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QAI Commends NDS' *Zero Tolerance* - But services can do more

"We must never forget the lived experiences of vulnerable people in Australia - the experiences of people with intellectual, cognitive or psychiatric disabilities who have been and still are subject to abuse and neglect" said Queensland Advocacy Incorporated's Director, Michelle O'Flynn today.

In Queensland, the use of Restrictive Practices on vulnerable people with disability is sanctioned by the sanitised legislation Restrictive Practices using terms such as mechanical, physical and chemical restraint, seclusion, and containment.

Ms O'Flynn, "These are euphemisms for the physical bondage, assault, drugging, deprivation of liberty and solitary confinement of disempowered people".

"Our legal framework justifies these practices as a humane response to so-called 'behaviours of concern', but using expressions like 'behaviours of concern' is nothing more than victim-blaming" said Ms O'Flynn.

"When service providers are not committed enough or creative enough to interpret the messages communicated by people with disabilities, their fall-back is always to blame people with disabilities themselves".

"These practices are the means to dominate and control vulnerable people" said Ms O'Flynn.

"It's easy to do when the person they are undermining is not allowed to speak out about the abuse" she said.

Restrictive Practices are torturous to people who often have little or no control over daily aspects of their lives. They contravene Articles 15 and 16 of the *Convention on the Rights of Persons with Disabilities* (CRPD) which guarantee persons with disability freedom from torture or cruel, inhuman or degrading treatment or punishment and from exploitation, violence and abuse. These practices are in breach the *Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment* (CAT).

"Nevertheless, QAI commends National Disability Services' recently announced *Zero Tolerance* Initiative, as a first step approach to a national approach to promoting human rights and preventing and responding to abuse, neglect and violence experienced by people with disability" said Ms O'Flynn.

Zero Tolerance is built around a prevention focused framework. It embeds human rights and promotes positive practice. *Zero Tolerance* encourages reflective practice and early intervention, asking staff to take corrective steps where there is a risk of a person's rights being compromised.

“Many people with disability who experience abuse are not in a position to advocate for themselves. We cautiously welcome NDS’ leadership” said Ms O’Flynn.

“But we will keep watching closely, and encourage NDS and its members to ensure that the people they are meant to serve have access to advocacy, and are truly given opportunities to direct their supports and have control in their lives.” said Ms O’Flynn.

“Finally, we demand a Royal Commission into the operation of all government funded services” said Ms O’Flynn.

“As we move into a new era of ‘choice and control’ we must take this opportunity to expose decades of institutional abuse once and for all.”

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