

Submission: Justice and Child Wellbeing Reform across Australia

On behalf of the Australian Greens we welcome the opportunity to provide a submission responding to the Australian Human Rights Commission's consultation regarding Justice and Child Wellbeing Reform across Australia.

The Australian Human Rights Commission is seeking input on four questions:

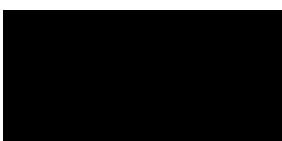
1. What factors contribute to children's and young people's involvement in youth justice systems in Australia?
2. What needs to be changed so that youth justice and related systems protect the rights and wellbeing of children and young people? What are the barriers to change, and how can these be overcome?
3. Can you identify reforms that show evidence of positive outcomes, including reductions in children's and young people's involvement in youth justice and child protection systems, either in Australia or internationally?
4. From your perspective, are there benefits in taking a national approach to youth justice and child wellbeing reform in Australia? If so, what are the next steps?

Any time a child spends in prison is not rehabilitative - it is traumatising and forever life damaging. First Nations children and families are disproportionately affected by failures in the criminal justice system. Child prisons are responsible for the continuation of the Stolen Generations and ongoing intergenerational trauma.

This submission will outline key factors contributing to children and young people being imprisoned across Australia, identify tangible positive reforms that must be resourced, replicated and scaled up, and highlight necessary reforms at both State and Territory level as well as the Commonwealth.

The Australian Greens commend the Children's Commissioner and the Australian Human Rights Commission for undertaking this urgent and vital work. We are available for further discussion and are ready to support positive reform that will change lives.

Yours sincerely,



Senator David Shoebridge, Senator for NSW
Australian Greens Justice Spokesperson

10 Key Recommendations:

1. The Federal Parliament must urgently step up to protect children

Australia is failing to meet its obligations under a range of international treaties, as the states and territories continue to imprison children in institutions that systematically abuse their rights. The Commonwealth is empowered, and we argue, obliged to enact legislation to protect children in line with obligations both under existing Federal law as well as international legal responsibilities.

2. The Commonwealth must fund and support diversion and prevention and ensure justice reinvestment

The Commonwealth must establish a Federal funding scheme for diversion programs to support and incentivise State and Territory governments to take a justice reinvestment approach to criminal justice, redirecting money from prisons to diversion programs, supporting families and communities to heal.

3. States and Territories must Raise the Age

State and Territory governments must raise the age of criminal responsibility to at least 14, without carve-outs. No child aged 10-17 years should be arrested, held on bail, or incarcerated except in extraordinary cases. Detention must always be a last resort.

4. All jurisdictions must ensure adequate, long-term funding for prevention and support

All jurisdictions, led by the Commonwealth, must prioritise the provision of long-term, predictable funding - and particularly a stronger focus on for Aboriginal community-controlled organisations - in the areas of diversion, prevention, health, education, housing, among others according to community priorities, that deliver culturally safe and trauma-informed services. These programs must be community-led and non-punitive, prioritising prevention, diversion, support and healing.

5. States and Territories must reform bail laws, prioritising the granting of bail to children

Changes introduced in NSW which have seen reductions in children being imprisoned should be replicated and enhanced, including allowing young people to appeal an original bail decision if it was unsuccessful; allowing a registrar to immediately approve bail once accommodation is found if a child was held on remand due to lack of accommodation or residence. (Significant numbers of children are held on remand because they have no safe home.) Governments should also reverse retrograde and non-evidence-based measures such as those recently introduced in Queensland including presumption against bail, criminalising technical breach of bail, and harsh sentencing for property offences.

6. End the incarceration of children in adult facilities

No child should ever be in jail, let alone an adult jail. This must start with ending the use of police watch-houses to detain children for long periods, as is the practice in Queensland and Western

Australia. In Queensland a whistleblower has evidenced adult detainees exposing themselves to children, children being deprived of clothing and underwear, illegal strip searches, young girls being detained in cells with adult men, and young detainees being assaulted by individuals or groups of detainees.¹ This should not just be a passing media storm, it must be a clarion call for national reform.

7. All jurisdictions must review and reform discriminatory laws, policies and practices

All jurisdictions must audit their laws, policies and practices to identify discriminatory impacts on First Nations children and communities, and reform those systems where discriminatory impacts are identified. This should include a strong focus on ending discriminatory policing and addressing injustices in the legal, health and child protection systems, as well as any other laws, policies and practices that target and criminalise First Nations children and communities. The Commonwealth should lead this reform by providing the framework and funding for it to occur.

8. End the cycles of disadvantage and trauma that link back to child removals

First Nations children removed from their families and placed in out-of-home care are 16 times more likely to be in youth justice supervision than those who are not, increasing their likelihood of adult incarceration. Among other reforms, funding should be directed to addressing systemic problems such as entrenched poverty and inadequate housing and health, which are often the precursors to child removals.

9. The Commonwealth must urgently step in to protect children currently imprisoned

The Federal Parliament is empowered and obliged to act to respect the rights of children and protect them from harm, in accordance with long standing international treaties to which Australia is a signatory. The Federal government can't turn away while the States and Territories locking up children and abusing them, the Federal Parliament can and must change the law to keep children safe. The Federal government must act on evidence that children in prison are being subjected to abuse, round-the-clock lockdowns, solitary confinement, and other rights violations.

10. Listen and learn from the experiences of families, communities, and local support services

Families and communities should be properly resourced to address the underlying causes of offending, including through early intervention and support delivered by community-led programs that are culturally safe and trauma-informed. The principle of First Nations self-determination should guide all decisions about what is in the best interests of First Nations children. Evidence-based policy making should be informed by the expertise of First Nations legal services and other specialist services representing children and their families.

¹ "‘Illegal’ strip searches of children among claims made by Queensland watch-house whistleblower," The Guardian, [27 Feb 2023](#), Eden Gillespie.

Questions 1 and 2:

What factors contribute to children's and young people's involvement in youth justice systems in Australia?

What needs to be changed so that youth justice and related systems protect the rights and wellbeing of children and young people? What are the barriers to change, and how can these be overcome?

Consistent recommendations by youth justice stakeholders across the sector include:

- Raising the age of criminal responsibility nationally to at least 14;
- Reforming bail laws and providing discretion to magistrates in sentencing;
- Funding diversion programs and justice reinvestment;
- Addressing entrenched issues such as poverty, inadequate housing and health, including mental health services;
- Supporting communities by providing culturally safe, trauma-informed therapeutic services for at-risk youth.

Governments at all levels have a role to play in much needed, broad-based systemic change that addresses the root causes of youth offending and takes positive, proactive steps to help and heal children instead of punishing and further traumatising them. A number of other contributing factors should also be addressed.

Children previously in out-of-home care

The trauma of family separation cannot be underestimated - its legacy is far reaching and long-lasting, impacting lives for generations. The disproportionate number of First Nations children taken from their families by state laws and institutions exposes and exacerbates a deep fracture in our society. First Nations children removed from their families and placed in out-of-home care are 16 times more likely to be in youth justice supervision than those who are not, increasing their likelihood of adult incarceration.² Having a criminal record is in turn a key driver of unemployment, poverty and substance abuse. These are cycles of disadvantage and trauma that link back to child removals.

More than half (53%) of young people under youth justice supervision during 2020–21 had an interaction with the child protection system in the last 5-years.³ Almost one-third (30%) were the subject of a substantiated notification for abuse or neglect. Indigenous young people under youth justice supervision were more likely than non-Indigenous young people to have had an interaction with

² Pathways to Justice—Inquiry into the Incarceration Rate of Aboriginal and Torres Strait Islander Peoples ([ALRC Report 133](#))

³ Young people under youth justice supervision and their interaction with the child protection system 2020–21, Australian Institute of Health and Welfare. [2 December 2022](#)

the child protection system. Almost 2 in 3 (64%) Indigenous young people under youth justice supervision during 2020–21 had also received child protection services in the 5 years from 1 July 2016 to 30 June 2021. This compares with just under half (46%) of non-Indigenous young people.

In many cases children are imprisoned and further traumatised in institutions that are not designed, staffed or resourced to support them and their often complex needs. Ending this violent cycle of trauma, disadvantage and injustice must begin with investing in programs, resources and support to help keep families together, particularly First Nations families.

In NSW, more than \$2 billion is spent on child protection and out-of-home care every year, but only \$150 million is spent on early intervention to keep families together. This misallocation of resources is replicated around the country. Families are often crying out for help for months and years before children are removed; the removal being caused by the lack of access to support and services to address entrenched issues such as poverty, inadequate housing and health, including mental health services. Modelling on the Victorian child protection system found that investing \$190 million every year for the next 10 years would save the government at least \$2 billion and prevent 1,460 children from entering out-of-home or residential care over the same period.⁴

The Commonwealth has a significant leadership role to play given its responsibilities as part of the Closing the Gap work and this must be undertaken in partnership with the states. The Commonwealth should incentivise good practice by establishing a Federal funding scheme that can be accessed by states to support the work of keeping First Nations families together, ensuring First Nations children are raising with kin, in culture and on Country. This funding should be directed to addressing systemic problems such as entrenched poverty and inadequate housing and health, which are often the precursors to child removals.

Replace carceral, punitive approaches with early intervention and evidence-based policymaking

Instead of seeking to address the underlying causes of youth offending with a view to reducing incarceration, governments are implementing harsher, non-evidence-based, and ultimately ineffective enforcement measures while building new prisons to lock up ever-increasing numbers of children. This severe imbalance of resources and funding directed to locking up children compared to funding to support families and communities to prevent youth offending is self-evidently not working.

Queensland's backward bail policies have resulted in escalating numbers of children being held on remand while court matters drag on, which advocates and lawyers say effectively imposes extrajudicial punishments on young people who may ultimately be exonerated, or not sentenced to prison time.⁵ Queensland introduced the use of GPS trackers to 'monitor' children at a cost of \$3.8 million for a program that surveilled just three children. A review of Queensland's 2021 crackdown on

⁴ Modelling by Berry Street child protection charity and Social Ventures Australia, updated August 2020.

⁵ Ben Smee, "Innocent Queensland children pleading guilty to avoid harsh bail laws, lawyers say," *The Guardian*, ([9 June 2023](#))

youth crime found that children were pleading guilty for crimes they didn't commit and all children tracked were non-white.⁶ The average length of remand and time that children missed school also increased following the introduction of a presumption against bail.⁷

There is another way. Experts have repeatedly highlighted the need for early intervention and diversion programs, as well as appropriate rehabilitative and therapeutic care. Community-led organisations should be properly resourced to deliver transitional and healing programs to ensure a range of supports for children and families. Policymaking and decisions on funding and resourcing must prioritise the protection of vulnerable children and particularly First Nations children, families and communities. There must be broad and in-depth community consultation with impacted communities, grassroots organisations - particularly Aboriginal-led organisations - stakeholders such as Raise the Age, Change the Record and Close Don Dale. In addition to justice reform experts, including the Jumbunna Institute for Indigenous Education & Research, the Justice Reform Initiative and Aboriginal and community Legal Services in all states and Territories.

The work to identify how this can be achieved has already been done and is just awaiting the funding, imagination and courage of governments. A good example of this is Social Reinvestment WA's Blueprint for a Better Future: Paving the Way for Youth Justice Reform in WA⁸ and the Aboriginal Legal Service WA's recommended reforms from their first successful Supreme Court challenge on Banksia Hill last year.⁹

Discriminatory laws, policies and practices targeting and criminalising First Nations children

The overrepresentation of First Nations children in prisons across Australia is a national shame and must prompt urgent review of the laws, policies and practices which contribute to it.

The rate of Indigenous young people aged 10–17 under supervision on an average day in 2020–21 was lowest in Tasmania (47 per 10,000) and highest in Queensland (175 per 10,000). The level of Indigenous overrepresentation under youth justice supervision was highest in Western Australia (about 25 times higher than non-First Nations children).¹⁰ In WA, 1 in every 240 First Nations kids will be imprisoned, compared to 1 in every 10,000 non-Indigenous children in prison.

Although only 5.8% of young people aged 10–17 in Australia identified as being of Aboriginal or Torres Strait Islander origin, more than half (1,781 or 52%) of the young people aged 10–17 under supervision on an average day in 2021–22 were Indigenous Australians.

⁶ Youth Justice reforms review, [Report on 2021 Youth Justice reforms from Bob Atkinson](#)

⁷ See Greens MP Michael Berkman's [speech on recent bail law changes](#).

⁸ Social Reinvestment WA's [Blueprint for a Better Future](#): Paving the Way for Youth Justice Reform in WA, August 2022.

⁹ Supreme Court of WA declares that lockdowns at Banksia Hill Detention Centre are unlawful, ALSWA Media Statement, [25 August 2022](#)

¹⁰ [Youth justice in Australia 2021–22](#), Australian Institute of Health and Welfare, Table 3.1, page 12

In every jurisdiction, First Nations children are overrepresented and spend longer in unsentenced detention on average.¹¹ This is systemic, unforgivable discrimination that must be understood and then systematically reversed.

Raise the Age

Legislative change at the State or Territory level to raise the minimum age of criminal responsibility has proven to be slow and difficult, and while there are some positive steps being taken, the Federal government must step in to expedite reform. The Commonwealth should demonstrate leadership and raise the age for all Commonwealth offences and then fund diversion and other programs in states and territories to incentivise good practice.

¹¹ [Youth justice in Australia 2021–22](#), Australian Institute of Health and Welfare, page 30.

Question 3: Can you identify reforms that show evidence of positive outcomes, including reductions in children's and young people's involvement in youth justice and child protection systems, either in Australia or internationally?

NSW bail reforms

In NSW the average number of Aboriginal young people in custody declined from 161 per day in 2015 to 121 in 2019. The number of Aboriginal young people in remand fell 21% and in sentenced custody fell 29%. This downward trend has been attributed to two key factors - a reduction in the number of Aboriginal young people charged by police and appearing in court, and a decline in Aboriginal young people sentenced to a custodial order.¹² Between 2015 and 2019, the number of Aboriginal young people taken to court by police declined from 3,685 in 2015 to 3,324 in 2019. Significant reductions were seen in break and enter, property damage and traffic charges. The number of Aboriginal young people sentenced to a custodial order fell from 404 in 2015 to 221 in 2019. BOCSAR noted this was due in part to the reduced volume of Aboriginal young people in court (down from 2,896 convictions in 2015 to 2,198 in 2019), as well as a reduction in the proportion of convicted Aboriginal young people receiving a custodial sentence (down from 14% to 10%).

These notable positive changes can be traced to the reform of the Bail Act, the Covid 19 pandemic and cultural changes within criminal justice. In 2014, the Bail Act was reformed to allow young people to appeal an original bail decision if it was unsuccessful. Changes also included allowing a registrar to immediately approve bail, once accommodation was found, if a child was held on remand due to lack of accommodation or residence. More than half the number of children in prison were held on remand because they simply had no safe home.

The Covid-19 pandemic also influenced a significant reduction in the number of children in detention in NSW. From 15 March 2020 to 28 June the NSW youth custody population decreased by 25.6% from 273 to 203. The majority of this decrease (60%) was due to a reduction in the remand population, which in turn was due to an increase in young people being discharged to bail and a decrease in bail revocations following breaches of bail. The most recent figures for children in custody show a decrease of 25.6% between March 2016- March 2023.

These downward trends, without concurrent spikes in youth offending, demonstrate that simple positive changes can have a tangible impact in reducing the number of children in prison.

Despite these positive changes, it's important to note that 70.2% of those in custody are on remand, which means they haven't yet been charged with any crime but have not been released on bail. More

¹² [Understanding the decline in Aboriginal young people in custody in NSW from 2015 to 2019](#). Neil Donnelly, Stephanie Ramsey, Suzanne Poynton & Jackie Fitzgerald, April 2021, NSW Bureau of Statistics.

than half of those held in custody (56.7%) are Aboriginal. 15.6% of children sentenced in NSW were for 'judicial procedure offences' for example, breaching the conditions of their community-based sentences.¹³

Hawaii

"What I'm trying to do is end the punitive model that we have so long used for our kids, and we replace it with a therapeutic model. Do we really have to put a child in prison because she ran away? What kind of other environment is more conducive for her to heal and be successful in the community?" - Mark Patterson, administrator of the Hawaii Youth Correctional Facility.¹⁴

As of June 2022, there are no girls held in prison in Hawaii, and there has been an 82% reduction in the number of young boys detained compared to 12 years ago - now only 16 boys.¹⁵

This success was attributed to a number of factors, grounded in a therapeutic rather than punitive approach. Legislative changes made it more difficult to incarcerate young people for misdemeanours and there was a focus on diverting children from the judicial system and into trauma-based care. Prison buildings were converted into welcoming spaces for at-risk young people, while funding was delivered to youth services for at-risk children. Hawaii shows how commitment, hope and evidence can work together to change the system.

¹³ NSW Custody Statistics: [Quarterly update March 2023](#), page 11.

¹⁴ Claire Healy, "[Hawaii has no girls in juvenile detention. Here's how it got there.](#)" *Washington Post* (25 July 2022).

¹⁵ Anna Kelsey-Sugg and Ann Arnold, "Girls in Hawaii were once jailed for 'offences' like fleeing unsafe homes. Now they're not locked up at all," *ABC RN* (25 July 2022).

Question 4: From your perspective, are there benefits in taking a national approach to youth justice and child wellbeing reform in Australia? If so, what are the next steps?

Responsibility to implement international legal obligations

While States and Territories are responsible for legislating in relation to prisons, the Commonwealth government holds legal obligations under international law to ensure compliance with Treaties to which it is a party.

Australia has international legal obligations to protect the rights of children as a signatory to a range of international treaties, including among others: the International Covenant on Civil and Political Rights (ICCPR); International Covenant on Economic, Social and Cultural Rights (ICESCR); Convention against Torture, and other Cruel, Inhuman or Degrading Treatment or Punishment (CAT); Convention on the Rights of the Child (CRC) and the Convention on the Rights of Persons with Disabilities (CRPD). As a signatory, Australia is positively obliged to respect and protect the rights prescribed in these Treaties, particularly Article 37 of the CRC, which provides that "every child deprived of liberty shall be treated with humanity and respect for the inherent dignity of the human person."

Given the disproportionate number of First Nations children held in prison (for example, almost all of the children held in Don Dale are First Nations children), Australia's responsibilities as a signatory to the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) are also pertinent.

The Commonwealth also has commitments contained within the National Agreement on Closing the Gap, specifically Target 11 to reduce the rate of Aboriginal and Torres Strait Islander young people (10-17 years) in detention by at least 30 per cent.

The Federal legal mechanism for the national protection of children is the External Affairs power, which provides the Federal Government with the power to legislate with respect to matters relating to treaties such as the CAT. This can be achieved through the external affairs power of the Australian Constitution (section 51(xxix)), which provides:

The Parliament shall, subject to this Constitution, have power to make laws for the peace, order, and good government of the Commonwealth with respect to:-
(xxix) External affairs

Section 51(xxix) supports the making of laws with respect to matters physically external to Australia and laws affecting Australia's relations with other states. According to Rothwell, this extends to any law that:

- (1) Is with respect to a matter external to Australia.
- (2) Is based on an international treaty to which Australia is a party.

- (3) Is with respect to a matter the subject of international concern.
- (4) Is with respect to a matter which Australia is under an international obligation to regulate.
- (5) Is one which is generally regulated and subject to international law under either customary international law or under general principles of international law.
- (6) Has been subject to recommendations by international bodies, agencies or organisations.
- (7) Relates to matters which deal with Australia's relations with other states.

The External Affairs power should be used to implement international obligations by making it unlawful to imprison children in institutions that systematically abuse and violate their rights. As a starting point, the Commonwealth could legislate to close all prisons that have been recommended for closure by a Royal Commission, and/or which have met the threshold for violating Australia's international human rights obligations.

Federal funding to implement OPCAT

Evidence of multiple ongoing violations of the Optional Protocol to the Convention Against Torture (OPCAT), including in youth detention, demonstrate the urgent need for Commonwealth action.

Youth Isolation data in detention in Victoria shows the vast majority of "isolation episodes" were due to "Isolations based on security of the centre concerns" which advocates have noted means lockdown due to lack of staff.¹⁶ A 2019 report by the Victorian Ombudsman (2019) recommended prohibition on solitary confinement in all secure youth facilities, according to the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules).¹⁷ Despite this, the practice continues, with recent reports of children being kept locked alone in their cells with limited human contact for more than 22 hours a day.¹⁸ The Greens in Victoria have a Bill to Raise the Age and prohibit solitary confinement in youth detention, which should be supported as a matter of urgency.¹⁹

In Queensland, an Aboriginal teenager with an intellectual disability was subject to a regime of "fairly routine" solitary confinement, likely locked in solitary confinement for more than 500 days at Cleveland, one of three Queensland youth prisons. According to a Guardian Australia investigation into Cleveland, cell-block lockdowns of young people became so common and widespread in early 2023 that "some children spent months in solitary confinement and attended almost no classes or rehabilitation programs."²⁰

¹⁶ [Youth justice isolation quarterly reporting](#) (1 October 2022 to 31 December 2022).

¹⁷ "OPCAT in Victoria: A thematic investigation of practices related to solitary confinement of children and young people", 5 Sep 2019. See also The United Nations [Standard Minimum Rules](#) for the Treatment of Prisoners.

¹⁸ Nick McKenzie, "Outrage at children locked in solitary confinement for 22 hours a day", *The Age* (6 March 2023).

¹⁹ [Children, Youth and Families Amendment \(Raise the Age\) Bill 2022](#)

²⁰ Ben Smee, "Five hundred days in solitary: Queensland teenager's case 'a major failure of our system,'" *The Guardian* (26 June 2023). See also [Greens MP Michael Berkman's](#) speech on the Monitoring of Places of Detention (Optional Protocol to the Convention Against Torture) Bill 2022.

This conduct is in gross breach of Australia's international obligations, obligations that are held by the Commonwealth.

OPCAT is a priority item on the Standing Council of Attorneys-General (SCAG) and at the 28 April 2023 SCAG meeting, all participants affirmed their commitment to continue to work together towards full implementation of OPCAT obligations. However, this commitment is not matched by appropriate funding or legislation.

Given the Commonwealth bears ultimate responsibility for Treaty obligations, the Federal government is obliged to support States and Territories in their implementation of OPCAT and must provide appropriate and ongoing funding to do so.²¹ In the absence of effective state action the Commonwealth should also consider legislating national minimum standards to ensure compliance with international obligations. In short the Commonwealth's silence, inaction, and through that its complicity, must end.

Further considerations:

Children with disability

A new longitudinal study by the NSW Bureau of Crime Statistics and Research (BOCSAR), *Offending by young people with disability*, found that young people with disability are overrepresented in the youth justice system. Children with disability make up just 3.5% of all young people in the study group, but represent 7.7% of all young people with an offence before the age of 18 and 17.4% of those with an episode in youth detention.

Recent reports note that at least 15 children with a diagnosed disability and many more without a diagnosis are being held in detention in the Northern Territory.²²

A recent study by Telethon Kids Institute found that 89% of children studied at Banksia Hill Youth Detention Centre had at least one form of severe neurodevelopmental impairment, amongst the highest reported rate of neuro-disability amongst sentenced youth in the world. 36% were found to have Fetal Alcohol Spectrum Disorder (FASD).²³ Lead Researcher Professor Carol Bower noted this is the highest known prevalence of FASD in a custodial/corrective setting worldwide, and almost double the previous highest Australian estimate in a non-custodial setting.

Despite the lack of consistent formal neurodevelopmental assessment or reporting of children with disability entering the justice system, based on reporting that does exist we can hypothesise that

²¹ Funding is a stated barrier to implementation, see for example [this May 2023 response](#) from SA Minister for Aboriginal Affairs and Attorney-General to a question from Greens MP Robert Simms.

²² (A)manda Parkinson, "[Don Dale: the children with profound disability held behind bars in the NT](#)," *The Guardian*, 22 June 2023

²³ Bower C, Watkins RE, Mutch RC, *et al* Fetal alcohol spectrum disorder and youth justice: a prevalence study among young people sentenced to detention in Western Australia, [BMJ Open 2018](#).

children with disability are significantly overrepresented in youth detention facilities across Australia. This is particularly disturbing given these institutions are profoundly ill-suited to supporting and treating the behaviours and trauma associated with FASD and other disabilities .

In its concluding observations on the combined second and third periodic reports of Australia, the Committee on the Rights of Persons with Disabilities noted its concern about "overrepresentation of convicted young persons with disabilities in the youth justice system, especially male youth from Aboriginal and Torres Strait Islander communities."²⁴

Supporting documentation and data attached:

[Parliamentary Library research](#) into the amount of funding, desegregated by state, gender and First Nations status, allocated to children's prisons; and the amount of funding, desegregated by the same values, to justice diversion programs.

²⁴ United Nations Committee on the Rights of Persons with Disabilities. (2019) Concluding Observations on the Combined Second and Third Reports of Australia, [UN Doc CRPD/C/AUS/CO/2-3 \(15 October\) para 25\(d\)](#)