



12 March 2021

**Royal Commission
into Violence, Exploitation, Neglect and Abuse of people with Disability**

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Response to issues paper: Violence and abuse of people with disability at home

The Office of the Public Advocate (OPA) welcomes the opportunity to respond to this important consultation by the Royal Commission. In this short submission, OPA is signalling the critical importance of these issues, and our capacity to provide further details and current cases, if that would be helpful.

OPA has previously made a range of recommendations that go to the issues raised. These include recommendations relating to reforms ideas, safeguarding gaps, and the need for OPA and like bodies to have broad investigative powers. There is a clear gap in the current ability of government agencies and the health service system to combat abuse of people in their own homes.

We see a role for an advertised non-police contact-point, through which members of the public and service professionals can raise concerns about the well-being of at-risk adults and young adults. This needs to be housed in a body with clear authority to investigate situations of concern occurring in homes, as well as other settings. These investigations should take a supportive intervention approach.

OPA, and like bodies in the states and territories, are well placed to receive complaints and investigate situations of concern involving people with disability which do not involve a crime or an immediate emergency. They will need broader powers of investigation to explore suspected abuse, including circumstances where private decision-making appointees are an alleged perpetrator. This proposal would extend the Victorian Public Advocate's current powers of investigation.

The Victorian Law Reform Commission previously made recommendations in relation to new complaints and investigation functions for the Victorian Public Advocate.¹ OPA supports these recommendations, preferring that the proposed extended investigation powers have broader application than just to adults with impaired decision-making disability. This expansion would ensure that all complaints and notifications of suspected violence or abuse of a person with a disability at home could be appropriately investigated and, where relevant, referred for follow-up or action to another agency, service or government body.

Yours sincerely,

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Public Advocate

¹ VLRC. 2012 Guardianship Report Final Report (2012) Recommendations 328 & 329 <[Guardianship: Final Report | Victorian Law Reform Commission](#)>.