

INCLUSIVE LABOR

DISABILITY JUSTICE WORKING GROUP

SUBMISSION

TO THE

VICTORIAN

STATE INQUIRY INTO ABUSE IN DISABILITY SERVICES

STAGE 2

In making this Submission to the inquiry the Inclusive Labor Disability Justice Working Group will refer to people with a disability as per the Disability Act 2006, which defines "disability as an impairment that may be sensory, physical, neurological or an acquired brain injury, which results in substantially reduced capacity in at least one of the areas of self-care, self-management, mobility or communication, intellectual disability and developmental delay". (Sourced from Family and Community Development Committee 2015)

This Submission to the inquiry will refer to Disability Services as defined under s.3 in the Disability Act 2006. Abuse of people with a disability will be referred to in this submission as "in the context of abuse of people with disability, abuse can include:

- physical, emotional abuse and/or neglect
- financial abuse
- sexual abuse offences, such as rape or indecent assault under the Victorian Crimes Act 1958
- an incident that has resulted in a serious outcome, such as a client death or severe trauma
- forced treatments and interventions
- Violations of privacy and wilful deprivation". (Sourced from Family and Community Development Committee 2015)

1. Experience of Disclosing or Reporting Abuse

What experiences have people with disability, families and carers had when disclosing or reporting abuse?

After reviewing the reports referred to in the Executive summary (or reference list), people with disabilities, carers and families have highlighted the following experiences when reporting abuse and violence:

- Being blamed by the service provider, Victorian police, the Office of the Public Advocate and the Disability Services Commissioner for raising issues of violence or abuse.
- The above mentioned service providers protecting the alleged offender, by failing to investigate.
- The above named service providers refuse to believe that abuse or violence has occurred.
- Refusal of Victorian police to investigate allegations of abuse, even though they are required under s.44 of the Equal Opportunity Act 2010.
- Use of sections 29 and 30 of the Victorian Defamation Act 2005 by public authorities to discredit people with disabilities, carers and or family members in reports for investigations.
- Carers (employees) vilified by service providers, bullied and even sacked for speaking up about abuse in care.
- Family members harassed by service providers on social media i.e. face book for speaking up about abuse in care.
- Service provider's refusal to provide documents of evidence of i.e. financial mismanagement.
- Communication barriers.
- Legislative barriers, i.e. s.13 Evidence Act 2008, Disability Act 2006 & Guardianship and Administration Act 1986.
- Abuse and violence responded to as "incidents" by service providers not crime

a) Sexual assault and adults with a disability

Research indicates that “50-90% of people with cognitive disabilities are estimated to have experienced sexual assault through their lifetime” (Crossmaker 1991). “Many people are unable to disclose due to their cognitive or communication difficulties, and too often when they do disclose they are discounted. Thus the abuse is likely to have gone on for a long while without being detected, be more severe- that is more likely to involve penetration, and less likely to be believed and acted on if it is found out”(Sobsey & Doe 1991, Nosek 1997, Brown & Craft 1992, Connelly & Keilty 2000).

Barriers to disclosures operate at organisational, societal and individual levels. On an organisational level, a lack of legislation promotes a culture of “sexual assault in residential settings, namely the victim being moved rather than the perpetrator; in other words, she experienced a punitive response whereas the person committing the sexual assault was seemingly unaffected” (Victorian Ombudsman 2006). Research shows that “offenders, both staff and resident’s, will often move from facility to facility, so that when suspicions arise in one place, they move or are moved onto other facilities”(J Blyth & L Kelly Northern Sydney Sexual Assault Service 2006).

Barriers to disclosure on a societal level relates to a lack of understanding and awareness of the vulnerabilities of people with cognitive disabilities. Societies’ perceptions of people with disabilities and the “lack of education in this area is related to wider social beliefs that people with disabilities are asexual” (Suellen Murray & Anastasia Powell - Australian Institute of family studies 2008). On an individual level, many people with cognitive disabilities who live in residential settings are dependent on the people who care for them, making it difficult to report the behaviour when there is a reliance on that carer for support.

"Moving people out of institutional care has not made them safer. The rates of sexual assaults in residential facilities is high, with perpetrators having greater access and opportunity to assault highly vulnerable people” (J Blyth & L Kelly Northern Sydney Sexual Assault Service 2006). "According to Petersilia (2001) when crimes against people with a disability are disclosed, they are typically not defined as crimes, but rather as **'incidents'** and are consequently more likely to be dealt with by administrative channels within the institutional setting” (Suellen Murray & Anastasia Powell - Australian Institute of family studies 2008).

Australia currently has a two tier legal system, Tier one is for abled body people that can give information of fact in a court of law and the other is Tier 2 for non-abled bodied people that cannot communicate as required on a Tier one level.

b) Response by Victorian Police to Disclosure & Reporting

The Victorian Equal Opportunity Commission Beyond Doubt - experiences of people with disabilities reporting crime – research findings 2014, has provided an insight into barriers faced by people with a disability when they have accessed the services of the Victorian police to make a disclosure of alleged sexual assault and or other forms of abuse. ”These following examples demonstrate the barriers faced by people with disabilities making a disclosure:

- “Police responses are inconsistent
- Police refuse to accept reports
- Poor attitudes towards carers for reporting allegations of abuse
- Police member’s attitudes in some cases were derogatory, negative and paternalistic stereotypes towards people with disabilities”.

(Sourced from EOC- Beyond Doubt report – 2014)

South Australian Health and Community Services Complaints Leena Sudano reported in 2011 that “we have a reluctance of police forces to even take steps to forensics and interview people once they know the person has a serious disability or impaired capacity. The police have taken the view that because the client is impaired it wouldn’t be possible to corroborate what is alleged”.

In “Silent Victims – A study of people with intellectual disabilities as victims of crime (1988), Victorian police advised that there was a “lack of guidelines for police interviews. Police have few guidelines for alternative forms of interviewing, the use of official language and structuring of questions during an interview can militate against a witness or victim telling their story credibly”.

The Beyond Doubt 2014 report acknowledged that Victorian police have the Victorian process manual that sets out the standards for interviews of disclosure. However, “despite specialist training, SOCIT members still spoke about “being thrown in the deep end” when it came to alternative methods of communication and working with people with communication disabilities. In some cases police did not know how to communicate with people with disabilities or needed to be educated throughout the interview process”. (Sourced from EOC- Beyond Doubt report – 2014)

c) Response by Disability Service providers to Disclosure & Reporting

Disability Service providers have not had a positive history of reporting crimes of alleged sexual or physical assault or misuse of clients’ money to the police. In Silent victims “peer loyalty in situations where offences were alleged against other staff members it became clear that staff to whom such crimes were reported were confronted by a dilemma of divided loyalty and possible fear of repercussions. Some instances were reported of staff who had taken action and were consequently sent to Coventry or persecuted by other staff members”. (Silent Victims – 1988)

Staff members in disability care are surrounded by a “culture of silence, fear, hierarchy and discipline that may prevent action from being taken even when other staff members identify and report the abuse”. (Crossmaker, 1991).

A culture of Cover-up of abuse in disability Care has been consistently reported in the media:

“The Age reported on March 3, 2011

Disabled abuse: official cover-up referred to police

In the report tabled in Parliament, the Ombudsman found that acting Manager of Disability accommodation services Monica White “fabricated the preliminary assessment report”, which recommended no further action be taken, and also the record of a phone call. Mr Brouwer found DHS carers at a residential home in Clayton dragged the profoundly disabled man down a carpeted hallway, inflicting second-degree carpet burns on his back. Mr Brouwer found two women did not seek medical treatment for the man for more than 24 hours and tried to cover up their actions by suggesting the man’s injuries were self-inflicted”.

“The Age reported on March 4, 2011

Cover-up of abuse stuns disability sector

The Ombudsman’s report found that district manager Monica White provided his investigators with a “falsified” preliminary incident report. This is particularly concerning as the resident cannot speak for himself. The resident has cerebral palsy, epilepsy and can communicate only through gestures”.

“The Age reported on July 16, 2012

Abuse by carers “covered up”

Department whistle-blowers have accused managers of trying to conceal the extent of recent alleged abuse log information, altering staff diaries notes. Staff claims they have been pressured not to send emails about abuse cases and delete existing emails. The department was criticised by Ombudsman George Brouwer last year for its handling of alleged abuse of disabled people. In a report to Parliament, Mr Brouwer said a senior public servant fabricated evidence to cover up an assault on an intellectually disabled man”.

“The Age reported on July 17, 2012

Heavily bruised, and in state care

Department insiders accused public servants of failing to properly log reports of adverse incidents and pressuring staff into deleting emails in a bid to cover up the extent of alleged sexual and other assaults”.

“The Age reported on September 20, 2013

“Department goes in pursuit of whistle-blowers

The Victorian Government is spending thousands of dollars hunting whistle-blowers behind leaks about abuse of disabled people in state care, and the alleged cover-ups.. The department have been accused by staff of burying the findings of a report on a senior manager’s handling of the alleged sexual abuse of a male disabled adult by his carer last year”.

The Office of the Public Advocate conducted a research paper in 1988 on “Silent Victims – A study of people with intellectual disabilities as victims of crime, in this research it was identified that “rates of offences in institutions are underestimated for the following reasons:

- a) There was evidence from workers that many crimes were not reported officially in institutions both because of peer pressure from other staff and because of poor reporting procedures,
- b) Many people in institutions are severely disabled and may be unaware that offences are committed against them”.

The Age April 13, 2013

Poor record-keeping holds back pursuits of justice

Incompetent record keeping is depriving thousands of Victorians of life-changing information, but the Department of Human Services has “a profound conflict of interest” because fixing the problem would allow a rush of lawsuits. Some 90 per cent of DHS are not properly managed and the increasing amount of electronic data is making the problem worse. Debbie Prout of the Records and Information Management Professionals of Australasia said by law the department had to ensure records were accessible and discoverable, but the more it did the higher chance of lawsuits would be. She said she was concerned that records pertaining to abuse would be destroyed. Ombudsman and Auditor-General’s reports showed that record-keeping compliance breaches were “prolific, recurring and have high risk implications. The penalties for destruction are woeful”

d) Legislation Gaps

The following lists the Legislative Barriers faced by people with disabilities when Reporting Crime

1) The Commonwealth and Victorian Evidence Act 1995 & 2008

"Evidence Act 1995 & 2008

s.13 Competence -lack of capacity

(1) A person is not competent to give evidence about a fact if, for any reason (including a mental, intellectual or physical disability)-
 (a) the person does not have capacity to understand a question about the fact; or
 (b) the person does not have the capacity to give an answer that can be understood to a question about the fact-
 and that capacity cannot be overcome".

South Australian is the only state in Australia that has introduced amendments to the Evidence Act” by introducing the “Vulnerable Witnesses 2015 legislation, which provides individuals with a disability to have a communication support approved by the court. This new legislation provides people with a disability to access justice on an equal basis to other members in the community, by being supported in court to communicate their story as a witness.

2) The Victorian Defamation Act 2005

"Defamation Act 2005

Qualified Privilege and Fair Comment Laws

s.29 Defences of fair report of proceedings of public concern

(1) It is a defence to the publication of defamatory matter if the defendant proves that the matter was, or was contained in, a fair report of any proceedings of public concern.

s.30 Defence of qualified privilege for provision of certain information

(1) There is a defence of qualified privilege for the publication of defamatory matter to a person (the recipient) if the defendant proves that-

(c) the conduct of the defendant in publishing that matter is reasonable in the circumstances".

3) The Victorian Disability Act 2006

"Disability Act 2006

s.5 – Principles

(1) Persons with a disability have the same rights and responsibilities as other members of the community and **should** be empowered to exercise those rights and responsibilities.

(3) Disability services **should-**

(c) maximise the choice and independence of persons with a disability

(e) enable persons with a disability to access services as part of their local community and foster collaboration, coordination and integration with other local services;

(4) If a restriction on the rights or opportunities of a person with a disability is necessary, the option chosen **should** be the option which is the least restrictive of the person as is possible in the circumstances".

s.52 – Guiding principles for planning

Planning **should-**

(2) (a) be individualised;

(b) be directed by the person with a disability;

(i) maximise the choice and independence of the person with a disability;

s.54 – Support plans

(1) This section applies if a person is receiving ongoing disability services.

s.58 - Duties of disability service provider providing residential services

(1) A disability service provider providing residential services **must-**

(a) take reasonable measures to ensure that residents are treated with dignity and respect.

How the Disability Act 2006 Becomes a Barrier to reporting crime

The principles of the Disability Act 2006 outlines human rights and to exercise control over one's life and the least restrictive option to be chosen in the best interests of the person with a disability. If a disability service provider does not comply with the Act, there are no penalty units for a breach of human rights under this section.

Planning and Support Plans, highlight the person's abilities and communication needs. Disability services are not penalised if they do not complete a Support Plan every three years as per requirement under the Act. Support plan documents can assist in reporting of a crime in knowing how to engage with the person with a disability to make a disclosure or the supports required to assist that person to enable them to report a crime. For example: Ensure that the person has their communication diary to assist in using words with pictures.

3) The Victorian Health Records Act 2001

Health records Act 2001

“3 Principle 3-Data Quality

3.1 An organisation **must** take steps that are reasonable in the circumstances to make sure that, having regard to the purpose for which the information is to be used, the health information it collects, uses, holds or discloses is accurate, complete, up to date and relevant to its functions or activities”.

How the Health Records Act 2001 Becomes a Barrier to reporting crime

Disability Service providers are required to collect and hold accurate, complete and up to date information that it holds about a person with a disability who resides in group homes, however, there is no penalty units applied if this requirement is not fulfilled. People with disabilities experience higher rates of health related issues than any other group in our community. Therefore, accurate and up to date information is vital in understanding the person's needs and barriers to reporting alleged crime. Inaccurate record keeping leads to an alleged crime not been reported, covered up or going undetected. As demonstrated in these following articles:

e) Legislation that supports and protects disclosure

The **Commonwealth of Australia Constitution Act Section 116** highlights the rights of people with disabilities stating the following:

“117 Rights of residents in States

A subject of the Queen, resident in any state, shall not be subject in any other state to any disability or discrimination which would not be equally applicable to him if he were a subject of the Queen resident in such other State”.

In 2008 the Australian Federal Government signed and agreed to the Convention on the Rights of Persons with Disabilities. With becoming signatory to the Convention, the NDIS and the National Strategy are born. The Convention’s articles highlight the obligations of Australia to address the issue of inequality for people with disability to accessing justice in the following articles:

“Article 4 – General obligations

b. To take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices that constitute discrimination against persons with disabilities”.

d. To refrain from engaging in any act or practice that is inconsistent with the present Convention and to ensure that public authorities and institutions act in conformity with the present Convention”.

“Article 5 – Equality and non-discrimination

1. States Parties recognize that all persons are equal before and under the law and are entitled without any discrimination to the equal protection and equal benefit of the law”.

The South Australian Disability Mandatory Reporting bill 2010 highlights this area:

“6- protection from liability for voluntary or mandatory notification

A person who (whether voluntary or pursuant to a requirement of this Act) notifies the department of a suspicion that a person has been or is being abused or neglected, or provides any information to the Department in respect of such a notification-

(b) insofar as he or she has acted in good faith, in inures no civil or criminal liability in respect of the notification or the provision of the information”.

2. Human Rights and Safeguards

How can the rights provided under the Charter of Human Rights in Victoria be maintained for people accessing disability services in the transition to the NDIS once it has been fully rolled out?

The Charter of Human Rights and Responsibility Act 2006 is currently under review by the State Government. In 2011, the Victorian Equal Opportunity Commission conducted a Talking rights – consulting with Victorians about the rights of people with disabilities and the Charter. In this consultation, the Commission identified common themes, this included, “enforcement of rights, which concluded that the protections provided under the Charter are ineffective without an enshrined enforcement provision. The current scheme where Charter complaints are made to the Victorian Ombudsman is too weak to protect such a fundamental matter as human rights. Government must continue its process of assessing the compatibility of legislation affecting persons with disabilities with human rights such as the Charter”.
(Sourced from EOC – 2011)

The Victorian Charter of Human Rights and Responsibilities Act 2006

“Charter of Human Rights and Responsibilities Act 2006

“s.8 Recognition and equality before the law

- (1) Every person has the right to recognition as a person before the law.
- (2) Every person has the right to enjoy his or her human rights without discrimination.
- (3) Every person is equal before the law and is entitled to the equal protection of the law without discrimination and has the right to equal and effective protection against discrimination.

s.38 Conduct of public authorities

- (1) Subject to this section, it is unlawful for a public authority to act in a way that is incompatible with a human right or, in making a decision to a relevant human right”.

Inclusive Labors Recommendation:

- The Charter of Human Rights and Responsibilities Act 2006 requires legislated penalty points for breaches by any service provider or individual to ensure accountability and compliance with the law
- The Equal Opportunity Commission must have more legislative powers to go beyond reconciliation and enforce penalties of breaches of the Charter. This may include referring the matter directly to Victorian Police or VCAT.

3. Independent Oversight Body

**During the interim period of transition to the NDIS from 2016 to 2020, should the Victorian Government:
Create a new body under the legislation?**

If the current safeguarding responsibilities were allocated to a single existing body, should this body be:

another existing body?

If a single oversight body were established in Victoria what Governance, accountability and oversight arrangements would need to be established to ensure it is accountable in safeguarding people who access disability services?

Inclusive Labors Recommendation:

- If a new independent body was to be established, this would need to be independent of Government and all service providers. A new independent oversight body should not include the same old faces who circulate around all of the disability services boards/committees
- A new independent body should ensure that there is a person with a disability, family member and carer who is suitably qualified and experience to add value. This includes both professional and personal experience and all positions should be remunerated in line with equivalent other Government boards/bodies applying gender balance.

4. Disability Advocacy Services

What would be the most appropriate approach to the administration of funding disability and advocacy services, bearing in mind there are both state and Federal funding streams?

Should an existing body have responsibility for this role?

While there is acknowledgment that current funded and accredited disability services provide valuable advocacy, it is a recommendation that advocacy could be provided in alternative ways that provides people with disabilities and their families with a variety of options.

There are two types of advocacy, legal advocacy and disability support advocacy.

a) Legal advocacy

This is currently being provided by services like Villamanta, Equal Opportunity Commission, Disability discrimination service etc.

These services could be better funded to provide services more efficiently. For example, the Equal Opportunity Commission has a waiting period of 6-7 weeks before there is confirmation that a case will be considered and taken on.

b) Disability Support Advocacy

Needs to be independent and delivered by trained, qualified and registered professionals.

Inclusive Labors Recommendation:

- a) Expand on the Medicare approved services via Social workers and psychologists.
- b) Provide independent advocacy services under the NDIS via social workers and psychologists.

5. Prevention, Screening and Accreditation

Should the Victorian Government develop a state-wide prevention and risk management strategy for the Victorian disability workforce from 2016-2019?

a combined version of an exclusion scheme and a working with Vulnerable persons check?

Should a disability worker registration scheme be established, similar to the Australian Health Practitioner Regulation Agency (AHPRA)?

If so, should this be a national agency?

Should an independent body be established to oversee service standards, accreditation and registration?

If so, should this be a national agency?

Inclusive Labors Recommendation:

- **An independent body should be established to monitor the disability service sector and should include the following requirements:**

- To be employed by a disability service provider, a minimum of a CERT IV and Diploma qualification in disability services
- Can only be employed if registered with a professional body
- Annual police checks must be legislated and complied with. Penalty points for employees and service providers must occur
- All employees need to ensure to keep their registration that they must complete a certain amount of training annually.

6. Professional Development

Should minimum qualifications be introduced for all disability workers?

If so, what should be the minimum qualification?

Should this be a national requirement?

Should there be compulsory requirements for professional development for disability workers?

If so, what core components of ongoing professional development would be required?

Inclusive Labors Recommendation:

- Screening should start at the education institutions, where appropriate students are enrolled. This should include the following:
- Students to undergo police checks before starting course for suitability for profession instead of towards end of course in preparing for student placement in the community
- Workplace should be a compulsory component to enable supervised hands on training to ensure competence is not just theoretical.
- Students to be employed by a disability service provider, a minimum compulsory requirement of a CERT IV and Diploma qualification in disability services.
- Qualifications should be a national standard

7. Workforce Culture

What does the Victorian Government need to do to support a disability workforce culture that does not tolerate abuse, neglect or exploitation?

What do Victorian disability service providers need to do to promote and achieve a workforce culture that does not tolerate abuse, neglect or exploitation?

At present within the sector there are no punitive measures to enforce compliance. These should be strongly considered to match other areas of equivalent legislation such as child care and other areas.

Inclusive Labors Recommendation:

- The Victorian Government need to make changes to the Public Administrations Act 2004 and legislate penalty points for unprofessional conduct and breaches of s.7 (1 a) to (1g) by government employees in the disability public sector.
- The Victorian Government need to legislate penalty points to all areas of the Disability Act 2006, in particular, sections 4, 5, 6, 52 -54.
- The Victorian Government need to make changes to its own culture by prioritising disability abuse as an important part of the Governments responsibility to minimising abuse in care.
- The Victorian Disability service providers need to comply with the Disability Act and other relevant legislation that requires them to ensure that abuse in care is not hidden and covered up as the research suggests.

11. Mandatory Reporting

Should the Victorian Government introduce mandatory reporting of serious or critical incident to a new independent, oversight body?

If so:

What individuals and organizations should be mandated to make such reports?

What current functions of the Department of Health and Human Services regarding the management of critical incidents should be transferred to the new body?

And should the department retain any functions t critical incident management?

Inclusive Labors Recommendation:

- Disability Mandatory reporting should be mandated for all services and professions who work directly with people with disabilities
- Disability Mandatory reporting should include all forms of abuse as outlined in the definition of this inquiry:
 - physical, emotional abuse and/or neglect
 - financial abuse
 - sexual abuse offences, such as rape or indecent assault under the Victorian Crimes Act 1958
 - an incident that has resulted in a serious outcome, such as a client death or severe trauma
 - forced treatments and interventions
- Violations of privacy and wilful deprivation". (Sourced from Family and Community Development Committee 2015)
- Disability Mandatory reporting must include physical, sexual abuse and neglect, financial abuse, outcomes such as death and serious injury i.e. carpet burns, unexplained bruising or injuries and forced treatments.
- Disability Mandatory Reporting must include penalty points in legislation for employees and service providers who fail to report to Victorian police all reportable abuse and violence.
- Disability Mandatory reporting needs to be a report to the Victorian police, failure to conduct an investigation or take a report under s.44 of the Equal Opportunity Act 2010, must constitute a case for negligence.

References

- Blyth, J; & Kelly, L. (2006). "Sexual Assault of People in Aged Care Settings: Towards a better Understanding and Response", 1-6.
- Baker, R; & McKenzie, N. *The Age* (20 September,2012). "Department goes in pursuit of whistle-blowers. Abuse in care "hushed up".
- Browne, R; Fair Fax Media Network. (23 April,2013). "Disabled poorly treated by the law".
- Baker, R; & Mckenzie, N. *The Age* (17 July,2012). "Heavily brusied, and in state care".
- Clark, H; & Fileborn, B. (2011) "ACSSA wrap. Australian centre for the study of sexual assault", 7-11.
- Cook, H. *The Age* (12 October, 2012). "Abuse, assault and neglect on the rise in disability housing report shows".
- Channel 10; The Project (15 April, 2013). "Justice elusive for those with disabilities".
- Department of Human Services, (12 March, 2013). "Call for new members for the Disability Services Board, closes 25 March 2013".
- Department of Human Services, (12 March, 2013). "Expression of Interest Guidelines DSC Board committee".
- Department of Human Services, 2009 and 2012 edition, "Residential Services Manual".
- Fitzsimmons, H. ABC news, Lateline (13 September,2012). "Disability advocates allege epidemic of abuse in care".
- Flatley, C. *The Age* (4 September 2009). "Carer guilty of assaulting disabled kids".
- Frohman, C. (2011). "Women with Disabilities Australia. Submission to the UN, Analytical Study on Violence against Women With Disabilities", 7-8.
- Griffin, M. *The Age* (4 March, 2011). "Cover-up of abuse stuns disability sector".
- Griffin, M & Levy, M. (3 March, 2011). "Disabled abuse: official 'cover-up' referred to police".
- Guy, Sandy. *The Age* (21 November,2012). "Heinous crime against the disabled must be included in child abuse probe".
- Harbour, K & Payton, G; "Heinemann Australian Dictionary", 2nd Edition.

Haxton, N. ABC news. (21 December, 2011). “Abuse charges dropped against bus driver”.

Haxton, N. ABC news. (8 December 2011). “Bus driver may escape child sex charges”.

Haxton, N. ABC news (23 April 2013). “Human Rights Commission starts national talks on lack of justice for disabled”.

Kemp, M. (27 June, 2011). The Advertiser. “Disabled rape “too hard to prosecute”.

Linked in Profiles Australia.com

Malik, S. Herald Sun (31 May, 2013). “Abuse rising, Vic disability watchdog says”.

McKenzie, N. *The Age* (28 January, 2011). “Damning report on abuse”.

Murray, S; & Powell, A. (2008). “Sexual assault and adults with a disability. Enabling recognition, disclosure and a just response”, 3-10.

Office of the Public Advocate (2013). “Interagency Guideline for Addressing Violence, Neglect and Abuse”.

Tomazin, F. *The Age* (24 April 2011). “Law failing to protect disabled in state care”.

Victorian Law Today.com, State Government legislation:

Charter of Human Rights and Responsibilities Act 2006

Defamation Act 2005

Disability Act 2005

Evidence Act 2008

Guardianship and Administration Act 1986

Health records Act 2001

Public Administrations Act 2004

Commonwealth Evidence Act 1995

Wilson and Brewer (1992) “Sexual Assault in Disability and Aged Care Action Strategy – 2007”.

Winter, C. ABC news (26 July, 2013). ‘Parliamentary inquiry demands changes to better support disabled people dealing with the legal system’.

Zwartz, B. *The Age* (11 April, 2013). “Poor record-keeping holds back pursuits of justice”.