



Purple Orange

Ten priorities for the 2024-25 South Australian Budget

Pre-Budget Submission – February 2024

The 2024-25 State Budget comes at a critical time for the disability community after the release of the Disability Royal Commission (DRC) and National Disability Insurance Scheme (NDIS) Review final reports last year. Their recommendations **present the Government with a significant opportunity** to invest in policies to **make decisive changes** in how people living with disability experience life in our state, including **ending abuse and segregation**. Below, we have identified **ten top priorities** for inclusion in the 2024-25 State Budget.

At a glance

Our priority areas for the 2024-25 Budget are:

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JFA Purple Orange is an independent social-profit organisation that undertakes systemic policy analysis and advocacy across a range of issues affecting people living with disability and their families.

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Our recommendations

Funding for independent advocacy

Recommendation 1.1: The 2024-25 State Budget should invest \$3.175 million per year to fund statewide independent disability advocacy programs with three funding streams for organisations to provide individual, representative/peer group, and systemic advocacy. This funding commitment should ensure independent advocacy services are available across the whole state and that specialist services for First Nations people, people from culturally and linguistically diverse backgrounds, people in closed systems, people with complex communication needs, and similar are funded in all three streams.

Recommendation 1.2: The South Australian Government should announce funding for independent advocacy services well before the full Budget announcement to ensure the necessary establishment processes can occur as soon as possible within this calendar year.

Recommendation 1.3: The 2024-25 South Australian Budget should invest in comprehensive data collection about demand and unmet need for independent advocacy services and publicly report this data on a regular basis. The Government should work with other jurisdictions to ensure data collection is robust, comprehensive, and nationally consistent.

Investments in safeguarding

Recommendation 2.1: The 2024-25 South Australian Budget should invest in genuine co-design processes focused on reforming formal safeguards in South Australia, particularly in relation to expanding the remit of the Community Visitor Scheme, legislating and implementing Supported Decision-Making approaches, and reducing and eliminating restrictive practices, among other changes.

Recommendation 2.2: The 2024-25 South Australian Budget should make adequate funding provision for the roll out of co-designed formal safeguarding reforms in a timely and effective manner to ensure an end to the violence, abuse, neglect, and exploitation of South Australians living with disability.

Recommendation 2.3: The 2024-25 South Australian Budget should invest in a co-designed program to fund grassroots initiatives that build and strengthen natural safeguards across our neighbourhoods and communities to ensure people living with disability are welcomed, fully included, and supported to take up valued roles.

Funded plan to end housing segregation

Recommendation 3.1: The 2024-25 South Australian Budget should commit the South Australian Government to phasing out segregated housing and forced shared living arrangements. It should provide the necessary funding to deliver a staged transition plan within the term of *Australia's Disability Strategy 2021-2031*.

Recommendation 3.2: The 2024-25 South Australian Budget should specifically preclude any funding for new segregated provisions in housing, including, but not limited to, new group houses, and commit the South Australian Government to ceasing the placing of any new residents into forced shared living arrangements.

Recommendation 3.3: The 2024-25 South Australian Budget should invest in new inclusive housing options that reflect individual choice and enable residents to achieve a genuine sense of home (as opposed to *facility*).

Funded plan for inclusive education

Recommendation 4.1: The 2024-25 South Australian Budget should commit the South Australian Government to ending segregated ‘special’ schools and units. It should provide the necessary funding to deliver a staged transition to fully inclusive education approaches within the term of *Australia’s Disability Strategy 2021-2031*.

Recommendation 4.2: The 2024-25 South Australian Budget should NOT invest in any new public or private education infrastructure, programs, or other provisions that segregate children living with disability from other students. This includes rejecting the DRC recommendation suggesting relocations of ‘special’ schools to within close proximity of mainstream schools.

Recommendation 4.3: The 2024-25 South Australian Budget should also:

- Invest in the development of a co-designed Inclusive Education Strategy for South Australia;
- Fund genuinely inclusive education infrastructure and programs across South Australia’s schools;
- Provide professional development programs for principals, teachers, and other staff to upskill in implementing genuine inclusive education approaches in their schools and classrooms; and
- Provide sustained funding for a reboot of the Inclusive School Communities project and related endeavours, including a ‘best practice’ inclusive education school to act as a practical demonstration for other schools, in order to build overall school capacity for an inclusive culture.

Funding for foundational supports

Recommendation 5.1: The 2024-25 South Australian Budget should provide funding to co-design with disability communities a state Action Plan connected to the proposed national Foundational Supports Strategy in order to support a successful roll out of these supports.

Recommendation 5.2: The 2024-25 South Australian Budget should make provision for investments in foundational supports, including by signalling our state’s willingness to lead pilots or trials of new approaches.

Recommendation 5.3: The 2024-25 South Australian Budget should invest in a whole-of-government approach to ensuring all mainstream services and settings are made accessible for, and inclusive of, all South Australians in line with our state's commitments under *Australia's Disability Strategy 2021-2031* and *Inclusive SA 2019-2023*.

Support NCC 2022 adoption with 'best practice' campaign

Recommendation 6.1: The 2024-25 South Australian Budget should invest in a comprehensive education and awareness campaign to promote the many benefits of compliance with the new National Construction Code 2022 (NCC 2022) Livable Housing Design (LHD) Standard to the housing construction sector, including to directly counteract the many damaging myths and misconceptions about the requirements. This could be implemented alongside a similar approach regarding the new energy efficiency rules under the NCC 2022.

Recommendation 6.2: The 2024-25 South Australian Budget should commit resources to Renewal SA for one of their current residential projects that will commence construction this year to demonstrate to the housing construction sector how new builds can meet the National Construction Code 2022 (NCC 2022) Livable Housing Design (LHD) Standard, as well as the new Voluntary Livable Housing Design Standard published by the Australian Building Codes Board (ABCB). These demonstration projects should help provide a platform for our Recommendation 6.1 above.

Recommendation 6.3: The 2024-25 South Australian Budget should invest in ongoing comprehensive data collection about the number of concessions granted regarding the National Construction Code 2022 (NCC 2022) Livable Housing Design (LHD) Standard, as well as forecast future concessions anticipated for narrow or irregular-shaped allotments. This data should be reported publicly as least monthly.

Recommendation 6.4: The 2024-25 South Australian Budget should make a significant investment in new social housing stock, all of which should, to the greatest extent possible, adhere to the Australian Building Codes Board (ABCB) Voluntary Standard for Livable Housing Design. At a minimum, the South Australian Government should commit to a timeframe to implement the Voluntary Standard for all new social housing builds within the next three years, for example, 25 per cent in 2024-25, 50 per cent in 2025-26, and achieving 100 per cent in 2026-27.

Recommendation 6.5: The 2024-25 South Australian Budget should fund a process beginning immediately to undertake a Planning and Design Code Amendment to create an Accessible Housing Overlay for South Australia, to be adopted as soon as possible (for an example of an Amendment, see Appendix A).

Building new Changing Places facilities

Recommendation 7.1: The 2024-25 South Australian Budget should invest in at least 47 new Changing Places facilities to be funded before 2026, utilising the available federal co-

contribution to maximise outcomes of this initiative for our state. One of these Changing Places should be a reinstated facility at Glenthorne National Park – Ityamaitpinna Yarta.

Funding for Communication Partners services

Recommendation 8.1: The 2024-25 South Australian Budget should invest in reinstating the Communication Partners Service (CPS) and ensure it is readily available to support people with complex communication needs.

Transition state's taxi fleet to fully accessible vehicles

Recommendation 9.1: The 2024-25 South Australian Budget should invest in a 10-year co-contribution grant scheme to achieve a fully accessible taxi fleet by 2034, underpinned by revenue obtained from the Point to Point Transport Service Transaction Levy. The levy's revenue and expenditure should be publicly reported each year to assure those paying it that it is being used for its stated purpose.

Boost access and inclusion with funding for new initiatives

Recommendation 10.1: The 2024-25 South Australian Budget should invest in actions to address the shortfall in employment outcomes for people living with disability and ensure the new public sector employment target can be realised and quickly increased to deliver a population proportionate target within the term of *Australia's Disability Strategy 2021-2031*.

Recommendation 10.2: The 2024-25 South Australian Budget should invest in measures to address shortfalls in access and inclusion of people living with disability in healthcare settings, including by funding an expansion of My Home Hospital, a roll out of Disability Liaison Officers in each Local Health Network, and the implementation of professional development training programs to end discrimination.

Recommendation 10.3: The 2024-25 South Australian Budget should allocate substantial dedicated funding to achieving the outcomes in the updated State Disability Inclusion Plan and provide funding for actions under the Disability Access and Inclusion Plans (DAIPs) of government agencies and councils to ensure statements of intent are fully realised in practice.

Improving future pre-budget submission processes

Recommendation 11.1: The South Australian Government should implement an open accessible pre-budget submission process allowing at least eight weeks for submissions to be lodged to ensure that all South Australians and organisations can provide input into the Government's pre-budget considerations on an equal basis.

1 Respond to DRC with funding for independent advocacy

In its Final Report, the DRC emphasises that **independent** advocacy services are essential for **upholding the human rights and wellbeing of people living with disability**.¹ It recognises that all people living with disability should have access to high-quality, well-resourced, **independent** advocacy services. Yet, the DRC found that existing **advocacy programs are not meeting demand and therefore additional investments are needed**.² This is particularly the case in South Australia where successive governments have failed to fulfil their responsibility to fund independent disability advocacy adequately, or at all, since 2007.

We **wholeheartedly endorse** DRC Recommendation 6.21(c) that affirms ‘state and territory governments should ensure **long-term and stable funding** for disability advocacy programs in their jurisdictions to meet demand.’ It suggests this occur no later than 1 July 2026 across Australia, however, given the Report sets out **clear evidence of unmet demand**, South Australia falls well short of other states’ commitments, and the previous minimal funding provided to Uniting Communities has ended, we believe this **funding should be announced well before the 2024-25 Budget so that services can be established as soon as possible within this calendar year**. The longer our State goes without critical independent advocacy services, the greater the safeguarding risk to the lives and wellbeing of South Australians living with disability.

Start with \$3.175 million commitment and then monitor demand

In our 2023-24 Pre-Budget Submission last year, we modelled that an initial investment of \$3.05 million per year was needed to **fund independent individual, representative, and systemic advocacy** in South Australia, with close monitoring of demand and unmet need to determine future funding levels. This 2023-24 model was based on the approach taken in the Productivity Commission’s 2017 NDIS Costs Study Report³ and, with an annual inflation rate last year of 4.1 per cent, the model would now calculate required funding at **\$3.175 million** for 2024-25.

The DRC endorsed the Productivity Commission’s position that funding for advocacy should be **shared** between the two tiers of government,⁴ and identified **significant unmet need** for independent individual advocacy services among people living with disability across Australia. Noting the inadequacy of data about the extent of unmet need, the DRC did not identify a specific level of new funding needed in any state or territory. However, it recommended the

¹ Royal Commission into Violence, Abuse, Neglect, and Exploitation of People with Disability, Final Report, Vol.6, ‘Enabling autonomy and access’, September 2023, for example p.255, available at <https://disability.royalcommission.gov.au/publications/final-report>.

² *Ibid*, pp.285-289.

³ Productivity Commission, ‘National Disability Insurance Scheme (NDIS) Costs Study Report’, October 2017, available at <https://www.pc.gov.au/inquiries/completed/ndis-costs/report/ndis-costs.pdf>.

⁴ Royal Commission into Violence, Abuse, Neglect, and Exploitation of People with Disability, Final Report, Vol.6, ‘Enabling autonomy and access’, September 2023, p.387, available at <https://disability.royalcommission.gov.au/publications/final-report>.

Federal Government substantially increase its funding for two of its advocacy programs⁵, therefore we are **very confident that our model represents a conservative calculation** of the investment that is urgently needed in South Australia. Notably, this month the Queensland Government responded to the DRC recommendation by committing an additional \$1.6 million over 17 months to its existing program of \$4 million per annum.⁶

Additionally, we strongly endorse the DRC's Recommendation 6.22 that all governments **'improve data collection and reporting on met and unmet demand'** within their jurisdictions and urge the South Australian Government to implement this immediately alongside a substantial funding commitment. This will ensure future funding levels can be calibrated to the level of need across the state and allow the Government to provide funding certainty to advocacy organisations over the long-term.

Fund three streams: independent individual, representative, and systemic

We believe the New South Wales Government's Disability Advocacy Futures Program provides a strong template on which to base a South Australian approach. It began on 1 January 2022 and covers **three main streams: Individual Disability Advocacy, Representative Disability Advocacy** (for membership and peer group organisations), and **Systemic Disability Advocacy**. The NSW Government has allocated \$13 million per year for three years to fund the program.⁷ Under the individual stream, 10 independent organisations are funded to provide services. Seven independent organisations are funded for systemic advocacy, and nine for representative advocacy.⁸

The NSW Ageing and Disability Commissioner's Review that recommended the program in 2019 proposed that **no less than half the total funding allocation should be provided for the independent individual advocacy stream**.⁹ Therefore, we suggest the initial allocation of funds should be 50 per cent for individual advocacy, 25 per cent for representative/peer group advocacy, and 25 per cent for systemic advocacy. As the DRC highlights, there is also a **strong need to fund specialist advocacy** within each stream¹⁰, including for First Nations people, people from culturally and linguistically diverse (CALD) backgrounds, people in closed systems,

⁵ Royal Commission into Violence, Abuse, Neglect, and Exploitation of People with Disability, Final Report, Vol.6, 'Enabling autonomy and access', September 2023, p.289, available at <https://disability.royalcommission.gov.au/publications/final-report>.

⁶ Queensland Government, '\$1.6 million boost for Queensland disability advocacy', Media statement, 7 February 2024, available at <https://statements.qld.gov.au/statements/99665#>.

⁷ NSW Government, 'Funding support for disability advocacy services', 23 September 2021, available at <https://www.nsw.gov.au/news/funding-support-for-disability-advocacy-services>.

⁸ Department of Communities and Justice, 'Disability Advocacy Futures Program', information available at <https://www.dcj.nsw.gov.au/community-inclusion/disability-and-inclusion/disability-advocacy-futures-program.html>.

⁹ NSW Ageing and Disability Commissioner, 'Review into Disability Advocacy in NSW', 19 December 2019, p.19, available at <https://ageingdisabilitycommissioner.nsw.gov.au/documents/reports-and-submissions/Review-into-Disability-Advocacy-in-NSW.pdf>.

¹⁰ Royal Commission into Violence, Abuse, Neglect, and Exploitation of People with Disability, Final Report, Vol.6, 'Enabling autonomy and access', September 2023, pp.293-301, available at <https://disability.royalcommission.gov.au/publications/final-report>.

people with complex communication needs, and similar. Once the program is established, ongoing measurement of need, demand, and outcomes can underpin the future calibration of the proportion of funds dedicated to each stream.

Demand will be higher during reform period

While we share the optimism that reforms such as the implementation of foundational supports will help ensure people living with disability can access the services and supports they need without difficulty, it is very likely that the **transition period** will see an **uptick in already high unmet demand for independent individual advocacy** services. Additionally, representative and systemic disability advocacy organisations will be **critical to the success** of implementing the recommendations of the DRC and NDIS Review. Effective reforms will require that **governments and disability communities work side-by-side in partnership to co-design and implement changes**. This important work requires resources, and we strongly believe investing in organisations from the beginning will deliver enormous benefits over the short, medium, and long terms. Enabling diverse groups and voices to be heard, particularly those of people with lived experience insights, will add significant value to government policymaking.

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2 Respond to DRC with investments in safeguarding

The DRC exposed atrocious levels of violence, abuse, neglect, and exploitation of people living with disability, describing these issues as a ‘significant, under-reported problem’.¹¹ During the DRC, the State Government indicated it was awaiting the Final Report and recommendations before determining its next steps in relation to a range of essential safeguarding matters. With

¹¹ Royal Commission into Violence, Abuse, Neglect, and Exploitation of People with Disability, Final Report, Vol.11, ‘Independent oversight and complaint mechanisms’, September 2023, for example pp.5-6, available at <https://disability.royalcommission.gov.au/publications/final-report>.

the recommendations now known, an **urgent investment in co-designing a comprehensive response to address shortcomings in safeguarding** is critical, backed by budget provisions to implement reforms to avoid delays. **Investments in formal safeguards** need to be matched with **funding to facilitate and enhance natural safeguards** embedded in genuinely inclusive neighbourhoods and communities.

Act immediately on formal safeguarding reforms

The DRC made a number of recommendations regarding formal safeguarding of people living with disability. These recommendations include a strong preference for **achieving national consistency** and we welcome this if it serves to **motivate best-practice approaches and national benchmarking**. However, we also caution against national consistency becoming an excuse for minimalist responses reflecting lowest-common-denominator positions. Necessarily, striving for national consistency will take time, but this should not prevent the South Australian Government from **acting immediately** to address gaps and shortfalls already identified.

Among the most pressing issues is the need to **reform the Community Visitor Scheme**, particularly to expand its reach, which was cut back after the creation of the NDIS. In particular, the Scheme **should cover both government and provider run facilities including group houses (until these are phased out) and some private homes**. In the case of private homes, there will be a need for **nuanced criteria** to ensure those most at risk do not fall through the gaps. We do not believe a voluntary scheme, or one based only on a specific NDIS Plan financial threshold will be sufficient because the former fails to account for the problem of coercive control and the latter disregards the significant variation in the presence of informal supporters and natural safeguards in people's lives. Instead, we believe a new simple, yet nuanced, approach can be developed through a **genuine co-design process** that engages people who are likely to be included under the Scheme, as well as other stakeholders and experts.

We wholeheartedly welcome the **DRC's endorsement of adopting supported decision-making approaches** in place of the current reliance on substitute decision making, something that has, perversely, increased since the advent of the NDIS. We strongly agree with an approach based on decision-making ability (not capacity) with an **assumption of providing the supports a person needs to exercise their decision-making ability** instead of stripping away the right to autonomy and choice from people needing those supports.

Implementing such an approach will require significant legislative reform and a lead agency (in line with DRC Recommendation 6.14) to ensure **genuine change occurs**. Given the Office of the Public Advocate (OPA) is so strongly associated with substitute decision making practices and will need to be one of the agencies targeted for training and capacity building on implementing supported decision-making approaches, we do not believe it would be an appropriate or effective lead agency in South Australia. One alternative option worthy of consideration is the creation of a new agency similar to the New South Wales Ageing and Disability Commission or the forthcoming Tasmanian disability commissioner. We are aware the NSW Commission is currently under independent statutory review so making any recommendation at this time would be premature, however we suggest the **option of establishing a new lead agency for**

disability in South Australia should be on the table. Such an agency could bring together and provide leadership for many facets of the State response to the DRC and NDIS Review recommendations including supported decision-making, reducing and eliminating restrictive practices, adult safeguarding, a revamped Community Visitor Scheme, Inclusive SA, and coordination of foundational supports, among others. The 2024-25 State Budget should include **funding to enable a full examination, through a genuine co-design process, of a range of options in partnership with the disability community.**

Fund grassroots initiatives to boost natural safeguards

Natural safeguards are the informal supports and connections that help support and protect people within their communities and are **important for all South Australians.** Unfortunately, as a consequence of past policies and continuing societal attitudes many people living with disability are excluded, segregated, and made invisible in communities. Changing this requires **investment at a grassroots level** to ensure communities are accessible and inclusive and all people have opportunities to build genuine, freely given connections, networks, and relationships. The importance of a person having **valued roles in the social, cultural, and economic life of society cannot be overstated, including as a natural safeguard.** Indeed, this is recognised in both *Australia's Disability Strategy 2021-2031* and *Inclusive SA 2029-2023*, which include commitments to creating genuinely inclusive accessible communities that foster strong bonds among people.

We believe inclusive communities are where neighbourhoods are welcoming and inclusive of all their members, where social infrastructure is available and accessible to meet residents' needs, where kindness is extended to everyone, where social connections are made, and where **natural safeguards emerge in people's lives.** An inclusive community benefits from the participation and contribution of all its members, bringing a diversity of voices, ideas, and perspectives into decision-making, activities and events, businesses, and general community life. It is this diversity that makes community life rich, interesting, and dynamic for the benefit of all. It also increases the likelihood that someone will notice when someone is absent, or if it appears something has gone wrong for them.

But too often people are excluded from their neighbourhoods. Some people may not be easily visible to others, perhaps because they rarely venture out. Or because they are receiving assistance from a support provider and leave the house escorted. Or because others notice support workers visiting a house so are less inclined to reach out or even chat over the fence. Where support professionals are obviously present, where houses resemble facilities, or where the physical environment creates a sense of seclusion, the neighbourhood rhythms created can result in people being disconnected. They are *in* the neighbourhood, but not *of* the neighbourhood. Hence, when something is not right, it is much less likely anyone else will notice.

The emergence of inclusive neighbourhoods and communities cannot be taken for granted. It takes **deliberate intentional actions and investments.** It is essential the South Australian Government's response to the DRC includes funding for **grassroots initiatives that will foster**

natural safeguards across our communities and mean the state is less reliant on essential yet inevitably imperfect formal safeguards (imperfect because it is impossible for regulators to be in all places, all of the time, all at once). We recommend that approaches to how this funding is distributed and used be **co-designed with communities at the grassroots level**, noting that every community is unique and what works in one place cannot be simply replicated elsewhere.

Recommendation 2.1: The 2024-25 South Australian Budget should invest in genuine co-design processes focused on reforming formal safeguards in South Australia, particularly in relation to expanding the remit of the Community Visitor Scheme, legislating and implementing Supported Decision-Making approaches, and reducing and eliminating restrictive practices, among other changes.

Recommendation 2.2: The 2024-25 South Australian Budget should make adequate funding provision for the roll out of co-designed formal safeguarding reforms in a timely and effective manner to ensure an end to the violence, abuse, neglect, and exploitation of South Australians living with disability.

Recommendation 2.3: The 2024-25 South Australian Budget should invest in a co-designed program to fund grassroots initiatives that build and strengthen natural safeguards across our neighbourhoods and communities to ensure people living with disability are welcomed, fully included, and supported to take up valued roles.

3 Respond to DRC with funded plan to end housing segregation

In its [Final Report](#), the DRC shone a spotlight on the ongoing **segregation and exclusion** of Australians living with disability across our society, including in the **critical area of housing**. As is widely recognised, housing is particularly important because it **provides the base from which we build so many other aspects of our lives**. Importantly, a majority of DRC commissioners, and all commissioners with lived experience of disability, recommended **group houses¹² be phased out**, although it is critical that a much faster timeframe for change be adopted than that suggested by commissioners (15 years). We believe with dedicated resources and genuine effort housing segregation can be phased out within the term of *Australia's Disability Strategy 2021-2031*. Indeed, ending group houses is critical to Australia upholding its obligations under the *United Nations Convention of the Rights of Persons with Disabilities* (UNCRPD) and to South Australia fulfilling its commitments under *Inclusive SA 2019-2023*.

The South Australian Government should take a strong position against disingenuous claims, particularly those of sector lobbyists, that segregated options can constitute 'choice'. 'Choices' made in a context where safe, high-quality, and inclusive alternatives are not available **are not genuine choices**. Indeed, the findings of the DRC offer a compelling argument in terms of

¹² In their character and effect, group homes are service facilities, not homes. This is why we deliberately use the term 'group houses' rather than the more common 'group homes'. The use of 'home' in this context is a misnomer and profoundly compromises its true meaning.

understanding why people are drawn into segregated disability-specific settings. The Final Report recognises that people living with disability and their families are systematically taught there are **no safe or viable mainstream options**, forcing them to access segregated settings, something that can be described as **'coercive choice'**.¹³ Often, people living with intellectual disability are funnelled from 'special' schools into an ADE and a group house; a trajectory that Catherine McAlpine, CEO of Inclusion Australia, calls 'The Polished Pathway'.¹⁴ Not only does this Pathway severely limit a person's opportunities and prospects for taking up meaningful valued roles, it perpetuates underlying messages that people living with disability do not belong in community, are lesser, or somehow defective, and that it is okay to devalue people and treat them as second-class citizens. These **messages are deeply entrenched in society** and are a **consequence of the legacy of institutionalisation and ongoing policies and practices of segregation** – they are not the result of the genuine 'choices' of South Australians living with disability.

Opportunity for South Australia to show leadership in ending group houses

We acknowledge ending segregation cannot happen overnight. Change will require a significant investment of resources and effort in co-designing a comprehensive transition plan that maximise outcomes while avoiding adverse consequences. The transition must not be rushed before accessible alternatives are available and the necessary supports in place, however it **must also be recognised that establishing clear timeframes for each transition stage and a final deadline is essential to ensure change actually occurs**. Without a final deadline, reform will stagnate.

We strongly believe South Australia can demonstrate real leadership in adopting a timeframe for a staged comprehensive transition with a final deadline to ensure all people living with disability **can access inclusive ordinary housing options within the term of the *Australia's Disability Strategy 2021-2031***. The first step is to stop funding new group houses and group house arrangements immediately, including those that are a direct responsibility of Government and those through partners such as Community Housing Providers. No more new residents should move into group houses. Instead, a plan should be co-designed with residents and other stakeholders to replace group houses with alternative inclusive options and support existing residents to make genuine informed choices about where and with whom they want to live.

This will require a commitment from across Government to deliver the necessary steps for success, including through **investing in alternative housing options** based on genuine choice and ordinary living arrangements. These options must not include a next generation of group houses or quasi-institutional facilities with forced shared living. There is **an array of alternatives**

¹³ Disability Royal Commission, Final Report, Volume 7, 'Inclusive education, employment, and housing - Summary and recommendations', 2023, p.65, available at <https://disability.royalcommission.gov.au/publications/final-report>.

¹⁴ See Catherine McAlpine's speech to the NDIS Jobs and Skills Summit on 17 August 2022, at <https://www.inclusionaustralia.org.au/wp-content/uploads/2022/10/The-Polished-Pathway-Final.pdf>.

to suit individual needs and choices; just as there is in the general housing market. We do not advocate for a single prescribed option; that too would be inconsistent with our support for choice. Instead, the State Government should be open to, and invest in, a full range of reasonable alternatives, demonstrate genuine innovation, and take a flexible approach to redeveloping legacy sites.

Investment now will reduce costs in the future and lessen the impact of inappropriate housing on many other areas of the Budget, including, but not limited to, hospitals, ambulance ramping, and mental health services. Ordinary housing options also support the emergence of natural safeguards for all people and enrich neighbourhoods and communities. Conversely, there are many additional costs associated with group houses, including for fire safety requirements, the presence of extensive rules, signs, safety infrastructure, recordkeeping materials, and staff areas that are not found in ordinary homes and subvert any attempts to create a sense of homeliness, belonging, or personal authority.

Recommendation 3.1: The 2024-25 South Australian Budget should commit the South Australian Government to phasing out segregated housing and forced shared living arrangements. It should provide the necessary funding to deliver a staged transition plan within the term of *Australia's Disability Strategy 2021-2031*.

Recommendation 3.2: The 2024-25 South Australian Budget should specifically preclude any funding for new segregated provisions in housing, including, but not limited to, new group houses, and commit the South Australian Government to ceasing the placing of any new residents into forced shared living arrangements.

Recommendation 3.3: The 2024-25 South Australian Budget should invest in new inclusive housing options that reflect individual choice and enable residents to achieve a genuine sense of home (as opposed to *facility*).

4 Respond to DRC with funded plan for inclusive education

The DRC Final Report also highlighted the lifelong consequences of segregating children at school. We believe **all South Australian children should have the option of attending their local school** with the assurance of being **welcomed, supported, and included**, and thereby receiving a high-quality inclusive education. Sadly, for too many children and young people living with disability in South Australia, this is not the case. Yet, decades of research and evidence¹⁵ tells us that inclusive education best prepares students living with disability for life and success. Research also demonstrates that students without disability benefit immensely from inclusive education. These benefits include a more positive sense of self, enhanced communication and

¹⁵ For further information about inclusive education, check out the following resources: Australian Coalition for Inclusive Education website at <https://acie.org.au/>; Australian Alliance for Inclusive Education website at <https://allmeansall.org.au/research/>; and Alana website at http://alana.org.br/wp-content/uploads/2016/12/A_Summary_of_the_evidence_on_inclusive_education.pdf.

language development, increased awareness of diversity, and a higher quality education that is better suited to individual needs.

However, **students living with disability face challenges in accessing mainstream education and often face discrimination, segregation from their non-disabled peers, bullying, restrictive practices, and suspensions or expulsions.** These practices need to stop!

Mainstream education must mean inclusive education, **where every student is a valued member of their local school community.** All children need to feel welcomed and supported in their local school and the government needs to be firm in its position on this. We welcome the South Australian Government's focus on access and inclusion at school for students living with Autism, and these initiatives should be expanded to include all children living with disability in our schools.

Opportunity for South Australia to lead on inclusive education

Building an inclusive education system will not happen overnight, but nor should it take until 2051, as suggested by some DRC commissioners. A **South Australian Government commitment to inclusive education** supported by **clear timelines for delivery** will demonstrate our state can lead the nation in phasing out education models that do not reflect modern standards – and, instead, embrace new innovative approaches, just as we have done with Autism Inclusion Teachers and plans for the roll out of three-year-old kindergarten. New inclusive approaches to education will be critical to building the diversity, skills, and innovation required for the workforce of the future – especially as the South Australian economy pivots to new opportunities in science, renewable energy, and sustainable resources. A final deadline for the transition to inclusive education approaches is also needed to ensure change actually happens, and we believe that this occurring within the term of *Australia's Disability Strategy 2021-2031* is not only achievable, but essential to set our state up for the future. South Australia simply cannot afford to wait until the 2050s to make this important and beneficial change.

A 2024-25 Budget commitment to inclusive education should include resources **to map the steps needed to build the capability of all South Australian schools to be authentically welcoming and inclusive.** This includes a resourced focus on the capacity development of staff, and a cultural shift in expectations, language, and beliefs. The intent needs to be clear and **measurable progress outcomes must be in place from now on.** Through projects such as the *Inclusive School Communities* project,¹⁶ we have seen how schools can build commitment and momentum towards inclusive education. This included primary and secondary schools, metropolitan and country schools, and government and non-government schools. Each one acts as a practical demonstration of what can be achieved to other schools around it. However, momentum has been lost in this space due to only fixed-term Commonwealth funding for the

¹⁶ For more information, see Inclusive School Communities project, 'Final Project Evaluation Report', October 2020, available at <https://inclusiveschoolcommunities.org.au/news/final-project-evaluation-report>.

project. Therefore, this work and similar State-funded endeavours should be rebooted and scaled up through adequate and sustained resources.

New ‘special’ education provision **should not be built**, with **funding redirected to ensuring mainstream schools are routinely inclusive in their habits**. This includes matters of accessibility, the pedagogy of teaching to a classroom of diverse students, and the creating and safeguarding of a genuine sense of belonging for all students, including in the informal parts of the school day, such as the lunch break and recess. Otherwise, exclusionary habits will persist and will deepen the demand for separate segregated provision.

We recognise some South Australian families have made the decision for their child to attend ‘special’ schools or units, often because of poor previous experiences with mainstream provision. We also recognise there are dedicated educators working in those settings. We do not question the actions of families opting for a ‘special’ education pathway when faced with little to no choice of alternative options, nor do we question the professional standing and commitment of the educators involved. However, we strongly believe these resources would be better utilised ensuring mainstream education is safe and inclusive for all children.

We have deep concerns about the proposal in DRC Recommendation 7.4 to first locate or relocate segregated education settings to new sites in close proximity to mainstream schools. There should be **no new segregated schools or units located anywhere**, with all investment in new provisions to instead be allocated toward **achieving genuine inclusion**. Relocating existing ‘special’ schools would be a **very expensive interim measure** and the funding required would be much better spent on achieving the overall goal of ending segregation. Once new segregated settings are established, it will become very difficult to dismantle them, especially given the typical lifespan of school infrastructure is much longer than the proposed interim period. The likely effect of such an approach would be to cause lag in the transition timeframes and waste precious school funding.

Further, most students living with disability are currently forced to travel long distances to ‘special’ schools, so the nearby mainstream schools these would be co-located next to are unlikely to be the *local* schools of a majority of students and, therefore, not preferred or likely options for their future inclusive education. Hence, such a step will **not constitute a genuine transition** for most students. The focus of transition stages must be toward genuine inclusion, not making expensive geographic moves with little to no beneficial impact.

Recommendation 4.1: The 2024-25 South Australian Budget should commit the South Australian Government to ending segregated ‘special’ schools and units. It should provide the necessary funding to deliver a staged transition to fully inclusive education approaches within the term of Australia’s Disability Strategy 2021-2031.

Recommendation 4.2: The 2024-25 South Australian Budget should NOT invest in any new public or private education infrastructure, programs, or other provisions that segregate children living with disability from other students. This includes rejecting the DRC

recommendation suggesting relocations of ‘special’ schools to within close proximity of mainstream schools.

Recommendation 4.3: The 2024-25 South Australian Budget should also:

- Invest in the development of a co-designed Inclusive Education Strategy for South Australia;
- Fund genuinely inclusive education infrastructure and programs across South Australia’s schools;
- Provide professional development programs for principals, teachers, and other staff to upskill in implementing genuine inclusive education approaches in their schools and classrooms; and
- Provide sustained funding for a reboot of the Inclusive School Communities project and related endeavours, including a ‘best practice’ inclusive education school to act as a practical demonstration for other schools, in order to build overall school capacity for an inclusive culture.

5 Respond to NDIS Review by funding foundational supports

The NDIS Review Final Report places significant emphasis on the need to invest in foundational supports to ‘bring fairness, balance, and sustainability to the ecosystem supporting people with disability’ (Recommendation 1). **We broadly support the approach to foundational supports** set out in the Final Report, recognising there is much work still to be done to design and implement these reforms. Importantly, foundational supports will ensure the many people living with disability who are not eligible for an individual NDIS Plan can access what they need. We understand the Federal Government will lead work to develop a Foundational Supports Strategy, which we believe should be **co-designed in partnership with disability communities**, other stakeholders, and all tiers of Government. While the Strategy is likely to present a national roadmap, there will also need to be a plan for South Australia that addresses specific issues within the state and sets out the actions needed to successfully deliver the Strategy.

The 2024-25 Budget should invest in a South Australian based **co-design process to create an Action Plan that connects the national Strategy with what is needed on the ground to make both General and Targeted Foundational Supports a success**. We believe South Australia is a strong candidate to pilot approaches to Foundational Supports given our history as a trial site for the NDIS for 0-14-year-old children. South Australia has also shown significant leadership in the areas of Autism, including the provision of Autism Inclusion Teachers in every primary school, and early education, through the proposal to roll out three-year-old kindergarten across the state. The 2024-25 Budget should make provision for the **roll out of foundational supports** across South Australia and to **pilot or trial new approaches** as appropriate.

Foundational supports will also **help bridge the gap between mainstream services and the NDIS**. However, they should not detract from the importance of investing in ensuring mainstream settings are accessible for, and inclusive of, all South Australians. People living with disability must be able to access mainstream services and settings on an equal basis with non-

disabled people. The 2024-25 Budget should invest in a **whole-of-government effort to address problems of inaccessibility and exclusion** in partnership with disability communities.

Recommendation 5.1: The 2024-25 South Australian Budget should provide funding to co-design with disability communities a state Action Plan connected to the proposed national Foundational Supports Strategy in order to support a successful roll out of these supports.

Recommendation 5.2: The 2024-25 South Australian Budget should make provision for investments in foundational supports, including by signalling our state's willingness to lead pilots or trials of new approaches.

Recommendation 5.3: The 2024-25 South Australian Budget should invest in a whole-of-government approach to ensuring all mainstream services and settings are made accessible for, and inclusive of, all South Australians in line with our state's commitments under *Australia's Disability Strategy 2021-2031* and *Inclusive SA 2019-2023*.

6 Support NCC 2022 adoption with 'best practice' campaign

The State Government's decision to **implement the National Construction Code 2022 (NCC 2022) Livable Housing Design (LHD) Standard from October 2024** is very welcome. It will have **profound benefits for our whole community** including many people living with disability, our rapidly ageing population, people with temporary injuries, families with young children, and many others. The challenges so many Australians are currently facing in finding an affordable place to live are **made even more difficult for those with access needs**. Many people living with disability are currently residing in unsuitable accommodation that they cannot move around in, or are stuck in hospital, residential aged care, or a group house, with no foreseeable solutions to improve their circumstances. Often, people living with disability have to make do with what they can get even if it is inaccessible in full or in part. Anecdotally, some people with physical disability have reported to JFA Purple Orange that they must crawl into their bathrooms or complete personal care routines in kitchens. Similarly, many people living with disability continue to live in family homes by necessity, not choice. Others are forced into shared living arrangements with strangers in disability group houses.

Therefore, we have deep concerns about the sudden decision late last year to provide blanket concessions for some new builds **without an evidence-based explanation** for doing so. In fact, blanket concessions were deemed **unnecessary** during conversations with the Department of Trade and Investment and numerous stakeholders representing diverse interests.

Unfortunately, these blanket exemptions will **exacerbate ongoing accessible housing supply shortages**, as well as the ongoing affordability crisis, thereby forcing people to live in very unsuitable accommodation and substandard living arrangements. Furthermore, it will result in significantly **greater costs** into the future as our population ages and more people seek to age in place rather than entering institutional-style arrangements of aged care.

Fund an education campaign and demonstration projects

Given the allowance of unnecessary blanket concessions and the level of misinformation that has been disseminated across the housing construction sector in recent times, it will be critical to the success of the NCC 2022 implementation that it is **backed by a significant investment in education, capacity building, and demonstration projects**. It is critically important the housing construction sector is **well-educated about how to adhere to the NCC 2022 LHD Standard** in the most effective and efficient manner, including how widespread adoption across Australia will alter costs and supply chains as compliant products become cheaper than outmoded materials. Operators and purchasers must be ready to factor this into designs at the beginning of the process or face potentially significant cost implications later. Additionally, encouraging the sector to embrace the new mandatory NCC 2022 LHD Standard, or indeed the stronger Voluntary Standard for Livable Housing Design¹⁷ published by the Australian Building Codes Board (ABCB) at the request of housing ministers last year, will **pay dividends for South Australia over the long-term**.

Invest in transparent data collection and reporting

The blanket concessions also have the potential to **perversely incentivise development approaches that significantly impact public amenity and liveability** in our communities based on unfounded myths about implications for profits, including the creation of even more narrow and irregular-shaped blocks in an attempt to avoid the requirements. This will further exacerbate problems in residential development areas, such as excessive on-street parking, difficulties with rubbish and recycling removal, and poor emergency vehicle access to narrow high-density streets. This must be **monitored closely** to ensure a perverse incentive for poor neighbourhood design practice, and the associated consequence of exclusion for some community members, have not been inadvertently created. Comprehensive data should be collected and publicly reported on a regular basis.

We strongly believe an investment in the Budget to support a **'best practice' implementation** of the NCC 2022 will **demonstrate significant leadership and commitment to South Australians living with disability**, as well as assisting the housing construction sector to understand the new standards while debunking some of the myths and fears dominating public debate. Additional accessible housing supply is urgently needed and is also critical to moving people out of segregated settings and inappropriate living arrangements, which will have the added benefit of taking some pressure off the public hospital system and preventing further escalations in the ambulance ramping crisis.

¹⁷ Australian Building Codes Board, 'Voluntary Standard for Livable Housing Design', 17 November 2023, available at <https://www.abcb.gov.au/resource/standard/abcb-voluntary-standard-livable-housing-design-beyond-minimum#>.

Embrace broader opportunities to increase accessible housing supply

Further, it is critical that South Australia **significantly increases the availability of accessible housing stock** across all forms of tenure and elements of the housing market. Currently, all new public housing builds in South Australia adhere to the mandatory NCC 2022 LHD Standard. However, the DRC recommended at 7.35(b) that all new social housing **should meet the new Voluntary Standard for Livable Housing Design**, which is based on the ‘Gold level’ of Livable Housing Australia’s Livable Housing Design Guidelines. We urge the State Government to immediately adopt this recommendation to ensure the supply of accessible social housing dwellings is sufficient to facilitate a timely transition and end of segregated forced shared living arrangements in South Australia.

We also urge the South Australian Government to adopt a **nation-leading Accessible Housing Overlay** within the Planning and Design Code to be applied to new developments, particularly those on brown and greenfield sites to assist in addressing the shortfall in accessible housing supply. The Overlay would be similar to the existing Affordable Housing Overlay, which is designed to ensure affordable housing options are **integrated in residential and mixed-use developments**. We have taken the initiative to provide a draft of how an Accessible Housing Overlay could be formulated, which is provided in Appendix A of this submission.

Recommendation 6.1: The 2024-25 South Australian Budget should invest in a comprehensive education and awareness campaign to promote the many benefits of compliance with the new National Construction Code 2022 (NCC 2022) Livable Housing Design (LHD) Standard to the housing construction sector, including to directly counteract the many damaging myths and misconceptions about the requirements. This could be implemented alongside a similar approach regarding the new energy efficiency rules under the NCC 2022.

Recommendation 6.2: The 2024-25 South Australian Budget should commit resources to Renewal SA for one of their current residential projects that will commence construction this year to demonstrate to the housing construction sector how new builds can meet the National Construction Code 2022 (NCC 2022) Livable Housing Design (LHD) Standard, as well as the new Voluntary Livable Housing Design Standard published by the Australian Building Codes Board (ABCB). These demonstration projects should help provide a platform for our Recommendation 6.1 above.

Recommendation 6.3: The 2024-25 South Australian Budget should invest in ongoing comprehensive data collection about the number of concessions granted regarding the National Construction Code 2022 (NCC 2022) Livable Housing Design (LHD) Standard, as well as forecast future concessions anticipated for narrow or irregular-shaped allotments. This data should be reported publicly as least monthly.

Recommendation 6.4: The 2024-25 South Australian Budget should make a significant investment in new social housing stock, all of which should, to the greatest extent possible, adhere to the Australian Building Codes Board (ABCB) Voluntary Standard for Livable Housing Design. At a minimum, the South Australian Government should commit to a timeframe to implement the Voluntary Standard for all new social housing builds within the next three

years, for example, 25 per cent in 2024-25, 50 per cent in 2025-26, and achieving 100 per cent in 2026-27.

Recommendation 6.5: The 2024-25 South Australian Budget should fund a process beginning immediately to undertake a Planning and Design Code Amendment to create an Accessible Housing Overlay for South Australia, to be adopted as soon as possible (for an example of an Amendment, see Appendix A).

7 Maximise building of new Changing Places facilities

In its 2022-2023 budget, the Federal Government committed \$32.2 million over four years to fund **new Changing Places facilities** across Australia. Details currently available on the Federal Department of Social Services (DSS) website¹⁸ indicate the scheme will fund up to half the cost of building a facility in local government areas without an existing Changing Places facility or up to 40 per cent of the cost for subsequent facilities in those areas with one or more. Funding announcements from the first year of funding indicate **two new facilities will be built in South Australia** – one at the City of Burnside public pool and the other included in the redevelopment of Fabrik Arts and Heritage at the Lobethal Woollen Mill site in the Adelaide Hills. These are **welcome announcements that will enhance accessibility and inclusion for people living with disability.**

Commit matching State Budget funding

We appreciate that in the first year of the offer funding uptake will be slower as the State Government, councils, and prospective third parties plan and develop ideas for appropriate sites, accompanying infrastructure, and potential integration with larger developments. However, in order to ensure **our state gains maximum benefit** from the Federal Government's funding offer, we urge the South Australian Government to **urgently commit matching funds** over the next two years to **deliver this important community infrastructure**. Currently, South Australia has only 19 facilities listed in the online directory out of 269 nationally.¹⁹ By comparison, Victoria has 123, **leaving our state far behind**. We understand there is often commentary about the maintenance and security of these facilities, including the potential for vandalism, however there are a range of management options for Changing Places to be kept secure, for example through the use of MLAK keys²⁰ that restrict access to only those who genuinely need to use them.

Changing Places facilities enable people with high support needs to **access and participate in their communities**. They are a crucial element of meeting minimum standards of accessibility. This is acknowledged by the State Government in *Inclusive SA 2019-2023*. Additionally, the

¹⁸ Department of Social Services, 'Changing Places', 9 February 2024, available at <https://www.dss.gov.au/disability-and-carers-programs-services/changing-places>.

¹⁹ Changing Places, 'Find a Changing Places toilet', accessed 23 February 2024, available at <https://changingplaces.org.au/find>.

²⁰ For further information, see Changing Places, 'MLAK Keys', at <https://changingplaces.org.au/mlak>.

2021-22 *Inclusive SA* Annual Report celebrates the Federal Government’s intention to co-contribute to a Changing Places facility in each of the 400 Local Government Areas (LGAs) nationally that currently do not have a facility in order to ‘ensure no person with disability is left behind’.²¹ South Australia has 68 LGAs, but only 19 Changing Places with two more announced. Based on the Federal Government’s benchmark of at least matching the number of Changing Places to the number of LGAs, South Australia should build at least 47 new Changing Places facilities before 2026. Therefore, the 2024-25 State Budget should commit to funding the remaining outstanding amount after the Federal co-contribution to ensure this is achieved.

In particular, the **Changing Places facility that was included in the original Master Plan for Glenthorne National Park – Ityamaitpinna Yarta and funded within the initial state funding** allocation made in 2018, **was removed** from the early stages of the project during the Department of Environment and Water’s subsequent ‘value management exercise’. While we appreciate that building costs have increased since the creation of the Master Plan, it is extremely unfortunate that **an essential element** of ensuring that the new park is **fully accessible** for all South Australians has been targeted for cost savings. It had been promised that Glenthorne would be the most accessible and inclusive national park in our state, which was welcome news for the disability community. The federal initiative would provide a significant contribution to reinstating the facility at Glenthorne and we urge the South Australian Government to invest the remaining funds required to make this happen.

Recommendation 7.1: The 2024-25 South Australian Budget should invest in at least 47 new Changing Places facilities to be funded before 2026, utilising the available federal co-contribution to maximise outcomes of this initiative for our state. One of these Changing Places should be a reinstated facility at Glenthorne National Park – Ityamaitpinna Yarta.

8 Reinstated funded Communication Partners services

The DRC highlighted the extent to which people living with disability are overrepresented in the criminal justice system in Australia. In its submission, the Australian Human Rights Commission stated the **necessary procedural accommodations** are frequently not provided, despite the high number of people living with disability in the criminal justice system.²² We must prioritise and invest in **protecting the rights and interests of people living with disability interacting with the justice system**. Historically, the justice system expected participants to adapt to it, with only very limited steps taken to ensure the system itself is accessible and inclusive of the needs of all those interacting with it. However, equal participation in the justice system is a human right.

²¹ Government of South Australia, ‘Annual Report 2021-22: Inclusive SA State Disability Inclusion Plan 2019-2023’, available at https://inclusive.sa.gov.au/data/assets/pdf_file/0017/141641/Inclusive-SA-Annual-Report-2021-2022.pdf.

²² Australian Human Rights Commission, ‘People with Disability and the Criminal Justice System: Submission to the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability’, 20 March 2020, available at https://humanrights.gov.au/sites/default/files/ahrc_2020_submission_to_disability_rc_-_criminal_justice_final.pdf.

The right to a fair trial not only applies to defendants, but also to victims and to the community. Court proceedings, and the legal processes that come before them, must be fair for all.

People living with intellectual disability, cognitive impairment, acquired brain injury, or related circumstances should not be questioned by police without a **familiar and trusted person or Communication Partner being present**, in keeping with the *Statutes Amendment (Vulnerable Witnesses) Act 2015*. The Act is intended to improve the position of parties in circumstances of vulnerability, including children and adults living with disability, within the criminal justice system, both in and out of court, and was the statutory basis for the Communication Partner Service (CPS).

Unfortunately, the former South Australian Government did not renew CPS funding, which had been provided in the 2016-17 Budget at a modest \$3.26 million over four years.²³ Since 1 March 2020, a new model for Communication Partners has been in place. Under this model, the provision of communications services is restricted to certain professionals, such as psychologists, social workers, and teachers, to provide communication assistance to people in vulnerable circumstances and are paid for by the agencies requiring them. This approach is problematic because the South Australian Police or a court may be disinclined to allocate resources for Communication Partners to support people and, in any case, could be perceived as having a conflict of interest by the person requiring the support.

Revisit SALRI recommendations

The South Australian Law Reform Institute (SALRI) examined the provision of communication assistance in our state in 2021 and its report made **51 recommendations to government**. Among its recommendations were:

- Any person with the necessary skills to assist someone with a complex communication need should be able to act as a Communication Partner;
- A publicly funded service should be available to people with complex communication needs when they are interacting with the justice system; and
- The right to use a Communication Partner should be promoted so this option becomes more widely known.²⁴

By enabling **any person with the necessary skills** to assist someone with complex communication needs to act as a Communication Partner, the service would also be available to assist First Nations people and others for whom English is not their first language. We also believe people living with disability should be supported by a familiar or trusted other person at all stages of the court process. Therefore, we agree that anyone with the necessary skills to

²³ South Australian Law Reform Institute, 'Providing a Voice to the Vulnerable: A Study of Communication Assistance in South Australia', Report 16, September 2021, available at <https://law.adelaide.edu.au/system/files/media/documents/2021-12/salri-cp-report.pdf>.

²⁴ *Ibid.*

assist someone with a complex communication need should be able to act as a Partner, and that this should not be limited to membership of specific professional bodies.

We believe Communication Partners can make a **significant difference to accessibility and inclusion within the justice system**, and State Government funding should be **reinstated** for this important initiative. To fulfil the critical principle of fairness within the justice system, a readily available, publicly funded service for people with complex communication needs is essential.

Recommendation 8.1: The 2024-25 South Australian Budget should invest in reinstating the Communication Partners Service (CPS) and ensure it is readily available to support people with complex communication needs.

9 Transition state's taxi fleet to fully accessible vehicles

Many people living with disability rely on Access Taxis to attend essential appointments, work, education, and other ordinary activities of daily life. **Without accessible transport, people are cut off from vital services**, such as healthcare, and become increasingly isolated from their communities. Indeed, the **unreliability of Access Taxi services in South Australia** has been impacting on the lives of people living with disability for many years and the problem is continuing to get worse. Access Taxi users have told us that recent changes including increasing and expanding the lifting fee and improving regulation **have made little difference** to their experiences. The review of the point to point transport industry under the *Passenger Transport Act 1994* has been ongoing for more than 18 months but reform and investment are urgent.

It is beyond time to **transition South Australia's taxi vehicle fleet to fully accessible vehicles** to ensure that taxi services are available on an equal basis to everyone in our community and accessible services are offered within a competitive market. This approach would also give the state a significant competitive advantage in the tourism market, guarantee the transport needs of our ageing population are met, and be flexible enough to evolve as new greener vehicle options become available in the future.

Introduce a grant scheme funded through existing Levy revenue

Based on a grant scheme offered to some taxi licence holders by the Queensland Government,²⁵ JFA Purple Orange has **modelled the full transition to accessible vehicles** in South Australia at a total cost of less than \$80 million over 10 years – that is, less than \$8 million per year. The scheme would provide a 50 per cent co-contribution to licence holders for the purchase of a new fully accessible vehicle and fittings to replace an existing ageing taxi. With about 140 grants of up to \$50,000 (based on a cost per vehicle of up to \$100,000, rising with inflation) available each year, a fully accessible taxi fleet of 1400 vehicles could be achieved in South Australia by 2034.

²⁵ Queensland Government, 'Wheelchair Accessible Taxi Grant Scheme', 21 February 2023, available at <https://www.qrida.qld.gov.au/program/wheelchair-accessible-taxi-grant-scheme>.

Since 1 May 2017, taxi and ride-sourcing service passengers have paid a \$1 Point to Point Transport Service Transaction Levy on **all journeys** beginning in the metropolitan area. The levy was legislated as part of arrangements to legalise Uber and justified as providing the revenue required to fund one-off Taxi Industry Assistance Payments. When the levy was announced in 2016, the Weatherill Government indicated it would raise \$80 million over the first 10 years,²⁶ however recent journey data provided by the Department suggests this amount significantly underestimated the revenue.²⁷

The 2016 Taxi and Chauffeur Vehicle Industry Review report, which recommended the levy, stated that **all revenue should be allocated to an industry fund** that would invest in future development of the sector.²⁸ The revenue raised has already surpassed that required to recoup the \$32 million spent on assistance payments with no new initiatives of comparable dimensions announced for this ongoing revenue stream of at least \$8 million, and possibly as much as \$12 million, per year. This revenue can **underpin the investment required to transform South Australia's taxi fleet** by supporting the purchase of fully accessible vehicles and creating a world-leading, high-quality transport service that **meets the needs of all South Australians and visitors**.

Recommendation 9.1: The 2024-25 South Australian Budget should invest in a 10-year co-contribution grant scheme to achieve a fully accessible taxi fleet by 2034, underpinned by revenue obtained from the Point to Point Transport Service Transaction Levy. The levy's revenue and expenditure should be publicly reported each year to assure those paying it that it is being used for its stated purpose.

10 Boost access and inclusion with funding for new initiatives

As mentioned throughout this Pre-Budget submission, South Australia's commitments under *Australia's Disability Strategy 2021-2031* and *Inclusive SA 2019-2023* (with an updated State Disability Inclusion Plan expected soon) are critical to our state becoming **fully inclusive and accessible**. Many of the key outcome areas have been addressed throughout the priorities included above, however there are **several others that also require funding in this Budget**. These include the need to invest in inclusive employment, address shortfalls in access and inclusion in healthcare, and support actions under the Disability Access and Inclusion Plans (DAIPs) of state agencies and local governments.

Employment not only provides a critical source of income that enables many other aspects of our daily lives, but it is also important to our wellbeing, sense of identity, and purpose. While we

²⁶ Australian Broadcasting Corporation, 'South Australian taxi drivers campaign against \$1 passenger levy', 13 August 2016, available at <https://www.abc.net.au/news/2016-08-13/sa-taxi-drivers-campaign-against-passenger-levy/7731484>.

²⁷ Department of Infrastructure and Transport, 'Annual Report 2020-21', 30 September 2021, available at https://www.dit.sa.gov.au/_data/assets/pdf_file/0008/921077/Signed_by_CE_-_Department_for_Infrastructure_and_Transport_2020-21_Annual_Report.pdf.

²⁸ South Australian Taxi and Chauffeur Vehicle Industry Review, February 2016, available at https://www.dit.sa.gov.au/_data/assets/pdf_file/0005/256748/SA_Taxi_and_Chauffeur_Vehicle_Industry_Review_Feb2016.pdf.

welcome the recent commitment in the public sector Diversity, Equity and Inclusion Strategy to a **disability employment target**, we firmly believe three per cent **lacks ambition and falls short of community expectations**. We sincerely hope this target will be increased in the updated State Disability Inclusion Plan, reflecting Policy Priority 1 in *Australia's Disability Strategy 2021-2031* that commits governments to 'increase employment of people with disability'. In the meantime, we urge the Government to **invest further resources in actions to address the shortfall in employment outcomes** for South Australians living with disability. Indeed, the public sector Strategy highlights that while 1 in 5 people live with disability only 1.35 per cent of the public sector workforce in South Australia identifies as living with disability. These actions should be co-designed with workers living with disability, the broader disability community, and employers.

Similarly, access to high-quality healthcare also has a profound impact on people's life outcomes. Again, both *Australia's Disability Strategy 2021-2031* and *Inclusive SA 2019-2023* include commitments to **improve access and inclusion in healthcare**. This includes all elements of healthcare in South Australia from hospitals to mental health services to regional health services. We urge the Government to **further invest in the My Home Hospital** to cover all regions of South Australia, to **fund Disability Liaison Officers** for each Local Health Network, and to **implement professional development training programs** regarding the urgent need to eliminate discrimination and the marginalisation of people living with disability across healthcare settings.

Finally, there is an ongoing need for resources to **support the realisation of commitments under the State Disability Inclusion Plan and those in the DAIPs of government agencies and councils** across South Australia. DAIPs constitute a third pillar to the aspirations set out in *Australia's Disability Strategy 2021-2031* and *Inclusive SA 2019-2023* and provide a clear pathway to achieving results on the ground. While statements of intent are a first step, without the necessary investments in DAIP actions little change is actually achieved. We regularly hear that a lack of resources is the major impediment to outcomes under both the State Plan and DAIPs. This is not only a missed opportunity for our state but undermines the objectives of the *Disability Inclusion Act 2018*. In the lead up to the 2022 State Election, we asked all parties to commit to ensuring resources would be available to state authorities and councils to implement DAIP actions and we were advised by the State Labor Party that this would be seriously considered as part of the annual Budget processes. With the forthcoming roll out of foundational supports, which will require improved accessibility and inclusion in mainstream settings if the approach is to succeed, it has never been more important to **turn the good intentions contained in DAIPs into real outcomes**.

Recommendation 10.1: The 2024-25 South Australian Budget should invest in actions to address the shortfall in employment outcomes for people living with disability and ensure the new public sector employment target can be realised and quickly increased to deliver a population proportionate target within the term of *Australia's Disability Strategy 2021-2031*.

Recommendation 10.2: The 2024-25 South Australian Budget should invest in measures to address shortfalls in access and inclusion of people living with disability in healthcare settings, including by funding an expansion of My Home Hospital, a roll out of Disability Liaison Officers

in each Local Health Network, and the implementation of professional development training programs to end discrimination.

Recommendation 10.3: The 2024-25 South Australian Budget should allocate substantial dedicated funding to achieving the outcomes in the updated State Disability Inclusion Plan and provide funding for actions under the Disability Access and Inclusion Plans (DAIPs) of government agencies and councils to ensure statements of intent are fully realised in practice.

Improving future pre-budget submission processes

We continue to urge the State Government to consider a more open and transparent approach to seeking Pre-Budget Submissions in the future to ensure that contributions can be gained equitably from across the State. The approach taken by the Federal Government offers a sound guide for South Australia to follow.

Recommendation 11.1: The South Australian Government should implement an open accessible pre-budget submission process allowing at least eight weeks for submissions to be lodged to ensure that all South Australians and organisations can provide input into the Government's pre-budget considerations on an equal basis.

About us

JFA Purple Orange is an independent social profit organisation based in South Australia that undertakes systemic policy analysis and advocacy across a range of issues affecting people living with disability and their families. We also host a range of peer networks for people living with disability including people living with intellectual disability, physical and sensory disability, younger people, people from culturally and linguistically diverse backgrounds, and people in regional South Australia. Our work is characterised by [co-design](#) and informed by a model called [Citizenhood](#).

To discuss our 2024-25 Pre-Budget Submission in more detail, please contact Selena Maddeford, Manager - Policy & Projects, JFA Purple Orange, on (08) 8373 8394 or selenam@purpleorange.org.au.

Appendix A – Draft Accessible Housing Overlay Code Amendment (SA Planning and Design Code)

Insert:

Accessible Housing Overlay

Assessment Provisions (AP)

Desired Outcome (DO)

| Desired Outcome | |
|-----------------|--|
| DO 1 | Housing that is accessible to, and readily adaptable for, a range of occupant and visitor useability needs is assured and promoted. |
| DO 2 | High-quality accessible housing design and construction is assured and promoted. |
| DO 3 | Accessible housing that is located in close proximity to accessible community infrastructure, including, but not limited to, public transport, healthcare, and education, is assured and promoted. |
| DO 4 | Accessible housing that positively contributes to the liveability and inclusiveness of neighbourhoods is assured and promoted. |
| DO 5 | Accessible housing is suited to a range of incomes including households with low to moderate incomes. |
| DO 6 | Accessible housing that enables ageing in place is assured and promoted. |
| DO 7 | Accessible housing caters for a variety of household structures. |

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

| Performance Outcome | Deemed-to-Satisfy Criteria / Designated Performance Feature |
|---|--|
| Land Division | |
| PO 1.1 Development comprising 10 or more dwellings / allotments incorporates accessible housing. | DTS/DPF 1.1 Development results in 0-9 additional allotments / dwellings. |

JFA Purple Orange is an independent social-profit organisation that undertakes systemic policy analysis and advocacy across a range of issues affecting people living with disability and their families.

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| | |
|--|---|
| <p>PO 1.2 Development comprising 10 or more dwellings or residential allotments provides housing suited to a range of accessibility needs.</p> | <p>DTS/DPF 1.2 Development comprising 10 or more dwellings or residential allotments includes a minimum of 15% accessible housing that complies with the Australian Building Codes Board (ABCB) Voluntary Livable Housing Design Standard, except where:</p> <p>(a) Concessions or exemptions under the mandatory National Construction Code 2022 Livable Housing Design Standard apply to 15% or more dwellings or residential allotments, then 25% of remaining dwellings or residential allotments comply with the Australian Building Codes Board (ABCB) Voluntary Livable Housing Design Standard.</p> |
| <p>PO 1.3 Accessible housing is suited to a range of incomes including households with low to moderate incomes.</p> | <p>DTS/DPF 1.3 Affordable housing includes a minimum of 15% accessible housing that complies with the Australian Building Codes Board (ABCB) Voluntary Livable Housing Design Standard.</p> |
| <p>PO 1.4 Accessible housing is distributed throughout the development to avoid an overconcentration.</p> | <p>DTS/DPF 1.4 None are applicable.</p> |
| <p>Built Form and Character</p> | |
| <p>PO 2.1 Accessible housing is designed to complement the design and character of residential development within the locality.</p> | <p>DTS/DPF 2.1 None are applicable.</p> |
| <p>Movement and Car Parking</p> | |
| <p>PO 3.1 Sufficient accessible car parking is provided to meet the needs of occupants of accessible housing.</p> | <p>DTS/DPF 3.1 Dwellings constituting accessible housing are provided with accessible car parking of at least 1 car park per dwelling.</p> |

Procedural Matters (PM) – Referrals

The following table identifies classes of development / activities that require referral in this Overlay and the applicable referral body. It sets out the purpose of the referral as well as the relevant statutory reference from Schedule 9 of the Planning, Development and Infrastructure (General) Regulations 2017.

| Class of Development / Activity | Referral Body | Purpose of Referral | Statutory Reference |
|---------------------------------|---------------|---------------------|---------------------|
| None. | None. | None. | None. |