to the final report of the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability. As a representative organisation for children and young people with disabilities nationwide, CYDA has been actively engaged in the work of the Disability Royal Commission (DRC), having made a total of 22 submissions to the DRC, and note that CYDA's work has been cited 34 times in the DRC final report.

Our commitment is to address discrimination, abuse, and neglect against children and young people with disability. We recognise the crucial role of the DRC in aligning with the vision of the Australian Disability Strategy and advancing our own vision to empower children and young people with disability to exercise their rights fully. We view the DRC's work as essential in highlighting systemic injustices and driving necessary reforms.

Due to limited engagement opportunities in communities, education, and employment, children and young people with disability face a heightened risk of experiencing violence, abuse, neglect, and exploitation throughout their lives. We urge the Government to prioritise the rights of these individuals by adopting relevant DRC recommendations endorsed by CYDA (refer to Table 1). By making targeted decisions to enhance laws, policies, structures, and practices, the Government can contribute to a more inclusive and just society.

Our submission is structured as follows:

Key Priority Areas: CYDA highlights three key priority areas for the government's consideration in response to the DRC recommendations relating to: inclusive education, inclusive employment, and the elimination of restrictive practices.

CYDA's Response to DRC Recommendations: We offer a comprehensive analysis of DRC recommendations pertaining to three key priority areas, indicating whether the government should endorse, oppose, or consider them. Detailed explanations can be found in Table 1.

Case Studies: Three case studies, two from young people with disability and one from a parent are presented to offer supporting evidence for Priority Area One – Inclusive Education.



Priority areas

While CYDA supports several recommendations from the DRC final report, too many to address comprehensively here, our focus centres on three key priority areas. These areas are crucial for the government to prioritise, given their significance to children and young people with disability.

Priority Area 1: Drive Inclusive Education

The meaning of inclusive education is explained in (General Comment No.4, 2016) and states that 'segregated models of education, which exclude students with disabilities from mainstream and inclusive education on the basis of disability', contravenes the Convention on the Rights of Persons with Disabilities (CRPD) (General Comment No.6, 2018).

Australia's Disability Strategy 2021- 2031 is a nationally agreed commitment to undertake actions to realise CRPD, Priority 2- Education and Learning, to "Build capability in the delivery of inclusive education to improve educational outcomes for school students with disability:

*"Students with disability have a right to access and participate in education on the same basis as students without disability, in an environment free from bullying, harassment or exclusion."*¹

Segregation is discrimination. However, we know from our research,² that of the 231 students surveyed, 70% face significant levels of exclusion from school activities and an alarming, 65% of students reported experiencing bullying in schools.

Transformation to a fully inclusive education system is needed to enable students with disability to participate fully and safely.

Recommendation: CYDA calls for national and state and territory government action to ensure inclusive education and phase out segregated education via a more ambitious timeframe than the one detailed in the DRC final report (Recommendation 7.14). Transformation is needed to ensure a fully inclusive education model including:

1. Developing a National Inclusive Education Plan aligned to Australia's Disability Strategy with legislation to support inclusive education from early childhood education through to tertiary level education.
2. Ensuring the National School Reform Agreement (NSRA) and Commonwealth funding model supports and incentivises inclusive education, by holding states.

¹ [Australia's Disability Strategy 2021- 2031](#)

² Dickinson, H., Smith, C., Faulkner, A. (2023) "I think the teachers need more help" Voices of experience from students with disability in Australia. CYDA Youth Education Survey 2022. Report prepared for Children and Young People with Disability Australia (CYDA), Melbourne.

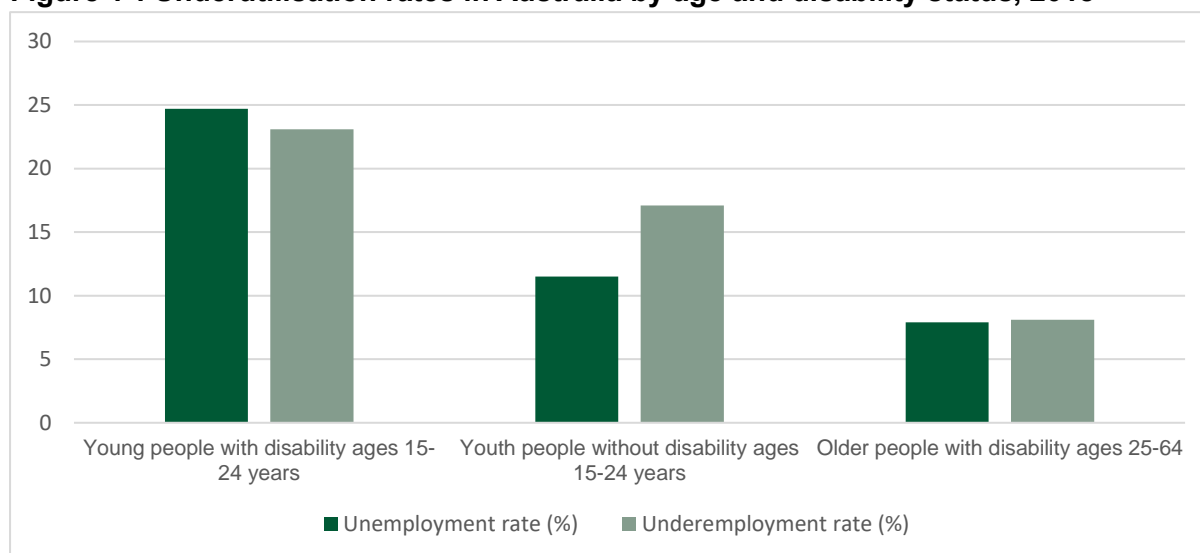
and territories accountable to deliver the full inclusion of all students in mainstream school settings.

3. Implementing an independent oversight body to ensure that providers of education at all levels are meeting their statutory and legal obligations and complaints can be independently investigated, monitored, and resolved.

Priority Area 2: Deliver on Inclusive Employment

Young people with disability are one of the most disadvantaged cohorts in the labour market and the barriers they experience in finding quality and stable work are complex and multi-faceted. The group are three times as likely to be unemployed than older adults³ with disability (24.7 per cent compared to 7.9 per cent).⁴ Young people with disability are also more than three times as likely to be underemployed⁵ — meaning they have the capacity and desire to work more hours, beyond the level to which they are currently employed.

Figure 1*: Underutilisation rates in Australia by age and disability status, 2018



*Source: Australian Institute of Health and Welfare (2022)

Young people are more likely to bear the brunt of economic downturn, with employers more reluctant to hire or retain younger workers due to their limited experience and lower skills during periods of cyclical weakness.⁶ This is evident in the ongoing COVID-19 economic crisis, with young workers being disproportionately impacted⁷.

³ Aged 26-64 years old

⁴ AIHW. (2020). *People with disability*. Available at <https://www.aihw.gov.au/reports/disability/people-with-disability-in-australia/contents/employment/unemployment>

⁵ 23.1% per cent rate of underemployment compared to 8.3 per cent of older adults with disability; AIHW (2020).

⁶ Dhillon, Z., & Cassidy, N. (2018). *Labour market outcomes for younger people*. Available at [Labour Market Outcomes for Younger People | Bulletin – June Quarter 2018 | RBA](#)

⁷ Youth Affairs Council Victoria. (2020). *A COVID-19 recovery plan for young people*. Available at <https://www.yacvic.org.au/advocacy/covid-19-recovery/#TOC-1>

According to the Productivity Commission⁸, people who experience negative shocks in the labour market go on to experience ‘scarring’ effects on their longer-term employment and earnings prospects.

As a person with disability, young people are also more disadvantaged in the labour market because of the systemic discrimination they experience from employers and the employment environment, and the lack of reasonable adjustments that enable the cohort to participate on an equal basis to their non-disabled peers.

Recommendation: We urge government to deliver an employment service system that enables young people to thrive and mitigate against psychological stress by;

- Introducing early transition pathways from education to employment
- Transforming to an inclusive employment pathway by building a new road to a place where young people, including those with an intellectual disability are respected, included, and valued before closing models of segregated employment, such as Australian Disability Enterprises (ADEs).
- Removing unhelpful and harmful income support compliance requirements by uncoupling mutual obligation requirements and sanctions from income support.
- Prioritising individualised and holistic service delivery - rather than focusing on compliance requirements - to better address complex structural vocational and non-vocational barriers to employment.

Priority Area 3: Eliminate Restrictive Practices

CYDA maintains that restrictive practices, including restraint and seclusion, must be eliminated and constitute a breach of human rights. There is no safe way to implement restrictive practice, and it should only be used ‘in very limited circumstances’ and as a ‘last resort’.⁹ According to CYDA’s 2019 survey of 500+ young people with disability and families and caregivers of children, almost one in three students with disability, 30.9% (156), experienced restraint or seclusion. Restraint and seclusion is a breach of the human rights of students with disability¹⁰. It also causes trauma and harm to students with disability.

Restraint encompasses a range of interventions intended to manage student behaviour. It can include physical restraints, where a device, such as a belt, is used to restrain students. It can also include chemical restraint using medication to change a

⁸ de Fontenay, C., Lampe, B., Nugent, J. and Jomini, P. (2020). *Climbing the jobs ladder slower: Young people in a weak labour market*. Available at <https://www.pc.gov.au/research/supporting/jobs-ladder/jobs-ladder.pdf>

⁹ <https://cyda.org.au/time-for-change-the-state-of-play-for-inclusion-of-students-with-disability/>

¹⁰ McCarthy, T (2018) Regulating restraint and seclusion in Australian Government Schools, A Comparative Human Rights Analysis, QUT Law Review Volume 18, General Issue 2 pp. 194–228 ISSN: Online–2201-7275

person's behaviour and psychological restraint, which include the use of coercion or limit-setting to manage behaviour.

Seclusion is the confinement of a person in a room or area from which their free exit is prevented. Restraint and seclusion are often justified as being necessary to protect themselves and others from harm and has harmful implications for school students. See Case Study 1 in this submission.

“Research has demonstrated that in practice, restraint and seclusion are used in school settings for a variety of purposes beyond or in addition to a protective purpose, including as a means of coercion, discipline, convenience or retaliation.”¹¹

Recommendation: We call on governments to introduce legislation, nationwide to reduce and eliminate restrictive practice covering all settings, such as health, housing, and disability services where restrictive practice occurs including education. Policy, guidance, and training across all settings is also required to successfully implement the legislation.

¹¹ McCarthy, T (2018), p. 200, citing a range of research



CYDA response to DRC recommendations

Recommendation 7, Inclusive Education and Employment

Recommendation 6, Restrictive Practices

Our analysis of the DRC recommendations, which focuses on three priority areas, detailed in Table 1 below, is comprehensive and draws from the contribution of a range of experts, including young people with disability, education academics and CYDA staff with lived experience and expertise.

Although we support most recommendations outlined in the DRC final report, our analysis uncovers areas that raise concerns, therefore we have chosen to oppose some of the recommendations. We are particularly concerned by the commissioners' split decision on phasing out segregated settings, as we believe this creates division in the community and stalls progress toward a pathway of inclusion and a society that is genuinely inclusive of people with disability.

In our thorough analysis, we strongly urge the government to carefully consider and respond to our decisions regarding the endorsement, consideration, or rejection of relevant DRC recommendations. We request the government take decisive action, as outlined in Table 1, to address and mitigate the potential harm to children and young people effectively.

Note: We intentionally focused our comments on prioritised areas of key concern within our community and, therefore, have not addressed every DRC recommendation.

Table 1 CYDA Analysis - DRC Recommendations 6 & 7

DRC Recommendation #	CYDA's Recommendations to Government Action: Endorse/ Oppose/ Consider	Call for government to act
Volume 7, Part A: Inclusive Education		
Note: We intentionally focused our comments on prioritised areas of key concern within the CYDA community and have not addressed every DRC recommendation.		
Recommendation 7.1 Provide equal access to mainstream education and enrolment	Endorse	Ensure legal entitlements for enrolment and adjustments under the Disability Discrimination Act and Disability Standards for Education nationwide. Combat gatekeeping in education by including targets, reporting, and accountability in the National School Reform Agreement. Support dissemination of clear materials on school record-keeping & rights for students and families.

DRC Recommendation #	CYDA's Recommendations to Government Action: Endorse/ Oppose/ Consider	Call for government to act
Recommendation 7.2 Prevent the inappropriate use of exclusionary discipline against students with disability	Endorse	Support the recommendation to review the inappropriate use and over representation of exclusionary discipline used against students with disability. All states and territories: Integrate measures in the next NSRA for national progress. Learn from South Australia's efforts to combat over representation of students with disabilities in suspensions and expulsions.
Recommendation 7.5 Careers guidance and transition support services	Consider	Appropriate guidance and support to further education or work need to start earlier than Year 9. Facilitate structures that foster confidence and independence that set students up for success in the workplace.
Recommendation 7.9 Data, evidence and building best practice	Endorse	Prioritise investment in national data collection across education that informs targets and outcomes for a range of intersecting priority equity cohorts, including correlation of enrolment, attendance and engagement information with input from children and young people to provide a clearer view of experiences in education settings.
Recommendation 7.11 Stronger oversight and enforcement of school duties	Endorse	While increased enforcement is beneficial, providing support for schools to attain the desired outcomes is crucial. Combining enforcement and accountability measures represents positive progress.
Recommendation 7.12 (d) Improving funding	Endorse	Accountability and transparency for students and families to ensure the allocated funds for people/students with disability are being used appropriately.
Recommendation 7.13 National Roadmap to Inclusive Education	Endorse	Support the recommendation to implement a roadmap to inclusive education to ensure sustained momentum and a pathway to transform into an Inclusive Education model.
Recommendation 7.14 Phasing out and ending special/segregated education	Endorse, yet with a more ambitious timeline	Support Commissioners Bennett, Galbally, and McEwin's call for federal and state governments to acknowledge Article 24 of the CRPD and address its incompatibility with our current dual-track education system. CYDA advocates for prohibiting enrolments in segregated settings for children entering their first year of school starting in 2025.

DRC Recommendation #	CYDA's Recommendations to Government Action: Endorse/ Oppose/ Consider	Call for government to act
Recommendation 7.15 An alternative approach Achieving inclusion and retaining choice	Oppose	Reject Recommendation 7.15. Segregation is not a choice 'Special schools' and segregated settings are often described as necessary to support 'parent choice'. This idea of choice is a misnomer. If the school is not prepared or equipped to provide and support a child to learn with their same age peers successfully and safely, then going to a special school is not a choice. It is a matter of compromise or, in some situations, coercion.
Volume 7, Part B: Employment Note: We intentionally focused our comments on prioritised areas of key concern within the CYDA community and have not addressed every DRC recommendation.		
Recommendation 7.16 Priorities for inclusion in the new Disability Employment Services model	Endorse, but go further	Reform the disability employment service models to enable young people to thrive. Reduce psychological stress experienced by young people with disability as they engage with the disability employment service system by; <ul style="list-style-type: none"> •Removing unhelpful and harmful compliance requirements by uncoupling mutual obligation requirements and sanctions from income support. •Providing a clear evidence base that mutual obligation activities such as compulsory employment service provider appointments lead to meaningful employment outcomes for young people •Prioritising individualised and holistic service delivery - rather than focusing on compliance requirements - to better address complex structural vocational and non-vocational barriers to employment.
Recommendation 7.17 Develop education and training resources for Disability Employment Services staff	Endorse	Support the requests of young people from the CYDA community who want improved accountability systems, greater education and training for employment service provider staff as recommended in the report Employment and Financial Security Policy Paper - written by young people ¹² .
Recommendation 7.32 End segregated employment by 2034	Endorse, subject to further consultation with other Disability Representative Organisations about an appropriate timeline	Support Commissioners Bennett, Galbally, Mason and McEwin recommendation that the Australian Government Department of Social Services should develop and implement a National Inclusive Employment Roadmap to transform Australian Disability

¹² <https://cyda.org.au/livedx-2022-series-full-policy-paper-financial-security-and-employment/>

DRC Recommendation #	CYDA's Recommendations to Government Action: Endorse/ Oppose/ Consider	Call for government to act
		Enterprises (ADEs) and eliminate subminimum wages for people with disability by 2034.
Volume 6, Recommendation 6.35 Stronger Legal frameworks for the authorisation, review and oversight of restrictive practices.		
Note: We intentionally focused our comments on prioritised areas of key concern within the CYDA community and have not addressed every DRC recommendation.		
Recommendation 6.35	Endorse, but go even further	<p>Ensure that states and territories establish clear legal frameworks in disability, health, education, and justice settings, emphasising that restrictive practices are a last resort. They should only be used in response to a severe risk of harm, employing the least restrictive approach for the shortest duration possible.</p> <p>Australian Government to not only support the elimination of restrictive practices but also address the root causes by endorsing the Eight Point Action Plan outlined in A Pathway to Elimination Report (2023),¹³ which advocates ending legal authorisation for restrictive practices, deinstitutionalising and desegregating environments, and reforming service systems with a focus on trauma-informed approaches.</p> <p>Advocate for a shift in Australian societal attitudes towards the harm and discrimination caused by restrictive practices, particularly concerning children and young people with disabilities and their families.</p>
Recommendation 6.36 Immediate action to provide that certain restrictive practices must not be used	Endorse	State and territory governments should immediately adopt the list of prohibited forms of restrictive practices agreed upon by the former Disability Reform Council in 2019 and ensure that the use of seclusion on children and young people is not permitted in disability service settings.
Recommendation 6.38 Strengthening the evidence base on reducing and eliminating restrictive practices	Endorse	National Disability Research Partnership should commission a longitudinal study of the impact of positive behaviour support and other strategies to reduce and eliminate restrictive practices. This work must be led by people with disability and include young people to ensure that the settings and strategies they experience every day are included.

¹³ [Research Report - Restrictive practices: A pathway to elimination \(The University of Melbourne University of Technology Sydney The University of Sydney\) \(2023\). Page 241](#)

DRC Recommendation #	CYDA's Recommendations to Government Action: Endorse/ Oppose/ Consider	Call for government to act
Recommendation 6.40 Targets and performance indicators to drive the reduction and elimination of restrictive practices	Endorse	The Government to take leadership on eliminating restrictive practices in education settings via the next National School Reform Agreement including monitoring targets and performance indicators.



Case studies

This section comprises three case studies relating to DRC Recommendation 7 on Inclusive Education. These include two case studies featuring young people from the CYDA community who provided testimony during the Education Hearing 24. These cases serve to illuminate the school experiences of students with disability. Additionally, there is one case study from a parent of a child with disability, sharing their experience in the education system. The purpose of these case studies is to underscore the real-life impact and detrimental consequences of insufficient support systems and exclusionary practices within the education system. Direct quotes from individuals with lived experiences are included, with alterations made solely for clarity and brevity.

Case Study 1 – Britt – See table 1

About Britt

Brittney (she/her), who likes to be called Britt, is an employee at the Association for Children with Disability (ACD Tas) Inc. She has muscular dystrophy and uses a wheelchair. She has experienced barriers that are prevalent for people with disability, including discrimination, accessibility issues and inequality. Britt is actively involved in ACD's Youth Empowering Peers program and CYDA Youth Council, aspiring to be a strong advocate for disability rights.

Britt shared her experience as a witness at DRC Public Hearing 24: The experiences of children and young people with disability in different educational settings. It was held on 6th June 2022.

Case Study 2 - Gi – See Table 2

About Gi

Gi Brown (they/him) is a young, queer Koori person with neurodevelopmental, learning, and psychosocial disabilities. They are also a victim/survivor of family violence/abuse and associated systems. They've worked with organisations and government departments to inform policies and programs based on their lived experience. Gi is passionate about universal education, the rights of First Nations youth with disability, community-led care, and the everyday experiences of people with complex disability.

Gi shared their lived experience at the DRC Public Hearing 24: The experiences of children and young people with disability in different educational settings. It was held on 6th June 2022.

Case Study 3 – Peggy* – See Table 3

About Peggy and her family

"We and our two children live a life of privilege. We live in our own home, in a suburb of a large city, close to amenities and family. We have no experience of violence, addiction or significant mental health issues. We speak English as our first language, have professional qualifications in demand and have lived in our local community for 15 years. Both our children attend inclusive and welcoming government schools. We both work in supportive workplaces, close to home and have a level of literacy that allows us to navigate the complex systems that surround us."

Table 2 – Case Study Britt, young person with disability

Case study Britt (she/her): DRC Hearing 24, Education experiences	Britt experienced the following....	This meant...
<p>Segregation</p>	<p><i>“...And rather than helping me be included, the Tas [Teacher Aides] became kind of a segregation in themselves because no one wanted to be around a teacher 24/7. And it became very, very isolating.”</i></p> <p><i>“we were told that if we wanted TA staff, we had to go into the segregated learning centre, which I flat out refused to do because it didn't allow me to pursue my mainstream classes that I wanted to pursue. So I risked having no support...”</i></p> <p><i>“[my brother] and I experienced some time in out-of-home care due to Child Protection Services. This was not a great time in our life, along with everything else we had dealt with in the Education Department. [My brother] didn't have the support staff that he had in primary school in high school, and he didn't have a lot of it. So one lunchtime, with everything that had been going on, he managed to sneak out of school grounds in his electric wheelchair that's 200 kilos. Managed to be lost for an hour before they knew he was gone, and he had made it to the [redacted] Bridge and he was going to attempt suicide. He was 14 when this happened...”</i></p>	<ol style="list-style-type: none"> Increased isolation: The unnecessary presence of Teacher Aides can inadvertently lead to segregation, as peers may not want to be around a teacher all the time. This can exacerbate feelings of isolation. Limited educational opportunities: Being forced to choose between support and pursuing mainstream classes can limit educational opportunities and personal growth. Mental health challenges: The cumulative effect of these experiences, along with other daily challenges young people with disability face, can lead to severe mental health problems, including suicidal thoughts.
<p>Bullying</p>	<p>Britt told a teacher who was being extremely difficult that <i>“teachers like you are the reason I'm bullied. Teachers like you who single me out and make every little thing about my disability and highlight it to the whole classroom are why people like me get bullied. I had six months off school last year because I have social anxiety due to bullying. You triggered all of that with your actions. You constantly put me in the spotlight and, quite frankly, I was lazy in your class and you blamed it on my disability. You made everything about it...”</i></p>	<ol style="list-style-type: none"> Increased bullying: When teachers single out students because of their disability, it can lead to increased bullying from peers. This can result in severe emotional distress and social anxiety. Mental health challenges: The constant spotlight and negative attention can trigger mental health issues such as anxiety and depression. In this case, Britt had to take six months off school due to social anxiety caused by bullying.

Case study Britt (she/her): DRC Hearing 24, Education experiences	Britt experienced the following....	This meant...
		<ol style="list-style-type: none"> 3. Lower self-esteem: Being blamed for laziness due to a disability can negatively affect a student's self-esteem and self-worth. This can lead to a lack of motivation and engagement in class. 4. Feeling misunderstood: The teacher's actions show a lack of understanding and empathy towards Britt's situation. This can make the student feel misunderstood and unsupported.
<p>Isolation</p>	<p><i>"Some [Teacher's Aids (TAs)] would turn up late for shift, though, which meant that I wasn't able to eat my lunch. I would miss out on a lot of play time. Some would flat out refuse to allow my friends to push [my wheelchair], to keep me included, saying that it was their job, it was a safety rule . . ."</i></p> <p><i>It was very damaging. Especially when I tried to interrupt and say, "Can I please go play" and was told that I was interrupting and very rude and that I had to wait. It made me feel very insignificant. Especially when my friends would come up and be really upset that I wasn't playing with them..."</i></p> <p><i>"So I would have to tell my friends, "Please go play without me. Don't miss out on your recess too." And that was really hard as a 9-year-old. I shouldn't have had to have that responsibility to kind of think of my friends above myself."</i></p>	<ol style="list-style-type: none"> 1. Feeling of insignificance: Being told that Britt is interrupting and being rude for wanting to participate can make her feel insignificant and unimportant. 2. Social isolation: The refusal of TAs to allow friends to help can lead to social isolation. This can be exacerbated when Britt feels the need to tell their friends to go play without them to avoid interrupting the TAs' conversation. 3. Exclusion from socialising with friends in the school playground is ultimately a form of harmful restrictive practice. 4. Impact on friendships: These experiences can also impact their relationships with their peers. Young person's friends may not fully understand the situation and may feel rejected or confused.

Table 3 – Case Study Gi, young person with disability

Case study Gi (they/them): DRC Hearing 24, Education experiences	Gi experienced the following....	This meant...
<p>Lack of pathways from education to employment</p>	<p><i>“The best way that I can describe leaving school was being pushed off the edge of a cliff. My routine disappeared. I lost almost all of my social connection, and I had absolutely no idea what my next step was supposed to be. There was zero support or preparation from the school. There was nothing about pathways or what to expect or where to ask for help.”</i></p> <p><i>“I had managed to finish school even after years of suicidal thoughts, self-harm, attempting to look for ways to leave school and looking for alternate education, and what I've taken away from that is just traumatic memories. And even two years on I still get nightmares about school and the constant self-doubt that made - maybe my peers and my teachers were right, that maybe I was a freak and maybe I was a weirdo and there was - I was destined to go nowhere and that there was something wrong with me.”</i></p>	<ol style="list-style-type: none"> 1. Uncertainty and lack of transition support: The lack of guidance and support from the school at key transition stages can leave young people feeling lost and unsure about their future. This can exacerbate feelings of anxiety and uncertainty. 2. Trauma and mental health challenges: Experiencing suicidal thoughts, self-harm, and bullying can lead to trauma and severe mental health issues. These experiences can continue to have lifelong effects, as evidenced by the nightmares and self-doubt even after finishing school. 3. Negative self-perception: Being made to feel like a “freak” or “weirdo” by peers and teachers can lead to a negative self-perception and affect their self-confidence and autonomy.
<p>Bullying</p>	<p><i>I found that I couldn't connect with my peers very well or make friends, and I was often bullied... and I watched other disabled students go through similar experiences. Cases of bullying against disabled students were often brushed off, as it was easier for us to be removed from the environment than what it was to stop the bullying behaviour. I learnt to stop telling my family or my teachers about the bullying and harassment because I knew nothing would be done and it would only make it worse. The last time that I had said something about it, the school counsellors had me sit in a room full of my bullies with zero warning or prior explanation and forced them to apologise to me and, as you can imagine, that made me a much bigger target.</i></p> <p><i>It was seen to be a better solution to hide and to isolate disabled students, many of</i></p>	<ol style="list-style-type: none"> 1. Increased isolation: The practice of removing disabled students from the environment instead of addressing the bullying can lead to increased feelings of isolation. This can be particularly damaging for those who may already feel isolated due to their disability. 2. Loss of trust: The lack of action from teachers and family members can lead to a loss of trust in these support systems. This can make the individual feel alone and unsupported. 3. Increased bullying: Being forced to confront bullies without proper support or preparation can exacerbate the bullying, as it may make the individual a bigger target.

Case study Gi (they/them): DRC Hearing 24, Education experiences	Gi experienced the following....	This meant...
	<p><i>us who were already experiencing a lot of isolation, to prevent bullying than what it was to educate our peers and reprimand bullying and harassing behaviours. Solutions used often alluded to disabled students being the problem in bullying</i></p>	
<p>Inadequate support in schools</p>	<p><i>“I had many teachers constantly acknowledge that I was obviously struggling and that I needed help and yet it never came. I even had teachers come to me and tell me that they suspected I was autistic and ADHD, such blatant recognition that never turned into any action. ... [the comments] often left me feeling like there was something wrong with me. Any action on involving my support systems, on directing me on what to do or where to go for help, supporting me in class if they saw that I was struggling, just anything would have helped beyond odd comments.”</i></p> <p><i>“School infrastructure would only be made accessible as a disabled student enrolled, and numbers of disabled students over the years dwindled as many of us were left with no options but to either leave school or enter special schools.”</i></p>	<ol style="list-style-type: none"> 1. Feeling unsupported: The lack of action despite the recognition of their struggles can make them feel unsupported and neglected. This can lead to feelings of frustration and helplessness. 2. Accessibility issues: The fact that school infrastructure is only made accessible when a disabled student enrolls can make them feel like an afterthought. This can also limit their access to education. 3. Limited options: The dwindling numbers of disabled students and the lack of options can lead to feelings of isolation and exclusion. This can also limit their opportunities for social interaction and personal growth. 4. Forced decisions: Being left with no options but to leave school or enter special schools can force them into decisions they may not want to make. This can affect their educational trajectory and future opportunities.

Table 4 - Case Study Peggy*¹⁴ as described by her parent

Case study Peggy*: Priority Area Inclusive Education	Peggy experienced the following.... ...as described by her parent...	This meant...
Low expectations	<i>“Peggy is continually underestimated and talked down to. People see wheelchair, small for her age and immediately assume she is not capable of what is expected of someone her same age. Even after six years in the same school and a reasonably good experience of being integrated into the classroom, for example, she is still being taught counting. She is denied the opportunity to succeed or fail at the same things as other students. This term her class, as year 6 leaders, are responsible for reading the morning notices over the public address system. There is a roster, and her name is not on it. Was she asked? Was it even considered? Despite other people’s low expectations of Peggy, she notices these differences and she will disengage from people who don’t treat her in the same way that they treat other students. These low expectations add up and frustrate her as we expect more of her at home and in the places we frequent as a family.”</i>	1. Ableist attitudes: Peggy and other students with disability encounter a significant barrier in the pervasive presence of ableist attitudes within society. When teachers and peers hold low expectations due to ingrained discriminatory beliefs, this creates a detrimental ripple effect. Peggy’s classroom participation is consequently restricted, leading to a marked negative impact on her overall learning experience.
Lack of adjustments	<i>“At the same time as there are low expectations of Peggy, every term, every year, despite being at the same school from day 1, we have to advocate for reasonable adjustments to the curriculum so that Peggy can learn the same topics, the same content as her peers but in materials and methods that meet her support needs. The adjustments seem to happen because the teacher remembers, at the last minute or we prompt via questions of “what book are you covering in English this term?”. There is rarely an approach that seems considered or targeted despite Peggy’s need for adjustments being known and constant. I resist the urge each term to say “...no she hasn’t started using spoken language and she still has an intellectual</i>	1. Poorer educational outcomes: Not only for Peggy, but for other students with disability in similar situations, poorly implemented or tokenistic approaches to reasonable adjustments lead to inequitable access to education and curriculum which result in lower education attainment levels compared to those children without disability ¹⁵ . 2. Poor teacher communication: When children with disability face challenges such as a lack of teacher preparedness to effectively support students

¹⁴ * A pseudonym is used to protect the privacy of parent and child

¹⁵ Dickinson, H., Smith, C., Yates, S., Faulkner, A. (2022) Taking the first step in an inclusive life – experiences of Australian early childhood education and care. Report prepared for Children and Young People with Disability Australia (CYDA)

	<i>disability; you still need to help her engage with the content.”</i>	with disability, the research suggests that there is a high likelihood of students being bullied and experiencing exclusion and rejection ¹⁶ .
Denial of language	<i>“Peggy started school with a device with her augmented and assistive communication tool set up and ready for the classroom. The program (Proloquo2Go) was not supported by the government education system (despite being used frequently by other children with disability in special schools) at the time and the education system employed speech therapist (now in year 6 on our 7th different speech therapist at school), stated she (the therapist) had never used it. The therapist proceeded to instigate a paper-based PODD book for Peggy and was surprised when she didn’t engage with it. There was no effort made by the school to address this stalemate and teachers discouraged Peggy’s peers from using the device-based language with Peggy as it was billed as an iPad distraction rather than Peggy’s way of communicating. Years of language potential was lost with this charade, and it is my greatest regret that I did not push harder.”</i>	1. Stifling of cognitive and language learning development: Despite the evidence ¹⁷ supporting the notion that investing in childhood education, customised to individual needs, significantly enhances cognitive and social development in children, Peggy’s case stands as a stark contrast. Denied access to supportive learning tools tailored to her specific needs, her educational experience not only failed to address her requirements but also actively hindered her language development, setting her back by several years.
Exclusion and social isolation	<i>“Peggy does not have ‘friends’ at school. She has people who know her and people who care about her, but she has not experienced a depth of friendship and social and emotional connection typical of someone now 12. Is she capable? Yes. Is there any effort to support her at school in a way to make meaningful connections, no. I get the feeling from some staff members, that I should be grateful for her just being at the school. I can’t wait until year 6 is over and we can start again at high school and try to avoid the same mistakes. I’m sure there will be a whole new set of mistakes for us to make as her advocate!”</i>	1. Lifelong implications of exclusion and social isolation: Students with disability are segregated and experience exclusion at school at higher rates. The highest level of educational attainment remains lower than for children and young people without disability. These inequities can have lifelong implications. Research shows that people with disability are more likely to experience poverty, are less likely to be in work, and more likely to be socially isolated in adulthood ¹⁸ .

¹⁶ Dickinson, H., Smith, C., Faulkner, A. (2023) “I think the teachers need more help” Voices of experience from students with disability in Australia. CYDA Youth Education Survey 2022. Report prepared for Children and Young People with Disability Australia (CYDA),

¹⁷ Dickinson, H., Smith, C., Yates, S., Faulkner, A. (2022) Taking the first step in an inclusive life – experiences of Australian early childhood education and care. Report prepared for Children and Young People with Disability Australia (CYDA)

¹⁸ Dickinson, H., Smith, C., Faulkner, A. (2023) “I think the teachers need more help” Voices of experience from students with disability in Australia. CYDA Youth Education Survey 2022. Report prepared for Children and Young People with Disability Australia (CYDA)

Children and Young People with Disability Australia

Suite 8, 134 Cambridge Street Collingwood VIC 3066

PO Box 172, Clifton Hill VIC 3068

Phone 03 9417 1025 or

1800 222 660 (regional or interstate)

Email info@cyda.org.au

ABN 42 140 529 273

Facebook: www.facebook.com/CydaAu

X/Twitter: @CydaAu

Instagram: cydaaus

www.cyda.org.au