

15 May 2024

Draft National Autism Strategy

Department of Social Services
GPO Box 9820
Canberra, ACT 2601

Via email: AutismPolicy@dss.gov.au

Draft National Autism Strategy

Thank you for the opportunity to provide feedback on the draft National Autism Strategy (the Strategy).

As the Public Advocate for Queensland, I undertake systemic advocacy to promote and protect the rights and interests of Queensland adults with impaired decision-making ability.¹

People with impaired decision-making ability are a broad and diverse group due to the range of conditions that may affect a person's decision-making ability. While not all people with Autism will experience impaired decision-making ability, some will; indeed, a dual diagnosis of Autism and intellectual disability is not uncommon.²

As noted in my submission to the development of the Strategy in October last year, I welcome the introduction of a national strategy that will target the ways in which governments and services can better support Autistic people and their families.

My submission last year focused on the importance of making specific provision in the Strategy for supported decision-making as a means to promote and safeguard the rights, interests and opportunities of people with Autism. Supported decision-making refers to processes and approaches that assist people to make a decision, including by giving them the tools they need to make the decision for themselves.³ The need for the Strategy to focus on the importance of supported decision-making appears to be a view shared by other stakeholders, given that "promoting and supporting self-advocacy and supported decision making to uphold the rights and dignity of Autistic people, including families and carers" was identified on page 14 of the draft Strategy as a key theme to emerge from the initial consultation process.

Accordingly, I support the 19th commitment in the draft Strategy, to "explore the feasibility of a decision-making tool to empower Autistic people to make informed decisions about all areas of their life". The development and distribution of such a tool is a promising initiative and would align with recommendations from the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability (the Royal Commission) which addressed the ways in which supported decision-making should be further entrenched in legislation, policy and practice to promote and protect the rights of people with a disability. The Department of Social Services may also wish to consider supplementing the decision-making tool with guidance on supported decision-making for people in an Autistic person's life. This would align with specific recommendations from the Royal

¹ *Guardianship and Administration Act 2000 (Qld) s 209.*

² Inclusion Australia, "Engaging with autistic people with an intellectual disability to develop the National Autism Strategy: A report for the Department of Social Services" (2023), p. 3.

³ Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability, "Executive Summary, Our vision for an inclusive Australia and Recommendations" (2023), p. 328.

Commission which include the provision of information and education for families of people with a disability on supported decision-making,⁴ and the creation of practice guidance for service providers.⁵

In addition to the development of a decision-making tool, I believe there are opportunities to incorporate additional commitments to supported decision-making in the Strategy which would further reflect the recommendations from the Royal Commission. For example, under the outcome area of "social inclusion", the draft Strategy notes that, "social inclusion is about ensuring everyone has the opportunity to participate fully in our society".⁶ Being able to make decisions about their own life is central to anyone's meaningful participation in society. In light of this, the Strategy would benefit from recognition of an Autistic person's right to be provided with the appropriate supports to make their own decisions. To fully effect this right, I would like to see a commitment to having the relevant policies and processes of supported decision-making in place that would allow Autistic people to participate fully in society.

Outcome two of the draft Strategy, economic inclusion, highlights the importance of "safe, secure and equitable education and employment opportunities".⁷ Policies and processes that facilitate supported decision-making are important for Autistic people to be able to make their own decisions about education and employment. Much like the outcome area of social inclusion, a commitment to facilitating supported decision-making in the Strategy would be a valuable mechanism for Autistic people to enable them to access education and employment opportunities and achieve economic independence.

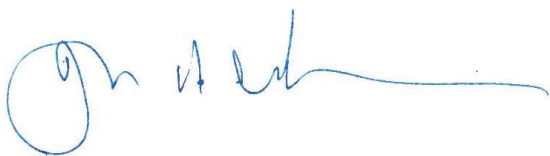
More explicit commitments to supported decision-making would also be consistent with one of the guiding principles of the Strategy, "self determination and autonomy", which specifies that "this Strategy will foster freedom of choice, control and support for Autistic people to make their own individual decisions about all aspects of life".⁸

Including clear supported decision-making policy and practice reforms in the Strategy would not only be consistent with formal recommendations from the Royal Commission; it would contribute to the "uniformity and consistency in practice across states and territories" in relation to a supported decision-making framework that was proposed by the Royal Commission in its final report.⁹

I therefore recommend that the Strategy include specific provision for supported decision-making as a tool to promote and safeguard the rights, interests and opportunities of people with Autism.

Thank you again for the opportunity to provide feedback on the draft National Autism Strategy and I look forward to the release of the final Strategy. If you require clarification of any of the issues raised in this correspondence, please contact my office on 07 3738 9513.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'John Chesterman', with a long horizontal flourish extending to the right.

John Chesterman (Dr)
Public Advocate

⁴ Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability, "Executive Summary, Our vision for an inclusive Australia and Recommendations" (2023), recommendation 6.13, p. 222.

⁵ *Ibid*, recommendation 10.7, p. 288.

⁶ Department of Social Services, Draft National Autism Strategy, Department of Social Services, Canberra, 2024, p.22.

⁷ *Ibid*, p.20.

⁸ *Ibid* p.8.

⁹ Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability, "Executive Summary, Our vision for an inclusive Australia and Recommendations" (2023), p. 71.