**Australia’s Combined Second and Third Periodic Report under the Convention on the Rights of Persons with Disabilities**

Appendices

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# Appendix I – Introduction

## Consultation with non-government organisations

The following organisations were invited to submit comments on the Australian Government’s draft report.

1. Australian Human Rights Commission
2. Amnesty international
3. Anti-Slavery Australia
4. Australian Council of Social Services
5. Australian Lawyers for Human Rights
6. Australian Women Against Violence Alliance
7. Disabled People's Organisations Australia
8. Federation of Ethnic Communities Councils of Australia
9. First People's Disability Network
10. Human Rights Law Centre
11. Human Rights Watch
12. International Social Services Australia
13. Kingsford Legal Centre
14. Law Council of Australia
15. National Aboriginal and Torres Strait Islander Legal Services
16. National Association of Community Legal Centres
17. National Children's and Youth Law Centre
18. National Congress of Australia's First People
19. National Ethnic Disability Alliance
20. National Family Violence Prevention Legal Services
21. National Social Security Rights Network
22. Organisation of Intersex International Australia
23. People With Disability Australia
24. Public Interest Advocacy Centre
25. Refugee Council of Australia
26. Save the Children
27. Sisters Inside Inc
28. SNAICC
29. Uniting Justice Australia
30. UNICEF Australia
31. Women With Disabilities Australia
32. Australian Centre for Disability Law
33. Australian Federation of Disability Organisations
34. National Disability Services
35. Physical Disability Australia
36. Children and Young People with Disability Australia
37. Justice Connect

# Appendix II – Key Issue 18 (Freedom from torture etc)

## 2015 Senate inquiries about the use of restrictive practices

1. *Senate Education and Employment References Committee Inquiry into current levels of access and attainment for students with disability in the school system, and the impact on students and families associated with inadequate levels of support.*
2. *Senate Community Affairs References Committee Inquiry into violence, abuse and neglect against people with disability in institutional and residential settings, including the gender and age related dimensions, and the particular situation of Aboriginal and Torres Strait Islander people with disability, and culturally and linguistically diverse people with disability.*

# Appendix III – Key Issue 22 (Living independently and being included in the community)

## Australian Institute of Health and Welfare report on disability support services

Services provided under the National Disability Agreement 2015–16

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Disability service users** | **Percentage of disability service users in 2015-16** | **Living in private residences** | **Domestic-scale supported living facilities** | **Supported accommodation facilities** | **Other accommodation** |
| Gender |
| Male | 58.7% | 80.1% | 5.2% | 2.9% | 11.8% |
| Female | 41.3% | 81.5% | 5.1% | 2.6% | 10.8% |
| Ethnicity |
| Born in Australia | 85.9% | 80.1% | 5.6% | 3.0% | 11.3% |
| Born overseas – non-English speaking | 9.7% | 86.1% | 1.8% | 1.3% | 10.8% |
| Born overseas –English speaking | 4.4% | 83.5% | 2.5% | 1.8% | 12.2% |
| Disability type |
| intellectual/learning disability | 41.7% | 76.2% | 9.8% | 4.4% | 9.6% |
| physical or diverse disability | 29.3% | 84.7% | 2.3% | 1.9% | 11.2% |
| psychiatric disability | 19.7% | 80.5% | 1.0% | 1.7% | 16.8% |
| sensory or speech disability | 9.4% | 88.2% | 0.7% | 0.6% | 10.4% |
| Age in years |
| under 50 | 72.5% | 82.8% | 3.9% | 2.0% | 11.3% |
| 50 to 64 | 22.3% | 77.3% | 8.1% | 4.6% | 10.1% |
| 65+ | 5.2% | 66.2% | 9.6% | 6.2% | 18.0% |

# Appendix IV – Key Issue 24 (Education)

## Table 1: Report on Government Services 2018 – School Education – Funded students with disability

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
|  | **Funded students with disability (a), (b), (c)** |  |  |  |  |  |  |
|   |   |   |  |  | *Unit* | *NSW* | *Vic* | *Qld* | *WA* | *SA* | *Tas* | *ACT* | *NT* | *Aust* |
| **Total funded students with disability (d)** |  |  |  |  |  |  |  |  |
| **2016** |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  | Government schools | no. |  51 131 |  32 944 |  31 198 |  11 679 |  15 447 |  4 594 |  2 228 |  4 943 |  154 164 |
|  | Non-government schools | no. |  20 567 |  13 887 |  9 807 |  3 811 |  4 418 |  1 221 |  846 |  846 |  55 405 |
|  | All schools |  | no. |  71 698 |  46 832 |  41 005 |  15 490 |  19 865 |  5 815 |  3 074 |  5 790 |  209 569 |
| **Funded students with disability as a proportion of all full time students, by school sector (e)** |  |  |  |  |
| **2016** |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  | Government schools | % | 6.6 | 5.6 | 5.9 | 4.3 | 9.1 | 8.2 | 5.5 | 16.9 | 6.3 |
|  | Non-government schools | % | 5.0 | 4.1 | 3.7 | 2.8 | 4.7 | 5.0 | 3.1 | 7.3 | 4.2 |
|  | All schools |  | % | 6.0 | 5.0 | 5.2 | 3.8 | 7.5 | 7.2 | 4.6 | 14.1 | 5.5 |
| **2015** |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  | Government schools | no. | 6.5 | 5.7 | 5.6 | 4.3 | 9.0 | 8.4 | 5.4 | 5.9 | 6.1 |
|  | Non-government schools | no. | 4.9 | 3.9 | 3.4 | 2.6 | 4.3 | 4.6 | 3.0 | 7.1 | 4.0 |
|  | All schools |  | no. | 6.0 | 5.0 | 4.9 | 3.7 | 7.3 | 7.2 | 4.4 | 6.3 | 5.4 |
| **2014** |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  | Government schools | no. | 6.4 | 5.6 | 5.8 | 4.4 | 9.0 | 8.8 | 5.3 | 4.9 | 6.1 |
|  | Non-government schools | no. | 4.7 | 3.7 | 3.2 | 2.5 | 4.1 | 4.1 | 2.8 | 6.8 | 3.9 |
|  | All schools |  | no. | 5.8 | 4.9 | 5.0 | 3.8 | 7.2 | 7.4 | 4.3 | 5.4 | 5.3 |
| **2013** |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  | Government schools | no. | 6.4 | 6.3 | 5.6 | 4.3 | 8.9 | 7.9 | 5.2 | 4.4 | 6.2 |
|  | Non-government schools | no. | 4.4 | 3.6 | 2.9 | 2.5 | 3.8 | 3.6 | 2.6 | 4.9 | 3.6 |
|  | All schools |  | no. | 5.7 | 5.3 | 4.7 | 3.7 | 7.0 | 6.6 | 4.1 | 4.5 | 5.3 |
| **2012** |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  | Government schools | no. | 6.3 | 6.2 | 5.3 | 4.8 | 9.2 | 5.6 | 5.2 | 5.3 | 6.1 |
|  | Non-government schools | no. | 4.2 | 3.5 | 2.7 | 2.5 | 3.7 | 3.0 | 2.3 | 4.3 | 3.4 |
|  | All schools |  | no. | 5.6 | 5.2 | 4.5 | 4.0 | 7.2 | 4.8 | 3.9 | 5.0 | 5.1 |
|   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| (a) | To be an eligible student with disability, the student (among other things) must satisfy the criteria for enrolment in special education services or special education programs provided by the government of the state or territory in which the student resides. Data should be used with caution as these criteria vary across jurisdictions, for example, SA data include a large number of students in the communication and language impairment category. This subset of students is not counted by other States/Territories under funded students with disability. Other States/Territories fund these students with other specific programs. |
| (b) | Care should be taken when comparing data in this table with the Nationally Consistent Collection of Data on Students with Disability (NCCD). The NCCD has been designed to collect information on the full range of students receiving adjustments to support their access and participation in learning because of disability. The definition of disability in the NCCD is broader than the definition of disability used for the data in the table above and as a result higher numbers of students are reported. Data on the proportions of students receiving adjustments at school because of disability are available from the Education Council website (http://scseec.edu.au/EC-Reports-and-Publications.aspx). NCCD data are available for 2015 and 2016 only. |
| (c) | Excludes Full Fee Paying Overseas students from both the government and non-government sectors as well students on Christmas and Cocos Islands. |
| (d) | Total students with disability is the number of full time equivalent students. |
| (e) | The ABS total student data refer to full time students. |  |  |  |  |  |  |  |
| Source: | [www.pc.gov.au/research/ongoing/report-on-government-services/2018/child-care-education-and-training/school-education/rogs-2018-partb-chapter4.pdf](file:///C%3A/Users/daviea/AppData/Local/Microsoft/Windows/Temporary%20Internet%20Files/Content.Outlook/9OX8V1DN/www.pc.gov.au/research/ongoing/report-on-government-services/2018/child-care-education-and-training/school-education/rogs-2018-partb-chapter4.pdf) |

## Table 2: Education Council – 2017 – Students in Australian schools receiving adjustments for disability, by level of adjustment

***(Compiled from the Nationally Consistent Collection of Data on Schools Students with Disability (NCCD))***

Students with disability receiving adjustments by level of adjustment as a percentage of the total student population in each state and territory and nationally (2017)

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Level of Adjustment** | **NSW** | **VIC** | **QLD** | **SA** | **WA** | **TAS** | **NT** | **ACT** | **National** |
| Support within QDTP | 4.3% | 7.5% | 6.1% | 7.4% | 8.9% | 4.4% | 6.6% | 3.7% | 6.2% |
| Supplementary  | 10.8% | 6.6% | 6.1% | 9.2% | 8.3% | 5.0% | 10.7% | 6.6% | 8.2% |
| Substantial | 2.8% | 3.1% | 3.3% | 3.1% | 2.5% | 2.5% | 6.6% | 2.5% | 3.0% |
| Extensive | 1.4% | 1.9% | 1.4% | 1.4% | 0.8% | 0.8% | 2.8% | 1.0% | 1.5% |
| All Adjustments | 19.2% | 19.1% | 16.8% | 21.0% | 20.5% | 12.7% | 26.8% | 13.7% | 18.8% |

NB: Numbers may not add up due to rounding.

## Table 3: Education Council – 2017 – Students in Australian schools receiving adjustments for disability, by category of disability

Students with disability receiving adjustments by category of disability as a percentage of the total student population in each state and territory and nationally (2017)

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Categories of Disability** | **NSW** | **VIC** | **QLD** | **SA** | **WA** | **TAS** | **NT** | **ACT** | **National** |
| Cognitive | 10.8% | 9.6% | 9.5% | 13.5% | 11.8% | 7.6% | 12.0% | 7.4% | 10.4% |
| Physical | 2.7% | 3.5% | 1.6% | 1.8% | 5.0% | 1.9% | 3.0% | 1.5% | 2.8% |
| Sensory | 0.6% | 0.5% | 1.0% | 0.8% | 0.8% | 0.3% | 2.3% | 0.5% | 0.7% |
| Social-emotional | 5.1% | 5.5% | 4.8% | 4.8% | 2.9% | 2.8% | 9.5% | 4.3% | 4.9% |
| All Categories of Disability | 19.2% | 19.1% | 16.8% | 21.0% | 20.5% | 12.7% | 26.8% | 13.7% | 18.8% |

NB: Numbers may not add up due to rounding.

Source: Education Council: [www.educationcouncil.edu.au/site/DefaultSite/filesystem/documents/Reports%20and%20publications/Publications/Glossy%202017%20NCCD%20Public%20Report%20FINAL.pdf](http://www.educationcouncil.edu.au/site/DefaultSite/filesystem/documents/Reports%20and%20publications/Publications/Glossy%202017%20NCCD%20Public%20Report%20FINAL.pdf)

|  |
| --- |
| Table 4: Australian Institute of Health and Welfare – Participation in education by people aged 5-20 with disability living in households, by selected disability status and severity, 2003 and 2015 |
|  |  |  |  |  |  |  |  |  |
|  | **2003** |  | **2015** |  | **Change 2003 to 2015** |
|   | **Disability with severe/profound core activity limitation** | **All with disability** |  | **Disability with severe/profound core activity limitation** | **All with disability** |  | **Disability with severe/profound core activity limitation** | **All with disability** |
|  | **(‘000)** |  | **%** |
| **Selected schooling restrictions** |  |  |  |  |  |  |  |  |
| Special class | 40.1 | 81.5 |  | 36.9 | 63.3 |  | –8.0 | –22.3 |
| Special school | 32.0 | 36.4 |  | 42.0 | 49.0 |  | 31.3 | 34.6 |
| Need 1+ days offweekly | 11.6(a) | 22.7 |  | 20.8 | 33.3 |  | 79.3 | 46.7 |
| Has difficulty at school | 108.9 | 201.2 |  | 124.5 | 216.3 |  | 14.3 | 7.5 |
| Assistance from person | 82.6 | 142.8 |  | 98.5 | 154.9 |  | 19.2 | 8.5 |
| Equipment/arrangements | 59.0 | 90.0 |  | 73.5 | 111.6 |  | 24.6 | 24.0 |
| No restriction | 13.4 | 75.7 |  | 12.6 | 62.5 |  | –6.0 | –17.4 |
| **Total attending school** | **148.4** | **323.0** |  | **164.6** | **336.1** |  | **10.9** | **4.1** |
| **Selected reasons for not attending school** |  |  |  |  |  |  |  |  |
| Condition(s) prevent(s) school attendance | 6.0(a) | 8.6(a) |  | 8.8 | 13.1 |  | 46.7 | 52.3 |
| Finished school | 13.5 | 68.8 |  | 17.4 | 56.7 |  | 28.9 | –17.6 |
| **Total not attending school** | **21.5** | **84.4** |  | **31.5** | **78.6** |  | **46.5** | **–6.9** |
|  | **Per cent** |  | **Percentage points** |
| **Selected schooling restrictions** |  |  |  |  |  |  |  |  |
| Special class | 27.0 | 25.2 |  | 22.4 | 18.8 |  | –4.6 | –6.4 |
| Special school | 21.6 | 11.3 |  | 25.5 | 14.6 |  | 4.0 | 3.3 |
| Need 1+ days offweekly | 7.8 | 7.0 |  | 12.6 | 9.9 |  | 4.8 | 2.9 |
| Has difficulty at school | 73.4 | 62.3 |  | 75.6 | 64.4 |  | 2.3 | 2.1 |
| Assistance from person | 55.7 | 44.2 |  | 59.8 | 46.1 |  | 4.2 | 1.9 |
| Equipment/arrangements | 39.8 | 27.9 |  | 44.7 | 33.2 |  | 4.9 | 5.3 |
| No restriction | 9.0 | 23.4 |  | 7.7 | 18.6 |  | –1.4 | –4.8 |
| **Total attending school** | **100.0** | **100.0** |  | **100.0** | **100.0** |  | **. .** | **. .** |
| **Selected reasons for not attending school** |  |  |  |  |  |  |  |  |
| Condition(s) prevent(s) school attendance | 27.9 | 10.2 |  | 27.9 | 16.7 |  | — | 6.5 |
| Finished school | 62.8 | 81.5 |  | 55.2 | 72.1 |  | –7.6 | –9.4 |
| **Total not attending school** | **100.0** | **100.0** |   | **100.0** | **100.0** |  | **. .** | **. .** |
| (a) Estimate has a relative standard error of 25% to 50% and should be used with caution. |
| Notes:  |
| 1. A person may experience more than one type of schooling restriction.
 |
| 1. Figures are rounded and discrepancies may occur between sums of the component items and totals because of ABS confidentiality and perturbation processes.
 |
| Source: AIHW analysis of the ABS 2003 and 2015 Surveys of Disability, Ageing and Carers data. Findings based on use of ABS TableBuilder data. |

|  |
| --- |
| Table 5: Australian Institute of Health and Welfare – Completion of Year 12 or equivalent by people aged 20 or over, by selected disability status and severity, 2003 and 2015 |
|  |  |  |  |  |  |  |  |  |  |  |  |
|  | **2003** |  | **2015** |  | **Change 2003 to 2015** |
|   | **Disability with severe/profound core activity limitation** | **All with disability** | **No disability**  |  | **Disability with severe/profound core activity limitation** | **All with disability** | **No disability**  |  | **Disability with severe/profound core activity limitation** | **All with disability** | **No disability**  |
|  | **(‘000)** |  | **%** |
| Completed Year 12 or equivalent | 167.9 | 794.5 | 5,356.4 |  | 239.6 | 1,158.5 | 8,464.7 |  | 42.7 | 45.8 | 58.0 |
| Didn't complete Year 12 or equivalent | 703.3 | 2,538.6 | 5,653.0 |  | 724.1 | 2,495.4 | 5,223.4 |  | 3.0 | –1.7 | –7.6 |
| **Total** | **871.2** | **3,333.1** | **11,009.4** |  | **964.7** | **3,655.3** | **13,686.6** |  | **10.7** | **9.7** | **24.3** |
|  | **Per cent** |  | **Percentage points** |
| Completed Year 12 or equivalent | 19.3 | 23.8 | 48.7 |  | 24.8 | 31.7 | 61.8 |  | 5.6 | 7.9 | 13.2 |
| Didn't complete Year 12 or equivalent | 80.7 | 76.2 | 51.3 |  | 75.1 | 68.3 | 38.2 |  | –5.7 | –7.9 | –13.2 |
| **Total** | **100.0** | **100.0** | **100.0** |  | **100.0** | **100.0** | **100.0** |  | **. .** | **. .** | **. .** |
| Note:Figures are rounded and discrepancies may occur between sums of the component items and totals because of ABS confidentiality and perturbation processes. |
| Source: AIHW analysis of the ABS 2003 and 2015 Surveys of Disability, Ageing and Carers data. Findings based on use of ABS TableBuilder data. |