

21 November 2025

Department of Education
GPO Box 9880
CANBERRA ACT 2601
To be submitted online

Dear Consultation team,

2025 Review of the Disability Standards for Education – Discussion Paper

Thank you for the opportunity to respond to the 2025 Review of the Disability Standards for Education. I note the government is reviewing the Standards to make sure they are supporting students to access and participate in education and training. In doing so, the Review is considering three topics:

1. How well the Standards are being implemented,
2. What more can be done to support inclusive decision-making and complaints handling, and
3. Whether responsibilities for assessment authorities and course developers are clear.

In this brief contribution I have focused on responding to aspects of key areas 1 and 2 of the Review.

By way of background, Tasmania's Commissioner for Children and Young People (CCYP) is an independent statutory office established under the [Commissioner for Children and Young People Act 2016](#) (the Act). The Commissioner's functions include:

- advocating for all Tasmanian children and young people in the State generally;
- researching, investigating and influencing policy development in areas relating to children and young people generally;
- promoting, monitoring and reviewing the wellbeing of children and young people generally.

In performing these and other functions under the Act, the Commissioner is required to:

- do so according to the principle that the wellbeing and best interests of children and young people are paramount; and
- observe any relevant provisions of the United Nations Convention on the Rights of the Child (UNCRC), which sets out the civil, political, economic, social and cultural rights of all 'children' – defined as people under the age of 18.



Comment

While children's rights are mentioned throughout the Discussion Paper, there is no explicit statement that children and young people have inalienable rights under the UNCRC as well as the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD), and that the Disability Standards for Education are a mechanism through which to make these rights real.

Realising children's rights and prioritising their best interests includes ensuring the views and experiences of children are heard and their opinions are given serious consideration in matters that affect them. It involves ensuring non-discrimination and respect for the inherent dignity of children, and guaranteeing their access to equitable, inclusive, and quality education and safe environments, so that every child can develop fully and reach their potential.

However, I hear from parents, carers and children about ongoing barriers to inclusive education, including the use by schools of exclusionary practices, experiences of bullying and harassment, and the pressing need to improve communication and complaints resolution mechanisms.

Further, it is a recurrent theme in my conversations with children and young people that having positive, safe and supportive relationships with adults helps them to feel welcome and safe at school and improves school attendance. Facilitating children's participation in matters that affect them is an important way to foster positive, safe relationships and ensure their education needs are met.

This office recently worked with 19 children and young people representing diverse identities, backgrounds, and experiences from communities across Tasmania through the *Voices for Tasmanian Youth* Consultative Council.¹ We supported council members to prepare a report for the Tasmanian Government, *Speaking Out for a Safer Tomorrow: Our Messages for Change* (Speaking Out Report), which communicates their experiences and views on the changes they want to see to a range of programs and services including in educational settings.²

Several issues discussed in the Speaking Out Report are relevant to the Review. Council members spoke about safety in school, and how a lack of safety can decrease school attendance and lead to poorer educational outcomes. They also spoke about how feeling safe can boost confidence in young people and assist with access to education. The council members invited us to:

*Imagine a Tasmania where we, as young people, feel completely safe and supported in our schools and other institutions. In this future, environments are welcoming and inclusive, where everyone is treated with kindness, empathy, and respect. This culture of understanding eliminates harmful stereotypes and combats stigma and discrimination, making us feel valued and secure.*³

The Speaking Out Report encourages schools and other organisations to create environments where all children and young people feel welcome, safe and respected; where understanding, kindness and empathy is encouraged; and where concerns and complaints are taken seriously and handled in a way where young people feel heard and supported.

¹ <https://childcomm.tas.gov.au/young-people/the-voices-for-tasmanian-youth/>

² <https://childcomm.tas.gov.au/resource/speaking-out-for-a-safer-tomorrow-our-messages-for-change-report/>

³ Commissioner for Children and Young People (Tas), *Speaking Out for a Safer Tomorrow: Our Messages for Change* (A report from the Voices for Tasmanian Youth Consultative Council), 2024, [CC-Voices-for-Youth-Report-DIGITAL.pdf](#)



The Lundy Model of Participation⁴ offers a practical framework for implementing Article 12 of the UNCRC, which affirms the right of all children to express their views and opinions and have their views taken seriously in decisions that affect them. The model conceptualises participation through four interrelated elements: Space, Voice, Audience, and Influence.

- Space refers to providing children with safe and inclusive opportunities to express their views. This means creating environments - such as classrooms, school communities and other forums - where children feel welcomed and respected.
- Voice ensures that children are supported to express their views freely. This includes using child-friendly language, accessible formats, and culturally appropriate methods.
- Audience means that children's views must be actively listened to by those with the power to act, such as educators, policy-makers, or administrators.
- Influence requires that children's views are not only heard, but also considered and acted upon, where appropriate. Feedback mechanisms should be in place, so children know how their input has shaped decisions.

The Lundy Model encourages schools to embed meaningful student participation in decision-making processes, curriculum design, and school governance, ensuring that children's rights are respected in practice - not just in principle.

The current proposed principles in Attachment B to the Discussion Paper ('Draft set of principles for consultation, issues resolution and complaints handling under the Disability Standards for Education') may benefit from the application and inclusion of a paradigm such as the Lundy Model, to assist in guiding education providers on how to ethically include children and young people in decision-making processes.

I would also encourage embedding the draft set of principles within the Standards themselves with a requirement for education providers to engage with them, or at the least a requirement for individual providers to develop their own policies and processes for children's participation.

At the local level, it will also be important for those responsible for adherence to the Standards to engage with Tasmania's Disability Commissioner and community organisations including the Association for Children with Disability who work tirelessly to promote the rights and voices of children with disability in this state.

Thank you again for the opportunity to contribute to the review process. I trust the matters raised assist to inform

Yours sincerely,

Isabelle Crompton

Interim Commissioner for Children and Young People

cc: *The Hon Jo Palmer, Minister for Children and Youth, Minister for Education, Minister for Disability Services*

⁴ Lundy, L. (2007). 'Voice' is not enough: conceptualising Article 12 of the United Nations Convention on the Rights of the Child. *British Educational Research Journal*, 33(6), 927–942.