Royal Commission definitions for its inquiry into violence, abuse, neglect and exploitation of people with disabilities.

Violence and Abuse - definitions and examples in the school context

The Royal Commission’s definition (from its submission form) of “violence and abuse” is as follows:

“Violence and abuse

Violence and abuse include assault, sexual assault, constraints, restrictive practices (physical and chemical), forced treatments, forced interventions, humiliation and harassment, financial and economic abuse and significant violations of privacy and dignity on a systemic or individual basis.”

Restrictive Practices

Has your child being subjected to restrictive practices? (See further information on the definition of restrictive practices)

Have staff at your child’s school suggested that your child cannot continue attendance, or continue full-time attendance, unless they are medicated?

Has your child being subjected to physical restraint (see further information on the definition of physical restraint).

Has restraint or seclusion occurred in the following circumstances?

* No best practice behaviour support plan (e.g. goals, strategies, measurable outcomes, data collection and analysis)
* No engagement of someone with qualifications in behavioural support
* No intensive assistance to your child by someone with qualifications in behaviour support
* No escalation of interventions, for example school staff fail to effectively address behaviours, school psychologists fail to effectively address behaviours, engagement of credentialled expert to effectively address behaviours.
* No comprehensive Individual Education Plan (e.g. addressing your child’s disabilities, goals, strategies, measurable outcomes, monitoring, evaluation and review)
* No student support group meetings which follow DET guidelines, or similar in other Australian states.
* Where you have explicitly advised the school of what your child needs to address their behaviours of concern, and have been ignored
* any communication method

Has information on the restraint or seclusion of your child been kept from you, only to be discovered by chance?

Have you given explicit directives in relation to forbidding the restraint and seclusion of your child and been ignored, or your request refused?

If your child has been restrained, were you asked to sign a consent form where you acknowledged that your child would be subjected to practices that may cause injury, death or trauma?

Have you been told by school staff, that the physical restraint of your child is:

* a de-escalation technique?
* necessary for you to agree to, or otherwise they cannot attend school?
* required for their own safety?

Privacy and Dignity

Has your school shared knowledge about your child without your permission?

Does your school require you to sign consent forms that are unnecessarily broad and do not comply with privacy principles?

Assault

Has your child been assaulted by an adult in school?

Has your child been assaulted by other children at school, unaddressed by school staff?

Humiliation

“embarrassment, mortification, shame, indignity, ignominy, disgrace, dishonour, discomfiture, degradation, discredit, obloquy, opprobrium, loss of pride, loss of face;”

Is your child humiliated by other children at school, unaddressed by school staff?

Do staff humiliate your child through:

* asking them to do things in the classroom in front of other students, that due to their disability, they cannot do
* announce punishments that your child will be subjected to in front of other students
* exclude and segregate them from their peers, in front of their peers (e.g. they are only allowed to learn in a “special” area of the school, or in a corridor, they are not allowed to join their peers in the playground but have their own “special” area of the school to play in
* exclude them from excursions and incursions which all other students can attend
* refuse to accept, develop or adhere to plans for continence, epilepsy and other disabilities, which has as an effect, humiliating and embarrassing consequences for your child

Does your child display behaviours of concern, that have been unaddressed by the school, that humiliate them in front of their peers (e.g. children having “meltdowns” in front of others, engaging in property destruction, self injurious behaviours).

Has your child had a communication method withheld from them, the consequence being they cannot communicate with their peers or staff?

Has your child with a disability being expelled from school, due to behaviours of concern associated with their disability?

Harassment

persecution, harrying, pestering, badgering, intimidation, bother, annoyance, aggravation, irritation, pressure, pressurization, force, coercion, molestation;

Has your child been bullied, and ignored when they or you report it?

Has your child been bullied by staff?

Do staff consistently talk or write about your child in a way that is demeaning and pejorative?

Has your child been repeatedly subjected to detention and suspension, or other practices that the research states are detrimental to children, in the absence of:

* No best practice behaviour support plan (e.g. goals, strategies, measurable outcomes, data collection and analysis)
* No engagement of someone with qualifications in behavioural support
* No intensive assistance to your child by someone with qualifications in behaviour support
* No escalation of interventions, for example school staff fail to effectively address behaviours, school psychologists failed to effectively address behaviours, engagement of credentialled expert to effectively address behaviours.
* No comprehensive Individual Education Plan (e.g. addressing your child’s disabilities, goals, strategies, measurable outcomes, monitoring, evaluation and review)
* No student support group meetings which follow DET guidelines, or similar in other Australian states.
* Where you have explicitly advised the school of what your child needs to address their behaviours of concern, and been ignored
* any communication method.

Psychological Abuse

***Psychological abuse****, often called* ***emotional abuse****, is a form of* [*abuse*](https://en.wikipedia.org/wiki/Abuse)*, characterized by a person subjecting or exposing another person to behavior that may result in* [*psychological trauma*](https://en.wikipedia.org/wiki/Psychological_trauma)*, including* [*anxiety*](https://en.wikipedia.org/wiki/Anxiety_disorder)*,* [*chronic depression*](https://en.wikipedia.org/wiki/Chronic_depression)*, or* [*post-traumatic stress disorder*](https://en.wikipedia.org/wiki/Post-traumatic_stress_disorder)

Has your child been so traumatised by their experiences at school, that:

* you have been required to withdraw them, either temporarily or permanently, from the school system and homeschool or distance educate them?
* they have required psychological counselling?
* they have developed school refusal behaviours?

What were the experiences at the school that cause the trauma?

* bullying?
* refusal to put in place the supports the child needs?
* consistent punitive responses to needs or behaviours that are symptoms of disability?

PARENTS WITH DISABILITIES

As a parent with a disability, have you been subjected to any of the above for any reason, including for advocating on behalf of your child with a disability?

Have you acquired any psychological illness (e.g. anxiety, depression, suicidal ideation or exacerbation of a pre-existing disability) through your advocacy on behalf of your child?

* If you made a legal complaint, did the behaviour of department of education lawyers contribute to this?
* Have school and departmental staff ceased communicating with you in the “usual” manner after making a complaint, subjecting you to stress and anxiety?
* Have you been humiliated by being subjected to a tresspass order after advocating for your child?
* Have you coincidently been notified of a complaint to child protection authorities after you began advocating for your child?

Have you withdrawn your child from a particular school, because the treatment of you was sufficiently harmful that you could not maintain your mental health and continue your child attending that school?

Documents to accompany submissions (not exhaustive):

1. Incident reports indicating that:
   1. your child’s behaviours of concern are being unaddressed
   2. your child’s behaviours of concern are being responded to with punishment
   3. your child has been restrained or secluded
2. Suspension Notices indicating that:
   1. your child’s behaviours of concern are being unaddressed
   2. rather than providing intensive behaviour support, your child is being punished
3. Letters from law firms indicating an aggressive response to you lodging a complaint of violence, abuse, neglect or exploitation of your child (these letters can be obtained from your own lawyers if you are represented).
4. Behaviour support plans that:
   1. include punishments for behaviours rather than pro-social strategies
   2. indicate that the behaviour plan is not being monitored and evaluated for lengthy periods of time (e.g. is in place for one year)
   3. do not include measurable outcomes or the requirement for data collection and therefore can’t be evaluated
5. Any documents from schools or departments of education that defame, denigrate or criticise your child (or you as a parent with a disability)
6. Any complaints of bullying you have made (physical or psychological)
7. Any documents that reflect that your child has not been/is not being taught to communicate, for example:
   1. any reports after a number of years where it is clear that your child is continuing with similar communication goals from prep (e.g. “hello” and “goodbye” “my name is….” “I want…..”)
   2. any requests by you for the teaching of communication, and any responses from school staff that indicate either explicitly, or implicitly, that they will not be agreeing to such teaching
   3. any speech pathology plan that indicates a lack of interest in rapidly expanding your child’s vocabulary/ability to use their device
   4. any document that reflects a school’s policy of adopting one form of communication for all (special schools) regardless of individual need
8. Correspondence between you and department of education staff which reflect that you cannot obtain responses, have complaints process etc
9. Complaint documents about any of the above and responses to those complaints.