

20 January 2022

The Chair

The Honorable Ronald Sackville AO QC

Disability Royal Commission

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Dear Mr Sackville

Emergency Omicron public hearing

We, the Board of PWDA, call upon our Disability Royal Commission to immediately convene an emergency public hearing into the failure of Australian governments and responsible parties to adequately keep people with disability safe during the COVID-19 pandemic and specifically during the Omicron wave.

We note that Omicron presented unique challenges which should have been addressed by protective strategies and positive measures undertaken by government.

We further note that people with disability and their families are still living in crisis, continue to be unprotected and have been failed by the responsible bodies charged with our care.

We recognise the import and the worth of the previous reports published by the Disability Royal Commission following Public Hearings 5 and 12 and urge you to immediately convene a further hearing.

In doing so, we ask you to consider:

- The escalating number of deaths of people with disability from COVID-19, service and market failure, lack of access to essential supports and services and other causes including an inability to access essential medical and health services.

- The efficacy of actions taken by government to date in rolling out the 1a and 1b vaccination program as well as the wider vaccination program, including marked gaps for First Nations persons and regional and remote Australians with disability.
- The abrogation of responsibility for the health, care and support of people with disability in the 1a and 1b rollout.
- The lack of adequate, accessible and affordable prevention screening and testing, including the provision of rapid antigen testing and equitable access to PCR testing.
- The failure to provide adequate personal protective equipment (PPE) to people with disability who are considered to be at risk, including through the National Disability Insurance Scheme (NDIS).
- The experience of people with disability regarding access to income support and essential services including Telehealth.
- The reduction or removal of funding to NDIS participants, placing them at further risk.
- Whether decisions to 'open up' states without ensuring people with disability and their families were protected, including through preparations for a rapid surge workforce, served to endanger people with disability and their families.
- The failure to ensure equitable access to information.
- The appropriateness of requiring people with disability who are Jobseeker and DSP participants to undertake mutual obligations or fulfil participation requirements during the outbreak.
- The lack of appropriate measures taken to ensure safe and equitable access to education for students with disability.
- Policy decisions undertaken by governments and health bureaucrats which actively deprioritised people with disability within triage and health systems and failed to comply with Australia's obligations to work within an ethical framework.

- Whether governments undertook to collect and disseminate appropriate information, including statistical and research data, in line with Australia's commitments under Article 31 of the CRPD.

We respectfully ask you, our Royal Commissioners, to turn your attention to this emergency and take action before it is too late.

The number of people with disability who have been lost to COVID-19 and preventable death is steadily increasing and we fear that the situation will worsen without urgent measures.

Yours faithfully

The Board of People with Disability Australia

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