

# Victorian Disability Advisory Council

The Victorian Disability Advisory Council (the Council) thanks the Hon Luke Donnellan MP, Minister for Disability, Ageing and Carers and the Department of Health and Human Services for the opportunity to provide a submission to the Victorian parliamentary inquiry into anti-vilification protections.

Established under the **Disability Act 2006**, the role of the Council is to provide advice to the Minister for Disability, Ageing and Carers around what Government can do to build a more inclusive Victoria and to increase opportunities for people with disability. The Council has an important role in assisting with the development and oversight of Victoria's state disability plan as well as a broader role to promote the rights and inclusion of people with disability. In line with the first priority of the current state disability plan **Absolutely everyone: state disability plan 2017-2020**, Council has a particular interest in driving a change in community attitudes towards people with disability.

A research survey of 1000 Victorians commissioned by the Victorian Government in 2018 around community attitudes highlighted some particular areas of concern, including attitudes towards people with disability in schools and workplaces, towards people with psychosocial and/or intellectual disability, and towards parents with disability.<sup>[1]</sup> Negative community attitudes result in derogatory treatment and bullying of people with disability, which can have significant long-term term impacts.<sup>[2]</sup>

Many people are surprised to learn that protection from vilification in Victoria only applies to race and religion and no other cohorts. Council's view is that the scope of the **Racial and Religious Tolerance Act 2001** (RRTA) should be extended to include vilification of other vulnerable or minority cohorts, including LGBTIQ+ people and people with disability. Further, Council believes the definition of vilification should be broad enough to encompass the incitement of hate by a third party.

Council notes the significant increase in online activity and services since the RRTA was created in 2001, particularly with the proliferation of social media. Council is particularly concerned about the impacts of online vilification and bullying of people with disability. It is essential that any changes to Victoria's legislation and supporting processes includes online spaces.

Including disability in the scope of the RRTA would require fully accessible and well promoted reporting processes that are explained in plain English and consider potential barriers to reporting vilification, including cultural and linguistic diversity; complex communication needs; and the need for independent advocacy. There need to be processes in place to ensure accountability of perpetrators and support for the person making the complaint.

The community attitudes research also highlighted the need for more public education, with almost three quarters of respondents reporting that they are unsure how to act toward people with disability. There needs to be education about what constitutes vilification and the negative effect it has on people from minority groups, and in particular broad community education that encourages a contemporary understanding of disability, based on the social and human rights models, and the impacts of vilification, discrimination, and segregation.

<sup>[1]</sup> Bollier AM, Krnjacki L, Kavanagh A, Kasidis V, Kats kis G and Ozge J (2018). *Survey of Community Attitudes toward People with Disability: A report for the Victorian Department of Health and Human Services*. Melbourne, VIC: Disability & Health Unit, Centre for Health Equity, University of Me bourne.

<sup>[2]</sup> Krnjacki L, Priest N, Aitken Z, Emerson E, Llewellyn G, King T & Kavanagh A (2017). Disability-based discrimination and health: findings from an Australian-based population study. *Aust NZ J Public Health*. 22 November.